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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr
Bridgend County Borough Council

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



Rydym yn croesawu gohebiaeth yn Gymraeg. Rhwch wybod i ni os mai Cymraeg yw eich dewis iaith.

We welcome correspondence in Welsh. Please let us know if your language choice is Welsh.



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Gofynnwch am / Ask for:

Ein cyf / Our ref:
Eich cyf / Your ref:

Dyddiad/Date: Wednesday, 5 March 2025

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, 11 March 2025 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 - 24

To receive for approval the Minutes of 14/01/2025 and 04/02/2025

4 Treasury Management Quarterly Report To 31 December 2024

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5 Non-Domestic Rates: Discretionary Relief: Retail, Leisure and Hospitality Rates Relief Scheme 2025-26

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By receiving this Agenda Pack electronically you will save the Authority approx. £6.56 in printing costs

6	<u>Homelessness Temporary Accommodation</u>	61 - 66
7	<u>Social Services and Wellbeing Accommodation-Based Service Review</u>	67 - 98
8	<u>Social Services and Wellbeing Daytime Opportunities Review and Remodelling</u>	99 - 110
9	<u>Health and Social Care Regional Memorandum of Understanding</u>	111 - 122
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11	<u>School Modernisation Programme Coety Primary School, Four-Classroom Extension - Modification To The Implementation Date Of The Enlargement</u>	131 - 134
12	<u>Outcomes of ESTYN Inspections of Schools In Bridgend During Autumn Term 2024</u>	135 - 148
13	<u>Revised Contract Procedure Rules</u>	149 - 190
14	<u>Cabinet, Council and Overview and Scrutiny Committees Forward Work Programmes</u>	191 - 210
15	<u>Draft Supplementary Planning Guidance (SPG): Retail and Commercial Development</u>	211 - 244
16	<u>Joint Vehicle Maintenance (JVM) Service With South Wales Police</u>	245 - 250
17	<u>Fleet Replacement Programme</u>	251 - 256

18 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.

19 Exclusion of the Public

The following items are not for publication as they contain exempt information as defined in Paragraphs 14 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.

20 Approval of Exempt Minutes

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To receive for approval the exempt minutes of 14/01/2025 and 04/02/2025

21 Owners Agreement for Porthcawl Waterfront Regeneration and Porthcawl Pavilion Contract

263 - 328

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, 14 JANUARY 2025 AT 14:30

Present

Councillor JC Spanswick – Chairperson

HM Williams
M Jones

E L P Caparros

P Davies

M J Evans

Present Virtually

N Farr

J Gebbie

Apologies for Absence

None

Officers:

Anya Richards
Oscar Roberts
Nimi Chandrasena
Carys Lord
Claire Marchant
Janine Nightingale
Kelly Watson
Mark Shephard
Lindsay Harvey

Group Manager - Communications and Public Affairs
Business Administrative Apprentice - Democratic Services
Democratic Services Officer - Support
Chief Officer - Finance, Housing & Change
Corporate Director - Social Services and Wellbeing
Corporate Director - Communities
Chief Officer - Legal & Regulatory Services, HR & Corporate Policy
Chief Executive
Corporate Director - Education, Early Years & Young People

Declarations of Interest

None

418. Approval of Minutes

Decision Made	<u>RESOLVED :</u> Cabinet approved the Minutes of the Cabinet meeting held on 19/11/2024 and 10/12/2024
Date Decision Made	14/01/2025

419. School Modernisation Programme Heronsbridge School and Harwood House - Procurement

Decision Made	<p>The Corporate Director - Education, Early Years & Young People presented the report which sought approval from the Cabinet in relation to :</p> <ul style="list-style-type: none">• The procurement strategy for the design and build of the replacement school;• Seek Cabinet approval to proceed with tendering the scheme; Page 27 Agenda Item 4• Seek Cabinet approval to include the specialist children's residential provision (Harwood House) as part of the tender as a separate option, allowing for the scheme to be either included or excluded once contracts are awarded, pending the required capital funding being confirmed; <p>The purpose of the report was also to :</p> <ul style="list-style-type: none">• Advise Cabinet that they will be presented with a future report prior to awarding the main construction contract, which sets out the position regarding costs and budget; and• Advise Cabinet that they will be presented with a future report to modify the school opening date. <p>A discussion took place with regards to the following points :</p> <ul style="list-style-type: none">• With reference to points 2.4 to 2.6, a question was raised as to the school's current capacity and its
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	<p>provision of a residential facility. The Manager (Sustainable Communities for Learning) responded that as at the last count in January 2024, there were 266 pupils on roll. She added that while there was no capacity calculation for special schools, a calculation conducted a number of years ago indicated that there was significant overcrowding in classrooms and circulation areas which also left hygiene areas inadequate. She also responded that school currently had a residential facility which comprised of two houses with 3 bedrooms in each house.</p> <ul style="list-style-type: none"> • A member referred to 3.9 and sought clarification in relation to costs incurred when calling for tenders and agreements with the incumbent designers. The Manager (Sustainable Communities for Learning) responded that the preference would be for the incumbent designer to take forward the design so they would provide a price which would include the design fees, however this was subject to the tender process and the expectation was that any designer awarded the tender would quote including the design fee. • The Corporate Director of Social Services and well-being stated that Harwood House was a specialist children's residential home for children with multiple and profound disabilities and was currently co-located with Heronsbridge School. Currently, there are no transport costs for the children to attend school and the children who reside in Harwood would always be children who would attend that particular school. It is expected that they would attend the new school when it when it moves site. By continuing to have the three services alongside each other, an alignment of services could be achieved for the most vulnerable children in the county borough. She stated that there was significant risk if the Harwood element did not secure the funding mentioned within in the report. The needs of the children were such that it would not be suitable for them to remain on site, while significant works were happening on the current Heronsbridge site as it would leave the Authority with a considerable challenge in terms of residential provision for those particular children and other children who would require that service going forward. The Corporate Director Social Services and wellbeing stated that it was therefore vital that the facilities were Co located. • A member drew attention to point 3.13 in the report where it mentioned that due to delays in the broader project, the building works were now unlikely to be completed until 2027-2028, where officers have subsequently advised the regional team that the 3.2 million initially earmarked in the HFC capital programme was for 2025-2026 and queried if the Authority have received formal confirmation of funding from the Welsh Government. The Corporate Director Social Services and wellbeing responded that this was a priority within that regional capital strategy, and had been approved by the Regional Partnership Board which oversee that fund, there was a further exchange around specific figures in relation to the funding.
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	<ul style="list-style-type: none"> • A member queried the difference of 4.485 million between the projected cost and the tendered cost and was advised that the additional funding of just over 4,000,000 was to pick up the costs for contingency, risk, furniture and equipment and all the costs associated with client side as opposed to contractor side. There was a further discussion with regards to the projected costs and delivery of the project which can be found in detail within the recording of this meeting. <p><u>RESOLVED</u> :</p> <p>It was agreed that Cabinet:</p> <ul style="list-style-type: none"> • Approved the procurement strategy for the design and build of the replacement school scheme; • Gave approval to proceed with tendering the scheme; Page 33 • Gave approval to include the specialist children's residential provision (Harwood House) in the tender as a separate option, allowing for the scheme to be either included or excluded once contracts are awarded, pending the required capital funding being confirmed; • Noted that Cabinet will be presented with a future report prior to awarding the main construction contract, which sets out the position regarding costs and budget; and • Noted that Cabinet will be presented with a future report to modify the school opening date.
Date Decision Made	14/01/2025

420. Regional Advocacy and Independent Visiting Service for Children and Young People

Decision Made	<p>The Corporate Director - Education, Early Years & Young People presented the report which sought approval from the Cabinet in relation to :</p> <ul style="list-style-type: none"> • Approve the procurement of a contract for the IPA and IV services by another public body on behalf of the Council as a waiver under the Council's Contract Procedure Rules; • Approve the Council entering into a regional collaboration agreement to work collaboratively to ensure effective delivery of the service and appropriate governance; • Delegate authority to the Head of Children and Family Services to represent and make decisions for the Council as part of the Regional Project Board. Page 3
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A discussion took place with regards to the following points :

- A member asked if the consequence of working regionally had resulted in the delays faced by young people and adults trying to access advocacy. She also asked if there was a team dedicated to Bridgend and how the pay out was calculated. The Corporate Director - Education, Early Years & Young People responded that work has been carried out on a regional basis as it makes economic sense and service sense to do so as it provides some economies of scale thereby better value for money in terms of the service. She stated that the contract ensured there were dedicated staff for Bridgend.
She also stated that the contract, as a regional one , provided flexibility in terms of staff allocation. She confirmed that there were no delays experienced in terms of children and young people being able to access the advocacy they needed and the pay was calculated based on the usage of the contract.
- A member asked how the member rota visits could provide a link with an access to advocacy and awareness that young people in care are entitled to contact their local councillor. The Corporate Director Social Services and wellbeing responded that the independent visiting service is a statutory service Bridgend's residential care homes. She stated that she found the reports that come through invaluable because members tend to pick up something that the professionals who visited did not. She stated that she would need to check how far care experienced are made aware that they can contact their local counsellors. The children are provided with information about how to make a complaint and procedures. However, she could not confirm exactly what information is provided in relation to their right to contact their local councillor and will follow up as an action following the meeting.

RESOLVED :

It was agreed that Cabinet:

- Approved BCBC entering into a regional collaboration agreement with RCTCBC and MTCBC for the provision of an advocacy and independent visiting service for Children and Young People;
- Delegated authority to the Corporate Director Social Services and Wellbeing in consultation with the Chief Officer - Finance, Housing and Change and Section 151 Officer and Chief Officer - Legal and Regulatory Services, HR and Corporate Policy, to agree the terms of the regional collaboration agreement and any ancillary agreements and to arrange execution of those agreements on behalf of the Council.

	<ul style="list-style-type: none"> • Approved a waiver under Contract Procedure Rule 3.2.12 for RCTCBC to procure the advocacy and independent visiting service for children and young people including entering into a regional contract on behalf of the Council and note that approval to award any contract will be agreed by the parties through the governance arrangement prescribed by the regional collaboration agreement once the procurement process had been completed; and • Delegated authority to the Head of Children and Family Services to represent and make decisions for BCBC as part of the Regional Project Board.
Date Decision Made	14/01/2025

421. Medium Term Financial Strategy 2025-26 to 2028-29

Decision Made	<p>The Chief Officer – Finance, Housing and Change presented the draft Medium Term Financial Strategy 2025-26 to 2028-29 to Cabinet, which sets out the spending priorities of the Council, key investment objectives and budget areas targeted for necessary savings. The strategy included a financial forecast for 2025-2029 and a detailed draft revenue budget for 2025-26.</p> <p>A discussion took place with regards to the following points :</p> <ul style="list-style-type: none"> • A member stated that with cuts to budget, there were pressures that could not be avoided, he would now welcome the consultation period with scrutiny. He went on to say that the public needed to be encouraged to take part in the public consultation, where the purpose was to keep people safe and informed of the Council functions. He asked that the Public to let the Authority know their thoughts about the proposals and they would endeavor to manage that expectation. • A member asked if there was information available about how many responses were available from the public consultation considering residents who did not have access online or via social media. The Group Manager Communications responded to state that wide promotional campaign was being conducted to include regular post on all social media channels, they were using Facebook advertising to extend that reach. She stated that the Consultation was promoted weekly in the Members Bulletin (a bulletin that goes to all BCBC members as well as 10 and community councils). The Consultation was promoted in the residence bulletin and in Bridgenders, which is the
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	<p>internal newsletter. She confirmed that as at the date of the meeting , her team were in receipt 747 responses.</p> <ul style="list-style-type: none"> Referring to page 67 of the report, a member queried how much of the settlement was classed as new money. The Chief Officer – Finance, Housing and Change responded that there was an extra 10.6million expected which was a net figure as there were movements in and out of the settlement. The rest of the funding was sourced from grants and such items that transferred into the settlement. She stated it would not be identified as all new money, as some of it was helping the Authority to support itself with pay and price increases. Therefore it was not new money for new initiatives as the fund just goes towards helping the Authority to continue to manage requirements. It was mentioned that a presentation on the budget and the opportunity for members to present an alternative budget was due to take place in February 2025. The expectation was that on 26th of February, there would be a United Council supporting the budget before them following the consultation that had taken place. <p><u>RESOLVED :</u></p> <p>Cabinet agreed to submit for consultation with the Overview and Scrutiny Committees the 2025-26 annual budget and development of the MTFS 2025-26 to 2028-29, as set out in this report, prior to presenting a final version for approval by Council on 26 February 2025.</p>
Date Decision Made	14/01/2025

422. Budget Monitoring 2024-25 - Quarter 3 Revenue Forecast

Decision Made	<p>The Chief Officer – Finance, Housing and Change presented the report to provide Cabinet with an update on the Council's revenue financial position as at 31st December 2024.</p> <p>Members commented there were significant underlying pressures across base budgets and the purpose of</p>
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	<p>the draft revenue budget seeks to address concerns. Members acknowledged an improvement in Period 2, though they also acknowledged that there was more work to be done.</p> <p><u>RESOLVED :</u></p> <p>Cabinet noted the projected year end revenue position for 2024-25</p>
Date Decision Made	14/01/2025

423. Update to the Council's Financial Procedure Rules

Decision Made	<p>The Chief Officer – Finance, Housing and Change presented the report to seek approval from Cabinet for an updated version of the Council's Financial Procedure Rules (FPRs)</p> <p>A Member acknowledged that the changes had already been brought up in Council and was aware that another member had sought a few minor amendments which they hoped could be incorporated.</p> <p>A member queried if all recommendations and/or concerns raised by Council have been addressed and also queried the reasons any that have not addressed. The Chief Officer – Finance, Housing and Change responded that she felt it was important to provide Members reassurance that when changes have been requested , they are implemented promptly and quickly it is practicable. She noted that dependent on the change being requested , it has not always been possible to specify timeline. She assured members that any changes reported or recorded are implemented within the requirements of the financial procedure rules.</p> <p><u>RESOLVED :</u></p> <ul style="list-style-type: none">• Cabinet approved the amendments to the Financial Procedure Rules outlined in Appendix 1;• Cabinet noted that a separate report will be presented to Council to incorporate the revised Financial Procedure Rules into the Constitution, as attached at Appendix 2.
Date Decision Made	14/01/2025

424. Urgent/Emergency Works To Culvert At A4061 Bwlch-Y-Clawdd Road, Nantymoel Following Landslide During Storm Bert, 24th November 2024

Decision Made	<p>The Corporate Director for Communities presented a report to notify Cabinet of the authorisation and award of a works order to contractors to undertake urgent/emergency works to culvert at A4061 Bwlch-y-Clawdd road, Nantymoel, in the interests of public safety and maintenance of highway for an exemption under Rule 3.1.6 of the Council's Contract Procedure Rules.</p> <p>Members commended the Emergency Services and the Corporate director for the action during the recent storms. A member queried the progress of the application for EFAS funding and also asked if there was a register that members could refer to, in order that they identify if a culvert belonged to the Council or to NRW. The Corporate Director for Communities responded that during instances of extreme storm damage, the Authority makes an application to the Welsh Government, they have historically been successful and are hopeful that it would be the case in the most recent case too. She stated that there was no current list of ownership of culverts but this was something she can look to obtain.</p> <p>RESOLVED :</p> <p>Cabinet noted the exemption from the requirement to seek quotes, in accordance with Rule 3.1.6 of the Contract Procedure Rules.</p>
Date Decision Made	14/01/2025

425. The Provision Of Beach And Water Safety Services In Partnership With The Royal National Lifeboat Institution (RNLI)

Decision Made	<p>The Corporate Director for Communities presented a report to request approval to establish a new long-term partnership arrangement with the Royal National Lifeboat Institution (RNLI) to operate a seasonal beach lifeguarding service at local beaches and in doing so seek a waiver under paragraph 3.2.3 of the Council's Contract Procedure Rules from the requirement to obtain quotes or tenders by open competition</p>
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	<p>and agreement to enter a contract with the RNLI. She detailed the four options, following discussions with RNLI, for Cabinet to consider. This was followed by a discussion between members and the Corporate director as to costs involved. A decision was deferred to the next Cabinet Meeting scheduled on the 4th of February 2025, it was agreed that a decision was time sensitive and the Authority needed to notify RNLI in a timely manner.</p> <p><u>RESOLVED :</u></p> <ul style="list-style-type: none"> • Cabinet agreed to discuss the four options provided in detail within a meeting prior to the next Cabinet meeting. Officers were to be advised of Cabinet's choice of option on the way forward from those set out in section 3 of this report during the next Cabinet meeting scheduled 04/02/2025 . • Cabinet noted that if either option 2, 3 or 4 then any future associated agreement will require a waiver of the Contract Procedure Rules relating to the requirement to obtain quotes or tenders by open competition for the provision of the services on the basis that the services could be provided by only one tenderer in accordance with rule 3.2.3. In proposing such an action, it was highlighted that the RNLI was a unique organisation in respect of such services due to its core focus on coastal safety; Page 220. It was however agreed to be discussed within a meeting prior to the next Cabinet meeting and the chosen option shared within the next Cabinet meeting. • Cabinet noted the financial implications of each option and how any increase in financial commitment would be funded; • Cabinet agreed to discuss, within a meeting prior to the next Cabinet meeting on 04/02/2025 , delegated authority to the Corporate Director, Communities, if either option 2, 3 or 4 were chosen, to finalise negotiations with the RNLI and enter into a three year partnership arrangement and associated service level agreement and any further deeds and documents which are supplemental to the agreement, and any subsequently required amendments, with the RNLI and in doing so agree a waiver under paragraph 3.2.3 of the Council's Contract Procedure Rules .
Date Decision Made	14/01/2025

426. Urgent Items

Decision Made	None
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Date Decision Made	14/01/2025

427. Exclusion of the Public

Decision Made	RESOLVED : The following items were not for publication as they contained exempt information as defined in Paragraphs 12 and 14 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. Following the application of the public interest test Cabinet resolved pursuant to the Act to consider these items in private, the public were excluded from the meeting during such consideration.
Date Decision Made	14/01/2025

428. Approval of Exempt Minutes

Decision Made	RESOLVED : Cabinet approved the exempt minutes of the Cabinet meetings held on 19/11/2024 and 10/12/2024
Date Decision Made	14/01/2025

429. Exempt Report - School Modernisation Programme - Bridgend West

Decision Made	This item was exempt.
Date Decision Made	14/01/2025

**430. SIMS Support Unit (SSU) Agreement Signature Approval to Suspend the
Relevant Parts of the Council's Contract Procedure Rules (CPR)**

Decision Made	This item was exempt
Date Decision Made	14/01/2025

The meeting closed at 17:02

MINUTES OF A MEETING OF THE CABINET HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON TUESDAY, 4 FEBRUARY 2025 AT 14:30

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Present

Councillor JC Spanswick – Chairperson

N Farr
M J Evans

J Gebbie
M Jones

E L P Caparros

P Davies

Present Virtually

HM Williams

Apologies for Absence

None.

Officers:

Mark Shephard
Carys Lord
Claire Marchant
Janine Nightingale
Adam Provoost
Lindsay Harvey
Gary Ennis
Kelly Watson
Stephen Griffiths
Oscar Roberts

Chief Executive
Chief Officer – Finance, Housing & Change
Corporate Director – Social Services and Wellbeing
Corporate Director – Communities
Strategic Planning Policy Team Leader
Corporate Director – Education, Early Years & Young People
Group Manager Business Support
Chief Officer – Legal & Regulatory Services, HR & Corporate Policy
Democratic Services Officer – Committees
Business Administrative Apprentice – Democratic Services

Declarations of Interest

Cllr Jane Gebbie – Personal – Item 6 – as Chair of Governors of Mynydd Cynffig Primary School

433. Medium Term Financial Strategy 2025-26 to 2028-29 and Draft Budget Consultation Process

Decision Made	<p>The purpose of this report, presented by Cllr Jon-Paul Blundell, Chairperson of Subject Overview and Scrutiny Committee 3 was to provide Cabinet with findings and recommendations of the Corporate Overview and Scrutiny Committee in relation to the draft Medium Term Financial Strategy from the Budget Research and Evaluation Panel as well as the comments and recommendations from the Overview and Scrutiny Committees in relation to the report, the proposed budget pressures and the budget reduction proposals.</p> <p><u>RESOLVED:</u> Cabinet noted the recommendations made by the Corporate Overview and Scrutiny Committee, the Budget Research and Evaluation Panel and the Subject Overview and Scrutiny Committees, noting the public interest in areas of the budget including proposals regarding music teaching in schools. Cabinet further noted the level of feedback from residents, teachers and schools regarding proposed cuts to the school music service and indicated that that cut would not be proceeding.</p>
Date Decision Made	4 February 2025

434. Update On Local Land Charges National Programme

Decision Made	<p>The purpose of this report, presented by the Group Manager Business Support was to update Cabinet on the Local Land Charges National Programme and BCBC's progress in migrating Local Land Charges data following a previous report to Cabinet in November 2022, with a live migration planned for the 20th of February 2025.</p> <p>Members posed questions on public engagement to inform of the changes, current delays within the system for land search enquiries and financial pressures within the budget. These questions were addressed by the Group Manager Business Support and the Chief Officer – Finance, Housing and Change, confirming that all local real estate agents are fully aware of the process.</p>
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	RESOLVED: Cabinet noted the report.
Date Decision Made	4 February 2025

435. Revised Protocol for Street Naming and Numbering

Decision Made	<p>The purpose of this report, presented by the Group Manager Business Support was to clarify a revision of the Protocol for Street Naming and Numbering for future local developers and those wishing to change street names, increasing transparency of the process.</p> <p>Members posed questions on revision of council charges, retroactive applications and potential resident involvement in street naming. These questions were addressed by the Group Manager Business Support, clarifying that Town and Community Councils are required to be consulted about new street names.</p> <p>RESOLVED: Cabinet approved the new Street Naming and Numbering Protocol.</p>
Date Decision Made	4 February 2025

436. School Admissions Policy 2026-2027

Decision Made	<p>The purpose of this report, presented by the Corporate Director – Education, Early Years & Young People was to seek Cabinet approval for the updated School Admissions Policy.</p> <p>Members asked a question on whether any substantive changes had been made, which was addressed by the Corporate Director – Education, Early Years & Young People clarifying that only minor changes had been made.</p> <p>RESOLVED: Cabinet approved the School Admissions Policy 2026-2027.</p>
Date Decision Made	4 February 2025

437. Capital Programme Quarter 3 Update 2024-25

Decision Made	<p>The purpose of this report, presented by the Chief Officer – Finance, Housing & Change was to provide an update to members of the Council's updated Capital Programme position as at the end of December 2024 as well as several proposed changes to the Programme to be considered.</p> <p><u>RESOLVED:</u> Cabinet:</p> <ul style="list-style-type: none">• Noted the Council's Capital Programme 2024-25 Quarter 3 update to 31 December 2024 (at Appendix A to the report).• Agreed that the revised Capital Programme (Appendix B) be submitted to Council for approval.• Noted the actual Prudential and Other Indicators for 2023-24 and projected for 2024-25 (Appendix C). <p>Cabinet also noted the many projects currently in progress as part of the Capital Programme.</p>
Date Decision Made	4 February 2025

438. Information Report for Noting

Decision Made	<p>The purpose of this report, presented by the Chief Officer – Legal & Regulatory Services, HR & Corporate Policy was to inform Cabinet of the publication of the Monitoring Report for Corporate Complaints.</p> <p>Members posed questions on the number of Freedom of Information Requests received by the Council, the time required to respond to them and the amount of and support for requests processed on behalf of public bodies. These questions were addressed by the Chief Officer – Legal & Regulatory Services, HR & Corporate Policy.</p> <p><u>RESOLVED:</u> Cabinet acknowledged the publication of the report.</p>
Date Decision Made	4 February 2025

439. Affordable Housing Draft SPG Consultation

Decision Made	<p>The purpose of this report, presented by the Corporate Director – Communities was to seek approval to consult on a draft Affordable Housing Supplementary Planning Guidance to provide developers with specific guidance on all requirements, definitions and obligations connected to the building of sustainable</p>
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	<p>housing in ongoing and future projects within Bridgend County. The consultation will last six weeks, after which the report will be taken back to Cabinet for approval.</p> <p>Members posed questions regarding affordability, potential allowance for vulnerable residents and the percentage of proposed mortgages for buying or renting. These questions were answered by the Corporate Director – Communities and the Strategic Planning Policy Team Leader, noting that the consultation will be taking feedback from Members and residents onboard for the eventual Supplementary Planning Guidance and the importance of safeguarding affordability alongside nomination rights as a Local Authority.</p> <p><u>RESOLVED:</u> Cabinet:</p> <ul style="list-style-type: none"> • Approved the draft Affordable Housing SPG (attached at Appendix 1) as the basis for a public consultation period of 6 weeks. • Authorised the Corporate Director - Communities and Group Manager - Planning and Development Services to make minor presentational changes, typographical or factual corrections as necessary prior to public consultation. • Authorised the Corporate Director - Communities and Group Manager - Planning and Development Services to undertake the public consultation and to report the results of the public consultation back to Cabinet for approval to send the Report to Council and seek adoption of the final SPG.
Date Decision Made	4 February 2025

440. The Provision of Beach and Water Safety Services in Partnership with the Royal National Lifeboat Institution (RNLI)

Decision Made	<p>The purpose of this report, presented by the Corporate Director – Communities was to follow the agreement between BCBC and the RNLI to enter into a seasonal beach lifeguarding partnership, and to seek Cabinet’s approval for the agreement to proceed. The proposed agreement would entail an increase of around £9,000 over the three-year agreement out of the existing Communities budget.</p> <p>Members posed questions on whether all Local Authorities should contribute to the RNLI for beach safety and the waiving of normal contract procedure rules. These questions were answered by the Corporate Director – Communities, mentioning that a Visitor Levy has been placed by Welsh Government.</p>
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	<p><u>RESOLVED:</u> Cabinet:</p> <ul style="list-style-type: none"> • Agreed to proceed with option 4 outlined in the report. • Agreed a waiver of the Contract Procedure Rules relating to the requirement to obtain quotes or tenders by open competition for the provision of the services on the basis that the services can be provided by only one tenderer in accordance with rule 3.2.3. In proposing such an action, it is highlighted that the RNLI is a unique organisation in respect of such services due to its core focus on coastal safety. • Delegated authority to the Corporate Director, Communities to finalise negotiations with the RNLI and enter into a three year partnership arrangement and associated service level agreement and any further deeds and documents which are supplemental to the agreement, and any subsequently required amendments, with the RNLI and in doing so agree a waiver under paragraph 3.2.3 of the Council's Contract Procedure Rules.
Date Decision Made	4 February 2025

**441. Porthcawl Waterfront Regeneration Compulsory Purchase Order
General Vesting Declaration**

Decision Made	<p>The purpose of this report, presented by the Corporate Director – Communities was to update Cabinet on the Porthcawl Compulsory Purchase Order following confirmation in December 2023 as well as engagement and negotiation with affected landowners.</p> <p>Members posed a question on the financial worth and viability of the Compulsory Purchase Order process. This was answered by the Corporate Director – Communities, noting that the CPO was required and in the public interest to give the maximum benefit back to the Borough from this process.</p> <p><u>RESOLVED:</u> Cabinet:</p> <ul style="list-style-type: none"> • Authorised the Corporate Director - Communities in consultation with the Monitoring Officer to take all steps to implement the CPO including, as applicable, to execute the GVD in the form as shown at Appendix C of the report (subject to such amendments as the Corporate Director - Communities may authorise) and/or to serve Notices of Entry in respect of interests and rights in the CPO land. • Authorised the Corporate Director – Communities in consultation with the Monitoring Officer to negotiate, agree terms and enter into agreements with affected parties, making provision for the
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	<p>payment of compensation that result from the making of the GVD for the purposes of enabling the comprehensive development of the PWRS.</p> <ul style="list-style-type: none"> • In parallel to the making of the GVD, authorised the Corporate Director - Communities in consultation with the Monitoring Officer and Section 151 Officer to continue to engage in negotiation with affected parties to achieve voluntary acquisition prior to the GVD taking effect and to amend the GVD as appropriate should voluntary acquisition be achieved prior to it being executed. • Authorised the Corporate Director – Communities in consultation with the Monitoring Officer to take all steps in relation to any legal proceedings relating to the CPO including defending or settling claims referred to the Upper Tribunal and/or applications to the courts and any appeals. • Noted that any future decisions in connection with the disposal of the site and associated development will be reported back to Cabinet for approval and that any future planning application will be subject to determination by the Council's Development Control Committee. <p>Cabinet also thanked the Corporate Director and her teams for their dedicated work in making this project come to fruition.</p>
Date Decision Made	4 February 2025

444. Urgent Items

Decision Made	<u>RESOLVED:</u> None.
Date Decision Made	4 February 2025

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	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	TREASURY MANAGEMENT QUARTERLY REPORT TO 31 DECEMBER 2024
Report Owner / Corporate Director:	CHIEF OFFICER – FINANCE, HOUSING AND CHANGE
Responsible Officer:	NIGEL SMITH, GROUP MANAGER – CHIEF ACCOUNTANT
Policy Framework and Procedure Rules:	Paragraph 23.5 of the Council’s Financial Procedure Rules require the Chief Finance Officer to report quarterly to Cabinet, summarising borrowing and investment activity and indicating compliance with any statutory or Council approved guidelines together with a half yearly and an annual report to Council.
Executive Summary:	<p>The report provides an update of Treasury Management activity for the period 1 April 2024 – 31 December 2024.</p> <p>As at 31 December 2024 the Council had £99.38 million of long term debt, £15.07 million of other long term liabilities and an overall net debt position of £71.55 million.</p> <p>The average interest rate for debt was 4.69% (excluding Salix borrowing which is interest free) and for investments it was 4.70%.</p> <p>The Council has a manageable maturity structure of borrowing, with its current debt repayable at various points over the next 30 years.</p> <p>The Council has complied with the Chartered Institute of Public Finance and Accountancy’s Treasury Management Code and Welsh Government Investment Guidance.</p>

1. Purpose of Report

1.1 The purpose of this report is to:

- Present to Cabinet the treasury management activities for 2024-25 for the period 1 April 2024 to 31 December 2024, for noting.
- Report on the Treasury Management Indicators for the period to December 2024.
- Demonstrate compliance with the requirement of the Chartered Institute of Public Finance and Accountancy's (CIPFA's) 'Treasury Management in the Public Services: Code of Practice' (the CIPFA Code).

2. Background

2.1 Treasury Management is the management of the Council's cash flows, borrowing and investments, and the associated risks. The Council is exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council's prudent financial management.

2.2 Treasury risk management at the Council is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2021 edition (the CIPFA Code), which requires the Council to approve a Treasury Management Strategy before the start of each financial year, and, as a minimum, a semi-annual and annual treasury outturn report. The CIPFA Code also requires the Council to set a number of Treasury Management Indicators, which are forward looking parameters, and enable the Council to measure and manage its exposure to treasury management risks, and these are included throughout this report. Welsh Government (WG) guidance issued in November 2019 on Local Authority Investments requires the Council to approve an Investment Strategy before the start of each financial year. This report fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to both the CIPFA Code and the Welsh Government Guidance.

2.3 The CIPFA Prudential Code for Capital Finance in Local Authorities (2021 edition) (Prudential Code) includes a requirement for Local Authorities to provide a Capital Strategy, which is a summary document approved by full Council covering capital expenditure and financing, treasury management and non-treasury investments. The definition of investments in the Prudential Code covers all the financial assets of the Council as well as other non-financial assets which the authority holds primarily for financial return. The Council's Capital Strategy 2024-25 complied with CIPFA's requirement and included the Prudential Indicators along with the details regarding the Council's non-treasury investments. The Capital Strategy and Treasury Management Strategy should

be read in conjunction with each other as they are interlinked, as borrowing and investments are directly impacted upon by capital plans, and both were approved together by Council on 28 February 2024.

