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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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Cyfarwyddiaeth y Prif Weithredwr / Chief Executive's Directorate

Deialu uniongyrchol / Direct line /: 01656 643148 / 643694 / 643513

Gofynnwch am / Ask for:

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Wednesday, 16 October 2024

Dear Councillor,

CABINET

A meeting of the Cabinet will be held Hybrid in the Council Chamber - Civic Offices, Angel Street, Bridgend, CF31 4WB on **Tuesday, 22 October 2024 at 14:30.**

AGENDA

- 1 Apologies for Absence
To receive apologies for absence from Members.
- 2 Declarations of Interest
To receive declarations of personal and prejudicial interest (if any) from Members/Officers in accordance with the provisions of the Members' Code of Conduct adopted by Council from 1 September 2008.
- 3 Approval of Minutes 5 - 14
To receive for approval the Minutes of 24/09/2024
- 4 Local Air Quality Management Annual Progress Report 2024 15 - 112
- 5 Disciplinary Policy 113 - 144
- 6 Proposal To Extend The Term Of The Healthy Living Partnership With GLL / Halo Leisure
145 - 160
- 7 Outcomes Of ESTYN Inspections Of Schools In Bridgend During Summer Term 2024 161 - 166

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- 8 Children Missing Education Policy 167 - 184
- 9 Disabled Facilities Grant Framework 185 - 192
- 10 Minimum Revenue Position Policy 193 - 204
- 11 Budget Monitoring 2024-25 - Quarter 2 Revenue Forecast 205 - 248
- 12 Transforming Towns Empty Property Enforcement Fund 249 - 256
- 13 Tennis Facilities Management Agreement 257 - 276
- 14 Allocations Under Town And Community Council Capital Grant Scheme, Round 2 2024-25
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- 15 Parc Afon Ewenni Refurbishment Of The Highways Depot At Waterton 285 - 290
- 16 Bridgend County Borough Council Invasive Species Policy 291 - 318
- 17 Urgent Items
 To consider any items of business that by reason of special circumstances the chairperson is of the opinion should be considered at the meeting as a matter of urgency in accordance with paragraph 2.4 (e) of the Cabinet Procedure Rules within the Constitution.
- 18 Exclusion of the Public
 The following items are not for publication as they contain exempt information as defined in Paragraphs 14 and of Part 4 and Paragraph 21 of Part 5, Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.
- If following the application of the public interest test Cabinet resolves pursuant to the Act to consider these items in private, the public will be excluded from the meeting during such consideration.
- 19 Porthcawl Grand Pavilion - Project Budget Update And Request For Approval To Go Out To Tender For Main Works Contract 319 - 332

Note: This will be a Hybrid meeting and Members and Officers will be attending in the Council Chamber, Civic Offices, Angel Street Bridgend / Remotely via Microsoft Teams. The meeting will be recorded for subsequent transmission via the Council's internet site which will be available as soon as practicable after the meeting. If you would like to view this meeting live, please contact cabinet_committee@bridgend.gov.uk or tel. 01656 643148 / 643694 / 643513 / 643159.

Yours faithfully

K Watson

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

Councillors:

E L P Caparros

P Davies

M J Evans

N Farr

J Gebbie

M Jones
JC Spanswick
HM Williams

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MINUTES OF A MEETING OF THE CABINET HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON TUESDAY, 24 SEPTEMBER 2024 AT 14:30

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Present

Councillor JC Spanswick – Chairperson

J Gebbie
M J Evans

HM Williams
M Jones

E L P Caparros

P Davies

Present Virtually

N Farr

Officers:

Oscar Roberts
Alex Rawlin
Carys Lord
Janine Nightingale
Kelly Watson
Mark Shephard
Zak Shell
Michael Pitman
Mark Lewis
Helen Picton

Business Administrative Apprentice - Democratic Services
Corporate Policy & Performance Manager
Chief Officer - Finance, Housing & Change
Corporate Director - Communities
Chief Officer - Legal & Regulatory Services, HR & Corporate Policy
Chief Executive
Head of Neighbourhood Services
Technical Support Officer – Democratic Services
Group Manager - Integrated Working
Head of Shared Regulatory Services

Declarations of Interest

The following Members declared personal interests in Item 10 - Elective Home Education Policy 2024-2027:

HM Williams
J Gebbie
M J Evans
M Jones

362. Approval of Minutes

Decision Made	<u>RESOLVED</u> That the minutes of the 23/07/2024 and 10/09/2024 be approved as a true and accurate record.
Date Decision Made	24 September 2024

363. Replacement System for Caredirector (WCCIS)

Decision Made	<p>The Corporate Director Social Services and Wellbeing presented a report which:</p> <ul style="list-style-type: none">• Provided Cabinet with an update on the procurement of a replacement social care system for CareDirector (WCCIS).• Informed Cabinet of the risks of failing to award a contract in line with procurement timescales.• Sought approval from Cabinet to delegate authority to the Corporate Director of Social Services and Wellbeing in consultation with the Chief Officer, Finance, Housing and Change and the Chief Officer Legal and Regulatory Services to accept the most economically advantageous tender received and to enter into a contract and any supplemental deeds and documents with the successful bidder. <p>The Corporate Director Social Services and Wellbeing explained that following evaluation of the alternative options, the 18 local authorities who are procuring a new system agreed to work together in a national</p>
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	<p>programme, but to procure through 6 clusters, ranging in size from 1 to 6 local authorities per cluster. BCBC is part of the Cwm Taf Morgannwg (CTM) cluster. These were highlighted in Table 1 of the report.</p> <p>She advised that Table 2 showed the timelines from the tender submission deadline until mobilization of the new system.</p> <p>The Corporate Director Social Services and Wellbeing explained that there were risks to the Council should it not approve tender at the same time as our regional partners, the main risk is that the Council will not have an effective, support case management system in place after January 2026, which would mean a fundamental failure of safeguarding, child and adult protection, in Bridgend.</p> <p>The Deputy Leader was pleased to see that we were making progress on this. It was disappointing to see that Welsh Government had not indicated what they would be able to contribute in terms of funding. She added that there would be high risk to the County Borough to not award a contract and hope that Welsh Government provide funding when it was needed.</p> <p><u>RESOLVED:</u> That Cabinet:</p> <ul style="list-style-type: none"> • Noted the update on the procurement of a replacement social care system for CareDirector (WCCIS); • Noted the risks of failing to award a contract in line with procurement timescales; • Delegated authority to the Corporate Director of Social Services and Wellbeing in consultation with the Chief Officer, Finance, Housing and Change and the Chief Officer Legal and Regulatory Services to accept the most economically advantageous tender received and to enter into a contract and any supplemental deeds and documents with the successful bidder.
Date Decision Made	24 September 2024

364. Housing and Homelessness Position Statement

Decision Made	The Chief Officer Finance, Housing and Change presented a report which:
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	<ul style="list-style-type: none"> • Updated Cabinet with regards to key pieces of work currently being taken forward to address pressures on housing and homelessness services; • Sought approval from Cabinet for the acquisition of three properties which are within the Council's approved capital estimates for the purpose of providing temporary accommodation, subject to all reasonable due diligence and legal advice. <p>She explained that in March 2024, Cabinet approved a proposal, authorising the acquisition of Housing in Multiple Occupation (HMO) style properties for the purpose of providing temporary accommodation. Since then, work has taken place alongside the Corporate Landlord department to purchase two properties, with a third purchase currently in progress. Further details were at section 3 of the report.</p> <p>The Deputy Leader welcomed the report and it provided a vision of how we can move forward in the County Borough to help those who were in need of a home.</p> <p>Cabinet Members asked what the costs going forward would be relating to the demand for temporary accommodation. The Chief Officer Finance, Housing and Change stated that due to the accommodations recently being refurbished we were not anticipating high costs ongoing for maintenance, however there have been arrangements put in place to ensure we were able to meet those maintenance requirements.</p> <p>Further queries by Cabinet Members were answered by the the Chief Officer Finance, Housing and Change.</p> <p><u>RESOLVED:</u> That Cabinet:</p> <ul style="list-style-type: none"> • Noted the contents of this report; • Approved the acquisition of three properties which are within the Council's approved capital estimates for the purpose of providing temporary accommodation subject to all reasonable due diligence and legal advice.
Date Decision Made	24 September 2024

365. Urban and Rural Grass Cutting Capital Equipment

Decision Made	<p>The Head of Operations – Community Services presented a report which updated Cabinet in relation to the delivery of urban and rural grass cutting Service and sought Cabinet approval for a report to be presented to Council, recommending a proposed amendment to the Capital Programme to incorporate a capital budget of £340,000, vired from the existing Raven's Court capital budget.</p> <p>The Cabinet Member for Education and Youth Services asked that we considered a delivery plan for this service so that the public can have realistic expectations going forward.</p> <p>The Cabinet Member for Finance & Performance explained that bringing this service in house would give BCBC better control over the service in the challenging financial climate. He asked for clarification on the point that this service was to be delivered from existing budgets. The Head of Operations – Community Services explained that the first year would be a challenge in terms of revenue budget as there needs to be time for the service to integrate properly with our own workforce, however this is purely for the equipment purchasing.</p> <p>RESOLVED: that Cabinet agreed the proposed virement of £340,000 in the Capital Programme for the delivery of Urban and Rural Grass Cutting in-house with funds being vired from the existing Ravenscourt Capital Programme budget and agreed that a report be presented to Council recommending the proposed change to the capital programme.</p>
Date Decision Made	24 September 2024

366. Self Assessment 2023/24

Decision Made	<p>The Policy and Public Affairs Manager presented a report which sought Cabinet approval from Cabinet to recommend that Council approve self assessment 2023/24.</p> <p>She explained that this was the third self assessment but the first that will review performance against the Council's new Corporate Plan 2023-28, so a new process for the performance element of self-assessment was required. The main changes made were reported to the Governance and Audit Committee on 18 April 2024 and were outlined at 3.1 of the report.</p> <p>She advised that the draft findings from the three performance requirements were pulled together and</p>
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	<p>reported at various committees. The recommendations from these committees have since been used to inform the self assessment presented today and attached at Appendix 1.</p> <p>The Cabinet Member for Finance & Performance welcomed the report and asked if this process was continually improving and has the new Corporate Plan made this process more comprehensive.</p> <p>The Policy and Public Affairs Manager stated that this was a continually improving process year on year and the Corporate Plan was developed to help us improve our self assessment as well as addressing some of Audit Wales' criticisms about our broader approach to performance management. She added that year on year we would see much for comparative data which would also inform and shape our objectives going forward.</p> <p><u>RESOLVED:</u> that Cabinet recommended that Council:</p> <ul style="list-style-type: none"> • Approve the draft self-assessment at Appendix 1 • Approve the performance summary at Appendix 2.
Date Decision Made	24 September 2024

367. Amendments to the Scheme of Delegation of Functions

Decision Made	<p>The Head of Legal and Regulatory Services, HR and Corporate Policy presented a report which outlined the proposed changes to the Scheme of Delegation of Functions and asked that Cabinet approved these amendments.</p> <p>The amendments took into consideration the portfolio changes following the Annual meeting of Council in May, which saw an additional cabinet member post be allocated as well as a change of portfolios.</p> <p><u>RESOLVED:</u> That Cabinet:</p> <p>Approved the amendments to the Scheme of Delegation of Functions in relation to Cabinet Member titles and portfolios as referenced at 3.1;</p> <p>Authorised the Monitoring Officer to make minor textual changes and amendments to the Scheme of Delegation of Functions to take account of changes in legislation and changes to Officer and Member titles</p>
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	and responsibilities.
Date Decision Made	24 September 2024

368. Shared Regulatory Services Annual Report 2023-24

Decision Made	<p>The Head of Shared Regulatory Services presented a report which provided Cabinet with the Shared Regulatory Services Annual Report for 2023-24 for noting.</p> <p>She highlighted the key areas of operational performance across the region which covered the staff sickness absence levels, Environmental Health and Trading Standards staffing levels, Food inspection programme and the budget constraints. These were presented in detail in the appendices.</p> <p>The Cabinet Member for Climate Change and Environment asked in relation to the properties mentioned on page 115 how the work was carried out to reduce their carbon emissions.</p> <p>The Head of Shared Regulatory Services stated that this was all achieved voluntarily by the properties through engagement and conversations as well as signposting them to places where they can achieve the support needed to make those changes.</p> <p>The Deputy Leader shared her thanks to the team for the work they had done in this year. She was pleased to see the hygiene ratings of businesses in Bridgend so high and that was a reassurance to residents of Bridgend.</p> <p><u>RESOLVED:</u> That Cabinet noted the Shared Regulatory Services Annual Report for 2023-24.</p>
Date Decision Made	24 September 2024

369. Elective Home Education Policy 2024-2027

Decision Made	<p>The Group Manager – Early Years and Young People presented a report which sought Cabinet approval of an Elective Home Education Policy.</p> <p>He explained that EHE policy is essential and contributes to the wellbeing and educational rights of</p>
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	<p>children and young people. The EHE policy enables the local authority to collect data on the number of home educated children, the demographics of these families and the educational approaches being used. Further details were at section 3 of the report.</p> <p>Cabinet Members requested some clarification on figures regarding home educated children and their age group and any other factors that may be relevant like additional learning needs. They also requested figures on how many children per year never attend school. Further information on the breakdown of these figures would be provided at a later date.</p> <p><u>RESOLVED</u> That Cabinet approved the policy attached at Appendix 1.</p>
	24 September 2024

370. Representation on Outside Bodies

Decision Made	<p>The Head of Shared Regulatory Services presented a report which sought Cabinet's approval for the appointment of a replacement Member to sit as a representative on Bridgend County Care and Repair.</p> <p>One vacancy has arisen on this outside body and it is proposed that Councillor Jane Gebbie will fill this vacancy. Councillor Amanda Williams will remain as our other representative.</p> <p><u>RESOLVED:</u> That Cabinet appointed Councillor Jane Gebbie as one of our two Elected Member representatives on Bridgend County Care and Repair.</p>
Date Decision Made	24 September 2024

371. Urgent Items

Decision Made	There were no urgent items
Date Decision Made	24 September 2024

To observe further debate that took place on the above items, please click this [link](#)

The meeting closed at 16:45

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Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	LOCAL AIR QUALITY MANAGEMENT ANNUAL PROGRESS REPORT 2024
Report Owner / Corporate Director:	CHIEF OFFICER – LEGAL AND REGULATORY SERVICES, HUMAN RESOURCES AND CORPORATE POLICY
Responsible Officer:	JASON BALE – OPERATIONAL MANAGER, SHARED REGULATORY SERVICES
Policy Framework and Procedure Rules:	THERE IS NO EFFECT UPON THE COUNCIL’S POLICY FRAMEWORK OR PROCEDURE RULES AS A RESULT OF THIS REPORT.
Executive Summary:	<p>This report provides Cabinet with an update on local air quality monitoring undertaken across Bridgend County Borough Council in 2023.</p> <ul style="list-style-type: none"> The report shows that only the air quality objective for NO₂ is breached at three locations in the already declared Air Quality Management Area (AQMA) on Park Street. <p>It is noted that in 2023, monitoring undertaken at sites OBC-110, OBC-123 and OBC-140 located on Park Street residential facades, exceed the annual average air quality objective set at (40µg/m³) for NO₂. OBC-110 & OBC-123 recorded annual average figures of 43.3µg/m³. OBC-140 recorded an annual average figure of 42.9 µg/m³. <u>This represents a reduction in NO₂ concentrations of 19% and 22% at OBC-110 & OBC-123 since 2019.</u></p>

1 Purpose of Report

- 1.1 The purpose of this report is to seek approval for the 2024 Bridgend County Borough Council (BCBC) Local Air Quality Management (LAQM) Annual Progress Report (APR) based upon the air quality datasets obtained in 2023. This report requires Cabinet approval to submit a final version to Welsh Government (WG).
- 1.2 The report provides an update on progress regarding the Air Quality Action Plan for the Park Street Air Quality Management Area.

2 Background

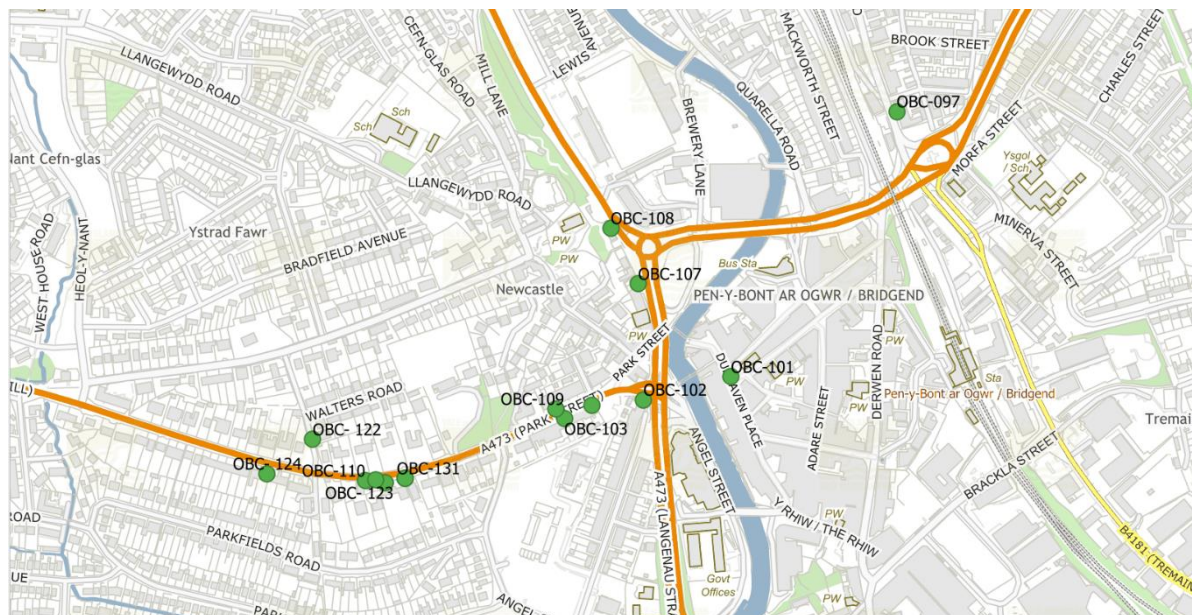
- 2.1 Under Section 82 of the Environment Act 1995 every local authority has an obligation to regularly review and assess air quality in their areas, and to determine whether or not air quality objectives to protect health are likely to be achieved. Where the air quality reviews indicate that the air 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.
- 2.2 The Annual Progress Report, attached as **Appendix 1**, provides details on the ratified data for the air quality monitoring undertaken in 2023 within Bridgend County Borough.
- 2.3 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 use when carrying out their air quality functions under the Environment Act 1995, sets out that authorities in Wales must produce a draft Annual Progress Report each year and submit a final version to Welsh Government by the 31st 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.
- 2.4 The 2024 Annual Progress Report satisfies the above criteria examining ratified datasets for air quality monitoring undertaken in 2023 within Bridgend County Borough.

3. Current situation/ proposal

- 3.1 The 2024 Annual Progress Report confirms that in 2023, three 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.
- 3.2 The Park Street, Bridgend Air Quality Management Area Order was raised on the 1st January 2019.

3.3 Figure 1 below depicts the non-automated monitoring sites located in and around the Park Street Air Quality Management Area (AQMA).

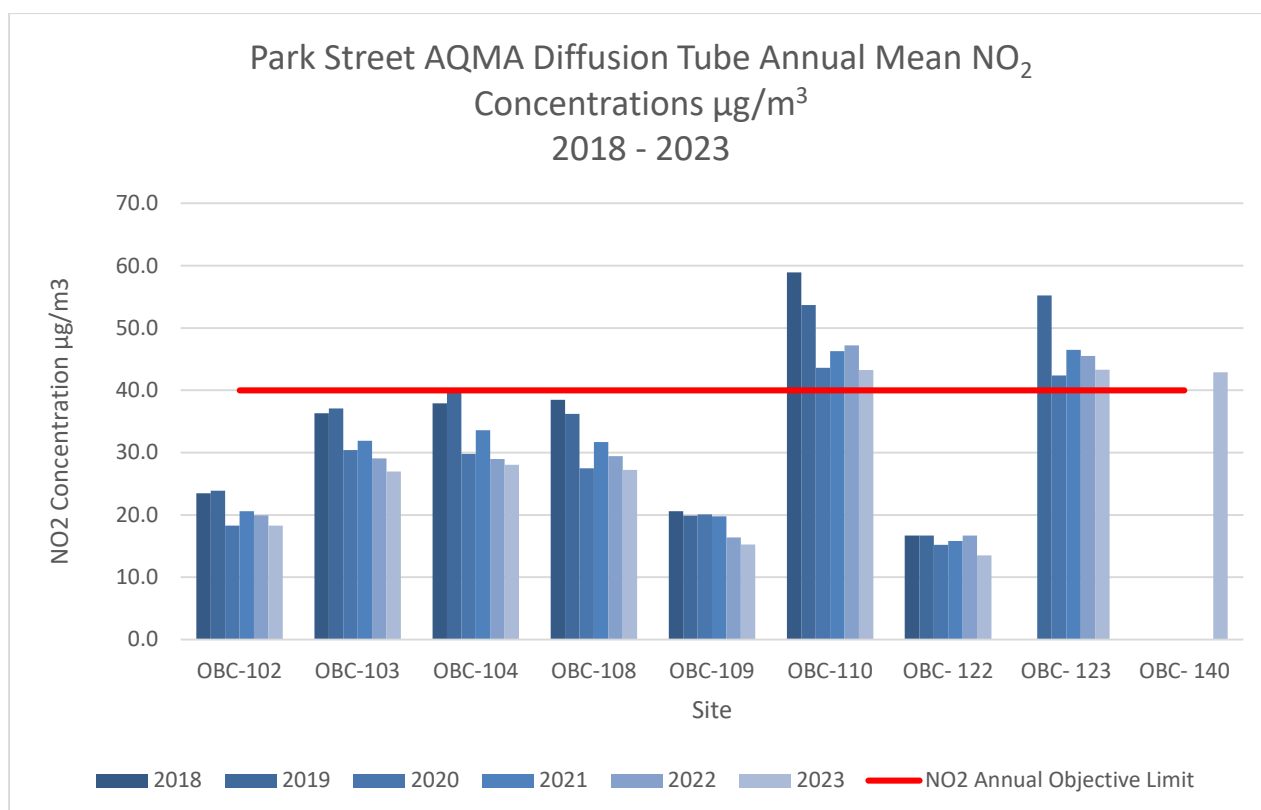
Figure 1 - 2023 NO₂ Diffusion Tube Monitoring Locations, Park Street/ Tondu Road/ Bridgend Town Centre



3.4 It is noted that in 2023, monitoring undertaken at sites OBC-110 and OBC-123, exceed the annual average air quality objective set at ($40\mu\text{g}/\text{m}^3$) for NO₂. OBC-110 & OBC-123 recorded annual average figures of $43.3\mu\text{g}/\text{m}^3$. This represents a reduction in NO₂ concentrations of 19% and 22% at OBC-110 & OBC-123 since 2019 and continues to show the positive downward trend of NO₂ concentrations within the AQMA. Figure 2 shows the trends in the annual mean NO₂ concentrations within the Park Street AQMA.

3.5 A further monitoring location within the AQMA, OBC-140 also recorded a result in excess of the annual average air quality objective for NO₂. OBC-140 was a new monitoring location introduced on Park Street in 2023. The purpose of this location was to monitor at one of the modelled receptor locations to enable a direct comparison of measured results with future modelled projections. OBC-140 recorded an annual average figure of $42.9\mu\text{g}/\text{m}^3$ which is consistent with the concentrations at OBC-110 and OBC-123.

Figure 2 - Trends in annual mean NO₂ concentrations in the Park Street AQMA



- 3.6 As part of the Local Air Quality Management statutory duties, from the date of raising the AQMA Order (in this instance 1st 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.
- 3.7 The AQAP was published in April 2024.
- 3.8 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**.
- 3.9 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).
- 3.10 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.
- 3.11 In the summer of 2022, work was carried out to upgrade the traffic lights located at the junction of Park Street and Angel Street, along the A473. The refurbishment of the existing traffic lights was needed as the traffic light system was over 25 years old and the upgrade was essential to safeguard pedestrians, as well as making sure that traffic is managed in the best way possible on what is one of the county borough's busiest routes. The works follow-on from previous work completed on traffic lights at the A473's junction with Broadlands.
- 3.12 A right turn holding lane at the Junction of Park Street with Heol y Nant was implemented in January 2022. This was to be introduced 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.
- 3.13 Both the Park Street/ Angel Street junction, and Heol y Nant right turn holding lane options were assessed by air quality modelling within the Park Street AQAP and were deemed to have a positive effect on traffic flows and air quality within Park Street.
- 3.14 Work has continued for the Park Street AQAP, with the assessment of various options that could improve air quality in the area. These options included investigating the benefits of bus electrification and HGV restrictions using Park Street. Modelling carried out in support of these options has found that the implementation of these measures will have little effect on receptors exceeding the NO₂ annual objective.
- 3.15 An updated modelling assessment was carried out in 2023, using modelled receptors predicted to remain in exceedance of the air quality standard in 2023 with 'do something' scheme in place. This assessment was provided to predict the date of natural compliance for both 'do minimum' and 'do something' schemes.
- 3.16 The results of the natural compliance assessment suggest that without further additional measures in place, the annual mean NO₂ concentrations will fall below the 40 µg/m³ threshold in 2026 and that the local authority could start to make a case for revoking the AQMA from 2027 onwards.
- 3.17 The remaining measure in the Do Something scenario is Measure 18, Deny all access onto St Leonards Road from Park Street. In order to progress this measure, BCBC

as the highway authority, would be legally required under the Road Traffic Regulation Act 1984 to undertake formal consultation on the implementation of Measure 18 in order to implement a Traffic Regulation Order (TRO). Initial discussions with officers from highways have indicated that this process could take up to 18 months and would be subject to funding of approximately £8,000. Should any objections to this proposal be received, BCBC would then be required to undertake an appeals process in the form of an Appeals Report which will have to be submitted to the appropriate Cabinet member to decide on the way forward, which could impact further on timescales for full implementation.

- 3.18 As a result of this assessment, the Council decided to delay implementation of the final traffic management mitigation measure 18, pending close evaluation of monitoring results in comparison to those within the assessment in relation to the natural compliance date of 2026. This measure is a retained measure for future consideration should air quality not improve.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 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.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 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.
- 5.2 The declaration of the AQMA on Park Street and the subsequent 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 has looked to balance short-term needs of improving air quality and will also look at measures to safeguard the ability of meeting long-term needs to further improve air quality.

- Prevention – By implementing measures 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 the Council's environmental well-being objectives.
- Collaboration –The Action Plan was developed in collaboration with many departments within the Council and other external organisations, i.e., Public Health Wales.
- Involvement – The action plan was subject to public consultation and the Council has ensured that those who have a strong interest in improving air quality have been fully involved and their ideas considered.

5.3 In accordance with air quality, as part of the objective for “Healthy Choices in a Healthy Environment”, Bridgend Public Services Board (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. To measure the success of promoting a more resource and energy way of living, air quality, particularly NO₂ levels will be examined.

6. Climate Change Implications

- 6.1 The Annual Progress Report provides the latest full data set of air quality monitoring data for BCBC. One of the key actions identified in BCBCs Net Zero Carbon Strategy is to reduce emissions from Transport.
- 6.2 Given that road transportation is one of the key contributors to air pollution the ongoing assessment of air quality data trends will assist the Council in assessing the impact of its Climate Change interventions and reductions of transport emissions.

7. Safeguarding and Corporate Parent Implications

- 7.1 Due regard has been paid to the BCBC Safeguarding Policy which seeks to safeguard and promote the wellbeing of children, young people and adults at risk of abuse or neglect and to ensure that effective practices are in place throughout the Council and its commissioned services. Given the subject matter of this report no negative safeguarding implications have been identified.

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 recommended:

- 9.1. To note the results of air quality monitoring gathered in 2023 and to agree the finalisation of the 2024 Annual Progress Report (attached as **Appendix 1**) for submission as a final version to Welsh Government by 31st December 2024
- 9.2. To note the progress made in developing the Air Quality Action Plan for Park Street.

Background documents - None



Bridgend 2024 Air Quality Progress Report

In fulfilment of Part IV of the Environment Act 1995, as amended by the Environment Act 2021

Local Air Quality Management

Date: August 2024

Information	Details
Local Authority Officer	Adam Spear
Department	Specialist Enterprise Services
Address	Civic Offices, Holton Road, Barry CF63 4RU
Telephone	0300 123 6696
E-mail	aspear@valeofglamorgan.gov.uk
Report Reference Number	APR/2024
Date	Bridgend Borough County Council

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.

Poor air quality in Wales poses a 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 (PM₁₀ and PM_{2.5}), and primary/ secondary derived nitrogen dioxide (NO₂). Both pollutants primarily originate from motor vehicles.

The UK expert Committee on the Medical Effects of Air Pollution (COMEAP) estimated that air pollution is responsible for “an effect equivalent of between 28,000 and 36,000 deaths (at typical ages) each year” in the UK. In 2022, the UK Health Security Agency updated this estimate; the burden range is now reported as the equivalent of between 29,000 and 43,000 deaths per year¹.

The burden range does not reflect ‘actual’ deaths from air pollution exposure but is an estimate of the ‘equivalent’ reduced life expectancy, when summed, which everyone experiences because of air pollution exposure (6-8 months on average but could range from days to years).

In Wales – based on modelled air pollution data pre-pandemic – Public Health Wales estimated the burden of long-term air pollution exposure to be around the equivalent of 1,000 to 1,400 deaths each year². This estimate was calculated using a more accurate method that considers the combined effects of different pollutants, meaning that the overlapping effects of PM_{2.5} and NO₂ are accounted for. Impact estimates are uncertain, however, which is why they should always be presented as a range of values, rather than a single, central estimate.

¹ <https://airquality.gov.wales/about-air-quality/health-advice>

² <https://phw.nhs.wales/services-and-teams/environmental-public-health/air-quality/air-pollution-and-health-fact-sheet/>

Although estimating the burden of air pollution is difficult, there is clear and strong evidence that it does harm health. It is therefore important to take action to reduce air pollution and the harms that go with it.

Air Quality in Bridgend

Local authorities have a statutory duty under Part IV of the Environment Act 1995 (as amended by the Environment Act 2021) & Air Quality Strategy for England, Scotland, Wales, and Northern Ireland 2007 to manage local air quality. Under 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.

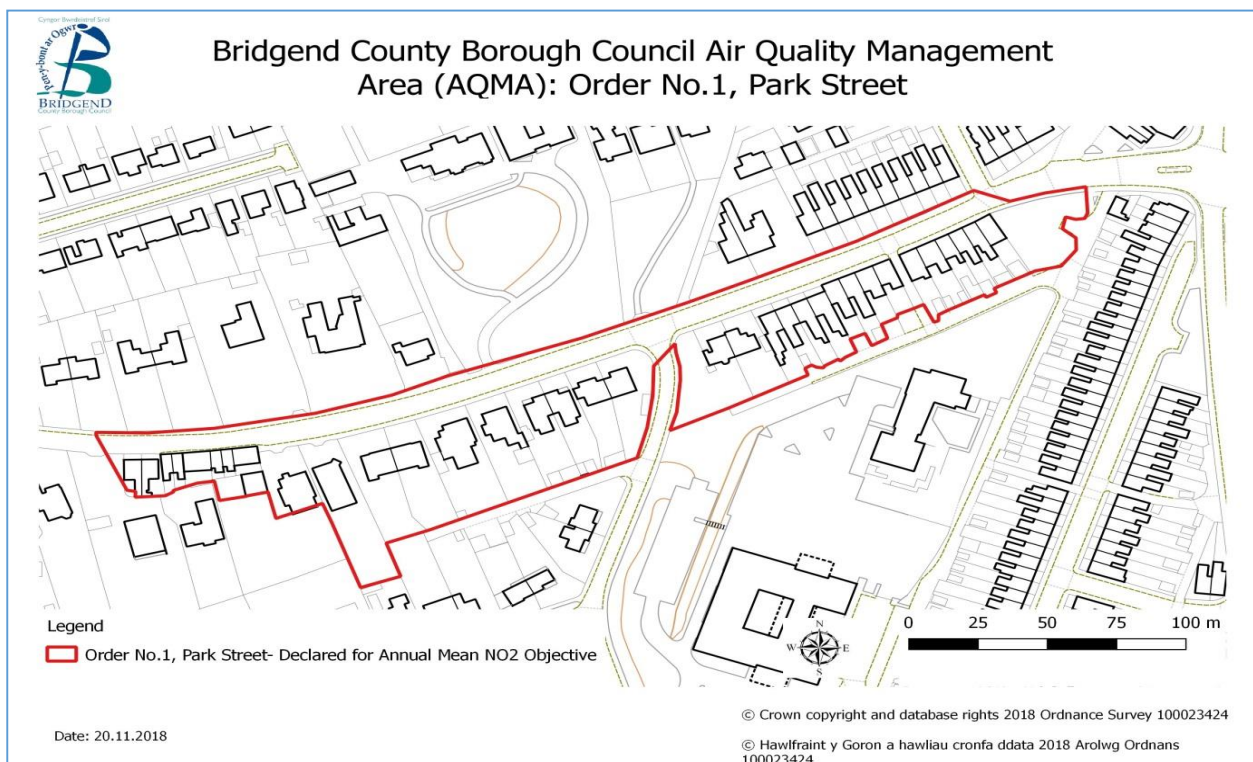
In line with the Local Authorities' statutory duties under Part IV of the Environment Act 1995, in 2023 Shared Regulatory Services (SRS) on behalf of BCBC undertook regular air quality monitoring at specifically allocated locations across Bridgend using automated and non-automated principles for ambient air nitrogen dioxide (NO₂) and particulate matter (PM₁₀).

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. The designated monitoring locations are assigned based on relevant exposure and where the certain Air Quality Objective levels for a particular pollutant applies. It 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 APR³ 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.

The designated AQMA 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 1 – Map of Park Street AQMA

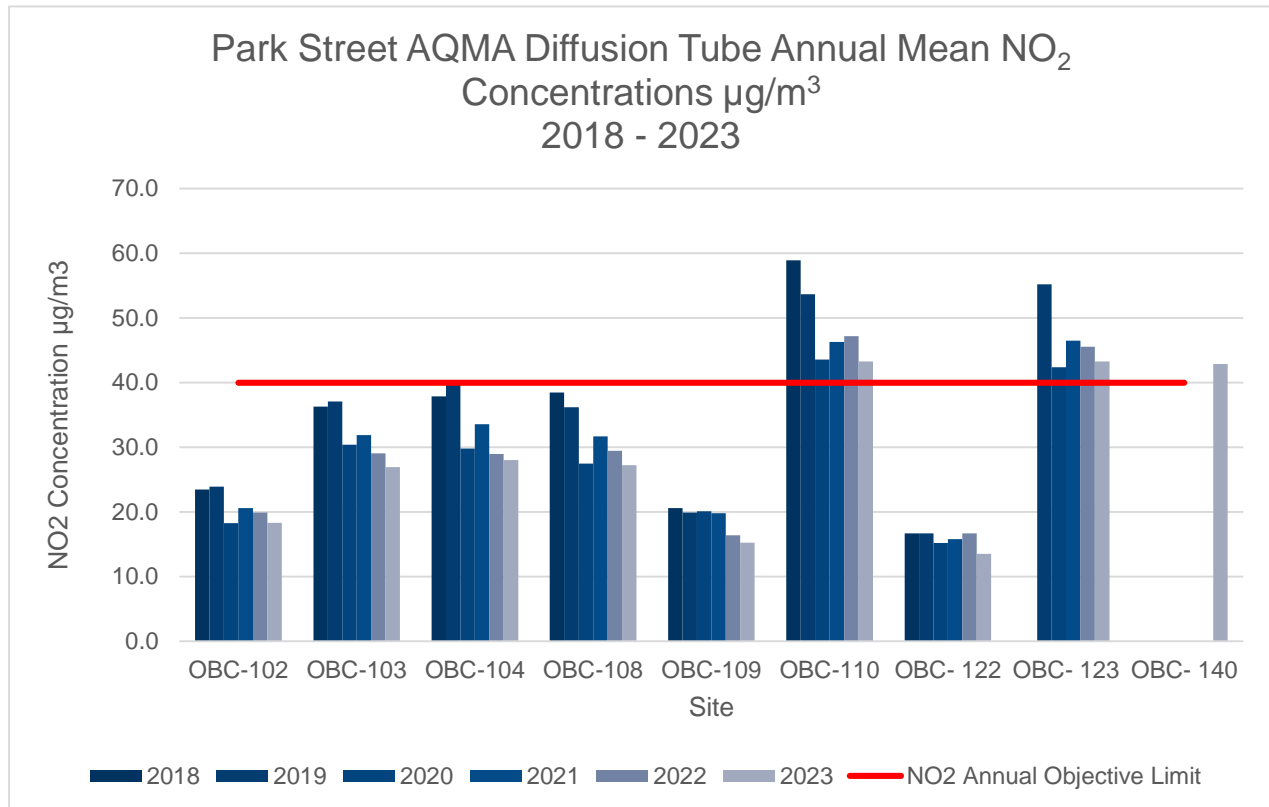


Within the Park Street AQMA, we have seen a downward trend in NO₂ concentrations since the Covid-19 pre-pandemic period. However, in 2023, three non-automatic monitoring

³ <https://www.srs.wales/Documents/Air-Quality/Bridgend/7294-7279-Bridgend-Council-2018-Air-Quality-Progress-Report.pdf>

locations within the AQMA remain in exceedance of the annual air quality objective for nitrogen dioxide. All other monitoring locations within Bridgend county display compliance with all relevant air quality objectives.

Figure 2 - Park Street AQMA Diffusion Tubes Annual Mean Concentration Trends



It is noted that in 2023, monitoring undertaken at sites OBC-110, OBC-123 and OBC-140 located on Park Street residential facades, exceed the annual average air quality objective set at ($40\mu\text{g}/\text{m}^3$) for NO₂. OBC-110 & OBC-123 recorded annual average figures of $43.3\mu\text{g}/\text{m}^3$. OBC-140 recorded an annual average figure of $42.9\mu\text{g}/\text{m}^3$. This represents a reduction in NO₂ concentrations of 19% and 22% at OBC-110 & OBC-123 since 2019.

Figure 2 - Area in Exceedance of the NO₂ Annual Objective Limit



Figure 3 - Park Street AQMA Monitoring Sites Exceeding the NO₂ Annual Objective Limit



Sites currently exceeding annual air quality objectives are isolated to one area of Park Street. This area of Park Street, between no.91 and no. 107, experience higher concentrations of pollutants due to the proximity of houses to a heavily trafficked primary route with congestion issues. These issues are compounded by gradients increasing engine load and poor dispersion caused by buildings.

All other monitoring locations within Park Street AQMA and across Bridgend currently demonstrate compliance with the applicable air quality objectives.

Actions to Improve Air Quality

The Air Quality Action Plan (AQAP) for the Park Street AQMA was published in March 2024. Various options within the AQAP have been adopted following development of the AQAP and public consultations.

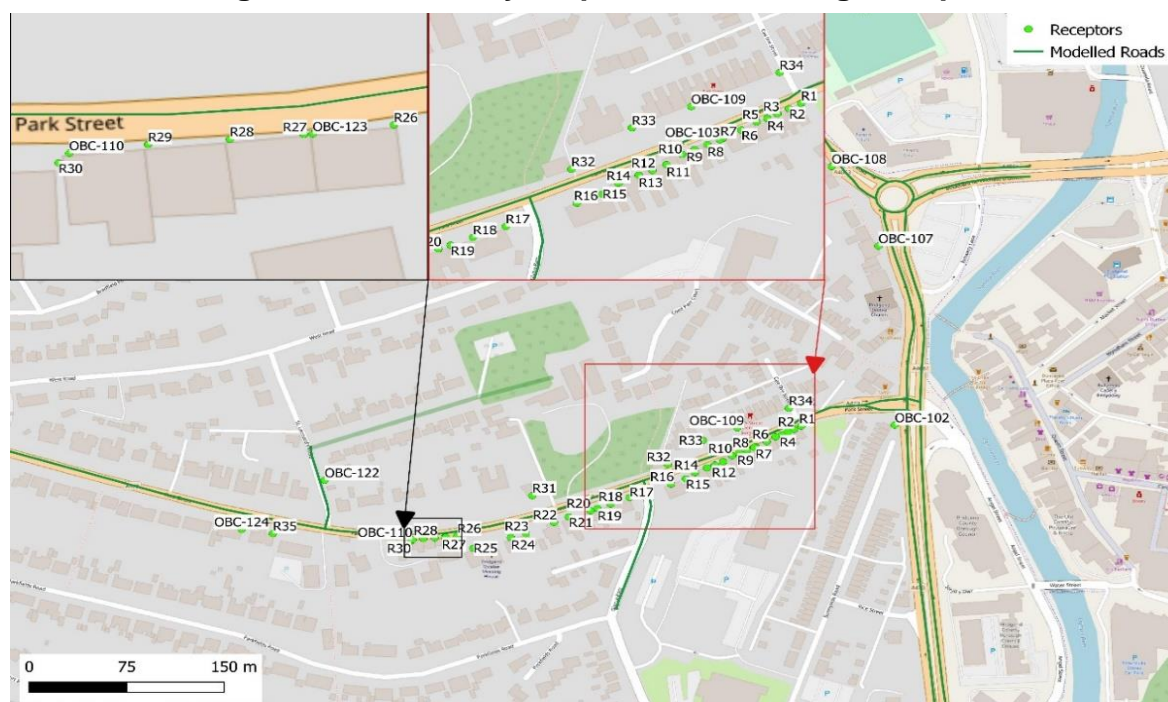
In the summer of 2022, work was carried out to upgrade the traffic signals located at the junction of Park Street and Angel Street, along the A473. The refurbishment of the existing traffic lights was needed as the traffic light system was over 25 years old and the upgrade was essential to safeguard pedestrians, as well as making sure that traffic is managed in the best way possible on what is one of the county borough's busiest routes. The works follow-on from previous work completed on traffic lights at the A473's junction with Broadlands.

A right turn holding lane at the Junction of Park Street with Heol y Nant was implemented in January 2022. This was to be introduced 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.

Both the Park Street/ Angel Street junction, and Heol y Nant right turn holding lane options were assessed by air quality modelling within the Park Street AQAP as part of the 'do something' scheme and were deemed to have a positive effect on traffic flows and air quality within Park Street.

Work has continued for the Park Street AQAP, with the assessment of various options that could improve air quality in the area. These options included investigating the benefits of bus electrification and HGV restrictions using Park Street. Modelling carried out in support of these options has found that the implementation of these measures will have little effect on receptors exceeding the NO₂ annual objective.

An assessment has also been undertaken to investigate when Park Street AQMA could see compliance with the NO₂ Annual Objective at all locations. The results of this compliance assessment suggest that without additional measures in place, the annual mean NO₂ concentrations will fall below the 40 µg/m³ threshold in 2026 and that the local authority could start to make a case for revoking the AQMA at these locations from 2027 onwards.

Figure 4 - Air Quality Dispersion Modelling Receptors**Table 1 - Annual averaged NO₂ concentrations (µg/m³) at each receptor from the 2025 – 2027 natural compliance models**

Receptor ID	2019	2023	2025	2026	2027
R26	56.8	44.6	37.6	35.3	33.2
R27	60.2	47.3	39.9	37.5	35.3
R28	60.5	47.5	40.1	37.7	35.4
R29	57.4	44.9	39.1	36.7	34.5
OBC-123	56.4	44.3	37.4	35.2	33.1

At present, completion of the 'do something' scheme has the potential to bring forward compliance to 2025. However, this is unlikely due to the fact that the implementation of Measure 18, which is the final 'do something' scheme measure within the AQAP, denying all access onto St Leonards Road from Park Street, will require a consultation process due to the introduction of a traffic order. It is important to consider this in terms of timescale for implementation in comparison to the predicted year of natural compliance of 2026.

Any decision to move forward with this measure must take into consideration the benefits that further air quality improvements will bring, in balance with the costs and timescales to implement the measure. This measure will be retained and will be reconsidered dependent on ongoing NO₂ monitoring results in the Park Street AQMA.

In 2023, in addition to the existing NO₂ non-automatic diffusion tube sites in Bridgend, new monitoring locations were installed in Pencoed and within Park Street AQMA at a location identified within modelling assessments as a site of exceedance with regard to the Annual Objective Limit.

Local Priorities and Challenges

The priority for the coming year is to continue to monitor and review air quality within and around the Park Street AQMA. Further action may be taken dependant on this monitoring data and the AQAP updated accordingly.

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 local air quality management and therefore is contactable using the following email address environment-srswales@valeofglamorgan.gov.uk

Hourly and Monthly average automatic monitoring data for pollutants measured in Bridgend are available to view at <https://airquality.gov.wales/>

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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 (PM₁₀) 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 PM₁₀ revealed gaps in the data gathered and concluded that there was evidence to suggest non-compliance with the air quality objectives for PM₁₀ and NO₂ 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 31st December 2005.
- The mobile PM₁₀ and NO_x 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 (PM₁₀) was and concluded that the current air quality objectives for nitrogen dioxide and particles PM₁₀ 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 NO₂ concentrations will continue to be gathered at relevant locations adjacent to A48 Ewenny Cross, the western end of Cowbridge Road and at Tondur Road on the western end of the Bridgend Cross Valley Link Road.
- Monitoring of PM₁₀ and NO₂ will continue at Kenfig Hill adjacent to the opencast coal site operated by Celtic Energy Ltd.

- Monitoring of NO₂ and sulphur dioxide (SO₂) 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 NO₂ 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 NO₂ 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 (NO₂), 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 (NO₂) 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.

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 (NO₂) 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 (NO₂). 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 (NO₂) has not been exceeded. However, results are very close to the objective and monitoring will continue at this location for another year.

No continuous PM₁₀ 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_x 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_x 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_x 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 PM₁₀ will continue at the same sites as at the end of 2012.

The Automated Continuous NO_x 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 PM₁₀ 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 NO₂ network with 10 new locations commissioned for 2017.

Quality and technical issues were outlined regarding the automatic monitoring at Ewenny Cross Roundabout, for both NO₂ and PM₁₀. The inability to conform to the frequency of calibration checks and technical issues faced with the PM₁₀ Met One E Sampler were noted. Data capture was also an issue at the Rockwool Ltd site for SO₂ 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 (NO₂) and outlined the requirement to proceed to implement and formalise an Air Quality Management Area (AQMA) Order for Park Street, Bridgend. On January 1st, 2019, an official AQMA Order was raised for Park Street, Bridgend, designated on the basis of exceeding annual average NO₂ 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 (NO₂), 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 NO₂ 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 NO₂ 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.

2022 Annual Progress Report

Annual average datasets outline continued elevated and exceeding levels of NO₂ at two 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/m³) for NO₂. All automated and non- automated datasets show compliance with the air quality objectives at every other monitored location.

2023 Annual Progress Report

Annual average datasets outline continued elevated and exceeding levels of NO₂ at sensitive receptor locations situated on Park Street within the established AQMA Order boundary. It is noted that monitoring undertaken in 2022 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/m³) for NO₂. OBC-110 & OBC-123 recorded annual average figures in 2022 of 47.2µg/m³ & 45.5µg/m³ respectively. This represents a reduction in NO₂ concentrations of 12% and 17% at these receptors since 2019.

Automatic monitoring carried on Park Street demonstrates compliance with the annual air quality objective for NO₂. This automatic monitor also showed no exceedances of the 1-hour NO₂ objective of 200 µg/m³ not to be exceeded more than 18 times annually for both periods.

Compliance of air quality objectives at the automatic monitoring station confirms the varied impact of pollutant emissions on Park Street. Two non-automatic monitoring sites located approximately 17 metres from the monitoring station, OBC-110 & OBC-123, exceed the annual air quality objective for NO₂. Air quality issues are exacerbated in the location of non-compliance by the proximity of terrace housing to the road and poor dispersion of pollutants.

Nitrogen dioxide concentrations at all other non-automatic locations were shown to be compliant the annual air quality objective for NO₂ of 40µg/m³.

1.2 Air Quality Management Areas

Air Quality Management Areas (AQMA) are declared when air quality is close to or above an acceptable level of pollution (known as the air quality objective (Please see Appendix A)). After declaring an AQMA the authority must prepare an Air Quality Action Plan (AQAP) within 18 months setting out measures it intends to put in place to improve air quality to at least the air quality objectives, if not even better. AQMA(s) are seen by local authorities as the focal points to channel resources into the most pressing areas of pollution as a priority.

A summary of AQMA declared by Bridgend County Borough Council can be found in

Error! Reference source not found.. Further information related to declared or revoked AQMA, including maps of AQMA boundaries are available online at

<https://www.bridgend.gov.uk/my-council/consultations/closed-consultations/park-street-air-quality-management-area/>

Table 2 - Declared Air Quality Management Areas

AQMA	Relevant Air Quality Objective(s)	Comments on Air Quality Trend	Town	Description	Action Plan
Park Street	NO ₂ annual mean	This year's monitoring results indicate an improvement in air quality compared to the pre-Covid-19 period	Bridgend	<p>The designated AQMA borders the green space area prior to the rear entrance of properties located on Sunnyside Road.</p> <p>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</p>	AQAP BCBC Park Street final (srs.wales)

1.3 Implementation of Action Plans

BCBC has taken forward a number of measures during 2023 in pursuit of improving local air quality. Details of all measures completed, in progress or planned are set out in **Error! Reference source not found..** More detail on these measures can be found in the Air Quality Action Plan relating to any designated AQMAs.

Air Quality Action Plans are continuously reviewed and updated whenever deemed necessary, but no less frequently than once every five years. Such updates are completed in close consultation with local communities.

Key measures completed in 2023 are:

- Additional modelling assessments to understand when compliance will be met within Park Street AQMA

One remaining measure within the Park Street AQAP 'do something scheme' (Measure 18) has yet to be implemented. Based on the modelling undertaken this measure would provide further improvements to air quality, although it may not necessarily bring forward the compliance date, based on timescales for consultation, appeals process, and implementation. Any decision to move forward with this measure must take into consideration the benefits that further air quality improvements will bring, in balance with the costs and timescales to implement the measure, and that it will not necessarily bring forward compliance. This measure will be retained and will be reconsidered dependent on ongoing NO₂ monitoring results in the Park Street AQMA.

Table 3 - Progress on Measures to Improve Air Quality

Measure No.	Measure	Category	Classification	Estimated Year Measure to be Introduced	Estimated / Actual Completion Year	Organisations Involved	Funding Source	Defra AQ Grant Funding	Funding Status	Estimated Cost of Measure	Measure Status	Target Reduction in Pollutant / Emission from Measure	Key Performance Indicator	Progress to Date	Comments / Potential Barriers to Implementation
1	Public Health information campaign including additional automatic monitoring	Public Information	Via the Internet	Unknown	Unknown	. Local Authority Environmental Health, BCBC, Local Communities Forum	Proposed DEFRA AQ Grant Funding		Unknown	Unknown	Subject to approval	Unknown.	The number of hits on website. Number of initiatives delivered. Delivery of a public education campaign. Cross reference obtained air quality results to the applicable air quality objectives. Improvements to those figures outlined in Bridgend LTP 2015 using data acquired by 2011 Census.	No progress to date.	Requires ongoing grant funding.
2	Support the creation of a local "Air Quality Action Group."	Public Information	Via the Internet/Leaflets/Other	2023	Unknown	Local Communities Forum	Measure could be included in funding for measure one.			As above	Subject to approval	Unknown.	Number of associated members.	No progress to date	

Comments / Potential Barriers to Implementation	Progress to Date	Key Performance Indicator	Target Reduction in Pollutant / Emission from Measure	Measure Status	Estimated Cost of Measure	Funding Status	Defra AQ Grant Funding	Funding Source	Organisations Involved	Estimated / Actual Completion Year	Estimated Year Measure to be Introduced	Classification	Category	Measure	Measure No.
		Cross reference obtained air quality results to the applicable air quality objectives.	Unknown.	Subject to approval by	£10 - £50k			DEFRA AQ Grant Funding	. Local Authority Environmental Health, BCBC, Local Communities Forum	2027	2023	Via the internet	Public Information	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.	3
	No progress to date	Improved Public awareness/ Increase in the use of sustainable alternatives.	Not directly applicable – NOx reduction not estimated		£50k - £250k			Unknown	. Local Authority Environmental Health, BCBC		Unknown	Other	Public Information/Traffic management	Electronic “pollutant signage” within AQMA and local area	4
	No progress to date	Improved Public awareness/ Increase in the use of sustainable alternatives.	Not directly applicable – NOx reduction not estimated		£50k - £250k			Unknown	Local Communities Forum	Unknown	Unknown	Other	Public Information/Traffic management	Signs and banners for engine idling. Signage at key intersections, near junctions and on public transport / taxis encouraging people to switch off engines when traffic comes to a stop.	5

Comments / Potential Barriers to Implementation	Progress to Date	Key Performance Indicator	Target Reduction in Pollutant / Emission from Measure	Measure Status	Estimated Cost of Measure	Funding Status	Defra AQ Grant Funding	Funding Source	Organisations Involved	Estimated / Actual Completion Year	Estimated Year Measure to be Introduced	Classification	Category	Measure	Measure No.
	No progress to date	Production of an SPG.	Not directly applicable – NOx reduction not estimated		< £10k			Unknown	. Local Authority Environmental Health, BCBC	Unknown	Unknown	Air Quality Planning and Policy Guidance	Policy Guidance and Development Control	Develop Supplementary Planning Guidance (SPG) to provide a specific guidance for air quality in accordance with new developments.	6
	No progress to date	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.	Not directly applicable – NOx reduction not estimated		< £10k			Unknown	BCBC		Unknown	Other	Policy Guidance and Development Control	Planning guidance for the provision of Electric Vehicle Charging Points. To note; EV points are now compulsory in England	7
	No progress to date	Production of a revised document.	Not directly applicable – NOx reduction not estimated		< £10k			Unknown	BCBC	Unknown	Unknown	Promotion of cycling	Policy Guidance and Development Control	Revise BCBC's Walking and Cycling Strategy; Revise the existing 2009 document	8

Comments / Potential Barriers to Implementation	Progress to Date	Key Performance Indicator	Target Reduction in Pollutant / Emission from Measure	Measure Status	Estimated Cost of Measure	Funding Status	Defra AQ Grant Funding	Funding Source	Organisations Involved	Estimated / Actual Completion Year	Estimated Year Measure to be Introduced	Classification	Category	Measure	Measure No.
.	No progress to date	Number of trees planted.	Not directly applicable – NOx reduction not estimated		< £10k			Unknown	BCBC	Unknown	Unknown	Other	Policy Guidance and Development Control	Endorse SP19, Biodiversity and Development. Further influence the use of green infrastructure for new developments.	9
	No progress to date	Number of nuisance complaints generated.	Not directly applicable – NOx reduction not estimated. . Not necessarily applicable to reduction of emissions on Park Street as source of problem is from vehicles. Unlikely to impact NO ₂ exceedance s at effected receptors		Cost unknown			Unknown	BCBC		Unknown	Other	Policy Guidance and Development Control	Implement 'smoke control zone' for Bridgend. Wood burners installations would need authorisation to operate and receive permissions in accordance with the Clean Air Act.	10

Comments / Potential Barriers to Implementation	Progress to Date	Key Performance Indicator	Target Reduction in Pollutant / Emission from Measure	Measure Status	Estimated Cost of Measure	Funding Status	Defra AQ Grant Funding	Funding Source	Organisations Involved	Estimated / Actual Completion Year	Estimated Year Measure to be Introduced	Classification	Category	Measure	Measure No.
	No progress to date	BCBC/ SRS/ Living Streets "WOW" Scheme/ Sustrans/ WG Young Dragons Educational Package/ Global Action Plan	Not directly applicable – NOx reduction not estimated		< £10k			Unknown	BCBC	Unknown	Unknown	Incentivise active travel campaign & infrastructure	Promoting Travel Alternatives	School Active Travel Plans	11
.	No progress to date	Produce Healthy Travel Charter. Number of individuals enrolled on programme.	Not directly applicable – NOx reduction not estimated		< £10k			Unknown	BCBC	Unknown	Unknown	Encourage / Facilitate home working.	Promoting Travel Alternatives	Encourage/ Facilitate homeworking. BCBC/ SRS is one of the largest employers in Bridgend and therefore could look to adopt more flexible/ agile working patterns	12
	No progress to date	Produce Healthy Travel Charter. Number of individuals enrolled on programme.	Not directly applicable – NOx reduction not estimated		< £10k			Unknown	BCBC/ Cwm Taf Morgannwg University Health Board/ Public Health Wales.		Unknown	Other	Promoting Travel Alternatives	Work with local businesses to develop active travel to work programmes. Cardiff Staff Travel Charter currently being rolled out but only for public sector establishments.	13

Comments / Potential Barriers to Implementation	Progress to Date	Key Performance Indicator	Target Reduction in Pollutant / Emission from Measure	Measure Status	Estimated Cost of Measure	Funding Status	Defra AQ Grant Funding	Funding Source	Organisations Involved	Estimated / Actual Completion Year	Estimated Year Measure to be Introduced	Classification	Category	Measure	Measure No.
	No progress to date	Bus patronage figures.	NOx reduction not estimated although a reduction in cars will mean benefits in air quality and congestion.		£250k - £1m			Unknown	BCBC	Unknown	Unknown	Bus Park and Ride scheme	Alternatives to private vehicle use	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.	14
.	No progress to date	Cross reference obtained air quality results on Park Street to the applicable air quality objectives.	Not directly applicable – NOx reduction not estimated		<10k			Unknown	BCBC	Unknown	Unknown	Anti-idling enforcement	Traffic Management	Anti-idling implemented as TROs specific to sensitive areas such as outside schools, hospitals, care homes, as well as Park Street AQMA	15

Comments / Potential Barriers to Implementation	Progress to Date	Key Performance Indicator	Target Reduction in Pollutant / Emission from Measure	Measure Status	Estimated Cost of Measure	Funding Status	Defra AQ Grant Funding	Funding Source	Organisations Involved	Estimated / Actual Completion Year	Estimated Year Measure to be Introduced	Classification	Category	Measure	Measure No.
	Nationwide implementation of 20mph limit in residential September 2023.	Evaluation of annual air quality datasets for NO ₂ . 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.	Unlikely to improve air quality on Park Street, as the air quality issue is caused by slow moving and queuing traffic.		Cost unknown			Unknown	BCBC	Unknown	Unknown	Anti-idling enforcement	Traffic Management	Introduce a pilot scheme "20mph speed limit" to Park Street.	16
Measure included in AQAP detailed assessment as part of 'do minimum' scenario.	Measure completed in February 2022.	Cross reference obtained air quality results on Park Street to the applicable air quality objectives.	Exact reduction unknown. However, improvements in NO ₂ reductions are evident since the implementation of the measure		<£10k				BCBC			Strategic highway improvement	Traffic Management	Ghost right hand turn onto Heol-Y-Nant.	17

Comments / Potential Barriers to Implementation	Progress to Date	Key Performance Indicator	Target Reduction in Pollutant / Emission from Measure	Measure Status	Estimated Cost of Measure	Funding Status	Defra AQ Grant Funding	Funding Source	Organisations Involved	Estimated / Actual Completion Year	Estimated Year Measure to be Introduced	Classification	Category	Measure	Measure No.
Measure included in AQAP detailed assessment as part of 'do something' scenario.	Measure retained pending monitoring results	Cross reference obtained air quality results on Park Street to the applicable air quality objectives.	Modelling for 'do something' scenario predicts a decrease in NO2 emissions of up to 5.8µg/m3 when with addition of measure twenty.		£10k - £50k			Unknown	BCBC	Unknown	Unknown	Strategic highway improvement	Traffic Management	Deny all access onto St Leonard's Road from Park Street for all traffic movements.	18
		Reduced capacity on Park Street captured via traffic flow analysis.	Unknown.		Cost unknown			Unknown	BCBC	Unknown	Unknown	Strategic highway improvement	Traffic Management	Deny a through route movement from Angel Street onto Park Street.	19
Completed September 2022. Measure included in AQAP detailed assessment as part of 'do something' scenario.	Measure completed in February 2022.	Cross reference obtained air quality results on Park Street to the applicable air quality objectives.	Modelling for 'do something' scenario predicts a decrease in NO2 emissions of up to 5.8µg/m3 as part of a 'do something' scenario with measure eighteen		£10k - £50k				BCBC			Strategic highway improvement	Traffic Management	Optimise the traffic signals at the Tondy Rd/ Park Street/ Angel Street Junction- Adopt a MOVA system.	20

Comments / Potential Barriers to Implementation	Progress to Date	Key Performance Indicator	Target Reduction in Pollutant / Emission from Measure	Measure Status	Estimated Cost of Measure	Funding Status	Defra AQ Grant Funding	Funding Source	Organisations Involved	Estimated / Actual Completion Year	Estimated Year Measure to be Introduced	Classification	Category	Measure	Measure No.
	No progress to date	Customer satisfaction questionnaire s from the bus operators.	Unknown.		£50k - £250k			Unknown	BCBC	Unknown	Unknown	Bus Route Improvements	Transport Planning and Infrastructure	Bus Programme- Strategic Bus Network. Buses not to use St Leonard's Road due to the experienced access constraints onto and off Park Street.	22
	Modelling has carried out to assess measure	Cross reference obtained air quality results on Park Street to the applicable air quality objectives. Review data gathered via modelling assessment	Dispersion modelling indicates this option will have little effect on reducing NO2 concentrations at the worst effected receptors.		£10k - £50k			Unknown	BCBC	Unknown	Unknown	UTC, Congestion management, traffic reduction	Traffic Management / Promoting Low Emission Transport	HGV restrictions for Park Street.	23
	Modelling has carried out to assess measure	Cross reference obtained air quality results on Park Street to the applicable air quality objectives. Review data gathered via modelling assessment	Dispersion modelling indicates this option will have little effect on reducing NO2 concentrations at the worst effected receptors.		£250k - £1m			Unknown	BCBC	Unknown	Unknown	Public Vehicle Procurement - Prioritising uptake of low emission vehicles	Promoting Low Emission Transport	Bus Electrification for buses using Park Street	24

2 Air Quality Monitoring Data and Comparison with Air Quality Objectives

2.1 Summary of Monitoring Undertaken in 2023

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 one site during 2023. **Error! Reference source not found.** presents the details of the sites. National monitoring results are available at <https://airquality.gov.wales/>.

Maps showing the location of the monitoring sites are provided in Figure 5. Further details on how the monitors are calibrated and how the data has been adjusted are included in Appendix C.

It should be noted that due to a production delay in Nitrogen Oxide (NO_x) cylinders used to calibrate the automatic air quality monitoring station within Park Street AQMA, fortnightly calibrations were not undertaken to check NO_x values between August 2023, and January 2024. The data for the monitoring station has been included in this report, however, it is unclear how this has affected the final results for the air quality monitoring station. In light of this issue, local bias adjustment factors from a co-location study carried out using the monitoring station have not been utilised to calculate the final bias adjusted figures for the diffusion tube network. Instead, diffusion tubes have been bias adjusted using the national bias adjustment figure.

2.1.2 Non-Automating Monitoring Sites

SRS on behalf of BCBC undertook non- automatic (passive) monitoring of NO₂ at 35 sites during 2023. **Error! Reference source not found.** presents the details of the sites.

A new site (OBC-140) was installed within Park Street AQMA to represent a modelled receptor included within air quality assessments for the Park Street AQAP. This will enable comparisons against predicted modelled NO₂ concentrations at this specific location.

Maps showing the location of the monitoring sites are provided in **Error! Reference source not found.** to **Error! Reference source not found.**. Further details on Quality

Assurance/Quality Control (QA/QC) and bias adjustment for the diffusion tubes are included in Appendix C.