2.4 The Council's treasury management advisors are Arlingclose. The current services provided to the Council include:

- advice and guidance on relevant policies, strategies and reports
- advice on investment decisions
- notification of credit ratings and changes
- other information on credit quality
- advice on debt management decisions
- accounting advice
- reports on treasury performance
- forecasts of interest rates
- training courses

3. Current situation / proposal

3.1 External Context – Economic Background

3.1.1 Inflation, measured by the Consumer Price Index (CPI), rose 2.5% in the 12 months to December 2024, down from 2.6% in November. The largest downward contribution in the monthly change for the CPI annual rate was driven by restaurants and hotels; the largest upward contribution came from transport.

3.1.2 The Bank of England Monetary Policy Committee (MPC) held Bank Rate at 4.75% at its December 2024 meeting, having reduced it to that level in November and following a previous 25 basis point cut from the 5.25% peak at the August MPC meeting. Economic growth remains a concern as the Bank of England downgraded its Q4 GDP forecast from 0.3% to 0.0%.

3.1.3 Financial market sentiment was generally positive over the period, but economic, financial and geopolitical issues meant the ongoing trend of bond yield volatility very much remained. In the last few months of the period, there was a general rising trend in yields due to upwardly revised interest rate and inflation expectations, causing gilt yields to end the period at substantially higher levels to where they began.

3.2 Public Works Loan Board (PWLB) Lending Facility Advice

3.2.1 As the Council may need to borrow to support its capital programme in the future, it continues to follow the PWLB requirement for borrowing to not invest in assets primarily for yield, or financial return, as this would prevent the Council from accessing funding from the PWLB except to refinance existing loans or externalise internal borrowing. Acceptable use of PWLB borrowing includes service delivery, housing, regeneration, preventative action, refinancing and treasury management.

- 3.2.2 The Council's treasury management activities are undertaken in line with CIPFA's Prudential Code for Capital Finance and CIPFA's Treasury Management Code. To comply with the Prudential Code authorities must not borrow to invest primarily for financial return. The Prudential Code also states it is not prudent for local authorities to make investment or spending decisions that will increase the Capital Financing Requirement (CFR) unless directly and primarily related to the functions of the authority. Existing commercial investments are not required to be sold, however, authorities with existing commercial investments who expect to need to borrow should review the options for exiting these investments. The Council has complied with the full requirements of both codes during the period to 31 December 2024.

3.3 Treasury Management update for period 1 April 2024 to 31 December 2024

- 3.3.1 The Treasury Management Strategy 2024-25 was approved by Council on 28 February 2024. The Council has complied with its legislative and regulatory requirements during the period 1 April to December 2024.
- 3.3.2 A summary of the treasury management activities is shown in the Treasury Management Quarterly Report to 31 December 2024 at **Appendix A**. The Council's external debt and investment position on 31 December 2024 is shown in Table 1 below, and more detail is provided within the Appendix. As with the previous year, no long-term borrowing has been taken out in 2024-25 so far and no debt rescheduling has been undertaken as there has been no opportunity to make significant savings. However, should the opportunity arise to reschedule any loans at a preferential rate, this would be done.

Generally, the Council has experienced favourable cash flows which have continued to provide surplus funds for investment to date and the balance on investments held on 31 December 2024 was £42.90 million, with an average interest rate of 4.70%. The total balance of investments has reduced slightly compared to those at the end of last financial year, 31 March 2024, when the balance held was £50.00 million, at an average interest rate of 5.02%. The short-term borrowing taken out for cashflow purposes at the end of the previous year has been fully repaid.

Table 1: Council's external debt and investment position as of 31 December 2024

Investments for Treasury Purposes	Principal as at 31/03/2024 £m	Principal as at 31/12/2024 £m	Average Rate 31/12/2024 %
External Long-Term Borrowing			
Public Works Loan Board	77.62	77.62	4.70
Lender's Option Borrower's Option	19.25	19.25	4.65
Salix Loans (interest Free)	2.74	2.51	NIL
Short Term Borrowing	5.00	NIL	NIL
Total External Long-Term Borrowing	104.61	99.38	4.69*
Other Long-Term Liabilities			
Private Finance Initiative**	12.97	12.22	
IFRS 16 Leases	NIL	2.85	
Total Other Long-Term Liabilities	12.97	15.07	
Total Gross Debt	117.58	114.45	
Investments for treasury management purposes			
DMO (Government)	NIL	3.00	4.70
Local Authorities	44.00	10.00	5.60
Money Market Funds (instant access)	NIL	22.00	4.76
Banks	6.00	7.90	3.38
Total Treasury Investments	50.00	42.90	4.70
Net Debt	67.58	71.55	

* Excluding Salix loans which are interest free

** (PFI) arrangement for the provision of a Secondary School in Maesteg 9.25 years remaining term

3.3.3 The £19.25 million in Table 1 above relates to Lender's Option Borrower's Option (LOBO) loans which have a maturity date of 2054 though these may be rescheduled in advance of this maturity date with the lender having the ability to recall the debt at 2 intervals in the year, July and January. However, this is currently unlikely in the current interest climate and the option was not exercised on 22 January 2025.

3.3.4 The Council is anticipating a need to take out short-term borrowing of £20 million in the final quarter of 2024-25 for cash flow purposes. The Council has seen a reduction in its reserves year-on-year as these have been used for the purposes set aside. As the use of the cash resources held as reserves are used in the short term to fund capital expenditure in lieu of borrowing, it is only a short term position and as cash balances fall, the Council will need to increase its borrowing, as is the now the forecast position. It is anticipated that this will be sourced from other local authorities or the Public Works Loan Board (PWLb). If funding is sourced from PWLB it will likely be for a period of up to 16 months to run past the 2025-26 year end to help manage cash flows at that time.

- 3.3.5 The Total Other Long Term Liabilities figure of £15.07 million at 31 December 2024 includes £12.22 million for the Council's Private Finance initiative (PFI) arrangement for the provision of a Secondary School in Maesteg. The Other Long-Term Liabilities reflect leases required to be recognised under International Financial Reporting Standard 16 – Leases (IFRS 16), which is a new requirement from 1 April 2024 for the recognition of assets that are leased, which previously would have not been recognised as assets on the balance sheet but charged as an expense through income and expenditure. The new accounting standard requires that for any leases not previously identified as assets, that a right of use asset is recognised on the balance sheet and an equal lease liability also recognised.
- 3.3.6 Both the CIPFA Code and Welsh Government Guidance require the Council to invest its funds prudently and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return. Investment decisions are made by reference to the lowest published long-term credit rating from Fitch, Moody's or Standard and Poor's to ensure that this lies within the Councils' agreed minimum credit rating.
- 3.3.7 The Council defines high credit quality as organisations and securities having a credit rating of A- (A3 for Moody's) or higher and the Council does not invest in any organisation below this level. Schedule A shows the equivalence table for credit ratings for Fitch, Moody's, and Standard and Poor's and explains the different investment grades.
- 3.3.8 There are no long-term investments (original duration of 12 months or more) outstanding as at 31 December 2024. All investments at 31 December 2024 are short term deposits including instant access and fixed term deposits.
- 3.3.9 The Treasury Management Code requires the Council to set and report on a number of Treasury Management Indicators. The indicators either summarise the expected activity or introduce limits upon the activity. Details of the estimates for 2024-25 set out in the Council's Treasury Management Strategy compared to the actual at 31 December 2024 are shown in **Appendix A** and these show that the Council operated within the approved limits throughout the period.

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 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 because of this report.

6. Climate Change Implications

- 6.1 The Climate Change implications were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the environment because of this report.

7. Safeguarding and Corporate Parent Implications

- 7.1 The Safeguarding and Corporate Parenting implications were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon Safeguarding and Corporate parenting because of this report.

8. Financial Implications

- 8.1 The financial implications are reflected within the report and attached **Appendix A**.

9. Recommendations

- 9.1 It is recommended that Cabinet:
- Note the treasury management activities for 2024-25 for the period 1 April 2024 to 31 December 2024.
 - Note the Treasury Management Indicators for the period ending 31 December 2024 against those approved in the Treasury Management Strategy 2024-25.

Background documents

None

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Treasury Management Quarterly Report to 31 December 2024

EXECUTIVE SUMMARY

- Treasury Management is the management of the Council's cash flows on a day-to-day basis and is carried out in accordance with legislation and Codes of Practice.
- The Treasury Management Strategy was approved by Council on 28 February 2024.
- Inflation, measured by the Consumer Prices Index (CPI), unexpectedly slowed in December 2024 taking the rate to 2.5%, down from 2.6% in November.
- The Bank of England base rate was reduced to 4.75% in November 2024 from the previous 5%.
- No new long-term debt was taken out during the period, and no debt was rescheduled during the period. Interest rates on long term-debt remain unchanged at an average of 4.69%.
- Total external borrowing at 31 December 2024 was £99.38 million, a reduction of £0.02 million from the previous quarter due to scheduled repayments of Salix loans.
- Total investments as at 31 December 2024 were £42.90 million, a reduction of £2.1 million from the previous quarter and a £7.10 million reduction from 1 April 2024.
- Average interest rates on investments as at 31 December 2024 was 4.70%, a reduction from 31 March 2024 of 5.02%.
- The Council's investments are split across a number of counterparties, including local authorities, money market funds and banks.
- Investments are made on the basis of security, liquidity and, only then, return, commensurate with the security and liquidity of the investment.
- Due to the current level of reserves, the Council is able to use short-term resources to fund capital expenditure in lieu of external borrowing. However, this is only a short-term position and, whilst the liability benchmark (Chart 1) suggests that the Council may not need new borrowing in the current financial year, it is likely that potentially up to £34 million of new borrowing will be required during 2025-26, and a further £7m in 2026-27.
- The Council may need to borrow for cash flow purposes. This may be short-term borrowing (less than 12 months) to manage day-to-day operational cash flow, or the Council may take out longer duration debt where there is a borrowing requirement or where it would be cost effective to do so. The Council did not have any such borrowing as at 31 December 2024 but may need to do so in the final quarter.
- Council approved a change to the method of setting aside resources to repay debt, known as Minimum Revenue Provision (MRP), on 23 October 2024. The impact of this change has been reflected within this report as it affects the Capital Financing Requirement.
- The Council has operated within the approved limits set out in the Treasury Management Strategy 2024-25.

1.0 INTRODUCTION

Treasury management activities are the *'management of the organisation's borrowing, investments and cash flows, including its banking, money market and capital market transactions, the effective control of the risks associated with those activities, and the pursuit of optimum performance consistent with those risks.'* (Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management in the Public Services: Code of Practice (2021) (CIPFA TM Code).

The definition of 'Investments' includes:

- Treasury Management investments (held for the prudent management of financial affairs), and
- non-Treasury Investments, undertaken as part of a Capital Strategy either in the course of provision of services, or made for commercial reasons purely to make a financial gain. These are managed outside of normal treasury management activity.

The Council carries out its treasury management function in accordance with the CIPFA TM Code and the legal obligation under the Local Government Act 2003 to have regard to both the CIPFA TM Code and Welsh Government Guidance.

The Council has an integrated Treasury Management Strategy where borrowing and investments are managed in accordance with best professional practice, which is assessed either from internal expertise or consultation with our external advisers. The Council will look to borrow money if needed to either meet short term cash flow needs or to fund capital schemes approved within the capital programme. Therefore, any actual loans taken are not generally associated with particular items of expenditure or assets.

The Council delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to Cabinet, and for the execution and administration of treasury management decisions to the Section 151 Officer. The Governance and Audit Committee are responsible for ensuring effective scrutiny of the Treasury Management Strategy and policies and regular reports will be presented to the Committee for their consideration.

2.0 ECONOMIC CONTEXT

The Chancellor of the Exchequer delivered her Autumn Budget at the end of October 2024. Based on the plans announced, the Office for Budget Responsibility reported they would provide a short-term boost to GDP growth before weakening it further out and push inflation higher over the medium-term.

UK annual Consumer Price Index (CPI) inflation remained above the Bank of England's 2% target during the period. The Office for National Statistics reported headline consumer prices dropped to 2.5% in December 2024, down from 2.6% in the previous month.

The Bank of England Monetary Policy Committee (MPC) held Bank Rate at 4.75% at its December 2024 meeting, having reduced it to that level in November and following a previous 25 basis point cut from the 5.25% peak at the August MPC meeting. At the December meeting, six Committee members voted to maintain Bank Rate at 4.75% while three members preferred to reduce it to 4.50%. Economic growth remains a concern as the Bank of England downgraded its Q4 GDP forecast from 0.3% to 0.0%.

Arlingclose, the authority's treasury adviser, maintained its central view that Bank Rate would continue to fall from the 5.25% peak. From the first cut in August 2024, followed by the next in November which took Bank Rate to 4.75%, February 2025 is deemed the likely month for the next reduction, with other cuts following steadily to take Bank Rate down to around 3.75% by the end of 2025.

3.0 EXTERNAL DEBT AND INVESTMENT POSITION

The Council's external debt and investments at 31 December 2024 are set out in Table 1 below. The Council held £99.38 million of Long Term Borrowing comprising:

- Public Works Loan Board (PWLB - UK government) at fixed rates and duration
- Lender's Option Borrower's Option (LOBO) which may be rescheduled ahead of their maturity of 22 July 2054 (no call was made in January 2025)
- £2.51 million of Salix interest-free loans

The Council borrowed £5 million for short term cash flow purposes in March 2024, which was repaid in May 2024.

At 31 December 2024 the Council had £42.90 million of investments for treasury management purposes and £4.99 million of investments for commercial purposes.

Table 1: Council's external debt and investment position as of 31 December 2024

Investments for Treasury Purposes	Principal as at 31/03/2024 £m	Principal as at 31/12/2024 £m	Average Rate 31/12/2024 %
External Long Term Borrowing			
Public Works Loan Board (PWLB)	77.62	77.62	4.70
Lenders Option Borrowers Option (LOBO)	19.25	19.25	4.65
Salix Loans (Interest Free)	2.74	2.51	NIL
Short Term Borrowing	5.00	NIL	NIL
Total External Borrowing	104.61	99.38	4.69*
Other Long Term Liabilities			
Private Finance Initiative (PFI)**	12.97	12.22	
IFRS 16 Leases	NIL	2.85	
Total Other Long Term Liabilities	12.97	15.07	
Total Gross Debt	117.58	114.45	
Investments for treasury management purposes			
DMO	NIL	3.00	4.70
Local Authorities	44.00	10.00	5.60
Money Market Funds (instant access)	NIL	22.00	4.76
Banks	6.00	7.90	3.38
Total Treasury Investments	50.00	42.90	4.70
Net Debt	67.58	71.55	

Investments for Commercial Purposes	Fair Value as at 31/03/2024 £m	Anticipated return 31/3/2025 £m
Investments	4.990	0.459

* Excluding Salix loans which are interest free and Short Term borrowing

** (PFI) arrangement for the provision of a Secondary School in Maesteg 9.25 years remaining term

The current profile of repayment of the Council's long-term debt is set out in the Liability Benchmark chart below. The table below assumes that the Public Works Loan Board and Lender's Option Borrower's Option loans will be repayable on their maturity date. However, although shown as maturing in 2054 the £19.25 million of Lender's Option Borrower's Option loans can be called at 2 intervals in the year July and January however it is currently unlikely in the current interest climate. The option was not exercised on 22 January 2025.

PWLB lending criteria requires that the Council does not invest purely for financial return if it wishes to access any new PWLB borrowing. The CIPFA TM Code sets out that it is not prudent for local authorities to invest for financial return.

All borrowing by the Council is as a single pool of debt rather than having loans specific to individual schemes. Where a Council finances capital expenditure by debt, it must put aside revenue to repay that debt in later years, known as Minimum Revenue Provision (MRP). Council approved a change to the MRP Policy at its meeting of 23 October 2024, to move from a straight line method of calculation of MRP to an annuity method. The annuity method of calculating MRP will result in lower MRP charges in earlier years and higher charges in later years. However, when considering the total cost of MRP plus interest charges, the annuity method provides a more even cost each year. It is also considered more prudent as it takes into account the time value of money, so reflects the impact of having £100 now as being more valuable than £100 in one years' time.

Liability benchmark

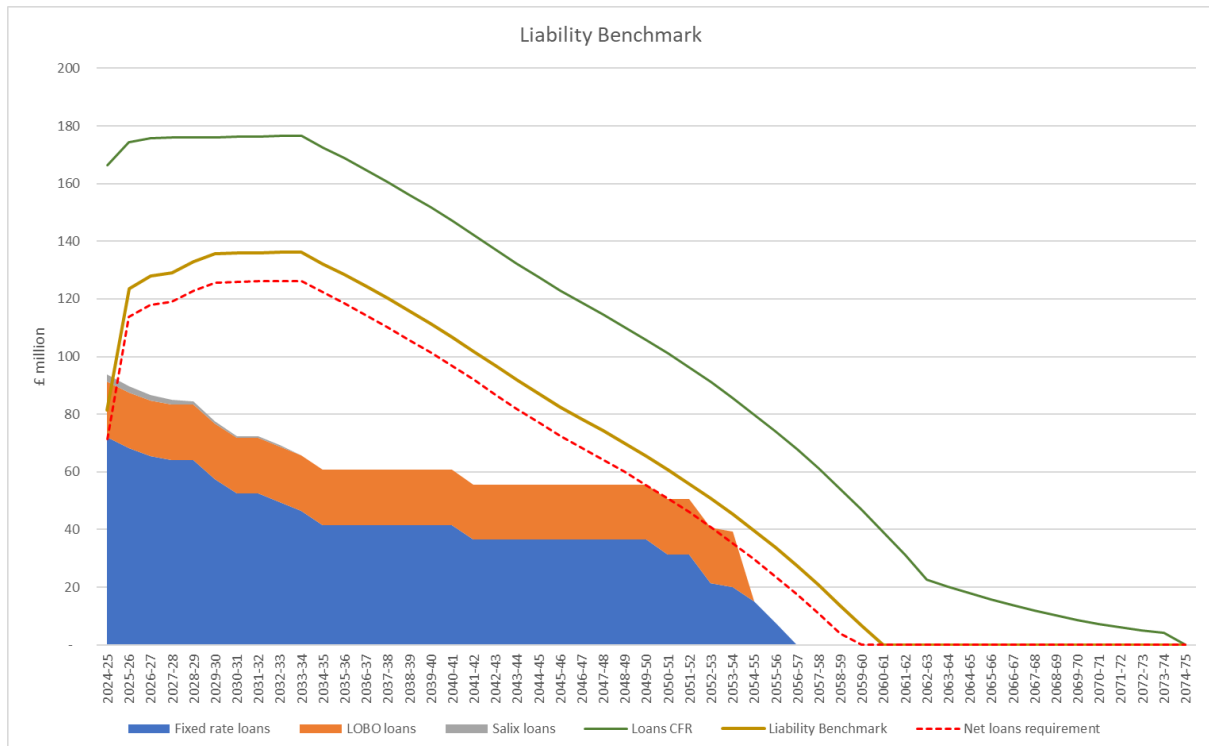
The liability benchmark is a tool which helps to assess the lowest level of borrowing the Council needs, taking into account available cash resources to fund capital expenditure in the short term. A minimum level of investments is factored into the calculation, set at £10 million, which are held as reasonably liquid to ensure the Council has available cash resources to meet day-to-day cash flow requirements. Forecast borrowing needs are based on capital expenditure estimates and available useable reserves. The underlying need to borrow to fund capital expenditure (known as the Capital Financing Requirement or CFR) is the amount of capital expenditure which is not funded via grants, capital receipts or contributions from revenue and earmarked reserves.

Table 2 below shows the Capital Financing Requirement and the calculation of the liability benchmark. It is important to note that the graph is based on the current approved capital programme and the borrowing associated therein. Any new schemes which require debt financing will increase the CFR and loans requirement.

Table 2: Liability benchmark

	31 March 2024 actual	31 March 2025 estimate (TMS)	31 March 2026 forecast	31 March 2027 forecast	31 March 2028 forecast
	£m	£m	£m	£m	£m
Capital Financing Requirement	175.72	181.30	188.08	188.23	187.02
Less: Other debt liabilities	(12.97)	(14.98)	(13.74)	(12.42)	(11.12)
Loans Capital Financing Requirement	162.75	166.33	174.34	175.81	175.90
Less: Balance Sheet Resources	(128.35)	(98.59)	(60.67)	(57.88)	(56.96)
Plus: Liquidity allowance	10.00	10.00	10.00	10.00	10.00
Liability Benchmark	44.40	77.74	123.67	127.93	128.94

The liability benchmark is an important tool to help establish whether the Council is likely to be a long-term borrower or long-term investor in the future, and so shape its strategic focus and decision making. The liability benchmark itself represents an estimate of the cumulative amount of external borrowing the Council must hold to fund its **current** capital plans while keeping treasury investments at the minimum level to manage day-to-day cash flow.



It is forecast that the Council may need to borrow long term in 2025-26 although this is based on a number of assumptions including the forecast capital programme expenditure and the level and use of reserves.

The Section 151 Officer will monitor and update the liability benchmark assumptions on an on-going basis and report any significant changes within the treasury management monitoring reports to Cabinet, the Governance and Audit Committee and Council as appropriate. This could be as a result of changes in the level of usable reserves at year end, slippage within the Capital Programme or changes within the working capital assumptions which may affect the Council's need to take new long-term borrowing.

4.0 BORROWING

As at 31 December 2024 the Council held £99.38 million of Long-Term Borrowing, £96.87 million of which is fixed long term loans as part of its strategy for funding previous years' capital programmes.

Based on current forecasts the anticipated need to borrow during 2025-26 is £34 million with further borrowing of £7 million in 2026-27. The gap between the shaded area and the brown line in the Liability Benchmark (Chart 1) above is the forecast need to borrow.

The Council has previously raised the majority of its long-term borrowing from the Public Works Loan Board (PWLb). This was the source of funding the last time the

Council took long-term borrowing of £5 million in March 2012. The Council will however consider long term loans from other sources including banks, pension funds and other local authorities if appropriate. The Council will also investigate the possibility of issuing bonds and similar instruments, in order to lower interest costs and reduce over-reliance on one source of funding in line with the CIPFA Treasury Management Code.

The Council has loans from PWLB maturing within the next 3 financial years that it will need to repay. The value of the loans due to be repaid over the next 3 years is shown in Table 3.

Table 3: Value of PWLB maturing debt

	2024-25 £ million	2025-26 £ million	2026-27 £ million
Value of maturing debt	5.580	3.709	2.790

The £5.58 million for 2024-25 is due for repayment on 31 March 2025. As noted above the Council may need to borrow during 2025-26 which would replace maturing loans, and may have a short term cash flow need to borrow towards the end of 2024-25.

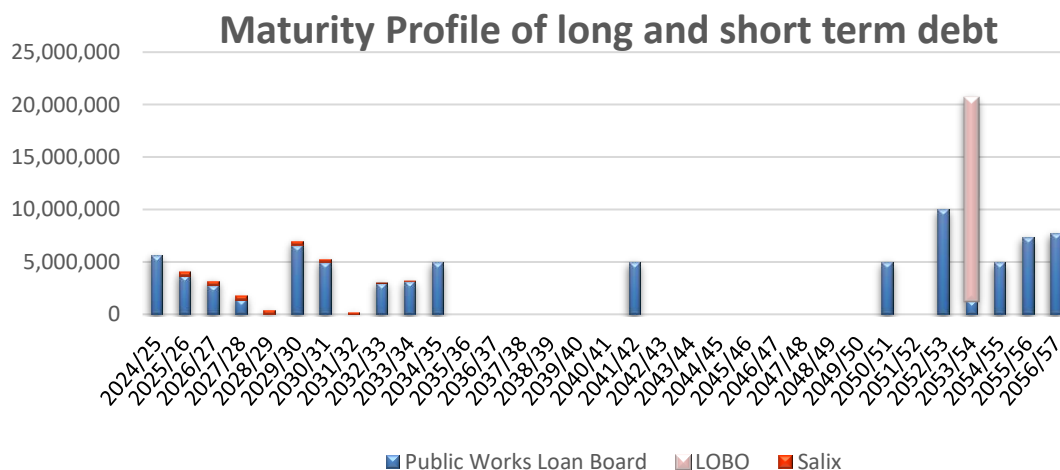
Maturity structure of borrowing

The maturity structure of borrowing indicator is set to control the Council's exposure to refinancing risk with respect to the maturity of the Council's external borrowing. The limits are set to avoid having large amounts of debt maturing in a short space of time and is the amount of projected borrowing maturing in each period as a percentage of total projected borrowing. Where the maturity date of borrowing is unknown, as in the case of LOBO loans, the maturity should normally be determined by reference to the earliest date at which the lender can require repayment. The £19.25 million of LOBO loans has therefore been included in the 'Under 12 months' category. This table also reflects the PWLB repayable in 2024-25.

Table 4: Maturity Structure of Borrowing 2024-25

Maturity structure of borrowing	Upper limit	lower limit	£ million	As at 31 Dec 2024
Under 12 months	50%	0%	28.02	28.19%
12 months and within 24 months	25%	0%	1.31	1.32%
24 months and within 5 years	25%	0%	5.29	5.33%
5 years and within 10 years	40%	0%	23.38	23.52%
10 years and within 20 years	50%	0%	5.00	5.03%
20 years and above	60%	25%	36.38	36.61%
Total	-	-	99.38	100%

As can be seen from the table above the maturity structure remains within the limits approved as part of the Treasury Management Strategy 2024-25. The following chart provides the maturity profile of the Council's debt. The chart shows that the Council's long term debt is well spread with a manageable maturity structure, with no single year having a disproportionately high level of debt repayment.



All the LOBO loans are subject to the lender having the right to change the rate of interest payable during the financial year at either of two trigger points - January and July, with the Council having the right to refuse the change, triggering early repayment and the need to re-finance. This is a manageable risk should repayment be needed during the current financial year as the Council has sufficient funds available in the short term, but would, however, need to consider taking out new debt to replace these loans during the financial year. These loans were not called in January 2025.

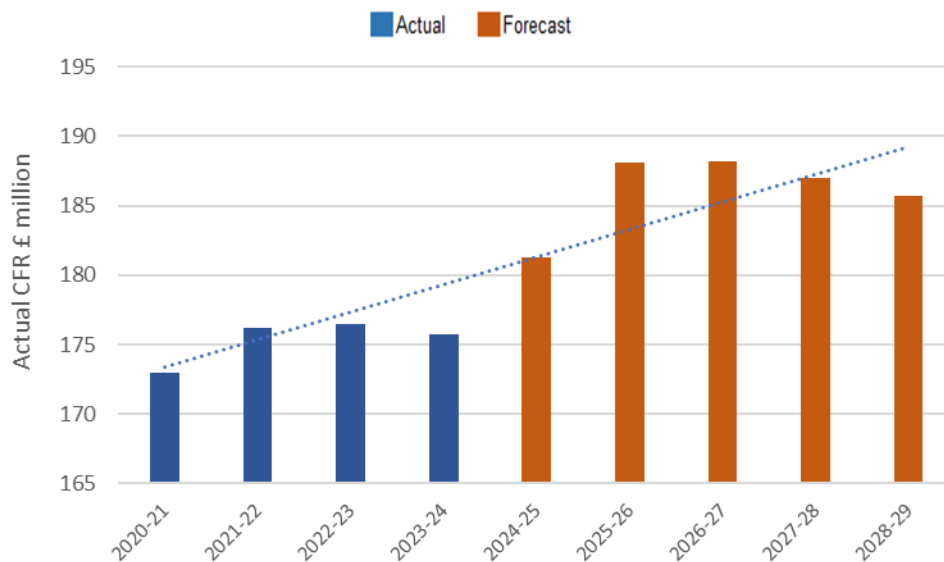
Table 5: LOBO loans

Commencement date	Loan value £m	Potential repayment date	Option frequency	Full term maturity
22 January 2004	4.00	22 July 2025	6 months	22 January 2054
22 January 2004	5.00	22 July 2025	6 months	22 January 2054
22 January 2004	10.25	22 July 2025	6 months	22 January 2054

In accordance with the Treasury Management Strategy, the Council is internally borrowing, which is when it uses temporary cash balances it holds in the short term instead of undertaking external borrowing. The current year's estimated level of internal borrowing is £72.61 million. This is shown by the Council's Capital Financing Requirement (CFR) net of its external level of debt including other long term debt liabilities. The Council's forecast CFR as at 31 March 2025 is £181.30 million, external borrowing forecast at 31 March 2025 is £93.71 million and other long term debt liabilities forecast to be £14.98 million, which is primarily the PFI Maesteg School scheme plus the lease commitments of right of use assets. These leases are included in line with the requirements of International Financial Reporting Standard 16 (IFRS16) which requires that right of use assets and the equivalent lease liabilities are recognised on the balance sheet as from 1 April 2024.

The chart below shows the trend in the CFR based on **current** capital commitments within the capital programme reported at quarter 3 – 2024-25. The CFR is anticipated to increase in the current year assuming capital expenditure is incurred as currently anticipated. Due to the increase in forecast capital expenditure and borrowing in the capital programme, the CFR is expected to further increase in 2025-26 before reducing from 2026-27. This is on the assumption that there will be no new schemes in future which require debt financing. If new schemes are added which require debt finance, the CFR will continue to increase.

Capital Financing Requirement Trend



5.0 TREASURY INVESTMENTS

The Council holds treasury investments as a result of temporary cash balances arising from its day-to-day activities. The management of the day-to-day cash requirements of the Council is undertaken in-house with advice from Arlingclose, the Council's Treasury Management advisors. This may involve temporary borrowing to meet cash-flow needs or temporary lending of surplus funds. Investment balances can fluctuate daily and arise as a result of a range of circumstances, including timing differences of revenue and capital cash flows, reserves and other balances held for future use.

Investments are made in institutions approved by the Council as part of its Treasury Management Strategy and in accordance with investment guidelines issued by the Welsh Government. As part of the Markets and Financial Instruments Directive II (MIFID II), the Council elected for 'professional' status, which covers national and regional governments and public bodies. The categories of investments the Council can invest in can be changed with any proposed changes being presented to Council for approval.

Treasury investments are made primarily on the basis of ensuring security of the funds invested, whilst managing liquidity, and only then considering a commensurate return on the investment. As at 31 December 2024 the Council held £42.90 million of investments, with a weighted average return over the period of 4.86% (£45.00 million at 5.13% as at 30 September 2024).

Table 6 below shows the investment profile as at 31 December 2024.

Table 6: Investments by counterparty type

Investment Category	Balance 1 April 2024	Investments made in period	Investments repaid in period	Balance 31 Dec 2024	Weighted interest rate 1 April 2024 to 31 Dec 2024
	£m	£m	£m	£m	%
Government DMO	0.00	277.00	(274.00)	3.00	4.90
Local Authorities	44.00	0.00	(34.00)	10.00	4.88
Money Market Funds	NIL	98.85	(76.85)	22.00	5.04
Banks (instant access/notice accounts)	6.00	34.00	(32.10)	7.90	3.94
TOTAL	50.00	409.85	(416.95)	42.90	4.86

The following should be noted:

- During the period to 31 December 2024 all investments made were in line with the approved counterparties within the Treasury Management Strategy.
- Investments are diversified over a number of organisations across different sectors, demonstrating a diversified investment portfolio.

- All investments are in sterling and are rated A- and above as per the approved criteria or with a public body.
- The weighted average rates are for all investments made during 1 April 2024 to 31 December 2024.

The overall interest receivable from treasury investments for the period 1 April 2024 to 31 December 2024 was £3.27 million. Interest rates have continued to fall from their peak of 5.25%, from the first cut in August 2024 followed by another cut in November 2024 taking the Bank Rate to 4.75%. The Council will continue to take a cautious approach to investing to ensure as its primary concern the security of any investments made. The risk of default for investments held is considered negligible.

All investments longer than 364 days will be made with a cautious approach to cash flow requirements and advice from the Council's Treasury Management advisors will be sought as necessary. All investments as at 31 December 2024 were short term of less than one year duration.

Table 7: Sums invested for periods longer than a year

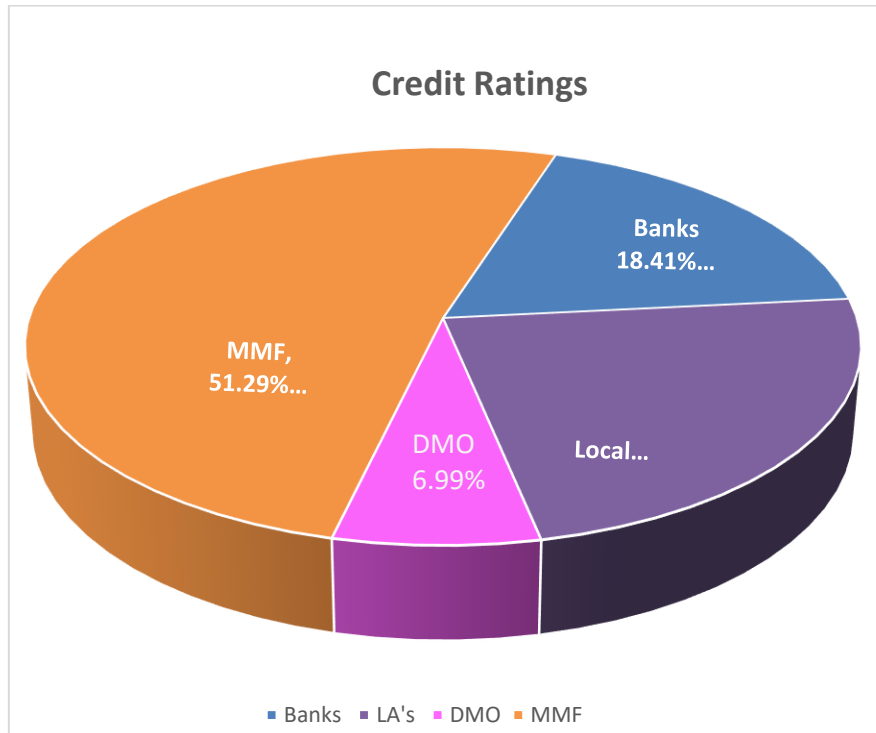
Price risk indicator	TMS 2024-25 £m	Actual £m	Full term maturity
Limit on principal invested beyond financial year end	15	NIL	NIL

The below table details the Council's investments by counterparty and maturity profile.

Table 8: Investments by maturity

Counterparty Category	Instant Access £m	Deposits maturing within 1 month £m	Deposits maturing within 2-3 months £m	TOTAL £m
Local Authorities			10.00	10.00
Debt Management Office		3.00		3.00
Money Market Funds	22.00			22.00
Banks	7.90			7.90
Total	29.90	3.00	10.00	42.90

The pie chart below summarises the distribution of the Council's investments by credit ratings. Most local authorities do not have credit ratings but are considered secure investment counterparties. The Council held £3 million with the Debt Management Office at 31 December 2024 which is the Executive Agency of the UK Treasury and rated AA.



6.0 INTEREST RATE EXPOSURES

The Council is exposed to interest rate movements on its borrowings and investments. Movements in interest rates have a complex impact on the Council, depending on how variable and fixed interest rates move across differing financial instrument periods. Short term and variable rate loans expose the Council to the risk of short-term interest rate rises and are therefore subject to the Treasury Management indicator below.

The following Table is based on investments at 31 December 2024.

Table 9: Interest Rate Exposure

Interest rate risk indicator	£ million
One year revenue impact of a 1% rise in interest rates	(0.109)
One year revenue impact of a 1% fall in interest rates	0.301

It is important to note that this is an indicator, not a limit. It is calculated at a point in time on the assumption that maturing loans and investments would be replaced at rates 1% higher or lower than they are currently, and that the treasury investment and borrowing portfolios remain unchanged over the next 12 months, which in practice is not the case. The figure for the 1% fall in interest rates indicator is not the same figure as the 1% increase (but reversed) as the borrowing relates to variable LOBO loans where it is assumed that the lender would only exercise their option if there was an increase in interest rates. All other borrowing does not have a rate reset in the next year and is with the PWLB at fixed rates. A comparison of interest expenditure and income due for the period 1 April 2024 to 31 December 2024 is shown below.

Table 10: Interest

	01 April – 31 December 2024 £ million
Interest expenditure payable on long term borrowing	2.455
Interest income received in period	(3.271)
Net interest cost	(0.816)

7.0 NON-TREASURY INVESTMENTS

The Council recognises that investment in other financial assets and property primarily for financial return, taken for non-treasury management purposes, requires careful investment management. Such activities include investments in subsidiaries and investments in property. A schedule of the Council's existing non-treasury investments (currently limited to owned property) is set out in Table 11 below. PWLB guidance requires that local authorities should review their investment portfolio if they wish to secure PWLB borrowing but does not require the local authority to sell existing investment assets. This category covers non-financial assets held primarily or partially to generate a profit, primarily investment property. These assets are valued on an annual basis to reflect market conditions and the current value at the time they are valued, otherwise known as Fair Value, which provides security of their value and continued benefit to the Council.

Table 11: Non-treasury investments

Non-treasury investments	£ million
Bridgend Science Park - Units 1 & 2	3.170
Waterton Cross Land	0.560
Brynmenyn Industrial Estate Plot 53	0.675
Village Farm Plots 32,119 & 120	0.385
Tyrewise Bridgend	0.200
Total at Fair Value	4.990
Anticipated annual return 2024-25	0.459

The Council considers that the scale of its investment properties is proportionate to the resources of the Council as the investment represents less than 1% of its total long-term assets.

In accordance with Welsh Government Investment Guidance these are to be classified as non-treasury investments.

Schedule A – Credit Rating Equivalence Table

Credit Rating Equivalence Table

	Description	Fitch		Moody's		Standard & Poor's	
		Long	Short	Long	Short	Long	Short
INVESTMENT GRADE	Extremely strong	AAA	F1+	Aaa	P-1	AAA	A-1+
	Very strong	AA+		Aa1		AA+	
		AA		Aa2		AA	
		AA-		Aa3		AA-	
	Strong	A+	F1	A1	P-2	A+	A-1
		A		A2		A	
		A-	F2	A3		A-	A-2
	Adequate	BBB+		Baa1	P-3	BBB+	
		BBB		Baa2		BBB	A-3
		BBB-	F3	Baa3		BBB-	
SPECULATIVE GRADE	Speculative	BB+	B	Ba1	Not Prime (NP)	BB+	B
		BB		Ba2		BB	
		BB-		Ba3		BB-	
	Very speculative	B+		B1		B+	
		B		B2		B	
		B-		B3		B-	
	Vulnerable	CCC+	C	Caa1		CCC+	C
		CCC		Caa2		CCC	
		CCC-		Caa3		CCC-	
		CC		Ca		CC	
	Defaulting	C	D			C	D
		D		C		D	

Schedule B – Arlingclose Economic & Interest Rate Forecast –December 2024

	Current	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26	Mar-27	Jun-27	Sep-27	Dec-27
Official Bank Rate													
Upside risk	0.00	0.25	0.50	0.50	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75
Central Case	4.75	4.50	4.25	4.00	3.75	3.75	3.75	3.75	3.75	3.75	3.75	3.75	3.75
Downside risk	0.00	-0.25	-0.25	-0.50	-0.50	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75
3-month money market rate													
Upside risk	0.00	0.25	0.50	0.50	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75
Central Case	4.90	4.60	4.35	4.10	3.90	3.85	3.85	3.85	3.85	3.85	3.85	3.85	3.85
Downside risk	0.00	-0.25	-0.25	-0.50	-0.50	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75
5yr gilt yield													
Upside risk	0.00	0.70	0.80	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Central Case	4.34	4.30	4.20	4.10	4.00	3.90	3.90	3.95	4.00	4.05	4.05	4.05	4.05
Downside risk	0.00	-0.50	-0.60	-0.65	-0.65	-0.70	-0.70	-0.75	-0.75	-0.80	-0.80	-0.80	-0.80
10yr gilt yield													
Upside risk	0.00	0.70	0.80	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Central Case	4.56	4.55	4.45	4.30	4.20	4.20	4.20	4.20	4.25	4.25	4.25	4.25	4.25
Downside risk	0.00	-0.50	-0.60	-0.65	-0.65	-0.70	-0.70	-0.75	-0.75	-0.80	-0.80	-0.80	-0.80
20yr gilt yield													
Upside risk	0.00	0.70	0.80	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Central Case	5.05	5.00	4.90	4.80	4.70	4.65	4.65	4.65	4.65	4.65	4.65	4.65	4.65
Downside risk	0.00	-0.50	-0.60	-0.65	-0.65	-0.70	-0.70	-0.75	-0.75	-0.80	-0.80	-0.80	-0.80
50yr gilt yield													
Upside risk	0.00	0.70	0.80	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Central Case	4.52	4.70	4.60	4.50	4.40	4.35	4.35	4.35	4.35	4.35	4.35	4.35	4.35
Downside risk	0.00	-0.50	-0.60	-0.65	-0.65	-0.70	-0.70	-0.75	-0.75	-0.80	-0.80	-0.80	-0.80

As expected, the MPC held Bank Rate at 4.75% in December, although, with a 6 – 3 voting split and obvious concerns about economic growth, presented a much more dovish stance than had been expected given recent inflationary data.

The Budget measures remain a concern for policymakers, for both growth and inflation. Additional government spending will boost demand in a constrained supply environment, while pushing up direct costs for employers. The short to medium-term inflationary effects will promote caution amongst policymakers.

UK GDP recovered well in H1 2024 from technical recession, but underlying growth has petered out as the year has progressed. While government spending should boost GDP growth in 2025, private sector activity appears to be waning, partly due to Budget measures.

Private sector wage growth and services inflation remain elevated; wage growth picked up sharply in October. The increase in employers' NICs, minimum and public sector wage levels could have wide ranging impacts on private sector employment demand and costs, but the near-term impact will likely be inflationary as these additional costs get passed to consumers.

CPI inflation rates have risen since the half yearly report, due to higher energy prices and less favourable base effects. The current CPI rate of 2.5% has reduced slightly since November but could rise again in Q1 2025. The Bank of England estimates the CPI rate at 2.7% by year end 2025 and to remain over target in 2026.

The MPC re-emphasised that monetary policy will be eased gradually. Despite recent inflation-related data moving upwards or surprising to the upside, the minutes suggested a significant minority of policymakers are at least as worried about the flatlining UK economy.

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Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	NON-DOMESTIC RATES: DISCRETIONARY RELIEF: RETAIL, LEISURE AND HOSPITALITY RATES RELIEF SCHEME 2025-26
Report Owner / Corporate Director:	CHIEF OFFICER – FINANCE, HOUSING AND CHANGE
Responsible Officer:	HELEN RODGERS REVENUES MANAGER
Policy Framework and Procedure Rules:	Local authorities can use their discretion to grant rates relief on all or part of the amount of non-domestic rates payable to eligible businesses under section 47 of the Local Government Finance Act 1988 (the Act). The Welsh Government will then reimburse authorities for any relief that is provided.
Executive Summary:	The purpose of the report is to seek approval from Cabinet to adopt the Welsh Government’s Retail, Leisure and Hospitality Rates Relief Scheme 2025-26. The Welsh Government will provide grant funding to local authorities in Wales to deliver the Retail, Leisure and Hospitality Rates Relief scheme to eligible businesses for 2025-26. The scheme aims to provide support for eligible occupied properties by offering a discount of 40% on non-domestic rates bills for such properties.

1. Purpose of Report

- 1.1 The purpose of the report is to seek approval from Cabinet to adopt the Welsh Government’s Retail, Leisure and Hospitality Rates Relief Scheme 2025-26.

2. Background

- 2.1 The Welsh Government has announced an extension of the Retail, Leisure and Hospitality Rates Relief Scheme for 2025-26 to support eligible occupied properties by offering a discount of 40% on non-domestic rates

bills for such properties within the retail, leisure and hospitality sector. The scheme will apply to all eligible businesses, however, the relief will be subject to a cap on the amount each business can claim across Wales. The total amount of relief available is £110,000 across all properties occupied by the same business. All businesses are required to make a declaration that the amount of relief they are seeking across Wales does not exceed this cap, when applying to individual local authorities. They will also need to declare that they shall not receive more than £315,000 in total of Minimal Financial Assistance (MFA), as defined in the Subsidy Control Act 2022, within a three-year period (financial years 2023-24 to 2025-26 inclusive). The Scheme sets out the various categories of retail, leisure and hospitality premises that will benefit from relief. These are detailed in **Appendix A** of the report, but broadly the premises included are occupied shops, pubs and restaurants, gyms, performance venues and hotels across Wales.

- 2.2 The Scheme will be administered by the Council as a 'reimbursing local authority' that uses discretionary relief powers (under section 47 of the Local Government Finance Act 1988). It will be for individual local billing authorities to decide to grant relief under section 47, but Welsh Government will reimburse local authorities for the relief that is provided.
- 2.3 The Welsh Government will provide 40% rates relief for eligible properties for the 2025-26 financial year.
- 2.4 The Retail, Leisure and Hospitality Rates Relief Scheme for 2025-26 will run alongside the Small Business Rates Relief Scheme. Small Business Rates Relief is awarded automatically on a maximum of 2 occupied properties in the same business name in any local authority area where the property has a rateable value under £12,000.
- 2.5 It is estimated that, due to the limit of £110,000 per business across Wales, there will be in the region of 779 eligible ratepayers across the borough that could potentially benefit from having to pay only 40% of their rates bill for the 2025-26 financial year under this Scheme.

3. Current situation / proposal

- 3.1 The Council can elect to adopt the Scheme but does not have discretion over any elements of the Scheme. It is proposed that the Council adopts the Scheme for 2025-26 by making the appropriate determination and decision, as required by Sections 47(1) (a) and 47(3) respectively of the Local Government Finance Act 1988.
- 3.2 Full details of the Retail, Leisure and Hospitality Rates Relief Scheme for 2025-26 and the guidance on the application of the Scheme have been received from Welsh Government. Due to the limit of £110,000 per business throughout Wales and the £315,000 in total of MFA over three years including 2025-26, Welsh Government have stated that this scheme will need to be administered on an application basis only. If this Council adopts the Scheme,

application forms will be made available on Bridgend County Borough Council's website for all qualifying ratepayers to apply. It is proposed that, upon receipt of a valid application form, the decision to award relief be made by the Revenues Manager providing all terms of the Scheme are met.

- 3.3 The Chief Executive has delegated power under the Council's Scheme of Delegation of Functions to award relief to all qualifying businesses that may be eligible in accordance with the Non-domestic Rates Relief Scheme, following receipt of the information requested by Welsh Government.

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 Act provides the basis for driving a different kind of public service in Wales, with five 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. 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 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 Welsh Government has provided the Council with an estimated funding allocation of £3,300,000 towards the cost of the relief, along with funding of £15,909 towards the cost of administering the scheme. As these figures are based upon estimates of the likely number of ratepayers eligible for support, they are subject to change.

9. Recommendation

- 9.1 It is recommended that Cabinet:

- adopts the Non-Domestic Rates Retail, Leisure and Hospitality Rates Relief Scheme for 2025-26 as detailed within **Appendix A**.

Background documents:

None

Resolution

(a) The Council determines that, unless hereditaments are excepted under (b) below, Section 47(1)(a) (discretionary relief) of the Local Government Finance Act 1988 will apply as regards the hereditaments described in 'The Scheme' in accordance with the rules described in relation to those hereditaments.

It is reasonable for the Council to make this decision having regard to the interests of persons liable to pay business rates set by the Council.

(b) Relief is not available under this resolution in respect of any hereditament which is occupied by -

- the Welsh Ministers, a Minister of the Crown or government department,
- any public authority (including any local authority),
- the holder of any public office, or
- the Crown

(c) The Council decides, under Section 47(3) of the Local Government Finance Act 1988, that during the billing year 2025-26 'The Scheme' shall apply to the hereditaments described..

The Scheme to be Adopted

Introduction

This relief is aimed at businesses and other ratepayers in Wales in the retail, leisure and hospitality sectors, for example shops, pubs and restaurants, gyms, performance venues and hotels. The aim of the relief is to support these sectors to improve their chances of recovery from the economic challenges which have affected them in recent years.

The Welsh Government will provide grant funding to all 22 local authorities in Wales to deliver the Retail, Leisure and Hospitality Rates Relief scheme to eligible businesses for 2025-26. The scheme aims to provide support for eligible occupied properties by offering a discount of 40% on non-domestic rates bills for such properties. The scheme will apply to all eligible businesses, however the relief will be subject to a cap in the amount each business can claim across Wales. The total amount of relief available is £110,000 across all properties occupied by the same business. All businesses are required to make a declaration when applying to individual local authorities, confirming that the amount of relief they are seeking across Wales does not exceed this cap.

Properties that will benefit from this relief will be occupied retail, leisure and hospitality properties – such as shops, pubs and restaurants, gyms, performance venues and hotels across Wales. More detailed eligibility criteria and exceptions to the relief are set out below.

Relief should be granted to each eligible business as a reduction to its rates bill based on occupation between 1 April 2025 and 31 March 2026. It is intended that, for the purposes

of this scheme, retail properties such as 'shops, restaurants, cafes and drinking establishments' will mean the following (subject to the other criteria in this guidance).

Hereditaments that are being used for the sale of goods to visiting members of the public

- Shops (such as florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off-licences, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Pharmacies
- Post offices
- Furnishing shops or display rooms (such as carpet shops, double-glazing, garage doors)
- Car or caravan showrooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale or hire)

Hereditaments that are being used for the provision of the following services to visiting members of the public

- Hair and beauty services
- Shoe repairs or key cutting
- Travel agents
- Ticket offices, eg. for theatre
- Dry cleaners
- Launderettes
- PC, TV or domestic appliance repair
- Funeral directors
- Photo processing
- DVD or video rentals
- Tool hire
- Car hire
- Estate and letting agents

Hereditaments that are being used for the sale of food and / or drink to visiting members of the public

- Restaurants
- Drive-through or drive-in restaurants
- Takeaways
- Sandwich shops
- Cafés
- Coffee shops
- Pubs
- Bars or Wine Bars

We consider assembly and leisure to mean the following.

Hereditaments that are being used for the provision of sport, leisure and facilities to visiting members of the public (including for the viewing of such activities) and for the assembly of visiting members of the public

- Sports grounds and clubs
- Sport and leisure facilities
- Gyms
- Tourist attractions
- Museums and art galleries
- Stately homes and historic houses
- Theatres
- Live Music Venues
- Cinemas
- Nightclubs

Hereditaments that are being used for the assembly of visiting members of the public

- Public halls
- Clubhouses, clubs and institutions

We consider hotels, guest & boarding premises and self-catering accommodation to mean the following.

Hereditaments where the non-domestic part is being used for the provision of living accommodation as a business

- Hotels, Guest and Boarding Houses,
- Holiday homes,
- Caravan parks and sites

Other considerations

To qualify for the relief, the hereditament should be wholly or mainly used for the qualifying purposes. In a similar way to other reliefs, this is a test on use rather than occupation. Therefore, hereditaments that are occupied, but not wholly or mainly used for the qualifying purpose, will not qualify for the relief. For the avoidance of doubt, hereditaments which closed temporarily due to the government's advice on Covid-19 should be treated as occupied for the purposes of this relief.

The above list is not intended to be exhaustive as it would be impossible to list all the many and varied retail, leisure and hospitality uses that exist. There will also be mixed uses. However, it is intended to be a guide for local authorities as to the types of uses that the Welsh Government considers for this purpose to be eligible for relief. Local authorities should determine for themselves whether particular properties not listed are broadly similar in nature to those above and, if so, to consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those listed above should not be eligible for the relief.

The grant of the relief is discretionary. Should local authorities decide to exercise their discretion not to apply the relief to eligible businesses, they may wish to consider taking their own legal advice upon any potential consequential legal issues which might arise from such a decision and on a case by case basis.

Businesses may view that they have not faced substantial impacts from the recent economic pressures and as such may be inclined to not apply for the relief.

Types of hereditaments that are not considered to be eligible for Retail, Leisure and Hospitality Rates Relief

The following list sets out the types of uses that the Welsh Government does not consider to be retail, leisure or hospitality use for the purpose of this relief and which would not be deemed eligible for the relief. However, it will be for local authorities to determine if hereditaments are similar in nature to those listed and if they would not be eligible for relief under the scheme.

Hereditaments that are being used wholly or mainly for the provision of the following services to visiting members of the public

- Financial services (eg. banks, building societies, cash points, ATMs, bureaux de change, payday lenders, betting shops, pawnbrokers)
- Medical services (eg. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (eg. solicitors, accountants, insurance agents, financial advisers, tutors)
- Post Office sorting offices
- Day nurseries
- Kennels and catteries
- Casinos and gambling clubs
- Show homes and marketing suites
- Employment agencies

Hereditaments that are not reasonably accessible to visiting members of the public

If a hereditament is not usually reasonably accessible to visiting members of the public, it will be ineligible for relief under the scheme even if there is ancillary use of the hereditament that might be considered to fall within the descriptions listed under *Which properties will benefit from relief?*

Hereditaments that are not occupied

Properties that are not occupied on 1 April 2025 should be excluded from this relief. However, under the mandatory Empty Property Rates Relief, empty properties will receive a 100% reduction in rates for the first three months (and in certain cases, six months) of being empty.

Hereditaments that are owned, rented or managed by a local authority

Hereditaments owned, rented or managed by a local authority, such as visitor centres, tourist information shops and council-run coffee shops or gift shops attached to historic buildings, are exempt from this scheme.

How much relief will be available?

The total amount of government funded relief available for each property under this scheme for 2025-26 is 40% of the relevant bill. This is subject to a cap of £110,000 per business across all their properties in Wales.

The relief should be applied to the net bill remaining after mandatory reliefs (including discretionary elements that are fully or partly local authority funded) and other discretionary reliefs funded by section 31 grants have been applied (excluding those where local authorities have used their wider discretionary relief powers introduced by the Localism Act 2011, which are not funded by section 31 grants). The reliefs to be applied before Retail, Leisure and Hospitality Rates Relief include categories of discretionary relief available prior to the Localism Act 2011 (eg rates relief for charities, community amateur sports clubs, non-profit organisations, hardship, empty properties). Local authorities may use their wider discretionary powers to offer further discounts outside this scheme or additional relief to hereditaments within the scheme. Where a local authority applies a locally funded relief under section 47 of the Local Government Finance Act 1988, this should be applied after the Retail, Leisure and Hospitality Rates Relief.

The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a particular hereditament in the financial year:

- Amount of relief to be granted = $V \times 0.4$, where
- V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs (excluding those where local authorities have used their discretionary relief powers introduced by the Localism Act 2011, which are not funded by section 31 grants).

This should be calculated ignoring any prior-year adjustments in liabilities which fall to be liable on the day.

Businesses that occupy more than one property will be entitled to Retail, Leisure and Hospitality Rates Relief for each of their eligible properties, within the cap of £110,000 per business across Wales.

A business with a single property with a remaining liability (after reliefs) greater than £275,000 can use the entire allocation of relief. No other properties owned by that business will be eligible for the scheme.

Retail, leisure and hospitality properties which are excluded from Small Business Rates Relief due to the multiple occupation rule are eligible for this relief scheme, subject to the cap being applied.

Changes to existing hereditaments, including change in occupier

Empty properties becoming occupied after 1 April 2025 will qualify for this relief from the time of occupation.

If there is a change in occupier part way through the financial year, after relief has already been provided to the hereditament, the new occupier will qualify for the relief if they operate in the retail, leisure or hospitality sectors, on a pro-rata basis. This will be calculated based on the remaining days of occupation using the formula used in the section titled *How much relief will be available?*

The discount should be applied on a day-to-day basis using the formula set out above. A new hereditament created as a result of a split or merger during the financial year, or where there is a change of use, should be considered afresh for the discount on that day.

The Cash Cap and Subsidy Control

No ratepayer can, in any circumstances, exceed the £110,000 cash cap across all of their hereditaments in Wales. Where a ratepayer has a qualifying connection with another ratepayer, those ratepayers should be considered as one ratepayer for the purposes of the cash caps. A ratepayer shall be treated as having a qualifying connection with another where:

- both ratepayers are companies and one is a subsidiary of the other, or both are subsidiaries of the same company; or
- only one ratepayer is a company and the other ratepayer has such an interest in that company as would, if the other ratepayer were a company, result in its being the holding company of the other.

As of 4 January 2023, the new UK subsidy control regime commenced with the coming into force of the Subsidy Control Act 2022. The Retail, Leisure and Hospitality Rates Relief scheme is likely to be a subsidy under the new regime. Any relief provided by local authorities under this scheme will need to comply with the UK's domestic and international subsidy control obligations.

To the extent that a local authority is seeking to provide relief that falls below the Minimal Financial Assistance (MFA) thresholds, the Subsidy Control Act 2022 allows an economic actor (eg a holding company and its subsidiaries) to receive up to £315,000 in a 3-year period (consisting of the 2025-26 year and the two previous financial years). Local authorities should ask the ratepayers, on a self-assessment basis, to declare as part of their application for RLHRR that they are not in breach of the cash cap or MFA limit.

It is the responsibility of the local authority to comply with all relevant subsidy control provisions, including MFA procedure and transparency requirements. More information is available in the UK statutory subsidy control [guidance](#) from the UK Government.

For further advice, the Subsidy Control Unit at the Welsh Government can be contacted at:

Subsidy Control Unit
Welsh Government
Cathays Park
Cardiff
CF10 3NQ
Email: SubsidyControlUnit@gov.wales

Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	HOMELESSNESS TEMPORARY ACCOMMODATION
Report Owner / Corporate Director:	CHIEF OFFICER – FINANCE, HOUSING AND CHANGE
Responsible Officer:	MARTIN MORGANS HEAD OF PARTNERSHIPS AND HOUSING
Policy Framework and Procedure Rules:	This report is requesting a suspension of the Council's Contract Procedure Rules (CPRs) but no amendment to the CPRs is being sought.
Executive Summary:	<p>A Housing Support Programme Strategy approved by Cabinet in December 2023 sets out the challenges the Council faces in terms of housing and homelessness services. A key challenge is the demand and associated cost of temporary accommodation.</p> <p>The report provides an update on temporary accommodation and seeks approval to suspend the Council's CPRs and enter into further agreements with private accommodation providers, in order to enable continuation of short-term arrangements, to meet statutory duties in relation to temporary accommodation.</p>

1. Purpose of Report

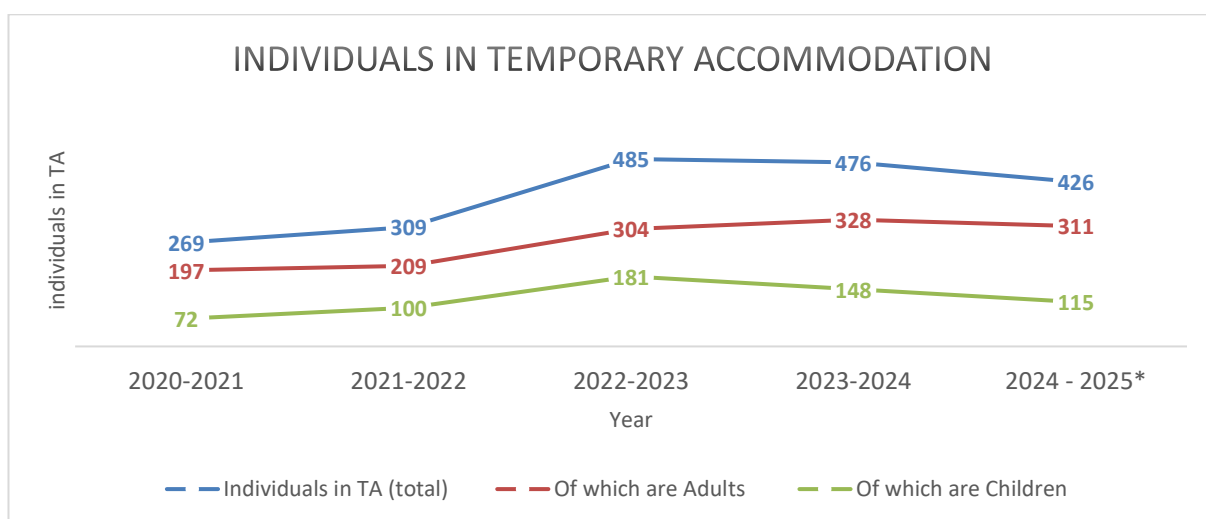
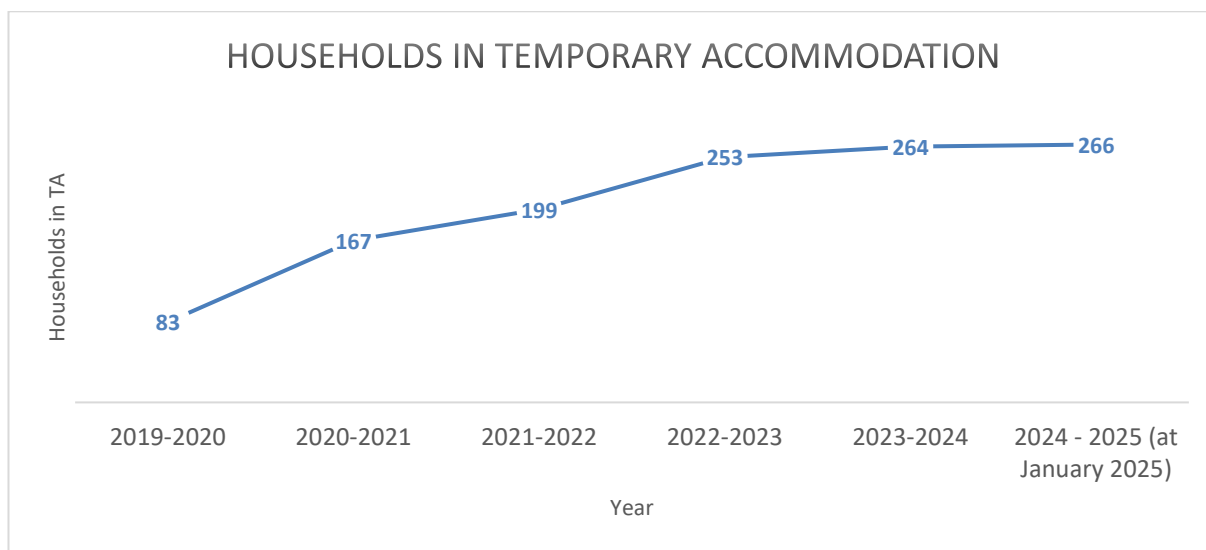
1.1 The purpose of the report is to:

- Seek approval from Cabinet to suspend the relevant parts of the Council's Contract Procedure Rules (CPRs) with regards to the requirement to tender for a contract and delegate authority to the Head of Partnerships and Housing to enter into Service Level Agreements with existing accommodation providers for a period of 'up to' 12 months in order to continue the provision of additional temporary accommodation as necessary to meet the Council's statutory duties.