Table 4 - 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)
AQMA1	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 5 - Map of Automatic Monitoring Site Park Street AQMA

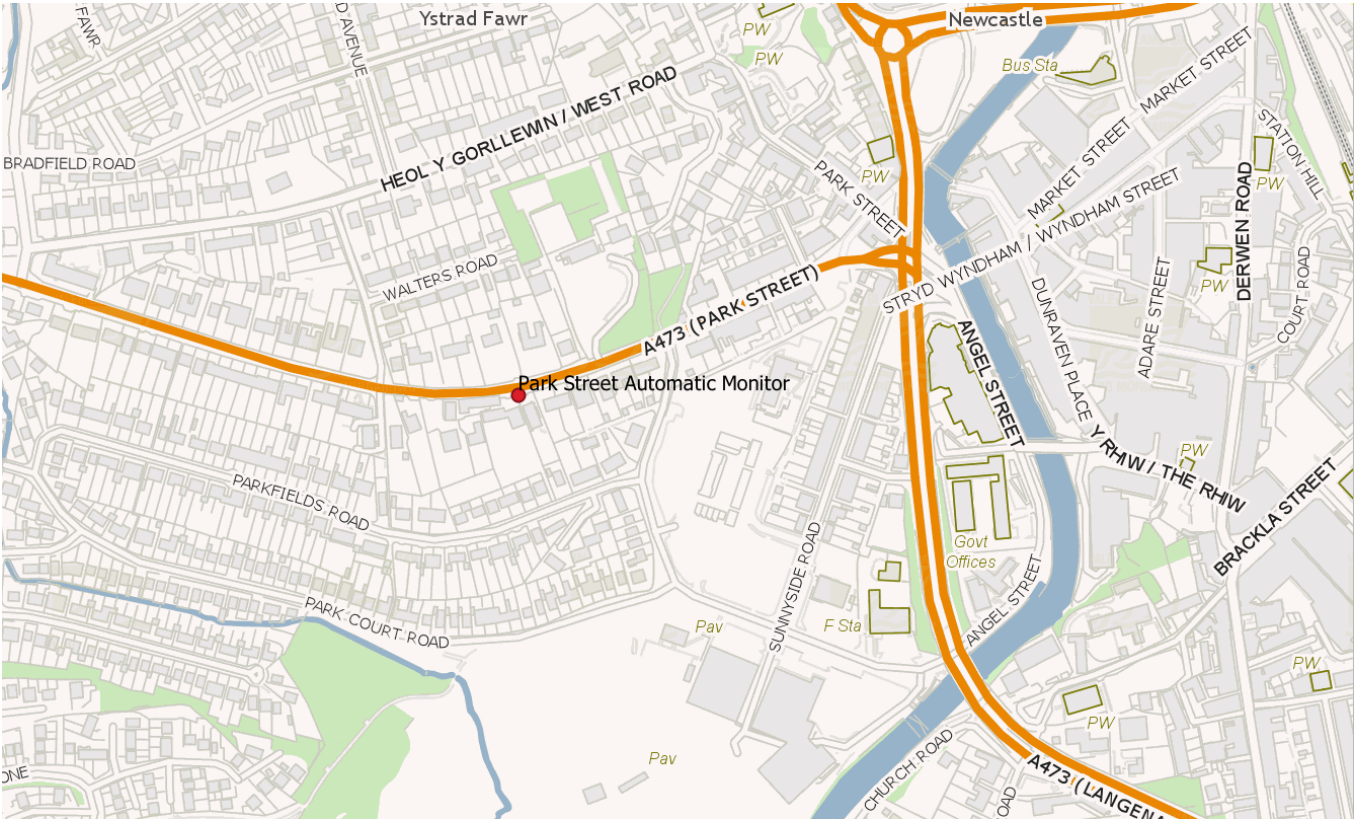


Table 5 - Details of Non-Automatic Monitoring Sites

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m)	Distance to Kerb of Nearest Road (m)	Tube Co-located with a Continuous Analyser	Height (m)
OBC-113	127 Priory Avenue	Roadside	290616	178394	NO2		0.0	10.0		1.5
OBC-115	105 Ewenny Rd	Roadside	290667	178529	NO2		0.0	12.0		1.5
OBC- 121	29 Heol Tre Dwr	Roadside	291540	178734	NO2		0.0	5.0		1.5
OBC- 122	St Leonards Road	Kerbside	289919	179755	NO2		0.0	0.9		1.5
OBC - 131	Park Street co-location	Roadside	290040	179704	NO2	Park Street AQMA	0.0	1.0	Yes	1.5
OBC- 123	93 Park St	Roadside	290014	179698	NO2	Park Street AQMA	0.0	0.5		1.5
OBC-133	Coychurch Road, Pencoed	Kerbside	295899	181363	NO2		4.0	1.0		1.5
OBC-112	33 Cowbridge Road	Roadside	290798	179244	NO2		0.0	1.0		1.5
OBC- 105	65 Cowbridge Rd	Roadside	290899	179185	NO2		0.0	4.1		1.5
OBC-111	01 Cowbridge Rd	Roadside	290700	179305	NO2		0.0	5.0		1.5
OBC- 106	38/40 Cowbridge Rd	Kerbside	290826	179210	NO2		0.0	1.0		1.5
OBC-102	4 Sunnyside	Roadside	290354	179807	NO2	Park Street AQMA	0.0	3.0		1.5

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m)	Distance to Kerb of Nearest Road (m)	Tube Co-located with a Continuous Analyser	Height (m)
OBC-103	39 Park St	Roadside	290250	179782	NO2	Park Street AQMA	0.0	1.2		1.5
OBC-104	51 Park St	Roadside	290286	179800	NO2	Park Street AQMA	0.0	1.1		1.5
OBC-110	101/103 Park St	Roadside	289988	179701	NO2	Park Street AQMA	0.0	0.9		1.5
OBC-109	32 Park St	Roadside	290239	179795	NO2	Park Street AQMA	0.0	7.5		1.5
OBC-107	17 Tondu Rd	Roadside	290347	179959	NO2		0.0	2.0		1.5
OBC-108	43 Tondu Road	Roadside	290311	180032	NO2		0.0	0.9		1.5
OBC-101	Bridgend Town Centre	Urban Centre	290469	179837	NO2		0.0	1.0		1.5
OBC-130	A4061 Opposite Mason Arms	Roadside	291386	184168	NO2		0.0	1.5		1.5
OBC-097	22 Coity Rd	Roadside	290687	180185	NO2		0.0	5.0		1.5
OBC- 135	33 Maesteg Rd, Tondu	Roadside	289402	184461	NO2		0.0	2.0		1.5
OBC-132	Meadow View Blackmill	Roadside	293418	186662	NO2		0.5	2.0		1.5
OBC- 124	133 Park St	Roadside	289859	179710	NO2		0.0	7.0		1.5
OBC- 125	Commercial Road Maesteg	Roadside	285299	191136	NO2		0.0	2.0		1.5

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m)	Distance to Kerb of Nearest Road (m)	Tube Co-located with a Continuous Analyser	Height (m)
OBC-120	105 New Rd, Porthcawl	Roadside	282264	177237	NO2		0.0	2.0		1.5
OBC-129	Wern Fawr, Pencoed	Industrial	296439	184111	NO2		0.0	N/A		1.5
OBC-116	20 Henre Rd, Pencoed	Roadside	295886	181642	NO2		0.0	1.0		1.5
OBC-139	Britannia Pub lamp post near level crossing Hendre Road	Roadside	295967	181623	NO2		0.0	1.5		1.5
OBC-126	Tremains Rd	Kerbside	291125	179517	NO2		0.0	8.0		1.5
OBC-127	Longacre Brackla	Roadside	292236	179473	NO2		2.0	2.0		1.5
OBC-140	97 Park Street	Roadside	290002	179702	NO2	Park Street AQMA	0.0	0.5		1.5
OBC-136	30 Maerdy Park, Pencoed	Roadside	295588	180916	NO2		0.0	5.0		1.5
OBC-144	3 Moriah Place Kenfig Hill	Roadside	283730	182922	NO2		0.0	7.0		1.5
OBC-137	Main Road, Coychurch	Roadside	294309	179872	NO2		4.0	2.0		1.5
OBC-138	A473 Coychurch Rd	Kerbside	294218	179795	NO2		4.0	1.5		1.5

Notes:

(1) 0m indicates that the sited monitor represents exposure and as such no distance calculation is required.

(2) N/A if not applicable.

Figure 6 – Map of Non-Automatic Monitoring Sites Park Street AQMA

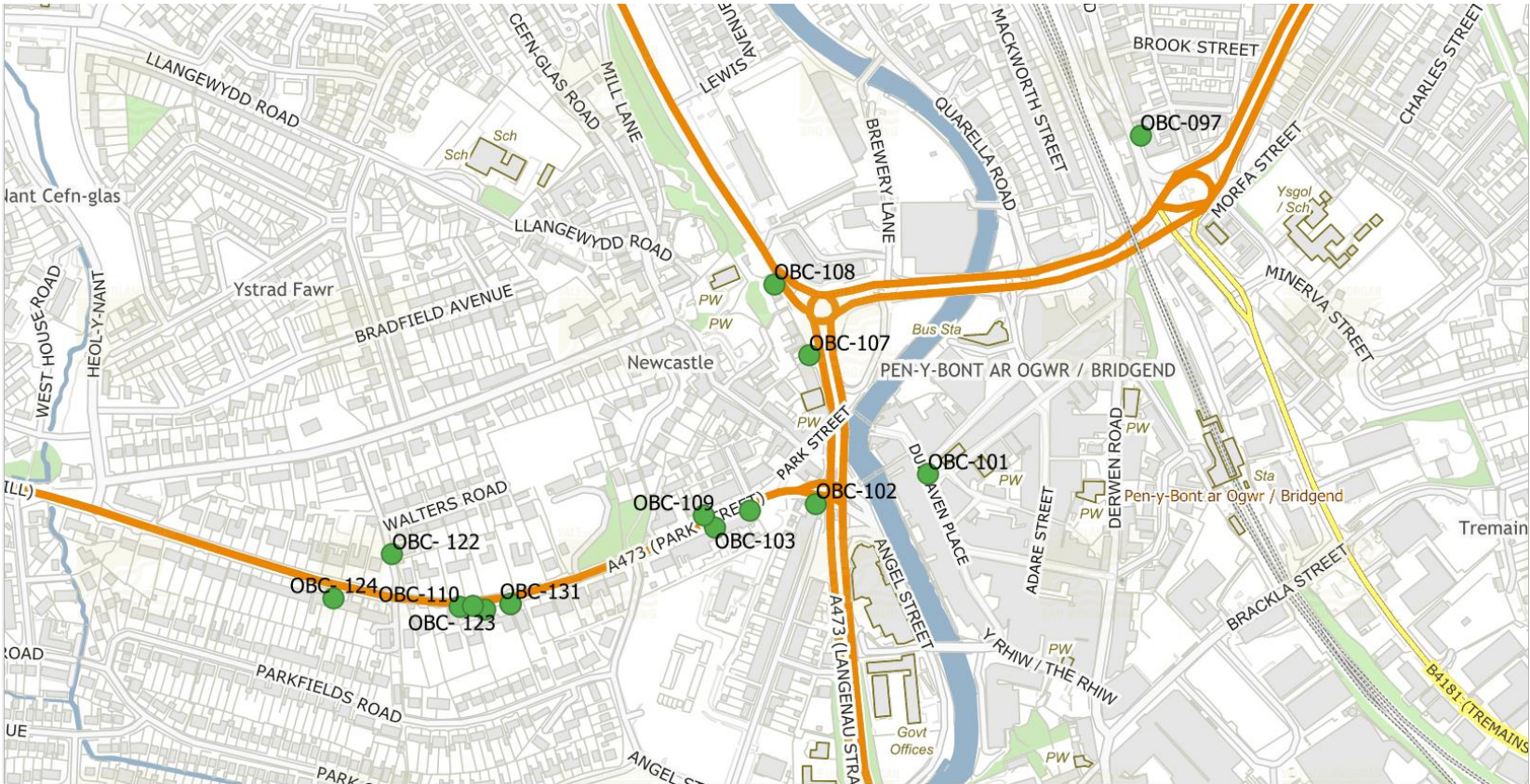


Figure 7 - Map of Non-Automatic Monitoring Sites Bridgend

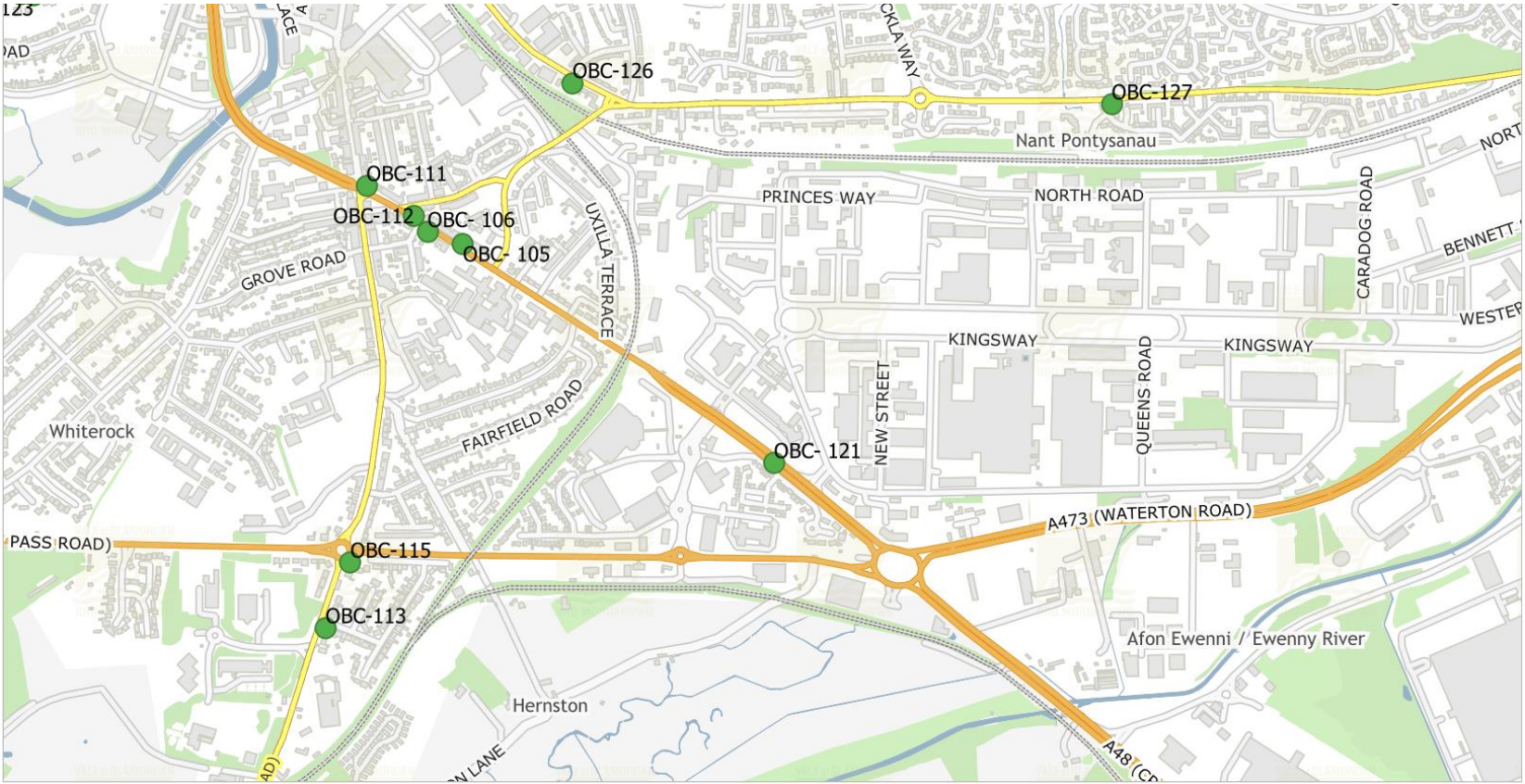


Figure 8 - Map of Non-Automatic Monitoring Sites Coychurch

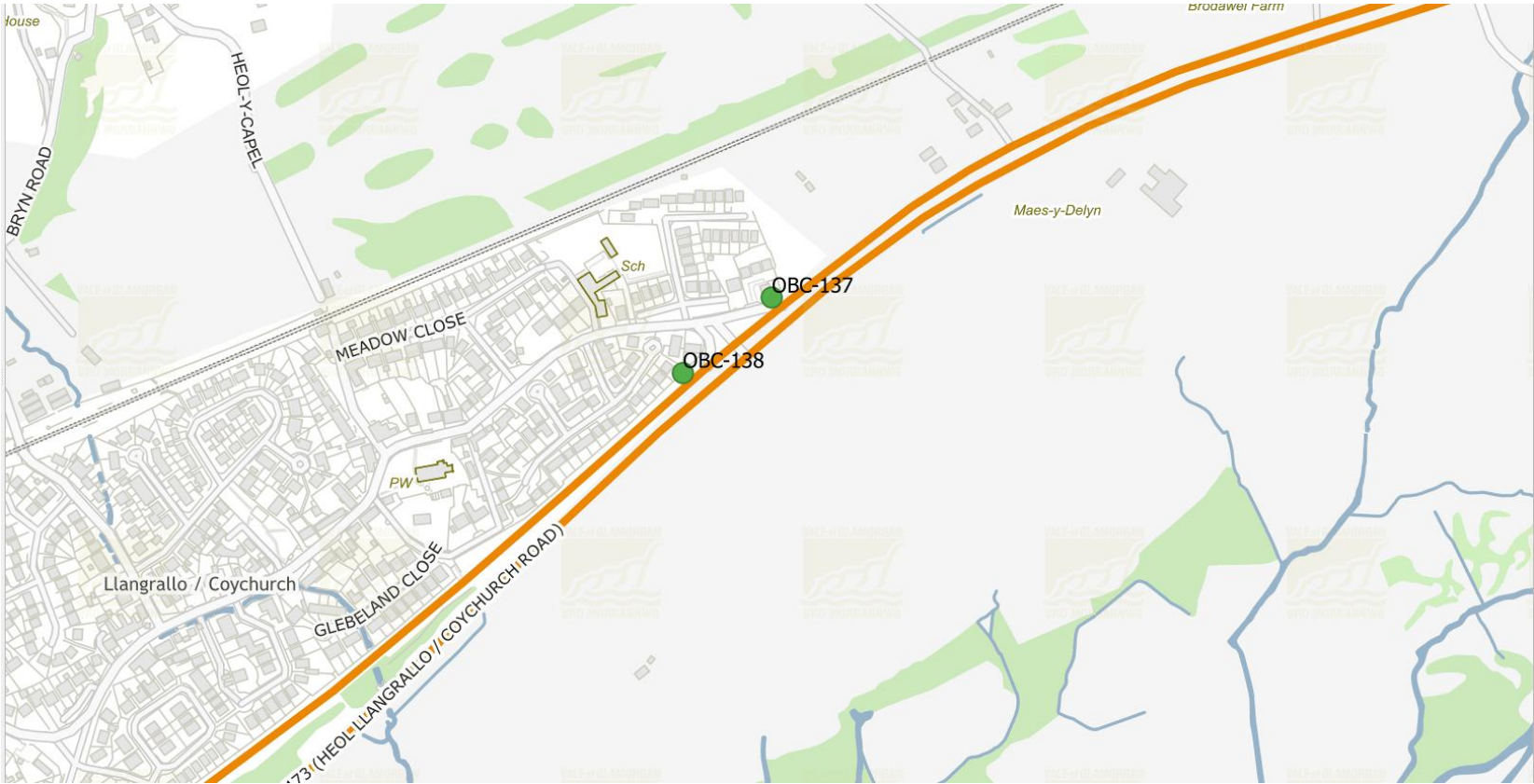


Figure 9 - Map of Non-Automatic Monitoring Sites Pencoed

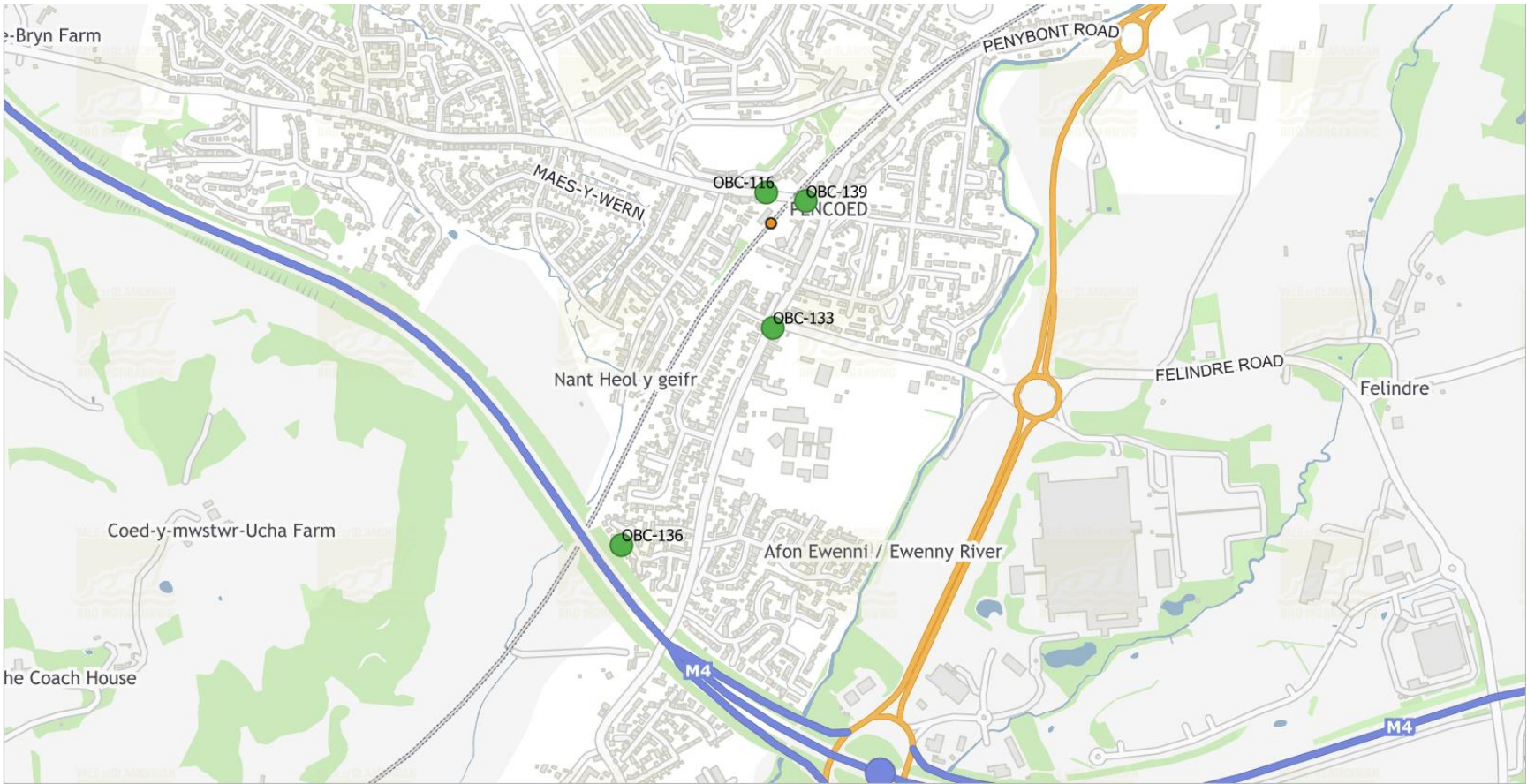


Figure 10 - Map of Non-Automatic Monitoring Sites Wern Fawr, Pencoed

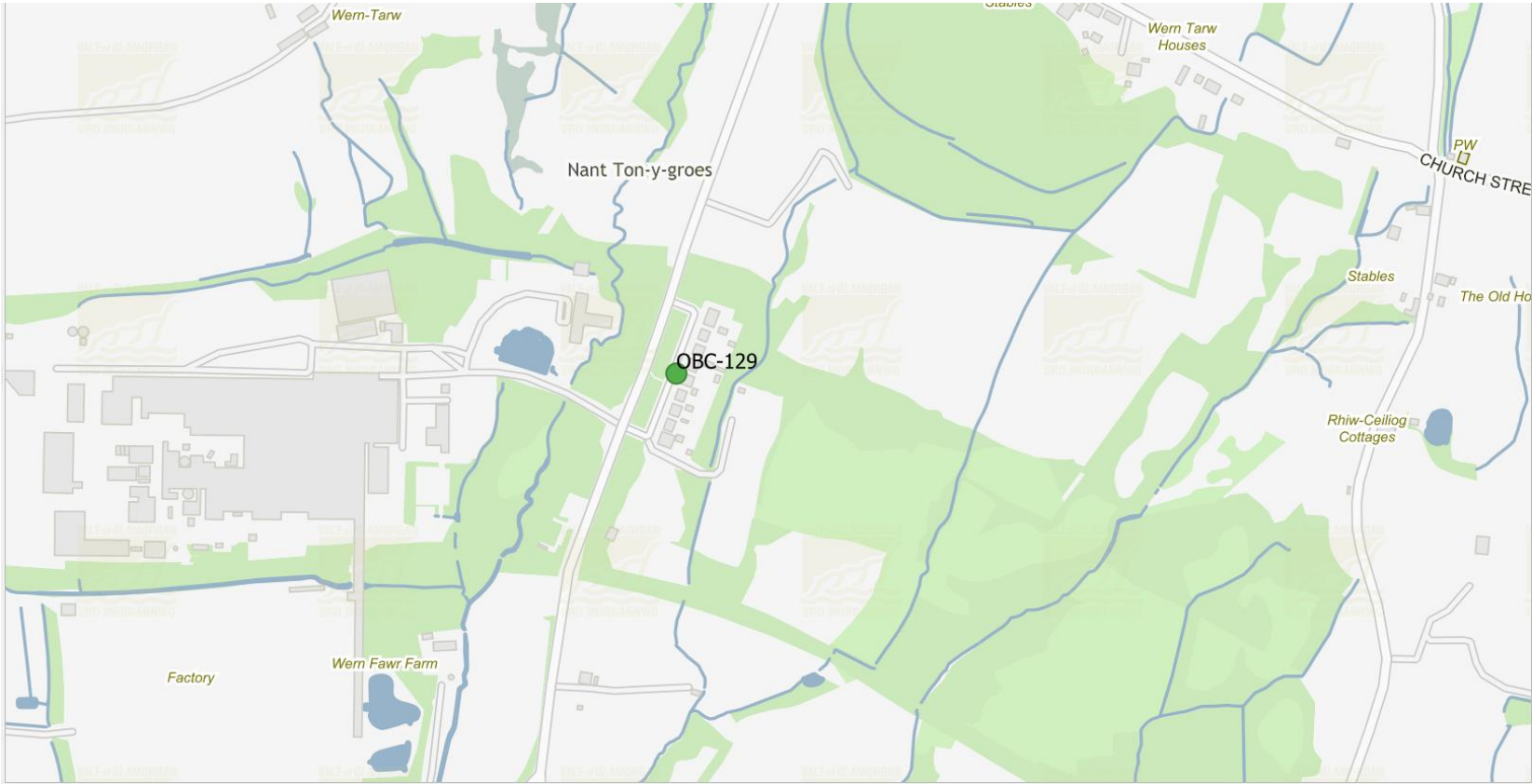


Figure 11 - Map of Non-Automatic Monitoring Sites Tondy, Brynmenyn, Blackmill



Figure 12 - Map of Non-Automatic Monitoring Site Maesteg

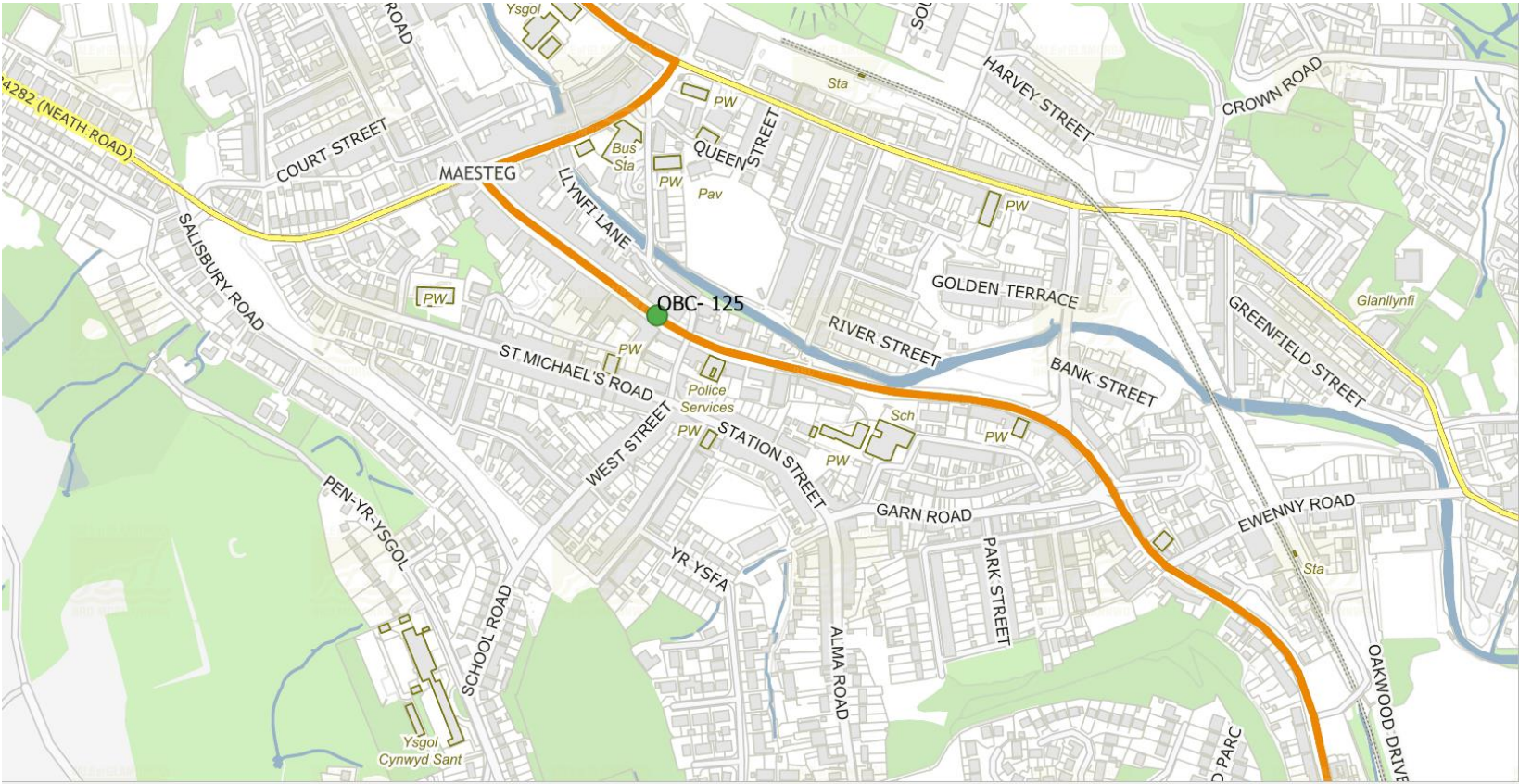


Figure 13 - Map of Non-Automatic Monitoring Site Kenfig Hill

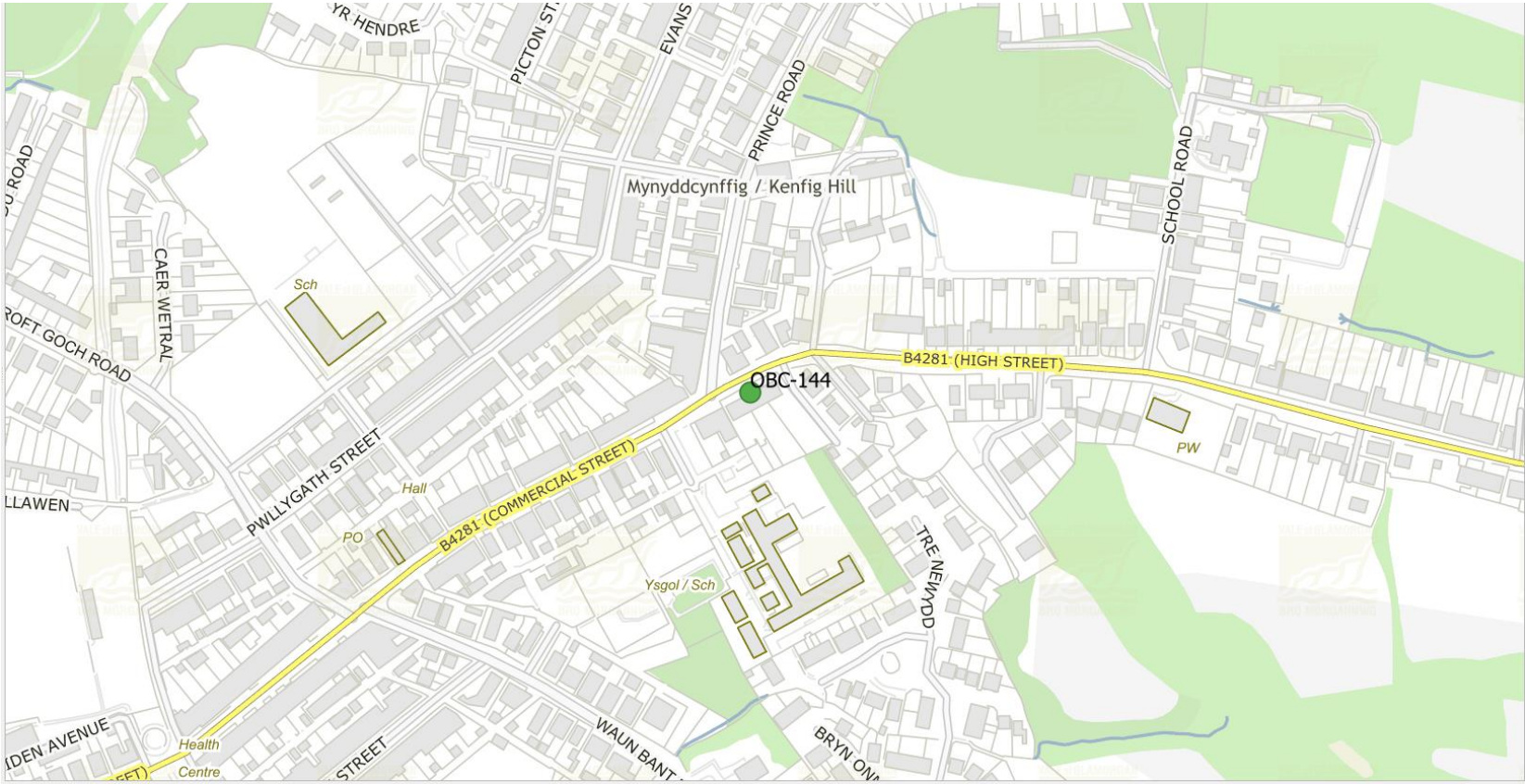
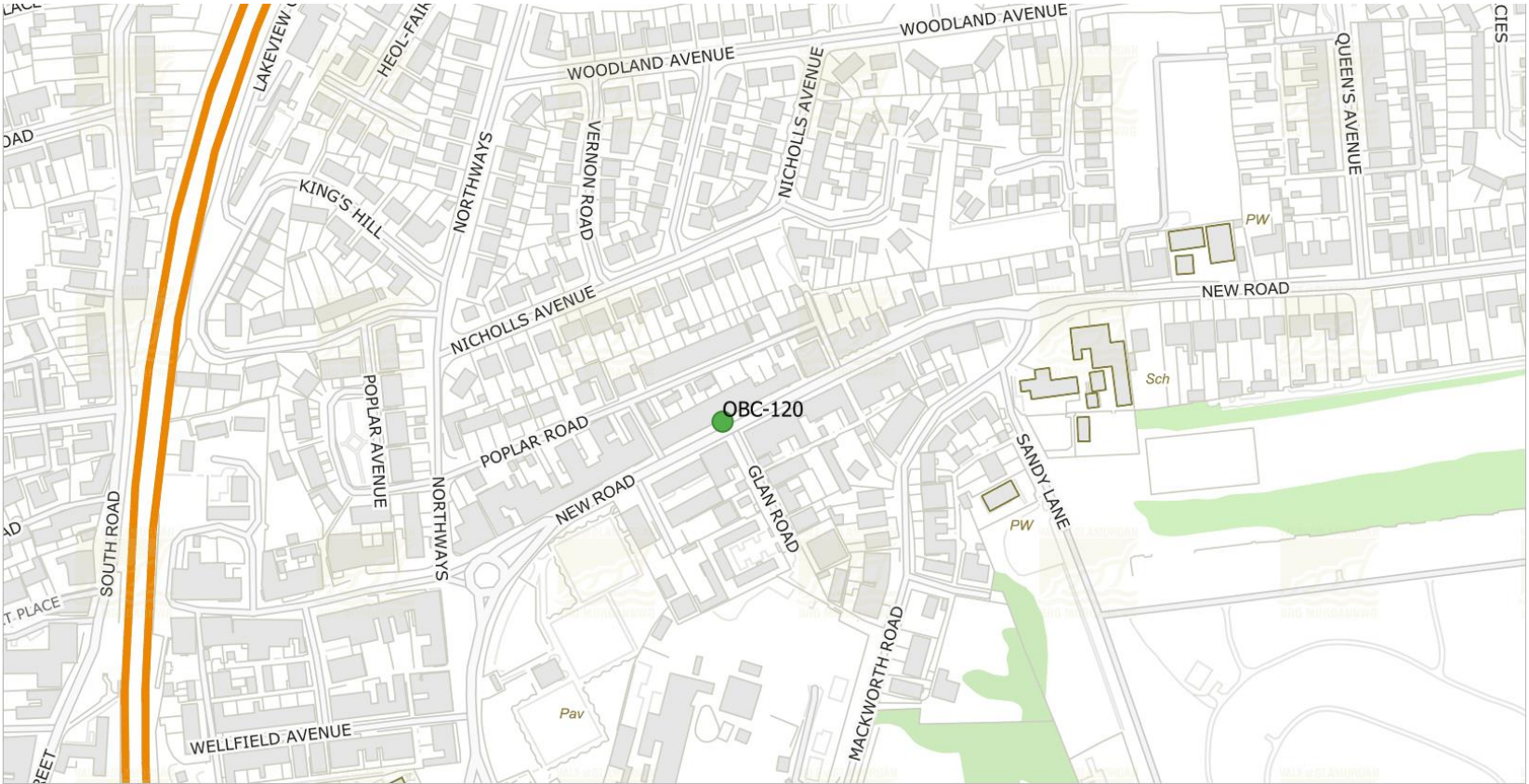


Figure 14 - Map of Non-Automatic Monitoring Site Porthcawl



2.2 2023 Air Quality Monitoring Results

Table 6 - Annual Mean NO₂ Monitoring Results: Automatic Monitoring (µg/m³)

Site ID	Site Location	Site Type	Within AQMA?	Valid Data Capture 2023 %	Annual Mean Concentration (µg/m ³)		
					2021	2022	2023
AQMA 1	Park Street AQMA Automatic Monitor	Roadside	Y	92	27	28	27

Notes:

Exceedances of the NO₂ annual mean objective of 40µg/m³ are shown in **bold**.

NO₂ annual means exceeding 60µg/m³, indicating a potential exceedance of the NO₂ 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.TG22 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 7 - Annual Mean NO₂ Monitoring Results: Non-Automatic Monitoring (µg/m³)

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%)	Valid Data Capture 2023 (%)	NO ₂ Annual Mean Concentration (µg/m ³)				
						2019	2020	2021	2022	2023
OBC-113	290616	178394	Roadside	100.0	100.0	14.7	12.2	13.8	13.3	11.6
OBC-115	290667	178529	Roadside	100.0	100.0	20.9	16.3	18.5	17.0	14.0
OBC- 121	291540	178734	Roadside	100.0	100.0	18.5	14.9	15.8	14.9	12.4
OBC- 122	289919	179755	Kerbside	90.4	90.4	16.7	15.2	15.8	16.7	13.7
OBC- 131	290040	179704	Roadside	100.0	100.0			28.3	27.3	25
OBC- 123	290014	179698	Roadside	90.7	90.7	55.2	42.4	46.5	45.5	43.9
OBC-133	295899	181363	Kerbside	90.4	90.4			17.8	18.8	17.0
OBC-112	290798	179244	Roadside	84.4	84.4	36.2	23.7	29.2	26.7	25.3
OBC- 105	290899	179185	Roadside	100.0	100.0	21.2	16.1	19.2	18.1	15.9
OBC-111	290700	179305	Roadside	100.0	100.0	25.8	19.7	22.4	20.9	19.8
OBC- 106	290826	179210	Kerbside	90.4	90.4	24.0	25.8	26.1	22.7	20.2
OBC-102	290354	179807	Roadside	94.0	94.0	23.9	18.3	20.6	19.9	18.5

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%)	Valid Data Capture 2023 (%)	NO ₂ Annual Mean Concentration (µg/m ³)				
						2019	2020	2021	2022	2023
OBC-103	290250	179782	Roadside	100.0	100.0	37.1	30.4	31.9	29.1	27.3
OBC-104	290286	179800	Roadside	100.0	100.0	39.8	29.8	33.6	29.0	28.4
OBC-110	289988	179701	Roadside	100.0	100.0	53.7	43.6	43.6	47.2	43.8
OBC-109	290239	179795	Roadside	100.0	100.0	19.9	20.1	19.8	16.4	15.4
OBC-107	290347	179959	Roadside	100.0	100.0	32.0	24.3	27.7	26.1	25.2
OBC-108	290311	180032	Roadside	94.0	94.0	36.2	27.5	31.7	29.4	27.6
OBC-101	290469	179837	Urban Centre	100.0	100.0	18.6	13.6	15.3	13.9	12.2
OBC-130	291386	184168	Roadside	59.8	59.8			31.1	29.0	25.7
OBC-097	290687	180185	Roadside	100.0	100.0	24.8	19.5	21.4	20.7	18.3
OBC- 135	289402	184461	Roadside	90.7	90.7			17.8	21.5	21.7
OBC-132	293418	186662	Roadside	100.0	100.0			25.1	21.6	21.1
OBC- 124	289859	179710	Roadside	100.0	100.0	16.6	12.9	14.1	12.7	12.1
OBC- 125	285299	191136	Roadside	74.0	74.0	18.8	19.3	9.8	14.5	20.8

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%)	Valid Data Capture 2023 (%)	NO ₂ Annual Mean Concentration (µg/m ³)				
						2019	2020	2021	2022	2023
OBC-120	282264	177237	Roadside	100.0	100.0	16.0	10.9	12.6	11.9	11.4
OBC-129	296439	184111	Industrial	100.0	100.0			9.1	7.7	6.7
OBC-116	295886	181642	Roadside	76.5	76.5	20.8	15.8	18.5	17.9	17.4
OBC-139	295967	181623	Roadside	81.1	81.1					22.6
OBC-126	291125	179517	Kerbside	100.0	100.0	17.2	18.5	18.7	17.6	16.4
OBC-127	292236	179473	Roadside	100.0	100.0	15.1	13.7	15.6	16.1	15.1
OBC-140	290002	179702	Roadside	100.0	100.0					43.5
OBC-136	295588	180916	Roadside	83.9	83.9				15.5	14.5
OBC-144	283730	182922	Roadside	100.0	100.0				11.7	11.1
OBC-137	294309	179872	Roadside	90.7	90.7				16.5	17.0
OBC-138	294218	179795	Kerbside	100.0	100.0				23.8	19.6

Notes:

The annual mean concentrations are presented as $\mu\text{g}/\text{m}^3$.

Exceedances of the NO_2 annual mean objective of $40\mu\text{g}/\text{m}^3$ are shown in **bold**.

NO_2 annual means exceeding $60\mu\text{g}/\text{m}^3$, indicating a potential exceedance of the NO_2 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.TG22 if valid data capture for the full calendar year is less than 75%. See Appendix C for details.

Concentrations are those at the location of monitoring and not those following any fall-off with distance adjustment.

(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%).

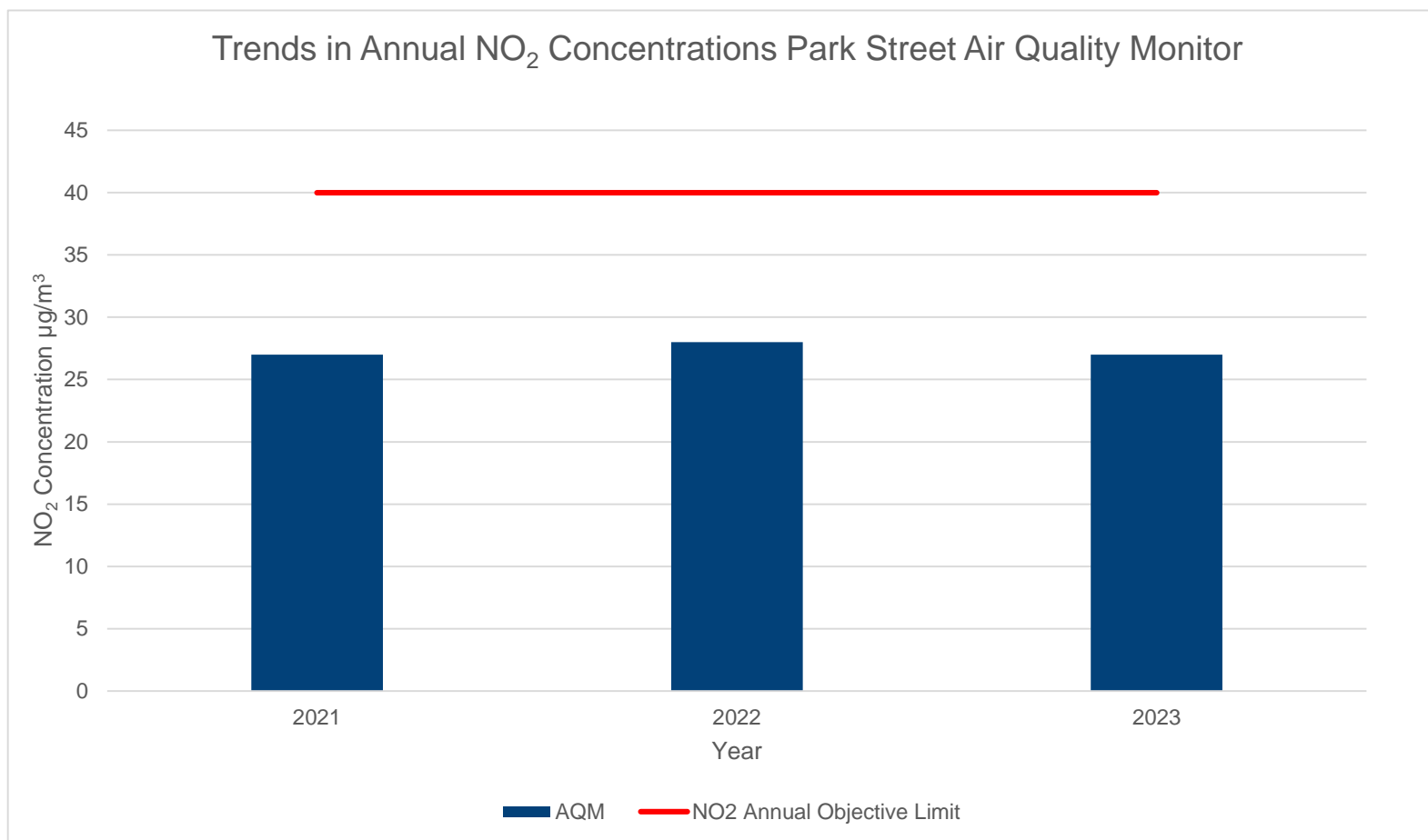
Figure 15 – Trends in Automatic Annual Mean NO₂ Concentrations

Figure 15 displays a steady trend in measured NO₂ concentrations at Park Street automatic monitor, below the Annual Objective Limit.

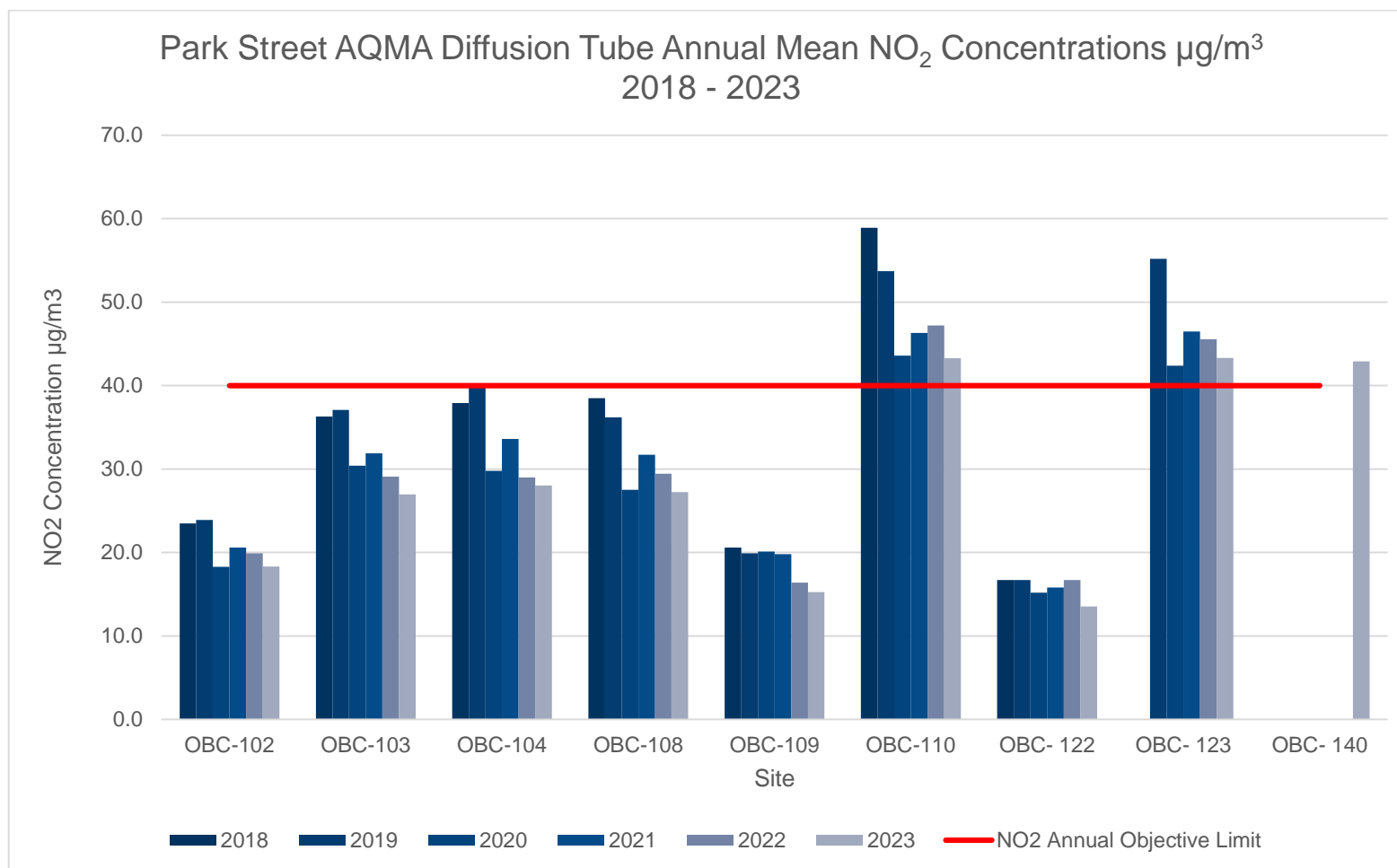
Figure 16 – Trends in Park Street AQMA Diffusion Tube Annual Mean NO₂ Concentrations µg/m³

Figure 16 shows that sites OBC-110, OBC-123 and OBC-140 located on Park Street residential facades, exceed the annual average air quality objective set at (40µg/m³) for NO₂. OBC-110 & OBC-123 recorded annual average figures of 43.3µg/m³. OBC-140 recorded an annual average figure of 42.9 µg/m³. This represents a reduction in NO₂ concentrations of 19% and 22% at OBC-110 & OBC-123 since 2019. All other locations are within the Annual Air Quality Objective.

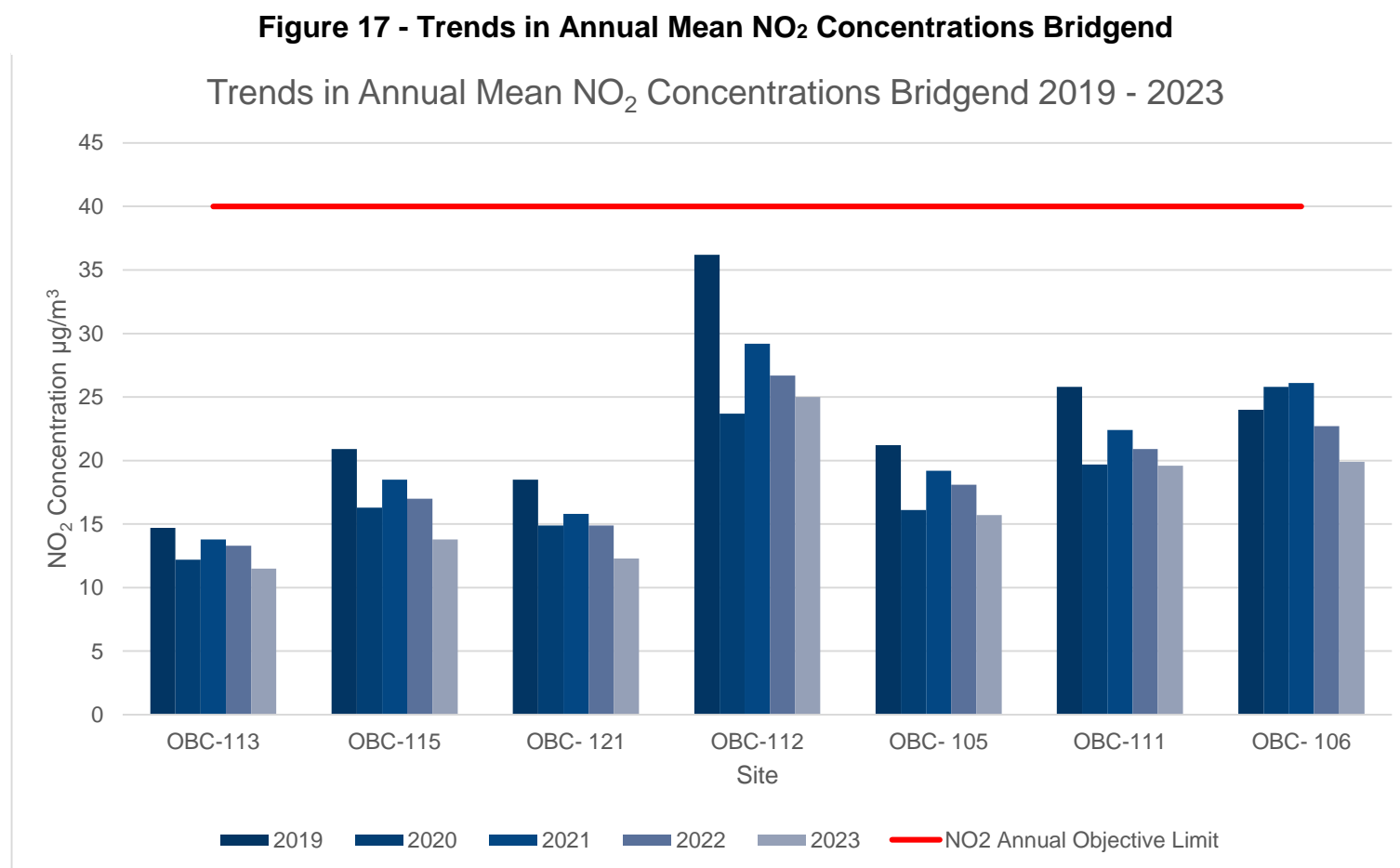


Figure 17 displays annual trends in NO₂ concentrations at sites within Bridgend. All sites are within the Annual Air Quality Objective.

Figure 18 - Trends in Annual Mean NO₂ Concentrations Bridgend

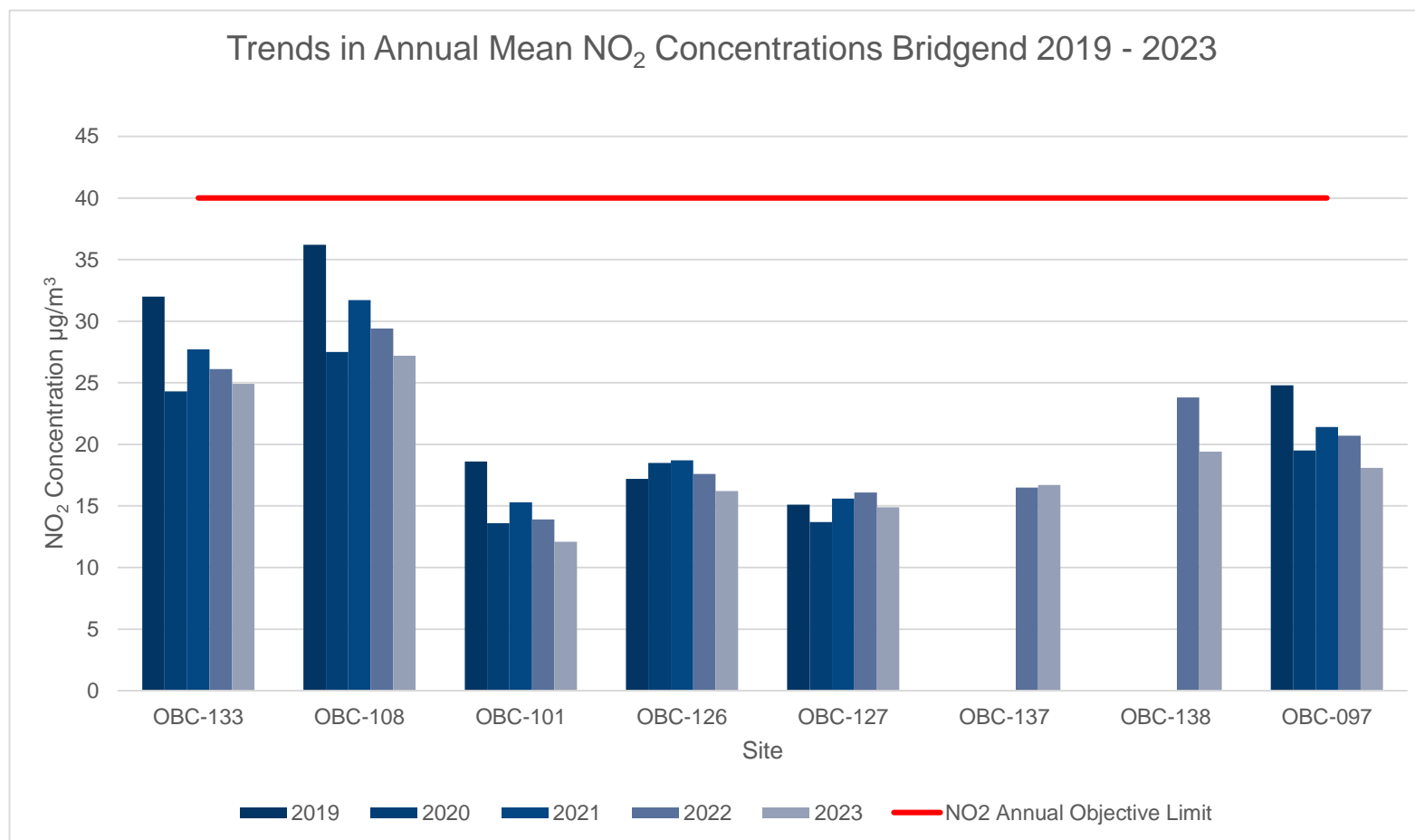


Figure 18 displays annual trends in NO₂ concentrations at sites within Bridgend. All sites are within the Annual Air Quality Objective.

Figure 19 - Trends in Annual NO₂ Concentrations, Bryncethin, Blackmill, Pencoe, Kenfig Hill, Porthcawl

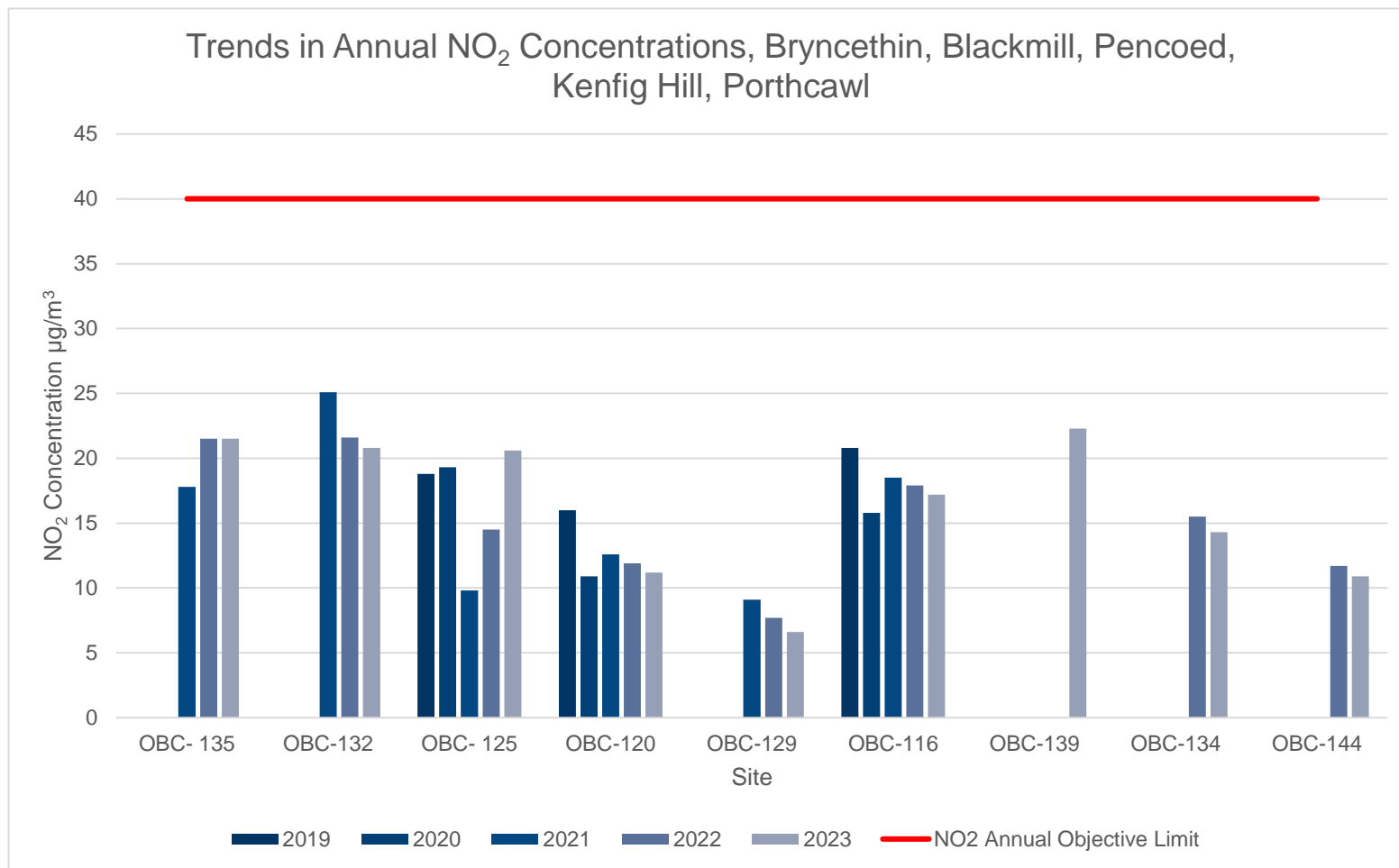


Figure 19 displays the Trends in Annual NO₂ Concentrations, Bryncethin, Blackmill, Pencoe, Kenfig Hill and Porthcawl. All sites are within the Annual Air Quality Objective.

Table 8 - 1-Hour Mean NO₂ Monitoring Results, Number of 1-Hour Means > 200µg/m³

Site Name	Site Type	Monitoring Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2023 (%) ⁽²⁾	2021	2022	2023
Park Street AQMA	Roadside	Automatic	92	92	0	0	0

Notes:

Exceedances of the NO₂ 1-hour mean objective (200µg/m³ not to be exceeded more than 18 times/year) are shown in **bold**.

If the period of valid data is less than 85%, the 99.8th 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 9 - Annual Mean PM₁₀ Monitoring Results (µg/m³)

Site ID	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2023 (%) ⁽²⁾	2021	2022	2023
Park Street AQMA	Roadside	94	94	17	18	18

Notes:

Exceedances of the PM₁₀ annual mean objective of 40µg/m³ are shown in **bold**.

All means have been “annualised” as per LAQM.TG22 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%).

Figure 20 – Trends in Annual Mean PM₁₀ Concentrations

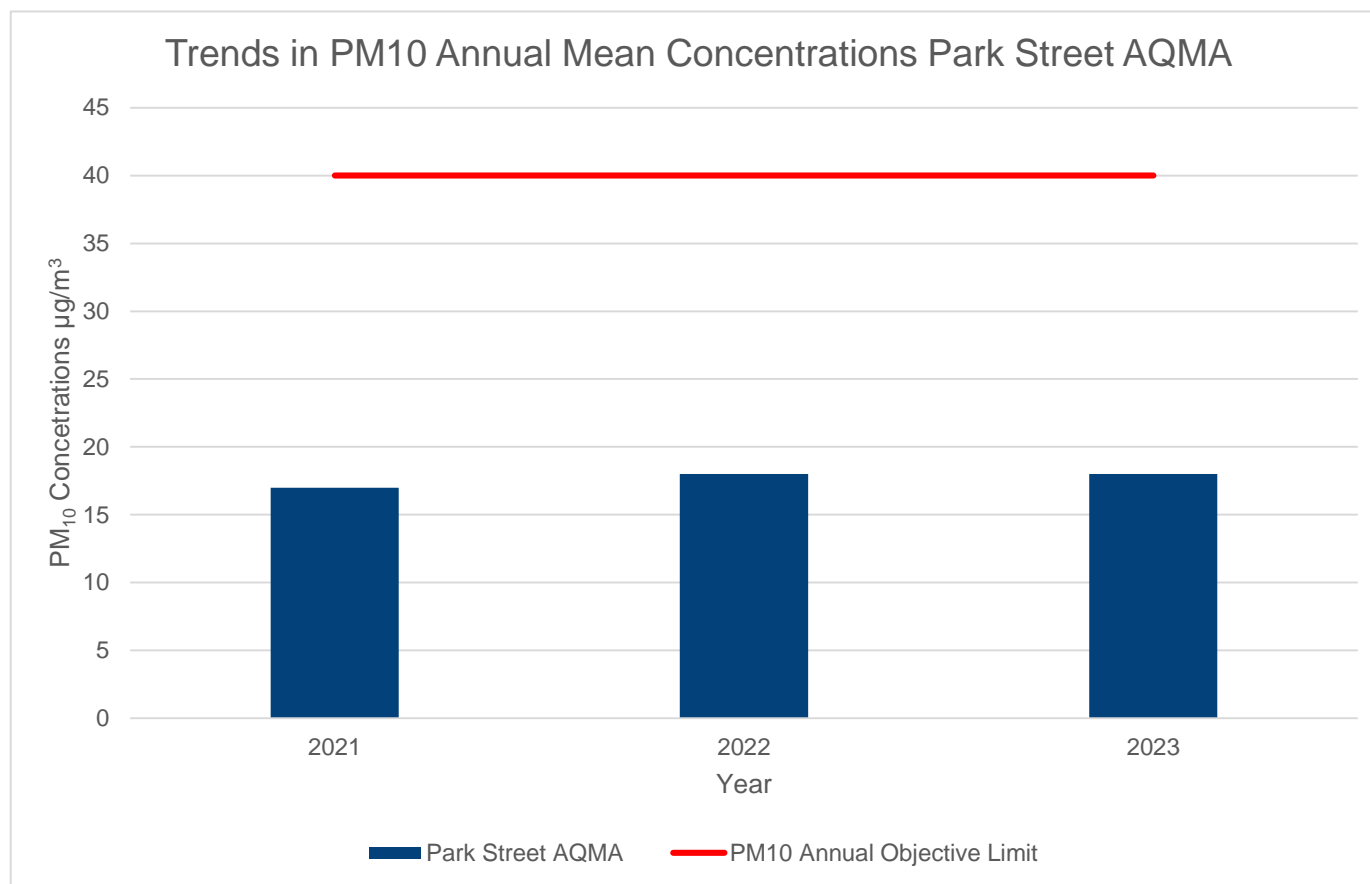


Figure 20 displays a steady trend in PM₁₀ concentrations at the Park Street AQMA Automatic Monitor.