2. Background

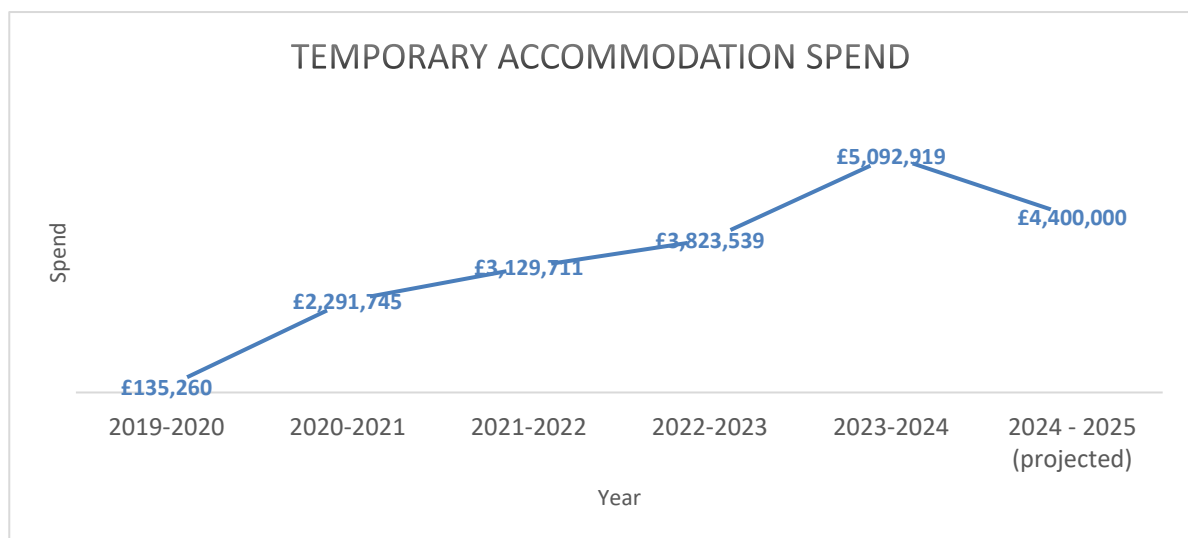
2.1 In December 2023 Cabinet approved a final Housing Support Programme Strategy (Homelessness Strategy) and Action Plan for 2022-2026.

- 2.2 The Housing Support Programme Strategy outlines the challenges the Council faces in terms of increasing pressure on homelessness services. High demand on services, in particular an increase in demand for temporary accommodation, is a key challenge. The graphs below highlight these demands.



- 2.3 The increase in demand for temporary accommodation is largely due to an 'All In' approach to homelessness, initially directed by Welsh Government at the start of the Covid-19 pandemic. Welsh Government introduced a Guidance Note which extended the definition of vulnerable with regards to the 'priority need' criteria set out in the Housing (Wales) Act 2014. In 2022 a new 'priority need' category was added, which amended the legislation to continue the principle of an 'All In' approach.
- 2.4 The demand for homelessness and temporary accommodation services has been compounded by a wider increase in demand for social housing. The total number of applicants on the Bridgend Common Housing Register at the end of each year has increased substantially. In 2019/2020 there were 816 households on the Common Housing Register. At the end of January 2024, there were 3,100 applicants on the Common Housing Register. A combination of the impact of the cost-of-living crisis and a challenging private rented sector are key drivers behind this demand.

- 2.5 The challenges highlighted at section 2.4 above are also key challenges in terms of moving households on from temporary accommodation, meaning households are spending longer in temporary accommodation.
- 2.6 To meet the demands on temporary accommodation highlighted above and ensure compliance with statutory duties to provide temporary accommodation the Council has entered into a range of agreements with private accommodation providers, including those more traditionally used in the tourism sector, such as guest houses and holiday lets. Accessible accommodation for those with disabilities and larger accommodation for families are examples of some of the more costly units secured. The most recent arrangements put in place were approved by Cabinet in March 2024 and are due to expire at the end of March 2025.
- 2.7 The cost implications of the pressures on temporary accommodation are stark. The below graph illustrates this.



- 2.8 BCBC has received increased income to help meet the costs outlined in the graph at 2.7. During the Covid-19 pandemic costs could be claimed from a Welsh Government Hardship Grant. This funding has since been replaced with a Welsh Government 'No One Left Out' Grant, although not at the same levels. For 2022-23 this was £2.067m. For 2023-24 this reduced to £898,694 and for 2024-25 it was £914,848, a significant decrease on the previous grant funding. Rental income and Service Charge income for those accommodated is received but is limited and does not cover costs.

3. Current situation / proposal

- 3.1 Detailed in reports to Cabinet in March 2024 and September 2024 are a range of measures the Council is taking forward to both prevent the need for and improve the suitability / reduce the cost of temporary accommodation. These measures include Council purchases of temporary accommodation, increased supported accommodation options and a capital development programme to increase affordable housing options.
- 3.2 The graphs at paragraph 2.2 suggest that whilst the number of households in temporary accommodation has remained relatively stable in recent years, there has been a decrease in the number of individuals in temporary accommodation. The

number of children in temporary accommodation has reduced by 36% from March 2023 to January 2025. This indicates that measures to prevent homelessness are showing success in terms of supporting families with children, however the pressure on temporary accommodation in respect of single person households has remained high. At the end of January 2025 80% of households in temporary accommodation were single person households.

- 3.3 In relation to costs the graph at paragraph 2.7 suggests that the measures detailed to Cabinet previously and referenced at paragraph 3.1 are making a positive impact. Whilst costs remain high there is projected to be a decrease of 13.6% (£692,919) in aggregated costs between 2023-24 and 2024-25.
- 3.4 This report highlights some positive outcomes in relation to the pieces of work being taken forward to tackle pressures on housing and homelessness. The outcomes of some of these pieces of work remain medium to long term and as such there is a need to continue to address the immediate pressures highlighted in section 2 of the report. As per paragraph 2.6 the Council's current arrangements with private accommodation providers are due to expire at the end of March 2025.
- 3.5 The provision of temporary accommodation is a statutory duty in line with the Housing (Wales) Act 2014. To allow the continuation of the arrangements with existing accommodation providers, it is proposed that the Council's CPRs be suspended and the Council enter into Service Level Agreements with accommodation providers for 'up to' 12 months, in order to meet presenting need.
- 3.6 It is proposed that the agreements with existing accommodation providers be used, to enable consistency in provision for both BCBC and any service users accommodated. By providing this accommodation since the Covid-19 pandemic the accommodation providers have developed experience in providing temporary accommodation and a working relationship with BCBC's Housing Solutions Team, key to the successful management of temporary accommodation placements.
- 3.7 Cabinet needs to be aware that in taking forward this action, the Council is exposed to the risk of potential challenge from other accommodation providers. The Council's CPRs ensure that procurement exercises are lawful and carried out in compliance with Public Procurement Law, in particular the Procurement Act 2023. This report proposes entering into agreements without any competition which breaches the requirements of the Procurement Act 2023 and therefore requires Cabinet's approval to suspend the Council's CPRs.
- 3.8 The risk of challenge is not possible to quantify, however given the need to continue service provision to vulnerable people, the pressures on current homelessness services, and the limited availability of suitable and willing accommodation providers to provide such accommodation, Cabinet may take the view that the potential for challenge is one it is prepared to accept. In addition, due to the specialist nature of provision there are relatively limited numbers of providers of such services.
- 3.9 It is proposed that a further report be brought to Cabinet within 12 months to update on the developing position, with regards to temporary accommodation.

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 Tackling homelessness is a Welsh Government priority. The report contributes to the following goals within the Well-being of Future Generations (Wales) Act 2015:

- A prosperous Wales – Reducing homelessness supports a prosperous Wales by reducing cost to the public purse.
- A resilient Wales – Our Housing Support Programme Strategy aims to prevent and relieve homelessness, increasing the resilience of both individuals supported and the general structures in place to support the goal of achieving a position where homelessness in Wales is rare, brief and non-recurrent.
- A Wales of cohesive communities – Preventing individuals from becoming homeless will support cohesive communities.
- A globally responsive Wales – Homelessness is an issue across the globe. These strategic documents set out the approach Bridgend will take to support Wales in its efforts around this agenda.

- 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 prevention and relief of homelessness supports the agenda around climate change. A key priority is to increase BCBC's affordable housing supply to meet demand, with the intention of informing affordable housing schemes to meet these needs. Any schemes developed through the capital programme will be developed in line with Welsh Government planning and standards requirements, which support moves to tackle climate change.

7. Safeguarding and Corporate Parent Implications

- 7.1 Homelessness and housing support services play a key role in supporting BCBC's safeguarding agenda, both from an individual perspective with services often supporting vulnerable individuals, known to safeguarding agencies.
- 7.2 The priorities set out in the Housing Support Programme Strategy reference a need to improve collaboration with key stakeholders, with specific objectives around improving collaboration to implement the national care leavers and accommodation and support framework, a key part of Corporate Parenting implications.

8. Financial Implications

- 8.1 The cost of the established units of accommodation with private providers utilised on a service level agreement basis for temporary accommodation ranges from £40 per night to £150 per night. The cost of each unit is dependent on the nature of the property, for example a 4 bed property will likely cost more than a 2 bed property. It

is estimated that the total cost for a 6 month period will be around £1.55m. This is an estimate at this time as final costs will be negotiated during discussions with accommodation providers, but the service will seek to keep any increase to a minimum. Cabinet should note ad hoc arrangements may still be required in addition, to meet emergency scenarios, which cannot be predicted.

- 8.2 The Quarter 3 Revenue Forecast Report to Cabinet on 14 January 2025 showed a projected overspend on Housing and Homelessness for 2024-25 of £411,000. However, there is a budget pressure included within the Medium Term Financial Strategy 2025-26 to 2028-29 of £400,000 which should mitigate this. For 2025-26 Welsh Government has transferred a number of housing related grants, including the 'No One Left Out' grant, into the Local Government Settlement, which should provide more flexibility.

9. Recommendations

- 9.1 It is recommended that Cabinet:

- Note the contents of this report;
- Agrees to suspend the relevant parts of the Council's Contract Procedure Rules (CPRs) with regards to the requirement to tender for a contract and delegate authority to the Head of Partnerships and Housing to enter into Service Level Agreements with existing accommodation providers for a period of 'up to' 12 months in order to continue the provision of additional temporary accommodation as necessary to meet the Council's statutory duties;
- Delegate authority to the Head of Partnerships and Housing to approve the final terms of the Service Level Agreements on behalf of the Council and to arrange execution of the agreements on behalf of the Council in consultation with the Chief Officer – Legal and Regulatory, HR and Corporate Policy;
- Note that a further report will be presented to Cabinet to update on the position regarding temporary accommodation.

Background documents

None

Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	SOCIAL SERVICES AND WELLBEING ACCOMMODATION-BASED SERVICE REVIEW
Report Owner / Corporate Director:	CORPORATE DIRECTOR SOCIAL SERVICES AND WELLBEING
Responsible Officer:	JACKIE DAVIES – HEAD OF ADULT SOCIAL CARE
Policy Framework and Procedure Rules:	There is no effect upon the policy framework and procedure rules.
Executive Summary:	<p>This report highlights the work that has been undertaken to understand existing commissioned and internally delivered accommodation-based care provision for adults, and from these findings, consider a number of proposals.</p> <p>The purpose of the report is to seek endorsement from Cabinet to develop detailed business cases in respect of the proposals identified and to seek approval to extend the partnership arrangement with the Vale of Glamorgan Council for the Adult Placement Scheme (Shared Lives) Service.</p>

1. Purpose of Report

1.1 The purpose of the report is to:

- 1.1.1 seek endorsement from Cabinet to develop detailed business cases in respect of proposals designed to define and reshape existing commissioned and internally delivered accommodation-based care provision for adults following an accommodation-based service review across Adult Social Care; and
- 1.1.2 seek approval to extend the current Partnership Agreement with the Vale of Glamorgan Council for the Adult Placement Scheme (Shared Lives) Service for a term of 5 years subject to annual review pending longer-term options being considered and developed.

2. Background

- 2.1 In April 2024, Cabinet approved the Commissioning Strategies developed within the Social Services and Wellbeing Directorate, which set out key priorities on how current services need to change and develop over the next 5 years. This was to ensure that Bridgend County Borough Council (BCBC) is delivering the right services, in the right place at the right time in order to continue to meet the needs of people living in the

borough. The strategies were developed using detailed analysis and evidential review, such as the Market Stability Report (MSR) and the Population Needs Assessment (PNA), as well as local data to identify key trends and pressure areas.

- 2.2 The diagram below illustrates the relationships between the PNA and each of the different elements of the MSR, highlighting how they contribute towards the ongoing development of local and regional plans and commissioning strategies and statements.



- 2.3 One of the main priorities identified with the commissioning strategies was to undertake a review of accommodation-based services across Adult Social Care, where during 2024/25 the Directorate has carried out a mapping exercise to obtain an up-to-date understanding of what accommodation-based services we have for older people, and people with lifelong conditions/complex needs.
- 2.4 The data was reviewed in a number of workshops by relevant officers, where the key findings identified have identified service gaps which have then informed the proposals identified in the Accommodation Based Service Review Delivery Plan.

3. Current situation / proposal

- 3.1 The full version of the Accommodation Based Service Review Delivery Plan 2025-28 is attached as **Appendix A** where the main points have been summarised in the following section and all proposed capital investments will be subject to robust business cases, which will provide further detail on costs, resource implications and timescales.

Regulated Community Care (Older People)

- 3.2 The main focus of the review in this part of Adult Social Care was on:

- Care Homes (residential and nursing)
- Extra Care Housing (ECH) services

- 3.3 Following the opening of a nursing home to help support with nursing placements for people with advanced dementia (EMI) – which was a specific area of need identified in the MSR – there are sufficient care home placement options across residential and nursing care.
- 3.4 The priority for care homes is to be clear in terms of how care homes are utilised and commissioned, to ensure they are providing the optimal levels of care across each of the key categories. This will include ensuring that care homes and accommodation services are ‘dementia-friendly environments, and provide the right quality of specialist care’, for those living with dementia.
- 3.5 There will be more detailed work undertaken in respect of the service models in BCBC run care homes, to ensure the most appropriate levels of reablement, short-term and long-term care can be provided, and minimise vacancy levels.
- 3.6 In the longer-term, we need to assess the feasibility for developing a fourth extra care housing (ECH) service, which will have both capital and revenue funding implications and therefore will be subject to a robust business case. This will involve having conversations with Registered Social Landlords (RSL) and internal colleagues about upcoming development opportunities, where all funding opportunities will need to be explored.
- 3.7 Care Homes/ECH schemes are recognised as being vital assets in the community where links are being made to the day opportunities review being undertaken, so those assets can be used, where appropriate, to the benefit of the wider community as well as tenants and residents.

Lifelong Conditions & Complex Needs

- 3.8 There are more gaps in provision within this area, where it is acknowledged that there are far more individuals with greater complexity of need now being supported. Linked to the increasing complexity in this area, this requires input and involvement from a Cwm Taf Morgannwg University Health Board (CTM UHB) perspective, both in terms of funding arrangements and roles and responsibilities moving forward. Within this area of adult social care, the focus of the review was on:

Shared Lives (Adult Placement Scheme)

- 3.9 This service provides long-term placements or short breaks/respite in a family home. The Shared Lives ‘host’ family provides day-to-day care or support and work as self-employed carers under the Adult Placement scheme. The service is currently provided through a partnership arrangement with the Vale of Glamorgan Council (VoG). Whilst being open to other client groups, it remains largely a service for people with learning disabilities.
- 3.10 Review finding: There is a need to grow and diversify the current scheme (which has a traditional focus on learning disabilities only) and consider BCBC’s partnership arrangements in the future. The VoG Adult Placement Scheme took over the management of Bridgend Shared Lives Scheme in May 2019 and has been providing the Adult Placement Scheme (Shared Lives) Services for BCBC to date where options for an alternative service model are extremely limited. The partnership arrangement is underpinned by a legal Partnership Agreement between the VoG and

BCBC which is due to expire in March 2025 and it is therefore proposed that the Agreement be extended to allow for closer alignment between the two Authorities, which has been an ongoing aim of the partnership arrangement, and to help develop greater use of existing capacity and continue to diversify and grow capacity together.

- 3.11 VoG are due to implement a new banding system for payments to Host Carers in line with the levels of care they provide to the people placed with them. It is intended that the new banding payments will be cost neutral, and fair to the Host Carers and to the supported individuals through their own contributions towards the service costs. It is desirable that BCBC looks to implement the same banding system in Bridgend for its Host Carers, which will bring alignment across the regional service, and offer a more equitable payment regime than is currently in place. There is good potential that by updating the payment arrangements, to include a fair contribution from the individuals supported, the overall placement costs to BCBC can be reduced. Any withdrawal or termination from the Partnership Agreement would require an Exit Management Plan to be put in place by VoG as service operator, in order to transfer the service either back to BCBC (where TUPE may apply) or to an external provider (where there is only one in South Wales who were previously decommissioned by BCBC). The Partnership Project Board (with representation from BCBC and VoG) have agreed that an extension of the current arrangement is the most cost effective and pragmatic option. Pending the development of the longer-term options, it is therefore recommended that BCBC continues in the current partnership arrangement with VoG, where there is provision to extend existing arrangements for 5 years (with annual reviews) that would allow for early withdrawal from the Agreement if BCBC identifies an alternative option at that point. There are no restrictive notice or procedural requirements in terms of agreeing the extension.

Core & Cluster Accommodation / Community Living Networks

- 3.12 This type of service offers care and support within 'core settings/buildings' which can then act as a base to provide outreach support to people living in a 'cluster' of more independent housing in the nearby wider area. This represents a potentially cost-effective way of delivering a mix of higher and lower-level support and allows opportunity for people to step up or down into different levels of service.
- 3.13 Review finding/proposal – there are opportunities to explore this service model as part of the new Sunnyside development, where any new proposed service model will be subject to a robust business case setting out any potential revenue implications.

Supported Living, including Specialist Supported Living (Closer to Home)

- 3.14 Within these services, individuals hold their own tenancies, where care and support is provided within the schemes (which are generally 2-4 bed standard homes) under homecare regulations. BCBC has Supported Living services operating at two levels, General Supported Living and Specialist Supported Living known as Closer to Home (C2H). The main distinction is levels of need and the nature of care and support that is offered, where specialist services tend to be more complex with higher levels of need, which requires input and funding from health. Supported living services are provided currently predominantly for people with learning disabilities.
- 3.15 Review finding/proposal – noted that there has been a recent move towards locality-based services, which has been beneficial, but move-on and flow from these services

has been a considerable challenge. There are also provisional plans to develop a new specialist (Closer to Home) scheme in this area, where clarification on health funding and responsibilities need to be made clear, and any BCBC input/funding needing to be subject to a robust business case.

Accessible / adapted accommodation programme

- 3.16 For people with sensory loss and/or limiting physical conditions or disabilities, a main priority includes staying safe in their own home or in appropriate accommodation. People are able to live a relatively independent life in their own home if suitable adaptations and access into the property can be made. In some cases, the use of mainstream or specialist Assistive Technology can also enable someone to meet their wellbeing outcomes within their own home.
- 3.17 Review finding/proposal - our intention is to work with key partners (such as health and housing) to help people with disabilities and/or sensory loss to access support and adaptations to help them live at home or as close as possible. It will draw on existing resources but offer a more integrated and well-informed response.

Emergency / short-stay and respite accommodation

- 3.18 Emergency, short-stay and respite services allow people to temporarily take a break from their usual living arrangements and often support unpaid carers to be able to take a break from their caring role supporting family members.
- 3.19 Review finding/proposal - unpaid carer support and respite is a priority for all client groups, where more detailed analysis is to be undertaken in this area to inform the most effective use of current resources (such as Ael-y-Bryn and Breakaway which are internal services run by BCBC) and identify any gaps in provision.

General position and summary

- 3.20 Availability of capital and revenue funding is a significant challenge overall for the Council. Business cases need to be clear on the cost/benefit analysis, as alternative sources of funding often require match-funding or can cost more over the medium/long term. Capital investment in in-house and not-for-profit schemes is critical to transform and modernise traditional models of service and achieve best value for money whilst meeting growing and increasingly complex needs.
- 3.21 Welsh Government Housing with Care Funding (HCF) itself has match-funding requirements, meaning that BCBC must enter into arrangements with RSLs (who themselves will then need to bid for funding and provide the match-funding), where there will then be on-going revenue implications for BCBC.
- 3.22 From a BCBC provider service perspective, unless there is capital funding available to invest to transform, it limits our opportunities to make any changes or consider any new developments in the future.
- 3.23 CTM UHB responsibilities need to be assessed, understood and reflected in funding agreements moving forward, and Section 106 (and other external) funding opportunities must be considered/explored at all opportunities – eligibility allowing.

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.
- 4.2 As and when schemes and proposals identified within this report are considered for implementation, specific EIA screenings will be undertaken at that stage.

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

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

Long-term	The proposals within this report will consider and include longer-term demands, pressures and changes.
Prevention	In-keeping with the fundamental requirements of the Social Services and Well-being (Wales) Act 2014, there is also a focus on preventative services within the strategies.
Integration	In keeping with the fundamental requirements of the Social Services and Well-being (Wales) Act 2014, there will be a focus on integration with our key regional partners, such as Cwm Taf Morgannwg Health Board and neighboring local authorities.
Collaboration	Both internal and external collaboration will be necessary in order to effectively implement the proposals identified within this report, which will involve key stakeholders and wider partners.
Involvement	Extensive consultation was undertaken with individuals to inform the PNA and MSR reports, which have been used as the foundation of these proposals. Officers will further engage with and involve individuals and their families/carers as and when specific projects, schemes and developments are being worked-up in more detail, which will inform the subsequent options appraisal and business justification cases.

6. Climate Change Implications

- 6.1 There are no direct climate change implications associated with the strategies at this stage.

7. Safeguarding and Corporate Parent Implications

- 7.1 Having sufficient and effective services in place across adult social care – which is the primary aim of these proposals – should also mitigate any safeguarding risks

linked to unsuitable or unavailable services and enable a safer and smoother transition from children's services into adult social care.

8. Financial Implications

- 8.1 There are no direct financial implications associated with the findings at this stage, however, any proposals put forward for implementation that are listed within this report will be subject to the necessary business justification requirements and will follow the Council's Financial Procedure Rules. Officers will develop these proposals in close consultation with colleagues in Finance. However, as outlined in paragraph 3.20, there is no current capital or revenue funding identified to progress any of these proposals at present.
- 8.2 The proposals have been produced in alignment with the Medium-Term Financial Strategy (MTFS) from 2024/25 onwards, where the pertinent savings proposals identified in the MTFS (e.g. Remodelling work in learning disabilities) have been included where there are links to commissioned/provider services.
- 8.3 For the Adult Placement Scheme (Shared Lives) Partnership Agreement, it is noted that under scrutiny of the Project Board, VoG reclaim service delivery costs pertinent to operations within Bridgend County Borough, and BCBC currently makes a financial contribution of £125,849 per annum towards the running of the service as part of the Agreement, where there is an existing Directorate budget for this expenditure.

9. Recommendations

- 9.1 It is recommended that Cabinet:
- Note the contents of this report;
 - Approve the extension of the Adult Placement Scheme (Shared Lives) Service Partnership Agreement with the Vale of Glamorgan Council for a 5-year period in accordance with the terms set out in the Agreement, subject to annual review pending an alternative or longer-term option being considered and developed;
 - Endorse the development of detailed business cases in respect of the proposals set out in the Delivery Plan (**Appendix A**), designed to define and reshape existing commissioned and internally delivered accommodation-based care provision for adults following an accommodation-based service review across Adult Social Care, noting that any proposals put forward for implementation will be reported back to Cabinet for approval, as required.

Background documents:

None

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Social Services and Wellbeing

Accommodation-Based Service Review

Delivery Plan 2025-28

Background

In April 2024, Cabinet approved the Commissioning Strategies developed within SSWB Directorate, which set out key priorities on how current services need to change and develop over the next 5 years.

- This was to ensure that BCBC is delivering the right services, in the right place at the right time in order to continue to meet the needs of people living in the Bridgend county borough.
- The strategies were developed using detailed analysis and evidential review regional data, such as the Market Stability Report (MSR) and the Population Needs Assessment (PNA), as well as local Bridgend County Borough Council (BCBC) data to identify key trends and pressure areas
- The directorate carried out a review and mapping exercise to obtain an up-to-date understanding of what accommodation-based services we have for older people, and people with lifelong conditions/complex needs
- The data was reviewed in a number of workshops by relevant officers where the findings informed the following recommendations and proposals
- All proposed capital investments will be subject to robust business cases which will provide further detail on costs, resource implications and timescales
- Any new scheme/developments identified in the following proposal sections will be subject to Options Appraisals and/or Business Cases, as required

Regulated Community Care (older people)

The key areas of focus of the review within this population area have been:

Care Homes (residential and nursing)
Extra Care Housing

Findings: Care Homes

- Some of our externally commissioned residential providers may not be well-positioned to meet the projected increase in people with more complex needs like advanced dementia
- Not all residential care home providers currently support people to end of life. People should be able receive end-of-life care at home (including a care home they may have lived in for many years) , in a hospice or in hospital, depending on their needs and preferences
 - Third-party “top-ups” remain an on-going concern for family members and the Council in terms of affordability. A third-party top-up is when a relative or friend enters into an agreement to pay the difference between what the home costs and the amount that is paid by the Council. Usually, they would pay the home this amount directly. In some instances, as set out in regulations, BCBC are responsible for the top-up payment
 - BCBC internal care homes (Bryn-y-Cae and Ty Cwm Ogwr) has a number of reablement/short-term beds that are under-utilised. Reablement is a type of care that helps you relearn how to do daily activities, like cooking meals and washing. Most people who receive this type of care do so for around 1 or 2 weeks, although in some cases, this can be longer
 - There are few short-break opportunities for people with challenging issues around frailty who may have previously been identified as requiring nursing dementia care, where there is a responsibility on the Health Board in this area too

Proposals: Care Homes

Proposals: Short-Term (up to 6 months)

- Continue work at a regional and national level to try to mitigate the impact of third-party “top-ups”
- Review use of reablement/short-term beds in Bryn-y-Cae and Ty Cwm Ogwr with a view to reconfiguration to maximise capacity and resource
- Open a discussion with providers and key partners (including health) to consider what needs to be in place to enable them to provide end of life care
- Develop separate and distinct service specifications/guidance criteria to define different categories of care (Nursing, Dementia, Standard Residential Care) to help care home providers meet future demand

Proposals: Medium-Term (6-24 months)

- Implement the service specifications/guidance criteria that are being developed relating to different categories of care within care homes
- Introduce a set of minimum environmental standards in line with the Regulation and Inspection of Social Care (Wales) Act 2016 for care homes who support people with dementia and sensory loss
- Working with colleagues in health, increase short-break opportunities for nursing respite support for people with challenging issues around frailty

Findings: Extra Care Housing (ECH)

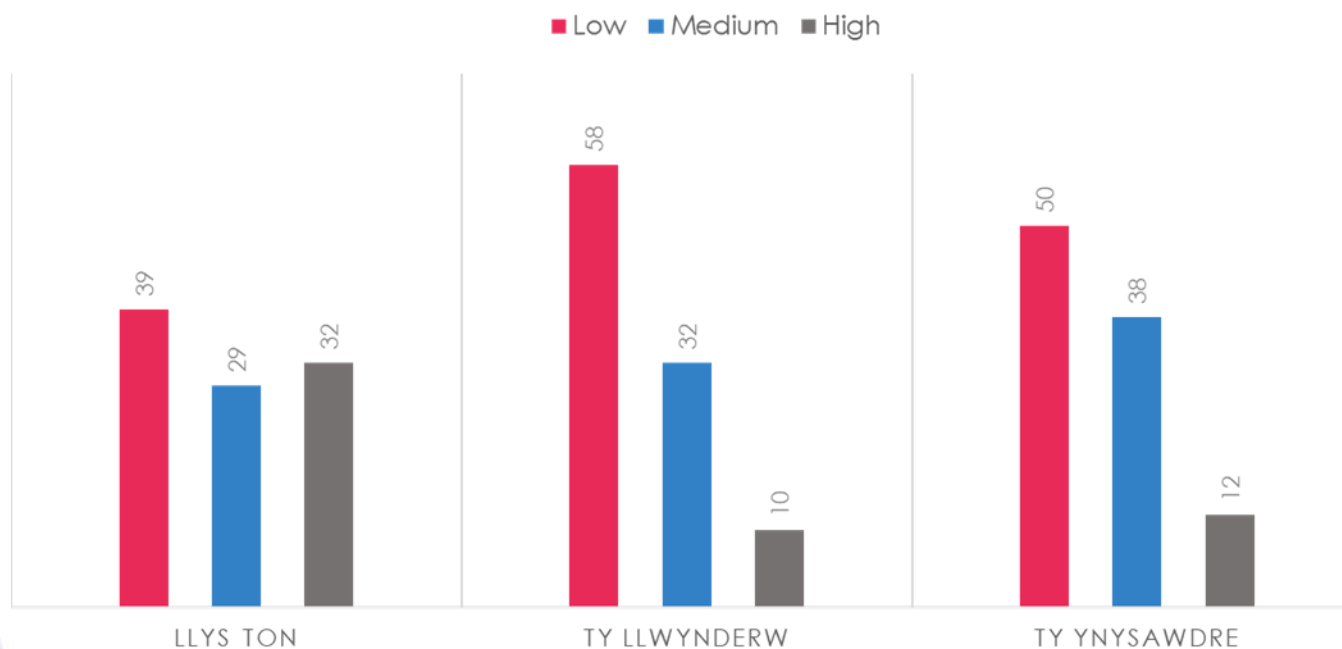
As a result of adaptations within the environment in Extra Care Housing (ECH), access to on-site support 24 hours a day, and reduced likelihood of isolation, some individuals/tenants receive a lower/smaller package of care when compared to individuals receiving homecare in their own homes

- ECH schemes deliver on average around 8 hours of care per tenant per week, and homecare in an individual's own home delivers an average of 11.8 hours of care per week per person
- A strengthening of a shared vision and definition of what extra care housing is, and what levels of support can, and should be provided would benefit the residents, registered social landlords (RSL's), social work teams and other stakeholders. As part of the review, we have looked to define and clarify what ECH is within BCBC, and enable a vision for these services moving forward – which can be summarised as below:
 - ECH should be considered an accommodation option to try to delay or prevent admission to residential care, whilst recognising this might not be possible for individuals should their needs become too complex where they would need to transition to an appropriate nursing care home setting
 - ECH should sit between independent living (with support) and a care home. This should reduce the need for residential care for people living with physical frailty, some levels of dementia and experiencing loneliness and isolation
 - ECH should remain predominantly a service for older people but also maintain a degree of flexibility to support other categories of care (Learning Disabilities/Mental Health) where appropriate

Findings: Extra Care Housing (ECH)

- The initial planning for ECH in Bridgend was for each setting to provide care to tenants/individuals, and for that care to broadly fall into the following categories:
 - One-third of tenants with low needs
 - One-third of tenants with medium needs
 - One third of tenants with high needs
- This is not currently being achieved. The adjacent chart which shows the current levels of care provided within the three existing ECH schemes with “low” comprising of up to 7 hours of care per week, “medium” comprising of between 7 and 14 hours of care per week and “high” comprising of 14 hours (or more) of care per week.

PERCENTAGE OF LOW/MEDIUM/HIGH NEEDS
AUGUST 2024



Proposals: Extra Care Housing

Short-Term (Up to 6 Months)

- Work with key partners (i.e. Social Work teams and Registered Social Landlords) to clarify what ECH is in BCBC (as defined earlier) and formally agree key roles and responsibilities of each partner

Medium-Term (6-24 Months)

- To ensure ECH is flexible enough to meet the changing needs of citizens in BCBC, which might look different within each scheme from time to time, based on care assessments at that specific time
- Better define the role of the Registered Social Landlord in the assessment process for potential tenants in any new and existing extra care housing schemes.
- Develop a Business Case for a fourth extra care scheme, considering efficient design principles to reduce service charges (the fees in addition to rent that tenants pay to the RSL)

Lifelong Conditions & Complex Needs

The key areas of focus of the review within this population area have been:

- Expansion and diversification of Shared Lives (Adult Placement Scheme)
- Develop new Core & Cluster Accommodation / Community Living Networks
- Expanding Supported Living, including Specialist Supported Living
- Accessible / adapted accommodation programme
- Emergency, short-stay and respite accommodation

Findings: Shared Lives (Adult Placement Scheme)

- The Shared Lives service provides long-term placements or short breaks/respite in a family home.
- The Shared Lives 'host' family provides day-to-day care or support and work as self-employed carers under the Adult Placement Scheme.
- The service is currently provided through a partnership with the Vale of Glamorgan Council. The two councils have some slight differences between how the service is run and the partnership aims to align the services over time.
- Whilst being open to other client groups, it remains largely a service for learning disabilities. It's scale and reach has remained very static in Bridgend over recent years.
- The vision for the service moving forward is to: incrementally increase the number of people who use the Shared Lives service in Bridgend every year, and to increase the diversity of people who access the service so that more people with mental health, dementia or physical disabilities are supported by the scheme.

Proposals: Shared Lives (Adult Placement Scheme)

Short-term proposals (up to 6 months)

- Work in close partnership with Vale of Glamorgan Council to bring greater alignment between the two areas
- Undertake a recruitment drive to attract new self-employed Shared Lives carers and broaden access for wider groups of people

Medium-term proposals (6-24 months)

- To consider regional capacity and regional partnership options to optimise efficiencies of scale

Long-term proposals (3-5 years)

- Expand the design of the scheme to provide short breaks for a wider range of people to use as a respite option (inc. people with dementia and mental health), and act as a 'step-down' option for people waiting for hospital discharge to their own homes

Core & Cluster/Community Living Networks: Findings

- This type of service offers higher-level care and support within 'core settings' which can then act as a base to provide outreach support to people living in a 'cluster' of more independent housing in the nearby area.
- It represents a potentially cost-effective way of delivering a mix of higher and lower-level support and allows opportunity for people to step up or down into different levels of service, which is a more person-centred and progression-based approach to placing someone in a static housing arrangement.
- The model has been identified as potentially beneficial in Bridgend for neurodiverse people (e.g. with autism) and may also benefit other groups of people who need varying levels of flexible support.
- There is a shortage of nursing placements (which is a health responsibility) for people with learning disabilities/mental health, and a lack of provision for people who are neurodivergent or who, as a result of substance misuse, are cognitively impaired. So 'step-up' options are as important as 'step-down' options.
- Moving forward, there is one scheme at early construction stage in Bridgend town centre (as part of the Sunnyside Wellness Village), which includes a shared house as supported accommodation (core) and a number of self-contained living units

Core & Cluster/Community Living Networks: Proposals

Short-term proposals (up to 6 months)

- Develop a Business Case setting out the revenue and capital implications, and work with Linc (Registered Social Landlord) to develop the initial core and cluster setting in Bridgend town (Sunnyside Wellbeing development)

Medium-term proposals (6-24 months)

- Establish a comprehensive understanding of support needs for localised groups of people and clarify the scope of people who might benefit from these services
- Complete the current pilot for neurodivergent people in Glyn Cynffig (12-bed temporary accommodation care & support service) to inform the potential for a new service model on an alternative site, pending a feasibility study being undertaken

Long-term proposals (3+ years)

- Consider how we work with colleagues in health to support nursing providers to be able to offer flexibility to support people with Learning Disabilities/Mental Health.

General Supported Living services: Findings

- BCBC has Supported Living services operated at two levels, General Supported Living and Specialist Supported Living (known as Closer to Home)
- The main distinction is levels of need and the nature of care and support that is offered, where specialist services tend to be more complex with higher levels of need, which requires input and funding from health
- Data for service users across the two levels shows a shift towards greater complexity (specialist supported living) and increasing support hours
- Supported living services are provided predominantly for people with learning disabilities, where approximately 2/3 of tenants in supported living settings are aged 55 or older, with little move-on options
- Supported Living services are very static, where there is limited capacity in the current supported living service to enable flow of people in and out, which is reinforced by the fact that most people in the service have a long-term tenancy agreement
- There is very limited scope for younger age-appropriate shared housing within the current capacity
- There is a growing demand with no additional capacity, so a broadened supported living model is needed which is more responsive to people's changing needs and is able to support more people who need to progress and move on from these services

Proposals: General Supported Living

Medium-term proposals (6-24 months)

- Review contracts and agreements with RSL's with a view to easing flow which is restricted as a result of tenancy agreements in supported living
- Review the use of Assisted Technology to make efficiencies and scale-up its implementation (subject to a Business Case)
- Carry out a comprehensive review of current contracts and internal plans for Supported Living services to determine the existing volume of placements across framework and non-framework spot arrangements and assess capacity in light of projected future demand
- Review options for gender-specific, condition-specific, or age-appropriate accommodation for supported living

Specialist Supported Living services: Findings

- Specialist/Closer to Home (C2H) schemes usually support between 2 to 4 people, with most people needing high levels of both health and social care support.
- There is an identified gap for more specialist accommodation for people with higher levels of complexity and care needs. This level of service usually involves multi-disciplinary support from Health as well as Social Care services.
- The numbers of people living in Specialist Supported Living (Closer to Home) schemes has increased from only 4 people in one Closer to Home scheme in 2018 to around 20 people in 6 Closer to Home/Specialist Supported Living schemes.
- Targeted development of specialist accommodation 'closer to home' is required (with appropriate funding from health), which is proven to be more cost-effective for complex placements, where the only alternative would be for people to be placed into high-cost specialist placements, often out-of-county.
- The development of a fourth 'Closer-to-Home' scheme has been agreed in principle by regional partners, where capital funding may be available once a suitable location has been identified and secured and business case developed.

Proposals: Specialist Supported Living

Short-term proposals (up to 6 months)

- Analyse BCBC funded high-cost/out-of-county and specialist placements to understand CHC status and funding responsibilities where there may be potential for them to return closer to home. Continuing Healthcare (CHC) is a package of care for people aged 18 and older that is funded by the NHS
- Continue plans to develop a fourth Closer to Home scheme, pending capital funding, and a robust business case being developed to cover any ongoing revenue costs to BCBC and confirmation of funding from health
- Pending the above, a Section 33 Agreement between the Health Board and BCBC has been proposed, which will help provide a level of governance and financial oversight for the shared costs of such a service
- Engage with partners to co-produce the basis of a new provider framework for broadening the supported living model and consider if Supported Living tenancies can enable 'move on' to more independent living

Medium-term proposals (6-24 months)

- Review the effectiveness of existing specialist services in order to more clearly define and develop a service model for new and tailored housing for people who need highly adapted accommodation with 24/7 specialist staff support

Accessible/adapted accommodation: Findings

- For people with sensory loss and/or limiting physical conditions or disabilities, a main priority includes staying safe in their own home or in appropriate accommodation.
- People with physical or mobility needs are often supported in their own homes as there is no dedicated respite or permanent accommodation for younger adults, and very limited accessible accommodation for people with higher physical and mobility needs.
- Some people have accessed residential nursing placements, especially for short-stay respite, but most nursing homes tend to support older people only, so age-appropriate support is not readily available.
- People are able to live a relatively independent life in their own home if suitable adaptations and access into the property can be made.
- In some cases, the use of mainstream or specialist Assistive Technology can also enable someone to meet their wellbeing outcomes within their own home.
- Our intention is to work with partners to develop a new multi-disciplinary work programme to help people with disabilities or sensory loss to access support and adaptations to help them live at home or as close as possible. It will draw on existing resources but offer a more integrated and well-informed response

Accessible/adapted accommodation: Proposals

Medium-term proposals (6 – 24 months)

- Establish the multi-disciplinary membership for the work programme and creating a clear communications plan for it
- Work with key internal colleagues and RSLs, to map and identify accessible accommodation to support people with physical disabilities or mobility issues, e.g. bariatric beds, use of Assistive technology/equipment
- Map the locations of appropriate properties and consider their potential for inclusion within the Core and Cluster accommodation model being considered
- Work with regional partners and explore options via capital funding strategies to secure suitable properties mapped against identified housing needs subject to a robust Business Case
- With Housing team colleagues, develop a 'Home Adaptations Programme' for identifying minor changes and building works that would enable continuity of independence for people
- Use Disabled Facilities Grant (DFG) or other appropriate funding to enable minor adaptations or to fund building works to help maintain tenancies

Emergency and short-stay/respite provision: Findings

- The regional Population Needs Assessment PNA identifies unpaid carer support and respite as a priority for all client groups
- Emergency, short-stay and respite services allow people to temporarily take a break from their usual living arrangements and often support unpaid carers or family with a break from their caring role
- More age-appropriate and condition-appropriate accommodation is needed to support people for short-term placements, sometimes in cases of emergency
- Current emergency and respite provision in Bridgend county borough does not always support the range of people who require it, and a review/needs analysis is needed to meet future demand
- BCBC has a small number of short-stay accommodation options, including Glyn Cynffig, Ael y Bryn, and Breakaway. These tend to be used to maximum capacity with very limited additional capacity

Emergency and short-stay/respite provision: Proposals

Medium-term proposals (6 – 24 months)

- Undertake an analysis of the capacity and potential use of BCBC Emergency accommodation. i.e.
 - The planned relocation and expansion of Glyn Cynffig
 - Work with Housing to consider options for a 'wet or dry' house to support people with substance misuse issues
 - A 'safe' bed for people in distress who don't require admission into hospital
- Undertake an analysis of the capacity and potential use of Short Break and respite accommodation. i.e.
 - Potential expansion of Breakaway for Learning Disabilities
 - Dedicated Mental Health respite capacity
 - Respite beds in residential care homes that allow for physical disabilities or bariatric needs to be supported
 - Age-appropriate respite accommodation
- Pending the above reviews and options appraisals being undertaken, any new developments will be subject to Business Cases

Summary and conclusion

Regulated Community Care (older people)

- Generally speaking, following the opening of a nursing home to help support with Nursing EMI placements, there are sufficient placement options across residential and nursing care
- The priority in this area is to be clear in terms of how care homes are utilised/commissioned, to ensure they are providing the optimal levels of care across each of the key categories
- In the longer-term, we need to assess the feasibility for developing a fourth extra care type service, which will have both capital and revenue funding implications
- Care Homes/ECH services vital assets in the community – links to Day Opportunities review

Lifelong Conditions and Complex Needs

- There are more gaps in provision within this area, where it is acknowledged that there are far more complex individuals now being supported
- Linked to the increasing complexity in this area, this requires input and involvement from a CTM Health Board perspective, in terms of funding arrangements and roles and responsibilities moving forward

Summary and conclusion

General position

- Capital and revenue funding is a significant challenge in this area
- Health responsibilities need to be assessed, understood and reflected in funding agreements
- More use of technology needs to be significantly scaled up to impact on revenue costs
- There is no current budget in BCBC's Capital Programme for SSWB schemes, meaning that business cases need to be clear on the cost/benefit analysis, as alternative sources of funding often require match funding or can cost more over the medium/long term.
- WG Housing with Care Funding itself has match-funding requirements, meaning that BCBC must enter into arrangements with RSL's (who themselves will then need to bid for funding and provide the match-funding), where there will then be on-going revenue implications for BCBC
- From a BCBC provider service perspective, unless there is capital funding available to invest to transform, it limits our opportunities to make any changes/consider any new developments
- Section 106 funding opportunities will be considered/explored at all opportunities – eligibility allowing

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Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	SOCIAL SERVICES AND WELLBEING DAYTIME OPPORTUNITIES REVIEW AND REMODELLING
Report Owner / Corporate Director:	CORPORATE DIRECTOR SOCIAL SERVICES AND WELLBEING
Responsible Officer:	JACKIE DAVIES – HEAD OF ADULT SOCIAL CARE
Policy Framework and Procedure Rules:	There is no effect upon the policy framework or procedure rules.
Executive Summary:	This report highlights the findings and recommendations that have come from a comprehensive review of daytime opportunities in Bridgend. The work was carried out in line with BCBC’s agreed Commissioning Strategies for the key population groups with care and support needs supported by the Social Services and Wellbeing Directorate. The purpose of the report is to seek endorsement from Cabinet to implement the remodelling intentions as identified following the review.

1. Purpose of Report

- 1.1 The purpose of the report is to request endorsement from Cabinet in respect of the vision and key principles proposed for daytime opportunities for people with care and support needs, and to seek approval for the proposals and remodelling plans, as set out below.

2. Background

- 2.1 Day Services in Bridgend have always been a core social care component to providing quality daytime activities for adults with a learning disability and for older people living with frailty. Day services help people to develop and maintain skills, support the social aspect of friendships and relationships, and crucially they provide a respite service for family and carers that enables people to live more independently for longer.
- 2.2 Day services currently support people with varying levels of ‘managed care’, and it has been recognised that remodelling these services, particularly for those people of working age who aspire to work towards meaningful occupation (be it voluntary or supported employment) to meet their wellbeing outcomes could enable more people to achieve their potential.

2.3 In addition to younger adults with learning disabilities, Bridgend's population is growing and ageing. There is going to be an increase in the population of individuals with care and support needs, particularly for people living with multiple disabilities and for older people with increasing levels of dementia.

2.4 The Commissioning Strategy 2023-2028 for Adults with Lifelong Conditions & Complex Care Needs, approved by Cabinet on 16 April 2024, includes the following priorities:

- Specialist Care & Support at Home or in the Community
- Review of Community Hubs, Daytime Opportunities & Social Activities
- Skills for Independence and Employability

Additionally, the Commissioning Strategy for Older People includes priorities for: a Specialist Dementia Service and Respite Service.

2.5 An independent Opportunities Assessment/Review was undertaken by Alder consultancy during 2023, which considered how day services might be delivered differently from the current arrangement. The current arrangements include an integrated approach, where older people and people with a learning disability receive a collective service within one setting which means individuals with quite different outcomes are supported together. This can present a challenge to meeting individual needs.

2.6 A number of national reports and regional strategic priorities have also been developed recently in this area:

- The national view includes reports from the Association of Directors of Social Services (ADSS) and Mencap Cymru, circulated by Welsh Government, looking at the future of Local Authority Day Opportunities and Respite Care.
- At a regional level in Cwm Taf Morgannwg Regional Partnership Board (CTM RPB), the Learning Disability Steering Group has a 'Community' Work Group that has identified 3 inter-linked priorities as: Travel Safety, Employment and Volunteering Opportunities, and Improving Daytime Opportunities.
- Also at a CTM regional level, there is a Neurodivergence Improvement Programme (NDIP) which has set up a Task Group for 'Employment' to support people with autism, ADHD and other ND conditions on a pathway to meaningful daytime occupation.
- Recent work has also been carried out for CTM RPB looking at options for Health & Social Care Integrated Hubs, where co-located health and social care services can operate from one building (the 'hub') and also offer 'outreach' services into local communities, or to support people to access local community activities (as 'spokes' from the hub). The recommendations from this regional review have been considered in Bridgend County Borough Council's (BCBC's) review of daytime opportunities.

3. Current situation / proposal

- 3.1 Following the Alder review and identification of priority areas at a national and regional level, officers in Social Services and Wellbeing carried out a Day Opportunities Review throughout 2024, intended to identify viable service model options and to modernise day opportunities in the county borough. This review involved a detailed mapping of current daytime opportunities (both internally delivered and commissioned) and supported employment provision, to identify gaps and remodelling opportunities going forward.
- 3.2 The voice of Individuals was captured at an early stage of the review, with a comprehensive and independent engagement for people with Learning Disabilities to say what matters to them in their daytime activities.
- 3.3 The overall review itself was carried out to better understand existing and potential future service arrangements, and to understand how each part of the service landscape, locally, regionally and nationally, can play a part and work better to deliver a sustainable service model to achieve:
- a modern, flexible, responsive service that offers choice and support to people;
 - good outcomes for people looking for meaningful daytime activity or in accessing services that support their personal and social wellbeing, including respite for unpaid carers;
 - value for money and financially sustainable service models within the limited resources available
- 3.4 The review included inter-connected workstreams, covering short and longer term options for:
- in-house BCBC day services;
 - external commissioned day services;
 - other community daytime opportunities;
 - education and skills opportunities;
 - training and work opportunities / supported employment;
 - social enterprise opportunities.

Key review findings – current service model and provision

- 3.5 BCBC Integrated Service Model: the integrated approach to supporting older people and people with a learning disability within the existing BCBC community hubs was developed following an earlier remodelling of day services and the closure of a number of day centres that had primarily supported older people.
- 3.6 The current community hubs are geographically located across the borough to provide accessible, localised opportunities. Integrated services are provided for people with a learning disability, cognitive impairment / dementia, and who have assessed care and support needs for managed care. In August 2024, BCBC 'in-house' day services supported 201 people, including 124 people with a learning disability and 77 people with cognitive impairments or dementia who live across the borough of Bridgend.

- 3.7 Referrals for individuals with a diagnosis of dementia and associated health and complex needs have been steadily increasing. The development of the Integrated Dementia Service (IDS) and respite options for people and their families is essential to ensuring they remain living at home. The IDS service runs from Bridgend Resource Centre (BRC) and provides an integrated model of support with on-site and community-based outreach programmes delivered by health professionals and a social care team. Investment in the development of this bespoke, specialist service is reducing family breakdowns and the requirement for high cost, long term dementia-specialist residential and nursing placements.
- 3.8 Other specialist services provided at BRC are also essential to meeting the intensive levels of support needs for individuals with profound and multiple learning disabilities (PMLD). The number of individuals being referred from specialist schools (i.e. Heronsbridge), colleges and private day opportunities / respite providers with intensive levels of support needs are increasing and service capacity is maximised to ensure individually assessed, safe levels of support are provided at BRC. Whilst the NHS makes contributions to individual care packages, and also employs staff who work from the BRC, they do not currently fund daytime support as an integrated service, despite the complexity of health and social care needs of individuals who access the service.
- 3.9 In addition to the BCBC-run day services, a small number of external providers are commissioned by BCBC through spot-purchased/individual placements.
- 3.10 BCBC also delivers and commissions 24-hour support services, e.g. Learning Disability Supported Living, which offers daytime opportunities and activities, either in groups or individually. There are approximately 140 people with learning disabilities living in 50 supported living houses of which 11 are in house. Most of these will get some support to access daytime opportunities in some form. The commissioned supported living providers hold contracts within their own localities which offer potential to connect people into local community activities.
- 3.11 There are a large number of active community groups, community centres and activities across the county borough. Specific groups for older people are numerous, and there remains an opportunity to signpost people who retain a level of independence to these groups. Individuals with personal care needs would need to be supported by a carer or personal assistant (who may be funded through a direct payment) in order to be able to attend. There may be an opportunity for direct payments to be pooled for cooperative models of community groups to be developed.
- 3.12 Also relevant to the review are the two long-standing projects Wood-B and B-leaf. Individuals with learning disabilities attend these services and participate in training and work-related gardening and woodwork activity. There are regional, and local priorities identified to support people into volunteering or pathways to employment that allow people to gain mainstream skills that can enhance their independence and reduce their reliance on statutory care services. Further, these supported employment schemes may offer potential to develop into fully-fledged social enterprises that can generate a significant proportion of their own income.
- 3.13 While Wood-B and B-leaf were set up by BCBC, and transferred to Awen Cultural Trust at its inception, there are also other work-related opportunities within the county borough:

- Bridgend College operates a small coffee shop as a training facility and micro-social enterprise, with potential to extend this within the new campus being built in Bridgend town centre.
- Employability Bridgend has engaged the support of Cwmpas to develop new opportunities for social enterprises in Bridgend. Cwmpas have also supported SSWB in engaging with learning disability stakeholders to raise awareness of the potential to operate a social enterprise as part of the provision of daytime opportunities in Bridgend.
- Employability Bridgend also facilitates Bridgend Employment Network (BEN) which engages a number of employment support agencies as well as employers themselves, including Disability Confident Employers.
- Additionally, Bridgend Inclusion Network Group (BING) is dedicated to improving accessibility and opportunities for disabled people and can support with advice and information on creating better options for people to access training and work.

3.14 Discussions with numerous stakeholders during 2024 have led to the development of a 'Pathways' pilot project (funded via Shared Prosperity Fund) to engage with identified services and agencies and to lay the groundwork for future enterprise development that includes a focus on supported employment.

3.15 Shared Prosperity Funding also supported a regional stakeholder event in January 2025, hosted by Employability Bridgend, which underscored the opportunities for social enterprise and supported employment that can be created from collaboration and partnership working, and the importance of creating opportunities for younger people at a stage of transition into adulthood.

Proposed vision and key service model principles

- 3.16 Our vision is to deliver a sustainable model of day services which achieves:
- a modern, flexible and responsive service that offers choice and support to people, enabling them to progress towards independence as far as possible;
 - good outcomes for people looking for meaningful daytime activity or in accessing services that support their personal and social wellbeing, including respite for unpaid carers;
 - value for money and financially sustainable within the limited resources available.
- 3.17 This service model can be summarised as being a 'Pathway to Wellbeing', with levels of managed care decreasing towards independence, as below:

Level 5	Level 4	Level 3	Level 2	Level 1	Level 0
Specialist & Complex Care (building-based with outreach into the community)	Managed care for <u>higher level</u> needs (building-based with outreach into the community)	Managed care for <u>mid-level</u> needs (building-based with outreach into the community)	Independent with <u>care</u> needs (building or community based)	Independent with <u>support</u> needs (community based)	Independent with background support only

3.18 Following the review, 5 key principles have been proposed which sit beneath the overarching vision:

- A. **A progressive and enabling service model** – enabling people to progress as they realise their potential or move to their next stage of care. For younger adults this will include meaningful occupations and, for some individuals, pathways to employment. For people with more complex needs, and older people, there will be a managed transition into older adult services. This will ensure people are supported in the right service for them at their stage of life. It will also ensure that each service is designed to a clear purpose and workforce skills and buildings are aligned to that purpose.
- B. **Meaningful occupation for younger adults going through transition and adults of working age** – we need a range of options for individuals to develop skills for life and employment (be that paid, supported or volunteering) as a good life for most adults will involve meaningful occupation - work - not just leisure activities. We need a range of offers which can include catering, craft, gardening, woodworking, amongst others. There should be a focus on commercial and social enterprise opportunities and for people who are able to move from supported day time work- based occupation, as in Wood-B and B-leaf, to supported employment, volunteering and paid employment. The opportunity for a model which is wider than people with learning disabilities will be explored.
- C. **Carer respite and high-quality care, support and meaningful activity for those with the most complex needs** – ideally this should be an integrated health and social care service model for people, given high health and care needs, building on the success of our Integrated Dementia Service. We will also consider what 'retirement' looks like for people with learning disabilities.
- D. **Community connection to meet the social needs of people with care and support needs** – the focus here should be on Local Community Co-ordinators, and a more creative use of Direct Payments (including carer co-operatives) and, where necessary, considering a more effective use of the Supported Living workforce during the day. There will be a menu of options and to be clear on hours of funding per individual but ensure models of delivery are more flexible/creative.
- E. **The service will offer value-for-money and be financially sustainable** – we will look at the implications of these new ways of working from both a service and financial perspective, to make best use of current day service buildings, and best use of external community capacity, resources and buildings. We will also consider the charging regime and other sources of income, such as for any future training or employment schemes.

Recommendation/proposals moving forward

- 3.19 In considering how a remodelled day opportunities service might operate in practice, a number of options and scenarios were considered as part of the review.
- 3.20 **Integrated Model** – the evidence from the review found that it is challenging to have a progressive day opportunities offer for people of working age when there is a mixed model in localities also providing for younger adults and older frail people with dementia. Officers are therefore actively looking at alternatives to older people

accessing local day services, such as 'in-reach' provision in extra care and residential care homes.

- 3.21 **Internal Day Services** – a focussed review of options for BCBC in-house services was carried out, which ranged from assessing the impact of doing nothing through to assessing the impact of potentially reducing day service provision. Following consideration of the options by the relevant groups and boards, it is proposed that:
- BCBC will further develop a Specialist Dementia Service in a single location providing 'in-house' and outreach services across the borough; and
 - BCBC continue to use BRC as a specialist Learning Disability service for people with PMLD accommodating young people from Heronsbridge school and other high/complex care support placements.
 - A further review with Cwm Taf Morgannwg University Health Board is initiated to consider how the health needs of people attending BRC are met.
- 3.22 This proposal will require a phased approach minimising any potential impact on individuals.
- 3.23 Alongside this it is proposed to review the local day services, with a focus on them operating as a base in the local community for implementing the progression model with far stronger links to the local community, skills development and meaningful occupation.
- 3.24 **Day Opportunities Panel (Single Point of Access)** – introduction of a 'no wrong door' approach to include referral routes to all levels of day services/opportunities to access the most appropriate setting. Referrals will come from a range of teams, including Prevention and Wellbeing/Local Community Coordinator (LCC) teams, Early Intervention/front-door services, Learning Disabilities/Mental Health/Transition teams, Older Persons teams, and carers services.
- 3.25 **Maximise the benefits of the BCBC offer** – identify existing high-cost external placements and consider alternative in-house service provision, or use of Direct Payments as an alternative way of achieving positive outcomes within available resources. Where commissioned arrangements are identified to be the most appropriate option, we will develop cost-effective contracts with the independent sector to provide a base level of daytime activity which represents value for money. We will undertake a comprehensive review and analysis of the use of Direct Payments for accessing daytime opportunities.
- 3.26 **Partnership working** – working with partners, develop the 'Pathways to Work' project to further enable people to develop skills for independence, education, training and to take steps towards a working role, and develop social enterprise opportunities to include income generation to offset a percentage of core funding requirements.

Timeframe & Action Plan

- 3.27 Following the Review of Daytime Opportunities through 2024, the key findings have been presented to BCBC Members via a Briefing Session in January 2025. The main findings lead to the need to pursue some actions in the short-term, with other activity requiring longer-term development.

3.28 A timetable for recommended actions is presented below as an initial proposal for a new Programme Board to implement from 2025 onwards. The actual service development will then rest with that Programme Board.

<u>Actions</u>	<u>Short Term (Year 1)</u>	<u>Medium/Longer Term (Years 2-3)</u>
<u>REMODEL INTERNAL SERVICES</u>	<ul style="list-style-type: none"> • BCBC to operate specialist/complex and high-support (Level 5) services for learning disabilities from Bridgend Resource Centre. • A detailed review of BRC with a view to an integrated provision with Health for those with profound and multiple disabilities. • Create specialist integrated dementia service operating with outreach across the borough. • Undertake an option appraisal for BCBC local day services in line with CTM Integrated Hubs recommendations. • Consolidate the Single Point of Access / Day Opportunities Panel method of referrals to the most appropriate setting. • Undertake annual review of capital and revenue opportunities for optimal use of community buildings across the borough. 	<ul style="list-style-type: none"> • Develop regional investment plans based on the CTM Integrated Hubs (Health and Social Care) opportunities, maximising joint-funding and regional capital investment potential. • Options for: Pyle Life Centre, and potentially at other existing community centres within Garw, Llynfi or Ogmore valleys. • Consolidate the Integrated Service approach with CTMUHB for learning disabilities as well as older people with dementia.
<u>DEVELOP EXTERNAL PROVISIONS</u>	<ul style="list-style-type: none"> • Develop increased capacity and opportunity with external providers, e.g. via 'in reach' activities at care homes. • Extend opportunities with existing Learning Disabilities partners where it offers cost benefit. 	<ul style="list-style-type: none"> • Encourage community opportunities for people to self-refer and self-fund, in line with the progression model • Expand the 'Hub & Spoke' model from internal BCBC Community Hubs, increasingly working with LCCs and community partners to extend the range and capacity of external daytime opportunities, keeping internal capacity for those with highest needs.
<u>PATHWAYS TO WORK PROJECT</u>	<ul style="list-style-type: none"> • Develop Partnerships to support this programme, 	<ul style="list-style-type: none"> • Work with BEN, Bridgend college and local employers

<u>FOR WORKING AGE ADULTS</u>	<p>including CTM RPB, DWP, Careers Wales, Education, Communities Directorate, and others.</p> <ul style="list-style-type: none"> • Develop 'proof of concept' project to develop and expand Pathways to Work potential, including options for Supported Internships within BCBC and partners, and the use of Job Coaches. 	(including BCBC) to implement a wider 'disability confident' internship and employment programme.
<u>DEVELOP SOCIAL ENTERPRISE OPPORTUNITIES</u>	<ul style="list-style-type: none"> • Capital investment business case submitted for regional/ WG consideration for work-related projects at Bryngarw Park. • Engage a partner to support this social enterprise development. 	<ul style="list-style-type: none"> • Build and develop the 'Pathways to Work' programme with external partners, including expanding social enterprise capacity to offer greater choice and access to training, voluntary and paid employment.

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.
- 4.2 An initial EIA screening of the Strategic Commissioning Strategies 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 at this stage.
- 4.3 As and when schemes and proposals identified within the strategies are considered for implementation, specific EIA screenings will be undertaken at that stage. This will be overseen by the newly established Programme Board.

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

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

Long-term	The remodelling of day opportunities will be long-term in nature, aiming to better support younger people who may need support in the future. Operational practices at any day centres will consider and include longer-term demands, pressures and changes. There is also a current programme of building works to reduce the carbon footprint of some of the buildings.
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Prevention	In-keeping with the fundamental requirements of the Social Services and Well-being (Wales) Act 2014, there is also a strong focus on preventative services within the remodelling plans.
Integration	In keeping with the fundamental requirements of the Social Services and Well-being (Wales) Act 2014, there will be a focus on integration with our key regional partners, such as Cwm Taf Morgannwg Health Board and third sector providers.
Collaboration	Both internal and external collaboration will be necessary to effectively implement the priority areas identified in the remodelling proposals, which will involve key stakeholders and wider partners.
Involvement	<p>Extensive consultation was undertaken with individuals to inform the PNA and MSR reports, which have informed the strategic commissioning priorities, from which the need to remodel day services has arisen.</p> <p>Individuals with a learning disability were directly and independently engaged as part of the review to understand what matters to them.</p> <p>Officers will further engage with and involve individuals and their families/carers as and when specific remodelling projects are being worked-up in detail, which will inform the subsequent options appraisal and business case for actual change.</p>

6. Climate Change Implications

- 6.1 There are no direct implications associated with the proposals being made at this stage. However, it should be noted that there is an existing programme of works being undertaken, including at BRC and Cwm Calon and other BCBC-owned buildings, to install energy efficiency measures, on-site renewables (i.e. solar panels), and on-site chargers for electric vehicles. As such, efforts are underway to reduce the carbon footprint of the day service estate, which will in turn reduce the negative effects of climate change in the future.

7. Safeguarding and Corporate Parent Implications

- 7.1 The focus to include pathways for young people in transition will support BCBC in our corporate parenting responsibilities, in looking to ensure there are suitable and sufficient options for people as they approach adulthood.
- 7.2 Having sufficient and effective day services in place – which is the primary aim of the proposals being made – should also mitigate safeguarding risks linked to unsuitable or unavailable services.