Table 10 - 24-Hour Mean PM₁₀ Monitoring Results, Number of PM₁₀ 24-Hour Means > 50µg/m³

Site ID	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2023 (%) ⁽²⁾	2021	2022	2023
Park Street AQMA	Roadside	94	94	0	0	2

Notes:

Exceedances of the PM₁₀ 24-hour mean objective (50µg/m³ not to be exceeded more than 35 times/year) are shown in **bold**.

If the period of valid data is less than 85%, the 90.4th 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%).

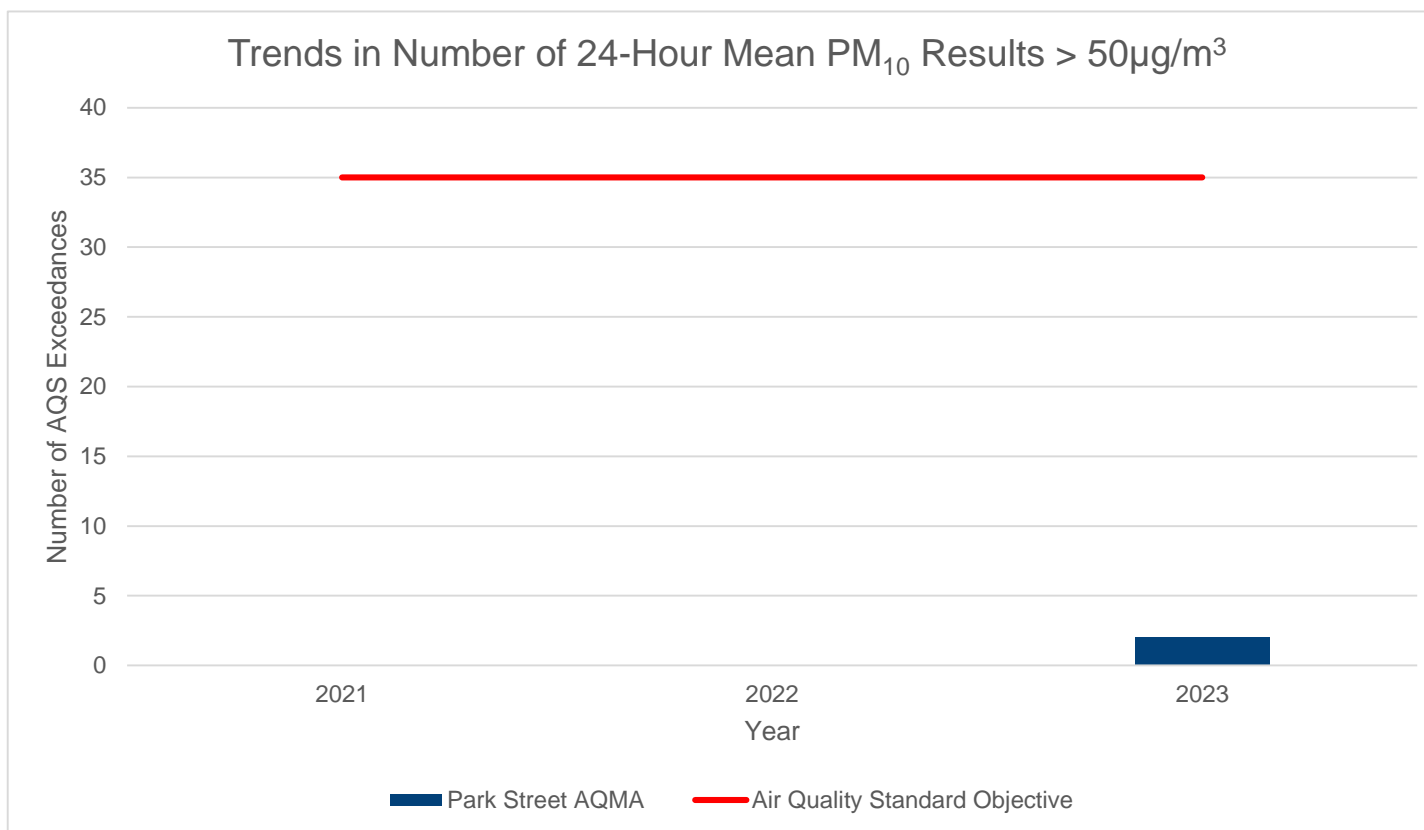
Figure 21 – Trends in Number of 24-Hour Mean PM₁₀ Results > 50µg/m³

Figure 21 displays trends in the short-term Objective for PM₁₀. In previously years there were no exceedances in the 24-hour mean. In 2023, there were two exceedances in the 24-hour mean. This remains well within the 24-hour mean objective limit of 35 exceedances in a single year.

2.3 Comparison of 2023 Monitoring Results with Previous Years and the Air Quality Objectives

2.3.1 Nitrogen Dioxide (NO₂)

Nitrogen dioxide was measured during 2023 by a network of 35 passive diffusion tubes. To ratify the 2023 diffusion tube dataset, a national bias adjustment factor of 0.78 was applied to the annual average readings.

It is noted that in 2023, monitoring undertaken at sites OBC-110, OBC-123 and OBC-140 located on Park Street residential facades, exceed the annual average air quality objective set at (40µg/m³) for NO₂. OBC-110 & OBC-123 recorded annual average figures of 43.3µg/m³. OBC-140 recorded an annual average figure of 42.9 µg/m³. This represents a reduction in NO₂ concentrations of 19% and 22% at OBC-110 & OBC-123 since 2019.

Sites currently exceeding annual air quality objectives are isolated to one area of Park Street. This area of Park Street, between no.91 – 107, experience higher concentrations of pollutants due to the proximity of houses to a heavily trafficked primary route with congestion issues. These issues are compounded by gradients increasing engine load and poor dispersion caused by buildings. All other monitoring locations within Park Street AQMA and across Bridgend currently demonstrate compliance with the applicable air quality objectives.

Automatic monitoring carried on Park Street demonstrates compliance with the annual air quality objective for NO₂. This automatic monitor also showed no exceedances of the 1-hour NO₂ objective of 200 µg/m³ not to be exceeded more than 18 times annually for both periods.

Compliance of air quality objectives at the automatic monitoring station confirms the varied impact of pollutant emissions on Park Street. Two non-automatic monitoring sites located approximately 17 metres from the monitoring station, OBC-110 & OBC-123, exceed the annual air quality objective for NO₂. Air quality issues are exacerbated in the location of non-compliance by the proximity of terrace housing to the road and poor dispersion of pollutants.

Nitrogen dioxide concentrations at all other non-automatic locations were shown to be compliant the annual air quality objective for NO₂ of 40µg/m³.

2.3.2 Particulate Matter (PM₁₀)

Particulate matter (PM₁₀) monitoring was carried out by the automatic monitoring station located in Park Street AQMA. The annual average figure shown at this site in 2022 was 18µg/m³, which is compliant with the PM₁₀ annual average objective of 40 µg/m³. There were two exceedances of the 24-hour PM₁₀ objective of 50 µg/m³. However, this meets the air quality objective limit for this objective which is to not be exceeded more than 35 times annually.

2.4 Summary of Compliance with AQS Objectives as of 2023

Concentrations within Park Street AQMA still exceed the annual objective for NO₂. Therefore, this AQMA should remain.

3 New Local Developments

Before the approval of any new development, the impact of both demolition, construction, and operational air quality is considered. If certain criteria are met, such as a substantial increase in vehicle generation, combustion processes, or the introduction of new receptors to areas of potential air quality concerns, then Air Quality Assessments (AQA's) are submitted to the local authority. This criterion is set within the Institute of Air Quality Management and Environmental Protection UK "Land-Use Planning & Development Control: Planning For Air Quality"⁴. AQA's use dispersion modelling to predict air quality impacts, and mitigation measures or conditions can be set as a result of these assessments.

Replacement Local Development Plan

Proposed development projects currently listed in the Local Development Plan (LDP) will require up to date air quality impact assessment in support of the planning application. Further details for the LDP can be found at <https://www.bridgend.gov.uk/residents/planning-and-building-control/development-planning/>.

3.1 Road Traffic Sources (and Other Transport)

No new road traffic sources have been identified which require consideration in this report.

3.2 Industrial / Fugitive or Uncontrolled Sources / Commercial Sources

No new Industrial / Fugitive or Uncontrolled Sources / Commercial Sources have been identified which require consideration in this report.

⁴ <https://laqm.defra.gov.uk/assets/airqualityplanningguidance.pdf>

3.3 Other Sources

There are no other sources have been identified which require consideration in this report.

3.4 Domestic Wood Burners

It should be noted that the Council receives a number of enquiries each year from residents in respect of national or local requirements were they to wish to install log-burners or similar appliances in their homes. There are no smoke control areas in Bridgend and hence no legal requirements with regard to appliances that may be installed. However, residents are always reminded of the legislation in respect of statutory smoke nuisance and, where they can't be persuaded otherwise for reasons of air quality and health, are recommended to seek out an appliance certified for use in a smoke control area.

SRS on behalf of BCBC can confirm that there are no areas of significant domestic fuel use in the Local Authority area.

4 Policies and Strategies Affecting Airborne Pollution

4.1 Air Quality Planning Policies

The Local Development Plan (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>

4.2 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.

The LTP policy is available at <http://www1.bridgend.gov.uk/media/352797/bridgend-ltp-wg-approved-version-may-2015.pdf>

4.3 Active Travel Plans and Strategies

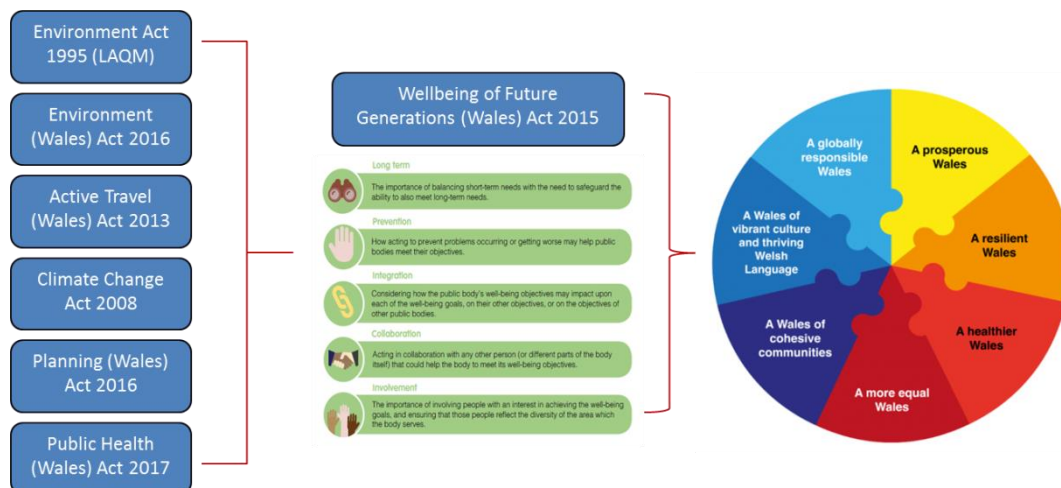
In September 2014, the Welsh Government introduced the Active Travel (Wales) Act. This measure legally requires Welsh local authorities to map and plan suitable routes for Active Travel within certain areas, as designated by the Welsh Government.

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/>

4.4 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.

Figure 22 - Well-being of Future Generations (Wales) Act



As highlighted in Figure 22, there are seven national well-being goals that form the basis of the Act and five ways of working which support the goals.

Public bodies 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 23 - Bridgend 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. The Bridgend PSB wellbeing plan is available at <https://www.bridgend.gov.uk/media/3657/bridgend-wellbeing-bps-plan-e-0518.pdf>

4.5 Green Infrastructure Plans and Strategies

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.

Figure 24 - Green Infrastructure



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.

4.6 Climate Change Strategies

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.

Figure 25 - Bridgend Net Zero



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 NO₂ at sensitive receptor locations situated on Park Street within the established AQMA Order boundary. It is noted that monitoring undertaken in 2023 at sites OBC-110, OBC-123 and OBC-140 located on Park Street at residential facades exceed the annual average air quality objective set at (40µg/m³) for NO₂. All automated and non- automated datasets show compliance with the air quality objectives at every other monitored location.

5.2 Conclusions relating to New Local Developments

No new local developments have been identified which are expected to have significant impacts on air quality within Bridgend County Borough.

5.3 Proposed Actions

Monitoring data from Park Street AQMA will be reviewed to ensure that compliance will be met in the shortest time possible. If trends in air quality data indicate that compliance will not be met by 2025/2026, then further traffic management measures, such as measure 18 within the AQAP may be implemented.

At present, the 'do something' scheme has the potential to bring forward compliance to 2025. However, this is unlikely due to the fact that the implementation of Measure 18 within the AQAP, denying all access onto St Leonards Road from Park Street, will require a consultation process due to the introduction of a traffic order. It is important to consider this in terms of timescale for implementation in comparison to the predicted year of natural compliance of 2026. This measure will be retained and will be reconsidered dependent on ongoing NO₂ monitoring results in the Park Street AQMA.

References

1. Department for Environment, Food and Rural Affairs, 2003. *Part IV of the Environment Act 1995, Environment (Northern Ireland) Order 2002 Part III Local Air Quality Management, Technical Guidance LAQM.TG(22)*. London: DEFRA (as updated August 2022).
<https://laqm.defra.gov.uk/wp-content/uploads/2022/08/LAQM-TG22-August-22-v1.0.pdf>
2. Welsh Government, *Local Air Quality Management in Wales, Policy Guidance*, 2017 [local-air-quality-management-in-wales.pdf \(gov.wales\)](https://gov.wales/local-air-quality-management-in-wales.pdf)
3. Welsh Government, *Air Pollution Health Advice* [Health Advice | Air Quality In Wales \(gov.wales\)](https://gov.wales/health-advice-air-quality-in-wales)
4. Public Health Wales, *Air Pollution and Health Fact Sheet*,
<https://phw.nhs.wales/services-and-teams/environmental-public-health/air-quality/air-pollution-and-health-fact-sheet/>
5. Institute of Air Quality Management, Environmental Protection UK, *Land-Use Planning & Development Control: Planning For Air Quality*
<https://laqm.defra.gov.uk/assets/airqualityplanningguidance.pdf>
6. Bridgend Council Annual Air Quality Progress Reports

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 11 - Full Monthly Diffusion Tube Results for 2023 (µg/m³)

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	NO ₂ Mean Concentrations (µg/m³)												Time Weighted Annual Mean (µg/m3)			Comment
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data	Bias Adjusted (0.78) and Annualised	Distance Corrected to Nearest Exposure	
OBC-113	290616	178394	23.7	21.3	14.0	14.5	14.3	12.4	11.3	13.1	15.1	17.0	12.1	11.9	14.9	11.6	-	
OBC-115	290667	178529	29.6	24.4	14.9	20.9	20.6	14.1	12.2	12.4	24.3	24.4	6.6	15.6	18.0	14.0	-	
OBC- 121	291540	178734	18.0	21.0	17.1	17.3	14.7	10.5	8.1	12.4	15.3	19.7	23.4	12.2	15.9	12.4	-	
OBC- 122	289919	179755	24.5	22.7	21.2	20.0	18.3	12.5	10.0	10.8	18.7	22.5		12.6	17.6	13.7	-	
OBC-131	290040	179704	40.6	45.4	33.2	36.8	26.9	23.2	26.5	26.9	29.7	24.3	36.7	28.5	-	-	-	Triplicate Site with OBC-131, OBC-131 and OBC-131 - Annual data provided for OBC-131 only
OBC-131	290040	179704	40.6	45.4	33.2	36.8	26.9	23.2	26.5	26.9	29.7	24.3	36.7	28.5	-	-	-	Triplicate Site with OBC-131, OBC-131 and OBC-131 - Annual data provided for OBC-131 only
OBC-131	290040	179704	40.6	45.4	33.2	36.8	26.9	23.2	26.5	26.9	29.7	24.3	36.7	28.5	-	-	-	Triplicate Site with OBC-131, OBC-131 and OBC-131 - Annual data provided for OBC-131 only
OBC- 123	290014	179698	63.7	62.8	54.9	61.6	58.8	53.5	44.1		57.9	47.9	59.4	51.7	56.2	43.9	-	
OBC-133	295899	181363	30.6	28.5	25.8	23.9	19.4	12.7	12.5	16.3	25.0	25.0		20.2	21.8	17.0	-	
OBC-112	290798	179244	46.7	41.7	39.0	36.1		20.7	17.9	28.3	32.7	35.0		26.4	32.4	25.3	-	
OBC- 105	290899	179185	31.4	27.9	12.0	22.1	21.0	13.3	11.3	16.8	21.4	24.3	30.2	13.4	20.4	15.9	-	
OBC-111	290700	179305	41.0	34.4	28.5	27.4	24.7	17.8	13.1	16.9	21.5	24.5	32.1	23.3	25.4	19.8	-	
OBC- 106	290826	179210	38.5	27.6	25.5	25.9	26.9		16.3	17.7	29.1	30.9	26.5	20.7	25.9	20.2	-	
OBC-102	290354	179807	30.5	31.1	24.9	35.5		17.6	14.9	16.9	23.5	23.8	21.2	20.4	23.8	18.5	-	
OBC-103	290250	179782	44.7	44.8	39.2	38.8	33.4	31.9	30.3	24.9	36.0	34.4	30.6	32.0	35.0	27.3	-	
OBC-104	290286	179800	43.2	43.8	40.2	41.3	38.6	35.8	28.8	31.4	38.7	36.0	28.2	31.4	36.4	28.4	-	
OBC-110	289988	179701	58.7	67.7	59.5	65.5	50.4	55.2	40.4	55.4	62.4	60.9	49.3	43.9	56.2	43.8	-	

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	NO ₂ Mean Concentrations (µg/m³)												Time Weighted Annual Mean (µg/m3)			Comment
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data	Bias Adjusted (0.78) and Annualised	Distance Corrected to Nearest Exposure	
OBC-109	290239	179795	28.0	26.0	22.1	20.4	19.5	14.1	12.2	15.1	20.4	18.9	24.9	15.8	19.8	15.4	-	
OBC-107	290347	179959	38.0	41.3	37.1	33.4	29.7	29.1	24.9	24.2	34.3	31.1	34.7	29.4	32.3	25.2	-	
OBC-108	290311	180032	33.4	44.9	37.6	37.4		30.9	30.2	27.6	37.8	37.2	37.3	34.7	35.4	27.6	-	
OBC-101	290469	179837	18.7	22.8	15.2	16.4	16.4	10.1	8.7	12.2	11.6	19.8	21.2	15.3	15.7	12.2	-	
OBC-130	291386	184168	46.1	45.8	37.5			29.1			34.6	36.0	35.1		37.3	25.7	-	
OBC-097	290687	180185	32.0	29.9	23.7	25.3	28.9	19.4	16.1	17.3	19.3	27.5	27.4	16.9	23.5	18.3	-	
OBC- 135	289402	184461	36.4	34.7	21.9	25.3	24.5	23.4	23.9		28.2	31.6	33.1	24.6	27.9	21.7	-	
OBC-132	293418	186662	8.9	37.0	29.5	32.8	31.0	25.4	24.9	23.9	30.1	33.7	23.2	22.8	27.0	21.1	-	
OBC- 124	289859	179710	21.8	20.9	16.8	16.2	13.4	9.9	9.2	10.8	14.8	20.1	18.9	13.0	15.5	12.1	-	
OBC- 125	285299	191136	36.4	34.7	21.9	25.3	24.5		11.3	37.5		21.0	25.2		26.7	20.8	-	
OBC-120	282264	177237	19.4	21.6	14.6	15.1	16.3	11.7	10.1	13.8	13.8	8.5	17.5	12.6	14.6	11.4	-	
OBC-129	296439	184111	10.9	12.6	9.2	8.2	6.9	7.2	8.1	5.7	8.7	11.7	6.7	7.6	8.5	6.7	-	
OBC-116	295886	181642	25.8	30.0	24.9	22.9		18.6	13.4	17.2	23.3	25.3			22.4	17.4	-	
OBC-139	295967	181623	31.8	33.6		29.7	28.2		22.6	25.0	31.5	33.0	30.7	22.4	28.9	22.6	-	
OBC-126	291125	179517	22.3	29.1	21.7	22.2	21.3	16.7	14.5	15.9	22.8	24.5	23.1	19.0	21.1	16.4	-	
OBC-127	292236	179473	28.0	26.7	19.6	19.0	18.3	12.4	11.6	14.5	17.8	23.4	27.1	13.8	19.3	15.1	-	
OBC-140	290002	179702	58.8	67.1	67.4	62.8	59.0	52.3	44.2	46.9	55.7	59.4	47.1	47.7	55.7	43.5	-	
OBC-134	295588	180916	24.0	23.9	16.6	17.5	18.4	14.8			20.1	19.0	19.5	13.4	18.6	14.5	-	
OBC-144	283730	182922	18.9	17.2	16.5	16.1	12.0	12.1	9.8	10.8	14.0	12.4	15.2	14.1	14.2	11.1	-	
OBC-137	294309	179872	29.6	28.2		23.9	22.4	17.6	10.5	16.5	24.8	25.6	25.3	14.2	21.7	17.0	-	

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	NO ₂ Mean Concentrations (µg/m³)												Time Weighted Annual Mean (µg/m3)			Comment
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data	Bias Adjusted (0.78) and Annualised	Distance Corrected to Nearest Exposure	
OBC-138	294218	179795	24.2	27.3	24.9	27.5	28.4	21.9	18.0	21.7	30.6	29.3	29.3	18.3	25.2	19.6	-	

Notes:
Exceedances of the NO₂ annual mean objective of 40µg/m³ are shown in **bold**.
NO₂ annual means exceeding 60µg/m³, indicating a potential exceedance of the NO₂ 1-hour mean objective are shown in **bold and underlined**.
See Appendix C for details on bias adjustment and annualisation.

Appendix B: A Summary of Local Air Quality Management

5.4 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, as amended by the Environment Act 2021, 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 must then be reviewed and updated no later than every five years; or if a local authority considers there is a need for further or different measures to be taken in order to achieve air quality standards; or if significant changes to sources occur within your local area.

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.

5.5 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 **Error! Reference source not found..**

The table shows the objectives in units of microgrammes per cubic metre $\mu\text{g}/\text{m}^3$ (milligrammes per cubic metre, mg/m^3 for carbon monoxide) with the number of exceedances in each year that are permitted (where applicable).

Table 12 - Air Quality Objectives Included in Regulations for the Purpose of LAQM in Wales

Pollutant	Air Quality Objective: Concentration	Air Quality Objective: Measured as	Date to be achieved by
Nitrogen Dioxide (NO₂)	200µg/m ³ not to be exceeded more than 18 times a year	1-hour mean	31.12.2005
Nitrogen Dioxide (NO₂)	40µg/m ³	Annual mean	31.12.2005
Particulate Matter (PM₁₀)	50µg/m ³ , not to be exceeded more than 35 times a year	24-hour mean	31.12.2010
Particulate Matter (PM₁₀)	40µg/m ³	Annual mean	31.12.2010
Sulphur dioxide (SO₂)	350µg/m ³ , not to be exceeded more than 24 times a year	1-hour mean	31.12.2004
Sulphur dioxide (SO₂)	125µg/m ³ , not to be exceeded more than 3 times a year	24-hour mean	31.12.2004
Sulphur dioxide (SO₂)	266µg/m ³ , not to be exceeded more than 35 times a year	15-minute mean	31.12.2005
Benzene	16.25µg/m ³	Running annual mean	31.12.2003
Benzene	5µg/m ³	Annual mean	31 12 2010
1,3 Butadiene	2.25µg/m ³	Running annual mean	31.12.2003
Carbon Monoxide	10.0mg/m ³	Maximum Daily Running 8-Hour mean	31.12.2003
Lead	0.25µg/m ³	Annual Mean	31.12.2008

Appendix C: Air Quality Monitoring Data QA/QC

5.6 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/ga-qc-framework.html>

Diffusion Tube Annualisation

Two diffusion tube sites required annualisation in 2022. Details for these sites are provided in **Error! Reference source not found..** Annualisation is required for any site with data capture less than 75% but greater than 25%.

Diffusion Tube Bias Adjustment Factors

SRS on behalf of BCBC have applied a national bias adjustment factor of 0.77 to the 2023 monitoring data. A summary of bias adjustment factors used by BCBC over the past five years is presented in **Error! Reference source not found..**

It should be noted that due to a production delay in Nitrogen Oxide (NO_x) cylinders used to calibrate the automatic air quality monitoring station within Park Street AQMA, fortnightly calibrations were not undertaken to check NO_x values between August 2023, and January 2024. The data for the monitoring station have been included in this report, however, it is unclear how this has affected the final results for the air quality monitoring station. In light of this issue, local bias adjustment factors from a co-location study carried out using the monitoring station have not been utilised to calculate the final bias adjusted figures for the

diffusion tube network. Instead, diffusion tubes have been bias adjusted using the national bias adjustment figure.

Table 13 - Bias Adjustment Factor

Year	Local or National	If National, Version of National Spreadsheet	Adjustment Factor
2023	National	09/24	0.78
2022	Local	-	0.73
2021	National	03/22	0.78
2020	National	06/21	0.76
2019	National	09/20	0.75

NO₂ Fall-off with Distance from the Road

No diffusion tube NO₂ monitoring locations within Bridgend required distance correction during 2023.

5.7 QA/QC of Automatic Monitoring

Local Site Operator duties are performed by officers within the SRS Environment Team. The Park Street AQMA Automatic Monitor is part of the Welsh Automatic Urban pollution Monitoring Network. The monitor is owned and managed by Bridgend Council and is calibrated fortnightly by an officer from the Shared Regulatory Services Environment Team.

Automatic monitoring data presented in this APR from the above monitors is ratified by Ricardo. Live and historical data is available at <https://airquality.gov.wales/>.

PM₁₀ and PM_{2.5} Monitoring Adjustment

The type of PM₁₀ monitor utilised within Bridgend does not required the application of a correction factor.

Automatic Monitoring Annualisation

All automatic monitoring locations within Bridgend recorded data capture of greater than 75% therefore it was not required to annualise any monitoring data. In addition, any sites with a data capture below 25% do not require annualisation.

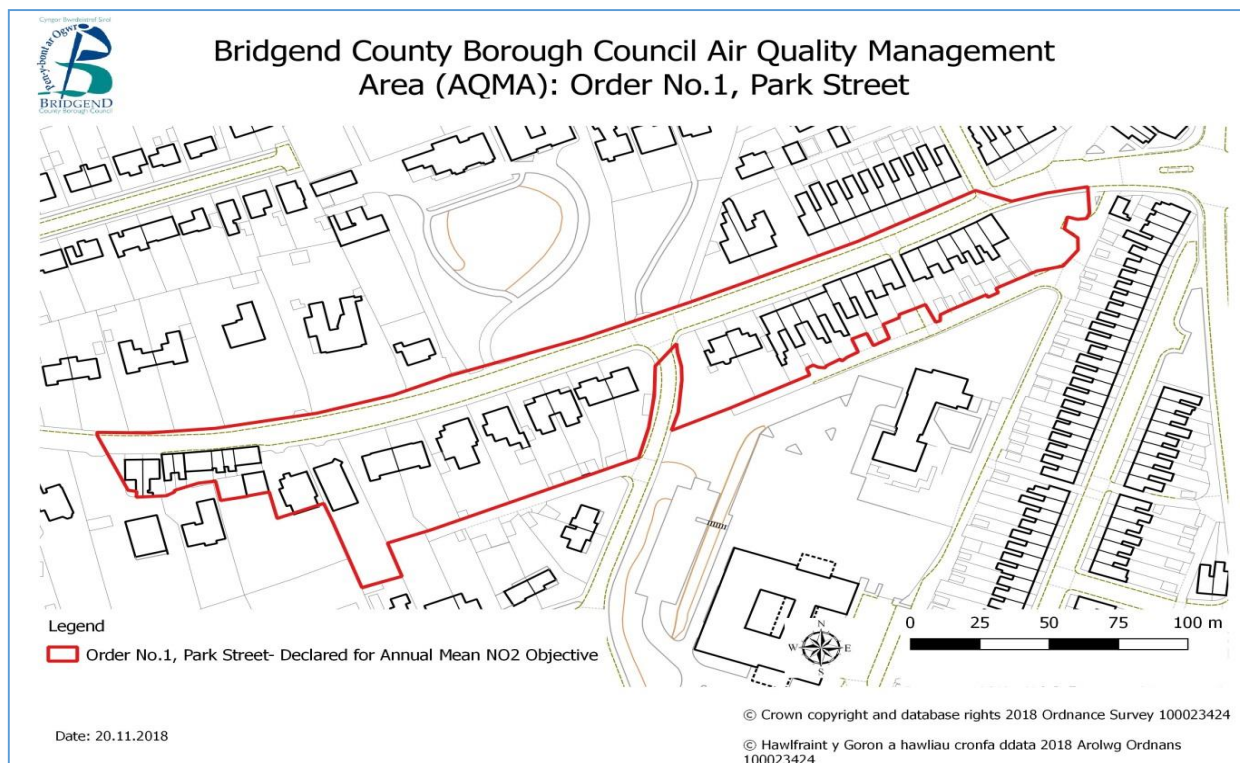
NO₂ Fall-off with Distance from the Road

No automatic NO₂ monitoring locations within Bridgend required distance correction during 2023.

Table 14 - Annualisation Summary (concentrations presented in µg/m³)

Diffusion Tube ID	Annualisation Factor Cardiff City Centre	Annualisation Factor St Julians Comprehensive, Newport.	Annualisation Factor Site 3 Name	Annualisation Factor Site 4 Name	Average Annualisation Factor	Raw Data Time Weighted Annual Mean (µg/m3)	Annualised Data Time Weighted Annual Mean (µg/m3)
OBC-130	0.8814	0.8816			0.8815	37.3	32.9
OBC-125	0.9514	0.9411			0.9462	26.7	20.8

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 ₂	Nitrogen Dioxide
NO _x	Nitrogen Oxides
PM ₁₀	Airborne particulate matter with an aerodynamic diameter of 10µm (micrometres or microns) or less
PM _{2.5}	Airborne particulate matter with an aerodynamic diameter of 2.5µm or less
QA/QC	Quality Assurance and Quality Control
SO ₂	Sulphur Dioxide

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Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	DISCIPLINARY POLICY
Report Owner / Corporate Director:	CHIEF OFFICER – LEGAL & REGULATORY SERVICES, HR & CORPORATE POLICY
Responsible Officer:	PAUL MILES GROUP MANAGER HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT
Policy Framework and Procedure Rules:	There is no effect upon the Policy Framework and Procedure Rules as a result of this report.
Executive Summary:	The purpose of this report is to seek approval of the revised Disciplinary Policy.

1. Purpose of Report

- 1.1 The purpose of this report is to seek Council of the revised Disciplinary Policy, attached as **Appendix 1**.

2. Background

- 2.1 It is important that Human Resources (HR) policies and procedures are reviewed periodically to ensure they reflect current employment legislation, best practice and support the HR Business Partner model.
- 2.2 The process for undertaking these reviews includes feedback from managers within each directorate and HR Business Partners and consultation with Trade Union representatives.

3. Current situation / proposal

- 3.1 In addition to updating the policy in terms of a consistent presentation and style, the main changes to the policy include:
 - clarity on when to undertake management discussions and to ensure consistency of approach;

- the introduction of a fast track process for dealing with certain disciplinary issues;
- the identification and detailing of the roles and responsibilities of all involved; and
- the introduction of updated tools and templates to help manage the process effectively.

3.2 As previously mentioned, Trade Union representatives were consulted in relation to the review. They have reviewed the updated policy and appendices. The Trade Union representatives confirmed their agreement to proceed with implementing the reviewed policy. The revised policy has also been shared with Corporate Management Board and the Heads of Service Group.

4. Equality implications (including Socio-economic Duty and Welsh Language)

4.1 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.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

5.1 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.

6. Climate Change Implications

6.1 There are no climate change implications arising from this report.

7. Safeguarding and Corporate Parent Implications

7.1 There are no safeguarding and corporate parent implications arising from this report.

8. Financial Implications

8.1 There are no financial implications as a result of this report.

9. Recommendation

9.1 It is recommended that Cabinet approves the revised Disciplinary Policy.

Background documents

None

DISCIPLINARY POLICY

SCOPE STATEMENT

This Policy applies to all employees of Bridgend County Borough Council except:

- Those employed under the Conditions of Service for School Teachers in England and Wales.
- Those employed by Governing Bodies in educational establishments under delegated powers.
- Agency workers or volunteers.
- Those who are within their probationary period.

Date of Issue:

DOCUMENT CONTROL	
Document Title	Disciplinary Policy
Previous Publication Date	July 2018
DOCUMENT APPROVAL	
This document received approval from:	Date:
Group Manager HR & OD	
Trade Unions	17 August 2023
Corporate Management Board	21 August 2024
Council	
REVISION HISTORY	
Revision History	This policy replaces the Council's Disciplinary Policy and Procedures dated July 2018 and Managers Guidelines July 2011. It introduces a fast-track process for dealing with certain disciplinary issues and sets out updated tools and templates to help manage the process effectively.

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1. Introduction and Purpose

- 1.1 This policy sets out the Council's approach to promoting and maintaining high standards of conduct amongst our employees.
- 1.2 Clear disciplinary rules and processes benefit the Council and its employees, ensuring transparency and fairness and providing a framework to support the delivery of high-quality services for our customers and service users.
- 1.3 It is recognised that standards of performance and conduct can, at times, fall short for a number of reasons. The aim of the policy is to help deal with such issues as quickly as possible, supporting employees where necessary and being clear about the expected standards of performance going forward.
- 1.4 Equally, it is also recognised that continued or serious misconduct will not be accepted and will need to be dealt with robustly. This policy sets out the processes that will be pursued in such circumstances.
- 1.5 The policy applies to all employees regardless of length of service (except for those expressly excluded as per the scope statement on the cover of this document).
- 1.6 The policy has been developed in consultation with the Council's recognised trade unions and taking account of relevant legislation and ACAS guidance. including, but not limited to, reference to the Wales Safeguarding Procedures and Cwm Taff Morgannwg's guidance document on Responding to Safeguarding Concerns.
- 1.7 All managers will play a crucial role in ensuring clarity in relation to work expectations, dealing with concerns when they arise and providing the appropriate support in order for employees to achieve and maintain standards.
- 1.8 The definition of the roles and responsibilities of all those involved in the disciplinary process are set out in Section 14 of this policy.

2. General Principles

- 2.1 The policy aims to ensure that any concerns are dealt with consistently and fairly and in accordance with the principles as set out below: -
 - a) The requirement for confidentiality applies to all parties involved in any disciplinary process.
 - b) Issues of conduct should be dealt with as they arise, initially informally (where appropriate) before referring matters through the formal process.
 - c) No disciplinary action will be taken against an employee until the case has been fully investigated. The only exception to this may be in cases where misconduct is acknowledged by the employee as part of the agreed fast-track process.
 - d) An employee will be advised of the nature of the allegations against them and given the opportunity to state their case before any disciplinary sanction is given.

- e) No employee will be dismissed for a first breach of discipline except in the case of gross misconduct where the outcome could be dismissal without notice.
- f) An employee will have the right of appeal against any disciplinary action except where it is agreed as part of the fast-track process.
- g) At all stages of the procedure the employee will have the right to be accompanied by a trade union representative or work colleague other than at a management discussion (3.6).
- h) The Council has the discretion to allow an employee to be accompanied at the hearing by a legal representative in cases where their membership of a professional body is mandatory and could be prejudiced by the outcome of the disciplinary process.
- i) If an employee has difficulty at any stage of the procedure because of a disability, they should discuss the situation with their line manager and/or the HR Department as soon as possible.
- j) No disciplinary action will be taken against a Trade Union official until the full-time officer of the Trade Union has been informed.
- k) Where an employee is charged with a criminal offence, the fact that the criminal offence has not yet been tried in the courts, will not necessarily prevent an internal investigation to continue or disciplinary action taken arising from the same events (see section 8).
- l) Alleged or actual breaches of discipline which threaten the safety of children, young people and vulnerable adults will require the immediate implementation of the Council's Safeguarding Policy (see section 9).
- m) After the statutory authorities (e.g., the police as part of the Safeguarding process) have completed their consideration of the allegation, it will be referred back to the Corporate Director or nominated officer to consider if the matter needs to be dealt with under the staff disciplinary process. This will happen even if the statutory authorities take the decision not to pursue a criminal investigation.
- n) Disciplinary concerns about financial impropriety must be brought to the attention of the Section 151 Officer and legal impropriety to the Monitoring Officer. Both officers must be informed in the case of any alleged misappropriation of funds.
- o) A disciplinary investigation will not normally be put on hold in situations where an employee raises a concern as part of the Council's Resolution Policy. It will normally be the case that the concern, where it applies to the disciplinary process, is considered as part of the disciplinary process rather than commencing a separate process.
- p) Where time limits are referred to during this procedure, they may be varied by agreement between the employee and the Council.
- q) All correspondence in respect of the Formal Procedure must be issued from Human Resources.

- r) This policy is supported by a number of forms, checklists, and risk assessment tools to help managers as outlined in Appendix 1 to 9.

3. Procedure for dealing with Misconduct

- 3.1 In the event that any misconduct issues have not been successfully resolved informally (or the allegations appear to be too serious for the informal approach) then the formal disciplinary process will need to be followed.

a. The importance of an Initial Assessment

- 3.2 The manager concerned will notify the Corporate Director or nominated Officer of the alleged misconduct in order to discuss the matter and to determine whether a formal investigation should be initiated. An assessment form is attached at **Appendix 3** to help inform this process.
- 3.3 Such a decision should be taken on the basis of an initial assessment of the available facts and advice from the relevant HR Business Partner. This will ensure that proportional steps are taken in progressing the matter, in accordance with the policy.
- 3.4 A guide to what may be considered misconduct and gross misconduct is set out at **Appendix 1** and **Appendix 2** respectively.

b. Management intervention (Management Discussion)

- 3.5 Following the initial assessment, it may be necessary to undertake a management discussion. This is used to address minor concerns in a positive, honest, and constructive manner and without recourse to a formal disciplinary investigation process.
- 3.6 A management discussion meeting will be arranged by the manager for the manager and employee only within 7 calendar days of the decision. The manager will keep and share a note of the meeting with the employee in order to be able to monitor and review any follow-up actions. A form for recording the outcome of the discussion is given at **Appendix 4**
- 3.7 The purpose of the meeting will be for the manager to:
- Be clear about the identified areas of concern/misconduct.
 - Explore any underlying reasons for the alleged misconduct.
 - Ensure that there is clarity about the expected standards of conduct.
 - Put in place an action plan to help the employee meet the expected standards.
 - Be clear that any continuation of the misconduct will be dealt with formally.

A management discussion may not be suitable in relation to:

- Cases where allegations, if proven would constitute gross misconduct.
- Cases where the employee has already received a 'live' written or final warning.
- Cases which include issues relating to Safeguarding, Police matters or fraud/financial impropriety.

c. Fast Track Process

- 3.8 The Fast Track process may be used as an alternative way of resolving disciplinary cases and minimising the time and stress involved in going through a detailed investigation and setting up a full disciplinary hearing.
- 3.9 It is applicable only where:
- An employee has admitted in full all allegations made against them.
 - An employee has requested (and consented to) the use of the process.
 - The Corporate Director or nominated officer has agreed that the use of the process is appropriate.
- 3.10 The request for a Fast Track approach may be made as soon as the allegations are known and shared with the employee (A request and decision form is attached at **Appendix 5**).
- 3.11 The Fast Track process may not be suitable in relation to:
- Cases where allegations, if proven would constitute gross misconduct.
 - Cases where the employee has already received a 'live' written or final warning.
 - Cases which include issues relating to Safeguarding, Police matters or fraud/financial impropriety.
- 3.12 In situations where the approach is considered suitable and in accordance with 3.9 above, the employee will be invited to a fast-track decision meeting with the appropriate Corporate Director or nominated officer (Responsible Officer) and the appropriate HR Business Partner.
- 3.13 During the meeting the Responsible Officer will summarise the key facts relating to the allegations as outlined in the form at **Appendix 5**. The employee (or their representative) will have the opportunity to put forward comments and statements including any mitigating circumstances. No witnesses will be called during the meeting.
- 3.14 At the conclusion of the meeting, the Responsible Officer will, if applicable, confirm the intended decision to issue a first written warning. The implications and 'life' of the warning will be the same as if it were issued following a full disciplinary hearing and as set out at 4.3 below.
- 3.15 Subject to the employee's continuing consent the outcome of the process will be confirmed to the employee in writing within 7 calendar days. There will be no right of appeal against the outcome of a Fast Track disciplinary process.
- 3.16 Where the employee does not provide continuing consent, then it will be necessary to complete the disciplinary investigation and arrange a full disciplinary hearing (as set out at 3.17 to 3.32 below). In such a situation, the information related to the fast track process will be disregarded for the disciplinary process.

d. Suspension

- 3.17 In certain circumstances, it may be necessary to suspend an employee from duty. This may be necessary as soon as the allegations are raised, or at any time during the course of an investigation and in circumstances where:
- The allegations relate to potential gross misconduct.
 - Where relationships have broken down
 - Where the presence of the person involved may hinder the investigation
 - Where there are risks to the Council's property
 - Where there are risks to other employees or service users
- 3.18 A suspension from duty with pay is a neutral act to protect the integrity of the investigation. It is not a disciplinary sanction and should not be seen as a presumption of guilt. That said, it should only be considered as a last resort and where alternatives (e.g., temporary redeployment) are not appropriate.
- 3.19 A decision to suspend an employee will need to be taken by the Corporate Director or nominated officer (in discussion with HR Business Partner) and following consideration (and completion) of the Suspension Risk Assessment Checklist at **Appendix 6**.
- 3.20 The decision should be confirmed in writing within 7 calendar days together with any conditions attached to the suspension, the details of an appropriate 'Keeping in Touch Officer' during the investigation and any additional support as set out at Section 11.
- 3.21 During the suspension the employee will receive their normal pay until a disciplinary decision has been confirmed.
- 3.22 The suspension will be for no longer than is necessary to investigate any allegations of misconduct or so long as is otherwise reasonable while any disciplinary proceedings are outstanding. The suspension should be subject to periodic review by the Corporate Director (or nominated officer) upon receipt of regular updates from the Investigating Officer and HR Business Partner in relation to the progress of the investigation and taking account of the information recorded on the suspension risk assessment. Decisions to revoke or continue with suspension will be made by the Corporate Director or nominated officer.

e. Disciplinary investigation

- 3.23 Following the initial assessment it may be necessary to undertake a formal investigation into the issues of concern. An Investigating Officer will be appointed by the Corporate Director or nominated Officer and a clear plan and timescales set out in order to ensure that the process is managed without undue delay.
- 3.24 The manager will inform the employee of the decision to undertake a formal investigation and the employee will be sent a letter from the HR Business Partner confirming: -
- The allegations of misconduct that have been made against them.
 - The name of the Investigating Officer
 - Their right to be represented.

- The availability of support and/or reasonable adjustments available

3.25 The role of the Investigating Officer will be to gather sufficient information/evidence to determine whether there is substance to the allegations. This will involve:

- interviewing the employee subject to the allegations
- affording the employee, the opportunity to respond to the allegations
- interviewing all relevant witnesses
- taking statements from all interviewees
- analysing and weighing all evidence collected during the investigation.

3.26 All employees interviewed during the investigatory process will be afforded the right of accompaniment by a colleague (where there is no conflict of interest) or by a trade union representative.

3.27 Employees will be given advance notice of at least 7 calendar days of an investigation meeting; this can be sooner if all parties agree. The Council reserves the right, with the agreement of the employee to dispense with an investigation meeting and to proceed directly to a formal disciplinary hearing where appropriate.

3.28 Evidence required from witnesses, other than current employees, will be sought via written correspondence.

3.29 The amount of investigation involved will vary depending on the allegations and the circumstances of the case. In cases where there is no dispute about the allegations the investigation may just require the gathering of the main facts. The aim will be to gather enough information whilst limiting the stress on all individuals involved.

3.30 In considering whether to refer the matter to a full disciplinary hearing, the Investigating Officer will need to give consideration to the misconduct concerned but also any live warnings relating to previous misconduct.

3.31 At the conclusion of the investigation the Investigating Officer will prepare a report making one of the following recommendations. The report will be submitted to the Corporate Director or nominated officer for information:

1	There is no case to answer	In which case the employee will be advised verbally and in writing as soon as possible
2	That there are concerns but which can be dealt with through a management discussion	In which case the employee will be advised in writing and the matter referred to the appropriate manager (see section b above)
3	There is a case to answer which will need to be considered at a formal disciplinary hearing	See paragraphs 3.27 to 3.32

3.32 In the scenarios as set out at 1 and 2 above, the investigatory documentation will be destroyed in accordance with the Council's HR Retention Policy.

f. The Disciplinary Hearing

- 3.33 A disciplinary hearing will be arranged in circumstances where there is a case to answer, and the Fast Track process (see paragraphs 3.8 to 3.16) has not been considered suitable or has not been requested by the employee.
- 3.34 The disciplinary hearing will be conducted by the Responsible Officer (i.e., the Corporate Director or nominated officer (see definition at 14.6). They will be advised by a HR Business Partner who should not have had any previous involvement in the matter.
- 3.35 Confirmation of the hearing will be sent in writing to the employee and their trade union representative no less than 14 calendar days before the hearing and include:
- The date, time, and location of the hearing
 - Details of the disciplinary allegations
 - The investigation report and all documents that will be referred to at the hearing
 - Confirmation of the panel members who will be considering the allegations
 - Confirmation of the employee's right of representation
- 3.36 In addition, the employee should be asked to confirm whether they wish to call any witnesses to the hearing and reminded of the need to submit copies of any documentation that they wish to rely on no later than 5 calendar days before the hearing. Any character witness evidence should be sent in writing rather than require presence at the hearing.
- 3.37 Where it is possible that the outcome of the hearing could be dismissal, this should be made clear in the letter to the employee.
- 3.38 The procedure for the hearing is set out within **Appendix 8**.

4. Disciplinary Outcomes

- 4.1 In considering the outcomes of a disciplinary hearing, all cases will be dealt with on their merits and taking into account the evidence presented in the investigation pack and at the hearing and the following factors:
- The employee's current disciplinary record (i.e., any 'live' warnings)
 - Any mitigating circumstances as presented by the employee.
 - The reasonableness and proportionality of the outcome
- 4.2 The range of disciplinary sanctions is set out below along with the length of time that they should remain 'live' on the employee's disciplinary record:
- a. First Written Warning**
- 4.3 A first written warning will usually be appropriate for a first act of misconduct and where there are no 'live' warnings on the employee's record. The warning will be effective from the date of the decision and will remain active for 6 months.

b. Final Written Warning

4.4 A final written warning will usually be appropriate in the following circumstances:

- Where there has been an act of misconduct while an existing and 'live' written warning is already on the employee's disciplinary record.
- Where the seriousness of the misconduct is sufficient to warrant a final written warning even though there are no other existing and 'live' warning on the employees' disciplinary record.

4.5 The final written warning will be effective from the date of the decision and will remain active for 12 months.

c. Dismissal or action short of dismissal

4.6 The outcome of the hearing may be dismissal in the following circumstances:

- Where there has been a further or continuing act of misconduct within the life of an existing written or final written warning. This would normally result in dismissal with notice or pay in lieu of notice (if appropriate).
- Where it is reasonably believed that the allegations amount to an act of gross misconduct. This would usually result in summary dismissal without notice or pay in lieu of notice. Examples of gross misconduct are given at **Appendix 2**.

4.7 As an alternative to dismissal, the Corporate Director or nominated officer may, at their discretion, consider the option of demoting the employee to a current and vacant lower graded post. This would normally be based on the strength of any mitigation offered by the employee and would be accompanied by a final written warning.

4.8 In cases involving the loss (or overpayment) of monies or materials with a monetary value as a result of the improper actions of an employee, the Council will take steps to recover the shortfall from the employee.

4.9 Where errors occur in submitting claims or record sheets, any subsequent overpayment will be recovered through the agreed procedure for such matters.

4.10 All warnings given in accordance with this policy will be kept on the employee's disciplinary record in accordance with the Council's HR Retention Policy. Such warnings will, however, be disregarded in deciding the outcome of future disciplinary proceedings after the active period, subject to the appropriate period of satisfactory conduct and performance.

d. Confirmation of Disciplinary Warnings

4.11 Where a warning is issued, this will be confirmed in writing within 7 calendar days of the hearing. The warning will set out clearly:

- The misconduct or poor performance that led to the warning
- The action or improvement that is required as a result of the warning

- The duration of the warning
- The likely consequences of any repeated or further misconduct
- The employee's right of appeal.

5. Disciplinary Appeals

- 5.1 All employees have the right of appeal against disciplinary action. Any appeal must be made in writing to the Group Manager HR/OD within 14 calendar days of receipt of the letter confirming the disciplinary outcome.
- 5.2 The employee must indicate the basis of the appeal using the notification form set out in **Appendix 7**. This will determine the extent of the appeal process, i.e., whether it is a full rehearing of the disciplinary allegations or rehearing of the specific appeal points.
- 5.3 Appeals against disciplinary warnings will be heard by the Corporate Director or nominated officer, who has not been involved in the case to date, and the decision will be final. The outcome may include:
- Confirmation of the original decision
 - Impose a lesser warning
 - Conclude that no disciplinary action should be taken against the employee
- 5.4 At the appeal hearing the management side presentation will be made by the Investigating Officer who will be accompanied by the Responsible Officer who conducted the original disciplinary hearing. The procedure will follow the same principles and process as the disciplinary hearing (**Appendix 8**).
- 5.5 Appeals against dismissals will be considered by the Elected Members of the Council's Appeals Panel. The procedure to be adopted is outlined in **Appendix 9**.
- 5.6 In cases where Elected Members uphold an appeal against dismissal and a decision is made to re-instate/re-engage, the appellant shall suffer no loss in relation to their previous contract of employment from the date of dismissal up to the date of re-employment. Re-instatement will be to the original post held on the same terms and conditions.
- 5.7 Any termination payments received in connection with the initial dismissal decision will be recovered from the employee.

6. Sickness absence during the disciplinary process

- 6.1 The sickness absence policy will apply as normal in the circumstances where an employee is absent due to sickness absence during a disciplinary process. In such circumstances due regard will be given to Occupational Health advice in terms of the employee's fitness to participate in the process.
- 6.2 Being absent from work due to sickness absence will not, however, automatically stop matters being progressed under the disciplinary policy.

7. Non-attendance at disciplinary investigation meetings/hearings

- 7.1 Employees must make all reasonable efforts to attend disciplinary meetings. If an employee is not able to attend such a meeting, a further date will be arranged as

soon as possible, but within a month from the original date. If the employee does not attend the re-arranged date without good reason, then a decision may ultimately be made in the employee's absence and on the basis of the evidence available and presented in the investigation report. The employee may submit a written statement to be taken into consideration in circumstances where they choose not to attend.

- 7.2 The above will apply if the employer or trade union representative requests to postpone a meeting or hearing and will be regarded as if the employee has requested a postponement.

8. Police Investigations and Criminal Offences

- 8.1 In circumstances where an employee is subject to a criminal investigation, the Corporate Director or nominated officer (with advice from HR Business Partner) will determine to what extent the Council needs to conduct its own investigation prior to considering disciplinary action. The Council will not usually wait for the outcome of any police investigation or any prosecution before deciding what action to take unless specifically advised otherwise by the police.

- 8.2 Where an employee is subject to a criminal investigation or charged with a criminal offence, they must inform their manager as soon as possible. Consideration will then be given to what action (if any) needs to be taken. The main consideration will be whether the matter impacts adversely on the employee's suitability for their job or undermines the reputation of the Council.

9. Disciplinary Issues and the Safeguarding of Children and Adults at risk

- 9.1 Where actual or alleged misconduct is in relation to (or affects) the wellbeing and safety of children and adults at risk, then immediate reference will need to be made to the Council's Safeguarding Policy and Wales Safeguarding Procedures. Once safeguarding processes are concluded and a determination is made to proceed with a formal disciplinary investigation, 9.2 should be followed.

- 9.2 In such circumstances it will be important that:

- Early advice is sought from the HR Business Partner.
- All investigations are concluded and recorded regardless of whether the employee resigns during the course of the investigation
- The outcomes of the disciplinary process are retained on the employee's file permanently as outlined in the HR Retention Policy.
- Referrals are made to the Disclosure and Barring Service (DBS) and appropriate professional groups (see below)

- 9.3 If an employee is barred by the Disclosure and Barring Service (DBS) or receives an unsatisfactory DBS check during the course of their employment and cannot legally be employed in their role, they would be subject to the Council's disciplinary policy and may ultimately be dismissed by the Council.

- 9.4 Similarly, if an employee has not renewed their professional registration or paid the relevant professional fee and cannot legally be employed in their role, they would be subject to the Council's disciplinary policy and may ultimately be dismissed by the Council.

10. Referral to Professional Bodies

- 10.1 Some professions are bound by specific codes of conduct e.g., the Education Workforce Council Code of Professional Conduct and Practice, Codes of Professional Practice for Social Care. Should an employee be subject to a disciplinary investigation then the service manager may be obliged to make a referral to the appropriate professional body. This will sometimes include a referral to the DBS if the post, which they occupy, requires a DBS check.

11. Support to employees during the disciplinary process

- 11.1 Providing appropriate support to employees who are subject to disciplinary processes, is important. This will include providing details of a 'Keeping in Touch' officer during the course of the investigation and ensuring the employee is aware of and has access to the Council's Employee Assistance Programme.
- 11.2 In addition it may also be necessary to consider appropriate adjustments to help facilitate the disciplinary hearing. This may include holding the hearing at a neutral venue, using a hybrid approach, providing the opportunity for breaks, and, at the request of the employee, conducting the hearing through written correspondence.

12. Documentation and Data Protection

- 12.1 Accurate records will be maintained throughout the disciplinary process and kept confidential in accordance with the Data Protection Act 1998 and the General Data Protection Regulation 2018. All such records will be disregarded for disciplinary purposes after the expiry of any disciplinary sanction and removed from the employee's file in accordance with the Council's HR Retention Policy.

13. Development and Recovery Plan

- 13.1 It is recognised that the disciplinary process can often be both wearing and stressful, putting strain on future relationships. It is important, therefore that subsequent time is taken by the employee's manager to explore measures to rebuild such relationships. This will require an open, honest, and two-way conversation with the employee over the weeks following the disciplinary hearing and, importantly, outside the formality of the disciplinary process. It will help to:
- Clarify, support, and review any actions that arise out of the disciplinary process
 - Ensure that any mutual learning points are shared, discussed, and built on
 - Provide an opportunity to resolve any concerns that the employee may have
 - Assure the employee of their continuing importance to the organisation
- 13.2 In some circumstances it may also be appropriate to consider a post disciplinary mediation process where relationships have been adversely affected as a result of the initial misconduct.

14. Roles and Responsibilities

- 14.1 It is important that there is clarity about roles and responsibilities in relation to the Disciplinary Policy and Procedure:

14.2 Employee responsibilities

- Behave in a way that is consistent with the Council's Code of Conduct, rules, policies and procedures, and relevant professional codes of conduct
- Ensure an understanding of the requirements and provisions of the Policy.
- Cooperate with the requirements of the Disciplinary Policy including attendance at meetings without undue delay
- Seek advice and representation if needed from trade union representatives or work colleagues as soon as possible

14.3 Line Manager responsibilities

- All managers will play a crucial role in ensuring clarity in relation to work expectations, dealing with concerns when they arise and providing the appropriate support in order for employees to achieve and maintain standards.
- Deal with any concerns about inappropriate conduct or behaviour promptly
- Ensure that they and their employees are aware of all relevant policies and procedures
- Where relevant, line managers will undertake risk assessments as needed and to be reviewed on a regular basis.

14.4 Corporate Director or Nominated Officer responsibilities

- Confirm the need for an investigation to take place where it is felt necessary
- Authorise any decision to suspend an employee based on a risk assessment
- Ensure that the Investigating Officer has the resources and support to carry out the investigation within acceptable timescales
- Determine, if necessary, the appropriateness of a fast track approach

14.5 Investigating Officer responsibilities

The Investigating Officer will be appointed by the Corporate Director or nominated officer.

- Undertake a full, fair, and objective investigation
- Undertake such an investigation as thoroughly but as promptly as possible
- Compile an investigation report for the consideration of the Corporate Director or nominated Officer
- Make recommendations in relation to the outcome of the investigation
- Have completed the relevant in-house training

14.6 Responsible Officer responsibilities

This role may be undertaken by the Corporate Director or nominated officer (as per 14.4 above) or by a separately appointed Corporate Director or nominated officer.

- Chair a disciplinary hearing or appeal if one is necessary
- Ensure the hearing is carried out in accordance with the Disciplinary Policy
- Seek further information if this becomes necessary
- Determine any appropriate level of disciplinary sanction
- Confirm decision in writing

14.7 HR Business Partner responsibilities

- Provide support, coaching and advice to managers in relation to the policy
- Support Investigating Officers during the investigation
- Provide advice to the Responsible Officer at disciplinary or appeal hearings
- Identify any development needs following the application of this policy
- Issue all relevant correspondence relating to the policy

14.8 Trade Union Representative responsibilities

- Work with all parties to facilitate timely and early resolution to matters
- Provide advice and support to employees throughout the process
- Make representations on behalf of employees where requested but not answer questions on behalf of the employee
- Work with managers, HR and employees to ensure the policy is adhered to

15. Further Advice

- 15.1 Further information or advice about any aspect of this policy can be obtained from the Council's HR Business Partner Team

16. Monitor and Review

- 16.1 This policy will be reviewed in accordance with the policy review timetable or sooner if there is a need due to operational reasons or any legislative changes.

EXAMPLES OF MISCONDUCT

Misconduct is a breach of the Council's expected standards of behaviour, rules, values and policies. The severity and frequency of the breach will be considered when determining the level of disciplinary warning. In very serious cases, the breach could be regarded as gross misconduct (see examples in Appendix 4).

The following is a non-exhaustive guide to actions that will be regarded as misconduct, unless there are clear and mitigating circumstances:

- Unauthorised absences from work
- Poor timekeeping (lateness)
- Refusal to carry out a reasonable instruction
- Unsatisfactory standards of conduct at work
- Disorderly behaviour whilst on duty
- Misuse of Council facilities
- Negligence causing injury
- Negligence causing damage to property
- Breaches of confidentiality
- Abusive behaviour
- Failure to adhere to Council procedures and policies

Such breaches of discipline will not normally result in dismissal for a first offence but may result in dismissal if the employee has previously committed an act or acts of misconduct for which a warning or warnings have been issued and are currently 'live'.

EXAMPLES OF GROSS MISCONDUCT

Gross misconduct is conduct which is so serious that it amounts to a fundamental breach of trust and confidence between the Council and the employee and renders the employment contract irreversibly damaged. Such misconduct would justify the summary dismissal of the employee without notice.

The following is a non-exhaustive guide to actions that will be regarded as gross misconduct and will lead to summary dismissal unless there are clear and mitigating circumstances. Examples include:

- Theft or attempted theft of property, money or equipment belonging to the Council, service users or fellow employees
- Malicious damage to property belonging to the Council or fellow employees
- Any form of actual or threatened violence
- Acts of bullying, harassment, victimisation, or unlawful discrimination
- Breaches of the Council's safeguarding procedures
- Discrimination on the grounds of sex, race, religion, ethnic origin, disability, age, or sexual orientation
- Sexual misconduct
- Deliberate falsification of documents/records or the provision of false information
- Serious and deliberate or careless violation of health and safety rules and standards which causes or could cause risk to the employee, other employees, or members of the public
- Incapacity at work due to the use of alcohol or illegal drugs
- Accessing, copying or distributing offensive, obscene or inappropriate material
- The discovery of a conviction not spent under the Rehabilitation of Offenders Act 1974, and which was not disclosed at the time of engagement (except for driving offences, unless driving is relevant to the employee's duties)
- Criminal conduct outside the workplace, which reflects adversely upon the Council or on the employee's suitability for the job.
- De-registration under specific professional codes of practice
- Serious insubordination or refusal to follow management instructions
- Deliberate and/or repeated failure to adhere to the policies, procedures, codes of conduct of the Council
- Breach of the Council's Whistle-blowing Policy
- Serious breaches of confidence
- Serious breaches of financial regulations
- Serious negligence or carelessness which causes unacceptable loss, damage or injury

DISCIPLINARY CONSIDERATION: INITIAL ASSESSMENT

The purpose of the initial assessment is to ensure that the allegations have some element of potential substance to justify triggering the disciplinary process. The assessment will be completed by the line manager following a discussion with the employee, where appropriate.

In carrying out an initial assessment care should be taken to ensure that the process does not interfere with or prejudice an employee's procedural rights.

Employee Name	
Nature of the allegation (s)	
Source of the allegation (provide any documentary evidence if available)	
Initial response of employee (if a response is given¹)	
Has there been previous and similar concerns in relation to the employee's conduct within the last 2 years?	
Are there any live warnings on the employee's file?	
Has advice been taken from the relevant HR Business Partner?	
Is it appropriate for the allegation to be dealt with through a management discussion?	Yes/No
Is it appropriate for the allegation to be dealt with through a disciplinary investigation?	Yes/No

¹ Care should be taken to ensure that this is not a solicited response to questions raised by the manager which may prejudice a later formal investigation and interfere with the employee's rights to accompaniment

Does the allegation meet the criteria for misconduct or gross misconduct	Misconduct/Gross misconduct
If the allegation is considered as gross misconduct, can the employee remain in their role during the disciplinary investigation process?	Yes/No If no, please complete the Suspension Risk Assessment form (Appendix 6 in the Policy)

Manager's signature:

HoS or GM signature:

MANAGEMENT DISCUSSION: RECORD OF MEETING

Date of meeting	
Parties in attendance	
Description of concern raised	
Employee response	
Future expectations in terms of behaviour and conduct (and over what period)	
Support / Action Plan	

Line Manager signature:

Employee signature:

This note will be shared with the employee and placed on the employee's personal file. It will be disregarded for any subsequent formal disciplinary purposes after 6months.

DISCIPLINARY FAST TRACK REQUEST AND DECISION FORM

Initial Request

Employee Name:	
Trade union representative (if appropriate):	
Disciplinary allegations as set out in letter to me dated:	

In relation to the disciplinary allegations set out in the above letter I request that the disciplinary fast track approach should be commenced as set out in Section 3 (c) of the disciplinary policy. I have read and understand the implications of this and have taken appropriate advice on the matter. I understand that I can change my mind prior to the conclusion of the fast track meeting

Signature:		Date:	
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Corporate Director or nominated Officer:	
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In relation to the disciplinary allegations set out in the above letter I am content that the allegations are appropriate to be dealt with in the disciplinary fast track approach as set out in Section 3 (c) of the disciplinary policy. I have taken appropriate advice from my HR Business Partner

Signature:		Date:	
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Confirmation of Outcome at Fast Track Meeting

Date of Fast Track Meeting:	
Names of Parties attending:	
Employee:	
Representative (if applicable):	
Responsible Officer:	
HR Business Partner:	

Main points discussed at meeting
Mitigation offered by employee (as appropriate)

Expectations in relation to future conduct (as appropriate)
Action points / support measures (as appropriate)
Outcome: Disciplinary Sanction (if applicable) Duration of Sanction (if applicable)

I accept the outcome of this fast track process as set out above and understand the implications of this and have had the opportunity to take appropriate advice on the matter. I understand that any further misconduct will lead to further and more serious disciplinary action being taken in accordance with the Disciplinary Policy and Procedure.