8. Financial Implications

- 8.1 The Medium-Term Financial Strategy for 2024-2028 approved by Council on 28 February 2024 included a £200k Budget Reduction for the Remodelling of Day Opportunities which is linked to Transport and Community Hubs. This is anticipated to be fully achieved.
- 8.2 At the end of quarter 3 for 2024-25 the directorate was reporting the following position on its revenue budget:

<u>In House Day provision</u>	<u>External Day Services</u>
Budget = £3,496,430	Budget = £129,460
Quarter 3 Forecast = £3,644,338	Quarter 3 Forecast = £641,036
Projected Overspend (including transport) = £147,908	Projected Overspend = £511,576

- 8.3 The Final MTFS for 2025-2029, to be considered by Council on 26th February 2025, includes the following recurrent base budget pressure proposal which, if approved, will significantly mitigate the overspend in this area, where it is anticipated that spend in this area should reduce further as a result of the new transport policy being implemented.

Ref	Pressure	2025-26 £'000
SSW1	Increased costs of Learning Disabilities Day Opportunities, specifically placement numbers and transport costs.	519

- 8.4 It is not anticipated that there will be any cost implications associated with the proposals identified in the review, where the challenging financial position is recognised and there will be a strong emphasis in having a robust and agreed business case made before any operational changes are made.

9. Recommendations

- 9.1 It is recommended that Cabinet:
- Note the contents of this report and the vision and key principles proposed for daytime opportunities;
 - Approves the proposals/remodelling plans as identified in this report following the detailed review of daytime opportunities across adult social care, noting a full business case will be made before any operational changes.

Background documents:

None

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Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	HEALTH AND SOCIAL CARE REGIONAL MEMORANDUM OF UNDERSTANDING
Report Owner / Corporate Director:	CORPORATE DIRECTOR SOCIAL SERVICES AND WELLBEING
Responsible Officer:	JACKIE DAVIES HEAD OF ADULT SOCIAL CARE
Policy Framework and Procedure Rules:	There is no effect upon the policy framework or procedure rules.
Executive Summary:	<p>Continuity and coordination of health and social care provision is increasingly important in the context of the growing number of people living with frailty. Bridgend County Borough Council (BCBC) has been at the forefront of integrating health and social care for more than a decade. The development of a regional Integrated Community Care System is an opportunity to build on this and improve how all partners work to deliver better outcomes for our population.</p> <p>This report recommends that BCBC becomes a signatory to a Memorandum of Understanding which commits the Council in principle to progress, with partners, a new Regional Partnership Agreement as a legal framework for integrated health and social care in the Cwm Taf Morgannwg (CTM) region. In practical terms this approach enables multi-disciplinary working, sharing resources and integrated management roles necessary for achieving an optimum model.</p>

Purpose of Report

- 1.1 To seek approval from Cabinet for Bridgend County Borough Council (BCBC) to be signatories to a Health and social care Memorandum of Understanding (MoU) covering the local authorities of BCBC, Rhondda Cynon Taf County Borough Council (RCTCBC), Merthyr Tydfil County Borough Council (MTCBC) and Cwm Taf Morgannwg University Health Board (CTMUHB). This MoU will commit BCBC to be party to the development of a Regional Partnership Agreement (RPA) and a supporting measurement framework to drive delivery for older people, people living with frailty and their carers across the Cwm Taf Morgannwg region. The RPA, when developed, will be brought to Cabinet for agreement.

2. Background

- 2.1 The CTM Regional Partnership Board (RPB) Population Needs Assessment 2022-2025 sets out the demographic challenge facing the CTM region. The older population, age 65 and above, is growing and this growth is set to continue, especially for those over the age of 85. Supporting older people, people living with frailty, and their carers, to live as independently as possible requires considerable input from health and social care services. Person-centered care, within a context of ongoing budgetary pressures, requires seamless, accessible and joined-up support delivered in new and innovative ways. Acting here reflects the Council's Wellbeing Objectives of supporting our most vulnerable citizens, enabling people to reach their full potential and ensuring everyone feels valued.
- 2.2 BCBC has for many years led practice in Wales on integrated health and social care. As founding members of the Western Bay Intermediate Care Service, multi-disciplinary teams have operated in the county borough for ten years. This model was transferred into a new health board footprint, CTMUHB, in 2019. The characteristics of the integrated model (i.e. multi-disciplinary working, pooling resources, matrix management) have been identified through the RPB as a basis for shaping an optimal model for the CTM region.

3. Current situation / proposal

- 3.1 Figure 1 describes an Integrated Community Care System (ICCS) which the three local authorities and health board in the region have agreed to work towards. The ICCS will be based on two new community pathways – Urgent Community Response and Population Health Management, where the Urgent Response Pathway may be accessed primarily through a Navigation Hub. The Navigation Hub is a centralised service that coordinates care and enhances access to appropriate care pathways for a person. An integrated management model – comprising integrated management roles and shared resources - is seen as necessary to deliver integrated services effectively.
- 3.2 The CTM RPB is strategically leading and overseeing this work, but it does not, in itself, provide a legal basis for integrated operating arrangements between bodies. This requires those individual partners in the CTM region to formally consider and enter into legal agreements.

Figure 1: A frailty-attuned Integrated Community Care System for Cwm Taf Morgannwg



- 3.3 A MoU has been drafted under the provisions of Part 9 of the Social Services and Well-being (Wales) Act 2014 to ensure there is a shared vision and clear purpose and commitment between partner organisations about how to make progress towards the fully integrated regional services. As a demonstration of wide support for the implementation of the ICCS, the RPB has endorsed the draft MoU text for consideration by statutory organisations. The MoU is included as Appendix 1 to this report.
- 3.4 The MoU sets out the ambition of partners to develop a RPA, which will be in place from mid-2025 and reviewed annually, for services within the ICCS. It also commits to the development of a measurement framework to drive delivery and monitor outcomes as part of the RPA.
- 3.5 Subject to final legal advice, a Section 33 Agreement is the appropriate legislative vehicle for establishing the RPA. A legislative framework is necessary because without it there will be limitations on multidisciplinary working and integrated management and the potential of the ICCS will not be fully realised.
- 3.6 As above, Bridgend residents already benefit from this way of working with the integrated community resource team and community network teams. This integrated arrangement is expressed through the existing bilateral Section 33 agreement between CTMUHB and BCBC for the delivery of adult and older people services. This bilateral agreement will be superseded by the RPA which will cover RCTCBC and MTCBC as well as CTMUHB and BCBC. Other existing collaborative frameworks in the region, specifically the agreement between RCTCBC, MTCBC and

CTMUHB for the provision of a Stay Well at Home service, and the agreement between the four organisations for the management of a pooled fund for care homes will also be brought under the RPA.

- 3.7 Formal ratification of the MOU will enable work to be undertaken on the development of the RPA. The RPA will be presented to the Cabinet for consideration and approval in due course.

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 development of an Integrated Community Care System through a partnership approach fits with our Corporate Wellbeing objectives as described in paragraph 2.1. It also puts the ways of working into practice as follows:
- Long-term – the focus on older people and frailty reflects the projected growth in the increase in the number of people aged over 65 for the next two decades. The focus on an ICCS is intended to create a sustainable model of care that reduces reliance on crisis interventions;
 - Prevention – this is the focus of the Population Health Management pathway in Figure 1, strengthening and scaling the Network team model that the Council and Health Board jointly provide. The intention is to identify frailty consistently through proactive screening and to provide targeted interventions;
 - Integration – the main purpose of the MoU and RPA to follow is to improve outcomes by enhancing integration. The RPA will strengthen a multi-disciplinary team around the person approach in order to provide holistic care;
 - Collaboration – the RPA will deepen partnership working between local government and the NHS. It will align funding and other resources across organisations to improve efficiency and impact. It will also provide for a shared approach to workforce training and development to improve understanding between front-line staff; and
 - Involvement – fundamentally ‘what matters’ to people, as surfaced for example through recent RPB ‘hackathons’, is steering pathway and services development in this new framework.

6. Climate Change Implications

- 6.1 This proposal does not have any climate change implications.

7. Safeguarding and Corporate Parent Implications

- 7.1 This proposal will have positive implications for safeguarding and corporate parenting. The access to a multi-disciplinary team around the person approach will reduce risk and enhance safeguarding support.

8. Financial Implications

- 8.1 There are no financial implications that arise directly from the Council endorsing the MoU. BCBC already has a Section 33 agreement with CTMUHB, and the annual budget considerations for that agreement will be rolled into the new RPA which is to follow.

9. Recommendation

- 9.1 It is recommended the Cabinet agrees that BCBC becomes a signatory to the Cwm Taf Morgannwg health and social care MoU as set out in Appendix 1.

Background documents

None

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INTEGRATING HEALTH AND SOCIAL CARE FOR OLDER PEOPLE AND PEOPLE LIVING WITH FRAILITY IN THE CWM TAF MORGANNWG REGION

REGIONAL MEMORANDUM OF UNDERSTANDING

Purpose:

Over the next 20 years, the number of people living in our communities is predicted to grow further. Notably, we are expecting an increase in people aged 65 years and over, with the most significant rise in those aged 85 years and over. More people living longer is something to be celebrated. It is a trend that health and social care services have played a significant positive role over many decades in creating, and we are proud of this. We also acknowledge that from the perspective of the future planning of our services in a resource constrained environment, meeting increasing needs of greater complexity will require significant innovation and collective endeavour.

For the growing number of older people and people living with frailty, their interacting and cumulating health and social circumstances means continuity and coordination of their care is extremely important. It follows that health and social care services working separately in traditional ways cannot deliver optimal outcomes for people. Anyone with direct experience themselves, or in their family, of living with chronic conditions knows that seamless, accessible health and social care services are essential to maintain as much independence and quality of life as possible for that person. This is equally true for the wellbeing of their carer(s).

Our commitment then as Bridgend County Borough Council, Merthyr Tydfil County Borough Council, Rhondda Cynon Taf County Borough Council and Cwm Taf Morgannwg University Health Board is to work together and with wider partners to create an integrated community care system capable of meeting changing and increasing population need.

A key purpose of this Memorandum of Understanding (MoU) is to set out at a strategic level what our organisations are trying to achieve together through strengthened partnership working for older people and people living with frailty which will be embedded in our system.

In practical terms this will mean developing integrated delivery teams, joint management arrangements, close collaboration on demand and capacity planning, the optimal use of our collective resources and joint commissioning of services. However, as a local health board and councils we are not empowered to work in this way, without taking proactive steps. The Cwm Taf Morgannwg Regional Partnership Board is an important forum for coordinating this work, but it does not provide a legal basis for integrated operating arrangements between statutory organisations.

Therefore, we will work towards the development of a binding Regional Partnership Agreement (RPA) which will permit us to delegate functions between bodies and

create a formal binding partnership, thus enabling the creation of joint operating arrangements. Through this agreement each partner will retain our respective statutory duties, whilst at the same time achieving greater synergy in the way our services work and avoiding significant organisational restructuring.

This MoU is a precursor to the RPA, acting both a statement of intent and as a means of agreeing areas of focus in the forthcoming RPA. As a confident first step on a much longer journey, this MoU is an important statement in its own right. We collectively sign up to the MoU through Part 9 of the Social Services and Wellbeing (Wales) Act 2014 which supports partnership arrangements in health and social care.

The Intended Scope of our Regional Partnership Agreement

Our forthcoming RPA will be scoped for integrated health and social care support in the community to older people and people living with frailty and their carers, but this can be a template for addressing the needs of other population groups in the years ahead. The RPA will be underpinned by the provisions of Section 33 of the NHS Act 2006 as this provides a clear basis for integrated management arrangements between local authorities and health boards.

In terms of the footprint of services being considered, through the Regional Partnership we are already cooperating on the development of two new community pathways, namely 'Urgent Community Response' and 'Population Health Management', supported by a Navigation Hub and delivered by integrated community teams largely on a cluster footprint. These pathways provide a basis for the services in the scope of a formal partnership agreement (see Annex A for a list of service areas potentially in scope).

In the context of developing these *regional* pathways, a *single* partnership agreement, rather than bilateral arrangements between partners, offers the greatest potential for improved service delivery. We intend to learn from our collective experiences of legal agreements which we are already party to, in order to develop an arrangement here that is flexible and ambitious in scope.

The Aims and Objectives of our Regional Partnership Agreement

Fundamentally we are seeking better outcomes for this population, and we intend to develop a measurement framework which will work at a number of levels in order to drive delivery and provide a high level of clarity that will enable effective scrutiny. This will comprise population indicators, system performance measures, service performance measures and quality performance measures.

Population outcome indicators will describe the improvements people should experience. Fundamentally we want older people living with frailty to have more healthy days in their home with as high a level of independence and quality of life as possible.

System output measures will reflect and support the structural changes to the health and social care system we want to make. By creating stronger community pathways, we aim to increase the count of people receiving enhanced community care, and reduce admission rates and unnecessarily lengthy stays in a hospital environment because of the deconditioning that results in for patients. This is especially important for older people who can be harmed by an admission which may end up being longer than necessary and lead to greater dependency in turn requiring more extensive social care arrangements.

Success here would reduce the intensity of social care support a person may need after a lengthy hospital stay. Such system output measures will help us identify if we are moving closer to or further away from the shape of system we need for the future.

Service output measures will track the performance in key service areas. Access to services, increasing the number of people with anticipatory care plans, reducing re-admission rates and appropriately sizing care packages will feature.

Quality of experience for people we support can be understood through feedback from them. For our workforce, indicators of recruitment/ retention and their own self-reported job satisfaction and wellbeing will be key. Research shows that staff engagement drives quality which in turn drives results and better outcomes for people. Our staff truly are our most important asset.

To enable this, we aim to work together as a single system across acute healthcare, primary and community care, social care including Independent Providers, the Third Sector and other partners to make best use of our financial resources.

Ways of working

We will strengthen governance at a regional level to oversee the delivery of our integrated service model. Each statutory organisation will be represented, and there will be a clear reporting line from each statutory organisations own governance and accountability mechanisms and into the Regional Partnership. Rather than reducing the level of accountability, our intention is to increase transparency by making health and social care delivery results more visible as this is essential to learning and improvement.

To support these changes to the ways we will operate our services, the continued growth of a positive enabling culture will be crucial. We will invest in the development of working relationships between our organisations at all levels: for Councillors and Board Members; for executive management, and for front line professional staff. This approach will apply across our wider regional partnership as well as in our own organisations. Integration has to work at an individual and team level, and we will invest time and other resources in this.

Delivery timetable

With this MoU in place, we are working towards the commencement of a formal RPA for the start of the operating year 2025-26. This agreement will evolve over the years ahead. We envisage annual updates as we reflect on progress and implement new elements of our new community pathways.

Annex A to the MoU – Services in scope for Section 33 Agreement

Urgent Community Response Pathway

- Reablement
- D2RA Beds
- Dementia Specialist Services
- Assistive Technology and Mobile Response
- Short Term Professional Interventions
- Hot Clinics
- Palliative Care and Chronic Disease Management

Navigation

- Closer alignment between CTMUHB Clinical Navigation Hub and Local Authority Single Points of Access

Population Health Management Pathway

- Community Health and Wellbeing Teams
- CTMUHB and LA Social Care commissioned Wellbeing provision

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Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	FUTURE LOCAL SCHOOL IMPROVEMENT AND REGIONAL PROFESSIONAL LEARNING ARRANGEMENTS
Report Owner / Corporate Director:	CORPORATE DIRECTOR EDUCATION, EARLY YEARS AND YOUNG PEOPLE
Responsible Officer:	LINDSAY HARVEY CORPORATE DIRECTOR EDUCATION, EARLY YEARS AND YOUNG PEOPLE
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 proposed operating model for school improvement services to support Bridgend schools (and its pupil referral unit).

1. Purpose of report

1.1 The purpose of this report is to:

- provide Cabinet with a further update in respect of the future direction for school improvement services for Bridgend schools (following the report to Cabinet on 19 November 2024);
- provide Cabinet with an update in relation to national and regional professional learning arrangements; and
- seek Cabinet approval to the proposed operating model (in terms of local school improvement and regional professional learning services) as detailed in this report with specific financial implications.

2. Background

- 2.1 Further to the report to Cabinet on 19 November 2024, which outlined the plans for re-configuring school improvement services in line with the recommendations from Welsh Government's 'Middle Tier Review', it was agreed that further updates would be provided to Cabinet in relation to the development of the proposed operating model for school improvement arrangements and for professional learning as they are developed.
- 2.2 Following meetings with directors of education and senior HR officers (from the five constituent local authorities within the Central South Consortium region), proposals

for school improvement arrangements for Bridgend schools have been developed for Cabinet's consideration.

- 2.3 The future operating model for the provision of professional learning for school staff is outlined below.

3. Current situation/proposal

- 3.1 Since the Cabinet meeting on 19 November 2024, good progress has been made in relation to school improvement services being delivered at a local authority level alongside the potential professional learning and curriculum support across Wales and on a regional footprint. However, in respect of professional learning and curriculum support, it is clear that the development of any regional offer must take into consideration the national arrangements. This includes Welsh Government's newly established Education Improvement Team (EIT) and the National Professional Learning Body (NPLB), as well as the National Centre for Learning Welsh.
- 3.2 It is understood that Welsh Government's EIT will provide policy and strategic direction for the national support for curriculum design, progression and assessment, and literacy and numeracy. Local authorities and/or partnerships are working with Welsh Government in the development of these national support programmes and will be responsible for the facilitation and delivery of these.
- 3.3 The NPLB will be established in April 2025 and will be operational from the start of the school year 2025-2026 (that is, September 2025). It will be responsible for the development and delivery of professional learning and support in areas including:
- school leadership/National Professional Qualification for Headship (NPQH);
 - research and enquiry;
 - coaching and mentoring;
 - improving teaching practice/pedagogy based on evidence and research;
 - Welsh-medium practitioners;
 - system leadership; and
 - key priority areas (for example, equity, additional learning needs (ALN), qualifications, and digital learning).
- 3.4 The NPLB will also be responsible for the development of professional learning and support in further areas, with local authority support to manage and deliver this. These areas are:
- Teaching Assistant Learning Pathway (TALP);
 - newly qualified teacher (NQT) induction; and
 - teaching Welsh as a subject.
- 3.5 The National Centre for Learning Welsh will be responsible for the development and commissioning of Welsh language learning for practitioners. As detailed above, while the delivery of professional learning and support in a small number of areas will become the responsibility of the national body, ongoing expectations remain for the local management and delivery of professional learning and curriculum support in many key areas.

Proposals for a regional professional learning and curriculum support service

- 3.6 In determining the operating model for professional learning and curriculum support services offered across the five local authorities, the following additional considerations have guided the approach:
- professional learning and curriculum support service provided across the five local authorities will be a fully commissioned service working on behalf of the local authorities aligning to the priorities of their schools;
 - the professional learning and curriculum support service will be rebranded as a new service, representing the change in focus and remit of the service;
 - local authorities will sign up to for a minimum of three years (to facilitate medium-term planning) and additional services/areas can also be supported on an individual local authority basis, based upon specific priorities;
 - the offer will be adaptable and flexible to reflect the future development of the national body for professional learning and leadership support and will link to the developing national programmes, their expectations of local authorities, as well as the relevant terms and conditions of grant funding;
 - delivery methods will continue to be flexible, and a range of methodologies will be used to provide the greatest level of choice and accessibility to delegates, maximising value for money; and
 - professional learning and curriculum support services should promote and enhance school to school working, contributing to the development of a self-improving system.
- 3.7 The proposed regional professional learning and curriculum support service will continue to support the breadth of the curriculum but with reduced central capacity, whilst retaining facilitation of a school-to-school self-improving system. Priorities will be provided to the regional service by local authorities, and the professional learning and curriculum support to schools will be built on those priorities, as well as on regional analysis of intelligence.
- 3.8 Professional learning and curriculum support will continue to provide opportunities for regional and local collaboration for school leaders, governors, and teachers and teaching assistants.
- 3.9 The service will continue to support the local authority statutory functions in the areas of outdoor education, Standing Advisory Councils for Religious Education (SACRE)/Standing Advisory Councils for Religion, Values and Ethics (SAC) and act as the appropriate body on behalf of the local authorities. This revised service will also include a retained business support function.

Proposals for local school improvement services

- 3.10 It is proposed that a new local School Improvement Team (SIT) will be established and will sit within the Education, Early Years and Young People's Directorate. The work undertaken by the SIT will include:
- supporting schools to secure continuous improvement; and
 - working with schools to develop effective school-to-school working, on a cluster, transitional (between primary and secondary), local authority and, specifically in respect of special and Welsh-medium schools, regional basis.
- 3.11 In addition to the core roles within the school improvement service, more bespoke pieces of intensive work will be required at individual school level for schools in a statutory Estyn follow-up category (significant improvement or special measures) or where the level of need is very high due to school performance concerns. This may involve resourcing more bespoke support packages provided via the regional professional learning and curriculum support teams, collaborative learning partnerships or the school improvement service.

Future governance structure

- 3.12 Reflecting its revised scale, the regional professional learning and curriculum support service should be based upon an inter-authority legal agreement which will establish the principles of collaboration between the five local authorities to deliver services to support schools across the region.
- 3.13 The service will continue to be hosted by Rhondda Cynon Taf County Borough Council (RCTCBC) but be accountable to all local authorities with a strategic group or management board, to be set out in the legal agreement, as the decision-making forum with chairing of this rotated between the five directors of education within the region. The lead officer for the service, would be accountable to this group/board.

Human resources implications

- 3.14 Subject to any decision by Cabinet, if these revised models are formally agreed, then a 'management of change' document will then be co-developed by the HR Lead Officers in each respective local authority. This document will be shared and consulted upon with both the trade unions and Central South Consortium staff and will cover areas such as TUPE (Transfer of Undertakings and Protection of Employment), any matching or interview arrangements and retirement/redundancy matters.
- 3.15 Furthermore, while RCTCBC is currently the host employer, a working group of HR staff from across the five local authorities has been established to help manage the transition to the new arrangements.

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, however a further Equality Impact Assessment will be undertaken once proposals for future school improvement services are further developed

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 collaborative working arrangements to secure school improvement, preventing standards from slipping, working with the local authority to monitor the progress of all schools.

Integration Supporting school improvement 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 other partners to deliver the well-being objectives related to school improvement and to provide appropriate support aligned with findings from evaluation.

Involvement This area of work involves all stakeholders in school improvement. Schools work closely with Improvement Partners to refine their improvement plans or post-inspection action plans and to identify strategic support from the local authority 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 The cost of the new **local** school improvement arrangement for Bridgend is estimated at £486k per annum. This will be funded partly from the existing budget for the contribution to Central South Consortium and partly from the (£225k) budget pressure approved in Bridgend County Borough Council's (BCBC's) Medium-Term Financial Strategy 2025-2026.

- 8.2 The cost of delivering the **regional** professional learning and curriculum support service on behalf of BCBC is expected to be in the region of £780k. This will be

funded from a combination of the Welsh Government Local Authority Education Grant (LAEG) and an element of the £225k budget pressure. The new service model for professional learning and curriculum support will be a standard offer across all local authorities and will be funded proportionately by local authorities, in line with the current arrangements.

- 8.3 Funding for the new **local** school improvement service and the **regional** professional learning service will be secured from:
- the current core contribution to Central South Consortium (£406,000);
 - the MTFS budget pressure (£225,000); and
 - elements of the LAEG (£629,000).
- 8.4 This means that the total cost of providing the local school improvement service and the regional professional learning service will be in the region of £1.26m.
- 8.5 To support this regional proposal, it is also recommended that RCTCBC hosts the regional arrangement. The operation of Central South Consortium is governed by the terms of a legal agreement dated 20 April 2015, entered into between the constituent authorities that form the Central South Consortium. RCTCBC acts as the host local authority and provides the relevant support services required by the Central South Consortium to operate the service.
- 8.6 Each constituent local authority makes an annual financial contribution in accordance with the terms of the financial protocol set out in the legal agreement. Contributions and apportionments (including liabilities/losses) are based on the respective proportion of the relevant IBA of each constituent local authority for the relevant financial year.
- 8.7 All Central South Consortium staff are employed by RCTCBC in its capacity as host local authority and on its terms and conditions. Notwithstanding RCTCBC being the employer in law, all liabilities attached to the employment of staff within the Central South Consortium (including potential redundancy costs) shall be a cost to the five constituent local authorities and apportioned in accordance with the financial contributions of the legal agreement.
- 8.8 Redundancy costs for current Central South Consortium staff who do not secure a post in the new models will be shared between the constituent local authorities of Central South Consortium based on IBAs as outlined in the current legal agreement.
- 8.9 Bridgend's contribution to the costs associated with moving from the current model provided by Central South Consortium to the operational arrangements set out in this paper are not yet confirmed. This also includes the unconfirmed potential redundancy costs.
- 8.10 A recurring budget pressure of £225,000 for 2025-2026, and an additional recurring budget pressure of £225,000 for 2026-2027 (£450,000 total budget pressure going forward from 2026-2027), to support the transition and delivery of school improvement services, including the strengthening of school-to-school working,

within Bridgend over the next five years was included in the Medium-Term Financial Strategy approved by Council on 26 February 2025.

- 8.11 The current cost of Central South Consortium's service is just over £10m. BCBC's contribution to that cost is £1.6m, which is a mixture of grant and core funding. The total cost of the new arrangement (professional learning and curriculum support plus school improvement) is currently estimated at around £1.26m.
- 8.12 It is worth noting that, in the short term, there will be additional costs (such as redundancy costs) as the current service is remodelled. At present, the potential redundancy costs in respect of Central South Consortium staff is unknown. However, it is anticipated that BCBC will need to contribute 14% (in line with the current agreed proportions) in respect of these costs. No funding has been identified to cover these potential costs.

9. Recommendations

9.1 Cabinet is recommended to:

- agree that school improvement services will be delivered on a local basis, as outlined in the report (from paragraph 3.10);
- agree that the proposed professional learning and curriculum support service, which will continue to be delivered on a regional basis, as outlined in section 3.6 to 3.9 of the report and that RCTCBC becomes the host for the arrangement;
- agree that the governance arrangements for the proposed regional professional learning and curriculum support service should transfer to a collaboration arrangement as outlined in section 8 of this report;
- note the financial position as detailed at section 8 of this report; and
- provide the Corporate Director (Education, Early Years and Young People) with the delegated authority to implement the revised service models following approval of this report.

Background documents

None

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Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	SCHOOL MODERNISATION PROGRAMME COETY PRIMARY SCHOOL, FOUR-CLASSROOM EXTENSION - MODIFICATION TO THE IMPLEMENTATION DATE OF THE ENLARGEMENT
Report Owner / Corporate Director:	CORPORATE DIRECTOR EDUCATION, EARLY YEARS AND YOUNG PEOPLE
Responsible Officer:	GAYNOR THOMAS MANAGER, SUSTAINABLE COMMUNITIES FOR LEARNING
Policy Framework and Procedure Rules:	There is no effect upon policy framework or procedure rules.
Executive Summary:	<ul style="list-style-type: none"> Approval is sought to modify the implementation date of the enlargement to Coety Primary School.

1. Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet approval to modify the implementation date of Coety Primary School's enlargement to 1 September 2026.

2. Background

- 2.1 Coety Primary School was constructed during Band A of the School Modernisation Programme and opened in November 2015. As a result of increased housing in the area and a change in pupil yield rates from new housing developments, the local authority determined that additional pupil places would be required to serve the school's catchment.
- 2.2 The increase in pupil places was subject to a statutory consultation process, and in November 2022, Cabinet approval was received to consult on a proposed enlargement of Coety Primary School (that is, enlarging the school from a 2-form-entry to 2.5-form-entry), with effect from January 2025.
- 2.3 The consultation process was conducted between 12 December 2022 and 25 January 2023 in accordance with the statutory School Organisation Code, 2018. The outcome of this was reported to Cabinet in May 2023.
- 2.4 The statutory public notice was published in June 2023 for a period of 28 days and formal written objections were invited during this time.

- 2.5 In September 2023, a report to Cabinet detailed the outcome of the statutory notice and approval was received to implement the proposal with effect from January 2025. A decision notice was subsequently published, and stakeholders were advised accordingly.
- 2.6 In order to deliver the enlargement, the local authority determined that a four-classroom extension was required. However, due to the unavailability of internal resource to take the scheme forward, in December 2023, the local authority commissioned Powell Dobson Architects, (that is, the architects for Coety Primary School delivered in Band A) to develop the design of the extension to the Royal Institute of British Architects (RIBA) Stage 1+ (that is, concept design).

3. Current situation

- 3.1 A design team has been appointed to take forward the concept design through the next design stages. Powell Dobson Architects is leading the design team to deliver on the architectural aspect of the enlargement and to undertake the role of Principal Designer. Jubb Consulting Engineers Limited is appointed to undertake drainage, civil and structural engineering consultancy services. Holloway Partnership Limited has been appointed to undertake mechanical and electrical engineering consultancy services. The local authority's Major Projects Team is undertaking the role of Intelligent Client and Contract Administrator.
- 3.2 In December 2024, the local authority commissioned WSP (UK) Limited to undertake a transport assessment and to develop a school travel plan. Both reports are required to support the planning application process. It is anticipated that the planning application will be submitted shortly.
- 3.3 Initially, the scheme was in delay due to resourcing issues, which have since been resolved, but this has impacted on the programme which was presented during the consultation stage and was the basis for Cabinet's decision-making. The project team has developed a revised programme for delivering the enlargement. However, the planned implementation date, as approved by Cabinet is no longer achievable. Therefore, Cabinet approval to modify the implementation date to 1 September 2026 is required to coincide with the beginning of the 2026-2027 school year. The local authority has consulted with Coety Primary School's Governing Body regarding this matter and there is no objection to the proposed revised date.

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

- 4.1 A full equality impact assessment (EIA) has been conducted as part of the development of this proposal. The full EIA considers the impact of the proposal on the nine protected characteristics, the Socio-economic Duty, and the use of the Welsh Language.

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 enlargement.

Long term	<ul style="list-style-type: none"> • Fulfils the Council's statutory duty to provide sufficient pupil places. • Supports the day-to-day management and operation of the school. • Promote inclusion and community use of facilities. • This proposal is part of a wider strategy to increase pupil places to serve the Bridgend northeast area which has been subject to this significant development.
Prevention	<ul style="list-style-type: none"> • Safeguards the Council's position in terms of any potential legal challenge regarding the supply of school places.
Integration	<ul style="list-style-type: none"> • Ensures that the curriculum can be delivered from a purpose-built facility that meets social, environmental, and cultural objectives.
Collaboration	<ul style="list-style-type: none"> • Works effectively with schools and many internal and external partners to ensure that the building meets the short-term and future needs of users and the community that it will serve.
Involvement	<ul style="list-style-type: none"> • Engagement of stakeholders including Cabinet, members, governors, staff, pupils, community, internal and external partners.

6. Climate Change Implications

- 6.1 The local authority's 'Bridgend 2030 – Net Zero Carbon Strategy' and Welsh Government's carbon reduction commitments will also be addressed through the School Modernisation Programme, as all new provision will be designed to ensure that it is Net Zero Carbon 'in operation' and embodied carbon targets are achieved.

7. Safeguarding and Corporate Parent Implications

- 7.1 Bridgend County Borough Council is committed to promoting equality and valuing diversity through all our services and dedicated to treating all citizens, employees and visitors with respect, while providing services which respond to people's individual needs.
- 7.2 The Education, Early Years and Young People Directorate Strategic Plan 2023-2026 ensures that equality and fairness remain firmly at the heart of how the council plans, provides, and delivers important services to the people of Bridgend County Borough.

8. Financial Implications

- 8.1 In June 2022, Council approved a budget of £1.65m to construct a four-classroom extension at Coety Primary School, to address the increased demand for places in the school's catchment area.
- 8.2 Since that time, the construction industry has seen costs escalate due to COVID-19, the war in the Ukraine, costs of incorporating decarbonisation measures and rising energy prices, which has resulted in the projected cost of the scheme increasing. In November 2024, Council approved an additional £330k to deliver the scheme, revising the total budget to enlarge the school to £1.98m. The local authority has entered into a separate section106 agreement in respect of additional housing in the area, this funding is included in the total budget allocation.

9. Recommendation

- 9.1 Cabinet approval is sought to modify the implementation date of Coety Primary School's enlargement to 1 September 2026.

Background documents

None.

Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	OUTCOMES OF ESTYN INSPECTIONS OF SCHOOLS IN BRIDGEND DURING AUTUMN 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 core inspections of five primary schools and one secondary school that took place during the autumn term 2024. The report also provides information on interim visits to three primary schools, one infant school and one secondary school during the autumn term 2024. There is also information on the removal of Caerau Primary School from the Estyn category of special measures.

1. Purpose of Report

1.1 The purpose of this report is to inform Cabinet of the outcomes of the Estyn core inspection visits during autumn term 2024 to the following schools (in order of inspection date):

- Pencoed Comprehensive School;
- Maes yr Haul Primary School;
- Oldcastle Primary School;
- Bryncethin Primary School;
- Mynydd Cynffig Primary School; and
- Pen y Fai Church in Wales Primary School.

1.2 The report will also inform Cabinet of the outcomes of the Estyn interim visits during the autumn term 2024 to the following schools (in order of inspection date):

- Trelales Primary School;
- Porthcawl Comprehensive School;
- Bryntirion Infant School;
- Coychurch (Llangrallo) Primary School; and
- Pîl Primary School.

- 1.3 The report contains information on Estyn's follow-up visit to Caerau Primary School and their removal from the list of schools requiring special measures.

2. Background

- 2.1 Due to the COVID-19 pandemic, Estyn had suspended inspections across all schools for a one-year period.
- 2.2 During the spring and summer terms 2022, Estyn piloted inspection arrangements that support renewal and reform in education in Wales. Inspection reports no longer included summative gradings, but instead detailed how well providers are helping a child to learn.
- 2.3 In June 2023, Estyn announced they were reviewing how they inspect across all sectors to make sure their work keeps pace with changes in Wales and that learners' best interests continue to be prioritised.
- 2.4 From September 2024, new inspection arrangements were introduced by Estyn, which would allow for more regular visits to primary, secondary, and all-age schools as well as pupil referral units (PRUs).
- 2.5 Maintained schools and PRUs will now have a core inspection and an interim visit within the six-year inspection period. Core inspections will be led by an Estyn HMI (His Majesty's Inspector) or a registered inspector.
- 2.6 During a core inspection, inspection teams will not give overall grades for each inspection area. However, they will make a robust and thorough evaluation of the school or PRU's provision and its impact on pupils' learning and well-being.
- 2.7 The three inspection areas (IA) are set out below:
- IA1: Teaching and learning;
 - IA2: Well-being, care, support and guidance; and
 - IA3: Leading and improving.
- 2.8 Following an inspection, each provider will receive a report. The provider will also receive a parent and carer version of the report.
- 2.9 The key elements of a core inspection report include the following:
- an overview of the school or PRU;
 - a summary of the main points of the inspection report;
 - recommendations that identify what needs to improve;
 - a main evaluation of the three inspection areas; and
 - additional information on safeguarding arrangements, healthy eating and drinking, school funding, and health and safety issues (on-site safety).
- 2.10 Some reports may also contain one or more 'spotlights'. A spotlight is a short paragraph that highlights an innovative practice or area worth sharing.

- 2.11 The main purpose of the interim visit is to support providers with their self-evaluation and improvement plans, to ensure the best outcomes for learners. Interim visits will be led by an HMI.
- 2.12 An interim visit can last up to two days depending on the sector. For example, an interim visit will be a single day for most primary schools and for most secondary schools the visit will last two days. For larger primary schools, this can be extended up to two days.
- 2.13 Interim visits are not intended to draw overall conclusions about the effectiveness of the school, but they will support leaders to review progress since the last core inspection and consider their next steps for improvement.

3. Current situation / proposal

- 3.1 During the autumn term 2024, Estyn visited one secondary school and four primary schools in Bridgend, who received a core inspection using the new approach. The full text of these reports is available on the Estyn website: www.estyn.gov.uk.

Pencoed Comprehensive School

- 3.2 Pencoed Comprehensive School was inspected by Estyn in September 2024 and the report was published on 2 December 2024.
- 3.3 Estyn identified the following spotlights:

Effective distribution of leadership

A strength of the school is the wide distribution of leadership responsibilities. This empowers individuals, ensures ownership of important aspects of the school's work, and contributes successfully to the sense of collaboration. This focus on individual development, and support for staff well-being fosters high levels of motivation and commitment amongst staff.

Improving teaching through professional learning

The school is developing a vibrant culture of professional learning. There is a strong focus on developing teaching based on first-hand evidence of strengths and areas for improvement in practice across the school. A variety of complementary approaches, including coaching, research-informed practice, collaborative planning and reflection, teacher-led workshops and whole school events are supporting the school well in its ambition to strengthen pedagogy. The views of pupils play an important role in this work. The 'Pedagogy Pioneers', a group of pupil leaders have received training to develop a valuable set of skills to work with leaders to inform improvements in teaching and learning approaches.

- 3.4 Estyn also noted the following as strengths of the school:
- The school continues to make strong progress in designing a range of authentic learning experiences that make appropriate use of the local area. As a result of effective planning, the school ensures that pupils develop a broad range of skills that equip them well for learning and life.

- Leaders and staff across the Pencoed Comprehensive School community have successfully established a warm, calm, and nurturing learning environment for all pupils, including those in Tŷ Ewenni. Staff prioritise the well-being of all pupils, especially the most vulnerable.
- The school makes effective use of the views of pupils to support its improvement processes. The Sixth Form Leadership Team are strong ambassadors for the school and model good leadership in their chosen roles. Pupils, including those eligible for free school meals and Tŷ Ewenni pupils, benefit from a range of leadership opportunities such as the Undod (LGBTQ+), Parch (anti-racist) and Amdani (Cymraeg) champions. Representatives from these groups form the school council, which has a strong influence on the quality of experiences for pupils.

3.5 Pencoed Comprehensive School's Estyn inspection report included the following recommendations:

Recommendation number	Recommendation
Recommendation 1	Improve attendance
Recommendation 2	Sharpen self-evaluation to focus more precisely on the impact of provision on pupils' learning and skills

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

3.7 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.

Maes yr Haul Primary School

3.8 Maes yr Haul Primary School was inspected by Estyn in October 2024 and the report was published on 9 December 2024.

3.9 Estyn noted the following as strengths of the school:

- Leaders have created a positive ethos that promotes well-being, and mutual respect. Staff are supported well to develop their leadership skills, and to meet the needs of nearly all pupils, including those with additional learning needs (ALN). The relationships between all members of the school reflect the positive ethos. Pupils behave exceptionally well and show respect for each other, staff, and visitors. From strong starting points when they join the school, nearly all pupils make appropriate progress with literacy, numeracy and digital skills.
- Teachers provide helpful verbal feedback to pupils that enables them to correct mistakes and to edit and improve their work. Most pupils are proud of their work and value the feedback teachers provide.
- The school has robust systems to monitor pupils' attendance and works closely with external partners to support families in need of additional help and

advice. Most pupils have a good understanding of the importance of attending school regularly.

- Many pupils have appropriate opportunities to take on leadership roles within the school and take their leadership responsibilities seriously. Through the varied leadership groups, they have good opportunities to consider important aspects of school life.

3.10 Maes yr Haul Primary School's Estyn inspection report included the following recommendations:

Recommendation number	Recommendation
Recommendation 1	Ensure learning experiences challenge all pupils sufficiently
Recommendation 2	Review the school's curriculum to ensure it reflects the purposes of Curriculum for Wales
Recommendation 3	Improve pupils' Welsh oracy skills

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

3.12 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.

Oldcastle Primary School

3.13 Oldcastle Primary School was inspected by Estyn in October 2024 and the report was published on 20 December 2024.

3.14 Estyn identified the following spotlight:

Community engagement

The school's response to the community's needs is highly effective and has a positive impact on learners' engagement in school. Staff offer numerous, valuable activities for pupils and parents that focus on important life skills. These include advice on how to manage finances, cooking healthily on a budget and sessions that enable parents to support their child's development as a reader. The school also provides advice for those who find themselves in challenging circumstances. Parents value these opportunities and feel that they have a positive impact on their well-being and the well-being of their children.

3.15 Estyn also noted the following as strengths of the school:

- The headteacher at Oldcastle Primary School knows the school well and provides effective leadership. The dedicated staff support her ably, and together they work successfully as a team. The school is inclusive, welcoming, and a happy learning environment, with pupils' well-being at its heart.

- From a young age, pupils communicate clearly and, as they move through the school, they become mature and articulate speakers. They listen well to staff and each other in whole class situations or when talking in small groups. Pupils' oracy skills are a strength.
- Governors have a clear understanding of their role and offer a good balance of support and challenge to leaders. They contribute well to school life and to its place within the community. Governors bring a wealth of skills and experiences that support the school's areas for improvement. They work closely with the headteacher to manage school finances and resources carefully and ensure that all decisions support the school well.
- The school values the opinions of pupils. Nearly all pupils show enthusiasm for taking on additional responsibilities such as becoming part of the pupil voice groups. They work closely alongside school leaders to bring about change.

3.16 Oldcastle Primary School's Estyn inspection report included the following recommendations:

Recommendation number	Recommendation
Recommendation 1	Improve opportunities for pupils to develop independent learning skills and ensure that teaching consistently offers the right level of challenge
Recommendation 2	Sharpen self-evaluation and improvement processes so that they impact more positively on the quality of teaching and learning

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

3.18 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.

Bryncethin Primary School

3.19 Bryncethin Primary School was inspected by Estyn in November 2024 and the report was published on 9 January 2025.

3.20 Estyn noted the following as strengths of the school:

- Leaders at Bryncethin Primary School are committed to creating a happy school that celebrates its place in the local community and in Wales. This contributes to an important sense of belonging where many pupils feel safe and respected at school.
- Leaders have high expectations of the school's provision for all pupils. The school has a positive approach to managing behaviour. This supports the harmonious way in which most pupils behave when learning in class and during playtimes or moving about the school. Pupils are polite, respectful, and kind towards each other.

- The school hosts a local authority learning resource base. This is a purposeful environment for learning, where relationships are strong, and pupils are well-cared for. In most cases, staff plan learning experiences that match pupils' individual needs well. As a result, many pupils make valuable progress in the development of their learning and well-being.
- Leaders and staff support pupils well in contributing to the life of the school. There are many opportunities for pupils, including those with ALN, to take up leadership roles across school life. For example, groups contribute to the development of internal spaces, such as the school's sensory room. As a result, many pupils feel they have a voice in the school community.

3.21 Bryncethin Primary School's Estyn inspection report included the following recommendations:

Recommendation number	Recommendation
Recommendation 1	Improve leadership at all levels
Recommendation 2	Ensure that monitoring and evaluation processes identify precisely the strengths and areas for development of the school's work most in need of improvement and contribute effectively to school improvement planning
Recommendation 3	Improve the quality of teaching to ensure that pupils make good progress with their literacy, numeracy, digital and independent learning
Recommendation 4	Improve rates of attendance

- 3.22 However, Estyn inspectors concluded that the school is not making sufficient progress and in accordance with the Education Act 2005, HMCI is of the opinion that 'special measures' are required in relation to this school.
- 3.23 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. Estyn will monitor the school's progress usually every four to six months.
- 3.24 The school has reviewed and refined its leadership structure to ensure there is a clear focus to bring about school improvement and address the recommendations robustly.
- 3.25 Local authority officers are offering guidance to the school around procedural matters related to the recommendations. Regular meetings to review school progress against the recommendations will be held with local authority and Central South Consortium officers.
- 3.26 The school has already engaged with a range of professional learning providers to begin addressing the recommendations and securing improvements to the quality of provision.

Mynydd Cynffig Primary School

3.27 Mynydd Cynffig Primary School was inspected by Estyn in November 2024 and the report was published on 16 January 2025.

3.28 Estyn noted the following as strengths of the school:

- Senior leaders have worked collaboratively with staff to develop a broad and balanced curriculum that supports pupils' holistic development successfully. Teachers provide a stimulating variety of learning experiences that build on pupils' existing knowledge and understanding progressively. As a result, most pupils make strong progress in developing their communication, numeracy and digital skills and apply these skills to their wider learning well.
- Nearly all teachers enable pupils to make strong progress in developing their creativity and their expressive skills. For example, they provide good opportunities for pupils to use their imagination and to communicate their ideas and feelings through dance, music and drama. These experiences enrich pupils' learning and enhance their enjoyment of school.
- Leaders work well together to set a strategic direction that promotes equity for all. For example, they use grant funding to ensure that all pupils have access to a rich variety of learning experiences. The school has developed effective relationships with parents that help them to feel informed and included as key partners in their child's progress. As a result of this positive partnership, overall rates of attendance have improved steadily.
- Leaders consider the well-being of staff thoughtfully. They avoid unnecessary demands to ensure staff can manage their workload effectively. They make focused use of performance management and professional learning to support whole-school development. This ensures that staff are clear about their role in delivering improvement and have the necessary knowledge, skills and experience to advance pupils' learning and well-being successfully.

3.29 Mynydd Cynffig Primary School's Estyn inspection report included the following recommendations:

Recommendation number	Recommendation
Recommendation 1	Strengthen the role of the governing body in evaluating the school's performance
Recommendation 2	Provide greater opportunity for older pupils to direct their own learning and to contribute purposefully to whole-school improvements
Recommendation 3	Improve opportunities for pupils to develop their skills through outdoor learning

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

3.31 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.

Pen y Fai Church in Wales Primary School

3.32 Pen y Fai Church in Wales Primary School was inspected by Estyn in November 2024 and the report was published on 30 January 2025.

3.33 Estyn identified the following spotlight:

Early learning provision for younger pupils

Provision for the youngest pupils is excellent and ensures that pupils develop a firm foundation for future learning. Teachers make good use of professional learning opportunities to further develop their understanding of how young children learn. They use this learning well to provide learning environments that encourage pupils to be curious and to explore the world around them. Staff understand the importance of observation and use findings purposefully to plan appropriate activities that extend pupils' learning. For example, recent adaptations to the way numeracy is taught in these environments have resulted in pupils developing a deeper understanding of the concept of number.

3.34 Estyn also noted the following as strengths of the school:

- Leaders have a clear focus on improving outcomes for learners, regardless of their backgrounds and prior learning. This inclusive ethos is a strong feature in the school and is shared by all. As a result, nearly all pupils feel part of this happy and vibrant community.
- School leaders have developed thorough procedures for evaluating the school's strengths and areas for improvement. This enables staff and governors to have a firm understanding of the areas that need to improve. Shared responsibilities ensure that priorities are manageable and addressed promptly. The headteacher focuses well on building leadership capacity across the school through the provision of worthwhile opportunities for staff to develop leadership skills.
- Adults use positive, supportive language, and encourage pupils to do the right thing. This shared vocabulary and ethos of positivity contributes to pupils' exemplary behaviour in lessons and around the school.
- A particularly strong aspect of the school's work is its pupil voice provision. Most pupils have many exciting opportunities to develop their leadership skills, including those with ALN, through a variety of pupil voice groups, which have a positive impact on many areas of school life.

3.35 Pen y Fai Church in Wales Primary School's Estyn inspection report included the following recommendation:

Recommendation number	Recommendation
Recommendation 1	Provide learning experiences that challenge all pupils appropriately so that they make good progress, particularly the more able

- 3.36 Estyn inspectors concluded that the school is making sufficient progress, and no follow-up action is required.
- 3.37 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.
- 3.38 During the autumn term 2024, Estyn visited three primary schools, one infant school and one secondary school, who received an interim visit. A summary of the visit is provided through a letter to each school, which are available to view on the Estyn website: www.estyn.gov.uk.

Trelales Primary School

- 3.39 On Tuesday 1 October 2024, a team of Estyn inspectors visited Trelales Primary School to consider how the school has progressed in addressing two areas of development identified in the school's most recent improvement plan.
- 3.40 The two areas of development that were identified are:
- Ensure that the planned curriculum meets the needs of all pupils and develops their skills across the curriculum.
 - Improve the quality of teaching and provision for independent learning.
- 3.41 Overall, Estyn concluded leaders and staff at the school have worked well to address these priorities. They have a good understanding of the school's current strengths and areas for improvement and have suitable plans in place to continue to move the school forward.

Porthcawl Comprehensive School

- 3.42 On Wednesday 16 October and Thursday 17 October 2024, a team of Estyn inspectors visited Porthcawl Comprehensive School to consider how the school has progressed since their last core inspection in February 2020.
- 3.43 Estyn focused on the following two priorities during their visit:
- Reduce the variation in the quality of teaching and assessment, in particular with regard to the development of pupils' literacy skills across the curriculum; and
 - Sharpen self-evaluation and improvement planning so that processes focus consistently on the impact of teaching and learning.
- 3.44 Estyn noted they enjoyed the opportunity to meet with the headteacher, staff and pupils, and recognised the improvement work the school has carried out since their last core inspection.

Bryntirion Infant School

- 3.45 On Tuesday 5 November 2024 a team of inspectors visited Bryntirion Infant School to consider how the school has progressed in addressing two of the recommendations from its core inspection in April 2023.

3.46 Estyn focused on the following two priorities during their visit:

- Ensure that activities develop pupils' independent skills successfully.
- Improve the learning environment for younger pupils to ensure that there are greater opportunities for them to develop their skills through play and exploration.

3.47 Estyn noted leaders and staff at the school have made worthwhile progress in addressing these recommendations. The school recognises there are aspects that could improve further and have suitable plans in place to continue to make progress.

Coychurch (Llangrallo) Primary School

3.48 On Wednesday 6 November 2024, a team of Estyn inspectors visited Coychurch (Llangrallo) Primary School to consider the progress the school has made towards the two recommendations from its core inspection in November 2022.

3.49 Estyn focused on the following two priorities during their visit:

- Provide clear feedback to pupils that identifies precisely what they need to do to improve their work and enable them to act on this guidance.
- Provide appropriate challenge, particularly in independent activities, to ensure that all pupils make the progress they are capable of.

3.50 Overall, Estyn concluded that leaders and staff at the school have worked well to address these recommendations, and the school recognises there are aspects that could improve further.

Pîl Primary School

3.51 On Thursday 21 November 2024, a team of Estyn inspectors visited Pîl Primary School to consider the progress the school has made towards two of the recommendations from its core inspection in November 2022.

3.52 Estyn focused on the following two priorities during their visit:

- Sharpen monitoring procedures to focus precisely on the impact of teaching.
- Refine teaching to enable pupils to exercise more independence in what and how they learn.

3.53 Overall, Estyn concluded that leaders and staff at the school have worked well to address these recommendations, and the school recognises there are aspects that could improve further.

Caerau Primary School

3.54 Caerau Primary School was inspected by Estyn May 2023 and the report was published on 26 June 2023. At that time, Estyn inspectors concluded the school

was not making sufficient progress and in accordance with the Education Act 2005, HMCI was of the opinion that 'special measures' was required in relation to this school.

3.55 At that time, the Caerau Primary School report included the following recommendations:

Recommendation number	Recommendation
Recommendation 1	Establish a stable and effective leadership and teaching team.
Recommendation 2	Improve pupils' reading, writing and mathematics skills.
Recommendation 3	Improve pupils' attendance and punctuality.
Recommendation 4	Ensure that curriculum and assessment arrangements develop pupils' knowledge and skills systematically and progressively.

3.56 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.

3.57 In December 2024, Estyn conducted a follow-up review of the school's progress and judged that Caerau Primary School had made sufficient progress in relation to the recommendations following the most recent core inspection.

3.58 Estyn noted the following findings when reviewing the recommendations:

- Senior leaders provide robust leadership across the school. They are committed to securing high quality teaching and learning for all pupils. They have continued to build leadership capacity across the school by creating teams, led by middle leaders, with responsibility for key improvement areas linked to the school's action plan.
- Across the school, leaders have developed a consistent approach to the teaching of reading, writing and mathematics. As a result, most pupils now make good and, at times, strong progress in these important areas.
- School leaders set aspirational whole school attendance targets and have established a culture where the importance of good attendance is actively promoted. Although pupil attendance remains below the school's target, overall attendance and punctuality has improved steadily.
- School leaders have developed a broad and balanced curriculum that includes a range of interesting and authentic experiences that build on pupils' skills progressively. Staff provide effective support for pupils in the youngest classes to develop their independence in a range of authentic experiences and make good use of the outdoor areas. As pupils move through the school, opportunities to further progress their independent learning skills are developing suitably.

3.59 As a result, His Majesty's Chief Inspector of Education and Training in Wales removed the school from the list of schools requiring special measures.

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.

Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	REVISED CONTRACT PROCEDURE RULES
Report Owner / Corporate Director:	CHIEF OFFICER - LEGAL & REGULATORY SERVICES, HR & CORPORATE POLICY
Responsible Officer:	RACHEL JONES - CORPORATE PROCUREMENT MANAGER
Policy Framework and Procedure Rules:	This report proposes revisions to the Council's Contract Procedure Rules and amendments to the Council's Scheme of Delegation of Functions in relation to Executive Functions
Executive Summary:	This report recommends the approval of revised Contract Procedure Rules following the implementation of the Procurement Act 2023 and approval of related amendments to the Scheme of Delegation of Functions in relation to Executive Functions.

1. Purpose of Report

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

1.1.1 for the revised Contract Procedure Rules to take effect from 1st April 2025;

1.1.2 for the Council's Scheme of Delegation of Functions in relation to Executive Functions to be amended in accordance with paragraph 3.3 of this report; and

1.1.3 to note that a report will be taken to Council regarding the required amendments to the Constitution and to seek approval to amend the Scheme of Delegation of Functions in relation to Council functions.

2. Background

2.1 The Contract Procedure Rules contain the rules and guidelines for procuring goods, services and works. They are in place to ensure compliance with legal requirements, ensure best practice is followed and best value is achieved in the use of public funds. The Contract Procedure Rules contain a requirement for their regular review and update.

2.2 On 24th February 2025 the statutory regime regulating public procurement in Wales changed with the commencement of the Procurement Act 2023 (PA 2023). Although many of the concepts and requirements of the PA 2023 broadly replicate concepts

found in the previous regime under the Public Contracts Regulations 2015 (PCR 2015), there are some significant differences, which are set out in summary below:

One set of rules - the PA 2023 replaces a number of sets of regulations. For the Council's purposes, the relevant ones are the PCR 2015 and the Concession Contracts Regulations 2016. Council officers will still need to refer to supporting secondary legislation and statutory and non-statutory guidance to ensure full compliance with the PA 2023's requirements. In particular, the Council must have regard to any Wales Procurement Policy Statement published by the Welsh Government from time to time and the Social Partnership and Public Procurement (Wales) Act 2023. The threshold for the main requirements of the PA 2023 for works, services and supplies contracts remains the same until January 2026.

New terminology - Terminology changes need to be reflected in updated procurement documentation and the Council's Contract Procedure Rules.

New procurement objectives and principles - Officers undertaking procurement must have regard to new procurement objectives and any barriers for small and medium-sized enterprises (SME) participation when undertaking above threshold procurements.

Full procurement lifecycle - There is greater emphasis on contract governance, with new obligations to publish a preliminary market engagement notice to inform the market when the Council intends to conduct or has already conducted any pre-market engagement and additional obligations to report on contract performance and contract termination (including expiry of contracts at the end of their term). In addition, the Council will need to have regard to procurement objectives when making contract management decisions as well as decisions relating to the award process.

Fewer procedures and greater flexibility - In particular the new competitive flexible procedure will allow the Council discretion to design its own procurement processes to suit its requirements. However, this will require additional time and resource and there is potentially an increased risk of challenge if the process is not properly structured to enable it to be fair, proportionate and transparent. There have been significant changes to frameworks and dynamic purchasing systems, introducing the concepts of 'Open Frameworks' (which must be re-opened at least once during the first three years, and at least every five years following that) and 'dynamic markets'.

KPIs and performance information - The Council must set and publish at least three key performance indicators (KPIs) before entering into any public contract for more than £5 million unless it considers that KPIs are not appropriate to assess the supplier's performance.

Greatly expanded notice regime - The Council will need to publish significantly more notices and information on Sell2Wales as part of the government's heightened transparency agenda. Some notices have just changed their name or are now mandatory rather than optional and some notices are entirely new. These changes need to be reflected in the CPRs.

Conflicts of Interest - The Council must consider any actual, potential or perceived conflicts of interest before commencing a procurement exercise and prepare a written

conflicts assessment. Although this document does not need to be published, the Council will be obliged to revisit and update the conflicts assessment as necessary throughout the course of the procurement and when any changes are made to contracts. The Council will have to confirm that it has done so in any relevant notices.

Wider implications for lower value contracts - 'below threshold' procurement.

For (non-framework) contracts with a value over £30,000, but below the PA threshold, the Council will be obliged to:

- Consider if there are any SME barriers and how any such barriers can be removed or reduced.
- Publish a below threshold tender notice on Sell2Wales if the opportunity is to be advertised elsewhere.
- Publish a contract details notice as soon as reasonably practicable after entering into a contract.
- Abide by 30-day payment terms.

Contract modifications - Changes to existing grounds, additional grounds for modification and a new concept of 'convertible contracts' ie below-threshold contracts that, as a result of the change, will increase in value so as to exceed the financial threshold. New notice and standstill obligations will apply before any relevant modification can be made.

A new exclusion and debarment regime - The mandatory and discretionary grounds for excluding suppliers have been expanded. There is a new obligation to notify Welsh Ministers in circumstances where the Council has excluded a supplier from participating in a procurement process and suppliers may be placed on a central debarment list following investigation.

- 2.3 The Social Partnership and Public Procurement (Wales) Act 2023 commenced on 1st April 2024 and places social partnership duties on Welsh Ministers and those public bodies, including the Council, which are subject to the well-being duty under the Well-being of Future Generations (Wales) Act 2015. Part 3 of the Act (which is yet to come into force but is anticipated to commence later this year) places new socially responsible procurement duties on a range of public bodies in Wales. The main provisions are set out below:

Socially responsible procurement duty - The Council must seek to improve the economic, social, environmental and cultural well-being of its area by carrying out public procurement in a socially responsible way. This will be achieved by taking action, in accordance with the sustainable development principle, aimed at contributing to the achievement of the socially responsible procurement goals listed in section 4 of the Well-Being of Future Generations Act 2015. The Council will be obliged to set and publish socially responsible procurement objectives designed to maximise its contribution to achieving these socially responsible procurement goals.

Major Construction Contracts - The Council will need to include the incorporation of model social public works clauses published by Welsh Ministers in major construction contracts (to be defined).

Outsourcing services contracts - The Council must have regard to the public services outsourcing and workforce code to be published by the Welsh Ministers and the incorporation of social public workforce clauses (as defined) which, among others, protect the terms and conditions, continuity of employment and pensions arrangements of transferring staff.

Procurement strategies - The Council must prepare and publish a procurement strategy setting out how the authority intends to carry out public procurement. The procurement strategy must be reviewed each financial year and state how the authority intends to:

- Ensure that it will carry out public procurement in a socially responsible way.
- Take all reasonable steps to meet its socially responsible procurement objectives when it carries out public procurement in relation to any prescribed contract.
- Make payments due under a contract promptly and, unless this is not reasonably practicable, no later than 30 days after an invoice (or similar claim) is submitted.

The Council's Socially Responsible Procurement Strategy 2021-2024 is currently in place and due for review and renewal.

Reporting and accountability - The Council must prepare and publish an annual report which must include:

- A summary of the public procurement exercises during the year for the award of prescribed contracts.
- A statement of the extent to which all reasonable steps were taken to meet the Council's socially responsible procurement objectives.
- A statement of what further steps it will take in future public procurement exercises to meet its socially responsible procurement objectives.
- A summary of the public procurement the authority expects to carry out in the next two financial years.

The Council must also publish a contracts register (containing prescribed information) of prescribed public contracts entered into by the authority.

3. Current situation / proposal

- 3.1 Following a review of the Council's Contract Procedure Rules a number of changes have been proposed to the existing Contract Procedure Rules. A copy of the revised Contract Procedure Rules is attached to this report at **Appendix 1**.

3.2 The amendments are largely limited to changes needed to ensure that the Contract Procedure Rules reflect the above statutory changes. There are also other substantive proposed changes including:

- a new exemption under 3.1.7 for Contracts for services entered into in pursuance of powers under the National Health Service and Community Care Act 1990, the Children Act 1989, Children's (Leaving Care) Act 2000 and Social Services and Well-being (Wales) Act 2014 for the benefit of an individual client (which had previously been a permitted waiver);
- the addition of a waiver at rule 3.2.12 for the urgent spend of grant funding; and
- changes to the thresholds and procedural requirements set out under rule 8 of the Contract Procedure Rules.

3.3 The following amendments are also required to the Council's Scheme of Delegation of Functions in relation to Executive Functions as set out below in tracked changes:

Scheme A (functions allocated to each Cabinet Member)

Amendment to paragraph 1.2 as shown via tracked changes:

1.2	<p>In accordance with the values set out in the Council's Contract Procedure Rules:</p> <p>(a) To authorise the invitation of tenders; and</p> <p>(b) To accept the Most Economically Advantageous Tender received and enter into a Contract and any further deeds and documents which are supplemental to the Contract;</p> <p>(c) To enter into a Contract and/or any further deeds and documents which are supplemental to the Contract in accordance with any permitted exemption or waiver under the Council's Contract Procedure Rules.</p>
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Scheme B2 functions allocated to each Chief Officer

Amendment to paragraph 1.3 as shown via tracked changes:

1.3	<p>In accordance with the values set out in the Council's Contract Procedure Rules:</p> <p>(a) To authorise the invitation of tenders and;</p> <p>(b) To accept the Most Economically Advantageous Tender received and enter into a Contract, and any further deeds and documents which are supplemental to the Contract;</p> <p>(c) To enter into a Contract and/or any further deeds and documents which are supplemental to the Contract in accordance with any permitted exemption or waiver under the Council's Contract Procedure Rules.</p>
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3.4 Subject to Cabinet approval a report will be taken to Council to amend the Scheme of Delegation of Functions in relation to Council functions and to amend the Constitution to incorporate the revisions to the Contract Procedure Rules.

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 administrative 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 goals identified in the Act were considered in the preparation of this report. This is an administrative report and therefore 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 arising from this report.

9. Recommendations

- 9.1 It is recommended that Cabinet:
- (i) approve the revised Contract Procedure Rules attached at **Appendix 1** to this report to take effect from 1st April 2025;
 - (ii) approve the amendments to the Scheme of Delegation of Functions in relation to Executive functions as set out in paragraph 3.3 of this report;
 - (iii) to note that a report will be taken to Council regarding the required amendments to the Constitution and to seek approval to amend the Scheme of Delegation of Functions in relation to Council functions.

Background documents

None



Bridgend County Borough Council

Contract Procedure Rules

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1. INTERPRETATION

1.1 In these Contract Procedure Rules:

“Act” means the Procurement Act 2023.

"Appropriate Chief Officer" means whichever of the following is responsible in any particular case for inviting tenders or placing an official order:

Chief Executive

Chief Officer - Legal and Regulatory Services, Human Resources and Corporate Policy and Monitoring Officer

Corporate Director – Education and Family Support

Corporate Director – Social Services and Wellbeing

Corporate Director – Communities.

This definition also includes any Officer to which functions have been delegated under the Council's Scheme of Delegation of Functions.

“Cabinet” means the executive body of the Council established in accordance with Part II of the Local Government Act 2000.