Signature: (Employee)		Date:	
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NOTE: The outcome of the fast track process should be confirmed in writing in accordance with the provisions set out in section 4 d. of this policy

SUSPENSION RISK ASSESSMENT CHECKLIST

Suspension is a serious step and should only be considered as a last resort and where possible alternatives to suspension have been properly considered. A decision to suspend an employee may be necessary as soon as the allegations are raised, or at any time during the course of an investigation. A decision to suspend an employee should be taken by a Corporate Director (or nominated officer) and following discussion with a HR Business Partner. Such a decision should take into consideration the factors as set out below:

Name of Employee	
Nature of the Allegation/Concern	
If substantiated would the allegation amount to gross misconduct?	Yes/No Details:
Has an initial assessment been undertaken?	Yes/No Details:
Has the case been discussed with the Council's safeguarding team if the allegations raise concerns about the safety of children and adults at risk?	Yes/No Details:
Is there any risk to service users, the employee, or other employees as a result of the employee remaining in post?	Yes/No Details:
Is the presence of the employee likely to hinder or interfere with the	Yes/No Details:

disciplinary investigation or damage or remove evidence?	
Is there a risk that the employee will or attempt to damage goods, property or data belonging to the Council?	Yes/No Details:
Is it possible for the employee to work in different location or undertake different duties without triggering the risks as set out above?	Yes/No Details:
Can the risk be managed or mitigated?	Yes/No Details:
Has the matter been discussed with HR Business Partner?	Yes/No Details:
Decision to suspend:	Yes/No
Rationale:	
Corporate Director Signature	
Date	

DISCIPLINARY APPEAL FORM

This form should be completed by an employee when indicating a decision to appeal the outcome of a disciplinary hearing. The form should be received by the Group Manager (HR/OD) within 14 calendar days of receiving the outcome letter following the hearing. Arrangements can then be made for the appeal hearing in accordance with section 3 e. of the Policy. You will be notified separately of the details of the hearing.

Name		Job Title	
Address		Email	

Please indicate your grounds for appeal by referring to one or more of the sections below.

My appeal is based on the fact that:

A	The disciplinary procedure was not followed fairly	YES/NO
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Please give further details:		
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B	The findings of the hearing were unfair based on the evidence presented	YES/NO
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Please give further details:		
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C	The panel did not take into account key evidence or information	YES/NO
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Please give further details:		
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D	New evidence has come to light which may impact on the original decision	YES/NO
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Please give further details:

E	The decision taken at the hearing was disproportionately harsh	YES/NO
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Please give further details:

F	Other substantial grounds of appeal	YES/NO
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Please give further details:

PLEASE PROVIDE ANY ADDITIONAL DETAIL: (continue on another sheet if necessary)

Signature of employee:
Date:

PROCEDURE TO BE ADOPTED AT A DISCIPLINARY AND APPEAL HEARING

1. The Chair of the Panel² will introduce those present, explain how the hearing will be conducted and check that the employee has received the relevant documentation.
2. The Investigating Officer will present their investigation report and where appropriate call relevant witnesses. In the case of an appeal, the presentation may be made by the officer who made the original determination (i.e. the Responsible Officer).
3. The employee and/or their representative will have every opportunity to ask any questions of the Investigating Officer and any witnesses presented as may the Chair of the disciplinary or appeals hearing and the HR Business Partner.
4. The employee will have the opportunity to respond to the allegations, present any evidence, call any relevant witnesses, and, if appropriate offer any mitigation.
5. The employee and his/her witnesses will be questioned on any aspect of their responding statement (and evidence presented) by the Investigating Officer as well as the Chair of the hearing and the HR Business Partner.
6. The employee's representative may make representations to the hearing and ask questions but should not answer questions on the employee's behalf.
7. Witnesses will be required to withdraw immediately after giving their evidence (and answering questions) and should remain separate from other witnesses waiting to give evidence.
8. The Investigating Officer and the employee (or his/her representative) will be given the opportunity to sum up at the end of the hearing but will not be able to introduce any new evidence at this stage.
9. During the panel deliberations, the Investigating Officer, the employee and his/her representative will withdraw from the hearing.
10. Having considered the issues presented, the Chair of the hearing may decide that further information is required. In such cases the hearing may need to be adjourned and reconvened to allow for that information to be sought. The employee will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
11. In communicating the outcome of the hearing, the employee should be informed of the decision taken, the reasons for that decision and their right of appeal (where this is a hearing and not an appeal hearing). This will usually be confirmed in writing within 7 calendar days of the hearing.

² The Chair will be a Corporate Director or nominated Officer acting in the role of Responsible Officer

PROCEDURE TO BE ADOPTED AT A MEMBER APPEAL PANEL

1. The hearing will be held by the Council's Appeal Panel, which will be supported by one of the Council's Solicitors in the role of Clerk, a HR Business Partner and a minute taker.
2. The parties and their representatives shall be called in simultaneously before the Committee. At the start of the hearing the Chair will introduce those present and will explain the procedure.
3. The Chair of the initial disciplinary hearing (or a nominated Chief Officer) will present the management's case (acting as a Presenting Officer) calling, if appropriate, any witnesses to help substantiate or clarify any facts.
4. The appellant or his/her representative will be entitled to question the Presenting Officer and any witnesses.
5. The appellant or his/her representative will present the appellant's case calling, if appropriate, any witnesses.
6. The Presenting Officer will be entitled to question the appellant and any witnesses.
7. The Members, Clerk of the Panel and the HR Business Partner will be entitled at any time during the hearing, with the consent of the Chair, to ask questions.
8. The Chief Officer or his/her representative will be given an opportunity to sum up but will not be able to introduce any new evidence at this stage.
9. The appellant or his/her representative will be given an opportunity to sum up. He/she will not be able to introduce any new evidence at this stage.
10. All parties other than the Members of the Appeal Panel, the Legal Clerk and HR Business Partner will withdraw from the meeting. The Legal Clerk and HR Business Partner will remain in the meeting whilst the Panel require advice.
11. Once the Panel has received advice, the Legal Clerk and HR Business Partner will withdraw while the Panel consider the appeal.
12. The Panel may recall the Legal Clerk, HR Business Partner and minute-taker to clarify any points. Should the Panel require advice from the Legal Clerk or HR Business Partner both officers should be recalled together.
13. The Panel may also recall the parties to clarify any points but, if so, must recall both parties and their representatives and allow them to comment if they so wish.
14. Having considered the issues presented, the Chair of the hearing may decide that further information is required. In such cases the hearing may need to be adjourned and reconvened to allow for that information to be sought. The appellant will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

15. After the Panel has reached a decision on the appeal the parties and their representatives will be recalled and the decision announced to them together with the reasons for it. The decision will be confirmed in writing by the HR Business Partner usually within 7 calendar days of the hearing.

Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	PROPOSAL TO EXTEND THE TERM OF THE HEALTHY LIVING PARTNERSHIP WITH GLL / HALO LEISURE
Report Owner / Corporate Director:	CORPORATE DIRECTOR, SOCIAL SERVICES AND WELLBEING
Responsible Officer:	SOPHIE MOORE GROUP MANAGER, PREVENTION AND WELLBEING
Policy Framework and Procedure Rules:	There is no effect upon the policy framework or procedure rules.
Executive Summary:	<p>The report summarises the progress and achievements that have been made since the establishment of the partnership with GLL/Halo in 2012 and the potential benefits of extending the current term.</p> <p>The report describes the achievements made in terms of growing usage of services, managing service quality and outcomes and in particular ensuring that many of the risks that had been identified in relation to the leisure estate have been reduced via investment schemes. The report describes the financial efficiencies that the Council have been able to deliver by working in partnership, whilst retaining certain controls on service provision, and the potential for future efficiencies. The challenging financial position that the Council is facing is recognised together with the related potential merits of a short-term extension of the partnership agreement whilst the Council determines its longer-term position. The positive outcomes and cost effectiveness of the current partnership are key drivers for this at a time of significant uncertainty. A potential contract extension would provide the Council with the time needed to determine its longer-term position on healthy living and leisure service provision in line with a new strategic plan and approach.</p> <p>The report also contains information on the cost increases that would be likely to apply should the Council wish to insource this service area when the additional risks that the Council would be accepting are factored in. This could amount to two to three times the current costs, with no guarantee of better outcomes, when all factors are considered which may be currently unaffordable. An</p>

	<p>extension period would potentially support a number of further financial efficiencies to be taken forward and the nature of the partnership agreement provides the flexibility to negotiate such changes in requirements. A number of such changes are already being taken forward in accordance with the partnership agreement.</p>
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1. Purpose of Report

- 1.1 The purpose of this report is to seek approval from Cabinet to extend the term of the Healthy Living partnership agreement with Greenwich Leisure Limited (GLL) / Halo Leisure Services Limited (Halo).
- 1.2 The report also highlights the additional risks that the Council would be taking in regard to directly operating the related services and the potential for significant cost increases.
- 1.3 The report asks Cabinet to consider the evidence in this report and to note the actions needed and processes to be followed to extend the Healthy Living Partnership with GLL/Halo based on identifiable cost efficiencies and mitigation of specific risks.

2. Background

- 2.1 The Council established a 15-year partnership agreement with GLL/ Halo in 2012 to operate eight leisure centres and swimming pools and related services to support and improve population health and wellbeing.
- 2.2 At that time condition surveys of the leisure assets revealed that they were in a poor condition, and they were identified on the corporate risk register as a risk with no identifiable sources of capital investment to support improvements. This was having a negative impact on customers and related income generation and creating sustainability challenges for these services.
- 2.3 The Healthy Living Partnership Agreement sought to improve the condition of the leisure buildings and a full repairing lease was negotiated within its terms. This was developed as an optional variant within the partnership agreement which saw the risk of repairing and maintaining the leisure assets passed to the partner organisation. This has resulted in a scheduled approach to repair and maintenance being applied and with related risks positioned with the service delivery partner.
- 2.4 At the commencement of the partnership, there was large scale modernisation needed at Bridgend Life Centre which has subsequently supported the co-location of the town library, changing room improvements and the creation of a wellbeing hub in addition to new fitness and play facilities. There is a prudential borrowing arrangement still being repaid by the Council regarding these works.
- 2.5 The Council had sought a new level of affordability to operate the leisure assets that would be founded on good control of costs and the potential for increased income generation that would allow the management fee to be reduced. The management fee had commenced at £2,329,153 in 2012 and had reduced to £1,399,872 by 2023-2024. The calculations of efficiencies when inflation is considered have shown that

£1,802,000 of savings had been delivered in real terms by 2021. During this period there were significant financial challenges related to the pandemic faced by the Healthy Living Partnership that required additional support from Welsh Government and other sources to be provided. The cost-of-living crisis has also placed pressure on the management fee, with inflationary increases of 10.4% in 2023-24 and a further 4% in 2024-2025, resulting in an overall management fee payable, after taking account of MTFS reductions, of £1,255,980 for 2024-25. Due to the current financial challenges, the Medium-Term Financial Strategy (MTFS) approved by Council requires that the Council and its partners are negotiating further financial efficiencies that might be deliverable following on from those already made.

- 2.6 The Council had requested that external assessment of quality assurance would be conducted via “Quest” – the UK Quality Scheme for Sport and Leisure. In 2019, the Healthy Living Partnership in Bridgend was awarded a grading of ‘excellent’ and was the only partnership to achieve this in the UK. Similar accreditations for operating venues to high standards have also been achieved at individual sites. The Healthy Living Partnership, including the Council and its partners were awarded “excellent” in the recent Quest external assessment in June 2024 against the National criteria to support service planning and performance review.
- 2.7 The management of the partnership has been reviewed on a number of occasions by the Internal Audit service and a substantial assurance rating achieved. This includes the latest review by Internal Audit during 2023 which also resulted in a substantial assurance audit opinion. There has been substantial assurance in all previous reviews. The Council retained a small client resource to support the direction and focus of the partnership which has ensured that the Council’s requirements and protections have been delivered. There is also broader corporate oversight of progress and strategic direction via the advisory board that includes the Leader, key Cabinet Members, and the Chair of Scrutiny - Subject Overview and Scrutiny Committee 3.
- 2.8 The Council has continued to protect a number of pricing categories to ensure that the most vulnerable are able to access venues and services and people on means tested benefits are strongly represented amongst memberships and usage statistics of local facilities although the MTFS for 2024-25 onwards includes savings by reducing subsidies in this area. The partnership agreement retains sufficient flexibility for the Council to determine any changes in requirements and indeed its levels of support. It is for the Council to determine the levels of reductions in subsidy that it supports, and a recognition of price sensitivity will be applied to support accessibility of services.
- 2.9 The Council has also ensured that an outcomes framework is used to support the planning and delivery of services in relation to key themes including healthier communities, children and young people, strong communities, sustainable facilities, and cost-effective delivery. These themes inform annual service development planning and performance reporting. The two latter themes have ensured that the sustainability and cost effectiveness of the services have been developed appropriately.
- 2.10 The Council had also sought to see a growth in the numbers of physical activity-based participants, and this was consistently being achieved leading up to the pandemic. Usage has been positively rebuilding since the end of covid restrictions on

the sector and changes in government monitoring of the sector have enabled a growth in focus on mental wellbeing outcomes and social connections also.

- 2.11 The Healthy Living Partnership agreement is currently due to end in March 2027 although there may be an opportunity to put in place a short extension period to the partnership to further rebuild pre-pandemic performance levels, recognising current cost of living challenges, and to allow the Council further time to determine its longer-term position. Based on the current financial position this may be prudent for the Council to consider as opposed to larger scale service reductions in the short to medium term.
- 2.12 A report on the proposed extension was presented to the Subject Overview Scrutiny Committee on the 23rd September 2024. The report was well received, with discussions highlighting the positive relationship with Halo. Subject Overview Scrutiny Committee recommendations are set out below .

2.12.1 Recommendation 1

8 Members noted the controls, including determining the number of leisure centres and their opening hours, the Council would maintain if the current contract with HALO Leisure was extended in the short-term. These controls provided the Council with opportunities to achieve budgetary efficiencies through the Medium-Term Financial Strategy (MTFS) and a short-term extension of the partnership agreement would provide the time needed to confirm the Council's longer term strategic direction and for greater economic stability to emerge. As such, Members expressed confidence in the approach presented in the report in respect of the benefits of extending the relationship with HALO Leisure in the short-term

2.12.2 Recommendation 2a

The Committee recommended that a further report be submitted at the appropriate time regarding the ongoing long-term strategy and the consequent practical implications for delivering well-being services for the people of the County Borough and that the report should contain more critical analysis of all the options available to the Council.

2.12.3 Recommendation 2b

The Committee recommended that representatives of HALO leisure be invited to future Scrutiny Committee meetings that consider the Healthy Living Partnership with GLL/HALO Leisure.

3. Current situation/ proposal

- 3.1 The current partnership agreement term is due to end in March 2027. The Council will, in the interim, need to determine the future model for delivery of Healthy Living Services, the facilities in scope, targeted outcomes and indeed the affordability of services in the highly challenging budget context facing public services. It may be in the coming years that the Council needs to formulate its longer-term position and a short-term extension may be helpful in that context. Any extension would need to retain the flexibility that might be needed for further changes in requirements and also be more cost effective than alternatives.

- 3.2 The pandemic caused significant disruption to the leisure sector across the UK and also the need for progressive rebuilding of services and related income to support operational costs when Governmental hardship-related support was curtailed. The Council continued to provide its management fee during this period, even when the centres were closed, but due to national restrictions and public caution there will have been reduced benefit to the Council in terms of usage by the public, investment into assets and the development of new services that had been anticipated. The Council may wish to support an extension of time to strengthen and rebuild services and related benefits to local people to where they might have been prior to determining the longer-term future model for service provision. This position has been further compounded in recent years by economic downturn and these factors have prompted the extension of a number of leisure partnerships across the UK. This has been in recognition that the leisure and hospitality sectors have been under pressure and that there have been high levels of instability with the potential for significant cost increases where new partnerships are developed.
- 3.3 Throughout the pandemic significant financial support was needed via the Welsh Government's Hardship Fund and the Job Retention Scheme to support the resilience of the Healthy Living Partnership over a number of years, and this will also have required some direct support via the Council.
- 3.4 The Council has procured a partner organisation who over the next 12-18 months will support the development of the next Active Bridgend strategy following the Wales Audit Office review and report published in 2020. This exercise will include leisure infrastructure alongside other broader opportunities that support community activity and wellbeing but will help the Council to identify its longer-term strategy. This will align to the Council's wellbeing objectives.
- 3.5 Based on the current need for financial cost certainty, control and stability where it can be achieved and in the absence of the longer-term strategic approach there is merit in considering an extension of the Healthy Living Partnership that has been recognised as being a successful arrangement to date. This would ensure that the Council continues to benefit from a lower cost management option for the shorter term when compared to engaging a new provider or direct provision of the services and ensure that the related operational and financial risks would to a large extent stay with the partner organisation.
- 3.6 In August 2023, the Council received a formal proposal from Halo regarding consideration of an extension to the Healthy Living Partnership term by a period of 5 years to 2032 and the rationale for such consideration. The proposal included specific areas of focus such as affordability and finance, participation and socio-economic duty, asset management, corporate wellbeing, the carbon reduction agenda, service quality and the potential for community hub development.
- 3.7 The Council commissioned an independent review of the extension proposal which found that it had the potential to deliver savings to the Council and also focus on improving the service and further transforming the service into a health and wellbeing service. The review summary suggested that it would be unlikely that the Council would achieve a better position through putting the contract to market for a short term. The review suggested that granting an extension to March 2032, when a new leisure strategy and related investment needs was more fully known, would be a prudent

way forward. The independent review suggests that the alternative of insourcing is likely to see budget requirements increase significantly in the short term.

- 3.8 The review stated that the proposal regarding the extension provides the Council with confidence that Halo can deliver its requirements and provide an opportunity to either reinvest in the Centres or reduce the management fee which may be important in the current financial climate. The potential to explore a range of further efficiencies has been presented via the MTFS process.
- 3.9 The current agreement does not provide any express options for further extension past the expiry date of 31st March 2027 so any extension would require the modification of the existing contractual terms to vary the expiry date from 31st March 2027 to 31st March 2032. Modifications to public contracts during their term present a procurement risk with potential for challenge on the basis that the revised contract is essentially a new contract for which there should have been a fresh competitive procurement process and that may result in a claim for damages from an aggrieved competitor and/or their seeking to set the new modified contract aside. To lawfully modify the contract, it will need to be in accordance with regulation 72 of the Public Contracts Regulations (PCR) 2015 and the Council's Contract Procedure Rules (CPRs) which reflect regulatory requirements.
- 3.10 Rule 3.3.3 of the Council's CPRs reflects a regulatory safe harbour provided under regulation 72(1)(c) of the PCR 2015 and provides that publicly procured contracts may be modified without the requirement for a new procurement procedure where all of the following conditions are fulfilled:
- (i) the need for modification has been brought about by circumstances which the Council having been duly diligent could not have foreseen;
 - (ii) the modification does not alter the overall nature of the contract;
 - (iii) any increase in price does not exceed 50% of the value of the original contract.
- 3.11 The circumstances set out in paragraphs 3.1 to 3.8 could not have been reasonably foreseen by the Council. The pandemic has had a significant impact on the partnership which is still in a recovery position. Service development aspirations, commercial performance and the overall scope of the Healthy Living Partnership were considerably affected. Extending the partnership will allow the initial aspirations and objectives of the partnership to be realised (including community outcomes, social benefits as well as commercial return on investment initially planned but would not be possible without the extension). In addition, the Council needs to determine the future model for delivery of Healthy Living Services. The Council could not have foreseen the post-pandemic leisure services market volatility or the budgetary restrictions now facing public services. More recently, HMRC have made changes to how the leisure sector is treated which is seeing agency-based approaches developing which are potentially cost effective for such partnership approaches also.
- 3.12 The proposed extension does not alter the overall nature of the agreement as it will be the same services that will continue to be provided during the extended period. The increase in price of the agreement which is estimated at total c.£6.565m is less than 50% of the original contract value of c.£21m. The annual management fee payable to the Healthy Living Partnership would also in effect be reducing.

- 3.13 Seeking to rely on rule 3.3.3 in the present circumstances though would not be without issue and the reasoning set out above may be subject to challenge particularly given the time that has passed since the subsiding of the pandemic. Any reliance upon rule 3.3.3 as a basis to modify the agreement should be strictly limited to the duration which is absolutely necessary for the Council to address the unforeseeable circumstances – that is, the proposed extension should be strictly limited in duration to allow the Council to undertake its leisure facility strategy and re-procure (if that is what it decides to do) a longer term operator and/or to allow realise the benefits of the agreement which were “lost” as a result of the pandemic.
- 3.14 For the Council the following considerations would relate to the period of extension that might be justifiable if challenged although there is no single reason that would satisfy all aspects. Although the pandemic commenced in 2020, its negative impacts on viability continue today and the loss of required investment into the asset plan when there was loss of income has had substantial impact. The Council had shown diligence in establishing a full repairing lease arrangement, but this plan was disrupted by unforeseeable circumstances. The investment in a full repairing lease is a unique and material consideration that the Council put in place. The services are 4 years on from the initial closures due to national restrictions and usage and income is still having to be rebuilt and this has been further compounded by the national economic downturn. The significant increases in utility pricing have added pressures to the partnership in recent years coupled with the emergence of the net carbon agenda which also could not have been foreseen. The risk of a challenge to a consideration of extending the partnership needs to be set against other short term operational and financial risks that the Council would need to evaluate by not extending for a short period. The Council had set an affordability level when using competitive dialogue to establish the management fee and could not have reasonably foreseen the current financial pressures that the local authority is facing or what might be affordable in a volatile contract market. The extension period sees further reductions in management fee proposed and other potential efficiencies which are not creating additional benefits for the contractor. Based on the above an extension period of up to 5 years is considered appropriate to stabilize the current services and agree a new strategic direction.
- 3.15 Rule 3.3.5 of the Council’s CPRs reflects a regulatory safe harbour provided under regulation 72(1)(e) of the PCR 2015 and provides that publicly procured contracts may be modified without the requirement for a new procurement procedure where the modifications, irrespective of their value, are not substantial. A modification is to be considered substantial where one or more of the following conditions is met:
- (i.) the modification renders the contract materially different in character from the one initially concluded; or
 - (ii.) the modification introduces conditions which, had they been part of the initial procurement procedure, would have—
 - (a) allowed for the admission of other candidates than those initially selected,
 - (b) allowed for the acceptance of a tender other than that originally accepted, or

- (c) attracted additional participants in the procurement procedure;
 - (iii.) the modification changes the economic balance of the contract in favour of the contractor in a manner which was not provided for in the initial contract;
 - (iv.) the modification extends the scope of the contract;
 - (v.) a new contractor replaces the one to which the contracting authority had initially awarded the contract in cases other than those provided for in Rule 3.3.4.
- 3.16 There would be some potential arguments that the proposed extension does not amount to a substantial modification on the basis that (a) it would be difficult for any aggrieved operator to establish that, had the proposed extension been included in the original tender, it would either have bid or had in fact won the tender and (b) the proposed extension is not otherwise a substantial modification as it does not render the agreement materially different, change the economic balance of the agreement in favor of the contractor nor considerably extend the scope of the agreement. However, such arguments do carry some risk as it may also be arguable to the contrary that the proposed extension would amount to a substantial modification. As with reliance on rule 3.3.3 an extension would entail a degree of risk of challenge.
- 3.17 It is reasonably arguable that the ground set out in CPRs 3.3.3 and 3.3.5 may permit the proposed extension. However, there are also possible counterarguments to those arguments in favor – including (i) that the Council ought to have commenced its strategy review at an earlier stage and/or (ii) relying on COVID to now extend the duration of the agreement carries risk due to the time that has elapsed since then (albeit acknowledged that COVID had a “knock on” effect) and/or (iii) the extension is in fact a substantial modification - and therefore successful reliance on those grounds are not guaranteed and they may be challenged. Relying on either would therefore entail a degree of risk of challenge for the Council.
- 3.18 To mitigate the above risk it would be advisable to issue a voluntary ex ante transparency (VEAT) notice and/or relevant contract modification notice if the Council decide to proceed with the proposed extension. If these were published before the proposed extension is made it could flush out any possible challenges. Publication of a VEAT would be done prior to modifying the agreement and require the Council to observe a 10-day standstill period prior to doing so – if no legal challenge is issued during that 10-day period then (subject to the VEAT notice being deemed to be a valid and effective notice) then a court could not make a declaration of ineffectiveness (but could, if a challenge was successful, make an award for damages). Alternatively, a relevant contract award notice would be published after making the modification and would trigger a 30-day limitation period for challenges to the proposed extension.
- 3.19 From a financial perspective the Healthy Living Partnership is projected to have positively rebuilt many participation levels of customer usage by 2026-2027 with costs relating to existing leases and investments being written down at this point and effectively reducing finance costs. This creates the potential for a £200,000 per annum management fee reduction for the period of extension and does not preclude other negotiated efficiencies being delivered. This is currently a proposed efficiency

as part of the MTFS for 2027-28 which would be at the commencement of the extended period.

- 3.20 The improved financial picture driven by reduced lease and depreciation costs offer a range of opportunities for the partnership to consider. During the 5-year extension period Halo indicate that a reduced management fee of £200,000 is feasible, as outlined in paragraph 3.19 whilst the longer period for the Healthy Living Partnership to plan and invest may offer some further efficiencies also beyond that.
- 3.21 Should the Council not need to (or wish to) reduce the management fee further by 2027 then Halo have proposed alternatives that could include investment into programmes or initiatives, investment into access support for targeted population, improvement works to leisure assets or further investment into energy reduction measures. It is however recognised that delivering cost reductions may be the short to medium term priority for the Council.
- 3.22 The sums identified could also be used to support minor capital improvement works that might be identified within the Active Bridgend strategy from 2025, or indeed as match funding towards larger improvement schemes should the financial position improve.
- 3.23 There has been positive growth in membership rates during 2023-24 including from amongst the more vulnerable, and also growth in the overall rates of participation. Operating costs however remain challenging particularly in regard to employment costs and the National Living Wage increases going forward.
- 3.24 The Healthy Living Partnership has to date performed well in terms of supporting the socio-economic duty and overall levels of participation. There are circa 1854 'access to leisure' members based on means tested criteria that are accounting for circa 19 % of visits to venues and service. Halo will work with the Council to review its requirements in regard to price subsidy and sensitivity as it has done annually. There are proposed changes to the level of subsidy that will likely impact on this and other concessionary access controls that the Council currently has in place that could change the profile of users of public leisure services. This was largely supported within the Council's recent budget consultation.
- 3.25 There has been strong performance in regard to supporting our more vulnerable families and young people including those known to social care. There is supported access for over 100 families and young people including those with additional needs, young carers and care experienced young people. Whilst external investment has been able to reduce costs to date there could be cost increases for a number of Council service areas using related services to support the people that they are working with. As the Council reduces its subsidy for the Healthy Living Partnership other sources of investment would be needed for these interventions. Where possible the use of external investment to sustain these approaches will continue to target subsidy and support.
- 3.26 The development of responses to community pressures such as 'autism friendly swim' and 'Feel Good for Life' for dementia / cognitive impairment have been integrated into service delivery models. The National Exercise Referral Scheme continues to generate high volumes of referrals across a range of chronic conditions

and now including pulmonary rehabilitation, cancer rehabilitation and joint care interventions.

- 3.27 The condition of the Council's leisure assets had been identified as a corporate risk prior to the creation of the Healthy Living Partnership in 2012. Ensuring that the assets were improved and more sustainable was a key objective when establishing the partnership.
- 3.28 Since 2012 the centres have benefited from a total of £3.1 million of investment through a combination of income generation and funding from the management fee into preventative maintenance, break-fix maintenance, and minor upgrade works. Halo now employs its own maintenance technicians working in centres to manage costs and response times.
- 3.29 An additional £8.6 million has been secured through a variety of funding sources and invested into capitalised upgrades and maintenance including planned fabric repairs and mechanical and electrical renewal. During the initial 15-year term, the Council will have benefitted from investments into improving the assets of circa £14 million including usage of external funding whilst progressively reducing the management fee. Examples can be seen below: -

Completed Projects and Investments	£
Bridgend Life Centre Capital Works	4,200,000
Pyle Swimming Pool Refurbishment	250,000
Maesteg Sports Centre Refurbishment	420,000
Wellbeing Hub facility/ Bowls Hall	665,000
Maesteg Sports Centre Soft Play	75,000
Garw Valley and Pyle 3G Pitches	100,000
Air Handling – Pencoed, Pyle, Ynysawdre, Bridgend	600,000
Roof Replacements/ Refurbishment	680,000
Heating System Upgrades	650,000
LED Energy Reduction Investment	85,000

- 3.30 For the proposed extension period, Halo has already outlined potential investment into continued repairs and renewals, energy reduction, improved accessibility whilst recognising some aspects might be deemed less essential, dependent on the Council's financial position and linked to the MTFS. These would be subject to annual agreement.
- 3.31 In terms of the Net Carbon agenda, the partnership agreement set Halo an objective of reducing energy consumption by 2% per annum for a 10-year consecutive period, equating to 548 MWH of electricity and 2.1 GWH of gas consumption.
- 3.32 In 2022, Halo was consuming 16% less electricity than in 2011 and 24% less gas whilst increasing usage of the buildings also. This has delivered a net reduction of consumption of 22% equating to over 600 tonnes of reduced carbon output.

- 3.33 Investments during the period have included energy saving air handling units, combined heat and power units, water saving measures and LED lighting retrofits.
- 3.34 Each Halo centre has achieved Green Mark environmental accreditation and there is an ongoing commitment to maintaining this registration.
- 3.35 Halo have identified the potential for further investment into energy reduction measures including solar array, waste reduction programmes and further LED lighting. There is potential for sharing of investment and returns that could reduce operating costs and dialogue is taking place with Council decarbonisation leads. As operators of large assets across the UK there is significant knowledge and experience amongst the partner organisations in this area.
- 3.36 Halo would also continue to support the Council with its carbon reduction strategy and future projects such as the Heat Network or other similar projects as they develop. A contract extension would also enable the Council to review the energy related schedules within the partnership agreement in more detail to consider including an alternative approach to paying for utilities that would be more VAT efficient based on the Council's ability to recover VAT. This has been reviewed in previous years and the need for a more fundamental change to the partnership agreement has been identified as required as the change to practice and related benefits may be significant. The MTFS approved by Council in February 2024 includes a budget reduction proposal of £45,000 for 2024-25 in relation to a review of current energy payment arrangements for the leisure contract.
- 3.37 The Council has retained a number of controls that support the monitoring of service quality and customer service. The Quest Active Communities framework is proposed to be continued to evaluate the effectiveness of the partnership whilst the Quest facilities model would monitor performance at individual centre levels.
- 3.38 During 2023 an online dashboard of performance was created to support the Council to track key metrics in real time.
- 3.39 These metrics include areas such as membership numbers, health and safety incidents, repair and maintenance response times, visits to centres and customer related feedback.
- 3.40 The advisory board mechanism in place that includes Cabinet and Scrutiny Chair supports regular review of progress and performance by key decision makers and the opportunity to shape future service planning and related Council controls. As Council investment reduces there may also be opportunities to engage other partners who are able to invest into use of the facilities or the development of services. There may be potential to expand the purpose of venues and levels of co-location to support cost effectiveness.
- 3.41 The facilities within the Healthy Living Partnership have been further developed as described which has also included the co-location of other service delivery points such as carer wellbeing, employability, library provision and pop-up support for the community via Bridgend County Borough Council (BCBC) customer services.
- 3.42 The proposed extension would provide scope to further develop community hub approaches and to recognise the broader role and purpose that venues could have

in supporting both physical and mental wellbeing within communities. There is a growing demand for spaces to be used for mental wellbeing activities alongside physical activity.

- 3.43 There is the potential to review alternative usage of spaces within centres and how they could be brought into more productive usage to support viability. External feasibility funding is being sought to explore these opportunities further. The Council has also provided funding to support feasibility studies relating to the indoor bowls hall at Bridgend Life Centre and also Garw Valley Centre for 2024-25.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 An equality impact assessment was conducted on the establishment of the Healthy Living Partnership in 2012. The continued support by the Council for the Healthy Living Partnership ensures that the original outcomes of the partnership can still be progressed and contribute to the strategic equalities plan.
- 4.2 The Healthy Living Partnership agreement includes a requirement to comply with the Welsh Language Act and related legislation and standards.
- 4.3 The Council's control over pricing policy continues to ensure that access for those who are disadvantaged is supported.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The wellbeing goals identified within the Act have been considered in the preparation of this report alongside the Council's wellbeing objectives.

Long Term	The report identifies how a short-term extension of the partnership agreement may provide the time needed to confirm the Council's longer term strategic direction and for greater economic stability to emerge.
Prevention	The Healthy Living Partnership has developed strong cross sector working with social care and health to support people to remain connected within communities and to de-escalate needs. The services support many vulnerable groups including disability, dementia, carers and cared experienced young people.
Integration	The Healthy Living Partnership has strongly contributed to broader Council policy and tackling inequality by supporting people with a protected characteristic and intergenerational working.
Collaboration	The Healthy Living Partnership has successfully developed innovative responses to population wellbeing and attracted a range of capital and revenue investments to support operating costs.

Involvement The Healthy Living Partnership engages and supports service users and stakeholders to help improve services and opportunities using co-production-based approaches.

5.2 Within 'Delivering Together: - Our Corporate Plan 2023-28', the proposal aligns to a number of the Council's wellbeing objectives particularly: -

- A County Borough where we protect our most vulnerable.
- A County Borough with thriving valleys communities.
- A County Borough where people feel valued, heard and part of their community.
- A County Borough where we support people to live healthy and happy lives.

6. Climate Change Implications

6.1 There are eight leisure buildings within the Healthy Living Partnership and measures are in place to reduce impact on climate in addition to controlling consumption and related costs.

6.2 Halo have installed a diverse range of energy efficiency measures within leisure assets ranging from LED lighting to pool heat retention and full building energy management control systems.

6.3 The facilities are spread across the County Borough which helps to reduce the associated volumes of customer journeys.

6.4 Halo use the Green Mark framework to inform its approach to energy management and have reduced their energy consumption in line with the indicative targets in the partnership agreement since 2012.

6.5 Halo have consistently worked alongside the Council in regard to projects designed to improve energy management such as the Bridgend Heat Network.

6.6 There are opportunities for the Council to work with the partners to invest into measures that reduce utility-based consumption and cost. The partners are skilled and experienced in this respect based on the range of facilities operated across the UK. This could further help with carbon reduction and also MTFS challenges.

7. Safeguarding and Corporate Parent Implications

7.1 The Healthy Living Partnership contributes to ensuring that appropriate safeguarding measures and controls are in place during direct delivery of services and also in regard to groups and organisations utilising leisure facilities.

7.2 Such controls include reviewing the measures put in place by National Governing Bodies of sport and their implications at community level.

7.3 Halo are an active partner in the corporate parenting strategy and have been supportive of activities and opportunities for care experienced children.

8. Financial Implications

- 8.1 The Healthy Living Partnership has supported the Council to progressively make financial efficiencies beyond the management fee agreed in 2012.
- 8.2 The base management fee payable had been £2,329,153 in 2012-13 and had reduced to £1,399,872 by 2023-24. There are identified opportunities to further reduce management fee costs through the partnership agreement, linking in with the MTFS for 2024-25 and beyond.
- 8.3 The annual inflationary increases based on Consumer Price Index have been included in the above management fee figures highlighting the real value of efficiencies that have been delivered in the first 12 years of the partnership.
- 8.4 There will be a further £200,000 reduction to the management fee from 2024-25 highlighting the cost-effective outcomes that the Healthy Living Partnership has delivered to date with other proposals also being explored.
- 8.5 Beyond the above saving in 2024-25, which is deliverable, there are a number of other MTFS related savings that are possible. Should the Council be minded to extend the partnership agreement then there is a further £200,000 of savings projected for 2027-28. When the full repairing lease is considered, which has to date included responsibility for all asset management and facility upkeep across the 8 leisure venues, this represents good value for the Council and positions the risk for asset works and costs with the partner organisation. The full repairing lease costs are integrated within the annual management fee.
- 8.6 The MTFS 2024-2028 includes a £50,000 saving for 2024-25 linked to a review of the full repairing lease aspect of the Healthy Living Partnership contract and opportunities to invest differently or less within the leisure estate. It should be noted that this could lead to a backlog of £150,000 to £400,000 in works over a 3 to 8 year period although other sources of investment and development schemes can be pursued. There has been good progress in this respect in recent years via the partnership.
- 8.7 The MTFS 2024-2028 also includes a budget saving to reduce the levels of subsidy for the more vulnerable and potentially other concessionary categories also. It is targeted to deliver a budget reduction of £15,000 per annum from 2024-25 and can be progressed through the partnership, although the impact will need to be monitored.
- 8.8 There is also a budget saving related to reducing the opening hours of facilities where this could deliver a reduction in operating costs. Indicative proposals have been received and are being evaluated further with the intention of delivering an annual saving of £30,000. It is uncertain as yet whether related changes would have any consequential costs that the partners would need to claim from the Council in regard to the changes being requested e.g. redundancy costs, and in particular where there are implications to staffing of specific facilities. Wherever possible the opportunities to increase usage and income will be reviewed in this context.
- 8.9 The current MTFS also identifies a saving relating to reviewing opportunities to amend the current energy payment arrangements for the leisure contract that may not be immediately deliverable without a potential contract extension and related legal advice based on previous reviews in this area. Annual energy uplifts in line with the

contract are supported corporately and are an integral part of the partnership agreement. The current cost of utilities may prohibit such an efficiency in the short term. Should the Council have plans to invest into energy reduction measures this would be helpful in terms of reducing consumption, cost and carbon which would benefit all partners.

- 8.10 The MTFS also includes a proposed saving of £30,000 spread over 3 years (2025-26 to 2027-28) based on improving the income generation potential of the indoor bowls hall space at Bridgend Life Centre on a seasonal basis. The Council is supporting feasibility study work to explore such potential. To deliver the efficiency the related investment into the facility will also need to be identified. The sources of investment may depend on the developments that the feasibility study identifies as beneficial and would include external sources and potentially also minor capital works if deemed a priority.
- 8.11 The Council has sought further detail on the costs that would be applicable if the service was to be run as an in-house service, recognising the loss of many advantages that relate to partnering with a social enterprise. A full and comprehensive options appraisal had been conducted in 2011 to determine the most effective way forward. The Council commissioned an updated independent review in 2023, which suggested that the Council would expect to pay a minimum base increase of circa £4.4 million over the 5-year period from the end of the current contract in 2027, but the annual cost is likely to increase and potentially significantly when all risks are considered.
- 8.12 It should be noted that whilst financial projections can be produced based on modelling this is difficult to be done accurately for the various identifiable risks that the Council would inherit from developing an in-house approach. The Council would need to invest into its own appropriate management structure compared to the current structure that is currently shared regionally and across other partnerships as a more cost-effective approach. It is unlikely that the expertise operating the current service would transfer into BCBC. Generally, experience has shown that an external operator can deliver a better financial position than in-house delivery and the services within Bridgend are now significantly more reliant on income generation. The Council would need appropriate sales, marketing, and ICT infrastructure to support income generation and management of usage and data. The Council would be accepting full operational risks, including for assets, and would need to scale up its support services such as HR, finance, legal and property. The business rates reductions eligible through the partnership arrangement would no longer be allowable. Beyond this, the terms and conditions of the workforce and pension arrangements would serve to increase costs significantly. There would also be one-off cost implications to support the transfer process and related mobilisation.
- 8.13 The Council will be working with Halo to explore further opportunities to deliver financial efficiencies including energy consumption and costs, investment into assets, pricing and reducing hours of venue availability where they are less productive. The establishment of an extended contract arrangement may enable a more VAT efficient approach to funding energy payments to be developed although many gains in terms of reducing consumption have already been achieved. This may form part of a larger corporate approach to reducing energy consumption and cost.

9. Recommendations

- 9.1 It is recommended that Cabinet agrees:
- 9.1.1 To the proposed extension of the term of the Healthy Living partnership agreement with GLL/Halo based on identifiable cost efficiencies and avoidance of specified risks,
 - 9.1.2 To delegate authority to the Corporate Director, Social Services and Wellbeing, in consultation with the Chief Officer – Legal, and Regulatory Services, HR and Corporate Policy and Chief Officer – Finance, Housing and Change, to progress the proposed extension and to enter into a variation agreement with GLL/Halo and any further deeds and documents necessary to effect the extension.

Background documents

None

Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	OUTCOMES OF ESTYN INSPECTIONS OF SCHOOLS IN BRIDGEND DURING SUMMER TERM 2024
Report Owner / Corporate Director:	CORPORATE DIRECTOR – EDUCATION, EARLY YEARS AND YOUNG PEOPLE
Responsible Officer:	SUE ROBERTS GROUP MANAGER SCHOOL SUPPORT
Policy Framework and Procedure Rules:	There is no impact on the Council's policy framework or procedure rules.
Executive Summary:	This report contains information about the inspection of two primary schools that took place in May 2024. The report also provides an update about the progress Nantymoel Primary School has made since their core inspection.

1. Purpose of Report

- 1.1 The purpose of this report is to inform Cabinet of the outcomes of the Estyn inspection visits during summer term 2024 to Ffaldau Primary School and St Robert's Roman Catholic Primary School.
- 1.2 The report will also inform Cabinet of the outcome of the Estyn review meeting with Nantymoel Primary School.

2. Background

- 2.1 Ffaldau Primary School was previously inspected in September 2014. St Robert's Roman Catholic Primary School was previously inspected in April 2015. Both schools were previously inspected under the old Estyn inspection framework.
- 2.2 Due to the COVID-19 pandemic, Estyn had suspended inspections across all schools for a one-year period.
- 2.3 During the spring and summer terms 2022, Estyn piloted inspection arrangements that support renewal and reform in education in Wales. Inspection reports no longer include summative gradings, but instead detail how well providers are helping a child to learn.

- 2.4 Nantymoel Primary School was previously inspected in January 2023 and, following this inspection, Estyn decided to work with the local authority to review the school's progress.

3. Current situation / proposal

- 3.1 During May 2024, Estyn visited Ffaldau Primary School and St Robert's Roman Catholic Primary School, who were both inspected using the new approach. The full text of these reports is available on the Estyn website: www.estyn.gov.uk.

Ffaldau Primary School

- 3.2 Ffaldau Primary School was inspected by Estyn in May 2024 and the report was published on 16 July 2024.

- 3.3 Estyn noted the following as strengths of the school:

- The school has high expectations and clear guidelines to promote positive behaviour. An outstanding feature of the school is the positive manner in which pupils behave in lessons and as they move around the school.
- Teachers use highly effective questioning to assess pupils' understanding in the moment and to support or extend pupils' learning. The oral and written feedback provided by staff has a positive impact on pupils' progress. They provide valuable opportunities for pupils to respond and improve their work.
- A notable feature of the school's provision is the support for pupils with additional learning needs (ALN). The ALN co-ordinator effectively ensures that there is appropriate support for those with identified needs, and parents value this.
- Ffaldau Primary School is a caring school where the well-being of pupils and their prospects are central to all it does. This is due to the strong, agile and effective leadership provided by the executive headteacher and the unwavering support she receives from the deputy headteacher in her role as head of school.

- 3.4 Ffaldau Primary School's Estyn inspection report included the following recommendations:

Recommendation number	Recommendation
Recommendation 1	Improve pupils' ability to write at length across the curriculum and at a suitably challenging level.
Recommendation 2	Improve pupil attendance.

- 3.5 Estyn inspectors concluded that the school is making sufficient progress, and no follow-up action is required.

- 3.6 The local authority, along with Central South Consortium, will support the school in drawing up an action plan to show how the recommendations will be addressed.

St Robert's Roman Catholic Primary School

- 3.7 St Robert's Roman Catholic Primary School was inspected by Estyn in May 2024 and the report was published on 23 July 2024.

- 3.8 Estyn noted the following as strengths of the school:

- Overall, most pupils at St. Robert's Roman Catholic Primary school make very good progress from starting points that are at or above those expected for their age. Most leave the school with strong literacy and numeracy skills.
- The school provides valuable support for pupils' emotional, health and social needs. Staff develop positive relationships with pupils and know the pupils and their families well. This strong support for well-being results in nearly all pupils behaving in line with the school's high expectations.
- Working with governors, staff, pupils and parents, the headteacher has established and communicated a clear vision for the school based firmly on its agreed values. She has created a strong team ethic across the school through maintaining high levels of collaboration and trust.
- Leaders and staff have a thorough understanding of the needs of the pupils and local community. They work with dedication to create a vibrant learning community that meets these needs well. At the core of the school is a thoughtful and inclusive culture that ensures that all pupils feel a secure sense of belonging and develop the confidence and skills to engage positively with their learning experiences.

- 3.9 St Robert's Roman Catholic Primary School's Estyn inspection report included the following recommendation:

Recommendation number	Recommendation
Recommendation 1	Refine teaching to enable pupils to make decisions about how they learn and use their digital skills independently.

- 3.10 Estyn inspectors concluded that the school is making sufficient progress and no follow-up action is required.
- 3.11 The local authority, along with Central South Consortium, will support the school in drawing up an action plan to show how the recommendations will be addressed.

Nantymoel Primary School

3.12 Nantymoel Primary School was inspected by Estyn in January 2023 and the report was published on 3 April 2023. At that time, Estyn inspectors concluded the school was not making sufficient progress and would be subject to a follow-up review.

3.13 The Nantymoel Primary School report included the following recommendations:

Recommendation number	Recommendation
Recommendation 1	Ensure that all staff undertake statutory 'Prevent' training.
Recommendation 2	Strengthen leadership to ensure that it identifies and addresses key areas for improvement.
Recommendation 3	Ensure consistently high expectations among staff of what pupils can achieve in Years 3 to 6.
Recommendation 4	Provide opportunities for pupils to influence what and how they learn and to develop skills as independent learners.
Recommendation 5	Develop a whole-school approach to curriculum development and provide opportunities for pupils to apply their skills in meaningful, authentic contexts.

3.14 The local authority, along with Central South Consortium, supported the school in drawing up an action plan to show how the recommendations would be addressed and held regular progress review meetings over the course of the year.

3.15 On 19 July 2024, Estyn conducted a follow-up review of the school's progress and judged that Nantymoel Primary School had made sufficient progress in addressing the recommendations from the section 28 inspection.

3.16 The school has been removed from the list of schools requiring Estyn review and there will be no further monitoring activity in relation to this inspection.

4. Equality implications (including Socio-economic Duty and Welsh Language)

4.1 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.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

5.1 The Well-being of Future Generations (Wales) Act 2015 Assessment provides a comprehensive summary of the outcomes expected from the implementation of the service.

Long-term	Supports the improvement of standards and outcomes in schools.
Prevention	Development of post-inspection action plans or refinement of school improvement plans helped to ensure that recommendations identified are addressed and acted upon to secure school improvement, preventing standards from slipping. The local authority and Central South Consortium will continue to monitor the school's progress.
Integration	Monitoring and acting upon school inspection reports is key to ensuring that outcomes for schools are achieved thus helping to support a successful economy.
Collaboration	The local authority works closely with schools, Estyn and with Central South Consortium to deliver the well-being objectives related to school improvement. The local authority receives the school inspection reports from Estyn and this informs the work conducted by Central South Consortium to deliver the support for school improvement services.
Involvement	This area of work involves all stakeholders in school improvement. Schools work closely with Improvement Partners from Central South Consortium to refine their improvement plans or post-inspection action plans and to identify strategic support from the local authority, Central South Consortium and elsewhere (as required) reflecting the diversity of stakeholders involved in aspects of school improvement.

6. Climate Change Implications

- 6.1 There are no climate change implications arising directly from this information report.

7. Safeguarding and Corporate Parent Implications

- 7.1 There are no safeguarding or corporate parent implications arising directly from this information report.

8. Financial Implications

- 8.1 There are no financial implications arising directly from this information report.

9. Recommendation

- 9.1 It is recommended that Cabinet notes the content of this report.

Background documents

None.

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Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	CHILDREN MISSING EDUCATION POLICY
Report Owner / Corporate Director:	CORPORATE DIRECTOR - EDUCATION, EARLY YEARS AND YOUNG PEOPLE
Responsible Officer:	MARK LEWIS GROUP MANAGER – EARLY YEARS AND YOUNG PEOPLE
Policy Framework and Procedure Rules:	There is no effect upon the policy framework or procedure.
Executive Summary:	The current guidance document in relation to children missing education (CME) was last updated in 2016. There have been a number of legislative changes since this date which are now reflected in the policy document attached at Appendix 1. The local authority is now required to have a policy document in relation to CME to implement its legal duty.

1. Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet approval of a Children Missing Education Policy for 2024.

2. Background

- 2.1 The current guidance document in relation to children missing education (CME) was last updated in 2016. There have been a number of legislative changes since this date which are now reflected in the policy document attached at **Appendix 1**. The policy if approved by Cabinet will replace all previous guidance.
- 2.2 The local authority is now required to have a policy document in relation to CME to implement its legal duty.
- 2.3 In addition, the local authority must maintain and revise this policy on a regular basis to ensure it remains relevant and to reflect any changes.

3. Current situation / proposal

- 3.1 A CME policy is essential and contributes to the well-being and educational rights of children and young people. The local authority is required to comply with a variety of legislative frameworks that enables it to implement its legal duty to locate, assess, monitor and track children missing education.

- 3.2 Section 436A of the Education Act 1996 was inserted into the Act as a result of the Education and Inspections Act 1996. This requires local authorities to make arrangements which enable them to establish the identities of children residing in their area who are not registered pupils at a school receiving a 'suitable education' otherwise than at a school.
- 3.3 Every child has a right to education. A CME policy supports ensuring that children who are missing from education are identified and supported to access their educational entitlements in line with the United Nations Convention on the Rights of the Child (UNCRC).
- 3.4 A CME policy facilitates early identification of children who are missing education, it supports the local authority to intervene to address any issues or changes in circumstances that may be preventing children from attending school.
- 3.5 Children who are missing education can be at greater risk of harm including exploitation, abuse and criminal activity. The CME policy supports the local authority to monitor and safeguard vulnerable children, ensuring that appropriate measures are in place to protect their welfare. The CME policy supports efforts to promote inclusion and equity in education.
- 3.6 A CME policy encourages collaboration among various agencies including schools, social services, health and police. A multi-agency approach is crucial for information sharing and allowing a more comprehensive support system for children and families.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 An initial Equality Impact Assessment (EIA) screening has identified negative impacts on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh Language.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 Summary on the Well-being of Future Generations (Wales) Act 2015 assessment is listed below:

Long-term	Children and families are enabled to take control and responsibility for the care and protection without intervention from the local authority.
Prevention	Schools having robust, effective and graduated responses that are understood across the school will ensure children and staff are protected from harm.
Integration	The service is a multi-agency partnership where integration is key to good service delivery arrangements.
Collaboration	Collaboration is a key approach to supporting children and families through the sharing of information and resources.

Involvement Participation and engagement arrangements will be strengthened to ensure everyone is aware of their responsibilities linked to safeguarding.

6. Climate Change Implications

6.1 There are no climate change implication as a result of this report.

7. Safeguarding and Corporate Parent Implications

7.1 Children who are missing education can be at greater risk of harm including exploitation, abuse and criminal activity. The CME policy supports the local authority to monitor and safeguard vulnerable children, ensuring that appropriate measures are in place to protect their welfare. The CME policy supports efforts to promote inclusion and equity in education.

8. Financial Implications

8.1 There are no financial implications related to this report.

9. Recommendation

9.1 Cabinet is recommended to approve the CME policy attached at **Appendix 1**.

Background documents

None

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Children Missing Education Policy 2024

**Education, Early Years and Young People
Directorate**

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Introduction

The definition of children and young people missing education (CME) is:

‘children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than being at school (home, private, or alternative provision) and who have been out of any educational provision for a substantial period of time, usually agreed as four weeks or more’.

This policy sets out key principles which enable the local authority to implement its legal duty to locate, assess, monitor and track children missing education in order for them to reach their true potential. The local authority is committed to providing an education of the highest quality for all children and young people.

Bridgend County Borough Council (BCBC) aims to ensure it meets its statutory duties relating to the provision of education and safeguarding and promoting the welfare of children. This document outlines the robust procedures that are to be followed to identify, locate and engage children who are CME and to ensure that BCBC is effectively meeting its statutory obligations.

Section 436A of the Education Act 1996 was inserted into the Act as a result of the Education and Inspections Act 1996. This requires local authorities to make arrangements which enable them to establish the identities of children residing in their area who are not registered pupils at a school receiving a ‘suitable education’ otherwise than at a school. The local authority should consult the parent(s)/carer(s) of the child when establishing whether the child is receiving suitable education. The local authority should have procedures in place to prevent children becoming CME. Those children identified as not receiving suitable education should be returned to full time education either at a school or in alternative provision. This duty only relates to children of compulsory school age.

This policy is intended to ensure a multi-agency approach is in place, accessible and understood by all schools and partner agencies about the protocols and processes to be followed to:

- ensure that all children and young people have access to appropriate education;
- identify, maintain contact and re-engage children living in the county borough who are missing education (or are at risk of missing education); and
- track children that move out of the county borough until such a time as they are in a known destination.

If a child or young person is receiving an education, not only do they have the opportunity to fulfil their potential, but they are also in an environment which enables local agencies to safeguard and promote their welfare. If a child goes missing from education, they could be at risk of significant harm.

Moreover, if children are not receiving a suitable education, they are vulnerable and at risk of becoming not in education, employment or training (NEET).

The Children Act 2004 places a duty on all agencies to work together to promote the welfare of children and to share information. As a result, there is an expectation on all agencies that they will subscribe to the policy to ensure that all children of compulsory school age (parents may choose to educate their children outside of state or independent school system) are on a school roll.

Legal context

Children and young people missing education in this policy, refers to all children of compulsory school age who are not on a school roll, or being educated otherwise at home, privately or in alternative provision, and who have been out of any educational provision for a substantial period (usually agreed as four weeks or more).

Relevant legislation includes:

- Wales Safeguarding Procedures 2020.
- Section 175 of the Education Act 2002 places a duty on local authorities to exercise their functions with a view to safeguarding and promoting the welfare of children.
- Section 436A of the Education Act 1996 (as amended by section 4 of the Education and Inspections Act 2006) places a duty on all local authorities to make arrangements to establish the identities of children in their area who are not registered at a school and are not receiving a suitable education.
- Welsh Government Circular 002/2017, statutory guidance to help prevent children and young people from missing education.
- Welsh Government Circular 18/2006, Educational Records, School reports and the Common Transfer System – the keeping, disposal, disclosure, and transfer of pupil information.
- School Attendance Order (SAO) – under sections 437-442 of the Education Act 1996 where a parent of a compulsory school age pupil fails to prove that they are receiving a suitable education, and where the local authority believes that the child should attend school a SAO will be used to direct a parent to send their child to the nominated school and should be used when a child is not on roll.
- The Social Services and Well-being (Wales) Act 2014 places a duty on agencies to report a child or adult at risk.
- Section 47 of the Children Act 1989, remains the key piece of legislation for investigating concerns that a child is at risk of harm. A child who goes missing from education may be considered, in some cases, to be at risk of harm. It is important that if a child who is already known to Social Services as a child in need of protection that this is reported to the child's social worker as early as possible. In addition, if the school have concerns that are heightened by a child going missing from education, even if there is no current Social Services involvement, this should be reported to the statutory authorities, Social Services and the Police.

- Welsh Government's statutory guidance Working Together to Safeguard Children 2023 in relation to part 7 of the Social Services and Wellbeing (Wales) Act 2014 places a duty on all agencies to work together to help, protect and promote the welfare of children.
- Keeping Learners Safe, Welsh Government, 283/2022, gives additional guidance and information about safeguarding children in specific circumstances and any of these may increase the risk to a child missing from education.

Vulnerable groups

There are groups of children that have increased vulnerability and who are more likely to be affected by the factors listed below and who have experienced certain life events that make them more at risk of going missing from education:

- are within the youth justice system;
- live in women's refuges;
- are from homeless families perhaps living in temporary accommodation or a bed and breakfast;
- are from families fleeing domestic abuse;
- have long-term medical or emotional problems;
- are young carers;
- have parents with mental health problems;
- have parents with learning difficulties;
- are affected by substance misuse;
- were previously educated within the independent sector and have been excluded or withdrawn;
- have been withdrawn by their parents/carer(s) for elective home education but are not receiving a suitable education;
- are looked after (care-experienced children in BCBC) by the local authority, are privately fostered, or who go missing from care;
- are unaccompanied asylum seekers;
- are on the child protection register;
- have been bullied;
- are from asylum seeking or refugee families;
- are from Gypsy, Traveller or Roma background;
- are from families who may be highly mobile, for example, have parents in the armed forces, are taken on extended holidays or heritage visits by their families; or
- are young parents and pregnant young women

There will be times when the local authority or school will be unaware of children with complex issues. However, they may come into contact with other agencies. Examples include:

- children at risk of forced marriage and honour-based violence;
- children at risk of sexual and criminal exploitation, including children who have been trafficked to or within the UK;

- children involved in witness protection programmes, relocating without a forwarding address or explanation;
- migrant worker families who may not be aware of the education system;
- where asylum has not been granted and families continue not to be traced;
- newly arrived immigrants; and
- families involved in fraud, crime and anti-social behaviour.

How and why do children and young people go missing from education?

Children fail to engage in, or go missing from education for a variety of reasons, for example:

- families move and do not tell anyone including the local authority, or they move area and do not register with a school, sometimes parents are unaware of the enrolment process;
- some children never enter into the education system because they fail to start appropriate provision at the start of compulsory school age (there is no legal requirement for parent/carer(s) to inform the local authority of the fact that they intend to educate at home if the child has never attended school);
- some schools are at capacity, with no spaces available for pupils at their preferred school. Therefore, the family do not take up the offer of a place at the alternative school;
- parents may decide to de-register their child and electively home educate and school fail to notify the local authority;
- illegal deletion from school roll;
- fail to attend their transition school, primary to secondary, or from one school to an alternative (please see flowchart 3 for process);
- may enter the country and do not register in a school;
- maybe excluded or withdrawn from an independent school;
- they may cease to attend school due to parental disputes; and
- they may wish not to be located, may change names, and move quickly from place to place.

Reducing risk

Schools must monitor pupils' attendance through their daily registers and management systems. As of 1 September 2018, all schools must notify the local authority if a pupil is to be deleted from the admission register. Please see appendix 5 for completion.

If a parent/carer advises a school they are moving abroad, the school should be satisfied this is the case and ask to see sight of flight confirmation, details of the new address and the name of the new school.

Schools must put the pupil on the admissions register on the first day that the school expects them to attend regardless of if they attend. If the pupil does not arrive at school on the expected start date the school must follow their absence procedures.

If the pupil is not placed on roll within ten days, the school must notify the local authority via Pupil Services that the parent/carer has not taken up the place offered, and the child/young person is at risk of becoming a CME.

Schools must provide the EWO with details of pupils who have ten continuous days of unauthorised absence and cannot establish the reason for the absence and their whereabouts unknown by following the procedure below.

Action to be taken when a child is absent from school and their whereabouts is unknown;

A registered pupil is deemed to be missing when:

- a) he or she fails to attend school without any explanation and;
- b) the school has been unable to establish the reason, or locate the child/young person with any of the contact names at the last known address, or from intelligence from the wider school community; or
- c) the child/young person parent/carer(s) have not provided any information to indicate a change of education provision, unavoidable cause for the pupil's absence or that the pupil is travelling with them whilst in pursuit of their business.

Pupils deemed at high risk:

If a pupil is missing from school and the child is subject to a child protection plan and/or is a looked after child (care-experienced child), the school must notify the social worker and parent/carer(s) within the first 24 hours of the unauthorised absence. Where it is suspected or known that a pupil is at potential risk or harm, or where the school have information or reason to suspect the pupil has been a victim of or at risk of child sexual/criminal exploitation (CSE/CCE), notify the allocated social worker immediately, and inform the Education Engagement Team as soon as possible.

Identification and notification processes

BCBC works collaboratively within a multi-disciplinary approach to ensure that all children and young people are safe, and to ensure that all children and young people missing from education are located by following the procedures in this document.

If at any point in your investigation there is reason to suspect that the child or young person is at risk, a referral should be made immediately to the allocated social worker or the Multi-Agency Safeguarding Hub (MASH) at mashcentra@bridgend.gov.uk where a child is not open to Children's Social Care.

If the school's initial enquiries fail to establish the whereabouts of the child/young person, a referral must be made to the EWO to undertake further tracking. Schools need to complete appendix 1 checklist and share with the allocated EWO.

For timescales, please refer to appendix 2.

If following the above a child or young person continues to be believed to be missing from education the EWO will notify the Team Manager and Lead Education Engagement Co-ordinators via ChildrenMissingEducation@bridgend.gov.uk

Whether a pupil is on school roll or not, all local authority staff must be aware of these procedures, and they must be followed. All staff have a level of responsibility to report any child or young person missing from education.

Roles and responsibilities

Parent/carer(s) have a duty to ensure that their children of compulsory school age are receiving an efficient full-time education. Most parent/carer(s) chose to enrol their child at a school. However, some parent/carer(s) may elect to educate their children at home.

Schools

Schools have a vital role to play when children or young people go missing from the education system. Schools must undertake immediate actions to try and identify the whereabouts of child/children by utilising existing contact information for the family, siblings or extended family.

School will ensure that when a pupil moves, their destinations are recorded on the directorate management information system database and if unknown confirm that the EWO has been notified.

The school will work with their education welfare officer to ensure more consistent referral processes for those children missing education and those at risk through their non-attendance.

No pupil should be removed from a school roll until all reasonable efforts have been made to locate the family. There are strict and clear guidelines regarding deregistration outlined in Regulation 8 of the Education (Pupil Registration) (Wales) Regulations 2010. In the case of elective home education (EHE), further guidance on deregistration is available from ElectiveHomeEducation@bridgend.gov.uk

All maintained schools in Wales have a statutory responsibility to use the Common Transfer System (CTS) for England and Wales to transfer specific information electronically, via the 'school2school – s2s' website when a pupil joins or leaves a school.

Deletion from school roll if child's location is not known

Under current regulations, schools cannot backdate deletion from the register to the last date the pupil attended under any circumstances. Schools must show on their register the full 20 days of absence. Within this timeframe, both the school and the local authority are required to carry out reasonable enquiries to locate the child. Enquiries into an absent student's whereabouts should be carried out promptly by the school to avoid any delay in their removal from the register. If another ground for removal is determined to be met during the period, then the child can be removed from roll before the twentieth day, for example:

- enrolled at another school;
- confirmed by the local authority as being registered as electively home educated; or
- moved abroad and confirmed by parent to have emigrated.

Please refer to appendix 3 for the deletion from the attendance register reference table and appendix 4 that will need to be completed for any child/young person and returned to the local authority.

Learner Support Service

The Learner Support Service (Admissions) is key in ensuring all pupils are on a school roll and attending school.

Children may not be on a school roll because a parent/carer(s) has not accepted a school place at phase transfer, unable to secure a place in their preferred school and fails to take up another offer or failed to follow up an application after moving into the local authority. When this occurs the Learner Support Service will inform the Education Engagement Team who will then follow the necessary steps to contact the parent/carer(s) via an education welfare officer.

The Learner Support Service will work with the Education Engagement Team to ensure that advice about admissions and support with the application procedure is readily available for families recently arrived from abroad who may have language difficulties.

<https://www.gov.wales/sites/default/files/publications/2018-03/school-admissions-code.pdf>

The education engagement team manager and lead education engagement co-ordinators

Ensure that all children within the county borough are receiving a full-time education. The Education Engagement Team will also ensure the correct procedures are followed when a pupil is removed from the roll of a Bridgend school. The Education Engagement Team will:

- monitor the number of children/young people that the authority is aware of who are not receiving a suitable education;
- receive referrals from professionals and the public regarding children missing from education;
- receive information from the education welfare officer on children who are absent from school and no contact can be made with parent/carer to establish reason for absence;
- ensure details of any CME are recorded on our database;
- track and cross border work, this means if a child goes missing from a Bridgend school, but lives in another authority, and the school fails to locate the pupil, the school will contact the lead education engagement co-ordinators to liaise with their counterparts in other local authorities and appendix 5 will be completed;
- to use School to School Data Transfer website (s2s) to minimise the chances of pupils falling into the category of being missing from education, currently, in Wales, there is a requirement under the Education (Pupil Information) Wales Regulations 2004 and the Education (School Records) Regulations 1989 for schools to maintain data on pupils who are on their roll and to pass that data to the receiving school when a child leaves.

Education Welfare Officer (EWO)

If you require advice and guidance regarding children or young people missing from education, school's first point of contact will be the EWO.

The EWO will make enquiries on the local authority's management systems for any details held about the child/ young person or siblings. If there is no evidence of education being provided, an education welfare officer will visit the home. The education welfare officer can support parents to make an application to school via Learner Support Services or link them with other relevant services for additional support. Please refer to the '*School Tracking Process*' (flowchart 1) and '*Children Missing Education- EWO Tracking Process*' (flowcharts for further information regarding the role of the education welfare officer.

Bridgend County Borough Council (BCBC)

BCBC will raise awareness of the children missing education protocols and processes by:

- contacting senior managers in all relevant agencies, to explain roles and responsibilities;
- disseminating the CME policy via the local authority website, and to schools and in other forms of notification if needed;
- ensure that all Bridgend schools are properly supported to meet these responsibilities;
- oversee the audit of school compliance with legislation relating to maintenance of registers; and
- implement a range of preventative measures to ensure the reduction of the likelihood of children and young people missing their education which will also support the National Behaviour and Attendance Review recommendations regarding early intervention and appropriate support.

Agencies

Any professional who locates a child who they believe is without suitable educational provision should notify the Education Engagement Team via appendix 1 within 2 working days. It is expected that our key partners in this area of work will include:

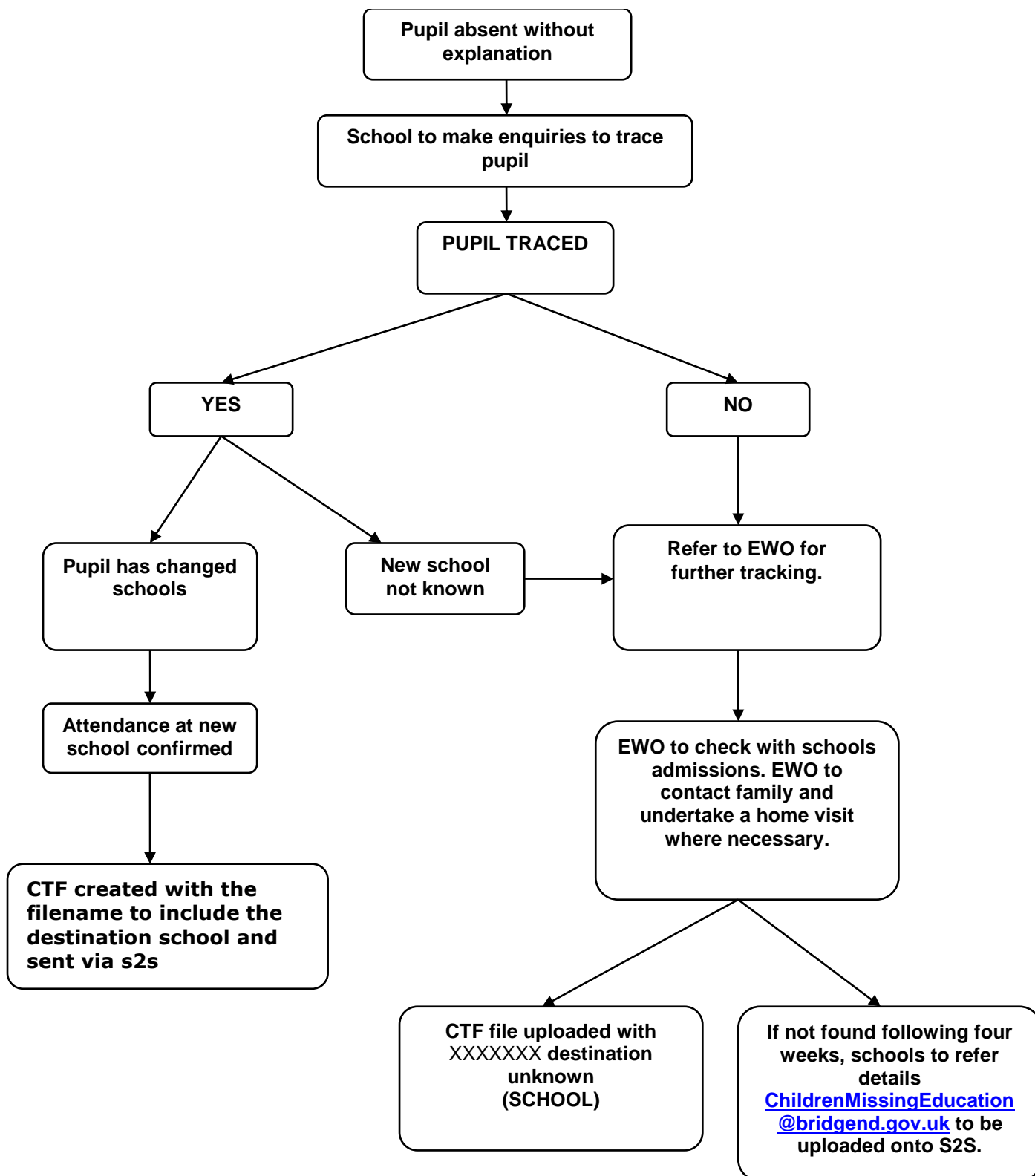
- Children's Social Care;
- educational provisions such as schools, pupil referral units;
- health services;
- housing;
- immigration services;
- police;
- Pupil Services;
- voluntary and community organisations; and
- Youth Justice Service.

Summary

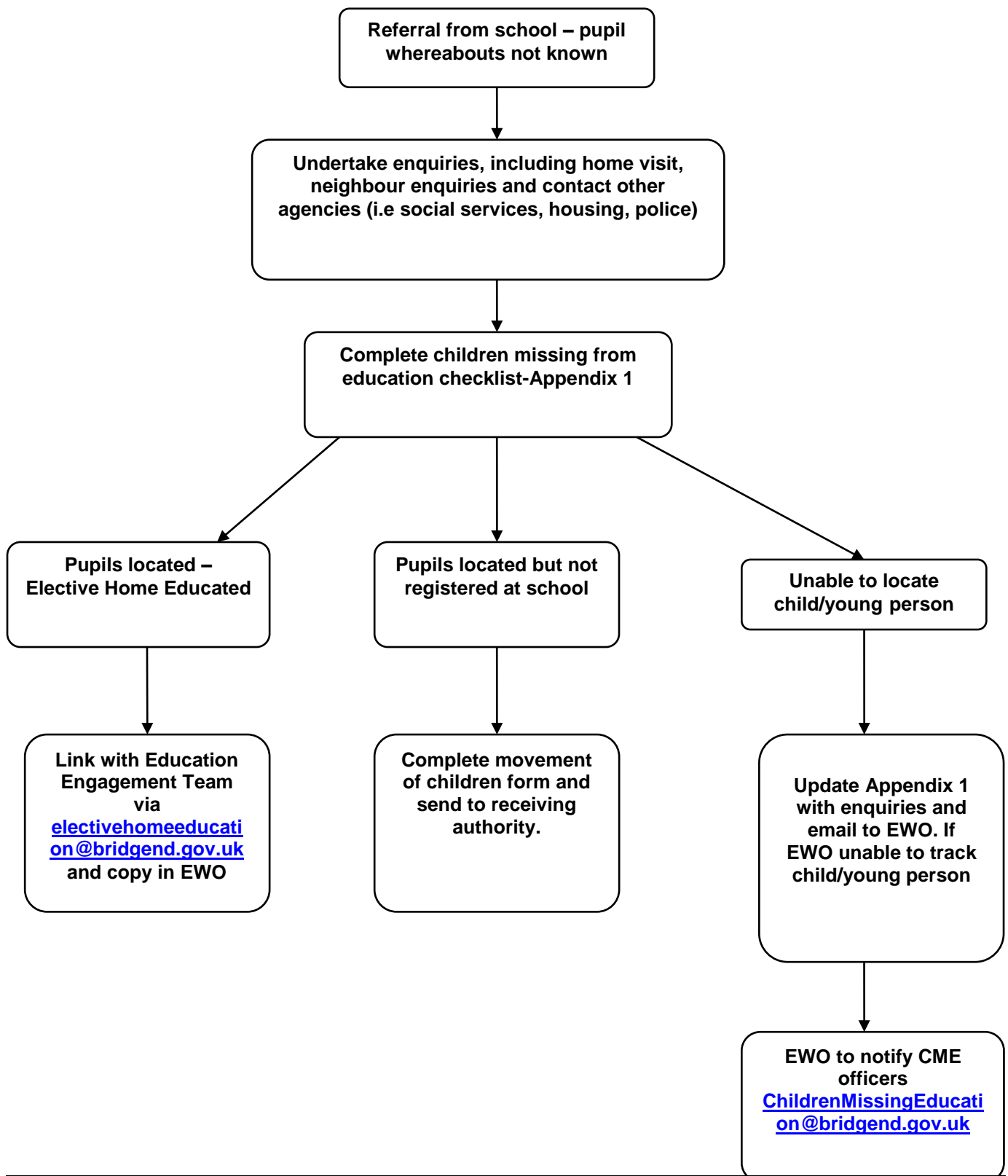
Schools, the Education Engagement Team, local authority and partners are crucial in ensuring that children missing education are quickly identified and supported to return to suitable education provision.

This policy should be read in conjunction with statutory guidance to help prevent children and young people from missing in education. Welsh Government circular no: 002/2017:
<https://www.gov.wales/sites/default/files/publications/2020-09/statutory-guidance-help-prevent-children-young-people-missing-education.pdf>

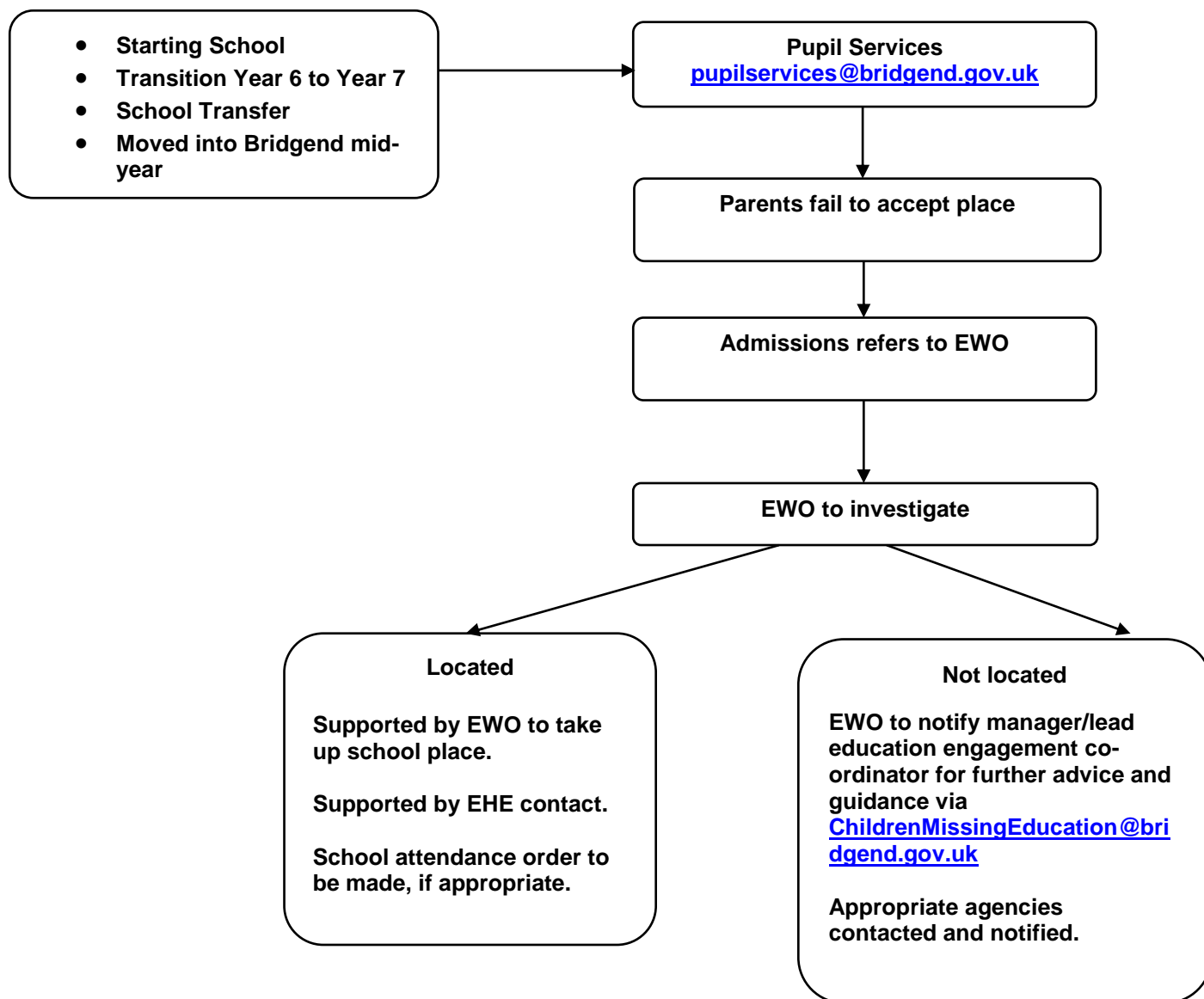
Schools tracking process- Flowchart 1









Children Missing Education – EWO Tracking Process – Flowchart 2



Children missing education at start of education/school transfer/transition Key Stage 2 to Key Stage 3 – Flowchart 3



Toolkit

Document Title	Document
Appendix 1 – Pupil missing checklist	 Appendix 1 Pupil Missing Pro Forma.doc
Appendix 2 – Timescales and actions	 Appendix 2 Timescales and Action
Appendix 3 – Deletion reference table	 Appendix 3 Deletions from the Register.doc
Appendix 4 – Intention to remove	 Appendix 4 Intention to Remove.docx
Appendix 5 – Enquiry to another local authority	 Appendix 5 Enquiry to another LA.docx
Appendix 6 – Education Engagement Team structure	 Education Engagement Team str

Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	DISABLED FACILITIES GRANT FRAMEWORK
Report Owner / Corporate Director:	CHIEF OFFICER – FINANCE, HOUSING AND CHANGE
Responsible Officer:	MARTIN MORGANS HEAD OF PARTNERSHIPS AND HOUSING
Policy Framework and Procedure Rules:	There is no impact on the Policy Framework or the Procedure Rules
Executive Summary:	<p>This report details a tender process which has taken place to procure a Framework to award works funded through Disabled Facilities Grants in the capital programme.</p> <p>Approval is requested to appoint winning suppliers to the Framework, following an evaluation process, which has now been completed.</p>

1. Purpose of Report

1.1 The purpose of the report is to:

- Seek approval from Cabinet to award a Framework and enter into a Framework Agreement with successful bidders detailed in this report to deliver works required and funded through Disabled Facilities Grants (DFGs).

2. Background

- 2.1 In March 2022 Cabinet approved the commencement of a tender process to tender for a Framework of suppliers to deliver works under the DFG service. This followed a report to Cabinet in January 2021, which supported an in-house delivery model of the DFG service.
- 2.2 DFGs help disabled individuals through adapting a property in which they live. Any works must be necessary to meet the specific needs of the disabled person as identified by Bridgend County Borough Council's (BCBC's) appointed Occupational Therapist (OT) or Trusted Assessor. DFGs are processed in line with BCBC's Private Sector Housing Renewal and Disabled Adaptations Policy.

- 2.3 A Framework will enable the Council to work with suppliers who are qualified and skilled in the relevant fields, to allow the Council to work directly with suppliers on a rotational basis to deliver those works funded by DFGs in a timely manner that will meet relevant deadlines, meet service and standards and will ensure that the Council is able to provide a service that is focused on quality, safeguarding and responsiveness. By working directly with suppliers under the Framework Agreement, the Council will collaboratively provide a responsive and person-centred approach to provide works to individuals.
- 2.4 As detailed in the report to Cabinet in March 2022, prior to the tender exercise pre-market engagement took place, including workshops and one to one discussions with potential suppliers. This was aimed at harnessing interest for the tender process and to support potential bidders with the process.

3. Current situation / proposal

- 3.1 Following approval from Cabinet, work has been undertaken, alongside colleagues in the corporate procurement and legal teams to develop the necessary tender documents, including an Invitation to Tender and Framework Agreement Terms and Conditions.
- 3.2 The overall value of the Framework Agreement over a 4-year Framework period is estimated to be £7,800,000. This is an estimate of the potential spend going forward. The framework does not guarantee such expenditure at this level. Works will be allocated based on a need basis and in line with available budget, linked to funding from Welsh Government.
- 3.3 The Framework has been split into five separate Lots, as detailed in Table 1 below. The intention is to appoint up to six suppliers per Lot, plus three reserves where possible, to provide the works. The estimated annual spend per Lot is also detailed in Table 1 below. This is estimated and based on historic spend.

TABLE 1 - ESTIMATED ANNUAL AND FRAMEWORK EXPENDITURE			
Lot Number & Description	Price Cap Per Individual Job	Est. Annual Spend	Est. Four Year Framework Spend
Lot 1 – Level Access Showers (Bathrooms).	£13,000	£1,079,000	£4,316,000
Lot 2 – Kitchens	£10,000	£30,000	£120,000
Lot 3 – External Ramps	£15,000	£450,000	£1,800,000

Lot 4 – Extensions	£36,000	£216,000	£864,000
Lot 5 – Stairlifts	1. Straight - £3,500 2. Curved - £6,000	£175,000	£700,000
Estimated Total Spend Breakdown	N/A	£1,950,000	£7,800,000

- 3.4 The Framework Agreement was advertised using an “Open” Procedure and advertised on Sell2Wales with publication of the requirement in the Official Journal of the European Union (OJEU) using the link between Sell2Wales and the Find a Tender Service (FTS). The Tender process was conducted entirely on ETenderWales.
- 3.5 Evaluation of the Tenders was designed to ensure suppliers evidenced the necessary trade knowledge, skills, experience, competency, qualifications and certification to undertake the requirements of the Council.
- 3.6 A Qualification Questionnaire, consisting of a series of mandatory Pass / Fail, Yes / No / Information questions was set to assess the general compliance and suitability of the suppliers to provide the works.
- 3.7 Quality and price evaluation was then undertaken with the Most Economically Advantageous Tenders (MEAT) successful. Tenders were published, received, and evaluated as follows:
- Technical / Quality Questionnaire (60% (600-points)): Project specific Method Statement questions requiring bidders to describe and evidence how they would meet the various requirements of the Contract, if successful.
 - Commercial / Price 40% (400-points): The bidder was required to fully complete the Authority’s Schedule of Works which provided a full breakdown of the requirements and costs associated with the Contract.
- 3.8 Tenders were received and opened on ETenderWales on 25th July 2024. 39 valid Tenders were received across all five Lots. Quality and price evaluations were carried out on a Lot-by-Lot basis. The Tender Evaluation process was conducted to ensure that bids received were evaluated fairly and in accordance with the published Tender Documentation and Evaluation Criteria to ascertain the winning bidders. As highlighted at paragraph 3.3 the intention is to appoint up to six suppliers per Lot, plus three reserves where possible.
- 3.9 The Tables below show the top six bidders per Lot, following the evaluation process, which has now been completed. Please note that bids which did not rank in the top 6 or were disqualified have not been included in the Tables below.

Table 2A – Summary of Evaluation Lot 1 (Level Access Showers / Bathrooms)	
BIDDER / SUPPLIER	RANK
Manning Construction Ltd	1
Property Building Maintenance Wales Ltd	2
R&M Williams (Holdings) Ltd	3
Kingfisher Developments (Wales) Ltd	4
TJ Services Wales Limited	5
Warmserve Plumbing & Heating	6

Table 2B – Summary of Evaluation Lot 2 (Kitchens)	
BIDDER / SUPPLIER	RANK
Manning Construction Ltd	1
R&M Williams (Holdings) Ltd	2
TJ Services Wales Limited	3
M Delacey & Sons (Holdings) Limited	4
Greenow Limited	5

Table 2C – Summary of Evaluation Lot 3 (External Ramps)	
BIDDER / SUPPLIER	RANK
Property Building Maintenance Wales Ltd	1

Manning Construction Ltd	2
R&M Williams (Holdings) Ltd	3
TJ Services Wales Limited	4

Table 2D – Summary of Evaluation Lot 4 (Extensions)	
BIDDER / SUPPLIER	RANK
Manning Construction Ltd	1
TJ Services Wales Limited	2
AJT Builders Ltd	3

Table 2E – Summary of Evaluation Lot 5 (Stairlifts)	
BIDDER / SUPPLIER	RANK
Norse Commercial Services Ltd.	1
Stannah Lift Services Ltd	2
TJ Services Wales Limited	3
South Wales Stairlifts Ltd	4
TPG Disable Aids Ltd	5

- 3.10 The top six qualifying bidders (or less if fewer than six qualifying bidders) for each Lot are highlighted in the Tables at paragraph 3.9. It is proposed that a Framework Agreement be entered into with these suppliers. Those suppliers who are appointed to the Framework will be required to comply with the Framework Terms and Conditions. These also set out the process for awarding individual call-off contracts with suppliers for the duration of the Framework.

3.11 Once suppliers are appointed to the Framework, a call-off contract for individual works will be entered into via a direct award procedure. Works will be offered on a sequential basis to suppliers who have been appointed to the appropriate Lot, according to ranking. For example, the first job to be issued for Lot 2 (kitchens) will be offered to the highest ranking for that Lot i.e. Manning Construction Ltd. The next job to be issued for Lot 2 will first be offered to R&M Williams (Holdings) Ltd. On each occasion, should the initial Supplier that is offered the job be unable to take up the order for the works, then the works will be offered to the supplier next in line, until the Council has identified a supplier who can fulfil the requirements to undertake those works.

3.12 For ease of administration, due to a higher volume of requirements in certain Lots, the Council will batch and allocate groups of the same type of works for those Lots together.

4. Equality implications (including Socio-economic Duty and Welsh Language)

4.1 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.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

5.1 The report contributes to the following goals within the Well-being of Future Generations (Wales) Act 2015:

- A prosperous Wales – the works provided through Framework will support individuals to be prosperous, whilst also supporting the local economy, through the award of works to appointed suppliers.
- A resilient Wales – DFGs help to ensure the best use of available accommodation allowing citizens to live safely in their own homes, preventing escalation to other services, such as hospital.
- A Wales of cohesive communities – DFGs help to ensure individuals can remain within their communities providing an array of benefits including stability through the maintaining of local support networks.
- A globally responsive Wales – evaluation of this Framework has considered the social value that can be delivered by suppliers and works delivered, including how suppliers can minimise carbon emissions and manage waste.

5.2 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.

6. Climate Change Implications

6.1 The evaluation process has considered climate change, including a specific method statement question around social value, including prompting responses around how carbon emissions can be reduced and waste best managed.

7. Safeguarding and Corporate Parent Implications

- 7.1 The implementation of a Framework Agreement will enable the Council to be satisfied that it delivers works in line with relevant safeguarding legislation and practice, with this a key consideration in the tender evaluation process.

8. Financial Implications

- 8.1 As detailed at paragraph 3.2 the overall value of the Framework Agreement over a 4-year Framework period is estimated to be £7,800,000. The estimated annual and 4-year value of each Lot is detailed at paragraph 3.3. The cost of works will be met from the Council's annual capital budget for DFGs, which is currently £1.750 million per annum. Works will be allocated based on a need basis and in line with available budget.

9. Recommendations

- 9.1 It is recommended that Cabinet:
- Note the contents of this report;
 - Approves the award of a DFG Framework and authorises the Council to enter into a Framework Agreement with successful bidders detailed in this report to deliver works required from Disabled Facilities Grants (DFGs).

Background documents

None

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Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	MINIMUM REVENUE PROVISION POLICY
Report Owner / Corporate Director:	CHIEF OFFICER – FINANCE, HOUSING & CHANGE
Responsible Officer:	NIGEL SMITH GROUP MANAGER – CHIEF ACCOUNTANT
Policy Framework and Procedure Rules:	Paragraph 3.5.1 of the Financial Procedure Rules requires the preparation of a Capital Strategy for submission to Council to approve prior to the start of each financial year. The Capital Strategy includes the Minimum Revenue Provision Policy Statement, which is required to be approved by Council before the start of the financial year.
Executive Summary:	<ul style="list-style-type: none"> • The debt financing of any capital expenditure requires a charge to revenue to set aside resources to repay that debt in the future. This is known as Minimum Revenue Provision (MRP). The level of debt that has to be provided for is known as the Capital Financing Requirement (CFR). • Debt is either supported, where Welsh Government provide funding within the local government settlement towards the cost of borrowing and repayment, or unsupported, where the Council has to meet the full cost of that borrowing from existing resources. • The current MRP Policy requires the setting aside of MRP over a straight line basis, over a 45-year period for supported borrowings or the life of the asset for unsupported borrowing. • A straight-line basis of MRP results in a higher cost in early years (when including interest costs), reducing over time. • Using an annuity method of calculating MRP spreads the total cost – MRP plus interest – over the life of the asset and is considered to match the benefit gained from the use of the asset over its full lifetime.

1. Purpose of Report

- 1.1 The purpose of the report is to seek Cabinet approval to recommend to Council a revision to the Minimum Revenue Provision (MRP) Policy for 2024-25.

2. Background

- 2.1 Capital expenditure is defined as expenditure to acquire, enhance or prolong the useful life of non-current assets, those which have a useful life of more than one year e.g. buildings or infrastructure improvements. Capital expenditure is funded from a combination of capital receipts, revenue contributions, specific grants and debt in the form of borrowing or other long term financing arrangements, such as leasing. Borrowing can be either:

- Supported borrowing – funding is provided by the Welsh Government through the Revenue Support Grant to cover the revenue debt financing costs of interest and repayment costs; or
- Unsupported borrowing (commonly referred to as prudential borrowing) – councils have the freedom to determine the level of borrowing considered affordable in revenue debt financing costs, with no financial support from Welsh Government.

- 2.2 Regulation 22 of the Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003 require that local authorities set aside some of their revenue resources as provision for the repayment of debt. The annual charge to the revenue account for repaying debt is known as the Minimum Revenue Provision. The regulation states that an authority must make an amount of MRP which it considers to be “prudent”. The regulation does not itself define “prudent provision”. However, Welsh Government has issued guidance on determining the “prudent level” of MRP, to which authorities are required to have regard. The guidance states that “the broad aim of prudent provision is to ensure that debt is repaid over a period that is either reasonably commensurate with that over which the capital expenditure provides benefits, or, in the case of borrowing supported by Revenue Support Grant, reasonably commensurate with the period implicit in the determination of that grant.” It does not stipulate a minimum amount of provision to be made in any particular year, providing that the broad aims above are met. The Welsh Government guidance provides four different options for making “prudent provision” outlined below.

- 2.3 The four options are set out below:

- **Option 1 – Regulatory Method** - Under this option, the former regulations are followed exactly as if they had not been revoked, effectively on an annual basis repaying 4% of the outstanding debt (on a reducing balance).
- **Option 2 – Capital Financing Requirement (CFR) Method** - This option is similar to Option 1 but a simpler alternative, so on an annual basis repaying 4% of the outstanding debt (on a reducing balance).

Note: Options 1 and 2 are primarily for debt supported by Welsh Government through the Revenue Support Grant system.

- **Option 3: Asset Life Method** - This option is intended for new borrowing under the Prudential system for which no Government support is being given and is therefore self-financed, to make a provision over the estimated life of the asset

for which the borrowing relates. This can be calculated using the straight line method (equal annual MRP charge) or the annuity method (annual MRP charge that takes the time value of money into consideration).

- **Option 4: Depreciation Method.** -This is intended for new borrowing under the Prudential system for which no Government support is being given and is therefore self-financed, to make a provision in accordance with the standard rules for depreciation accounting of the asset for which the borrowing relates.

Welsh Government guidance requires that either option 3 or 4 be used for all capital expenditure which is to be financed by unsupported borrowing or other long term liabilities. Options 1 and 2 are not permitted for this use.

- 2.4 Council approved a change to the MRP Policy from Option 1 – the Regulatory Method to Option 3 – Asset Life Method on 19 September 2018 and to revise the calculation of MRP from a 4% reducing balance method to a straight-line over 45 years method.

3. Current situation / proposal

- 3.1 Council approved the Annual MRP Policy 2024-25 as part of the Capital Strategy in February 2024. This report proposes changing the calculation of MRP identified in paragraph i. and ii. of the Policy:

- Capital expenditure incurred before 1 April 2008 and any capital expenditure after 1 April 2008 that is government supported expenditure and does not result in a significant asset will be based on the Capital Financing Requirement after accounting adjustments at 4% of the opening balance. This charge was supplemented by voluntary MRP (based on the useful asset life) in respect of those assets which were financed by unsupported borrowing before 1 April 2008.
- Supported capital expenditure that results in a significant asset (based on internal assessment) incurred on or after 1 April 2008 and all unsupported capital expenditure, exercised under the Prudential Code, the MRP charge will be based on the Asset Life Method. The minimum revenue provision will be at equal annual instalments over the life of the asset. The first charge can be delayed until the year after the asset is operational but this will be at the discretion of the Section 151 Officer.

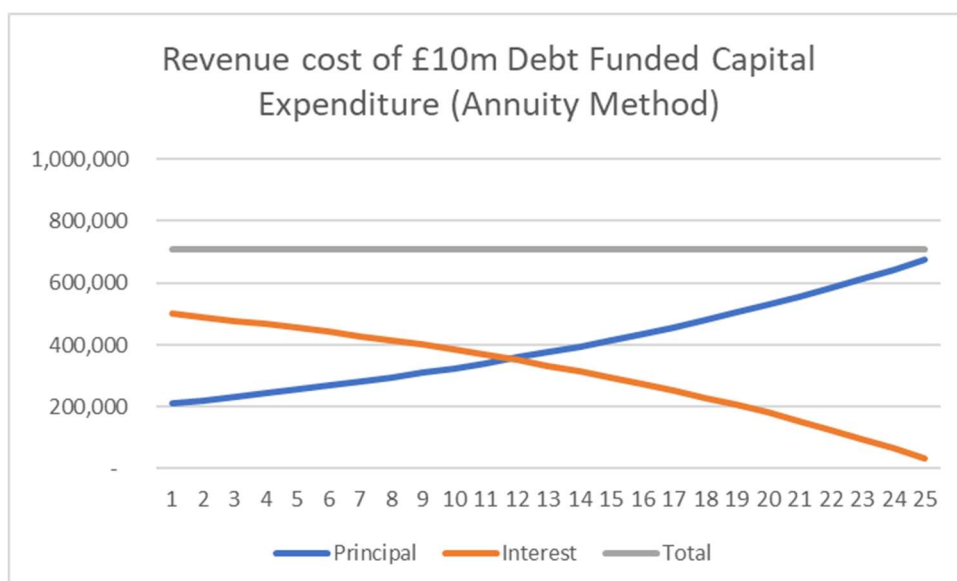
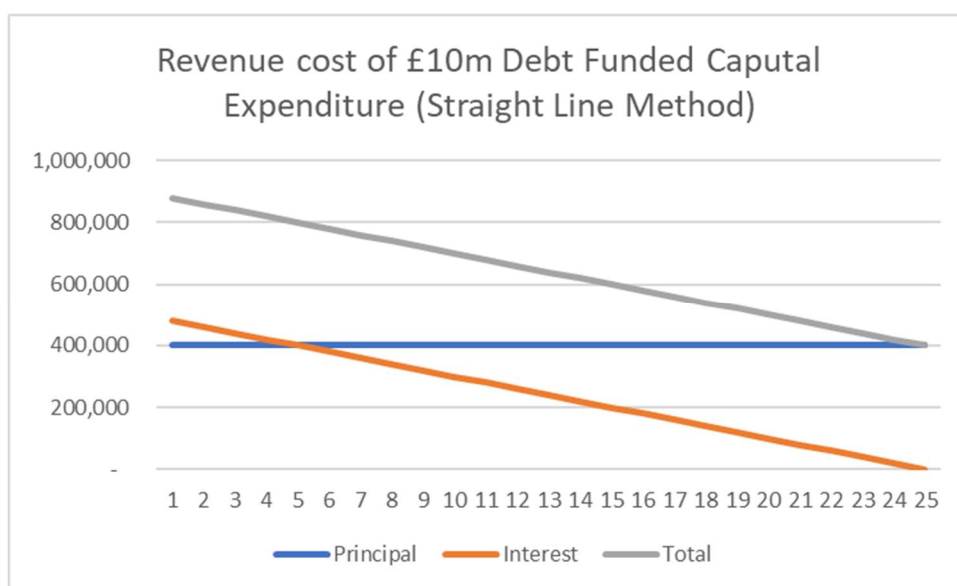
- 3.2 The estimated MRP charge for supported and unsupported borrowing for 2024-25 on the current methodology is £5.77 million. This charge is met from the capital financing revenue budget that sits within the council wide revenue budgets for supported borrowing and from directorate revenue budgets for unsupported borrowing.

- 3.3 The table below shows the amount of outstanding capital expenditure that needs to be repaid as at 31 March 2024:

	£'000
Supported Borrowing	131,462
Unsupported Borrowing	31,283
Borrowing Capital Financing Requirement (CFR)	162,745

Proposed changes

- 3.4 In comparison to the straight line method the annuity method means less MRP is made in earlier years and more is made in later years. Although this may sound less prudent, the annuity structure for MRP when combined with interest costs leads to a smoother profile of costs. It also takes account of the time value of money, whereby paying £1,000 in a years' time is less of a burden than paying £1,000 now.
- 3.5 The following charts shows the comparison of the total cost of a notional CFR of £10 million over a 25 year period based on the current straight line method and the annuity method. As can be seen from the charts the straight line method will show a higher total cost in the earlier years, reducing over time, whilst the annuity method smooths out the total cost over the duration of the loan. The straight line method, whilst keeping MRP even, front loads the interest cost as the interest is based on the outstanding balance each year. As the annuity method evens out the total cost over the life of the debt, it matches the cost equally to the benefit from the lifetime of the asset. Both methods repay the same £10 million CFR and over the same time period.

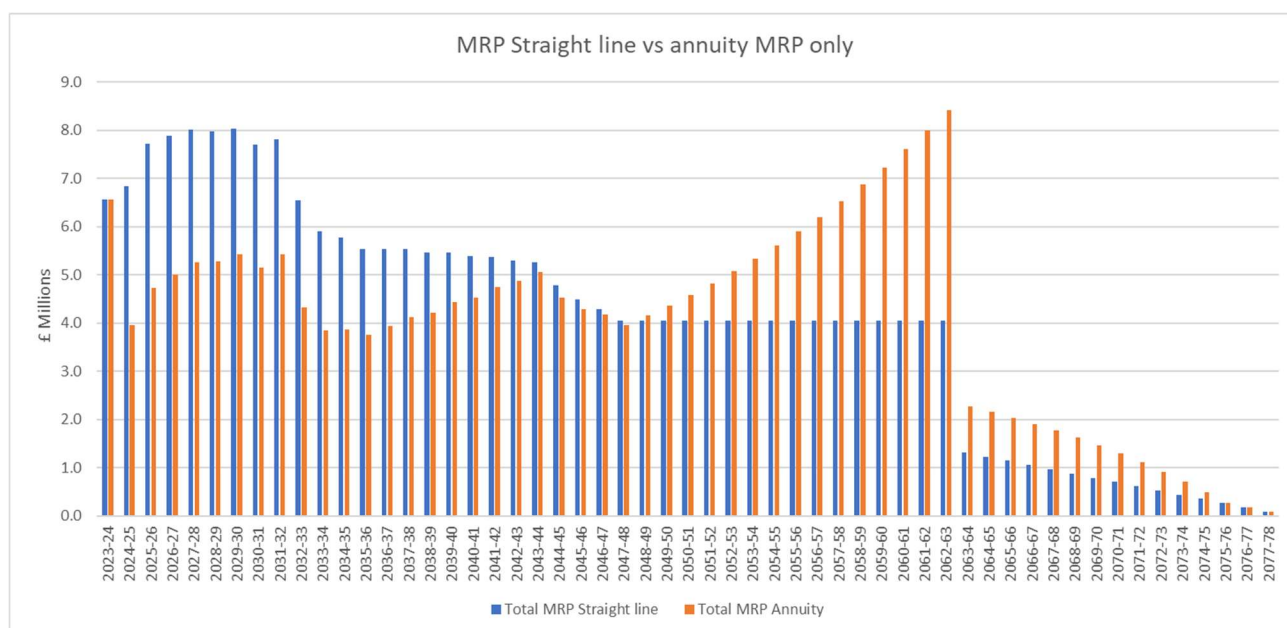


- 3.6 The annuity method requires the use of an interest rate in the calculation. This will be the rate at which the Council would be able to borrow, should it need to.

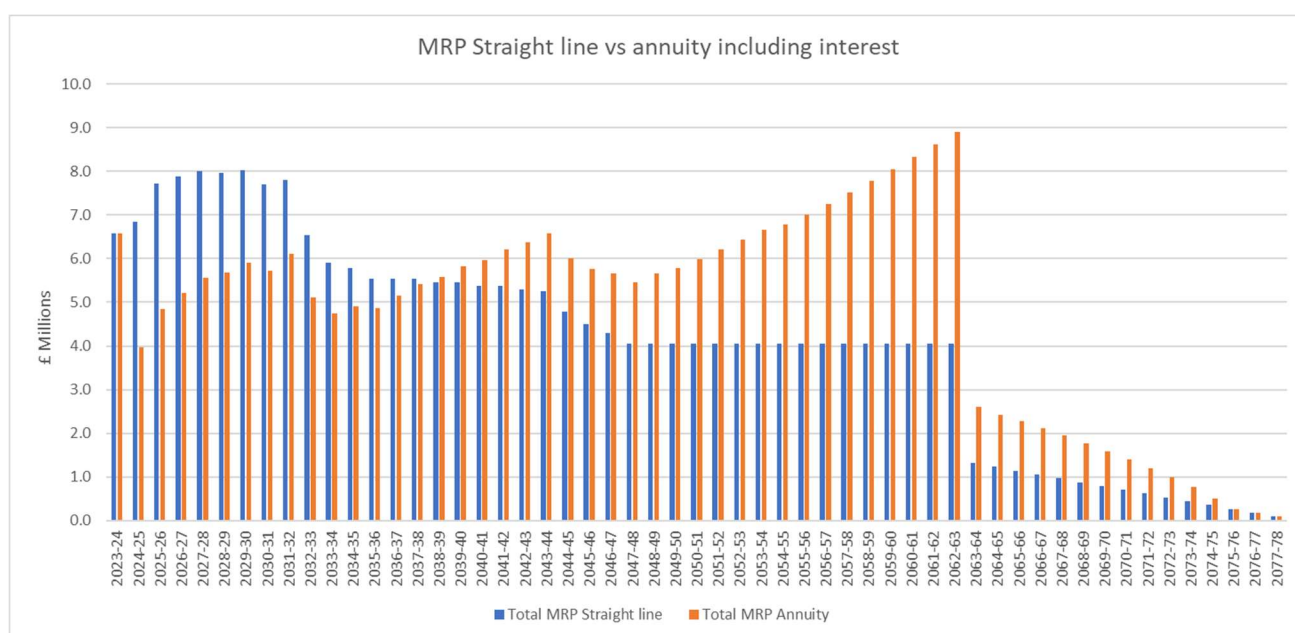
- 3.7 If the Council moves from the straight line to annuity method the savings over the next 10 years based on capital expenditure to 31 March 2024 is shown in the table below.

Year ended 31 March	MRP saving	Extra interest (cost)	Total saving
2025	2,882,351	-	2,882,351
2026	2,998,790	- 124,389	2,874,401
2027	2,884,187	- 217,682	2,666,505
2028	2,752,155	- 302,468	2,449,687
2029	2,691,391	- 388,357	2,303,034
2030	2,597,876	- 478,617	2,119,259
2031	2,545,134	- 578,262	1,966,872
2032	2,373,837	- 684,299	1,689,538
2033	2,216,287	- 794,891	1,421,396
2034	2,059,777	- 908,748	1,151,029

- 3.8 Total savings are estimated to be £21.524 million over the next 10 years, or £19.0 million if discounted using the HM Treasury green book rate of 3.5%. If the discount rate were to take account of forecast interest rates, the saving with a nominal rate of 5.6% would be £17.737 million.
- 3.9 Over the life of making MRP there is no overall saving on MRP on an undiscounted basis as the same Capital Financing Requirement (CFR) will need to be provided for however there would be an increased interest cost. Based on interest rate expectations the increased interest cost is estimated at £41.9 million over the period 2024-25 to 2077-78 and based on known and forecast capital commitments as at 31 March 2024. Any new capital commitments will increase both the MRP and interest cost.
- 3.10 As future capital expenditure is likely to be different from those as at 31 March 2024, these figures are estimated but provide a guide to anticipated future savings.
- 3.11 The graph below shows a comparison of the MRP annual charge based on the existing 45 year straight line method and an annuity method (based on the remainder of the 45 years for existing supported borrowing) and the asset lives for unsupported borrowing.



3.12 As can be seen from the above, changing the methodology will produce savings in the MRP charge in the first 24 years, however, in 2048-49 the charge using the existing methodology would become cheaper until the time the debt is fully extinguished. However, this does not include the anticipated additional interest charge as a result of having less cash available (as less MRP is being set aside). The following chart shows the estimated impact when additional interest costs are included:



3.13 As can be seen from the above chart, changing the methodology will produce savings until 2038-39, when the annuity method will then be more costly than the current straight line basis.

3.14 All MRP expected to be made in future should equal the current CFR unless there are specific amounts within the CFR for which no MRP is permitted to be made. This is because MRP is designed to write down the CFR to nil over time. In the Council's case the only amount for which MRP is permitted to be made is an 'adjustment A'

factor of £82,000. This is an adjustment made when the MRP regulations changed from 1 April 2008. It is a historical figure and is a difference between pre- and post- 1 April 2008 methodology calculation. It is recommended that this adjustment be removed, which will ensure that the CFR is fully written down to nil over time.

- 3.15 The Council's treasury advisors – Arlingclose – have reviewed the Council's MRP Policy and support the move from a straight line method to an annuity method for supported and unsupported borrowing. Arlingclose believes this approach is more prudent, as it matches the benefit from the assets with the cost over time.
- 3.16 The policy has also been updated to include the Council's MRP policy in relation to Salex loan funding.
- 3.17 The proposed Minimum Revenue Provision Policy is attached at **Appendix A**.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 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 considered that there will be no significant or unacceptable equality impacts as a result of this report.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The Act provides the basis for driving a different kind of public service in Wales, with 5 ways of working to guide how public services should work to deliver for people. The well-being objectives are designed to complement each other and are part of an integrated way of working to improve well-being for the people of Bridgend.

Long term	Local authorities have a duty to charge their general fund (revenue budget) with a prudent amount of MRP each year. Government MRP guidance defines prudence as aligning the period over which MRP is charged to one that is commensurate with the period over which the capital expenditure provides benefits.
Prevention	The Council has to ensure that it provides the asset base from which to deliver its services to the community and ensure it has the resources to be able to invest in capital for the future.
Integration	The MRP Policy is a key element of the Council's Capital Strategy, which is an integral part of the Council's medium term financial strategy, ensuring coherence between revenue and capital budgets to enable delivery of the Council's services.
Collaboration	The Capital Strategy brings together the capital plans of the Council to ensure the delivery of the well-being objectives and sets out the funding of those plans. The setting of the MRP Policy is an essential part of the Capital Strategy which requires approval by full Council.

Involvement	The MRP Policy is required to be approved by full Council, providing all members of the Council to review and approve the Policy.
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6. Climate Change Implications

- 6.1 There are no climate change implications as a result of this report.

7. Safeguarding and Corporate Parent Implications

- 7.1 There are no Safeguarding or Corporate Parent implications as a result of this report.

8. Financial Implications

- 8.1 The change in MRP policy to an annuity-based calculation will have a lower debt repayment than the current method and therefore a lower charge to revenue budgets. For 2024-25 the MRP based on the current policy is estimated to be £5.77 million. For the proposed policy it is estimated at £2.89 million. The charge under the proposed policy will increase to £3.84 million in 10 years' time (the duration of the capital programme). Added to this will be increased interest costs of £0.91 million due to the need to delay repaying debt, reducing investments, increasing borrowing or a mixture of all as a result of less cash resource having been set aside, giving a total forecast cost to revenue in 2033-34 of £4.75 million in comparison to the current year's estimate of £5.77 million.
- 8.2 The reduction in the MRP in the initial years will help to alleviate current pressure on the revenue budget, both in-year and in terms of the Medium Term Financial Strategy (MTFS) 2025-26 onwards, and, looking forward, may enable us to consider paying off MRP on existing schemes to offer up revenue budget savings in the future.
- 8.3 The proposed cost above is based on the CFR as at 1 April 2024 and takes into consideration the expectation that the allocation of supported borrowing from Welsh Government is fully utilised within the capital programme, thereby increasing the Council's debt and requiring the Council to set aside MRP to repay that debt. It also includes current forecast unsupported borrowing within the capital programme as agreed by Council in February 2024 as part of the MTFS. Any additional unsupported borrowing that is added to the capital programme and approved by Council will increase the MRP charge to revenue and will incur additional interest costs that will impact on revenue budgets.
- 8.4 The MRP Policy will be regularly reviewed and is required to be approved by Council on an annual basis, in advance of the financial year to which it relates.

9. Recommendation

- 9.1 It is recommended that Cabinet recommends that Council:
- approves the revision of the MRP Policy 2024-25 for calculating MRP on capital expenditure funded from supported and unsupported borrowing from a straight line basis to an annuity method and a revised Minimum Revenue Provision Statement is approved (**Appendix A**).

Background documents

None

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APPENDIX A

MINIMUM REVENUE PROVISION POLICY STATEMENT 2024-25

The annual Minimum Revenue Provision Statement needs to be approved by Council before the start of each financial year. The MRP charges for 2024-25 will be on the following bases:

- i. Capital expenditure incurred before 1 April 2008 and any capital expenditure after 1 April 2008 that is government supported will be based on the Capital Financing Requirement on an annuity basis over 45 years.
- ii. The Council has previously recognised one significant asset. MRP will be charged on an annuity basis over the remaining asset life.
- iii. For unsupported capital expenditure, exercised under the Prudential Code, the MRP charge will be based on an annuity basis over the remaining asset life. The rate used in the annuity calculation will be based on the PWLB certainty rate for a loan equal to the asset life. For historical expenditure the rate will be as at the time of the policy change. The first charge can be delayed until the year after the asset is operational at the discretion of the Section 151 Officer.
- iv. For assets funded via Salex loans, MRP will be charged equal to the schedule of repayment of the loan.
- v. For assets reclassified as finance leases under International Financial Reporting Standards (IFRS) or resulting from a Private Finance Initiative, the MRP charge will be regarded as met by a charge equal to the element of the rent/charge that goes to write down the balance sheet liability for the year.
- vi. Where loans are made to other bodies for their capital expenditure with an obligation for the bodies to repay, no MRP will be charged. The capital receipts generated by the annual repayments on those loans will be put aside to repay debt instead. Where loans do not have an annual repayment MRP may be required or may be waived where capital receipts are expected within a prudent period.
- vii. MRP may be waived on expenditure recoverable within a prudent period of time through capital receipts (e.g. land purchases) or deferred to when the benefits from investment are scheduled to begin or when confirmed external grant payments towards that expenditure are expected.

The MRP Charge 2024-25 based on the estimated capital financing requirement is detailed below:

	Options	Estimated Capital Financing Requirement 31/03/24 £m	2024-25 Estimated MRP £m
Capital expenditure before 01/02/2008 and any after 01/04/2008 that does not result in a significant asset (Supported)	(i)	128.831	0.933
Supported capital expenditure – significant asset.	(ii)	2.631	0.083
Unsupported capital expenditure, exercised under the Prudential Code (Unsupported)		31.156	1.821
PFI, Finance Leases and other arrangements	(v)	12.974	1.001
TOTAL COUNCIL FUND		175.592	3.838

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Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	BUDGET MONITORING 2024-25 – QUARTER 2 REVENUE FORECAST
Report Owner/ Corporate Director:	CHIEF OFFICER – FINANCE, HOUSING AND CHANGE
Responsible Officer:	JOANNE NORMAN GROUP MANAGER – BUDGET MANAGEMENT
Policy Framework and Procedure Rules:	As required by section 3 (budgetary control) of the Financial Procedure Rules; Chief Officers in consultation with the appropriate Cabinet Member are expected to manage their services within the approved cash limited budget and to provide the Chief Finance Officer with such information as is required to facilitate and monitor budgetary control.
Executive Summary:	<ul style="list-style-type: none"> • The net revenue budget for 2024-25 is £360.671 million. The overall projected year end position at 30th September 2024 is a net over spend of £6.797 million, a £2.415 million improvement on the projected net over spend of £9.212 million reported at quarter 1. • The projected over spend is primarily due to ongoing pressures within the Social Services and Wellbeing Directorate, the Home to School Transport budget and Housing and Homelessness. • The budget approved for 2024-25 included budget reduction proposals totalling £13.045 million. The current position is a projected shortfall on the savings target of £1.455 million, or 11.15% of the overall reduction target.

1. Purpose of Report

- 1.1 The purpose of this report is to provide Cabinet with an update on the Council's revenue financial position as at 30th September 2024.

2. Background

- 2.1 On 28th February 2024, Council approved a net revenue budget of £359.725 million for 2024-25 based on the provisional local government settlement received from Welsh Government in December 2023. The Welsh Government announced its final settlement on the 27th February 2024 which included an increase in the Revenue Support Grant (RSG) for the Council of £649,540 along with three grants transferring into the settlement totalling £296,723, increasing the net revenue budget for 2024-25 to £360.671 million. The reasons for this increase were outlined in a report to Council on 13th March, but were mainly in respect of an additional £14.4 million (across Wales) included in the Final Local Government Settlement to support pressures in both social care and education, including teachers' pay.
- 2.2 As part of the Performance Management Framework, budget projections are reviewed regularly and reported to Cabinet on a quarterly basis. The delivery of agreed budget reductions is also kept under review and reported to Cabinet as part of this process.

3. Current situation / proposal

3.1 Summary financial position at 30th September 2024

- 3.1.1 The Council's net revenue budget and projected outturn for 2024-25 is shown in Table 1 below.

Table 1- Comparison of budget against projected outturn at 30th September 2024

Directorate/Budget Area	Original Budget 2024-25 £'000	Revised Budget 2024-25 £'000	Projected Outturn Q2 2024-25 £'000	Projected Over / (Under) Spend 2024-25 £'000	Projected Over / (Under) Spend Qtr 1 2024-25 £'000
Directorate					
Education, Early Years and Young People	143,485	144,525	146,232	1,707	1,961
Social Services and Wellbeing	104,575	105,631	110,087	4,456	6,080
Communities	30,704	32,017	32,633	616	750
Chief Executive's	22,425	22,690	24,712	2,022	2,350
Total Directorate Budgets	301,189	304,863	313,664	8,801	11,141
Council Wide Budgets					
Capital Financing	7,052	7,052	5,446	(1,606)	(1,604)
Levies	9,635	9,635	9,558	(77)	(80)
Apprenticeship Levy	750	750	836	86	90
Council Tax Reduction Scheme	16,054	16,054	16,763	709	861
Insurance Premiums	1,363	1,363	1,228	(135)	(146)
Repairs & Maintenance	670	670	670	0	0
Pension Related Costs	430	430	430	0	0
Other Corporate Budgets	23,528	19,854	18,873	(981)	(1,050)
Total Council Wide Budgets	59,482	55,808	53,804	(2,004)	(1,929)
Total	360,671	360,671	367,468	6,797	9,212

- 3.1.2 The overall projected position at 30th September 2024 is a net over spend of £6.797 million comprising £8.801 million net over spend on directorates and a net under spend of £2.004 million on Council wide budgets. A detailed analysis of the more significant projected under and over spends is set out in section 3.3.
- 3.1.3 The main financial pressures are in the service areas of Social Services and Wellbeing (SSWB), Home to School Transport (HtST), and Housing and Homelessness.
- 3.1.4 In 2022-23, the SSWB Directorate experienced pressures of work to meet statutory duties against a backdrop of an exponential increase in demand in children's social care, and an increase in the number of independent residential placements in Children's Services, along with pressures in learning disabilities and older persons' residential placements. Whilst budget growth of £8.174 million was approved by Council as part of the Medium Term Financial Strategy (MTFS) for 2023-24, £2.480 million of this was to address the implementation of the Real Living Wage for care workers. The SSWB Directorate continued to see an increase in demand and the budget growth was insufficient to meet that increase, with the outturn showing a £11.827 million over spend in 2023-24.
- 3.1.5 A 3 year sustainability plan to improve outcomes for Children and Family Services was approved by Council on 20th September 2023, with an immediate budget virement of £1 million approved for Children's services. Council also noted the additional use of up to £2.5 million of earmarked reserves in 2023-24 to support the service whilst a more permanent funding solution was sought. This was drawn down in full in 2023-24 and a recurrent budget of £2.5 million was approved by Council as part of the Medium Term Financial Strategy (MTFS) budget setting process in February 2024 to provide this as a permanent budget to Children's Services in 2024-25. Progress is being made with implementing the plan, particularly to progress the steady and safe reduction of agency workforce, through improved retention and recruitment of a permanent workforce, including successful grow your own scheme and international recruits.
- 3.1.6 There continues to be pressures in learning disabilities, mental health and older people's services driven by the complexity of need. The Social Services Improvement Board is overseeing a number of actions to address the pressures in the adult services budget, including accelerating the work to transform learning disabilities. Council approved £1.970 million towards the increased costs of home care for adults with learning disabilities and £1 million towards additional residential/nursing placement costs due to new admissions for older people and older people with mental health needs as part of the Medium Term Financial Strategy 2024-25 to 2027-28.
- 3.1.7 There is a projected over spend on Home to School Transport (HtST) of £539,000. This is despite Council approving £1.2 million in the 2024-25 budget to address increased costs being experienced following re-tenders, mainly as a consequence of a shortage of drivers and increased fuel costs. In 2023-24, a further retendering exercise took place for Special School contracts, which resulted in an increase of £539,000. The service has also seen an increase in demand for transporting pupils individually due to challenging behaviour and an increase in Additional Learning Needs (ALN) pupils requiring transport provision based on the learner's needs assessment. However, the overall projected over spend has decreased from the £1.277 million at quarter 1 due to in-year tenders

issued with price caps for submission for providers, resulting in a significant cost saving for the service area.

- 3.1.8 The Council has seen a significant increase in the provision of temporary accommodation from 601 households and 965 individuals between April 2022 to March 2023, to 659 households and 1,034 individuals between April 2023 and March 2024. Budget reduction proposals of £645,000 have been approved by Council against Housing and Homelessness budgets in 2024-25, along with a reduction in Welsh Government funding based on grants confirmed to date of £332,000. There is a projected net over spend of £654,000 in this service area which has improved from the projected over spend of £860,000 reported at quarter 1. The key factor in this reduction is the purchase of Houses in Multiple Occupation enabling a reduction in the use of more expensive options such as tourism style properties.
- 3.1.9 It is too early in the financial year to provide a realistic indication of projected council tax income for this financial year, and whether the Council is likely to see a reduction in council tax income over the 2024-25 financial year as more people continue to suffer financial hardship due to the ongoing cost of living crisis. A 1% reduction in the council tax income collection rate could result in an additional pressure to the Council of around £1 million. Council tax collection rates are monitored continuously throughout the year and reported accordingly.

Budget virements/technical adjustments

- 3.1.10 There have been a number of budget virements and technical adjustments between budgets since the Medium Term Financial Strategy (MTFS) was approved by Council in February 2024.
- 3.1.11 The main virements and technical adjustments are outlined below:

Budget Virements

Service vired from / to	Amount
Transfer of funding from Chief Executives Directorate to Communities Directorate for Business Support Officer (Energy)	£31,104

Technical Adjustments

Service vired from / to	Amount
Transfer of inflationary uplifts not confirmed when the Medium Term Financial Strategy was agreed that are held centrally until evidence of the uplift is provided by the service areas (detailed in paragraph 3.1.13).	£3,568,223
Allocation of funding retained centrally in respect of Joint Negotiating Committee (JNC) pay award 2024-25 for Chief Officers.	£59,324

Pay/Price Inflation

- 3.1.12 When the budget was set very little funding was allocated to directorates for pay and price inflation, as most had not been determined for the forthcoming year. The majority of the provision was retained centrally within Council wide budgets, to be allocated as further information was known about specific contractual price increases. Amounts released during quarter 2 are shown in 3.1.11, and include £1.127 million energy uplift for corporate and leisure services buildings, £0.719 million energy uplift for school buildings, £0.446 million increase to waste collection and recycling budgets, £0.278 million increase to Homes for Older People budgets and £0.200 million increase to Home to School Transport in line with the Consumer Price Index (CPI).
- 3.1.13 Welsh Government have recently consulted with unions on their proposed 5.5% pay offer for teachers from September 2024 onwards and there are ongoing discussions on National Joint Council (NJC) workers for 2024-25. Even a variance of 1% on the pay settlement of NJC staff alone can result in a swing of required funding of over £1 million per annum.
- 3.1.14 With regard to the funding of changes to teachers' pensions, in the Final Settlement the Minister for Finance and Local Government re-stated that funding for this is expected to be provided by UK Government during 2024-25 and that she had written to the Chief Secretary to the Treasury to press for assurances on the level and timing of this funding. To date no further updates have been given on this funding, although we do expect to hear what funding will be available in the next quarter.
- 3.1.15 Whilst inflation rates have decreased to 2.2% (August 2024) compared to 3.8% when the budget was set, there is a risk that there may not be sufficient funding available within these budgets for any unexpected major pay/price inflation increases. With this uncertainty the budget will need to be monitored closely during the remainder of the year.

Budget Reduction Proposals

- 3.1.16 The net budget for the financial year has been set assuming full implementation of the current year budget reduction requirements across the Council's budget, which amount to £13.045 million. Where proposals to meet this requirement have been delayed or are not achievable directorates have been tasked with identifying alternative proposals to meet their requirements such as vacancy management, or bringing forward alternative budget reduction proposals.
- 3.1.17 In February 2024 Council approved the Medium Term Financial Strategy for 2024-25 to 2027-28. This identified the need to develop recurrent budget reduction proposals, based on the most likely scenario, amounting to £44.882 million over the next four years. Against that background it is essential that expenditure is kept within the overall approved budget and that longer term proposals continue to be developed so that the Council has as much flexibility as possible to meet the challenges which lie ahead.
- 3.1.18 At year end consideration will be given to any budget over spends to determine whether these should be carried forward as a first call on the directorate budget for the following year. Similarly, consideration will be given to requests from directors to

carry forward any planned directorate under spends for specific purposes into the following year, in line with the Council's Reserves and Balances Protocol, as long as these can be met from within the Council's cash limited budget for 2024-25. This is in line with the reports to Cabinet and Council on the MTFs, and the Council's Financial Procedure Rules.

3.2 Monitoring of Budget Reduction Proposals

Prior Year Budget Reductions

- 3.2.1 A report was presented to Cabinet on 23rd July 2024 on the Revenue Budget Outturn 2023-24. In the report it was highlighted that there were £280,000 of prior year budget reduction proposals that were not met in full, with a total outstanding balance to be met of £165,000. In addition, of the 2023-24 budget reduction proposals of £2.608 million, it was reported that there was a total outstanding balance to be met of £246,000. Directors have been asked to identify if any of these proposals are still not likely to be achieved in full during the 2024-25 financial year, and to identify mitigating actions that will be undertaken to achieve them. All remaining outstanding prior year budget reductions are summarised in **Appendix 1** with a summary per directorate provided in Table 2.

Table 2 – Outstanding Prior Year Budget Reductions

	Total Budget Reductions Required	Total Budget Reductions Likely to be Achieved	Shortfall
DIRECTORATE /BUDGET REDUCTION AREA	£'000	£'000	£'000
Education, Early Years and Young People	40	40	0
Communities	375	244	131
TOTAL	415	284	131

Note: The total budget reductions required in Table 2 represents the full original budget reduction targets.

- 3.2.2 Table 2 shows that of the £415,000 outstanding reductions, £284,000 is likely to be achieved in 2024-25 leaving a shortfall of £131,000. Proposals still not likely to be achieved include:
- COM 2 2021-22 – Re-location of Community Recycling Centre from Tythegston to Pyle (£60,000). The new site in Pyle opened in quarter 4 of 2023-24. The timing of the opening meant that exit terms of the lease are being finalised in 2024-25. Once these have been finalised the full saving will be made.
 - COM5 2022-23 (£50,000) and COM3 2023-24 (£120,000) – Commercially let wings of Ravens Court to a partner organisation or business (£50,000). The service is hoping to achieve 50% of the saving in 2024-25 due to delays in implementing the proposal.

- COM2 2023-24 – Charging Blue Badge Holders for parking (£40,000). The delivery of this proposal is linked to staffing within the Traffic and Transport section which has been depleted due to unplanned staff absences. A staff member has commenced work on this proposal. It will require a full order making process which typically takes 12 – 18 months.

3.2.3 As outlined in the MTFS reports to Cabinet and Council, MTFS Principle 7 states that *“Savings proposals are fully developed and include realistic delivery timescales prior to inclusion in the annual budget. An MTFS Budget Reduction Contingency Reserve will be maintained to mitigate against unforeseen delays”*. An MTFS Budget Reduction Contingency reserve was established in 2016-17. This reserve has been used to meet specific budget reduction proposals in previous years on a one-off basis pending alternative measures. During the financial year the Section 151 Officer will consider whether any draw down from the MTFS Budget Reduction Contingency reserve is required to mitigate some of the shortfalls.

Budget Reductions 2024-25

3.2.4 The budget approved for 2024-25 included budget reduction proposals totalling £13.045 million, which is broken down in **Appendix 2** and summarised in Table 3 below. The current position is that £8.864 million has been achieved to date with an additional £2.726 million likely to be achieved by year end, leading to an overall projected shortfall on the savings target by year end of £1.455 million, or 11.15% of the overall reduction target.

Table 3 – Monitoring of Budget Reductions 2024-25

	Total Budget Reductions Required	Total Budget Reductions Achieved to date	Total Budget Reductions Likely to be Achieved	Shortfall
DIRECTORATE /BUDGET REDUCTION AREA	£'000	£'000	£'000	£'000
Education, Early Years and Young People	1,560	868	1,347	213
Schools	3,441	3,441	3,441	0
Social Services and Wellbeing	2,248	1,098	1,802	446
Communities	2,460	1,769	2,378	82
Chief Executive's	3,246	1,598	2,532	714
Corporate/Council Wide	90	90	90	0
TOTAL	13,045	8,864	11,590	1,455

3.2.5 The most significant (> £100,000 shortfall) budget reduction proposals unlikely to be achieved in full are:-

- EDFS9 – Cessation of Adult Community Learning provision (£149,000). The shortfall is due to the timing of the required restructure which is now underway. Further updates will be provided to Cabinet in the quarter 3 monitoring report.
- SCH1 – Efficiency saving against School Delegated Budgets – 3% in 2024-25 (£3.441 million). Whilst the saving is referenced as having been achieved due to the overall reduction in Individual Schools Budget (ISB), as referenced in 3.3.1, the reduced budgets have resulted in total projected deficit balances for schools at year end in excess of £4.709 million. Officers are working with schools to bring this overall deficit down.
- SSW13 – Council to reduce its investment into cultural services (£360,000). Current projections indicate a shortfall of £265,000. On 14th May 2024 Cabinet approved a £50,000 reduction to the book fund and removal of the £15,000 subsidy for the Youth Theatre. Cabinet also approved public engagement over how future savings can be achieved. Maximisation of the Shared Prosperity Fund in 2024-25 has mitigated this shortfall in the short term.
- SSW23 – reduction to the contribution towards the regional Western Bay adoption service (£250,000). There is currently a projected shortfall of £119,000. Further work is planned over the coming months with the regional service to identify further savings.
- CEX2 – Chief Executive's Directorate vacancy management factor (£510,000). The projected shortfall of £182,000 is based on known vacancies to date. Unplanned vacancies will be added to the projection as the financial year progresses which should further reduce the shortfall.
- CEX22 – Review of ICT Services (£398,000). There is currently a projected shortfall of £234,000 against this proposal. Further work is needed to be undertaken to review the telephony budgets across the Council, with updates to be provided to Cabinet in future revenue monitoring reports.

3.2.6 **Appendix 2** identifies the projected amount of saving against these proposals in detail and action to be taken by the directorate to mitigate the shortfall. Directors continue to work with their staff to deliver their proposals or alternatives and this is reflected in the forecast outturn for the year.

3.2.7 In the longer term, these proposals must be realised or must be met through alternative budget reduction proposals in order to deliver a balanced budget position.

3.3 Commentary on the financial position at 30th September 2024

Financial position at 30th September 2024

A summary of the financial position for each main service area is attached in **Appendix 3** to this report and comments on the most significant variances are provided below.

3.3.1 **Education, Early Years and Young People Directorate**

The net budget for the Education, Early Years and Young People Directorate, including school delegated budgets, for 2024-25 is £144.525 million. Current projections indicate an over spend of £1.707 million at year end. The main variances are:

EDUCATION, EARLY YEARS AND YOUNG PEOPLE DIRECTORATE	Net Budget	Projected Outturn	Projected Variance Over/(under) budget	% Variance
	£'000	£'000	£'000	
Learner Support	6,830	8,222	1,392	20.4%
Early Years and Young People	4,598	4,352	(246)	-5.4%
Home to School Transport	10,019	10,557	539	5.4%

Schools' delegated budgets

Total funding currently delegated to schools in 2024-25 is £113.993 million.

The schools' delegated budget is reported as balanced as any under spend or over spend is automatically carried forward into the new financial year before being considered by the Corporate Director – Education, Early Years and Young People in line with the 'Guidance and Procedures on Managing Surplus School Balances'.

At the start of 2024-25 projections indicated an overall deficit balance for school delegated budgets of £5.161 million at year end. At quarter 2 this has reduced to a projected deficit of £4.709 million. There are 38 primary schools, 5 secondary schools and 2 special schools (76% of all schools) projecting a deficit balance at year end.

The Financial Scheme for Schools requires all deficit budgets to be approved by the Section 151 Officer and the Corporate Director – Education, Early Years and Young People. For deficit budgets in excess of 5% of the school's annual budget share or £10,000 (whichever is the higher), a deficit recovery plan must be submitted to the Corporate Director – Education, Early Years and Young People identifying how the deficit will be recovered. Schools with deficits of greater than £50,000 in a primary school or greater than £150,000 in a secondary or special school attend termly support and challenge meetings with senior Local Authority officers. The Section 151 Officer and the Corporate Director – Education, Early Years and Young People have reviewed the deficit plans submitted, with schools being invited to challenge meetings over the Autumn term.

Central Education, Early Years and Young People (EEYYP) Directorate budgets

Learner Support

- There is a projected net over spend of £1.392 million in Learner Support budgets which has increased from the projected over spend of £841,000 reported at quarter 1.
- The projected over spend is despite the Council approving £500,000 of additional funding as part of the MTFS 2024-25 for learner support to meet the costs of increased demand for Bridgend pupils in out of county placements and for increased demand for additional learning needs support at schools.
- There continues to be an increase in demand for additional learning needs (ALN) support at schools resulting in a projected over spend of £1.419 million, an increase of £602,000 from the projected over spend of £817,000 at quarter 1. The projected over spend remains in the areas of sensory support and communication, complex medical needs, and relationship support. The number of pupils supported in 2022-23 was 174, increasing to 277 in 2023-24, further increasing to 302 in the Summer term and 309 in the Autumn term of 2024-25. The increase in projected over spend is primarily due to additional one to one support provided to Bridgend pupils in Bridgend schools to prevent pupils being placed in more costly out of authority placements. The additional numbers for prevention of additional out of authority placements have steadily increased to 34 in quarter 2.
- The inter-authority recoupment budget over spent in 2023-24 by £627,000 due to an increase in demand for Bridgend pupils in out of county placements as there were insufficient spaces at Heronsbridge and Ysgol Bryn Castell. The budget has benefited from budget growth referred to above, in addition to out of county placements reducing from 21 (Spring 2024) to 19 in the Summer term, with a further reduction to 14 expected in the Autumn term. The service is also projecting a one-off refund of £137,000 from an out of authority placement, where a pupil's circumstances have changed. As a consequence, the inter-authority recoupment budget is currently projecting an under spend of £282,000 (£200,000 projected under spend at quarter 1).
- There is a projected £199,000 over spend on the Adult Community Learning budget which is primarily due to the shortfall on the Medium Term Financial Strategy saving of £149,000 against the service. The shortfall is due to the timing of the required restructure with further updates to be provided to Cabinet in the quarter 3 monitoring report.

Early Years and Young People

- The projected under spend of £246,000 has increased from the £209,000 projected under spend reported in quarter 1. This primarily relates to early implementation of a MTFS saving originally scheduled for 2025-26 – EDF510 – Reduction in Education Welfare Service (£136,000), combined with staff vacancies being held across the youth service and vulnerable groups budgets which are contributing to the 2024-25 MTFS vacancy management factor of £342,000 for the EEYYP Directorate.

Home-to-school transport (HtST)

- The revenue outturn report for 2023-24 highlighted a £1.780 million over spend on the HtST budget. This was primarily as a result of retendering exercises that had taken place, which had been impacted by unfavourable market conditions which subsequently resulted in higher costs across many contracts in line with shortage of drivers and escorts and increased fuel costs.

- Whilst Council approved a £1.2 million budget pressure for 2024-25 as part of the Medium Term Financial Strategy to contribute to the increased costs, further retendering exercises in September 2023 resulted in additional costs on Special School contracts of £698,000 in 2023-24. The full year effect of these contracts has placed an additional £539,000 pressure on HtST budgets in 2024-25.
- The service has also seen an increase in demand for transporting pupils individually due to challenging behaviour and an increase in ALN pupils requiring transport provision based on the learner's needs assessment. Along with a number of contractors handing back contracts and having to re-tender at higher cost, these pressures have added a further projected increase in costs in 2024-25 of £244,000.
- However, the overall projected over spend has decreased to £539,000 from the £1.277 million projected over spend reported at quarter 1. This reduction is primarily due to in-year tenders issued, with a price cap for submissions for providers, resulting in a significant cost saving for the service area.
- Bridgend County Borough Council launched a full public consultation on proposed changes to the home-to-school and college transport arrangements in April 2024, which could make just over £1 million in budgetary savings for the local authority. In July 2024 Cabinet considered the outcome of this public consultation and approved 4 out of the 5 proposals. In September 2024 Cabinet approved a revised Home to School Transport Policy, for implementation from September 2025. It is estimated that over £1m of recurring budget reductions can be made from the current home to school transport budget in 2026-27, with a partial saving towards this in 2025-26.

3.3.2 **Social Services and Wellbeing Directorate**

The Directorate's net budget for 2024-25 is £105.631 million. Current projections indicate an over spend of £4.456 million at year end compared to the quarter 1 over spend of £6.080 million. The detailed narrative below sets out the main service areas where projections have improved, including direct payments, adult services assessment and care management, homes for older people, prevention and wellbeing and children and families commissioning and social work budgets.

The outturn for 2023-24 was an over spend of £11.827 million. Council approved budget pressures of £8.330 million for the SSWB Directorate in February 2024 as part of the Medium Term Financial Strategy. The funded pressures include pay and price increases for commissioned services (£3.36 million), addressing recommended levels of resourcing for Children's Services (£2 million), increased costs of home care for adults with learning disabilities (£1.970 million) and £1 million towards additional residential/nursing placement costs due to new admissions for older people and older people with mental health needs. Despite this growth the Directorate continues to experience the pressures of work to meet statutory duties against a backdrop of an exponential increase in demand and pressures in placements in children's social care and increased complexity of need in adult social care.

As noted in the quarter 1 report, there continue to be pressures in learning disabilities driven by the complexity of need. There is also significant pressure in children's residential placements where the need for care experienced children to be cared for in independent residential homes (20) exceeds the available budget. The Social Services Improvement Board is overseeing a number of actions to address the service and financial pressures evident in the children and families and adult services budgets. Good progress is being made at the end of the first year of

the 3 year strategic plan for children and families approved in September 2023. Further actions for 2024-25 are being developed into a 3 year service and sustainability strategic plan for adult services to be considered by Cabinet in Autumn 2024 following consultation and engagement that took place over the summer period.

It should also be noted that this year's budget is underpinned by significant investment of non-recurring grants including Eliminating Profit (£1.5 million) and Shared Prosperity Fund (£600,000) along with Social Care Workforce Grant (£2 million).

The most significant variances for the directorate are :

SOCIAL SERVICES AND WELLBEING DIRECTORATE	Net Budget	Projected Outturn	Projected Variance Over/(under) budget	% Variance
	£'000	£'000	£'000	
Adult Social Care	71,352	73,280	1,928	2.70%
Prevention and Wellbeing	6,433	6,140	(293)	(4.55)%
Childrens Social Care	27,845	30,666	2,821	10.13%

Adult Social Care

There is a net over spend of £1.928 million on the Adult Social Care budget an improvement of £416,000 from the £2.344 million over spend projected at quarter 1.

The most significant variances contributing to the over spend are:

ADULT SOCIAL CARE	Projected Variance Over/(under) budget
	£'000
Learning Disabilities Day Opportunities	679
Mental Health Homecare	679
Learning Disabilities Homecare	457
Learning Disabilities Residential Care	438
Older People Direct Payments	369
Physical Disability/Sensory Impairment Home Care	329
Physical Disability/Sensory Equipment	266
Older People Supported Accommodation	201
Learning Disabilities Direct Payments	110
Physical Disability/Sensory Impairment Direct Payments	56
Assessment and Care Management	(13)
Mental Health Residential Care	(17)
Mental Health Supported Accommodation	(164)
Homes for Older People	(252)
Older People Home Care	(772)

- Learning Disabilities Day Opportunities - the projected over spend of £679,000 relates mainly to placement numbers exceeding the available budget for external day services (£519,000) in addition to increased transport costs (£160,000). The underlying reason for the projected over spend continues to be that whilst the learning disabilities home care budget continues to over spend as people have not returned to internal day services, older people are taking up the vacant day services placements. The service cannot be reduced until alternative models of day time support and occupation have been developed following a review which is underway. The projected over spend on transport costs has reduced by £100,000 since quarter 1 due to a reduction in projected costs for external transport following an extensive review by the service. In addition, since quarter 1 three new vehicles have become operational enabling a reduction in the number of vehicles hired on a short term basis. A new transport policy went to Cabinet in July 2024 and is currently out for consultation which is due to finish at the end of October with a follow up report then to be taken to Cabinet in the coming months.
- Mental Health Homecare – this includes supported living, short breaks and domiciliary care with the service experiencing increased needs of people with supported living packages of care. The projected over spend of £679,000 has increased from the quarter 1 projected over spend of £475,000 mainly due to 2 new supported living placements, one of which was an appropriate step down from a fully health funded 24 hour community mental health hospital, and the other being a step down from a residential placement into supported living which achieved an overall cost saving of £22,000 per annum. In quarter 2 there has also been a transfer of 2 placements from Domiciliary Care (£186,000).
- Learning Disabilities Homecare – there is a projected over spend of £457,000 compared to £310,000 at quarter 1. This is mainly due to increases in staffing costs due to having to cover staff sickness. In addition, the projected costs of external home care increased by £85,000 compared with quarter 1. This is due to 5 new placements that have been commissioned through applying the methodology of the Commissioning for Complex Needs (CFCN) assessment process. The new placements are costed at an average weekly cost of £325, whereas without the methodology of CFCN the average cost would have been £920.
- Learning Disabilities Residential Care – there is a projected over spend of £438,000 compared to £339,000 at quarter 1. The underlying reason for the projected over spend is due to increased costs for existing placements within the residential and nursing service due to changing needs. Quarter 2 also saw an increase of 1 specialist placement from a 24 hour hospital setting and 1 residential placement moving from home.
- Older People Direct Payments – there is a projected over spend of £369,000 across the Direct Payments budgets in this area. The main reason for the projected over spend is the increasing complexity of cases that impact on the average cost of direct payments support. The projected over spend has reduced by £203,000 since quarter 1 due to a detailed review being undertaken in quarter 2 of all direct payment cases, with packages being removed from projections where activity had ceased for longer than six months, along with increases in account reimbursements.

- Physical Disability/Sensory Impairment Home Care - there is a projected over spend of £329,000, which is based on the current demand on the service provision, which is 107 packages of support. The projected over spend has increased since the quarter 1 projected over spend position of £220,000 which was based on 99 packages of support.
- Physical Disability/Sensory Equipment – there is a projected over spend of £266,000. This is partly due to an increase in the expected contribution to the community equipment pooled fund (£84,000) with the remainder being due to increases in demand for small works and adaptations and aids to daily living. This is a fluctuating demand led budget which varies month by month and will be closely monitored.
- Older People Supported Accommodation – there is a projected over spend of £201,000. This projected over spend is based on the current number of placements which have increased from 40 at quarter 1, to 42 at quarter 2.
- Learning Disabilities Direct Payments – there is a projected over spend of £110,000 across the Direct Payments budgets in this area. The main reason for the projected over spend is the increasing complexity of cases which impact on the average cost of direct payments support. The projected over spend has reduced since quarter 1 by £242,000 due to a detailed review being undertaken in quarter 2 of all direct payment cases, with packages being removed from projections where support has ceased for longer than six months, along with a £90,000 Social Care Workforce Grant allocation confirmed since quarter 1.
- Physical Disability/Sensory Impairment Direct Payments – there is a projected over spend of £56,000 across the Direct Payments budgets in this area. The main reason for the projected over spend is the increasing complexity of cases that impact on the average cost of direct payments support. The projected over spend has reduced since quarter 1 by £211,000 due to a detailed review being undertaken in quarter 2 of all direct payment cases, with packages being removed from the projections where support has ceased for longer than six months along with increases in account reimbursements.
- Assessment and Care Management – there is a projected under spend of £13,000 on directorate wide assessment and care management budgets, a reduction from the quarter 1 projected over spend of £201,000. The reduction in projected spend is primarily due an increase of £50,000 in Social Care Workforce Grant allocated along with a reduction of £87,000 in projected agency costs. There continues to be a need for agency cover across this area due to demands in the system particularly linked to supporting the acute hospital and timely discharges and the complexity of court protection work in learning disabilities. A plan to permanently recruit and step down agency in a timely way is being implemented.
- Mental Health Residential Care – There is a projected under spend of £17,000. The projected under spend has reduced since the quarter 1 projected under spend of £273,000 due to an increase in placement numbers from 43 placements to 44 placements at quarter 2 (specialist placement from a fully health funded 24 hour hospital setting), and an increase in contributions for clients whose package of care are shared with Health.

- Mental Health Supported Accommodation – The projected under spend of £164,000 primarily relates to projected under spend on staffing budgets. The projected under spend has increased from the £73,000 reported at quarter 1 mainly due to staff vacancies being held for the short term.
- Homes for Older People – There is a projected under spend of £252,000 compared to a projected over spend of £214,000 at quarter 1. Since quarter 1 there has been an increase in projected client contributions for internal residential homes. All contributions towards residential care are financially assessed in accordance with the Social Services and Wellbeing (Wales) Act 2014 but the average income received each year will vary in total depending on the financial position of the people needing care during the financial year – e.g. if there are a large number of people who have savings or assets and are therefore not reliant on the local authority paying their contribution in full, then this will increase the overall average income received per person. Secondly, as noted in section 3.1.12, there has been an allocation from the central price inflation budget to this service area during quarter 2 which has also improved the projections by £278,000 as the increased costs experienced by the service had been built into the quarter 1 projections. The quarter 2 projection also includes an allocation of £110,000 from the Social Care Workforce Grant.
- Older People Home Care – There is a projected under spend of £772,000, a reduction from the quarter 1 projected under spend of £1.034 million. The under spend still primarily relates to projected under spends on staffing budgets as a result of the recruitment challenges in the internal home care service sector. Agency staff have been utilised to supplement the workforce where available, and there is positive working with employability to support people into careers in care. Since quarter 1 there has also been an increase in projected client contributions of £257,000 for the internal Homecare service. However, this has been offset by a projected over spend on external domiciliary care placements due to complexities of people's needs and increased packages of support.

Prevention and Wellbeing

- There is a projected under spend of £293,000 compared to a projected over spend of £252,000 at quarter 1. This is mainly due to maximisation of grant funding from the Shared Prosperity Fund (£450,000) which has been confirmed since quarter 1.
- The following MTFS savings are not anticipated to be fully achieved in 2024-25:
 - SSW7 – review opportunities to amend the current energy payment arrangements for the leisure contract - £45,000 shortfall.
 - SSW13 – Council to reduce its investment into cultural services - £265,000 shortfall.

Children's Social Care

There is a projected net over spend of £2.821 million on the Children's Social Care budget compared with the projected net over spend of £3.484 million at quarter 1. The most significant variances contributing to this over spend are:-

CHILDREN'S SOCIAL CARE	Projected Variance Over/(under) 2024-25 – qtr 2 £'000
Care Experienced Children	2,953
Commissioning & Social Work	131
Other Child & Family Support Services	(72)
Management and Admin	(105)

- The over spend of £2.953 million for Care Experienced Children has reduced from the £3.104 million reported at quarter 1. It is due to a combination of factors:-
 - The Independent Residential Care budget has a projected over spend of £3.473 million (quarter 1 - £3.577 million). This is based on the number of care experienced children in independent residential placements which is currently 20 placements. The underlying over spend position is due to the number in independent residential placements (20) exceeding the budget which covers between 6-8 placements depending on the unit cost. In addition there continues to be insufficient in-house foster carer placements to meet needs and children requiring specialist provision, sometimes with high staffing ratios to keep them safe and protected. It should be noted that this budget area can be volatile and small changes in demand can result in very high costs being incurred.
 - There is a projected under spend of £117,000 on the Independent Fostering Agency (IFA) budget based on 35 placements (37 placements at quarter 1). This is due to alternative, lower cost, placement options being utilised, including Special Guardianship Orders. It should be noted however, that some of the children in costly independent residential provision would ideally be with foster carers who can manage complex needs. There is insufficient capacity in-house and in IFA's which means that some children's needs are being met in a higher tier of service.
- Commissioning and Social Work – There is a projected under spend of £72,000 which has significantly improved since the quarter 1 projected over spend of £355,000. The projected over spend at quarter 1 was partly due to having to continue to rely on agency staffing across all the children's social work teams. Good progress continues to be made in relation to permanent recruitment, and significant reduction in the use of agency across all social work teams, improving the projections in this budget area. The service has benefited from successes in international recruitment, the conversion of agency to permanent, and the 'grow your own' social work scheme. There remains a projected over spend in care and support and placement costs across the service area (£325,000), the majority of which relate to Care Experienced Children/care support spend such as court mandated drug testing, assessments, reports, travel and therapy costs over which the service has no discretion but to secure against a very limited budget. In total the service has received budget pressures of £3 million (£1m in 2023-24 and an additional £2 million approved by Council for 2024-25) to address the recommended levels of resourcing for children's services outlined in the 3 year strategic plan for Children and Families approved by Council in September 2023 and recruitment to these posts has commenced.

- Other Child & Family Support Services – The projected over spend of £131,000 is mainly due to the current projected shortfall on the MTFS budget reduction proposal of £250,000 against the Bridgend County Borough Council contribution towards the regional Western Bay adoption service (see 3.2.5) which was based on the 2023-24 outturn position. Further work is planned over the coming months with the regional service to identify further savings and updates will be provided in future Cabinet reports.
- Management & Administration – there is a projected under spend of £105,000 which has reduced from the projected under spend of £178,000 at quarter 1 due to two posts being appointed to during quarter 2. The underlying projected under spend is primarily due to other staff vacancies in this service area which are contributing to the 2024-25 MTFS vacancy management factor of £255,000 for the SSWB directorate.

3.3.3 **Communities Directorate**

The net budget for the Directorate for 2024-25 is £32.017 million. The current projection is an anticipated over spend of £616,000. The main variances are:

COMMUNITIES DIRECTORATE	Net Budget	Projected Outturn	Projected Variance Over/(under) budget	% Variance
	£'000	£'000	£'000	
Fleet Services	156	616	460	294.87%
Development Control	(111)	(39)	72	64.86%
Strategic Regeneration	937	744	(193)	-20.6%
Waste Collection & Disposal	11,177	11,249	72	0.64%
Highways Services (DSO)	3,273	3,143	(130)	-3.97%
Corporate Landlord	3,056	3,334	278	9.1%

Fleet Services

- There is a projected over spend of £460,000 on Fleet services which has worsened from the £348,000 projected at quarter 1, and is now more in line with the £483,000 over spend in 2023-24.
- The fleet services team operate on a break-even basis with re-charges for work undertaken on directorates, South Wales Police (SWP) and the general public's vehicles, generating income to support staffing and overhead costs. Productivity levels have been further impacted since quarter 1 by long term sickness and ongoing difficulties with recruitment and retention. A market supplement has been introduced for HGV technicians, in line with the corporate Market Supplement Policy, following comparisons with neighbouring authorities, which has only seen limited success in filling vacancies. A review outlining options for service operating models to mitigate the budget position of fleet services has been delayed due to officer availability and is anticipated to proceed in the latter half of the 2024-25 financial year.

Development Control

- The projected over spend in Development Control of £72,000 is primarily due to the anticipated slippage of significant developments into 2025-26. Fee income is

subject to considerable fluctuations between years, depending on number and of types of applications.

Strategic Regeneration

- There is a projected under spend of £193,000 on Strategic Regeneration budgets. This is primarily due to maximisation of the Shared Prosperity Fund (£170,000) with the remainder due to staff vacancies being held to contribute to the 2024-25 MTFS vacancy management factor of £500,000 for the Communities Directorate.

Waste Collection and Disposal

- There is a net projected over spend on the Waste Disposal and Collection budget of £72,000. The main underlying pressures on the waste budget include:-
 - The delay in the achievement of the 2022-23 MTFS saving, COM 2 – Relocation of Community Recycling Centre from Tythegston to Pyle resulting in cessation of lease payments at the existing site. Whilst the new site opened in quarter 4 of 2023-24 the timing of the opening meant that the full saving could not be achieved in 2024-25 as the exit terms of the lease needed to be finalised (£60,000 shortfall).
 - Increase in subscribers for the Absorbent Hygiene Products (AHP) service (£66,000). The AHP service has been promoted to further improve the recycling levels achieved in Bridgend which also mitigates the risk of fines imposed by WG if local authorities do not meet their recycling targets. It has seen an increase of 35% since the start of the 2022-23 financial year.

Highways Services

- The projected under spend of £130,000 within Highways Services is primarily due to core funded staff being utilised to support work on capital schemes. In these cases, the salary costs can be capitalised thus generating income for the service area.

Corporate Landlord

- There is a projected over spend of £278,000 against Corporate Landlord which has decreased from the £600,000 over spend projected at quarter 1.
- At quarter 1 there was a forecasted over spend of £201,000 on other council run buildings, mainly due to increased maintenance costs resulting in COM23 – reduction to property maintenance budgets (£100,000) being unlikely to be achieved in 2024-25. This projection has improved to a break even position since quarter 1 as the service is seeking to utilise the minor works budget where possible to support key maintenance of council run buildings.
- There are still shortfalls in income generated from properties run by the Council that relate to occupancy shortfalls which have continued into 2024-25 and strategies are being developed to reduce these shortfalls in the longer term.
- The shortfall against Bridgend Market of £285,000 is due to the identification of Reinforced Autoclaved Aerated Concrete (RAAC) and the subsequent closure of the market and loss of rental income. Whilst tenants in the new market hall are paying rent and service charges, this is not sufficient to cover full costs.
- There is also a shortfall in income of £120,000 for the Innovation Centre and a strategy is being developed to reduce this income shortfall in the longer term.
- Corporate Landlord continue to seek opportunities for the use of Ravens Court by a partner organisation or business. As noted in section 3.2.2 the £50,000 target for 2022-23 and the £120,000 target for 2023-24 in relation to MTFS proposals to seek to commercially let out wings of Ravens Court were not achieved. In addition, as

noted in 3.2.5, there is a further £73,000 MTFS saving across the estate budgets for 2024-25 in relation to office rationalisation. Whilst it is anticipated that 50% of these savings will be met in 2024-25, the shortfall against the savings targets adds a further £121,500 pressure on the Corporate Landlord estates' budget.

- Whilst the over spend in Corporate Landlord was partially mitigated in 2023-24 by staff vacancies of £246,000, ongoing vacancies in this service area are contributing to the 2024-25 MTFS vacancy management factor of £500,000 for the Communities Directorate.

3.3.4 **Chief Executive's**

The net budget for the Directorate for 2024-25 is £22.690 million. Current projections anticipate an over spend against this budget of £2.022 million. This is a reduction of £328,000 from the quarter 1 projected over spend of £2.350 million. The main variances are:

CHIEF EXECUTIVE'S	Net Budget £'000	Projected outturn £'000	Actual Variance Over/(under) budget £'000	% Variance
Housing & Homelessness	3,489	4,143	654	18.74%
Legal, Democratic & Regulatory	5,764	6,376	612	10.62%
ICT	3,794	4,127	333	8.78%
Finance	3,881	4,060	179	4.61%
Human Resources/ Organisational Development	1,871	1,920	49	2.6%

Housing & Homelessness

- There is a projected net over spend of £654,000 on Housing & Homelessness which is a reduction on the projected over spend of £860,000 reported at quarter 1 of £246,000.
- The overall budget for housing and homelessness has been reduced by £645,000 in 2024-25 due to MTFS budget reduction proposals. Appendix 2 highlights that it is anticipated that all of these are now likely to be achieved in 2024-25.
- For 2024-25, Welsh Government (WG) have confirmed grant funding of £915,000 for accommodation under the "No One Left Out" funding stream, £198,000 under a Discretionary Homelessness Prevention Grant and £60,000 Strategic Coordinator grant. The total grant funding confirmed for 2024-25 of £1.173 million is significantly lower than the total grant allocation of £1.505 million received in 2023-24. £986,000 of the grant funding covers homelessness accommodation costs and £127,000 is utilised towards Homeless Spend to Save support, e.g. funding bonds for rental properties.
- Projected spend on Homelessness accommodation at quarter 2 is £4.5 million, a reduction of £250,000 since the £4.750 million reported at quarter 1. The key factor in this reduction is the purchase of Houses in Multiple Occupation (HMO) stock as well as utilising an existing BCBC property with the opening of Maple Tree House (previously Children's Residential Home), enabling a reduction in the use of more expensive options such as tourism style properties.

- As well as the core budget (£2.174 million) and total WG accommodation grant funding (£986,000), the service has also seen an increase in rental income relating to Housing Benefits claimed by tenants who have been supported with homelessness accommodation (£450,000). The net impact is a projected over spend on accommodation of £890,000.
- The Council has seen a significant increase in the provision of temporary accommodation from 601 households and 965 individuals between April 2022 to March 2023, to 659 households and 1,034 individuals between April 2023 and March 2024. The projected accommodation spend for 2024-25 is based on supporting 260 households and 434 individuals as at September 2024 which is a decrease compared to the 284 households and 523 individuals supported as at September 2023.
- Measures to support the delivery of CEX21 – review of Homelessness Service, are in the early stages of implementation but are projected to meet the saving in full. Longer term arrangements are more cost effective. There has also been an increase in the use of the 'Alternative to Bed & Breakfast' service, which again is more cost effective when compared to tourism style units. The budget will require close monitoring throughout 2024-25 in line with any further changes in support required for homelessness accommodation.
- The projected over spend of £890,000 on accommodation is offset by projected under spends on the Brynmenyn Homeless Centre (£135,000) due to an increase in Housing Benefit income levels, staff vacancies (£40,000) and maximisation of Supporting People grant (£124,000).

Legal

- There is a projected net over spend of £612,000 across Legal, Democratic and Regulatory services, a reduction of £26,000 since quarter 1.
- There is a projected over spend on staffing budgets within Legal services of £77,000, which is partly due to the timing of the implementation of the MTFS proposal CEX13 – restructure of Legal Services (£60,000).
- Regulatory Services (Licencing, Public Health, Pest Control) is projecting a net over spend of £165,000. This is primarily due to the projected under recoupment of income for taxi examination and licence fees (£84,000). Whilst a similar shortfall was experienced in 2023-24 it was offset by a £74,000 refund being received in relation to the Shared Regulatory Service. The balance is due to the projected shortfall on CEX 8 – Charging the public for Pest control Services (£36,000) based on income levels to date
- The balance of the projected over spend is due to legal fees continuing to be a budget pressure. Whilst Council approved £300,000 to support the increase in legal fees being experienced, the complex cases requiring King's Counsel have continued in 2024-25, and the service area is projecting an over spend of £181,000 (£204,000 projected over spend at quarter 1).

ICT

- There is a projected net over spend of £333,000 across ICT budgets which has reduced by £9,000 since quarter 1. This is primarily due to the projected shortfall of £234,000 against the MTFS saving CEX 22 – Review of ICT services, with a planned review of telephony budgets across the Council due to take place during quarter 3. Further updates will be provided to Cabinet in future revenue monitoring reports as this review is implemented. As experienced in 2023-24 there continues to be increased expenditure as a result of rising postage costs (£58,000).

Finance

- There is a projected net over spend of £179,000 across Finance, a reduction of £24,000 since quarter 1. This is primarily due to a projected shortfall of £158,000 on Department for Work and Pension (DWP) subsidy contributions towards housing benefit payments (£113,000 at quarter 1) in Bridgend. Any Housing Benefit award paid over the subsidy level is borne by the Council as the DWP does not fully fund all Housing Benefit expenditure – for example there are a number of tenancy arrangements whereby the subsidy is limited to historic local housing allowance rates or restricted by rent officer determinations.
- The balance is mainly due to the shortfall against CEX 25 – staff savings from Finance senior management (£35,000).

Human Resources/Organisational Development

- There is a net projected over spend of £49,000 within Human Resources and Organisational Development which has improved since the quarter 1 projected over spend of £135,000. The underlying projected over spend is due to the timing of the implementation of CEX16 – Restructure of HR Service (£86,000) which has been partly mitigated by an increase in projected under spends on overall HR staffing budgets.

3.3.5 Council Wide budgets

This section includes budgets, provisions and services which are council wide, and not managed by an individual directorate. The net budget for 2024-25 is £55.808 million. Current projections anticipate an under spend against this budget of £2.004 million. The main variances are:-

COUNCIL WIDE BUDGETS	Net Budget	Projected Outturn	Projected Variance Over/(under) budget	% Variance
	£'000	£'000	£'000	
Capital Financing	7,052	5,446	(1,606)	-22.77%
Council Tax Reduction Scheme	16,054	16,763	709	4.41%
Other Corporate Budgets	23,493	22,443	(1,050)	-4.47%

Capital Financing

- The projected under spend of £1.606 million mainly relates to additional interest anticipated from current investments due to the increase in interest rates in 2023-24 currently being sustained in 2024-25 by the Bank of England. A 5.25% interest rate was held from August 2023 to July 2024. Interest rates were cut from 5.25% to 5% in August 2024 with suggestions that interest rates could be cut more quickly if price rises remain under control.
- It should also be noted that this will not be a recurring under spend as the Council approved new Highways' and Children's Playground refurbishments in the Capital Programme in March 2023 to be funded from a combination of unallocated capital funding and prudential borrowing.

Council Tax Reduction Scheme

- There is currently a projected over spend of £709,000 on the Council Tax Reduction Scheme which has reduced from the £861,000 projected over spend at quarter 1. This is a demand led budget and take-up is difficult to predict. The projected take-up

for 2024-25 is higher than in 2023-24 when the gross spend in this budget area was £15.566 million, which is as a consequence of the 9.5% increase in council tax in 2024-25. Cases will continue to be reviewed closely during the year to ensure that only those entitled to receive support continue to do so.

Other Corporate Budgets

- As referred to in paragraph 3.1.12 and 3.1.13, due to the ongoing discussions regarding pay claims and the risk on price inflation increases, at this point in the financial year it is prudent to assume that the majority of Council wide budgets will be fully spent by the year end. Close monitoring of these budgets will be required for the remainder of 2024-25.

3.4 Earmarked Reserves

- 3.4.1 The cumulative revenue draw down by directorates is £1.696 million as shown in Table 4 below. The majority of the draw down from earmarked reserves takes place in the later stages of the financial year, especially on capital and grant funded schemes. In addition, school balances are not adjusted until the year end – an overall draw down in year of £7.114 million from school balances is currently projected, which would leave a negative balance to be managed by the Council
- 3.4.2 A thorough review of earmarked reserves will be undertaken by Corporate Management Board during quarter 3 of 2024-25, including an assessment of the draw down profile and re-profiling of existing earmarked reserves. The assessment will also include identifying earmarked reserves that can be unwound in order to fund emerging risks for the Council as a whole in 2024-25 onwards. It should be noted, however, that the net over spend position of £7.054 million for 2023-24 already necessitated the unwinding of £6.952 million of existing earmarked reserves to balance the budget at year end, leaving less capacity to do this again in 2024-25.

Table 4 – Usable Revenue Earmarked Reserves (Excluding Council Fund) – Quarter 2

Opening Balance 01 Apr 24	Reserve	Net Additions/ Reclassification	Draw-down	Unwound	Closing Balance 30 Sep 24
£'000		£'000	£'000	£'000	£'000
	Corporate Reserves:				
2,772	Asset Management Reserves	(30)	(140)	-	2,603
1,330	Major Claims & Insurance Reserves	-	-	-	1,330
1,893	Service Reconfiguration	-	-	-	1,893
1,794	Change Management/Digital Transformation	(538)	(253)	(85)	919
500	Economic and Future Resilience Fund	-	-	-	500
2,406	Other Corporate Reserves	-	-	-	2,406
10,695	Total Corporate Reserves	(568)	(393)	(85)	9,650
	Directorate Reserves:				
811	Education & Family Support	-	(129)	-	682
2,676	Social Services & Wellbeing	506	(645)	-	2,537
1,442	Communities	-	-	-	1,442
1,740	Chief Executives	520	(476)	-	1,785
6,668	Total Directorate Reserves	1,027	(1,251)	-	6,444
	Equalisation & Grant Reserves:				
1,278	Education & Family Support	(914)	-	-	363
90	Social Services & Wellbeing	-	-	-	90
2,359	Communities	4	(30)	-	2,333
279	Chief Executives	-	(23)	-	256
4,005	Equalisation & Grant Reserves:	(910)	(52)	-	3,043
2,405	School Balances	-	-	-	2,405
23,774	TOTAL RESERVES	(451)	(1,696)	(85)	21,542

3.4.3 In addition to the usable revenue reserves in Table 4, there are currently £40.762 million of other earmarked reserves funding schemes within the capital programme.

4. Equality implications (including Socio-economic Duty and Welsh Language)

4.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

5.1 The Act provides the basis for driving a different kind of public service in Wales, with 5 ways of working to guide how public services should work to deliver for people. The well-being objectives are designed to complement each other and are part of an integrated way of working to improve well-being for the people of Bridgend. The

allocation of budget determines the extent to which the Council's well-being objectives can be delivered. It is considered that there will be no significant or unacceptable impacts upon the achievement of the well-being goals or objectives as a result of this report.

6. Climate Change Implications

6.1 There are no direct implications arising from this report.

7. Safeguarding and Corporate Parent Implications

7.1 There are no direct implications arising from this report.

8. Financial Implications

8.1 These are reflected in the body of the report.

9. Recommendations

9.1 Cabinet is recommended to:

- note the projected year end revenue position for 2024-25

Background documents: Individual Directorate Monitoring Reports

PRIOR YEAR BUDGET REDUCTIONS CARRIED FORWARD INTO 2024-25

Ref.	Budget Reduction Proposal		Original Reduction and RAG £000	Total amount of saving likely to be achieved by 24-25 £000	Reason why not achievable	Proposed Action in 2024-25 to achieve
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RAG STATUS KEY

RED	Not likely to be achieved at all in this financial year or less than 25%.
AMBER	Reduction not likely to be achieved in full in financial year but greater than 25%
GREEN	Reduction likely to be achieved in full

EDUCATION, EARLY YEARS AND YOUNG PEOPLE

EDFS1 (2023-24)	Delegate some school transport responsibilities to The Bridge Pupil Referral Unit under a new delivery model to deliver efficiency savings		40	40	During 2023-24 officers investigated the practicalities and implications of a bespoke transport arrangement for the Bridge Alternative Provision. It was determined that without capital investment to purchase a vehicle and additional staff resources that the proposal was not possible to be delivered. The transport budget for The Bridge has been re-instated to 2022-23 levels. Since September 2023, the approach taken in relation to supporting Post 16 learners with college passes has been changed, with the £40K savings now anticipated to be made on the Post 16 transport budget.	No further action required in 2024-25.
Total Education, Early Years and Young People			40	40		

COMMUNITIES

COM 2 (2021-22)	Re-location of Community Recycling Centre from Tythegston to Pyle resulting in cessation of lease payments at existing site		60	0	The new site opened during quarter 4 of 2023-24. The timing of the opening meant that exit terms of the lease are being finalised in 2024-25. Once these have been finalised, the full saving will be made.	The service will endeavour to meet any shortfall in the saving through alternative one off efficiencies in 2024-25 to deliver a balanced budget position.
COM 3 (2022-23)	Change the composition of Household Food Waste Bags		35	89	The budget reduction proposal was delayed in 2023-24 until the outcome of national research had been completed to ensure any potential changes in legislation did not impact on this proposal. The new waste contractors from 1st April 2024 have implemented the change of composition, therefore the saving will be made in full during 2024-25.	No further action required. The new waste contractors from 1st April 2024 have implemented the change of composition, therefore the saving will be made in full during 2024-25.
COM 4 (2022-23)	Remove Business in Focus from running Enterprise Centres in Bridgend		20	20	Review of Business in Focus operating model continues to be explored to identify operating efficiencies with a view to restructuring the management agreement with Business in Focus to deliver this saving in full in 2024-25.	None required - 2024-25 will see the delivery of this saving target in full.
COM 5 (2022-23)	Commercially let a wing of Ravens court to a partner organisation or business		50	25	The service are hoping to achieve 50% of the savings in 2024-25 due to delays to implementing the proposal.	The service will endeavour to meet any shortfall in the saving through alternative one off efficiencies in 2024-25 to deliver a balanced budget position.
COM 1 (2023-24)	Closure of each of the Community Recycling Centre sites for one weekday per week		50	50	Public consultation on this proposal was held between 30 June and 12 September 2023, with the outcome reported to Cabinet on 21 November 2023, when the proposal was approved. A marginal saving was made in 2023-24 with the full saving being realised in 2024-25.	None required - 2024-25 will see the delivery of this saving target in full.
COM 2 (2023-24)	Charging Blue Badge Holders for parking		40	0	The traffic management team were engaged in the introduction of the default national speed limit in built up areas. The saving proposal was not achieved in 2023-24 due to the processes required to introduce any change.	A staff member has commenced work on this proposal. It requires a full order making process which is typically 12-18 months. Progress will be determined by this process and updates will continue to be provided to Cabinet.
COM 3 (2023-24)	Commercially let two wings of Ravens court to a partner organisation or business		120	60	The service are hoping to achieve 50% of the savings in 2024-25 due to delays to implementing the proposal.	The service will endeavour to meet any shortfall in the saving through alternative one off efficiencies in 2024-25 to deliver a balanced budget position.
Total Communities Directorate			375	244		

GRAND TOTAL OUTSTANDING REDUCTIONS			415	284		
REDUCTIONS SHORTFALL				131		

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MONITORING OF 2024-25 BUDGET REDUCTIONS

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Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
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EDUCATION, EARLY YEARS AND YOUNG PEOPLE (FORMERLY EDUCATION AND FAMILY SUPPORT)

CENTRAL EDUCATION, EARLY YEARS AND YOUNG PEOPLE

EDFS1	Reduction in staff mileage budgets	During the pandemic, most meetings were arranged virtually, instead of in person. This arrangement has continued in part with hybrid working, although there are clear cases where in-person meetings are essential. The result is that spend on mileage is less than pre-pandemic levels, and budgets can be reduced accordingly with limited impact on service provision, but positive benefits for achieving net carbon zero.	18	7	18	Full saving should be achieved in 2024-25.
EDFS2	Directorate Vacancy Management Factor	The introduction of an average 3% vacancy factor across the directorate - excluding schools, front-line services and grant-funded and income-generating posts. Recruitment has been an issue across the Council in recent years and there have been underspends in many services which cannot recruit to vacant posts. This target will need to be managed carefully and reviewed to ensure it is achievable.	342	153	320	The Directorate has implemented a very strict regime of vacancy management, and this has resulted in significant savings. Holding vacancies has also increased pressure on existing staff and in some areas exacerbated waiting lists for services. The projected saving at quarter 2 is £320,000, however the Head of Service anticipates additional savings before year end in order to achieve the full saving proposal.
EDFS7	Income generation opportunities within the Music Service	Interest in developing a training function for schools provided by the Bridgend Music Service but this has not been costed and at a time when schools are looking to manage their service level agreements (SLAs) very carefully, this might not be possible. The national music service grant is subsidising this at the moment.	3	3	3	Full saving should be achieved in 2024-25.
EDFS8	Increase price of school meals by 30p (saving is limited due to the roll out of the universal primary free school meals (UPFSM) initiative)	The cost of school meal in Bridgend is currently one of the lowest in Wales. It is anticipated that an increase of 30p per meal would still see Bridgend as being in the bottom quartile of school meal cost across Wales. It is worth noting that there may be a decline in the take-up of a school meal following previous price increases and this may negate any savings.	30	8	30	Full saving should be achieved in 2024-25.
EDFS9	Cessation of Adult Community Learning (ACL) provision	This would result in staff redundancies. There could be alternative options available via external partners. This saving could lead to the partnership being weakened. There will also be a loss of presence felt within local communities.	149	0	0	The process is underway for cessation of the ACL service with the outcome of the consultation process to be finalised in quarter 3 of 2024-25.

MONITORING OF 2024-25 BUDGET REDUCTIONS

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Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
EDFS11	Reduction in contribution to Central South Consortium	Welsh Government is currently reviewing school improvement arrangements in Wales. The review is due to report in late spring/early summer 2024. We would look to reduce some of the central administrative functions rather than frontline services (improvement partners/principal improvement partners).	35	35	35	Full saving should be achieved in 2024-25.
EDFS12	Educational Psychology Service - Reduction in equipment, mileage and staff	This may result in educational psychologists not using latest test materials for their assessments which may mean results are invalid. This could also result in a potential reduction in in-person visits to schools and an increase in online sessions. This could result in the local authority being unable to meet its statutory duties under legislation, as the statutory role of educational psychologists could not be met due to reduced capacity. The local authority could be open to legal and tribunal challenge due to missed timescales and failure to meet its statutory duties. Unidentified needs of learners and significant placement breakdowns could lead to an increase in out-of-county specialist placements requested at additional cost.	38	10	38	Full saving should be achieved in 2024-25.
EDFS13	ALN Statutory Team - reduction to staffing structure	The local authority could be unable to meet its statutory duties. The local authority could be open to legal and tribunal challenge due to missed timescales.	17	5	17	Full saving should be achieved in 2024-25.
EDFS14	Early Years ALN, Cognition and Learning and Complex Medical and Motor Impairment - review of pay grades, reduction in staffing numbers	There could be a reduction in training offered to schools. The team may be unable to oversee the Observation and Learning Resource Centres at the current level. The early identification of needs of pupils may not be identified as quickly as desired. Schools may not have expertise to support pupils and needs escalate.	50	9	50	Full saving should be achieved in 2024-25.
EDFS15	The Bridge Alternative Provision - staffing reductions and charging schools for hospital education	The setting may be unable to offer pupils the option to continue their studies through the medium of Welsh (previous Estyn recommendation). There could be insufficient staff to pupil ratios which could have potential safeguarding risks and limit the number of pupils The Bridge is able to accommodate.	81	21	81	Full saving should be achieved in 2024-25.
EDFS16	Learner Support - staffing reductions	There is a statutory requirement to support young people with additional learning needs up to the age of 25. This saving could result in schools being unable to effectively manage additional learning provision, therefore potentially causing more local authority individual development plans which could cost the local authority more. This could result in an increased risk of tribunals.	16	4	16	Full saving should be achieved in 2024-25.
EDFS17	School Modernisation budgets - review of staffing and non-staffing budgets	This could result in challenges in respect of site maintenance. This could also impact on the delivery of some capital projects.	22	22	22	Full saving should be achieved in 2024-25.

MONITORING OF 2024-25 BUDGET REDUCTIONS

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Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
EDFS18	Sensory Team - Hearing and visual impairment - review of staffing and non staffing budgets	This could result in a failure to meet statutory duties for hearing impaired (HI) and visually impaired (VI) learners. Learners with a HI and VI may be unable to access visits and in class support, modified resources and the school curriculum. This could result in the Learning Resource Centre not being staffed fully.	35	9	35	Full saving should be achieved in 2024-25.
EDFS19	Communication and Relationships Team - Referrals only accepted for pupils who are at risk of permanent exclusion and placement breaking down. No longer completing observations for the ND Pathway	This could result in schools not following the local authority graduated response due to waiting times of support being implemented. Pupils placed on reduced timetables while schools await action plans could increase. This could result in pupils not progressing on the Neurodevelopmental Pathway due to specialist teachers being unable to complete professional recommendations.	142	0	100	No savings have been achieved to date because of the increased demand placed on service and the secondment of the manager. The interim manager is reviewing the service, and a further update will be provided in quarter 3.
EDFS20	Welsh in Education Strategic Plan (WESP) - reduction in translation services and review of staffing	This could result in a less co-ordinated approach to increasing Welsh-medium education and seeking opportunities to engage in activities through the Welsh-medium. WESP Coordinator to translate which would impact the ability to meet targets set within the WESP and could lead to a failure in meeting Welsh Government targets to increase Welsh-medium education.	10	10	10	Full saving should be achieved in 2024-25.
EDFS21	School Music Service - cease payments of all Four counties ensemble financial commitments, cease all hire of vehicles for concerts etc	No offer of collaborative Four Counties activities to learners.	7	7	7	Full saving should be achieved in 2024-25.
EDFS23	Reduction in Catering Services maintenance budget	This could mean a reduction in the purchase of replacement equipment for kitchens and an inability to comply with new refuse legislation from April 2024 for food recycling. This could have an impact on the local authority's resilience to maintain school kitchens effectively.	154	154	154	Full saving should be achieved in 2024-25.
EDFS24	Review of staffing structure within the Education Directorate Support Unit (EDSU)	This could result in several challenges within the directorate's business function arm including the ability to coordinate correspondence, respond to Welsh Government requests and support administrative activity.	63	63	63	Two vacant posts in this service area contributed £72K in savings - £9K above target. This £9K has been used to contribute to EDF26
EDFS25	Review of staffing structures and non-staffing budgets within the Corporate Health and Safety Unit (CHSU)	This could result in less specialist health and safety support available across the organisation and may require the local authority to purchase additional external support if required at a later date.	40	40	40	One vacant post in this service area contributed saving that are £9K above target. This £9K has been used to contribute to EDF26
EDFS26	Review of staffing structure within Pupil Services	This could result in the directorate having less ability to discharge statutory functions (that is, school admissions, child performance licensing, chaperone licensing, child employment and the appointment of local authority governors).	18	18	18	See comments under EDF24 and EDF25
EDFS27	Review of staffing structures within Early Help	This could result in increased referrals to statutory services such as Social Care, and Child and Adolescent Mental Health Services (CAMHS). This could result in reduced support for learners, parents and carers.	132	132	132	Full saving should be achieved in 2024-25.

MONITORING OF 2024-25 BUDGET REDUCTIONS

Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
EDFS28	Youth Support - redistribution of resources including the provision of a mobile youth support facility	This could result in a lack of appropriate spaces for young people to socialise can lead to them becoming isolated which in turn has a negative impact on their emotional wellbeing and mental health. This impact could be mitigated by the use of the new mobile youth provision vehicle.	26	26	26	Full saving should be achieved in 2024-25.
EDFS29	Early Years and Childcare Team - reduction to project delivery budget (for example, training and grants available to childcare settings)	This could result in reduced training opportunities for the sector and the possibility of the team being unable to meet statutory requirements.	14	14	14	Full saving should be achieved in 2024-25.
EDFS30	Edge of Care Services - staffing restructure	This could result in a reduction of services to children and families.	84	84	84	Full saving should be achieved in 2024-25.
EDFS31	Youth Justice Service - review of staffing and non-staffing budgets	Loss of external provision could mean that the Bridgend Youth Justice Service would need to deploy an alternative operating model which may result in a decreased offer to young people.	34	34	34	Full saving should be achieved in 2024-25.
	Total Education, Early Years and Young People		1,560	868	1,347	

SCHOOLS

SCH1	Efficiency savings against School Delegated Budgets - 3% in 2024-2025 then 2% for 2025-26 and 1% thereafter.	It is important to note that some of this impact may be mitigated by the financial support provided to schools from the local authority in assisting schools to meet cost pressures in relation to pay and pensions, and energy. Further to discussion with headteachers, the following potential impacts have been identified: 1. Risk of increased school deficit positions; 2. Potential to result in some teacher and other staff redundancies; 3. Increase in class sizes; 4. Loss of interventions; 5. Increase in staff absence; 6. Low staff morale; 7. Increased workload; 8. Reduced curriculum offer; 9. Reduced leadership/strategic thinking time; 10. Potential inability to meet statutory requirements; 11. Decrease in adult support in classrooms; 12. Increase in pupil exclusions; 13. Decline in standards; 14. Reduction in ability maintain school buildings; 15. Limited extra-curricular activity; 16. Increase in referrals for behaviour support; 17. Reduced support for learners with additional needs; 18. Reduction in professional learning opportunities; 19. Loss of expertise due to teachers and senior leaders leaving the profession.	3,441	3,441	3,441	Savings achieved due to overall reduction in Individual Schools Budget (ISB). However, reduced budgets have resulted in total projected deficit balances for schools at year end in excess of £4.709m at quarter 2.
	Total Schools		3,441	3,441	3,441	
	Total Education, Early Years and Young People Directorate		5,001	4,309	4,788	

MONITORING OF 2024-25 BUDGET REDUCTIONS

Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
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SOCIAL SERVICES AND WELLBEING

SSW1	Reduction in staff mileage budgets	During the pandemic most meetings were arranged virtually, instead of in person. This arrangement has continued in the main since then with hybrid working, although there are clear cases where in-person meetings are essential, with the result that spend on mileage is less than pre-pandemic levels, and budgets can be reduced accordingly with no impact on service provision, but positive benefits for achieving net carbon zero.	128	64	128	Full saving should be achieved in 2024-25.
SSW2	Directorate Vacancy Management Factor	The introduction of an average 3% vacancy factor across the directorate - excluding front line services and grant funded and income generating posts. Recruitment has been an issue across the Council in recent years and there have been underspends in many services which cannot recruit to vacant posts. This target will need to be managed carefully and reviewed to ensure it is achievable.	255	128	255	Full saving should be achieved in 2024-25.
SSW3	Non Residential Charges Income Generation	Review of the service pricing model and increasing unit costs with a view to generating additional income. Based on unit cost increase of 7.5%. Services are provided to vulnerable adults following an assessment of need. There is risk that individuals will cancel care packages and not have their needs met which could result in higher packages of care required in the future cost and/or an increase in debt recovery. Welsh Government has set a maximum charge of £100 per week that can be charged to an individual for non-residential care, so for those people already paying the maximum amount no additional income will be generated. In terms of flat rate charges such as Transport and Meals, no additional income can be generated under the current regulations.	75	38	75	Full saving should be achieved in 2024-25.
SSW4	Remodelling Day Opportunities	As part of the wider prevention and wellbeing agenda the service is reviewing all daytime opportunities to create environments in vibrant and compassionate communities that offer a wide and diverse opportunity. This will enable the department to review how the localised community hubs are operated and managed. This will include transport arrangements, management structures and overall operation and service that is delivered. The review will include a rebalance of who operate day time services in Bridgend but could reduce the numbers attending and /or a reduction in current service provision.	200	54	200	Plans are in place and full saving should be achieved in 2024-25.
SSW5	Direct Payments Reimbursements	Invest to save proposal approved to fund a staff member to manage individual direct payment cases and action surplus fund reclaims to reduce overall spend. The savings target is net of the costs of implementing this proposal.	250	250	250	Full saving should be achieved in 2024-25.

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Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
SSW7	Review opportunities to amend the current energy payment arrangements for the leisure contract	A formal review and extension of contract could enable a change to how energy is paid for within the partnership with a positive impact on costs. Halo currently pay their energy bills directly but if BCBC were to pay there is greater economies of scale and potential tax savings. It would likely need a contract extension and review of the contract to justify such a change.	45	0	0	Advice received as to steps required to amend the partnership agreement to support the savings proposal. Update report required for Cabinet to seek approval for required changes
SSW8	Review the full repairing lease aspect of the Health Living Partnership Programme contract and opportunities to invest differently or less within the leisure estate	The poor condition and need for investment of the leisure assets was a key driver in the development of the healthy living partnership and there have been improvements and scheduled maintenance at all venues since 2012. Council may wish to review how much funding it wishes to be spent on asset repairs and maintenance and whether the full repairing lease can be reviewed. Some small reductions may be possible by reviewing options for investment. The impact would be increased pressure on the capital/minor works programme to cover repair and replacement requirements and potentially not all investment needs would be met. The contractual implications of the outcome of the review will need to be considered.	50	0	50	Contract negotiation required to implement saving proposal in development, however full saving should be achieved in 2024-25.
SSW9	Review the operating costs of leisure facilities	The operating costs of the leisure buildings have progressively improved since 2012 and as such the financial savings from building closures have reduced. A review of opening hours will deliver some efficiencies in 2024. A broader leisure strategy is being developed which will inform the remodelling of leisure in the county borough for future years.	30	0	30	Full saving should be achieved in 2024-25.
SSW11	BCBC to waive protections on concessionary pricing and discounted rates for the more vulnerable in leisure settings	These categories of user have been developed in line with the terms of the leisure contract seeking to support our most vulnerable by reducing cost as a barrier to accessing services that support wellbeing. There has been success in this and large numbers of people benefit from concessions including the means tested access to leisure scheme. This subsidy could be removed but risks would include levels of participation reducing and also related income. Many of the beneficiaries in this category are means tested. This may challenge the socio economic duty. These individuals are part of communities which have the lowest mortality rates and the highest burden of chronic disease in the county borough.	15	0	15	Full saving should be achieved in 2024-25.
SSW13	Council to reduce its investment into cultural services including the availability of buildings, services or resources relating to its libraries, supported employment, community venues and arts programmes	Will include consideration of a reduction in library opening hours, library resources, community centres, supported employment for people with disabilities, arts activity and resources (for BCBC to determine) and other services or venues managed on behalf of the Council. It will be for Council to determine the contractual changes it requires and the related changes to the partnership agreement. For some services there will potentially be the need for public engagement or consultation.	360	65	95	Cabinet report in May 2024 approved £50K reduction to book fund and removal of £15K subsidy for the Youth Theatre, along with public engagement over how future savings can be achieved. Maximisation of Shared Prosperity Fund will mitigate the shortfall against this proposal in 2024-25.

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Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
SSW14	Dual use facilities operated in partnership with schools to increase income generation in line with fees and charging policy	Sites are operated on a shared usage basis with management agreements. They benefit schools during the day and community beyond. In a number of instances external investment has developed facilities. An opportunity to increase charges and deliver a small saving. Operating costs have increased in recent times and no uplift. We would be looking to increase charges by a further 10%.	8	4	8	Full saving should be achieved in 2024-25.
SSW15	BCBC to withdraw or reduce its commitment to older persons strategy, ageing well in Bridgend and becoming an age friendly community	This would see a reduction to the older persons strategy budget which would limit BCBC to lead on Age Friendly Communities workstreams going forward. This is currently in the corporate plan. If agreed, this would require the policy to be changed. The grant to Cruse is also currently funded from this cost centre so a £20k reduction applicable overall.	15	15	15	Full saving should be achieved in 2024-25.
SSW17	BCBC consider efficiency savings from Third Sector Contracts - bereavement services	Annual grant payment which is a small contribution to larger scale service providing bereavement support for a range of circumstances. Will have been in demand during the pandemic period in particular. Would remove an important support service for those experiencing bereavement.	5	4	4	Notice served covering a 10 months saving in 2024-25.
SSW18	BCBC consider efficiency savings from Third Sector Contracts - dementia services	Annual grant payment, for which we are currently reviewing the specification, its need and how services to support people awaiting or receiving diagnosis fit within overall support available locally and regionally. Numbers of people experiencing dementia predicted to grow and reducing the resource would create demand for alternative support or services.	57	47	47	Notice served covering a 10 months saving in 2024-25.
SSW19	BCBC consider efficiency savings from Third Sector Contracts - stroke services	The service is commissioned by health, where BCBC made a 20% funding contribution. This reduction would impact directly on people who receive these services. The individual impact assessments are in development.	20	20	20	Full saving should be achieved in 2024-25.
SSW21	Reduction to the Healthy Living Partnership Management Fee from 2024-25	The saving will be achieved due to re-profiling the management fee and successfully securing funding from other sources to undertake improvement works/maintenance works that HALO would have otherwise undertaken. Extending the contract would support further potential for savings (SSW6). £164k of this saving relates to Management Fee and £36k relates to Leisure Client budget.	200	200	200	Full saving should be achieved in 2024-25.
SSW22	BCBC consider efficiency savings from Third Sector Contracts - substance misuse services	This is an annual grant payment, which has the potential to be ceased. An impact assessment will need to be completed as no new referrals from BCBC have been made this year, there is a potential that people receiving this service will need ongoing care and support and result in higher packages.	34	28	28	Notice served covering a 10 months saving in 2024-25.
SSW23	Reduction of the BCBC contribution towards the regional Western Bay adoption service	Based on the recent levels of refunds experienced since 2020-21, a reduction appears reasonable. The main risk is that the service may have an increase in cases where children should be placed for adoption and this will increase the usage of the regional service and associated costs.	250	0	131	Further work is planned over the coming months with the regional service to identify further savings and updates will be provided in future Cabinet reports

MONITORING OF 2024-25 BUDGET REDUCTIONS

Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
SSW24	SCWDWP Training Reductions 1. Reduction in use of external venues for training delivery. 2. Increase offer of hybrid learning opportunities e.g., on-line resources, e-learning and on-line training. 3.External training courses / conferences to be supported only where there is an identified need that cannot be met by in-house resources. 4. Use of internal staff to facilitate training workshops. 5. Reduce the impact of non-attendance at training by introducing a non-attendance charge.	Insufficient availability of internal venues suitable to hold training events. Certain training requires physical attendance and specialist resources. Requires ICT equipment and skills to access on-line activities. External trainers bring specialist knowledge and skills that internal trainers could not replicate.	50	50	50	Full saving should be achieved in 2024-25.
SSW25	Review of support staffing structure	Redundancy costs would have to be paid, risks in service delivery and compliance agenda which could result in poor regulatory judgements.	55	55	55	Full saving should be achieved in 2024-25.
SSW26	Increasing Charges for in-house care homes	Aim for full cost recovery on in-house care home charges	140	70	140	Full saving should be achieved in 2024-25.
SSW27	Reduction of contribution to BAVO SLA by 10%	Financial pressure on BAVO and reduced service provision for citizens of Bridgend	6	6	6	Full saving should be achieved in 2024-25.
	Total Social Services and Wellbeing		2,248	1,098	1,802	

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Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
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COMMUNITIES

COM1	Reduction in staff mileage budgets	During the pandemic most meetings were arranged virtually, instead of in person. This arrangement has continued in the main since then with hybrid working, although there are clear cases where in-person meetings are essential, with the result that spend on mileage is less than pre-pandemic levels, and budgets can be reduced accordingly with no impact on service provision, but positive benefits for achieving net carbon zero.	34	17	34	Full saving should be achieved in 2024-25.
COM2	Directorate Vacancy Management Factor	The introduction of an average 5% vacancy factor across the directorate - excluding front line services and grant funded and income generating posts. Recruitment has been an issue across the Council in recent years and there have been underspends in many services which cannot recruit to vacant posts. This target will need to be managed carefully and reviewed to ensure it is achievable.	500	250	500	The directorate has made 50% savings to date and current projections show the full saving should be achievable in 2024-25. The basis of the projection is that current vacancies would need to be held for the remainder of the financial year. Close monitoring of this target will be required to ensure this is sustainable and quarterly updates provided to Cabinet.
COM3	Increase garden waste subscription cost to £50 per household and £45 for pensioners (Currently £46 per household or £42 for pensioners)	Potential increase in fly tipping. Loss of subscribers especially as it is the second year the subscription has been increased. Increase would not result in full cost recovery under the current contract, but recyclable tonnages contribute to an improved recycling level against Welsh Government targets to reduce the likelihood of penalties.	13	13	13	Full saving should be achieved in 2024-25.
COM4	Increase bulky waste charges from £25 for 3 items to £30	Potential increase in fly tipping especially as it is the second year the charge has been increased. Increase would not result in full cost recovery under the current contract, but recyclable tonnages contribute to an improved recycling level against Welsh Government targets to reduce the likelihood of penalties.	10	2.5	10	Full saving should be achieved in 2024-25.
COM5	Removal of revenue budget used to fund the Council's Cardiff Capital Region City Deal (CCRCD) capital contribution	When the CCRCD was approved by the Council it was agreed that the Council's capital contribution (circa £11.3m) would be funded from revenue contributions and a recurrent budget pressure of £598k was included in the 2017-18 revenue budget. The total funding required is now almost complete which will enable the revenue budget to be reduced accordingly.	598	598	598	Full saving should be achieved in 2024-25.
COM6	Increase fees on Bereavement services, i.e. burial charges by 20%	Income target has been based on historic income levels achieved and the application of a 20% increase to current charges. There is a risk to achieving the income target if there is a reduction in burials compared with the last two years if they return to pre-pandemic levels, or if relatives seek alternative services from neighbouring authorities.	96	24	96	Full saving should be achieved in 2024-25.

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Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
COM7	Review of charging mechanism for the Major Projects Team within Corporate Landlord (Architects) to ensure full cost-recovery	Fees to be aligned to industry standard charge out rates to ensure continued competitive rates reflective of the fair and reasonable costs of providing the service compared to an outsourced solution. Such charge out rates to factor in total costs of the major projects team as a whole. Schemes within the capital programme that are using the services of the Major Projects Team will see an increase in the rates charged to them.	97	0	97	Whilst it is anticipated the full saving should be achieved in 2024-25, it is too early in the financial year to recognise savings to date as saving is based on overall annual productivity of the team.
COM9	Cessation of Shopmobility Scheme	Non statutory service and has ceased since October 2022 following the closure of Brackla 1 Car Park.	21	5	10	Staff consultation required to implement saving proposal. There have been delays due to staff absence, however the process has commenced to review job roles. Consultation is due to commence shortly, with further updates for Cabinet in quarter 3.
COM10	Review of Porthcawl Marina berthing fees with a view to it operating on a full cost recovery basis	This would involve a review of the berth fees and other operational costs to enable full cost recovery.	32	8	32	Fees and Charges increased from 1 April 2024. Operational costs being reviewed to ensure budget reduction proposal is met in full.
COM11	Cessation of the Parks & Playing Fields Development Fund	In the MTFS 2020-21 to 2023-24 Council approved £75,000 of funding, for a period of two financial years, to support voluntary sports clubs based within the county of Bridgend. This funding period has now come to an end so the funding will be removed.	75	75	75	Full saving should be achieved in 2024-25.
COM12	Removal of non-staffing budget within Economic Development	Budget previously used to support delivery of events, pop up business schools e.g. "rebel business school". The reduction in budget will impact on the economic support able to be provided by BCBC for similar events in the future. Will now source external grant funding for this initiative.	13	13	13	Full saving should be achieved in 2024-25.
COM13	Reduce the budget available for the Climate Emergency Response Programme, including ULEV implementation	The Climate Emergency Programme will have to be remodelled. This will impact on the Welsh Government's net zero 2030 target and will now require additional grant funding from external sources or joint working with partners to achieve our ambitious targets.	55	55	55	Full saving should be achieved in 2024-25.
COM14	Office Rationalisation to include closing Raven's Court and the Innovation Centre and sharing accommodation in Civic Offices with the MASH and SWP.	Opportunity to close underused buildings & save running costs. Also to increase close working relations with South Wales Police and MASH and utilise largely unused area of the Civic Offices. Will also be an opportunity to cover 190K of unrealised savings on accommodation from previous years.	73	0	36.5	The service are hoping to achieve 50% of the savings in 2024-25 due to delays to implementing the proposal.
COM15	Reduce weed spray from 3 times to 2 times a year, reversal to former MTFS cut.	Will impact on the perceived visual amenity of the Borough, need to look at this with grass cutting and through biodiversity measures.	12	12	12	Full saving should be achieved in 2024-25.
COM17	Removal of Sponsorship for Major Events Fund	Removal of ability to sponsor major Event in 2024/2025 & receive the benefits that accrue from the global marketing opportunities that events provides. Will need to focus increased marketing activities through partnerships in future years.	25	25	25	Full saving should be achieved in 2024-25.

MONITORING OF 2024-25 BUDGET REDUCTIONS

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Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
COM18	Reduction in County Wide Strategic Regeneration Funds	Will significantly impact regeneration initiatives & remove the ability to match fund external grants and undertake feasibility studies, parking studies etc. Will impact on both by restricting the ability to match fund external grant schemes and provide regeneration opportunities in our towns centres and valleys. No town centre management activities funded in the future, including summer fayres & events.	300	300	300	Full saving should be achieved in 2024-25.
COM19	Reduction in size of strategic regeneration team to release core funding	Redundancy and restructure required. Will reduce the capacity of the team to deliver regeneration schemes, will involve cessation/ omitting of projects and reprioritisation of work. Corporate Plan Obj's 2 & 3 will be impacted by the reduced resourcing so a reduction in the regeneration that can be achieved and the resulting economic benefits. Following commitment will be at risk of not be realised: 1. Deliver a regeneration strategy for the Ogmore and Garw Valleys. 2. Develop funding bids for our valleys, to enhance the economy and stimulate new job opportunities 3. Deliver a commercial property enhancement grant for all valleys high streets, to make them look better and bring properties back into commercial use. 4. Redevelop Bridgend Central Station, including improving the front public area with a transport interchange at the rear, providing links between bus services and trains, in partnership with Welsh Government and Network Rail.	42	42	42	Full saving should be achieved in 2024-25.
COM22	Removal of Trainee Surveyor Post (Currently Vacant)	Reduction in number of posts within the structure will impact on the effectiveness and efficiency of the service area. Removal of succession planning. Will impact posts around it who will have to pick up functions of this role. Possible impact on line manager grade and partial service restructure required	33	33	33	Full saving should be achieved in 2024-25.
COM23	Reduce available property maintenance budgets in Corporate Landlord by up to 10% per asset	Risk to safety and statutory building compliance. Reduction of maintenance activity counter productive for long term asset operation. This reduction would be limited to assets where non essential maintenance items can be removed. Will have a resulting negative affect on teams delivering maintenance functions with reduction in volume of orders, but these reductions have been taken previously and could be taken again if required	100	0	100	Full saving should be achieved in 2024-25. The service continues to look at opportunities to effectively use the Council's minor works budget to support ongoing maintenance spend on corporate assets.
COM26	Cessation of provision of hard copy recycling calendar to all residents	Item is non-provisional so negotiation would be required with the contractor. Portal allows residents to check their collection day online but may cause some issues for those without access to internet.	45	45	45	Full saving should be achieved in 2024-25.
COM28	Letting of former Woodmat Property, Brynmenyn Estate	Would maximise income but result in loss of use of asset for future depot or CRC relocation. Also, Loss of significant power supply at site for future ULEV charging facilities	35	0	0	Ongoing opportunities being sought to achieve this budget reduction proposal, but let not agreed by end of quarter 2. Projections will be updated throughout the financial year as opportunities continue to be sought.

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Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
COM29	Removal of Estimator & Cost Control Manager – DLO (Currently Vacant)	Removal of post would require supervisor to undertake duties of cost control.	45	45	45	Full saving should be achieved in 2024-25.
COM30	Switch Waste collection vehicles from HVO fuel to Diesel	Green deliverability as implementation is straightforward. But would represent a backwards step environmentally switching from green vegetable derived fuel back to a fossil fuel, albeit in WG Co2 reporting mechanisms minor variance.	136	136	136	Full saving should be achieved in 2024-25.
COM31	Release of 2 x vacant strategic transport planning posts	No further work on statutory active travel programme and on development of active travel network and other highway infrastructure improvements impacting viability and future development. Council will not be able to fulfil the Local Development Plan policy requirements and loss of S106 contributions Inability to commit to planning performance agreements for large scale schemes/development resulting in a loss of financial contributions No submission of bids for future transport funding under Levelling Up Fund or Shared Prosperity Fund No further work on current Bridgend strategic transport priorities Failure to comply with statutory duties under the Active Travel Act and national planning policy.	70	70	70	Full saving should be achieved in 2024-25.
Total Communities Directorate			2,460	1,769	2,378	

CHIEF EXECUTIVES

CEX1	Reduction in staff mileage budgets	During the pandemic most meetings were arranged virtually, instead of in person. This arrangement has continued in the main since then with hybrid working, although there are clear cases where in-person meetings are essential, with the result that spend on mileage is less than pre-pandemic levels, and budgets can be reduced accordingly with no impact on service provision, but positive benefits for achieving net carbon zero.	18	10	18	Full saving should be achieved in 2024-25.
CEX2	Directorate Vacancy Management Factor	The introduction of an average 3% vacancy factor across the directorate - excluding front line services and grant funded and income generating posts. Recruitment has been an issue across the Council in recent years and there have been underspends in many services which cannot recruit to vacant posts. This target will need to be managed carefully and reviewed to ensure it is achievable.	510	189	328	Current projections indicate a partial saving should be achieved in 2024-25. Unplanned vacancies will be added to the projection as the financial year progresses to reduce the shortfall.
CEX3	Removal of the security patrols at Brynmenyn House - Homelessness hostel	There have been significant challenges since Covid-19. Numerous Community Safety Partnership meetings have been held with ward Councillors and local residents. The security, alongside additional CCTV cameras and lighting, have been part of a package of measures to support the community cohesion. The removal / reduction of the service, would reduce visibility and ability to react to situations, and potentially increase police presence, as these were reduced due to the presence of the security.	150	150	150	Full saving should be achieved in 2024-25.

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CEX4	Efficiency saving target targeting supplies and services budgets within Housing Solutions	Limited impact as review has identified small historic under spends against this budget category	35	35	35	Full saving should be achieved in 2024-25.
CEX5	Increase Rental income budget at Brynmenyn House - Homelessness hostel	Limited impact as proposal reflects income levels consistently achieved since the Covid-19 pandemic.	63	63	63	Full saving should be achieved in 2024-25.
CEX6	Staffing saving in Finance Section	Staff saving in finance section achieved through removal of vacant posts and potential restructuring. This will place additional pressure on remaining staff, putting deadlines for grant returns and accounts closure at risk, impacting on levels of grant income achievable.	71	71	71	Full saving should be achieved in 2024-25.
CEX7	Reduced contribution to the Regional Internal Audit Service (RIAS)	Requirement for Head of Internal Audit to provide an annual audit opinion on the Council's control environment in relation to governance, risk management and internal control, which may be more difficult if less audit work undertaken. Consultation on the budget also required with other RIAS partners.	27	27	27	Full saving should be achieved in 2024-25.
CEX8	Charging the public for Pest Control Services	Look to implement a full cost recovery model for this service	67	6	31	Based on income achieved to date in quarter 2, it is projected the saving will be partly achieved, however this will be closely monitored as we progress through the year
CEX9	Reduction of ICT Printing costs	Due to the increase in working from home across the authority, savings can be explored in the ICT Print Strategy areas when the printing framework contract is considered for renewal in January 2024. The tender will be designed to be in line with the cultural shifts towards the paperless office agenda.	5	2	5	Full saving should be achieved in 2024-25.
CEX10	Amend the Disclosure and Barring Service (DBS) Policy to only recheck every three years for employees governed by the Care Standards Act 2000, not for all employees who require a DBS.	This approach is being followed in neighbouring authorities, but the impact will be that the employees (outside the Care Standards Act 2000) will only have a DBS on appointment.	30	7	13	Updated policy has been approved by Council and implemented from 1 May 2024.
CEX11	Increase in various Registrars income budgets	Limited impact as proposal reflects income levels consistently achieved since the Covid-19 pandemic.	50	50	50	Full saving should be achieved in 2024-25.
CEX12	Increased income from Registrars' Ceremonies	Increasing the fees charged for Marriages and other ceremonies by 15%. We are currently charging below the Welsh average. The increased cost could potentially reduce demand, however the Registrar's fee is a small percentage of the overall cost of the average wedding budget. It is also an essential requirement for a wedding and it is therefore anticipated that this increase in fee will have minimal impact on demand.	43	22	50	Full saving should be achieved in 2024-25.
CEX13	Restructure of Legal Services	Reduction in capacity, reduction in service delivery, and impact on staffing levels. If the whole saving is agreed this will be the equivalent of 4 posts.	154	62	94	The restructure of Legal Services has been completed. There is a shortfall for 2024-25 due to residual salary costs of posts removed from the structure, however the savings will be made in full from 2025-26.

MONITORING OF 2024-25 BUDGET REDUCTIONS

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Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
CEX14	Reconfiguration of Business Support	Significant reduction in business support management and resilience, creating a single point of failure. Business Support is pivotal to managing the central business support to the Chief Executive, Communities and Education and Family Support Directorates. It will create a significant capacity risk in day-to-day management and add to workload pressure and stress down through the structure. The reconfiguration will look at making additional savings across the teams, but this will impact on such things as providing management information to services, particularly Corporate Landlord, supporting Legal Services accreditation to LEXEL, the ability to support minute taking of HR disciplinary and other such investigations, family support services, Youth Justice Services and performance management.	160	100	105	Shortfall in savings target due to timing of implementation of restructure, mitigated partly by under spends on vacant posts. Saving will be achieved in full by 2025-26.
CEX15	Increase income generated from legal fees for property transactions, S106 Agreements and Highway Agreements	Currently the Service charge a set fee of £2k for the S106 process and highway agreements are based on a percentage of the estimated cost of the works for a highway scheme which is currently 1%. An estimate figure of potential increase in income has been given but this is subject to take up of the service and could be more or less.	20	5	20	Full saving should be achieved in 2024-25.
CEX16	Restructure of HR Service	Reduction in capacity, reduction in service delivery, and impact on staffing levels. If the whole saving is agreed this will be the equivalent of 7 posts.	289	203	203	Phase 1 of the HR service restructure has been completed. There is a shortfall for 2024-25 due to residual salary costs of posts removed in the restructure. Phase 2 is due to commence later in the year.
CEX17	Household Canvas - Reduction / Limited Canvass Door Knocking	Will focus on poor response areas but will draw criticism from Electoral Commission.	9	9	9	Full saving should be achieved in 2024-25.
CEX18	Restructure of Procurement Team	Reduction in capacity, reduction in service delivery, and impact on staffing levels. If the whole saving is agreed this will be the equivalent of 2 posts.	62	35	62	Full saving should be achieved in 2024-25.
CEX19	Restructure of Democratic Services	Reduction in capacity, reduction in service delivery, and impact on staffing levels. If the whole saving is agreed this will be the equivalent of 2 posts.	96	0	80	Restructure is in progress. Shortfall due to timing of implementation of restructure, however full saving should be achieved in 2025-26
CEX20	Restructure of Corporate Policy and Public Affairs Team	Service could not expand and develop as proposed. Graduates could assist until their contract expires (Nov 2024)	45	30	45	Full saving should be achieved in 2024-25.
CEX21	Review of provision of Homelessness Service	Review the options for providing accommodation to those who are homeless by reducing reliance on hotel and private provision	397	199	397	Service area is continuing with the work to reduce the temporary accommodation pressures for single bed units with the aim of reducing the use of the tourism sector.
CEX22	Review of ICT Services	Review the contract for telephony services to commence from April 2024. Review the use of teams in the Authority to reduce software costs. Consider partnership working to support and enhance the ICT provision	398	0	164	Further work to be carried out on a review of the telephony budget across the Council. Update to be provided to Cabinet in future revenue monitoring reports.
CEX23	Review the provision of Partnerships and Customer Services	Reduction in capacity, reduction in service delivery, and impact on staffing levels. Review input from partners where appropriate	216	62	216	Full saving should be achieved in 2024-25.

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CEX24	Reduce subsidy to Citizens Advice Bureau by 10%	Financial pressure on CAB and reduced service provision for citizens of Bridgend	22	22	22	Full saving should be achieved in 2024-25.
CEX25	Staff savings from Finance senior management team	This will require a restructure of the Finance senior management team, and potential redundancies, reducing senior leadership capacity and knowledge and experience, at a time of increasing focus and pressure on council finances. This will place additional pressure on remaining staff.	70	0	35	Shortfall in savings target due to timing of implementation of restructure. Saving will be achieved in full by 2025-26.
CEX26	Increase in Finance income budgets	Increase in charges to the Finance Section's clients, including schools and other services / organisations where the finance team provide support e.g. Consortium of Local Authorities in Wales (CLAW).	28	28	28	Full saving should be achieved in 2024-25.
CEX27	Restructure of the Council's Benefits and Assessment Team	This will require a restructure and potential redundancies. This would be exacerbated by annual reductions to the Housing Benefits Administration Grant, which is £20k in 2024-25. The impact will be longer times taken to process housing benefits and council tax reduction claims, and undertake assessments, and more likelihood of error and fraud.	90	90	90	Full saving should be achieved in 2024-25.
CEX28	Reduction of staffing in the Council Tax section	This proposal will mean the reduction of staffing, resulting in additional pressure on remaining staff, delays in processing council tax queries, and the real likelihood of reductions in the amount of council tax income being collected. The team is already dealing with additional work as a result of the introduction of council tax premiums for empty properties and the forthcoming introduction of premiums for second homes.	63	63	63	Full saving should be achieved in 2024-25.
CEX29	Reduction to the Shared Regulatory Service budget	Reduction in capacity, reduction in service delivery, and impact on staffing levels. Service has been asked to identify savings by three partner Councils and decision will be made by Joint Committee.	58	58	58	Full saving should be achieved in 2024-25.
	Total Chief Executive's Directorate		3,246	1,598	2,532	

CORPORATE/COUNCIL WIDE

CW1	Increased income receivable from investments and loans	No impact in the short term as current income is significantly higher than budget. However, if interest rates fall below pre-pandemic levels then the level of income will fall. The council's cashflow is managed carefully to ensure security, liquidity and yield, so funding is not placed at risk. As reserves are drawn down there will be less funding available for investing and this level of income may not be achievable.	90	90	90	Full saving should be achieved in 2024-25.
	Total Corporate/Council Wide		90	90	90	

MONITORING OF 2024-25 BUDGET REDUCTIONS

Ref.	Budget Reduction Proposal	Impact, including on 5 Ways of Working as set out in the Wellbeing of Future Generations Act	Proposed 2024-25 £'000	Value achieved to date 2024-25 £'000	Value Likely to be Achieved 2024-25 £'000	Reason why not likely to be achievable
	GRAND TOTAL REDUCTIONS		13,045	8,864	11,590	
	REDUCTION SHORTFALL				1,455	
			6,415	3,456	6,317	
			2,243	4,054	3,058	
			4,387	5,535	3,670	
			13,045	13,045	13,045	

BRIDGEND COUNTY BOROUGH COUNCIL	Budget 2024-25			Projected Outturn	Projected Variance Over/(under) budget	% Variance
	Expenditure Budget	Income Budget	Net Budget			
	£'000	£'000	£'000	£'000	£'000	
EDUCATION, EARLY YEARS AND YOUNG PEOPLE						
School Delegated Budgets	135,295	(21,302)	113,993	113,993	-	0.0%
Learner Support	7,835	(1,005)	6,830	8,222	1,392	20.4%
Early Years and Young People	8,731	(4,133)	4,598	4,352	(246)	-5.4%
Strategic Performance and Support	17,272	(4,428)	12,844	13,310	466	3.6%
Schools Support	1,399	(838)	561	612	51	9.1%
Sustainable Communities For Learning	3,940	-	3,940	3,906	(34)	-0.9%
Other Education and Family Support	1,819	(60)	1,759	1,837	78	4.4%
TOTAL EDUCATION AND FAMILY SUPPORT	176,291	(31,766)	144,525	146,232	1,707	1.2%
SOCIAL SERVICES AND WELLBEING						
Adult Social Care	96,023	(24,670)	71,353	73,281	1,928	2.70%
Prevention and Wellbeing	7,466	(1,033)	6,433	6,140	(293)	-4.55%
Childrens Social Care	28,965	(1,120)	27,845	30,666	2,821	10.13%
TOTAL SOCIAL SERVICES AND WELLBEING	132,454	(26,823)	105,631	110,087	4,456	4.2%
COMMUNITIES DIRECTORATE						
Planning & Development Services	2,253	(1,619)	634	725	91	14.4%
Strategic Regeneration	2,082	(1,145)	937	744	(193)	-20.6%
Economy, Natural Resources and Sustainability	13,714	(12,253)	1,461	1,435	(26)	-1.8%
Cleaner Streets and Waste Management	15,161	(1,773)	13,388	13,532	144	1.1%
Highways and Green Spaces	25,385	(13,131)	12,254	12,570	316	2.6%
Director and Head of Operations - Communities	287	-	287	293	6	2.1%
Corporate Landlord	15,544	(12,488)	3,056	3,334	278	9.1%
TOTAL COMMUNITIES	74,426	(42,409)	32,017	32,633	616	1.9%
CHIEF EXECUTIVE'S						
Chief Executive Unit	489	-	489	502	13	2.7%
Finance	39,165	(35,284)	3,881	4,060	179	4.6%
HR/OD	2,269	(398)	1,871	1,920	49	2.6%
Partnerships	3,388	(1,227)	2,161	2,259	98	4.5%
Legal, Democratic & Regulatory	6,909	(1,145)	5,764	6,376	612	10.6%
Elections	176	-	176	154	(22)	-12.5%
ICT	5,053	(1,259)	3,794	4,127	333	8.8%
Housing & Homelessness	11,410	(7,921)	3,489	4,143	654	18.7%
Business Support	1,181	(116)	1,065	1,171	106	10.0%
TOTAL CHIEF EXECUTIVE'S	70,040	(47,350)	22,690	24,712	2,022	8.9%
TOTAL DIRECTORATE BUDGETS	453,211	(148,348)	304,863	313,664	8,801	2.9%
Council Wide Budgets	56,782	(974)	55,808	53,804	(2,004)	-3.6%
NET BRIDGEND CBC	509,993	(149,322)	360,671	367,468	6,797	1.9%

NB: Differences due to rounding of £000's

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Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	TRANSFORMING TOWNS EMPTY PROPERTY ENFORCEMENT FUND
Report Owner / Corporate Director:	CHIEF OFFICER – FINANCE, HOUSING AND CHANGE
Responsible Officer:	MARTIN MORGANS HEAD OF PARTNERSHIPS & HOUSING
Policy Framework and Procedure Rules:	There is no effect upon the Policy Framework and Procedure Rules
Executive Summary:	<p>This report seeks approval to access Welsh Government's Transforming Towns Empty Property Enforcement Fund by entering into loan agreements with Rhondda Cynon Taf County Borough Council as the Authority responsible for the management of the enforcement fund.</p> <p>Bridgend County Borough Council (Bridgend CBC) can apply to Welsh Government for approval for loan funding for an individual property or may submit a multi-project application. The purpose of the loan is to assist local authorities to fund enforcement action to bring long term empty properties back into beneficial use. Currently, Bridgend CBC has three active empty property projects which meet the criteria of the Welsh Government Transforming Towns Empty Property Enforcement Fund. Three separate applications have been submitted to Welsh Government. Two have been approved and one is pending approval. All three are subject to Cabinet approval of this report. Future applications are anticipated.</p>

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval from Cabinet to accept loan funding from Welsh Government's Transforming Towns Empty Property Enforcement Fund and enter into multiple loan agreements with Rhondda Cynon Taf County Borough Council as the Authority responsible for the ongoing management of the Fund.

2. Background

- 2.1 Since 2020, Welsh Government has increasingly focused on town centre regeneration and, as part of this, tackling empty town centre properties. The Welsh Government Transforming Towns Empty Property Enforcement Fund has been created to assist local authorities in bringing empty properties back into use. The aim of the enforcement fund is to provide local authorities with financial support to undertake enforcement action on prominent town centre empty properties or residential properties in any location.
- 2.2 £15,200,000 has been awarded to Rhondda Cynon Taf County Borough Council (Rhondda Cynon Taf CBC), the appointed authority responsible for the management of the loan fund for all 22 local authorities. All local authorities in Wales can apply for loan funding. The fund is a 15-year loan programme (rolling fund), on an interest-free basis, which is repayable in full at the end of the term.
- 2.3 To gain access to this fund, it is a requirement that representatives from the local authority have attended Welsh Government training and produced an empty property enforcement action plan (a living document) for dealing with long-term empty properties through enforcement action. This training was completed in 2021 and the then Cabinet Member for Regeneration and Housing subsequently endorsed the plan. The action plan is discussed and updated on a quarterly basis by members of the Empty Property Working Group.
- 2.4 To access the loan fund, an application form will be sent to Welsh Government. They will review the application and assess each case on its own merits. The application is then approved or rejected. If approved, Welsh Government will notify Rhondda

Cynon Taf CBC of the successful application. Rhondda Cynon Taf CBC will prepare a loan agreement and send this to Bridgend County Borough Council for review and approval. Bridgend County Borough Council will be required to enter into the loan agreement with Rhondda Cynon Taf CBC as the managing authority for the fund.

2.5 There are two options available to the Authority when applying for funding:

2.5.1 **Option 1** - The Authority can make individual applications outlining its business case to Welsh Government on a case-by-case basis. There is no limit on the amount of funding that can be applied for per property.

2.5.2 **Option 2** - The Authority can submit a multi-project application for smaller amounts of work. The maximum loan is £100,000 with a maximum of £30,000 per property.

3. **Current situation / proposal**

3.1 Cabinet is requested to agree the proposal to enter into multiple loan agreements with Rhondda Cynon Taf CBC for the purpose of accessing interest free loan funding under the Transforming Towns Empty Property Enforcement Fund.

3.2 Currently, Bridgend CBC has three active empty property projects which meet the criteria of the Welsh Government Empty Property Enforcement Fund. Three separate applications have been submitted to Welsh Government, utilising option 1 as outlined in paragraph 2.5.1 above. Two have been approved and one is pending approval. These loans will not be taken forward without Cabinet approval.

Project 1 – Bridgend CBC has undertaken work in default to improve the condition of a long-term empty property. The Authority wishes to use the Welsh Government loan to pursue an enforced sale to recover the outstanding debt. This project has been approved by Welsh Government.

Project 2 – Bridgend CBC wishes to use the Welsh Government loan to fund the compulsory purchase process of a long-term empty property. This project has been approved by Welsh Government.

Project 3 - Bridgend CBC has undertaken work in default to improve the condition of a long- term empty property. The Authority wishes to use the Welsh Government loan to pursue an enforced sale to recover the outstanding debt. This project is currently pending approval by Welsh Government.

3.4 Future applications are anticipated and will be determined on a case-by-case basis.

4. Equality implications (including Socio-economic Duty and Welsh Language)

4.1 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 conduct 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.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

5.1 The report contributes to the following goals within the Well-being of Future Generations (Wales) Act 2015:

- A prosperous Wales
- A resilient Wales
- A Wales of cohesive communities
- A globally responsive Wales

5.2 A summary of the Well-being of Future Generations (Wales) Act 2015 assessment is as follows:

Collaboration: Acceptance to receive funding from the Transforming Towns Empty Property Enforcement Fund will enable the Authority to tackle poor quality and unattractive properties. Accessing the funding and delivering the proposals on a case-by-case basis will require collaboration with multiple internal departments and external partners.

Integration: Accessing the funding will enable the Authority to improve properties in disrepair which will impact positively on families who live and work within communities and provide opportunities that may not otherwise be available to them.

Involvement: This funding will enable the Authority to invest and create strong and resilient communities and Welsh culture.

Long Term: The use of this funding will help to reduce the number of long-term empty properties within our communities. It will create much needed accommodation for individuals and families in our area, creating sustainable communities.

Prevention: Accessing this funding will help to reduce the number of long-term empty properties within our communities preventing them from further deterioration and neglect whilst increasing the supply of housing in the area.

6. Climate Change Implications

- 6.1 Utilising Welsh Government loan funding to tackle problematic empty properties contributes positively to the reduction of carbon emissions by re-using old buildings as opposed to constructing new. It minimizes the amount of land used for development and avoids wasting embedded carbon, helping to combat climate change.

7. Safeguarding and Corporate Parent Implications

- 7.1 There are no safeguarding implications arising from this report.

8. Financial Implications

- 8.1 A total of £15,200,000 has been awarded to Rhondda Cynon Taf County Borough Council, the appointed managing authority responsible for the ongoing management of the fund.
- 8.2 Bridgend County Borough Council has the discretion to apply for funding using either Option 1 or Option 2 as detailed in paragraph 2.5 above. This will be decided prior to making an application to Welsh Government. If the Authority opt to submit an

individual application using Option 1 as detailed in paragraph 2.5.1 above, there is no limit on the amount of funding the Authority can apply for, but each application must be supported by a strong business case which will consider the cost implications associated with the enforcement action and the process for bringing the empty property back into beneficial use. If the Authority opt to submit a multi-project application using Option 2 as detailed in paragraph 2.5.2 above, the maximum loan is £100,000 with a maximum of £30,000 per property.

8.3 This is a recyclable fund. Once a successful action has been taken and a property is brought back into use or improved, the loan funding will be repaid to Rhondda Cynon Taf CBC as the managing authority for the fund. It can then be reinvested in another project.

8.4 Loan monies will be issued to Bridgend County Borough Council from Rhondda Cynon Taf CBC to take enforcement action to bring empty properties back into use. The type of enforcement action taken will be determined on a case-by-case basis and will form part of the business plan presented to Welsh Government at the application stage. The following types of enforcement action are examples of where a loan may be used:

8.4.1 **Work in Default** - The Authority can serve an enforcement Notice requiring the empty property owner to undertake improvements within a specified timeframe. If the owner fails to undertake the improvements, the Authority can arrange for the works to be carried out in default. The Authority obtain quotes, instruct contractors and manage the work. On completion of the work, the property owner is invoiced for all costs incurred. The debt is also registered as a local land charge.

8.4.2 **Enforced Sale** –This is a legal process which allows the Authority to sell the empty property to recover the outstanding debt. This may occur where work in default has been undertaken but the owner has failed to pay the invoice.

8.4.3 **Compulsory Purchase Order** – This is a legal process which allows the Authority to take possession of the property. There is no requirement for there

to be an outstanding debt, but this must only be used as a measure of last resort.

- 8.5 If the Authority undertakes work in default and the empty property owner subsequently pays the invoice to clear the debt and there is no further action required, the loan will be repaid to Rhondda Cynon Taf CBC.
- 8.6 If the Authority proceeds with an enforced sale procedure or a compulsory purchase order, the loan will be repaid to Rhondda Cynon Taf CBC on completion of the procedure.
- 8.7 There are situations where the Authority may incur abortive costs or losses. For example, when instigating an enforced sale procedure or a compulsory purchase order the Authority will incur costs for legal advice, valuation and surveys of the property. If the owner subsequently decides to clear the debt or renovate the property prior to the completion of the enforcement action, the Authority will incur these abortive costs. In such situation, these expenses are recoverable from Welsh Government.
- 8.8 There will also be situations where the full loan amount may not be recovered, for example, where the cost of enforcement action is greater than the value of the empty property. Each loan application will be supported by a business plan. The business plan will detail the expected cost of any enforcement action, an estimated value of the property (based on a formal valuation **or** using local property sales data where a valuation is not available) and the risks to the project and the Authority. Welsh Government has provided an undertaking to transfer such losses into a grant to ensure the local authority does not lose money. Any anticipated losses will be highlighted and considered during the application stage. The Authority will only proceed where the benefits of addressing the empty property outweigh the risks associated with the project.
- 8.9 Dependent on the type of enforcement action taken, the works may be considered to be either capital (e.g. compulsory purchase order) or revenue (repairs). Any capital projects will be added to the capital programme as they are approved, to be funded from loans, revenue projects will be administered through the revenue account.

9. Recommendations

- 9.1 It is recommended that Cabinet agree to enter into multiple loan agreements with Rhondda Cynon Taf CBC for the purpose of accessing loan funding under the Transforming Towns Empty Property Enforcement Fund.
- 9.2 It is recommended that Cabinet delegate authority to Head of Partnerships & Housing in consultation with the Chief Officer - Finance, Housing & Change and the Chief Officer - Legal & Regulatory Services, HR & Corporate Policy to:
 - 9.2.1 Negotiate and arrange execution of any loan agreements with Rhondda Cynon Taf CBC as the responsible authority for managing the Transforming Towns Empty Property Enforcement Fund; and
 - 9.2.2 To enter into any further agreements which are ancillary to the purpose.

Background documents

None

Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	TENNIS FACILITIES MANAGEMENT AGREEMENT
Report Owner / Corporate Director:	CORPORATE DIRECTOR COMMUNITIES
Responsible Officer:	ZAK SHELL, HEAD OF OPERATIONS - COMMUNITY SERVICES
Policy Framework and Procedure Rules:	This report has no effect on the Policy Framework and Procedure Rules.
Executive Summary:	Tennis Court Improvements have been made across the borough in association with the Lawn Tennis Association in the sum of £519,469.68 and a decision is required in relation to the appointment of an external operator for the management and maintenance of the courts via an Operator Agreement (Concession Contract).

1. Purpose of Report

- 1.1 The purpose of this report is to update Cabinet on progress made with regards to the development of new tennis facilities across the borough, in conjunction with the Lawn Tennis Association (LTA), and to secure a key decision regarding the appointment of an external operator for the management and maintenance of the courts.

2. Background

- 2.1 In April 2023, Cabinet approved a recommendation to provide funding via the Community Asset Transfer (CAT) fund in the sum of £191,231.90 to enable the refurbishment of nine tennis courts at four locations across the borough: Maesteg Welfare Park, Griffin Park, Caedu Park and Heol Y Cyw. The approval of this funding enabled a further sum of £328,237.78 to be committed by the Lawn Tennis Association via the LTA Park Refurbishment Programme, which sought to refurbish park courts across the UK having received £21.9 million of funding directly from UK Government's Department for Digital, Culture, Media & Sport (DCMS) and an additional £8.4 million from the LTA Tennis Foundation to deliver the programme.
- 2.2 The tennis court improvements were commissioned by Bridgend County Borough Council (BCBC) under a framework agreement that had been arranged by the LTA and assessed by our Procurement and Legal Services Teams to determine compliance with procurement regulations.

- 2.3 At the time of installation, the intention was for an external operator to take over the management and maintenance of the courts, which included the establishment of a sinking fund to enable refurbishment and resurfacing in the coming years, in line with the Operations and Maintenance Manual provided by the specialist contractor upon completion.

3. Current situation/ proposal

- 3.1 The refurbishment of the courts has now been completed, with the courts being made available for public use as noted below:

Location	Opening Date
Heol Y Cyw	17 th August 2023
Caedu Park	17 th August 2023
Maesteg Welfare Park	4 th October 2023
Griffin Park	22 nd May 2024

- 3.2 At present, the courts are being maintained by the Green Spaces department, which includes the need to remove debris and treat surface weeds, as well as the need to conduct regular inspections of the condition of the nets, posts, fencing and gates.
- 3.3 Due to the extent of the maintenance and management required, there is a need to progress with the appointment of an external operator for a period of 15 years.
- 3.4 The tennis courts are enclosed by fencing and accessed by a key-coded gate. As a guide, family passes currently cost £39 per annum and the requirements of the third-party agreement would specify the need for the operator to provide free usage and coaching. The LTA grant funding agreement also requires any third party taking on the day-to-day running of tennis facilities developed by the Park Refurbishment Programme to provide a commitment to working with LTA Operations to deliver a free tennis offer via an organised activity on a Saturday or Sunday at 10am. It is envisaged that such an approach should be adopted for the sites across BCBC by the appointed Operator.
- 3.5 Extensive discussions have been held with Finance and Procurement and in view of the financial restrictions faced by the Council, officers consider that the most cost-effective approach would be to structure the Management Agreement as a concession contract. In effect this means that no payment will be made by the Council for the services to be provided. The value of the contract to any operator will be based on the level of income that it receives over the term and the operator would assume the risk of compliance with the maintenance and refurbishment obligations passed down from the Grant Agreement.
- 3.6 The operation of the sinking fund involves a mechanism whereby a set amount is to be transferred by the operator to BCBC on an annual basis and ringfenced, to enable sufficient funds to be available at the end of the contract for the refurbishment of the courts to their original standard, in line with the obligations in the Grant Agreement.
- 3.7 The Council's Contract Procedure Rules do not apply in circumstances:

Where a procurement is required to be conducted under the Concession Contracts Regulations 2016 or the Utilities Contracts Regulations 2016, provided the use of the Concession Contracts Regulations 2016 or the Utilities Contracts Regulations 2016 has been approved by the Appropriate Body. (CPR 3.1.7)

- 3.8 Under the Concession Contract Regulations 2016, the current threshold for advertising such an agreement in accordance with those regulations is £5,372,609. LTA have provided figures for the projected operator income over a 15-year term for all four sites, which are set out at **Appendix A**. It is apparent from these figures that the total projected income for the period would amount to approx. £250,000. A pre-determined amount of the income per quarter will be transferred to BCBC for holding and to ensure sufficient funds for the resurfacing are available when required and in line with the LTA Operations Manual
- 3.9 In addition, the LTA Toolkit has been used to project the values that would be required to maintain a sinking fund to cover the estimated costs of refurbishment of the courts at years 10-12 and these figures are set out at **Appendix B**. Taking the sinking fund obligations into account, the net projected concession contract value is anticipated to be below £60,000 for the full term of the projection.
- 3.10 If approved by Cabinet, the intention is to develop a concession agreement to incorporate the following aspects:
- Maintenance of the courts in line with LTA recommendations, as defined in the Operation and Maintenance Manual.
 - The establishment of an appropriate sinking fund from revenue generated for maintenance and court resurfacing works. The operator will be required to resurface the courts at the end of their lifecycle (approx. 10-12 years) with the sinking fund utilised to fund these works. These costs are currently estimated to be £1,200 per Macadam court under the LTA Sinking Fund Calculator (<https://www.lta.org.uk/roles-and-venues/venues/tennis-padel-facility-funding-advice/club-sinking-fund/>)
 - Confirmation that the courts are to be handed back in a condition reflecting LTA recommended maintenance and resurfacing schedule ([court-surfaces-guidance.pdf \(lta.org.uk\)](#) at the point the agreement ends.
 - All coaching services, Pay and Play, subscription (annual passes) income will be retained by the operator. The LTA estimates that plausible annual income from the hire of the tennis courts and plausible cashflow by year 5 for each site has been included as a guide at **Appendix A**.
 - Provision of a minimum 15 hours and maximum 30 hours of tennis activity and coaching sessions each week across the three park sites, on a maximum of two tennis courts (where available).
 - Funding of annual Gate access charges (currently £536 excluding-VAT) per park to be paid for by the operator (price subject to change).
 - The development of a comprehensive tennis development programme, to include free provision for underrepresented groups.

The concession arrangement will also require any operator to comply with the following LTA specific requirements:

- All sites to show LTA UK Government Branded Material;
- All sites to be registered with the LTA (free for the period of this agreement);
- All sites to offer LTA accredited Coaching Activities;
- All sites to be bookable through LTA Play
<https://www.lta.org.uk/play/book-a-tennis-court/>
- All sites should be operated through Club Spark and linked to online booking, annual passes and coaching programmes;
- A launch plan should be delivered to raise the awareness of sites in the local communities, which should include a promotional Open Day;
- All sites to participate in Local Tennis Leagues;
- All sites to offer a free LTA Free Park Tennis Programme on Saturday or Sunday Mornings and operator to support the recruitment of Volunteers (Activators) to Lead the programme;
- Courts are strictly for the sole use of tennis activities.

The agreement will include monitoring, reporting and financial management controls to ensure the effective operation of the sinking fund which will be maintained by the Council to ensure oversight, with regular payments to be made as set out in the proposed operator agreement.

- 3.11 In order for the operator to provide the services noted above, the acquisition, training and use of tennis coaches registered with the LTA will be required. As part of the LTA Tennis Coach training programme, coaches must be accredited which includes holding relevant DBS checks and undertaking safeguarding and first aid training before they can provide coaching sessions to members of the public. The Operator Agreement will ensure that all coaches are compliant with the necessary requirements of the LTA.
- 3.12 Tennis Wales has approached the Council to express an interest in operating the sites. Whilst in theory, another organisation could operate the sites on the Council's behalf, Officers consider that the concession opportunity would be of very limited value to the wider market due to the low contract value; initial loss-making period; detailed maintenance and refurbishment obligations and LTA requirements. As an affiliate of the LTA, Tennis Wales is best placed to meet the Grant Agreement obligations. In addition, it is a not-for-profit organisation, so it is expected that the service would be provided in the best interests of service users rather than the organisation's own interests. Should Cabinet be minded to approve the grant of a concession, officers may be required to undertake a full assessment to ensure that the arrangement complies with the provisions of the Subsidy Control Act 2022.
- 3.13 Officers have determined that a lease or licence agreement will be required in addition to the Operator Agreement for each of the four sites noting that the Corporate Director – Communities has the necessary delegated authority in accordance with the Council's Scheme of Delegation of Functions.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 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.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 This report assists in the achievement of the following corporate well-being objectives under the Well-being of Future Generations (Wales) Act 2015:
- Long Term – The appointment of the operator will enable the specialised maintenance and upkeep of the newly-installed facilities in the short term, as well as providing provision for the resurfacing of the courts after 8-10 years, ensuring a high-quality facility is available for future generations.
 - Prevention – The operator identified is a Wales-based organisation, providing employment to local people and will work with established groups to provide a service appropriate for the local community in each area identified. The transfer of the responsibilities in relation to the maintenance and resurfacing of the courts would enable an experienced organisation to ensure the safeguarding of the facilities for future generations and reduce the need for reliance on BCBC for the provision of this service.
 - Integration – The contract for this service will be awarded via a concession contract. Any income received by the operator will be utilised for the maintenance and upkeep of the facilities, as well as resurfacing the courts after 8-10 years, ensuring a high-quality facility is available for future generations. The inclusion of Welsh language has been considered and a requirement of the agreement will include the need for services to be provided bilingually where possible.
 - Collaboration – BCBC will work with the operator to ensure that a fit-for-purpose service is being provided with consideration to the needs of the local communities. The concession contract will be implemented via a management agreement, which will include consideration of community engagement (e.g. inclusive tennis sessions). An opportunity for the operator to work in conjunction with the established tennis clubs in Bridgend has already been identified and will be implemented upon appointment of the operator. A strong relationship has already been established between the LTA and BCBC and the LTA and Tennis Wales have a long-running partnership in place.
 - Involvement – The appointed operator will provide a professional coaching service, which includes the provision of sessions to encourage a diverse range of individuals in our community to participate in exercise sessions free of charge, ensuring an inclusive opportunity for these communities. The service

will actively encourage its users to engage with the activities that take place within their community and support contact with friends, family and other members of the public. Through greater engagement individuals should be able to contribute to their communities for longer.

5.2 The appointment of an operator also assists in the achievement of the following corporate well-being objectives:

1. A County Borough where we protect our most vulnerable – By providing an opportunity for our communities to access outdoor sporting facilities and encouraging people to lead healthy lives and supporting the wellbeing of unpaid carers, including young carers, to have a life beyond caring, through the provision of free tennis sessions open to all. Coaches appointed by the LTA are subject to rigorous screening procedures, to ensure the safeguarding of our communities.
2. A County Borough with fair work, skilled, high-quality jobs and thriving town – By providing opportunities for residents to undertake coaching qualifications with the LTA, to develop skills which are transferable to the work environment.
3. A County Borough with thriving valleys communities – the refurbishment of tennis courts in four areas across the borough (Caedu Park – Ogmore Vale, Maesteg Welfare Park – Maesteg, Heol-Y-Cyw and Griffin Park – Porthcawl) has already contributed to improving community facilities and making them more accessible, as well as investing in our parks and supporting tourism to the valleys. This contribution will be sustained via the implementation of the proposed operator agreement and the granting of the relevant licences to occupy via a Community Asset Transfer,
4. A County Borough where we help people meet their potential by providing the opportunity for residents to undertake training to enable them to support their communities and develop transferable skills, as well as the provision of free sessions and other programmes for our young people.
5. A County Borough that is responding to the climate and nature emergency by encouraging residents to use our County Borough's parks and greenspaces to get out, have fun and improve their own health and wellbeing.
6. A County Borough where people feel valued, heard and part of their community – By helping clubs and community groups to become involved in the control and improvement of their facilities and protecting them for the future.
7. A County Borough where we support people to live healthy and happy lives – By offering attractive leisure and cultural activities and improving children's

play opportunities, as well as encouraging residents of all ages to lead active and healthy lives and get involved in sports, thus increasing participation in leisure activities.

6. Climate Change Implications

6.1 There are no climate change implications arising from this report.

7. Safeguarding and Corporate Parent Implications

7.1 There are no safeguarding or corporate parent implications arising from this report.

8. Financial Implications

8.1 The current agreement between BCBC and the LTA includes a standard obligation period, which refers to the maintenance requirements over the proposed term of the maintenance agreement (**Appendix D**).

8.2 These responsibilities are currently being managed by the Green Spaces Department and would be transferred to the operator via the proposed management agreement

8.3 Based on the LTA projected calculations in relation to the income and sinking fund requirements (shown at Appendix B), there is unlikely to be any financial implication to the authority, as the income from the courts would be retained and utilised by the operator via a sinking fund for the operation, maintenance and future resurfacing of the courts. The LTA have undertaken the projected calculations of the income and sinking fund based on their previous experience with courts developed across South Wales and the risk of the sinking fund being insufficient is low. Tennis Wales also have the support of the Lawn Tennis Association and the potential for access to further funding streams in the future.

8.4 In mitigation, minimal promotion of the courts has been undertaken at this time, which has already resulted in the purchase of 93 annual passes at a value of £1,653.00 and individual non-member bookings of 1220 at a value of £5,417.50 across all four locations. A total of 1842 bookings have been made by members and non-members to date. Promotion would be significantly increased upon appointment of an operator and include additional opportunities for professional coaching, which is anticipated to significantly increase income.

9. Recommendation(s)

9.1 Cabinet is requested to:

1. Approve the award of a concession contract in the form of an Operator Agreement to Tennis Wales Limited, based on the principles set out in this report;
2. Delegate authority to the Corporate Director – Communities to negotiate the final terms of an operator agreement in consultation with the Chief Officer Finance, Housing and Change and the Chief Officer – Legal and Regulatory Services, HR and Corporate Policy to enter into the Operator Agreement and any

supplementary agreements and to grant any necessary consents required on behalf of the Council.

3. Note that Tennis Wales Limited will be subject to a lease or licence agreement with the Council to reflect the site-specific requirements.

Background documents

None

It is recommended that this form is completed with the assistance of a PDP, in order to produce the most accurate forecast. As a guide there are case studies online that will help with operating models and court rates.

The Local Authority should complete one tab per venue. Please fill in all of the relevant light green boxes.

Site Background

Local Authority	Bridgend County Borough Council	
Site Name	Maesteg	
Postcode	CF34 0AZ	
Deprivation Index	2	Use this tool to determine the index: http://imd-by-postcode.opendatacommunities.org/
Penetration	253	Pre-set to 700, will be updated by your local Participation Development Partner
Court upgrade works required?		
Venue operations outsourced?		If you plan to lease out all operations (court bookings, season tickets & coaching) please select "yes" here

Court Information

Courts at the venue			
Number of non floodlit courts	3	Total at the end of the project	
Number of floodlit courts	0	Total at the end of the project	
Total available court hours	10,512		
Gates required			
Number of gates required	1	All gate access systems must be the same at each venue	
Type of gate system required	SmartAccess Lite	See the LTA website for details of the different gates	
Income assumptions			Comparison Range for IMD levels 2 - 4
Court cost per hour (non FL)	£4.50	Pay and play for non floodlit courts	£5 - £10.6
Court cost per hour (FL)	£0.00	Pay and play for floodlit courts. Usually £2-£3 more expensive than non floodlit	£5 - £11
Season ticket cost	£39.00	Annual price for a household	£0 - £75
Court hours committed to being free	5%	% of court hours you expect to be free for use	
Expected % of court hours sold for pay and play	8%	Based on total court hours across the year	7%
Expected % of households that buy a season ticket	28%	Comparative figures are based on the average for all areas of deprivation. Note that the number of households can be calculated by taking the penetration and dividing by 2.4	23%

Plausable annual profit £289 profit

Income		
- Pay and play	£3,595	
- Season tickets	£1,151	
- Coaching		Enter the annual income expected if there is an agreement to hire courts to a local coach
Total income	£4,746	
Costs		
- Clubspark and Payment Fees	£321	ClubSpark (booking platform) charge 1.4% + 5p per transaction, Stripe (payment platform) charge 1.4% + 20p per transaction
- Gate access maintenance	£380	
- Code lock generator (lta systems only)	£156	
- Court sinking fund	£3,600	
- Registration fees	£0	LTA Venue Registration is free for any venue receiving grant funding for court renovation, for the duration of the funding agreement. After this period, LTA Venue Registration costs are currently £60 per court where charging takes place, otherwise it is FOC.
- Staffing costs		Enter any staff costs specific to the site / reallocated from support costs
- Marketing costs		Enter any specific marketing costs expected to reach participation levels
Total costs	£4,457	
Net annual profit	£289	
Net annual profit per court	£96	

Plausable cashflow £527 by year 5

- Projected cashflow forecast is calculated below assuming:
1. Starting cash position is £0
 2. Pay and play and season tickets sales in year 1 are at 70% of target
 3. Sales reach target stated above by year 2
 4. From year 5 onwards sales increase by 1%
 5. Any loan is repaid over 10 years
6. [Click here for sinking fund calculator](#)

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 20
Starting cash position	£0	(£1,038)	(£749)	(£460)	(£171)	£7,413	£53,276
Projected profit / (loss)	(£1,038)	£289	£289	£289	£698	£2,745	£4,382
LTA loan repayments	£0	£0	£0	£0	£0	£0	£0
Net annual cashflow	(£1,038)	£289	£289	£289	£698	£2,745	£4,382
Closing cash position after sinking fund	(£1,038)	(£749)	(£460)	(£171)	£527	£10,158	£57,658

LTA Local Authority Parks Toolkit - Site Caedu Park, Ogmores Vale

It is recommended that this form is completed with the assistance of a PDP, in order to produce the most accurate forecast. As a guide there are case studies online that will help with operating models and court rates.

Site Background

Local Authority	Bridgend County Borough Council	
Site Name	Caedu Park, Ogmores Vale	
Postcode	CF32 7DH	
Deprivation Index	5	Use this tool to determine the index: http://imd-by-postcode.opendatacommunities.org/
Penetration	82	Pre-set to 700, will be updated by your local Participation Development Partner
Court improvement works required?		
Venue operations outsourced?		If you plan to lease out all operations (court bookings, season tickets & coaching) please select "yes" here

Court Information

Courts at the venue		
Number of non floodlit courts	2	Total at the end of the project
Number of floodlit courts	0	Total at the end of the project
Total available court hours	7,008	

Gates required		
Number of gates required	1	All gate access systems must be the same at each venue
Type of gate system required	SmartAccess Lite	See the LTA website for details of the different gates

Income assumptions		
Court cost per hour (non FL)	£4.50	Pay and play for non floodlit courts
Court cost per hour (FL)	£0.00	Pay and play for floodlit courts. Usually £2-£3 more expensive than non floodlit
Season ticket cost	£39.00	Annual price for a household
Court hours committed to being free	5%	% of court hours you expect to be free for use
Expected % of court hours sold for pay and play	8%	Based on total court hours across the year
Expected % of households that buy a season ticket	28%	Comparative figures are based on the average for all areas of deprivation. Note that the number of households can be calculated by taking the penetration and dividing by 2.4

Comparison
Range for IMD levels 4 - 6

£5 - £10.6

£5 - £11

£0 - £75

7%

23%

Plausible annual profit

-£373 loss

Income		
- Pay and play	£2,397	
- Season tickets	£373	
- Coaching		Enter the annual income expected if there is an agreement to hire courts to a local coach
Total income	£2,770	

Costs		
- Clubspark and Payment Fees	£207	ClubSpark (booking platform) charge 1.4% + 5p per transaction, Stripe (payment platform) charge 1.4% + 20p per transaction
- Gate access maintenance	£380	
- Code lock generator (lite systems only)	£156	
- Court sinking fund	£2,400	
- Registration fees	£0	LTA Venue Registration is free for any venue receiving grant funding for court renovation, for the duration of the funding agreement.
- Staffing costs		After this period, LTA Venue Registration costs are currently £60 per court where charging takes place, otherwise it is FOC.
- Marketing costs		Enter any staff costs specific to the site / reallocated from support costs
Total costs	£3,143	Enter any specific marketing costs expected to reach participation levels

Net annual loss	-£373
Net annual profit per court	-£187

Plausible cashflow

£ 2,361 by year 5

Projected cashflow forecast is calculated below assuming:

1. Starting cash position is £0
2. Pay and play and season tickets sales in year 1 are at 70% of target
3. Sales reach target stated above by year 2
4. From year 5 onwards sales increase by 1%
5. Any loan is repaid over 10 years
6. [Click here for sinking fund calculator](#)

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 20
Starting cash position	£0	(£1,142)	(£1,515)	(£1,888)	(£2,261)	(£21)	£24,988
Projected profit / (loss)	(£1,142)	(£373)	(£373)	(£373)	(£99)	£1,269	£2,364
LTA loan repayments	£0	£0	£0	£0	£0	£0	£0
Net annual cashflow	(£1,142)	(£373)	(£373)	(£373)	(£99)	£1,269	£2,364
Closing cash position after sinking fund	(£1,142)	(£1,515)	(£1,888)	(£2,261)	(£2,361)	£1,248	£27,352

LTA Local Authority Parks Toolkit - Site Heol y Cyw Park

It is recommended that this form is completed with the assistance of a PDP, in order to produce the most accurate forecast. As a guide there are case studies online that will help with operating models and court rates.

Site Background

Local Authority	Bridgend County Borough Council	
Site Name	Heol y Cyw Park	
Postcode	CF32 7DH	
Deprivation Index	8	Use this tool to determine the index: http://imd-by-postcode.opendatacommunities.org/
Penetration	551	Pre-set to 700, will be updated by your local Participation Development Partner
Court upgrade works required?		
Venue operations outsourced?		If you plan to lease out all operations (court bookings, season tickets & coaching) please select "yes" here

Court Information

Courts at the venue			
Number of non floodlit courts	2	Total at the end of the project	
Number of floodlit courts	0	Total at the end of the project	
Total available court hours	7,008		
Gates required			
Number of gates required	1	All gate access systems must be the same at each venue	
Type of gate system required	SmartAccess Lite	See the LTA website for details of the different gates	
Income assumptions			
Court cost per hour (non FL)	£4.50	Pay and play for non floodlit courts	Comparison
Court cost per hour (FL)	£0.00	Pay and play for floodlit courts. Usually £2-£3 more expensive than non floodlit	Range for IMD levels 7 - 9
Season ticket cost	£39.00	Annual price for a household	£3 - £9
Court hours committed to being free	5%	% of court hours you expect to be free for use	£3 - £8
Expected % of court hours sold for pay and play	8%	Based on total court hours across the year	£29 - £50
Expected % of households that buy a season ticket	23%	Comparative figures are based on the average for all areas of deprivation. Note that the number of households can be calculated by taking the penetration and dividing by 2.4	7%
			23%

Plausible annual profit

£1,283 profit

Income		
- Pay and play	£2,397	
- Season tickets	£2,059	
- Coaching		Enter the annual income expected if there is an agreement to hire courts to a local coach
Total income	£4,456	
Costs		
- Clubspark and Payment Fees	£237	ClubSpark (booking platform) charge 1.4% + 5p per transaction, Stripe (payment platform) charge 1.4% + 20p per transaction
- Gate access maintenance	£380	
- Code lock generator (<i>lite systems only</i>)	£156	
- Court sinking fund	£2,400	
- Registration fees	£0	LTA Venue Registration is free for any venue receiving grant funding for court renovation, for the duration of the funding agreement.
- Staffing costs		After this period, LTA Venue Registration costs are currently £60 per court where charging takes place, otherwise it is FOC.
- Marketing costs		Enter any staff costs specific to the site / reallocated from support costs
Total costs	£3,173	Enter any specific marketing costs expected to reach participation levels
Net annual profit	£1,283	
Net annual profit per court	£641	

Plausible cashflow

£5,418 by year 5

- Projected cashflow forecast is calculated below assuming:
- Starting cash position is £0
 - Pay and play and season tickets sales in year 1 are at 70% of target
 - Sales reach target stated above by year 2
 - From year 5 onwards sales increase by 1%
 - Any loan is repaid over 10 years
 - [Click here for sinking fund calculator](#)

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 20
Starting cash position	£0	£17	£1,300	£2,583	£3,865	£14,328	£55,498
Projected profit / (loss)	£17	£1,283	£1,283	£1,283	£1,553	£2,902	£3,982
LTA loan repayments	£0	£0	£0	£0	£0	£0	£0
Net annual cashflow	£17	£1,283	£1,283	£1,283	£1,553	£2,902	£3,982
Closing cash position after sinking fund	£17	£1,300	£2,583	£3,865	£5,418	£17,231	£59,480

LTA Local Authority Parks Toolkit - Site Griffin Park

It is recommended that this form is completed with the assistance of a PDP, in order to produce the most accurate forecast. As a guide there are case studies online that will help with operating models and court rates.

Site Background

Local Authority	Bridgend County Borough Council	
Site Name	Griffin Park	
Postcode	CF36 5DN	
Deprivation Index	3	Use this tool to determine the index: http://imd-by-postcode.opendatacommunities.org/
Penetration	314	Pre-set to 700, will be updated by your local Participation Development Partner
Court improvement works required?		
Venue operations outsourced?		If you plan to lease out all operations (court bookings, season tickets & coaching) please select "yes" here

Court Information

Courts at the venue			
Number of non floodlit courts	2	Total at the end of the project	
Number of floodlit courts		Total at the end of the project	
Total available court hours	7,008		
Gates required			
Number of gates required	1	All gate access systems must be the same at each venue	
Type of gate system required	SmartAccess Lite	See the LTA website for details of the different gates	
Income assumptions			
Court cost per hour (non FL)	£4.50	Pay and play for non floodlit courts	Comparison
Court cost per hour (FL)		Pay and play for floodlit courts. Usually £2-£3 more expensive than non floodlit	Range for IMD levels 2 - 4
Season ticket cost	£39.00	Annual price for a household	£5 - £10.6
Court hours committed to being free	5%	% of court hours you expect to be free for use	£5 - £11
Expected % of court hours sold for pay and play	7%	Based on total court hours across the year	£0 - £75
Expected % of households that buy a season ticket	23%	Comparative figures are based on the average for all areas of deprivation. Note that the number of households can be calculated by taking the penetration and dividing by 2.4	7%
			23%

Plausible annual profit

£138 profit

Income		
- Pay and play	£2,097	
- Season tickets	£1,174	
- Coaching		Enter the annual income expected if there is an agreement to hire courts to a local coach
Total income	£3,271	
Costs		
- Clubspark and Payment Fees	£196	ClubSpark (booking platform) charge 1.4% + 5p per transaction, Stripe (payment platform) charge 1.4% + 20p per transaction
- Gate access maintenance	£380	
- Code lock generator (<i>lite systems only</i>)	£156	
- Court sinking fund	£2,400	
- Registration fees	£0	LTA Venue Registration is free for any venue receiving grant funding for court renovation, for the duration of the funding agreement.
- Staffing costs		After this period, LTA Venue Registration costs are currently £60 per court where charging takes place, otherwise it is FOC.
- Marketing costs		Enter any staff costs specific to the site / reallocated from support costs
Total costs	£3,132	Enter any specific marketing costs expected to reach participation levels
Net annual profit	£138	
Net annual profit per court	£69	

Plausible cashflow

£41 by year 5

- Projected cashflow forecast is calculated below assuming:
1. Starting cash position is £0
 2. Pay and play and season tickets sales in year 1 are at 70% of target
 3. Sales reach target stated above by year 2
 4. From year 5 onwards sales increase by 1%
 5. Any loan is repaid over 10 years
 6. [Click here for sinking fund calculator](#)

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 20
Starting cash position	£0	(£784)	(£646)	(£507)	(£369)	£4,396	£34,292
Projected profit / (loss)	(£784)	£138	£138	£138	£410	£1,768	£2,854
LTA loan repayments	£0	£0	£0	£0	£0	£0	£0
Net annual cashflow	(£784)	£138	£138	£138	£410	£1,768	£2,854
Closing cash position after sinking fund	(£784)	(£646)	(£507)	(£369)	£41	£6,164	£37,145

LTA Sinking Fund Calculation BCBC

Sinking Fund Required

Club Sinking Fund Calculator

Type of facility	Number of courts	Club annual sinking fund
Macadam	9	£10,800
(i) Overall Total Annual Sinking Fund Calculation		£10,800

Annual Sinking Fund Details

What should the club's sinking fund allowance be?	Balance
Year 1	£10,800
Year 2	£21,600
Year 3	£32,400
Year 4	£43,200
Year 5	£54,000
Year 6	£64,800
Year 7	£75,600
Year 8	£86,400
Year 9	£97,200
Year 10	£108,000

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LTA Local Authority Parks Toolkit - Overview

Site Background

Local Authority	Bridgend County Borough Council
Total Penetration	8,900 <i>Total for the venues</i>

Court Information

Courts at the venues		
Number of non floodlit courts	9	<i>Total at the end of the project</i>
Number of floodlit courts	0	<i>Total at the end of the project</i>
Total available court hours	31,536	

Gates required	
Number of gates required	4

Court upgrade works		
Number of courts to be renovated	0	
New LED floodlights	0	<i>Number of courts needing New LED floodlight installation (£15,000/court)</i>
Conversion to LED floodlights	0	<i>Number of courts needing conversion to LED floodlights (£10,000/court)</i>
Expected cost of project	£0	<i>Calculated based on inputs above - note this is an estimate</i>
Capital funding available	£0	<i>For example from Sport England, local charities, own reserves</i>
Loan required from LTA*	£0	

*There are specific conditions required in order to apply for LTA loan funding. Please speak to your PDP or visit our website for the type of investments we support (see link below)

<https://www.lta.org.uk/workforce-venues/tennis-venue-support/tennis-and-padel-facility-funding-and-advice/quick-access-loan-scheme/>

Income assumptions		
Average court cost per hour (non FL)	£4.50	<i>Pay and play for non floodlit courts</i>
Average court cost per hour (FL)	£0.00	<i>Pay and play for floodlit courts</i>
Average season ticket cost	£39.00	<i>Annual price for a household</i>
Average court hours committed to being free	5%	<i>% of court hours you expect to be free for use</i>
Expected % of court hours sold for pay and play	8%	<i>Based on total court hours across the year</i>
Expected % of households that buy a season ticket	26%	<i>Note that the number of households can be calculated by taking the penetration and dividing by 2.4</i>

Plausable annual profit

£1,337 profit

Income	
- Pay and play	£10,486
- Season tickets	£4,757
- Coaching / Agreement Fee	£0
Total income	£15,243

Costs	
* Clubspark and Payment Fees	£962
- Gate access maintenance	£1,520
- Code lock generator (<i>lite systems only</i>)	£624
- Court sinking fund	£10,800
- Registration fees	£0
- Staffing costs	£0
- Marketing costs	£0
Total costs	£13,906

Net annual profit	£1,337
Net annual profit per court	£149

Plausable cashflow

£3,626 by year 5

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 20
Starting cash position	£0	(£2,947)	(£1,610)	(£273)	£1,064	£26,116	£168,054
Projected profit / (loss)	(£2,947)	£1,337	£1,337	£1,337	£2,562	£8,684	£13,582
LTA loan repayments	£0	£0	£0	£0	£0	£0	£0
Net annual cashflow	(£2,947)	£1,337	£1,337	£1,337	£2,562	£8,684	£13,582
Closing cash position	(£2,947)	(£1,610)	(£273)	£1,064	£3,626	£34,800	£181,635

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ANNEX 2

Tennis Terms and Conditions

1) Periods during which these obligations apply

The following table shows which Standard Obligation Period applies to any Site.

<i>Category</i>	<i>Grant funding amount/type of Site-Specific Works</i>	<i>Standard Obligation Period end date</i>
A	Gate access works only (ie no other works)	The date falling 5 Years after Completion of the final Individual Site-Specific Works relating to that Site
B	Repainting works only (ie no other works)	The date falling 10 years after Completion of the final Individual Site-Specific Works relating to that Site
C	Any works (not covered by categories A or B above)	The date falling 15 years after completion of the final Individual Site-Specific Works relating to that Site, unless the resurfacing and repainting works (as required in terms of paragraph 3 below) are carried out and completed after more than 10 years (from the start date of that 15 year period) and, in which case, the end date will be the date of completion of those resurfacing and repainting works

You shall meet the following requirements, in relation to any court/s in question and more widely as applicable, for at least the applicable Standard Obligation Period.

2) Maintenance, Repair, Refurbishment and Use

A court maintenance schedule shall be implemented to ensure that the:-

- Playing surface is kept clean to preserve its playing characteristics.
- Free drainage of surface water is maintained throughout the life of the court.
- Court looks attractive and well cared for at all times and achieves a reasonable life span.
- Court is kept to a standard that tennis can be played at all times.
- Signage is kept in good condition at all times.

These objectives shall be achieved by measures including:-

- Making repairs to (and replacing and/or renewing, as necessary) courts and nets as required to maintain the court playing characteristics at all times.
- Regular sweeping or vacuuming leaves and other debris from the surface.
- Periodic power washing of the surface.
- Applying both moss and weed killer when required.

Notwithstanding the involvement of the Contractor, You shall at all times retain ultimate responsibility, and be primarily liable, for the repair, maintenance and eventual replacement of the Assets.

You must ensure that the gate access systems are satisfactorily maintained. For the avoidance of doubt, You must not use the Grant or any part of it for this purpose.

You shall not during the Standard Obligation Period assign, sell, transfer, dispose of, license or otherwise part with any interest in the relevant Site without Our prior written approval which (if given) may be subject to one or more conditions, including the condition that any such successor agrees to be bound by the obligations in this Annex 2 for the remainder of the Standard Obligation Period.

3) Court Refurbishment and Replacement

- For all Sites in category B - To undertake as a minimum a repaint of the courts within the Standard Obligation Period to the standard of the works originally undertaken as part of the Project. However where identified seek to utilise income generation to resurface courts as required.
- For all Sites in category C – To undertake as a minimum a resurface and a repaint of the courts within the Standard Obligation Period to the standard of the works originally undertaken as part of the Project.

4) Digital Journey to Court: online booking

- Ensure all courts are available for public booking.
- Ensure all Your tennis venues, courts and activities are promoted on and accessible through LTA Play online booking using Clubspark (or any future LTA Operations-approved alternative booking system or aggregator). Booking access to be available through the LTA website and booking app.

5) Gate Access Systems (for a minimum period of 5 years)

- Ensure the gate access control system is operational at all times, completing any repairs as required with immediate effect or as soon as possible, where operational means that end-users of the tennis facility at the Site can access the facility remotely – ie, by enabling end-users to book the tennis courts via Clubspark (or the LTA's preferred booking system from time to time) and be provided with an access code remotely to allow the end-user to open the gate and gain access to the tennis facility using the access code.
- Ensure access codes are provided to users as per agreement with a gate supplier approved by Us. For the avoidance of doubt, You must not use the Grant or any part of it to purchase access codes or to pay any cancellation charge arising from any termination of any order/relevant Call Off Contract.
- Ensure that the gate access control system provides end users access to the courts remotely, both generating access codes and providing onward transmission to end users in order to open the gate.
- Ensure an annual service of the gate and access control system, including: (i) testing the keypad and replacing the batteries (or, in the case of premium gates which operate without batteries, testing the power supply); and (ii) checking the gate and access control system are operational, including the internal manual exit and self-closer function of the gate.

If You do not purchase the “Maintenance Programme” available from the applicable Contractor, You must obtain Our prior written approval of Your alternative maintenance programme (provided however that any such approval from Us shall not restrict or limit Your other obligations under this paragraph 5).

6) Sustainability and Pricing

- A pricing policy to be set by You across the courts owned or operated by You that is open and affordable to everyone, through a mix of free and charged provision which is appropriate to the local community, and the courts operated in a way that ensures sustainability.

- A charging model can help develop resources that can be re-invested into on-going maintenance and repairs and future court refurbishments. Using the features of Clubspark, charging can be flexible to include coaching, season ticket, be venue specific or court time specific to contribute to on-going costs/replacement.
- As a minimum there must be a clear sustainability plan that shows how court maintenance and replacement is funded by You over the Standard Obligation Period to meet the conditions in paragraphs 2 and 3 above.

7) Operating, Coaching, Free Park Activities & Competition Provision

- All tennis courts with tennis markings only (at the completion of refurbishment) to continue for the sole use of tennis post refurbishment.
- You shall appoint a designated person/department within Your organisation or an Operator to manage the courts and any associated tennis facilities, where “Operator” means an external third party organisation or independent coach approved by LTA Operations.
- You shall organise a quarterly meeting to review progress and data with LTA Operations and appointed Operators.
- Each park containing courts to be categorised as either available for booking of courts only or available for booking of courts and coaching activities and then operated accordingly.
- All parks containing courts to be attached to a Local Tennis League and You shall notify Local Tennis League participants and users of Your other sporting facilities (together “potential users”) before each launch accordingly (subject in each case to You having an appropriate marketing consent, and details of such launch date), including providing each potential user with the option to make the necessary consent to receive marketing and promotional materials from the LTA via e-mail;
- For all parks identified and categorised for coaching, You commit to working with LTA Operations to deliver a free tennis offer either through an Operator or a charity like Tennis For Free.
- You shall support the launch of all Sites following Completion of any Individual Site-Specific Works and thereafter may display promotional material relating to the LTA’s national tennis campaigns and promotions to increase opportunities to drive tennis participation.
- You shall display signage which promotes how players can access the courts and (in a form agreed with us in advance) recognises DCMS and LTA Tennis Foundation as project funders.
- You shall comply with the Site-Specific Special Conditions (if any) in respect of the Site.

8) Registration

Each venue to be registered for the Standard Obligation Period with LTA Operations (or its relevant group company) under its venue registration scheme, or replacement thereof. Registration to be free for the Standard Obligation Period.

9) Clawback in the event of non-compliance

You agree to notify us of any non-compliance with the terms of this Annex 2. In such circumstances, or if We become aware of any non-compliance, You agree to meet with us to seek to agree an appropriate way to remedy such non-compliance. If, however, such non-compliance continues for a period of more than 60 days, We are entitled to require You to repay the Grant paid under this Grant Agreement (increased in line with inflation using the Consumer Prices Index or any comparable successor index), or such part of the Grant as we consider appropriate in light of the non-compliance in question.

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Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	ALLOCATIONS UNDER TOWN AND COMMUNITY COUNCIL CAPITAL GRANT SCHEME, ROUND 2 2024-25
Report Owner / Corporate Director:	CORPORATE DIRECTOR COMMUNITIES
Responsible Officer:	IEUAN SHERWOOD GROUP MANAGER ECONOMY, NATURAL RESOURCES AND SUSTAINABILITY
Policy Framework and Procedure Rules:	There is no effect upon the Council's policy framework or procedure rules as a result of this report.
Executive Summary:	<p>The purpose of this report is to seek Cabinet approval to allocate capital funding to Town and Community Councils to develop projects in line with the recommendations contained within this report from the second round of the Town and Community Council (T&CC) Capital Grant for 2024-25.</p> <p>The following projects are proposed for approval:</p> <ul style="list-style-type: none"> • Pyle Community Council • Cefn Cribwr Community Council • Porthcawl Town Council • Coity Higher Community Council (application 1) • Coity Higher Community Council (application 2) • Garw Community Council • St Brides Minor Community Council

1. Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet approval to allocate capital funding to Town and Community Councils to develop projects in line with the recommendations contained within this report from the second round of the Town and Community Council (T&CC) Capital Grant scheme for 2024-25.

2. Background

- 2.1 Since 2017-18 funding under the T&CC Capital Grant scheme has prioritised applications supporting projects directly linked to the Council's Community Asset

Transfer (CAT) programme in recognition of reducing Bridgend County Borough Council's (BCBC's) resources and the options available to T&CCs to deliver alternative services, and increasingly the scheme will seek to support proposals that align with the Bridgend County Borough Council's (BCBC) Decarbonisation Net-Zero 2030 agenda. In addition, the Council's seven corporate priorities have also been considered when assessing applications submitted for 2024-25 as recommended by Cabinet when allocating funding under the scheme in 2023-24, and these are summarised below:

1. A County Borough where we protect our most vulnerable
2. A County Borough with fair work, skilled, high-quality jobs and thriving towns
3. A County Borough with thriving valleys communities
4. A County Borough where we help people meet their potential
5. A County Borough that is responding to the climate and nature emergency
6. A County Borough where people feel valued, heard and part of their community
7. A County Borough where we support people to live healthy and happy lives

- 2.2 With the stated desire to more closely align the T&CC Capital grant scheme with the CAT and Decarbonisation Net-Zero, the approvals by Cabinet on 16 April 2024 for round 1 of the fund in 2024-25 were:

Table 1: 2024-25 Town and Community Council Grant, round 1 approvals

	T&CC	Project Cost	TCC Fund Contribution	Summary of proposal
	Coity Higher 2	£27,042.00	£13,521.00	Install All-Weather Surfacing at Coity Play Park
	Garw Valley	£29,207.00	£14,603.50	Refocusing Parc Calon Lan as a Green Initiative Hub
	Brackla	£20,000.00	£10,000.00	Urban Tree Planting Scheme around Brackla
		£76,249	£38,124.50	

3. Current situation / proposal

- 3.1 BCBC has £50,000 allocated for 2024-25 and subsequent years in the Council approved Capital Programme to support applications from T&CCs for capital projects. With the carry forward funds from 2023-24 the budget available for 2024-25 was £219,186.00. Following approval of round 1 applications of £38,124.50, the budget available for round 2 was £181,061.50.

3.2 Town and Community Councils were made aware of the T&CC Capital Grant round 2, 2024-25 and the new basis of assessment which included the Council's seven corporate priorities on 25 April 2024. The grant closed for applications on 31 August 2024.

3.3 A total of eight applications were returned by T&CCs:

Table 2: 2024-25 T&CC Capital Grant round 2 applications

	T&CC	Project Cost	TCC Fund Contribution	Summary of proposal
A	Pyle CC	£8,000.00	£4,000.00	To install dropped kerbs at 9 identified sites in Pyle/Kenfig Hill
B	Cefn Cribwr CC	£16,000.00	£8,000.00	Refurbishment of Tennis Courts at Cae Gof, Cefn Cribwr
C	Porthcawl TC	£20,000.00	£10,000.00	To create a natural habitat and ecosystem for butterflies
D	Coity Higher CC App 1	£27,355.00	£13,677.50	To create toddler/infant play area in Llys Gwyn Pendre
E	Coity Higher CC App 2	£11,501.12	£5,750.56	Refurbishment of path between Coity Castle & St Mary's Church
F	Garw Valley CC	£32,970.63	£15,257.50	To replace retaining wall, steps and handrail at the Strand, Blaengarw
G	St Brides Minor CC	£8,971.41	£4,485.70	Lighting on footpath in Bryncethin
H	Llangynwyd Middle CC	£13,000.00	£6,500.00	Relaying tarmac on paths in Parc Tir Iarll
		£137,798.16	£67,671.26	

3.4 The returned funding applications and supporting information were assessed by a funding panel formed by the Cabinet Member for Climate Change and the Environment, the Head of Operations - Community Services, the Group Manager Economy, Natural Resources and Sustainability, the CAT Officer, the Accountant - Communities and the Governance and Compliance Project Officer.

3.5 The proposals received from T&CCs for the 2024-25 T&CC Capital Grant round 2 allocation are outlined at Table 3 below, along with comments from the panel:

Table 3: Assessment by T&CC Funding Panel

Ref	Assessment Criteria / Alignments			Comments of Panel
	CAT	Net-Zero	Corporate Priorities	

A	No	Yes	1,4,6,7	Not linked to CAT process but could encourage less vehicle movement. Aligns to several corporate priorities.
B	CAT complete	Yes	1,2,4,5,6,7	Proposal aligns with Council's current approach to CAT. Net Zero alignment Aligns to many corporate priorities.
C	No	Yes	1,2,4,5,6,7	No obvious CAT alignment but clear Net-Zero opportunities. Aligns to many corporate priorities.
D	Yes	Yes	1,4,5,6,7	Aligns with CAT and Net Zero. Aligns to several corporate priorities.
E	No	Yes	1,4,5,6,7	No CAT alignment Net Zero alignment Aligns to many corporate priorities
F	No	Yes	1,3,4,5,6,7	No CAT alignment Net Zero alignment Aligns with several corporate priorities
G	No	Yes	4,5,6,7	No CAT alignment Net Zero alignment Aligns with several corporate priorities
H	No	No	1,7	Whilst the proposal may respond to suggested need the applications does not clearly highlight any alignment to CAT or Net Zero and has limited alignment to the corporate priorities.

A further application was received after the closing date for the fund and as such was not considered by the panel for support through this round of funding.

- 3.6 It is proposed that based upon the assessment of the T&CC Funding Panel that the applications in Table 4 below are approved.

Table 4: 2024-25 T&CC Capital Grant round 2 proposed approvals

Ref	T&CC	Project Cost	TCC Fund Allocation	Comments
A	Pyle CC	£8,000.00	£4,000.00	
B	Cefn Cribwr CC	£16,000.00	£8,000.00	Advise applicant to ensure all permissions and consents are in place and in particular

				landlord consent and understanding over maintenance
C	Porthcawl TC	£20,000.00	£10,000.00	Advise applicant to ensure all permissions and consents are in place. Of note, land holding department(s) agreement. Maximum grant offer £10,000.
D	Coity Higher CC	£27,355.00	£13,677.50	Advise applicant to ensure all permissions and consents are in place and responsibility in relation to on-going maintenance.
E	Coity Higher CC	£11,501.12	£5,750.56	Advise applicant to ensure all permissions and consents are in place and responsibility in relation to on-going maintenance.
F	Garw CC	£32,970.63	£15,257.50	Advise application that on-going maintenance is their responsibility.
G	St Brides Minor CC	£8,971.41	£4,485.70	Advise applicant to ensure all permissions and consents are in place and

				responsibility in relation to on-going maintenance.
Total		£124,798.16	£61,171.26	

- 3.7 It is proposed that the Council's CAT Officer engages with those T&CCs whose funding applications have been unsuccessful so that appropriate support can be provided to ensure that the proposals achieve better alignment with the Council's corporate priorities and themes for possible funding bids in the future.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 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.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 BCBC is committed to promoting sustainable development and to discharge its duties under the Well-being of Future Generations (Wales) Act 2015. A summary of relating to the five ways of working and how they connection to the Corporate Well-being Objectives is below:

- Long-term: The projects proposed for support are those that have been identified by T&CCs themselves in response to current need and therefore propose to implement action that meets the requirements of current generations. A process of local needs identification followed by local led delivery in response to it will enhance the capacity of local organisations to take forward further schemes in the future.
- Prevention: The projects that are proposed for support if left undelivered may create a worsening of conditions currently being experienced by local residents. In addition, if the schemes were to be delivered in future years any further deterioration may result in increased costs.
- Integration: The T&CC Capital grant scheme will achieve this way of working by recognising the projects that are proposed for support are those that have been identified by the T&CCs themselves as best placed to utilise available funding to meet local needs in a holistic way.
- Collaboration: The proposals have been developed and will be delivered through a strong partnership between BCBC and those T&CCs that have applied for funding.
- Involvement: The T&CC Capital grant scheme is delivered in close partnership with a range of local stakeholders. Discussions and development with the T&CCs have taken place through BCBC's CAT Officer and information about the funding opportunity was provided to all T&CCs in the County Borough.

6. Climate Change Implications

- 6.1 The T&CC Capital grant scheme has criteria specifically designed to support BCBC Climate Change and Decarbonisation ambitions. Assessment of applications considered the relevance of proposals to the criteria and decisions have been agreed by the Cabinet member for Climate Change and the Environment.

7. Safeguarding and Corporate Parent Implications

- 7.1 There are no safeguarding or corporate parent implications arising from this report.

8. Financial Implications

- 8.1 Funding of up to £181,061.50 is available for allocation under the T&CC Capital Grant round 2 in 2024-25.
- 8.2 Taking into account the information provided in the applications the proposed approvals under the T&CC Capital Grant round 2 2024-25 are detailed at Table 4 above, totalling £61,171.26. It is proposed the remaining allocation of £119,890.24 can be made available for the T&CC Capital Grant next financial year.
- 8.3 Funding offers will be conditional on compliance with the stated terms and conditions of the T&CC Capital Grant and comments in table 4 above and feedback will be available to the applicants.

9. Recommendations

It is recommended that Cabinet approves:

- 9.1 The allocation of capital funding within the existing Capital Programme of £61,171.26 under the T&CC Capital Grant scheme round 2, 2024-25 to develop projects in line with the specific applications detailed at Table 2 and 3.

Background documents: None

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Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	PARC AFON EWENNI REFURBISHMENT OF THE HIGHWAYS DEPOT AT WATERTON
Report Owner / Corporate Director:	CORPORATE DIRECTOR - COMMUNITIES
Responsible Officer:	KEVIN MULCAHY GROUP MANAGER HIGHWAYS AND GREEN SPACES
Policy Framework and Procedure Rules:	There is no impact on the policy framework and procedure rules.
Executive Summary:	The Highways Depot at Waterton remains in poor condition. Exploration of affordable alternative locations has not identified any which would be deliverable within current capital budget allocations. Accordingly, it is proposed to refurbish/maintain the existing depot on the existing footprint within the available capital budget on a prioritised basis.

1. Purpose of Report

- 1.1 The purpose of the report is to update Cabinet on the original proposal to reconstruct, and latterly relocate, the Highways Depot at Waterton. Work undertaken recently, and a recent review of capital funding available, has resulted in an updated proposal to maintain/refurbish the existing footprint within the remaining available capital budget on a prioritised basis.

2. Background

- 2.1 A report was presented to Cabinet in November 2016 which identified a strategy of continuing to operate a reduced footprint Depot at Waterton for the next 4/5 years. This provided the best value for money given the circumstances at the time. The strategy was to find a balance between operating a viable depot and maximising the land allocated for disposal. Five key/core operational facilities within the depot were identified:-

- The continued operation & location of the salt barn for winter maintenance.
- The continued operation & location of the de-watering facility
- The continued operation & location of the vehicle wash down ramp
- The continued operation & location of the refueling facility

- The continued operation of a materials reprocessing facility.

2.2 In November 2018, Cabinet approved a further report proposing to develop a permanent reconstructed Highways Depot at Waterton on a reduced footprint to allow the Parc Afon Ewenni (PAE) regeneration site proposal to progress and future proof future depot requirements for the Council as part of the overall depot rationalisation process.

2.3 The estimated cost to establish the reduced footprint depot at that time was in the region of £8.144 million, predicated in part upon a land receipt of £3.5 million. This proposed depot layout provides for:-

- the smallest operationally acceptable footprint
- a permanent, modern depot compliant with the appropriate standards
- maximum land available for disposal

2.4 In November 2021 a revised position was being considered for the overall Parc Afon Ewenni re-development as it was proving both very complex and challenging. It required multiple landowners / occupiers to move forward in a synchronised manner. The assessment suggested that a new Highways Depot at Brynmenyn Industrial Estate be developed alongside a rationalisation at the existing Bryncethin Depot. This would then have enabled the existing site at Waterton to become vacated and to form part of the Parc Afon Ewenni Strategic Housing Allocation within the Local Development Plan. This site could then have been taken forward in partnership with landowners and South Wales Police for a housing development with a new school.

3. Current situation / proposal

3.1 Since 2021 the proposal to relocate the Highways Depot to Brynmenyn Industrial Estate and subsequently provide a housing development and a new school at Parc Afon Ewenni have not progressed for a number of reasons. A significant factor has been the introduction by Welsh Government of Technical Advice Note 15 (TAN15) on development, flooding and coastal erosion. This designated the site at Parc Afon Ewenni in a flood zone and, despite a flood consequence challenge, its designation as a strategic housing site in the Local Development Plan was removed. As such the inability to be able to fully develop the site would mean that the anticipated capital receipt of £3.5 million would not be forthcoming to assist with the funding of an alternative or reduced footprint site. Additionally, in November 2023 council approved a virement of £1,173,530 from the Waterton Depot scheme to the Maesteg Town Hall project, leaving a remaining budget of £6,970,470. There have been other amendments to the budget during 2024-25, including the transfer of funding towards the cost of new waste vehicles, approved by Council, leaving a current budget of £7.091 million (of which £3.591 million is secured funding).

3.2 It is now apparent that:

- The relocation of the Highways Depot to a site/location elsewhere is no longer an affordable option.
- A revised/reduced layout of the depot at Waterton would not be able to be fully realised within the remaining capital funding.

- The estimated capital budget agreed by Cabinet/Council in 2018 for the construction of a revised Depot at Waterton on a reduced footprint, or indeed an alternative location, could not be achieved within the available funding envelope as a result of delays, partly caused through Covid-19 and recent significant inflationary increases.
- Requisite refurbishment works will need to be made on a prioritised basis within the existing footprint.

3.3 High priority key assets for maintenance/refurbishment are:

- Salt Barn
- Strategic stock refuelling facility
- Site Drainage - including washdown and de-watering facility
- Welfare facilities/Highways Stores
- Traffic Management, vehicular & pedestrian routes through the depot
- Licensed Waste Area.

3.4 The highest priority assets for maintenance/refurbishment are:

1. **Reroofing the Salt Barn & providing secure gates.**
2. **Replace the existing vehicle wash facility.**
3. **Renew the bulk fuel storage tanks, fuel delivery cabinets & pumps.**
4. **Reroof Highways building & electrical stores, rewire, renew windows and refurbish welfare facilities.**
5. **Drainage Phase 1 Associated with Highways building, refuelling facility, & salt barn area.**

3.5 Whilst it is considered that the secured capital budget should address these items, this would be subject to completion of design work, establishing robust estimates, and commencement of a formal tender process to procure the works. There remain other assets for maintenance/refurbishment for which additional capital will be required in due course. Other assets requiring remediation not included in the initial tranche include.

6. **Compliant on site drainage**, including pumping chambers & interceptors.
7. **Compliant Gulley waste de-watering facility.**
8. **Compliant licensed Waste Management area.** Hard standings, flood management measures, stillages and segregation of waste streams
9. **Maintenance of Roadways, site lighting and Pedestrian routes.**
10. **Compliant material storage bunkers and housings.**

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 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.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 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**

The structure of the Highways Depot is no longer fit for purpose. In order to avoid associated reputational damage and to continue to provide & operate a Highways service it is necessary to maintain the existing depot.

- **Prevention**

Failure to maintain the depot & associated facilities will introduce risks to users and others.

- **Integration**

To maintain the depot on its existing footprint provides the Authority with a facility that has the capability of being able to support the requirements of a highway authority in discharging its duties in regard of maintenance of the public highway.

- **Collaboration**

The proposal seeks to maintain the depot, which is no longer fit for purpose, these works would consider the needs for future service delivery .

- **Involvement**

The project will engage with users of the facility in the prioritisation of refurbishment activities.

- 5.2 The impact on the Council's 7 Wellbeing Objectives has been considered and the report is relevant to Objective 5 'A county Borough that is responding to the climate and nature emergency' as the highways depot is at the centre of responding to climate changes, whether through winter ice, storms and flooding or maintaining or upgrading infrastructure to meet changes.

6. Climate Change Implications

- 6.1 There are no direct implications on climate change in relation to the maintenance of the Highways Depot.

7. Safeguarding and Corporate Parent Implications

- 7.1 There are no direct safeguarding and corporate parenting implications as a result of the content provided within this report.

8. Financial Implications

- 8.1 The available capital budget for the construction of a new depot on a reduced footprint at Waterton is currently £7,091,000, as follows:

	£000
Initial Budget approved by Council - November 2018	8,144
Virement to Maesteg Town Hall (MTH) – November 2023	-1,174
Part reversal of virement following receipt of grant funding for MTH – July 2024	+250
Virement of funding to waste vehicles – July 2024	-146
Transfer of funding back to Waterton following Council decision on funding of livery for waste vehicles	+17
Revised Capital Budget	7,091

This is funded as follows:

	£000
BCBC secured capital funding	3,591
Unsecured / unlikely capital receipt	3,500
Total funding	7,091

- 8.2 £3.5 million of the capital budget is predicated on anticipated land sales. However, due to flood risk maps recently updated by Natural Resources Wales (NRW), as a result of the introduction of TAN15, third party development land at the depot site within PAE, is no longer considered as available.
- 8.3 In the absence of the land sale the full capital funding of £7.091 million may not be realisable, and would require Council to agree to underwriting any shortfall in capital receipts with its own funding. Given the Council's current lack of capital funding it is proposed that those prioritised items identified within section 3.4 are addressed utilising the £3.591 million of BCBC funding with those items identified within section 3.5 of the report being subject to future capital bids which would allow the £3.5 million of unsecured capital to be unwound at this time.

9. Recommendations

- 9.1 It is recommended that Cabinet: -

- i. Notes the change of approach for delivery of the Highway Depot arising from changes to available capital budget alongside environmental and inflationary factors.
- ii. Delegate Authority to the Corporate Director of Communities in consultation with the Chief Officer – Legal and Regulatory Services, HR and Corporate Policy and the Chief Officer, Finance, Housing and Change to finalise the urgent works to the salt barn and other identified facilities, to procure and undertake the necessary works using the capital funding that is available for the Project as outlined in Paragraph 8.3 of the report.

Background documents

None

Meeting of:	CABINET
Date of Meeting:	22 OCTOBER 2024
Report Title:	BRIDGEND COUNTY BOROUGH COUNCIL INVASIVE SPECIES POLICY
Report Owner / Corporate Director:	REPORT OF THE CORPORATE DIRECTOR COMMUNITIES
Responsible Officer:	ZAK SHELL HEAD OF OPERATIONS
Policy Framework and Procedure Rules:	There is no effect upon the Policy Framework and Procedure Rules.
Executive Summary:	<p>This report is to update Cabinet on work to develop an Invasive Non-Native (INNS) Policy and seek approval of the Policy.</p> <p>INNS can cause environmental, economic, legal, and social issues and found to cost the United Kingdom approximately £1.7 billion annually.</p> <p>Several pieces of legislation relate to INNS with the most notable being section 14 of the Wildlife and Countryside Act 1981 and the Environmental Protection Act 1990 (EPA). These make it an offence to allow these species to spread in the wild and to remove from site without following correct procedure.</p> <p>Although individual departments within the Council do seek to treat invasive species on BCBC land holdings, this is often reactionary. To effectively control the spread of INNS across the county borough, BCBC should ensure a more proactive and joined up approach is taken to INNS management. The BCBC INNS working group comprises of representatives from several departments, having recently agreed on the BCBC INNS Policy./</p> <p>A background to issues associated with INNS and legislation is provided within the document providing a rationale for the INNS policy.</p> <p>The policy also details the scope and approach taken by the council to INNS management. Measures to prevent the establishment of INNS within the county borough and to</p>

	<p>control or eradicate newly introduced and established INNS are detailed under this section of the policy.</p> <p>A procedure to be followed in response to INNS reported is also provided within the policy. The INNS reporting procedure will provide clear routes for response to reports. These routes will include reports not verified, verified on BCBC land and verified on adjacent land.</p> <p>Other sections within the policy include guidance on best practice for INNS management and guidance for certain department on integrating prevention or mitigation measures into ways of working.</p>
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1. Purpose of Report

- 1.1 The purpose of this report is to present the draft Invasive Non-Native Species Policy to Cabinet for approval, and to request a decision from Cabinet in relation to the preferred way forward for the treatment of Japanese Knotweed on BCBC assets.

2 Background

- 2.1 There are an increasing number of environmental, economic, legal, and social problems caused by Invasive Non-Native Species (INNS). A report commissioned by Defra has shown that INNS cost the UK £1.7 billion annually. Additionally, many INNS challenge the survival of some of our rarest species and damage some of our most sensitive ecosystems.
- 2.2 The primary legislation relating to INNS in the UK is the Wildlife and Countryside Act 1981. Under Section 14 (2) of the Act it is an offence to plant or otherwise cause these plants to grow in the wild, which is prosecuted under criminal law. The full list of invasive non-native plant species is listed under Part II of Schedule 9 and includes Japanese knotweed, Himalayan balsam, and Rhododendron ponticum, all of which have colonised within Bridgend County Borough. The full list of invasive animal species is listed under Part I of Schedule 9 and includes grey squirrel which has also colonised within Bridgend County Borough.
- 2.3 Furthermore, under Section 34 of the Environmental Protection Act 1990 (EPA), the species listed under Part II of Schedule 9 of the Wildlife and Countryside Act 1981 are classed as 'Controlled Waste' and consequently should be disposed of at a licensed landfill site under the Environmental Protection Act (Duty of Care) Regulations 1991. If these species are not disposed of in the correct manner, a civil offence would occur and can be prosecuted by Natural Resources Wales.

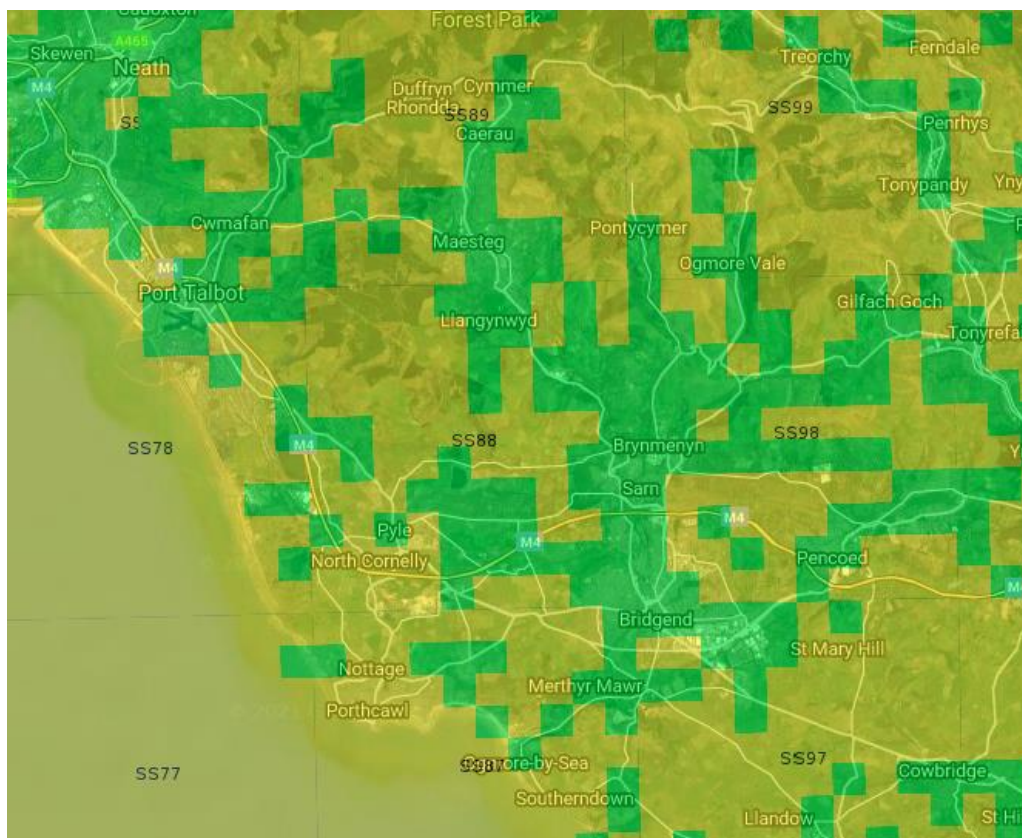
2.4 There are also several other pieces of legislation which have several implications for statutory agencies including local authorities.

- The Anti-Social Behavior, Crime and Policing Act 2014 – provides powers to the police or local authorities to serve a Community Protection Notice on to control or prevent the growth of knotweed.
- The Town and Country Planning Act 1990 - provides powers to local authorities to serve a management notice on a neighboring landowner if the amenity of surrounding land is impacted by the condition of their land.
- The Network Rail Infrastructure v Williams & Waistell [2018] ruling – the claimant was awarded compensation due to the presence of knotweed on neighboring land having a negative impact upon the amenity of the claimant's land.
- The Davies v Bridgend County Borough Council [2023] ruling - property owners may claim damages in private nuisance for residual diminution in value of their premises following encroachment of Japanese knotweed from neighbouring land.

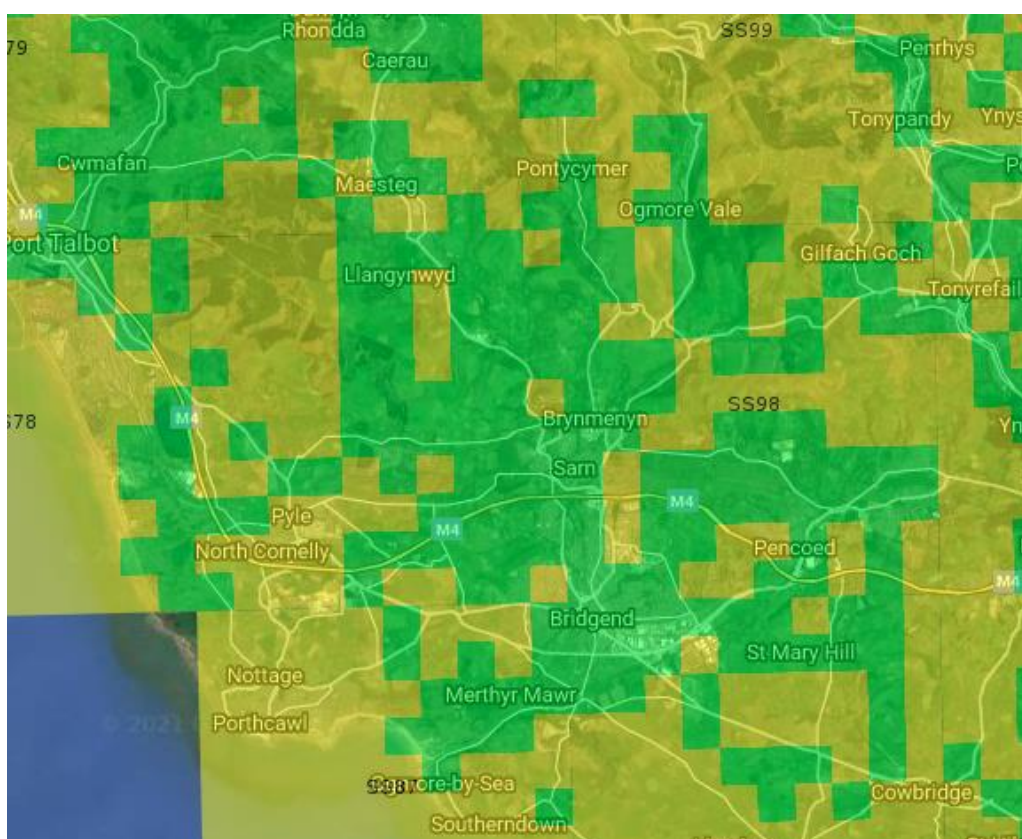
On May 8th 2024, the Supreme Court overturned a decision made by the Court of Appeal in the case of Davies v Bridgend County Borough Council. It was found, following knotweed treatment, that BCBC was not responsible for the residual diminution in value of the claimant's land where spread had occurred before the council was in breach of duty. Although claims may still be raised against the council in cases where spread may have occurred due to breach after 2013.

In bringing such claims the onus must now fall to the claimant to prove that a breach in duty, by the council, had caused a loss of amenity with the use of their property and residual diminution in value.

2.5 Many non-native invasive fauna and flora species are present in the county borough, with some species found extensively across the county borough, including Japanese knotweed and Himalayan balsam (see below).



Distribution of Japanese Knotweed (green) across Bridgend County Borough



Distribution of Himalayan Balsam (green) across Bridgend County Borough

- 2.6 INNS and their treatment both for control/management and to avoid potential legal claims is creating growing pressure on resources and the requirements to pre-empt activities.
- 2.7 Research has shown that local biodiversity declines greatly where Invasive non-native species have established. Control and eradication of Invasive non-native species will enhance biodiversity and help to restore habitats in these areas. Under Section 6 of the Environment Act (Wales) 2016, public authorities have a duty to maintain and enhance biodiversity and promote the resilience of ecosystems in the exercise of their functions.
- 2.8 In response, a cross-directorate working group has been established to consider the options BCBC could take regarding its approach to INNS management.

3. Current situation

- 3.1 BCBC currently undertakes a level of INNS treatment on its land holdings but approaches and frequencies differ between service areas.

Inconsistency of approach has the potential to increase the risk of legal challenge. Alongside this, a perceived insufficient level of treatment may also present a level of risk in relation to legal challenge.

Therefore, to mitigate against the risk of legal challenge, a change in approach is proposed to increase consistency of approach and overall frequency of treatment.

- 3.2 In response to these issues the following actions have been undertaken or are underway:
- The appointment of an INNS Officer as a 'point person' to coordinate the Council's actions regarding Knotweed. This officer has been in place for nearly two years and has been progressing work in relating to the two other suggestions made.
 - The fostering of cooperative approach to INNS management with other local authorities and organisations.
 - The facilitation of a cross directorate approach to INNS management through an INNS working group and public engagement through volunteering events.
- A mapping exercise focused on INNS present on BCBC land, specifically Knotweed and balsam species, was completed in April 2024.
As a part of the exercise, matrices were also produced to prioritise where treatment should be best focused according to perceived legal risk posed to BCBC by the presence of knotweed and Balsam. This information enables BCBC to take a more proactive approach to treatment and provide further protection against future claims, subject to budget availability.
 - Procurement have been consulted on the development of an INNS contractor framework. Further work on the framework can only proceed once confirmation has been received regarding budgets for future knotweed treatment as outlined at Section 8 of the report.

- Action Plans are currently in draft for INNS currently found within the county. These should be read alongside the INNS Policy and should act as a reference guide with regards to identification, legislation, and best practice for each species of invasive plant.
- A centralised INNS management database is under development.
This database will include all BCBC records of complaints, response to the reporter, inspections/monitoring, and treatments in relation to INNS including Knotweed. Integrating the prioritisation map data produced by the INNS mapping exercise into the database should inform Knotweed treatment programmes for each department.
It should provide a single point where all records relating to Knotweed and other INNS can be easily searched and checked by nominated individuals from each department. The database will make checking INNS related records less onerous and time consuming.
This has allowed the Invasive species officer to pull together records and, along with INNS working group meetings, has allowed BCBC to consider its position with regards to inspection and treatment of knotweed. This was the third suggestion posed by Dolmans solicitors.
- The BCBC INNS working group have met regularly and are consulted on all relevant projects. The group included the representatives of the following departments:
 - Climate Change Response
 - Corporate Landlord
 - Finance
 - Green Spaces and Bereavement Services
 - Highways Network
 - Legal
 - School modernisation

3.3 A draft BCBC INNS policy, attached as **Appendix 1**, has been discussed and agreed upon by all members of BCBC INNS working group.

3.4 The BCBC INNS policy covers 6 topics:

- Background to the Policy
Reasoning and key legislation behind the policy.
- The Scope of and approach to INNS management by the Council.
Measures taken to prevent the establishment of INNS within the county borough and to control or eradicate newly introduced and established INNS. Where INNS have been found newly introduced to South Wales, BCBC will work with stakeholder groups and other local planning authorities to prevent establishment INNS within their respective areas.

To inform where management of established INNS should be prioritised. The policy should be read alongside the BCBC INNS prioritisation matrices. These matrices, such as the Knotweed prioritisation matrix produced as a part of the INNS

mapping exercise, will inform each department as to where treatment should be prioritised.

All proposed measures which have the potential to affect BCBC departments, represented within the INNS working group, will first be discussed, and agreed upon.

- Best practice in relation to INNS Management methods
Guidance on acceptable and the most effective INNS treatment and management.
- INNS reporting procedure
All reports of INNS made to BCBC will be verified and recorded on an INNS management database. After verification the appropriate follow up actions will be taken, which will be influenced by whether the INNS was noted on BCBC land. If it is established that the INNS reported was found on BCBC land, then appropriate management will be undertaken, or a treatment programme put in place by the department responsible.

Should the reported INNS found to not be on BCBC owned land then an awareness letter will be sent to the landowners concerned. Should this land be adjacent to BCBC land and found to negatively impact its amenity then the INNS encroachment response hierarchy will be followed. The hierarchy consist of 4 escalating steps from an awareness letter to direct action undertaken by BCBC.

- Prevention or mitigation of INNS spread incorporated into ways of working
Guidance on how the introduction and spread of INNS could be prevented or mitigated during the development planning stage through appropriate survey and management plans.

Guidance is also provided for those involved with roadworks or streetworks before undertaking any work. Environment notes relating to INNS presence will be shared with statutory bodies such as utility companies. This information will inform appropriate avoidance and mitigation measures to be undertaken.

- Relevant INNS related legislation
A full list of legislation relevant to INNS to inform staff of the law surround INNS and support the reasoning behind the policy.

- 3.5 The draft policy, attached as Appendix 1, was discussed with members at a Council member awareness session on February 14th, 2024, and with Town and Community Council members at the Town and Community Council Forum on March 11th, 2024. All Councillors were invited to these sessions via Democratic Services.
- 3.6 A series of options are available in relation to the future management approach. They are set out in Table 1 below with a high-level description and a summary of currently considered benefits and risks.

Table 1: Future management options

		Summary	Benefits	Risks
(a)	Maintain existing approach and budgets	Continuation of current levels of management	No increase in financial commitment	Risk of claim and impact to the environment increasing over time
(b)	Maintain existing budgets within service areas, but better target spend	Continuation of current levels of management with a focus on high priority areas deemed to have the most impact on safety and amenity.	A modest increase in the amount of knotweed controlled by BCBC	Risk of claim and ecological impact still posed by many infested sites.
(c)	High priority treatment	Continuation of current treatment plans and the treatment of all sites classed as High priority	<p>Treatment of all high priority stands would help prevent the council from being in breach of legislation.</p> <p>Reduced risk of claims where the risk of spread is high.</p>	<p>Increased financial commitment for treatment by each department.</p> <p>If untreated, medium priority sites will pose a greater risk in the near future.</p>
(d)	High and Medium priority treatment	Continuation of current treatment plans and the treatment of all sites classed as high and medium priority	<p>If both high and medium priority stands were to be treated this would further reduce the risk to the council.</p> <p>Treatment would remove the vast majority of knotweed stands which could develop onto high risk stands in the near future</p>	<p>Increased financial commitment for treatment by each department.</p> <p>If untreated, low priority sites could also pose a greater risk in the future.</p>

(e)	Treatments of all known INNS	Continuation of current treatment plans and the treatment of all stands present on BCBC managed land	The treatment of all stands would help stem the spread of knotweed through and from council land, further reducing risk to the council and meeting our duties, such as those under Section 6 of the Environment Act 2016	Increased financial commitment for treatment by each department
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- 3.7 Similar to Network Rail in its case against Williams & Waistell [2018], the Council would have a duty to treat and prevent knotweed spreading to neighboring land when it has actual or constructive knowledge of knotweed being present on its property. If the Council were to start treating all high priority stands prior to spread onto neighboring land, it would prevent the council from being in breach of legislation. This should help prevent many potential claims from being filed.
- 3.8 If both high and medium priority stands were to be treated until controlled, this would further reduce the risk to the Council by controlling stands that may develop into those that could pose a risk in the near future.
- 3.9 The treatment of all stands would help stem the spread of knotweed through and from council land, further reducing risk to the council and meeting our duties, such as the Environment Act 2016 Section 6 duty. The duty is to maintain and enhance biodiversity within the proper exercise of the Council's functions and where INNS such as knotweed have been controlled/eradicated, levels of biodiversity have been shown to recover.
- 3.10 According to the study Using Single- and Multi-Date UAV and Satellite Imagery to Accurately Monitor Invasive Knotweed Species (FM Martin et al. 2018), areas infested by knotweed were found to increase sixfold over six years. This would imply that if initial treatment were to be delayed by 6 years this could result in treatment costs being significantly higher than if treatment had been undertaken immediately.

4. Equality implications (including Socio-economic Duty and Welsh Language)

4.1

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 because of this report.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 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

The Policy will help balance the short-term needs of council to carry out its duties against its long-term need to eradicate, reduce, or control INNS present upon its land.

Integration

The policy will likely contribute to BCBC efforts to achieve the public service board (PSB) wellbeing objectives. The wellbeing objectives that the policy will contribute to achieving are the Healthy choices in a healthy environment and Reduce Social and economic inequalities objectives.

Proactive management of INNS will help improve access to nature and restore biodiversity within those areas affected. Improved access and restored native flora may help improve appreciation of local nature within areas affected. The benefits to the natural environment, and potentially to the physical and mental wellbeing of Bridgend County Borough residents, would contribute to BCBC meeting both healthy Wales and resilient Wales goals under the Well-being of Future Generations act.

Involvement

Under the policy, both local internal and external stakeholders will be engaged to raise awareness and improve understanding of INNS. The aim is to have local stakeholders, such as local groups, become more involved with INNS recording and the management of certain INNS.

Collaboration

Under the policy, regarding INNS management, the BCBC INNS Working Group will help facilitate collaboration between BCBC departments.

Prevention

A few key aims of the policy are the prevention of established INNS from spreading further and the prevention of any additional INNS from being introduced into the county borough. Dependent on the species, INNS can have environmental, economic and health impacts. Any preventative actions taken now will likely avoid or mitigate potential issues in future.

6. Climate Change Implications

- 6.1 Under the policy, the management of INNS would assist with efforts to progress the reestablishment of native species within areas affected, which could include trees. These trees would lock in carbon and the shade provided would have cooling effects on those areas. Where native trees have reestablished along rivers, streams and other waterways, this cooling effect could also reduce rates of evaporation further benefiting the local environment.

- 6.2 It should also be noted that should INNS be allowed to establish within any areas of peatland within Bridgend this may have negative effects potentially causing the area to dry and turn from a Carbon sink, which locks in carbon, to a Carbon source, which emits carbon.

7. Safeguarding and Corporate Parent Implications

- 7.1 It is not foreseen that the Policy will impact BCBC duties under the Safeguarding Policy.

8. Financial Implications

- 8.1 Currently departments procure INNS treatment services independently of each other. The cost of knotweed treatment may vary from year to year.
- 8.2 The amount spent annually by BCBC departments on INNS treatment is detailed in Table 2 below.

Table 2: BCBC departmental spend on INNS treatment

Department yearly spend on Knotweed treatment						
	2018	2019	2020	2021	2022	2023
Rights of Way	£1,500	£1,500	£1,500	£1,500	£1,650	£1,650
Highways	£5,320	£3,135	£3,135	£1,152	£1,610	£1,444
Greenspaces	£920	£4,325	£4,325	£922	£1,194	£3,108
Property	£5,400	£9,750	£9,750	£8,316	£7,722	£9,504
Totals	£13,140	£18,710	£18,710	£11,890	£12,176	£15,706

- 8.3 Much of the annual spend on Knotweed control relates to follow up treatment under knotweed treatment programmes. Knotweed may take several years to successfully control.
- 8.4 If BCBC are to take the proactive approach towards INNS treatment that is advised, then to successfully control knotweed infestations, several options of a way forward are available, set out as options (c), (d) and (e) in Table 1.
- 8.5 Table 3 below sets out the currently estimated increase in budget required by each department for each of the potential options, to prioritise the treatment of knotweed stands according to their level of risk.

Table 3: Estimated costs relating to enhanced Japanese Knotweed treatment.

Additional funds required*			
Department	Option (c) High Priority	Option (d) High + Medium Priority	Option (e) All stands
Rights of Way	No change	No change	No change
Highways	£3,356	£97,496	£98,940
Green spaces	£24,192	£28,624	£28,744
Property	£68,812	£82,784	£86,056
Climate Change Response	£14,262	£14,262	£14,262
Total	£110,622	£223,166	£228,002

* Required treatment budget figures were calculated by subtracting the current amount spent on knotweed treatment from the predicted annual On Asset costs presented within the INNS mapping report.

- 8.6 Options (a) and (b) set out in section 3.6 above are not currently considered to require any additional revenue budget.
- 8.7 Option (c) is currently estimated to require an enhanced annual budget of £110,622; option (d) is currently estimated to require an enhanced annual budget of £223,166; option (e) treatment of all Japanese Knotweed is currently estimated to cost an enhanced annual budget of £228,002.
- 8.8 It is to be noted that it is possible for Cabinet to adopt the policy, attached as Appendix 1, regardless of which management approach is chosen. The difference between choosing different management approaches will however impact on the extent and scale to which BCBC is able to carry out actions in line with the policy.
- 8.9 Given the timing of this report in relation to the Medium Term Financial Strategy (MTFS) timetable, options (c), (d) and (e) cannot be progressed at this time.
- 8.10 However, if Cabinet are minded to present the cost pressure to be considered as part of the MTFS, the adoption of option (c), (d) or (e), could not commence until the outcome of the budget for 2025-26 is approved by Council in February 2025.
- 8.11 It is difficult to predict future changes in treatment costs, but an estimated rate of knotweed spread, mentioned within the INNS Mapping report may provide an indication when compared against current costs. According to a study cited within the INNS mapping report, areas infested by knotweed were found to increase sixfold over six years. This would imply that if initial treatment were to be delayed by 6 years this could result in treatment costs being significantly higher than if treatment had been undertaken immediately.

9. Recommendations

9.1 It is recommended that Cabinet:

- Note work undertaken by officers.
- Approve the draft policy, attached as Appendix 1.
- Consider the management options presented in section 3.6, and their financial implications presented in section 8.7, and identify their preferred way forward, noting

that options c, d and e can only progress subject to the outcome of the Medium Term Financial Strategy in February 2025.

Background documents

None

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Appendix 1: Draft Bridgend County Borough Council Invasive Non-Native Species Policy

1. Background

In recognition of the increasing environmental, ecological, legal and socio-economic impacts caused by invasive non-native species, Bridgend County Borough Council (BCBC) have prepared this policy to detail their approach to dealing with invasive non-native species within Bridgend County Borough. The BCBC Invasive Species programme was established in 2022 and includes a new post, an Invasive Species Officer, who will coordinate the cross-Council approach to controlling, mapping, monitoring, and treating invasive non-native species listed under Schedule 9 of the Wildlife and Countryside Act (as amended) (1981)¹ in Bridgend County Borough.

The Wildlife and Countryside Act (1981) is the primary legislation relating to invasive non-native species in the UK. Schedule 9 of this Act lists invasive non-native species that are already established in the wild but continue to pose a conservation threat to native biodiversity and habitats, such that further releases should be regulated. The full list of invasive animal species is listed under Part I of Schedule 9 of this Act and includes ruddy duck which has colonised within Bridgend County Borough. The full list of invasive plant species is listed under Part II of Schedule 9 of the Act and includes Japanese knotweed, Himalayan balsam and *Rhododendron ponticum*, all of which have colonised within Bridgend County Borough.

1.1. Introduction

Invasive non-native species are those species which have been introduced into areas outside their natural range and pose a threat to native wildlife or physical infrastructure.

¹ UK Gov, *Wildlife and Countryside Act*, 1981, <https://www.legislation.gov.uk/ukpga/1981/69/contents>

Many non-native species cause little or no disruption to the environment or infrastructure in their new locations, however, some will establish and thrive in a way that poses a threat to native biodiversity. It is these species that are ascribed the description 'invasive'.

Invasive non-native species can cause problems for native wildlife in several ways, such as:

- Predation
- Competition for resources
- Introducing new diseases
- Hybridisation

Invasive non-native species can also cause problems for infrastructure, such as:

- Japanese knotweed can force its way through very small cracks in brickwork or concrete, subsequently exerting large pressure on hard infrastructure.
- Signal crayfish burrows increase erosion of riverbanks, with riverbanks retreating more than 200% faster in areas of high burrow density². Signal crayfish are not currently present in Bridgend County Borough.
- The zebra mussel is one of the most damaging invasive bivalves. It reproduces fast, disperses widely, and large infestations can block pipework and create obstructions for hard structures in freshwater. The zebra mussel is currently not present in Bridgend County Borough.

Some pathogens can also be categorised as invasive non-native species, including ash die-back³.

The Wildlife and Countryside Act (1981) is the primary legislation which gives protection to native animals, plants and habitats in the UK, and controls the release of certain invasive non-native species. Species listed under Schedule 9 of this Act are those which pose a threat to native biodiversity and this Act will guide BCBC on which invasive non-native species will be the focus of this policy and management efforts within the County Borough.

2. Scope and approach

This policy is intended to guide the approach of BCBC in dealing with invasive non-native species. It takes account of the Britain-wide invasive non-native species strategy⁴.

This policy should be read alongside the BCBC prioritisation matrix for invasive non-native plant treatment, and the accompanying action plans for dealing with those species.

² Sanders H, Rice SP and Wood PJ, 2021, [Signal crayfish burrowing, bank retreat and sediment supply to rivers: A biophysical sediment budget](#), Earth Surface Processes and Landforms 46, 4, 837-852

³ JNCC, *Combating ash dieback – mitigating the impact of invasive diseases on biodiversity*, 30 April 2019, <https://jncc.gov.uk/news/combating-ash-dieback-mitigating-the-impact-of-invasive-diseases-on-biodiversity/>

⁴ DEFRA, *The Great Britain Invasive Non-Native Species Strategy*, August 2015, <https://gov.wales/sites/default/files/publications/2018-03/the-great-britain-invasive-non-native-species-strategy.pdf>

The approach of BCBC is based on the following:

- A) Work with neighbouring councils to avoid the introduction and establishment of invasive non-native species in South Wales
- B) Prevent the introduction and establishment of invasive non-native species within the County Borough
- C) Act rapidly to eradicate newly introduced invasive non-native species from the County Borough
- D) Eradicate established invasive non-native species, based on the following hierarchy:
 - Species that cause significant economic or infrastructure harm, or those with the potential to do so
 - Species that cause significant ecological or environmental harm, or those with the potential to do so
- E) Control or manage invasive non-native species, based on the same hierarchy
- F) Take no action on invasive non-native species
- G) Build awareness and understanding of invasive non-native species with internal and external stakeholders

A) Avoiding the establishment of invasive non-native species in South Wales

An online portal has been created on the National Biodiversity Network (NBN) Atlas Wales website specifically for those invasive non-native species of particular interest to Wales⁵. It includes those species for which *prevention* is important. At the time of writing, there were 16 such species, 12 of which are also established elsewhere in the UK.

Action	Responsible officer	Budgetary implications
Keep up to date with the latest information on those species of particular importance to prevent establishment within South Wales	Invasive Species Officer	Officer time
Coordinate action to eradicate those species on the list that are reported within the County Borough	Invasive Species Officer Working Action Group (relevant departments) Specialist contractors	Varied – potentially significant

⁵ National Biodiversity Network Trust, *NBN Atlas Wales*, <https://wales-species-inns.nbnatlas.org/>

B) Preventing the establishment of invasive non-native species within the County Borough

The NBN Atlas portal should be assessed to determine which invasive non-native species are absent from the County Borough, with a list to be developed of those for which exclusionary effort should be made. This list will consider factors such as:

- Extent of the species' presence elsewhere in Wales
- Potential cost of exclusionary action
- Potential cost and impact of letting the species slip down the hierarchy

Action	Responsible officer	Budgetary implications
Maintain a list, updated on at least an annual basis, of those invasive non-native species absent from the County Borough but present elsewhere in Wales which pose a significant economic, biodiversity or infrastructure threat	Invasive Species Officer	Officer time
Develop a plan for each with a set of actions based on the criteria set out	Invasive Species Officer Working Action Group (relevant departments)	Varied – potentially significant

C) Eradicating newly introduced invasive non-native species from the County Borough

There will be ongoing monitoring of those invasive non-native species records found outside the County Borough which may pose significant risks if introduced into the county. Upon verifying its presence, an action plan will be developed for any species newly introduced into the County Borough.

Action	Responsible officer	Budgetary implications
Develop a plan for each species that is introduced with a set of actions based on the criteria set out	Invasive Species Officer Working Action Group (relevant departments)	Officer time
Undertake the action set out in the relevant plan where resources are available	Invasive Species Officer	Varied – potentially significant

	Working Action Group (relevant departments)	
	Specialist contractors	

D) Eradicate established invasive non-native species

The Council will make efforts with available resources to implement eradication programmes for established invasive non-native species, listed under schedule 9 of the Wildlife and countryside act 1981 (as amended), should any viable eradication methods be developed.

Species action plans should be read alongside this policy when looking to undertake a programme of eradication.

E) Control or manage established invasive non-native species

The Council will make efforts with available resources to implement treatment programmes for established invasive non-native species, listed under schedule 9 of the Wildlife and countryside act 1981 (as amended).

Species action plans should be read alongside this policy when looking to undertake a treatment programme.

Action	Responsible officer	Budgetary implications
Develop a scoring matrix to determine which invasive non-natives are priority species for action and which locations within the County Borough	Invasive Species Officer Working Action Group (relevant departments) Specialist consultants	Officer time Varied depending on tender requirements
Develop a plan for each priority species with a set of actions based on the criteria set out	Invasive Species Officer Working Action Group (relevant departments)	Varied – potentially significant

Conduct a county-wide mapping exercise of priority invasive non-native species (based on the prioritisation scoring matrix and accompanying action plans) present in Bridgend County Borough	Invasive Species Officer Specialist consultants	Officer time Varied depending on tender requirements
Develop a framework of approved contractors to deliver treatment and management efforts to invasive non-native species where appropriate	Invasive Species Officer Working Action Group (relevant departments) Procurement	Officer time
With available resources, carry out treatment on invasive non-native species management methods as detailed in section 3, following the mapping exercise of priority invasive non-native species	Department responsible for land where invasive non-native species has been identified	Varied – potentially significant
Develop a list of approved and trusted invasive species treatment contractors to signpost external stakeholders to when a confirmed invasive non-native species is present on land not owned or managed by BCBC	Invasive Species Officer Working Action Group (relevant departments)	Officer time

F) Take no action on invasive non-native species

Those species that fail to meet the prioritisation matrix scoring criteria will fall into the category for which, other than a watching brief, no action is taken.

Action	Responsible officer	Budgetary implications
Maintain a watching brief on established but low-priority invasive non-native species	Invasive Species Officer Working Action Group (relevant departments)	Officer time

G) Build awareness and understanding of invasive non-native species with internal and external stakeholders

Building awareness and understanding of invasive non-native species across all relevant stakeholders is important to ensure support and understanding of relevant policies and

procedures, as well as encourage and inspire behaviour change where activities carry the risk of introduction or spread of invasive non-native species.

Action	Responsible officer	Budgetary implications
Develop and deliver training tools, materials and workshops to improve knowledge and understanding of invasive non-native species	Invasive Species Officer Specialist contractors	Officer time Varied depending on training need / resource
Engage internal and external stakeholders, e.g., Council Officers, general public, housing associations, landowners, utility companies etc., to develop working groups to share skills, knowledge and best practice on managing invasive non-native species	Invasive Species Officer	Officer time

3. Invasive non-native species management methods

This section of the policy details the management methods BCBC will undertake for each priority Schedule 9 invasive non-native plant species that is currently present in Bridgend County Borough. Those to receive management effort will be determined by the accompanying prioritisation scoring matrix. The below management methods to control invasive non-native species on BCBC assets are based on best practice recommendations and are subject to change in accordance with any new research. The management strategy aims to control the relevant invasive non-native species to prevent spread and eradicate the species from the immediate area where achievable.

Invasive non-native species	Method type	BCBC management method
Japanese knotweed	Chemical	Herbicide management – applied by foliar application or stem injection (foliar application is more cost effective and less labour intensive, however) once per year between August and October*.
Himalayan balsam	Physical (preferred method)	To pull by hand or brushcut – plant should be allowed to grow to allow cutting / pulling below first node. This should be done before the plant goes into seed. Once pulled / cut, the plant should be left in situ to rot down naturally.
	Chemical	Herbicide management – applied by foliar application. Hand pulling or brush cutting should be prioritised where appropriate to reduce the use of herbicide as far as practicable.

Rhododendron	Mechanical / chemical	Fell trees / bushes – cut to ground followed by approved herbicide treatment to prevent regrowth.
Montbretia	Mechanical	Excavate all plant material and surrounding soil – any plant material left in soil can cause regrowth. All excavated material is classified as controlled waste and must be disposed of at a licenced landfill.
	Chemical	Herbicide management – applied by foliar application between flowering and seeding (between June and September).
Cotoneaster	Mechanical / chemical	<p>Fell bushes – cut to ground followed by approved herbicide treatment to prevent regrowth. Younger plants may be effectively pulled out without the need for treating the stump with herbicide.</p> <p>All material is classed as controlled waste and should be chipped on site or disposed of at a licenced landfill.</p>
American Skunk Cabbage	Mechanical	Excavate all plant material and destroy through drying out, secure composting or burning at an appropriate distance away from water. This should be undertaken twice a year, during late spring and late summer.
	Chemical	Herbicide management – applied by foliar application between June and October.
Three cornered Leek	Mechanical	Excavate all plant material with follow up cutting over several years until any viable seeds remaining within the soil have been exhausted.
	Chemical	Herbicide management – applied by foliar application by wiping leaves during spring before it has flowered. Follow up applications over several year will be required until any viable seeds remaining within the soil have been exhausted.

* It should be noted that although this strategy of herbicide application will provide control of Japanese knotweed, it will require a minimum of three to five years to achieve successful control.

Eradication of Japanese knotweed in an immediate area is unlikely to be achieved as viable rhizomes will remain at depth, even if no growth is visible or observed for several years. The risk of re-growth remains in the long term.

It should also be noted that whilst control methods may be successful, reintroduction of an invasive non-native species to an area / site is possible from upstream sources along rivers, during flood events, encroachment from third-party land, animal and human activity etc. Therefore, long-term monitoring following treatment that is considered successful and subsequent control methods to manage any new growth may be required.

In line with research, the most effective methods of invasive non-native species management will be undertaken to control and if possible, eradicate invasive non-native species present on BCBC managed land.

4. Dealing with reports of invasive non-native species

Japanese knotweed is becoming an increasing problem, particularly for residents, due to concerns that the plant may cause infrastructure damage and the mortgageability of properties with Japanese knotweed on or near the property, as well as the effect on property value that the plant can have. This is of particular concern where there is evidence of Japanese knotweed on or near to the property and there is no management plan or treatment efforts in place.

An increasing number of reports are being received from the general public and property owners regarding the presence and growth of Japanese knotweed, both on private and Council owned land. This section of the policy has been developed specifically to deal with these complaints, and for other invasive non-native species, in a consistent and corporately approved manner.

4.1. Legal position on Invasive non-native species

It is not an offence for a landowner to have an invasive non-native species growing on their land, but under Section 14(2) of the **Wildlife and Countryside Act 1981**, it is an offence to plant or cause any species listed in Schedule 9 of this Act to grow in the wild. Japanese knotweed is included in this list. This means that any actions which cause the spread of invasive non-native species, including Japanese knotweed, such as strimming, flailing or moving contaminated soil, or allowing the plant to spread to a neighbouring property, may constitute an offence.

Under the **Anti-social Behaviour, Crime and Policing Act 2014**, local councils and the police can issue a Community Protection Notice (CPN) to landowners / occupiers in situations where an invasive species is having a detrimental effect on the quality of life of others. This CPN would require them to control or prevent the growth of Japanese knotweed or other plants that are capable of causing serious problems to communities.

Powers under Sections 215 – 219 of the **Town & Country Planning Act 1990 (as amended)** may have already been exercised by BCBC in relation to its managed assets. The use of these powers is appropriate in relation to invasive non-native species encroachment from third party land, as they can be used to ensure that suitable invasive non-native species management programmes are undertaken. Under Section 215 of the Act, BCBC would have the power to serve a notice on adjoining landowners/occupiers of land if it appeared that the amenity of the area maintained by BCBC was adversely affected by the condition of that land. This notice would require the adjoining landowners/occupiers to provide details of steps taken to remedy the condition of the land as specified within the notice and taken within such period as specified. Furthermore, under Section 219 of the Act, any expenses incurred by the landowners / occupiers for any land for the purpose of complying with the notice is deemed to be incurred and at the request of the landowner / occupier. If it is evidenced that the required steps had not been undertaken within the Section 215 notice period, BCBC may then exercise powers to enter the adjoining land in order to undertake the required treatment. All expenses reasonably incurred would be recovered by BCBC from the landowner.

4.2. Procedure for dealing with reports of invasive non-native species

On receipt of a complaint concerning an invasive non-native species, the receiving department e.g., Property, Green Spaces, Highways, Planning, Climate Change Response, will use the relevant digital mapping system to confirm whether the land on which the complaint relates to belongs to the Council. If the land is near a highway and is not owned by the Council, the check should also include whether the land is maintainable highway e.g., a highway verge. If the land is confirmed to belong to / be the responsibility of the Council, the complaint and all relevant details shall be passed to the Invasive Species Officer. These details should include a What3Words location and a photograph of the plant where possible.

The Invasive Species Officer will be responsible for making arrangements to inspect the plant growth. The investigation and assessment will be undertaken with reference to the Wildlife and Countryside Act 1981; Codes of Practice, and the Council's prioritisation scoring matrix and action plan(s). The inspection report will include confirmation of species, whether it is an invasive non-native species and highlight where the plant 's location falls in relation to the prioritisation scoring matrix. An example would be that the plant is Japanese knotweed, it is known to be an invasive non-native plant and is assessed as being of high priority for treatment as it falls within 3m of the ownership boundary on council land. The report would also provide recommendations for remedial works based on the relevant action plan and the above invasive non-native species management methods.

Where invasive non-native species have been found to be present upon BCBC managed land the onus would fall to the Council to control these species. The urgency with which these species would need to be managed, in relation to the risk they pose, will be determined by a prioritisation scoring matrices. These matrices may differ between species, to factor in their method of spread, and would inform where treatment programmes will be focused.

When the presence of an invasive plant has been recorded on BCBC managed land it will be categorised as being of either high, medium, or low priority according to its prioritisation matrix. Where resources allow, the Invasive Species Officer will either carry out the treatment for smaller stands highlighted in the inspection report or inform the responsible department of the outcome and recommendations within the report.

Where resources allow, it will then be the departments responsibility to instruct approved contractors to undertake treatment works. The Invasive Species Officer may provide support to these departments where needed, with the main focus of the role relating to coordination of invasive non-native species related actions undertaken by BCBC. Treatment programmes, in response to historic public reports / complaints, will continue until its presence is no longer observed and is deemed to be controlled.

The Invasive Species Officer will inform the complainant of the proposals and direct them to further information and resources if no works are to be undertaken.

4.3 Invasive non-native species encroachment

The invasive non-native species encroachment response hierarchy should be followed if it can be evidenced by a BCBC department that the amenity value of BCBC managed land has been impacted by invasive non-native species encroachment.

Appropriate enforcement action should be undertaken by BCBC enforcement officers if it can be sufficiently evidenced that certain individuals or organisations have fly tipped resulting in invasive non-native species growth onto BCBC managed land. The Invasive Species Officer may provide support to the enforcement officer where needed.

4.3.1 Invasive non-native species encroachment response hierarchy

Step 1: Awareness letter

A letter would be sent to the owner / occupier to make them aware that the presence of invasive non-native species on their property was or will have the potential to impact the amenity value of adjacent BCBC managed land. The letter will inform the owner / occupier of the relevant legislation, appropriate treatment techniques and a list of approved contractors and resources to help identify the invasive non-native species involved.

A template letter will be drafted by the Invasive Species Officer with formal letter to be drafted and sent by the department affected.

Step 2: Warning letter

A letter will be sent making the owner / occupier aware that invasive non-native species present on their land is encroaching on BCBC managed land and requires treatment. Identification, legalities, appropriate management options, and a list of approved local contractors will be enclosed. The letter is to be issued by an enforcement officer from the department affected or a legal officer.

Step 3: Management notice

BCBC to issue a Section 215 notice under of the Town and Planning Act 1990 (as amended) where the owner / occupier would need to demonstrate, within 28-day notice day period, that appropriate actions have been taken to treat the invasive non-native species. Under the notice the cost of the treatment programme would be paid for by the owner / occupier. The notice is to be issued by an enforcement officer from the department affected or a legal officer.

Step 4. Direct action by BCBC

If sufficient steps have not been evidenced by the owner / occupier within the Section 215 notice period BCBC would have powers, under Section 219 of the Town and Planning Act 1990 (as amended) to access the land and arrange for an appropriate treatment programme to be undertaken. To remedy the condition of the land and this would be over a duration deemed sufficient to control the invasive non-native species present.

Direct action will be arranged by the department affected by the invasive non-native species encroachment. This will be carried out with support from either an enforcement officer within the department or legal officer. The cost of invasive non-native species treatment programmes would be paid for by BCBC with cost reclaimed from the owner / occupier.

4.3.2 Procedure for dealing with reports of fly tipped invasive non-native species

Enforcement officers within the Cleaner Streets and Waste team or Planning team, if planning conditions were breached, shall investigate incidence of material tipped containing invasive non-native species. The Invasive Species Officer should be kept aware of all reports and follow up responses relating to invasive non-native species fly tipping incidents.

5. Prevention or mitigation of spread

5.1. Prevention of spread from street works or road works by statutory undertakers.

All data relating to invasive non-native species recorded on BCBC land and resulting from any INNS mapping exercise will be shared with Street Works officers to be included within engineering notes.

Engineering notes relating to the presence of invasive non-native species, and the risk of spread, should be recorded on the relevant systems. These notes should make any statutory undertakers proposing to carry out work, such as utility companies, aware of the potential risk. They should also prompt the implementation of appropriate avoidance and mitigation measures.

5.2. Management of invasive non-native species through the development planning process

Planning officers should consult the Invasive Species Officer or continue to consult officers within the Climate Change Response team for comment should any invasive non-native species be identified during Preliminary Ecological Assessments, Ecological Impact Assessments and Environmental Impact Assessments or if there is uncertainty regarding invasive non-native species presence.

6. Legislation relevant to invasive non-native species

Section 14 of the **Wildlife and Countryside Act 1981** (as amended) is to prevent the release into the wild of certain plants and animals which may cause ecological, environmental, or socio-economic harm.

Part I Section 14(1) and (2) of the **Wildlife and Countryside Act 1981** makes it an offence to:

- Keep, sell, release, or allow to escape any animal not ordinarily resident or a regular visitor to Great Britain as listed in Schedule 9.
- Plant or otherwise cause to grow in the wild any plant listed in Schedule 9.

The **EU Regulation 1143/2014 on Invasive Alien Species** obliges member states to control invasive non-native species. Through this regulation, government agencies (in Wales the Welsh Ministers and Natural Resources Wales) have the power to issue control orders for the removal of high-risk non-native alien weed species from specified sites, including residential developments and neighbouring properties.

The **Environmental Protection Act 1990** states that any soil and waste containing propagules of a plant species listed in Schedule 9 of the **Wildlife and Countryside Act 1981** (as amended) that is discarded, intended to be discarded or is required to be discarded are considered to have the potential to cause ecological harm and hence deemed "Controlled Waste". Controlled waste requires specific conditions, such as a licence, for transportation and disposal.

The **Anti-social Behaviour, Crime and Policing Act 2014** confers powers on councils and the police to issue Community Protection Notices (CPNs) where there is a proven detrimental effect of a persistent or continuing nature on the quality of life of those in the locality, and that the conduct is unreasonable. CPNs have been issued to require someone to control or prevent the growth of invasive non-native plants that can cause serious problems for communities. Failure to comply with a CPN is a criminal offence.

The **Infrastructure Act 2015** amended the **Wildlife and Countryside Act 1981** to introduce a statutory regime of Species Control Agreements and Orders to ensure that landowners take action on invasive non-native species or to permit others to enter that land to undertake action. The Code of Practice⁶ sets out the detail of these Agreements and Orders.

The **Environment (Wales) Act 2016** sets out Wales's approach to planning and managing natural resources at a national and local level with a general purpose of sustainable management of natural resources. Section 6 of the Act incorporates a biodiversity and resilience of ecosystems duty. This requires public authorities to seek to maintain and enhance biodiversity and seek to promote the resilience of ecosystems. Public authorities will be required to report on the actions they are taking to improve biodiversity and promote ecosystem resilience. The acknowledged impact of many invasive non-native species on biodiversity and ecosystems makes them an important feature of the Section 6 duty.

⁶ Welsh Government, *Code of Practice for Species Control Provisions in Wales*, May 2017, <https://gov.wales/sites/default/files/publications/2018-01/code-of-practice-for-species-control-provisions.pdf>

Sections 215, 216 and 219 of the **Town & Country Planning Act 1990** (as amended) provides local authorities certain controls to ensure that the condition of any neighbouring land is remedied should it be found to adversely affects the amenity value of adjoining land managed by the authority.

Section 215 (1),(2),(3) and(4) of the **Town & Country Planning Act 1990** (as amended) provides the power to issue a notice on adjoining owner/occupiers if it appears to the local planning authority that the amenity of their land is adversely affected by the condition of adjoining land in that area. The notice shall require such steps for remedying the condition of the land as may be specified in the notice to be taken within such period as may be so specified.

Section 216 (2) of the **Town & Country Planning Act 1990** (as amended) provides local authorities the power to issue a fine up to £1000 if owner/occupiers on whom the Section 215 notice was served fails to take steps required by the notice within the period specified.

Section 219 (1) of the **Town & Country Planning Act 1990** (as amended)
Within the period specified in a notice under Section 215 the local authority having served the Section 215 notice may enter the land subject to the notice and take steps to remedy its condition; with expenses reasonably incurred by the local authority recovered from the landowner.

By virtue of paragraph(s) 14 of Part 4 of Schedule 12A
of the Local Government Act 1972.

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