“Cabinet Functions” means the functions for which the Cabinet is responsible.

“Cabinet Members” means the leader and the members of the Cabinet.

"Chief Finance Officer" means the nominated Section 151 officer under the Local Government Act 1972 for the time being having statutory responsibility for the administration of the Council's financial affairs.

“Commissioning Form” means a document that requires completion by the client before going out to tender or to obtain quotations unless a Cabinet Report has been approved a copy of which can be found on the Corporate Procurement Page.

“Contract” means any form of contract or agreement entered into by the Council with any other party for the supply of goods, services or works, or any combination thereof.

“Contractor” means any person or organisation that undertakes a Contractual relationship with the Council.

“Contract Manager” means the officer with responsibility for the management of the Contract in accordance with Rule 26.

“Contract Value” means the total value of the Contract as calculated in accordance with CPR 2.2.

“Corporate Contracts Register” means a live database of Contracts.

“Corporate Procurement Manager” means the lead Officer for the Corporate Procurement Unit, who has functional responsibility for the delivery of Procurement strategy and guidance.

“Council” means the Bridgend County Borough Council.

“Data Protection Legislation” means (i) the UK GDPR and any applicable national implementing Law, as amended from time to time; (ii) the Data Protection Act 2018 to the extent that it relates to processing of personal data and privacy; and (iii) all applicable law about the processing of personal data and privacy.

“Dynamic Market” means a list of pre-selected suppliers, compliantly procured, which may be used to run a further competition for a requirement.

“Form of Tender” means a covering document signed by the tenderer to indicate that it understands the tender and accepts the terms and conditions and other requirements of participating in the exercise a copy of which can be found on the Corporate Procurement Page.

“Framework Agreement” means an agreement between one or more contracting authorities and one or more suppliers, that provides for the future award of Contracts by a contracting authority to the supplier or suppliers.

“Internal Providers” means an organisation managed, funded and staffed by the Council, which provides a service to various directorates and schools as its core business.

“Legal Requirements” means all UK and Welsh law that governs and or relates to the procurement of goods, services and works and the letting of concession contracts.

“Light Touch Contracts” means a contract for services of the type listed in Schedule 1 of the Regulations. Examples include contracts for health, social and related services.

“Monitoring Officer” means the officer for the time being designated as such under Section 5 of the Local Government and Housing Act 1989.

“Most Advantageous Tender” (MAT) means the tender that the Council considers satisfies its requirements and best satisfies the award criteria set by the Council that reflect qualitative, technical and sustainable aspects of the tender submission as well as price.

“Parties” means collectively the Council and any other party or parties entering into a Contract.

“Regulations” means the Procurement (Wales) Regulations 2024.

“Social Value” means the wider financial and non-financial impacts that procurements may have in addition to the core delivery of the contract. This may

include the wellbeing of individuals and communities, social capital and the environment.

"Threshold" means the threshold amounts prescribed by the Act above which the procurement of the Contract becomes a 'covered procurement' as defined by section 1 of the Act. The thresholds are set out in Schedule 1 of the Act and are different for goods and services, works, Light Touch and concession contracts.

"Trade Journal" means a newspaper or journal circulating among such persons or bodies as undertake Contracts of the category for which tenders are to be invited.

"UK GDPR" means the UK General Data Protection Regulation.

- 1.2 Words importing the singular shall include the plural and vice versa.
- 1.3 Any reference to any statutory provision shall include reference to any statutory modification amendment or re-enactment thereof and any subordinate legislation made under them.

2. COMPLIANCE WITH CONTRACT PROCEDURE RULES AND LEGAL REQUIREMENTS

2.1. Every Contract shall:

- 2.1.1. Comply with the Council's Constitution, including in particular the Financial Procedure Rules, the Scheme of Delegation of Functions and these Contract Procedure Rules.
- 2.1.2. Comply with all relevant statutory provisions including in particular, but not limited to:
 - (a) the Act and the Regulations,
 - (b) the Local Government Act 1988,
 - (c) the Local Government (Contracts) Act 1997,
 - (d) the Local Government Act 1999,
 - (e) the Equality Act 2010,
 - (f) the Modern Slavery Act 2015,
 - (g) all relevant employment law,
 - (h) Data Protection Legislation,
 - (i) Social Partnership and Public Procurement (Wales) Act 2023.

Where there is any conflict between the requirements of these CPR's and any relevant statutory provisions, the statutory provisions take precedence.

- 2.1.3. Be consistent with the highest standards of integrity, having regard to the Bribery Act 2010.
- 2.1.4. Ensure fairness in allocating public Contracts.

- 2.1.5. Support the Council's corporate and departmental aims and policies and comply with any Council policy.
- 2.1.6. Be procured with regard to the Wales Procurement Policy Statement (WPPS), published by Welsh Government from time to time.
- 2.1.7. Be procured in accordance with all procurement planning guidance issued by the Corporate Procurement Manager.
- 2.2. For the avoidance of doubt, the Appropriate Chief Officer shall ensure that where the estimated Contract Value or amount of a proposed Contract (or series of Contracts) is likely to be equal to or to exceed the Threshold, then the tendering procedures to be adopted must be in accordance with the Act and Regulations. The Contract value shall be estimated in accordance with Schedule 3 of the Act, shall be inclusive of VAT and shall include the value of any extensions and other options provided for in the Contract. Where the value is unable to be estimated (for example because the duration of the Contract is unknown), the Contract must be treated as being above the Threshold amount.
- 2.3. The Appropriate Chief Officer must consider whether any Contract for the procurement of works, goods or services may be provided under more than one contract and awarded by reference to lots. If the contract is not subdivided into lots, reasons for this decision must be provided in the Tender Notice.
- 2.4. It shall be a condition of any contract between the Council and any person (not being an Officer of the Council) who is required to supervise a Contract on the Council's behalf that, in relation to the Contract, they shall comply with the requirements of these Contract Procedure Rules and the Council's Financial Procedure Rules.
- 2.5. The Monitoring Officer with the agreement of the Chief Finance Officer may issue procurement guidance or protocols, and all Chief Officers and Contract Managers shall comply with any such guidance or protocol.
- 2.6. The use of the Council's in-house services and Internal Providers is not covered by or subject to these Contract Procedure Rules. Any contract subsequently let by the in-house services and Internal Providers to sub-contractors must be let in accordance with these Contract Procedure Rules.
- 2.7. Any failure by officers to comply with any of the provisions of these Contract Procedure Rules or associated guidance adopted by the Council may result in disciplinary action.
- 2.8. Appropriate internal governance approval must be in place (Cabinet or Delegated Authority) before any procurement is carried out on behalf of the Council.

- 2.9. Any dispute regarding the interpretation of these Contract Procedure Rules shall be referred to the Monitoring Officer for resolution in consultation with the Corporate Procurement Manager.
- 2.10. Concession Contracts or Utilities Contracts must also be conducted in accordance with these Contract Procedure Rules.
- 2.11. These Contract Procedure Rules do not apply to Contracts let by school or college governing bodies acting in accordance with their approved schemes of delegation or contract procedure rules.
- 2.12. The Social Partnership and Public Procurement (Wales) Act 2023 (SPPWA) requires the Council to prepare and publish a procurement strategy setting out how the authority intends to carry out public procurement. The procurement strategy must be reviewed each financial year and state how the Council intends to:
- Ensure that it will carry out public procurement in a socially responsible way, by setting objectives.
 - Take all reasonable steps to meet its socially responsible procurement objectives when it carries out public procurement in relation to any prescribed contract.
 - Make payments due under a contract promptly and, unless this is not reasonably practicable, no later than 30 days after an invoice (or similar claim) is submitted.

The Council must also prepare and publish an annual report which includes:

- A summary of the public procurement exercises during the year for the award of prescribed contracts.
- A statement of the extent to which all reasonable steps were taken to meet the Council's socially responsible procurement objectives.
- A statement of what further steps it will take in future public procurement exercises to meet its socially responsible procurement objectives.
- A summary of the public procurement the authority expects to carry out in the next two financial years.

The Council is also required to publish a contracts register of prescribed public contracts entered into by the authority.

- 2.13. For all Contracts the Council must consider how what is proposed to be procured might improve the economic, social and environmental and cultural well-being of the area and how, in conducting the procurement process, it might act with a view to securing that improvement. The Council must consider the sustainable development principles and the well-being objectives that the Council has adopted in accordance with the Well-being of Future Generations (Wales) Act 2015 and is required to comply with the social partnership duties set out in the SPPWA. Guidance on delivering

Social Value through procurement is available on the Corporate Procurement Page on the Intranet.

- 2.14. Where appropriate the Council will need to include Social Value requirements proportionate to the value and related to the subject matter of the contract should be considered for inclusion tenders.
- 2.15. Every Contract shall include clauses in a form approved by the Monitoring Officer relating to the following matters:
 - 2.15.1. Data Protection;
 - 2.15.2. Freedom of Information;
 - 2.15.3. Modern Slavery;
 - 2.15.4. Bribery and Corruption;
 - 2.15.5. Equalities and Human Rights;
 - 2.15.6. Welsh Language Standards;
 - 2.15.7. Audit;
 - 2.15.8. Social Public Works clauses in major construction contracts (where required by the SPPWA);
 - 2.15.9. Social Public Workforce clauses in outsourcing services contracts (where required by the SPPWA)

Template provisions for the above matters can be found on the Corporate Procurement Page on the Intranet.

- 2.16. Where a relevant specification issued by the British Standards Institution is current at the date of the procurement all Council specifications shall require as a minimum that the goods and materials used in the execution of the Contract shall be in accordance with that specification or an equivalent.
- 2.17. The Council is a signatory to the UK Steel Charter. The Appropriate Chief Officer must consider whether fulfilment of any of the steps contained within the Charter are applicable to the Contract being procured and if so liaise with the Corporate Procurement Manager to ensure that appropriate provisions are contained within the procurement documents. A copy of the UK Steel Charter can be found on the Corporate Procurement Intranet page.
- 2.18. The Council is a signatory to the Welsh Government Code of Practice – Ethical Employment in the Supply Chain. The Appropriate Chief Officer must ensure that employment practices are considered as part of the procurement process and liaise with the Corporate Procurement Manager to ensure that appropriate provisions are contained within the procurement documents. A copy of the Welsh Government Code of Practice – Ethical Employment in the Supply Chain can be found on the Corporate Procurement Intranet page.
- 2.19. The Council has adopted the principles contained within the Welsh Government Policy on Project Bank Accounts. The Appropriate Chief Officer must consider whether payment through a project bank account (PBA) is appropriate for any construction or infrastructure Contract (or other Contract with a significant sub-contracting supply chain) of over 6 months duration and valued at £2 million or more and where there are sub-contracting opportunities valued at 1% or more of the contract value. The use of payment

through a PBA for such Contracts will be required unless there are compelling reasons not to do so. The use of payment through a PBA must be applied to all construction and infrastructure projects and any other appropriate contracts valued at £2m or more which are part or fully funded by Welsh Government where the terms of such funding require a PBA to be applied.

- 2.20. Light Touch Contracts remain subject to these Contract Procedure Rules. Above Threshold contracts for Light Touch services are subject to more flexible procurement rules under the Act, as follows:
- 2.20.1. They may include the needs of the end user in the award criteria - often referred to as 'user choice' and may allow a direct award where:
 - (a) an individual has expressed a preference as to who should supply the services, and
 - (b) the Council considers that it is in the best interests of the individual receiving the services, and
 - (c) approval has been obtained in line with the Waivers requirements set out in Rule 3.2 below.
 - 2.20.2. The requirement to publish a Transparency Notice does not apply to direct awards for user choice contracts.
 - 2.20.3. Minimum procurement timescales for Light Touch Contracts are not mandated.
 - 2.20.4. There is no maximum term specified for a framework that is a Light Touch Contract.
 - 2.20.5. There is no mandatory requirement for a standstill period (though a voluntary standstill period may be applied).
 - 2.20.6. There is no requirement to set, assess and publish KPIs.
 - 2.20.7. There is no requirement to publish a Contract Performance Notice.
 - 2.20.8. There are increased flexibilities for modifications made to Light Touch Contracts during their term (see CPR 3.6).
 - 2.20.9. There is no requirement to publish a Contract Change Notice.
- 2.21. Every Social Care contract shall comply with the requirements of the National Framework for the Commissioning of Care and Support in Wales: Code of Practice and in particular the ten standards, or any updated statutory Code or Guidance as may be issued by Welsh Government from time to time.

3. EXEMPTIONS, WAIVERS, MODIFICATIONS AND PURCHASING ARRANGEMENTS APPROVED BY THE CORPORATE PROCUREMENT MANAGER

Exemptions

3.1. The Contract Procedure Rules do not apply to the situations set out in Rules 3.1.1 to 3.1.7:

- 3.1.1. For the acquisition or disposal of land, buildings or any complete work, or of an interest in or right over any of them, unless the transaction involves entering into a development agreement which would require a procurement process.
- 3.1.2. In the case of professional arrangements in accordance with Schedule 2 of the Act between the Council's Solicitor and Counsel or external Solicitors. The Monitoring Officer will make arrangements to ensure that a record is kept of all such instructions or briefs together with a record of Counsel's/ Solicitors fees.
- 3.1.3. For the carrying out of security works where the publication of documents in accordance with the tendering procedure could prejudice the security of the work to be done, provided the method of tendering has been approved by the Cabinet.
- 3.1.4. Employment Contracts which make an individual a direct employee of the Council.
- 3.1.5. Contracts between entities within the public sector as prescribed in Schedule 2 of the Act, including those Contracts where Schedule 2 would be applicable if the Contract Value was not below Threshold, provided the arrangement has been approved by the Cabinet.
- 3.1.6. In an emergency situation in which injury or damage to persons or property is threatened in which case the Appropriate Chief Officer may take any necessary action but must report the circumstances and the action taken to the next meeting of the Cabinet.
- 3.1.7. In the case of Contracts for services entered into in pursuance of powers under the National Health Service and Community Care Act 1990, the Children Act 1989, Children's (Leaving Care) Act 2000 and Social Services and Wellbeing (Wales) Act 2014 for the benefit of an individual client, the Corporate Director Social Services and Wellbeing, insofar as it is consistent with the law, will make appropriate arrangements for provision.

Waivers

- 3.2. Waiver from obtaining quotations or tendering will only apply to the criteria listed in Rules 3.2.1 to 3.2.13 below and any waiver must be obtained, either:
- (a) in respect of any new Contract from the Cabinet where the value of the Contract exceeds £100,000; or
 - (b) in respect of any new Contract in accordance with the Council's Scheme of Delegation of Functions where the value of the Contract does not exceed £100,000.
- 3.2.1 Where no suitable quotes or tenders have been received in response to the Council's procedure for obtaining competitive offers and the Council considers that the award of a contract via that competitive tendering procedure is not possible in the circumstances. This is to include the open procedure, or the competitive flexible procedure where procurement falls within the scope of the Act. In these circumstances, a Contract cannot be awarded to an Excluded Supplier
- 3.2.2 The Contract concerns the production of a prototype, or supply of other novel goods or services, for the purposes stated in the Act.
- 3.2.3 The Contract can be provided only by a particular supplier for any of the following reasons:
- (a) the aim of the procurement is the creation or acquisition of a unique work of art or artistic performance,
 - (b) competition is absent for technical reasons,
 - (c) the protection of exclusive rights, including intellectual property rights,
- but only, in the case of paragraphs (b) and (c), where no reasonable alternative exist and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement.
- 3.2.4 Extreme and unavoidable urgency brought about by events unforeseeable and not caused by any act or omission of the Council and in accordance with the strict conditions contained in the Act.
- 3.2.5 New works / services, constituting a repetition of existing works/services and ordered in accordance with the strict conditions contained in the Act, subject to approval in accordance with Rule 3.5
- 3.2.6 For supplies quoted and purchased on a commodity market.
- 3.2.7 For the purchase of supplies on particularly advantageous terms from a supplier which is undergoing insolvency proceedings as defined by the Act.
- 3.2.8 Where a tendering procedure is prescribed by legislation.
- 3.2.9 Contracts which can only be performed by a statutory undertaker.

3.2.10 Where goods, services and works are procured by another public body on behalf of the Council or through collaborative arrangements awarded via the National Procurement Service or the Regional Delivery Group or by the Council through a Contract properly let by another such organisation, then those organisations Procurement / Contract Procedure Rules will apply subject to compliance with all Legal Requirements.

3.2.11 Strictly in compliance with emergency regulations issued by the UK or Welsh Government under section 42 of the Act which are necessary to—

- (a) protect human, animal or plant life or health, or
- (b) protect public order or safety.

3.2.12 Where the Council has been allocated grant funding and:

- (a) the grant conditions required spend of the grant in too short a time period to procure a Contractor in accordance with the procedural requirements set out in these Contract Procedure Rules,
- (b) there has been no opportunity to commence the procurement prior to the grant award, and
- (c) the spend is below the applicable Threshold amount.

Evidence of the grant application process timeline and basis for urgency will be required to support the approval of any waiver. Where funding conditions provide for the potential of grant funding claw back the prior approval of the Chief Finance Officer must be sought.

3.2.13 Where the Contract is for Light Touch services that are supplied for the benefit of a particular individual and in respect of which the Council would, in awarding a contract for their supply, be required under an enactment to have regard to the views of the individual, or a person providing care to the individual (their “carer”), in relation to who should supply the services, provided that:

- (a) the individual to whom the services are to be supplied or their carer has expressed a preference as to who should supply the services, or the nature of the services to be supplied is such that only one supplier is capable of providing them, and
- (b) the Council considers that it is not in the best interests of the individual to award the contract following a competitive tendering procedure.

Modifications to existing Contracts and Framework Agreements

3.3. Contracts and Framework Agreements may be modified without the requirement for a new procurement procedure in accordance with Rules 3.3.1 to Rules 3.3.7:

3.3.1. Where the modifications to a Contract or Framework Agreement have been provided for in the contract as awarded and the tender or transparency notice for the award of that contract provided that such modifications would not change the overall nature of the Contract or the Framework Agreement;

3.3.2. Where the modifications to a Contract or Framework Agreement provides for the supply of goods, services or works in addition to the goods, services or works already provided for in the Contract, and where a change of Contractor:

- (a) would result in the supply of goods, services or works that are different from, or incompatible with, those already provided for in the Contract, and
- (b) it is considered that the difference or incompatibility would result in disproportionate technical difficulties in operation or maintenance or other significant inconvenience, and,
- (c) the substantial duplication of costs for the Council;

provided that any increase in price does not exceed 50% of the value of the original Contract;

For the purpose of the calculation of the price the updated figure shall be the reference figure when the Contract includes an indexation clause.

3.3.3. Where all of the following conditions are fulfilled:

- (a) the circumstances giving rise to the modification could not reasonably have been foreseen before the award of the Contract;
- (b) the modification does not alter the overall nature of the Contract;
- (c) the modification would not increase the estimated value of the Contract by more than 50 per cent.

For the purpose of the calculation of the price the updated figure shall be the reference figure when the Contract includes an indexation clause.

3.3.4. Where the Council agrees to a novation or assignment of the Contract to a new supplier that is not an excluded supplier following a corporate restructuring or similar circumstance.

3.3.5. Where the modification is not a substantial modification. A modification shall be considered substantial where one or more of the following conditions is met:

- (a) the modification increases or decreases the term of the contract by more than 10% of the maximum term provided for on award, or
- (b) the modification materially changes the scope of the contract; or
- (c) the modification materially changes the economic balance of the Contract or the Framework Agreement in favour of the Contractor;

A reference to a modification changing the scope of a Contract is a reference to a modification providing for the supply of goods, services or works of a kind not already provided for in the contract.

3.3.6. Where the modification is a 'below-threshold modification'. A modification is considered to be 'below-threshold modification' if:

- (a) the modification would not itself increase or decrease the estimated value of the Contract by more than 10% for service and supply Contracts and 15% for works Contracts, and
- (b) the aggregated value of below-threshold modifications would be less than the Threshold amount for the type of Contract, and
- (c) the modification would not materially change the scope of the Contract.

For the purposes of CPR 3.3.6 (b), where several successive modifications are made, the 'aggregated value of below-threshold modifications' is the amount of the estimated value of the contract after modification that is attributable to below-threshold modifications.

A reference to a modification changing the scope of a Contract is a reference to a modification providing for the supply of goods, services or works of a kind not already provided for in the contract.

3.3.7. Where the Council considers that a known risk has materialised that was not caused by any act or omission of the Council or the Contractor and:

- (a) because of that fact, the Contract cannot be performed to the satisfaction of the Council, and
- (b) the modification goes no further than necessary to remedy that fact, and

- (c) awarding a further contract (instead of modifying the contract) would not be in the public interest in the circumstances, and
- (d) the modification would not increase the estimated value of the Contract by more than 50 per cent, ignoring, for the purpose of estimating the value of the Contract, the fact that the risk has materialised.

For the purposes of CPR 3.3.7, a “known risk” means a risk that the Council considers:

- (i) could jeopardise the satisfactory performance of the Contract, but
- (ii) because of its nature, could not be addressed in the Contract as awarded, and
- (iii) was identified in the tender or transparency notice for award of the Contract, by reference to the matters set out in subparagraphs 3.3.7(a) to (d) above.

In considering whether awarding a new contract would be in the public interest, the Council:

- (1) must consider whether a new contract could provide more value for money, and
- (2) may consider technical and operational matters.

3.4. Where several successive modifications are made:

- 3.4.1. the limitations imposed by the proviso at the end of Rule 3.3.2 and by Rule 3.3.3(c) shall apply to the value of each modification; and
- 3.4.2. such successive modifications shall not be aimed at circumventing the Act.

3.5. Before modifying an above Threshold Contract or when a modification will take the Contract Value above the Threshold, the Council must publish a Contract Change Notice in accordance with Section 75 of the Act, except where:

- 3.5.1. The modification increases or decreases the estimated value of the contract in the case of goods/services by less than 10% or in the case of works by less than 15%, or
- 3.5.2. The modification increases or decreases the term of the contract by less than 10%.

Such notice shall contain the information set out in Regulation 40 of the Regulations.

3.6. Light Touch Contracts may be modified without reference to the conditions set out in 3.1 to 3.5, subject to the necessary approvals set out in CPR 3.7.

3.7. Approval to any modification of an existing Contract or Framework Agreement must be obtained, either:

3.7.1. from the Cabinet where the value of the modification of a Contract or Framework Agreement exceeds £100,000; or

3.7.2. in accordance with the Council's Scheme of Delegation of Functions where the value of the modification of a Contract or Framework Agreement does not exceed £100,000,

save that for modifications made in accordance with 3.3.1 and 3.3.4 approval may be obtained in accordance with the Council's Scheme of Delegation of Functions irrespective of the value of the modification.

Notification of Waiver and Modification

3.8. If the Appropriate Chief Officer is seeking approval from the Cabinet of a waiver from the Council's Contract Procedure Rules under Rule 3.2 or a modification to an existing Contract or Framework Agreement under Rule 3.3, the report to the Cabinet shall set out the reason for requiring the waiver or modification and the Contract Procedure Rule(s) from which the waiver or modification is required. The report shall include a legal and financial statement and shall highlight any future commitments (whether or not of a financial character) which the proposed Contract might entail.

3.9. Where the value of any waiver or modification does not exceed £100,000, the reasons for requiring the waiver or modification must be approved by the Corporate Procurement Manager, and recorded in accordance with the Scheme of Delegation of Functions.

3.10. Where a waiver is sought by the Appropriate Chief Officer in respect of obtaining quotations or tendering, the report to the Cabinet or record of the decision under the Council's Scheme of Delegation of Functions shall in addition to the requirements of Rules 3.8 and 3.9 justify the use of an alternative method of selection so that propriety, value for money and compliance with Legal Requirements can be demonstrated.

Purchasing Arrangements approved by the Corporate Procurement Manager

3.11. Purchasing arrangements made for the Council by the Corporate Procurement Manager do not constitute exceptions as such, because they are made under the full provisions of these Rules.

3.12. Correct use of these arrangements, as advised by the Corporate Procurement Manager will be sufficient to ensure officers meet their responsibilities for compliance. Such arrangements are mandatory and include, but are not limited to:

- 3.12.1. Purchasing Frameworks or Dynamic Markets endorsed for use by the Council, where items are specified and costed and the option of a Direct Award has been provided for .i.e., no requirement to undertake a further mini competition.
- 3.12.2. Collaborative procurement arrangements undertaken by, or in consultation with the Corporate Procurement Manager.
- 3.12.3. Electronic systems and catalogues endorsed for use by the Council in procurement.
- 3.13. The Appropriate Chief Officer must ascertain whether there is a Framework Agreement or Dynamic Market approved by the Corporate Procurement Manager for use by the Council. Where a Framework Agreement or Dynamic Market is available, it must be used in accordance with the guidance provided by the Corporate Procurement Manager.
- 3.14. Any joint procurement arrangements with other local authorities and or public sector bodies including membership or use of any consortia must be approved by the Corporate Procurement Manager.
- 3.15. Different legislation applies to Framework Agreements and Dynamic Markets set up by English contracting authorities (e.g Crown Commercial Services, ESPO, YPO). For example, Dynamic Markets set up by English contracting authorities cannot be used for below-threshold procurements.
- 3.16. Established Framework, Dynamic Market and consortia arrangements endorsed by the Corporate Procurement Manager for use by the Council shall be mandatory except where there is an applicable waiver or exemption, a copy of which shall be sent to the Corporate Procurement Manager.
- 3.17. Contracts to be awarded on the basis of a Framework Agreement or Dynamic Market must be in conformity with the Act. Where it is necessary to run a further mini competition, any subsequent mini-competition must be in accordance with the terms of the original Framework Agreement (except for the requirement to advertise and those stages in the procurement that are not applicable to a framework).

4. DELEGATED AUTHORITY TO ENTER INTO CONTRACTS

- 4.1. Each Chief Officer has been allocated the following functions under Scheme B2 of the Council's Scheme of Delegation of Functions (Functions delegated to Chief Officers without consultation and call-in) which shall be exercised where any proposed Contract administered by their Directorate/Office has an estimated value not exceeding £1,000,000.00:
 - (a) To authorise the invitation of tenders;
 - (b) To accept the Most Advantageous Tender received and enter into a Contract and any further deeds and documents which are supplemental to the Contract.

4.2. Each Cabinet Member has been allocated the following functions under Scheme A of the Council's Scheme of Delegation of Functions (Cabinet Functions delegated to Individual Cabinet Members) which shall be exercised where any proposed Contract falling within the Cabinet Member's portfolio has an estimated value exceeding £1,000,000.00 but not exceeding £5,000,000.00:

- (a) To authorise the invitation of tenders;
- (b) To accept the Most Advantageous Tender received and enter into a Contract and any further deeds and documents which are supplemental to the Contract.

4.3. Where the estimated value of any proposed Contract exceeds £5,000,000.00, the authority to do any of the following shall be sought from the Cabinet:

- (a) To authorise the invitation of tenders;
- (b) To accept the Most Advantageous Tender received and enter into a Contract and any further deeds and documents which are supplemental to the Contract.

5. CONFLICTS OF INTEREST

5.1. No member, employee or agent of the Council shall improperly use their position to obtain any personal or private benefit from any procurement entered into by the Council.

5.2. Members and employees of the Council shall comply with the requirements of Section 117 of the Local Government Act 1972, the Bribery Act 2010, and the Officers and Members code of conduct set out in the Constitution in respect of the declaration of interests in Contracts with the Council.

5.3. Such interests must be declared to the Monitoring Officer for inclusion in the appropriate registers.

5.4. Officers must complete a conflict of interests assessment form and declaration of interest form to identify any current or potential conflicts of interest, prior to participating in any tender exercise. Officers must keep their position regarding conflicts of interest under review throughout the process and update the form as necessary. A copy of the form can be found on the Corporate Procurement Page.

6. TRANSPARENCY REQUIREMENTS

6.1. Officers must comply with the transparency requirements of the Act in terms of notices which must be published on Sell2Wales. Officers must be suitably trained before they may publish any notices. A summary is set out below:

(i) Planning and pre-tender market engagement

Pipeline Notice – The Council's level of annual spend means that it must publish information on planned procurements in the coming financial year where the estimated contract value exceeds £2 million. This notice must be published 56 days prior to the start of the new financial year. Officers must provide colleagues in the procurement section with details of all new contracts with an estimated contract value of more than £2m which are planned for procurement within 18 months from the first day of the relevant financial year within the timescales to ensure compliance with this obligation.

Planned Procurement Notice - An optional notice to raise awareness of a specific opportunity and signpost to further information.

Preliminary Market Engagement Notice – Must be published if officers carry out preliminary market engagement.

(ii) Procurement

Tender Notice – Must be published to commence an above-threshold competitive procurement and invite tenders.

Transparency Notice – Must be published when officers intend to make a Direct Award (as defined in the Act) and before making any such award (except for Light Touch user choice Contracts).

Below-Threshold Tender Notice – This must be published prior to advertising a 'notifiable' below-threshold contract elsewhere.

Procurement Termination Notice – Must be published if the Council decides not to award a contract after publishing a tender or transparency notice.

(iii) Contract award

Assessment Summaries – Must be provided to each bidder who submitted a tender, at the end of the evaluation process.

Contract Award Notice – Must be published when the Council intends to award a Contract but can only be published after the Assessment Summaries have been issued to all bidders.

Contract Details Notice – Must be published within 30 days of the Contract Award notice (or 120 days in the case of Light Touch Contracts).

Below-Threshold Contract Details Notice - As above, but for notifiable below-threshold awards, and published as soon as is reasonably practicable after entering the contract.

(iv) Contract Management

Contract Change Notice – Must be published before a change is made to an existing contract that is above the prescribed value or contract duration

thresholds set out in the Act. The notice must describe the nature of the change, the impact on the contract and reasons for it being permitted under the Act.

Payments Compliance Notice – Must be published by the Council every six months, the notice sets out details of compliance with the requirement under the Act to pay suppliers within 30 days of receipt of an undisputed invoice.

Contract Performance Notice – Where the Contract value exceeds £5 million, the Council must include at least three KPIs within the Contract, monitor the supplier's performance against them and publish a notice on an annual basis.

Contract Termination Notice – Must be published within 30 days of a Contract expiring or terminating for any reason.

7. SELECTIVE TENDERING, INVITATION OF TENDERS AND QUOTATIONS

- 7.1. Subject to any overriding Legal Requirements, all procurements shall be invited in accordance with the competitive procedures set out in these Contract Procedure Rules.
- 7.2. The appropriate service budget holder shall prepare the relevant part of the Commissioning Form for all invitations to tender and quotations and submit that to the Corporate Procurement Manager for approval.
- 7.3. A record of tenders and quotations shall be maintained by the Monitoring Officer on the Corporate Contracts Register.
- 7.4. In the case of procurements that are required to be undertaken in accordance with the Act, the advice of the Corporate Procurement Manager must be sought at the outset and at all subsequent stages of the procurement process, and the Commissioning Form must be completed. The Act will take precedence over the Contract Procedure Rules.
- 7.5. The value of a procurement means the estimated total amount that the Council would expect to pay over its full duration. All material facts at the time of estimating the value must be taken into account, including any extension options and where applicable, the following considerations:

- 7.5.1. amounts already paid;
- 7.5.2. the value of any goods, services or works provided by the Council under the contract other than for payment;
- 7.5.3. the value of any option to supply additional goods, services or works;
- 7.5.4. any premiums, fees, commissions or interest that could be payable under the contract;
- 7.5.5. any prizes or payments that could be payable to participants in the procurement.

No procurement may be artificially split to avoid compliance with these Contract Procedure Rules and Legal Requirements. This Rule shall, however, not be construed as to avoid the requirements relating to “lots” under the Act.

- 7.6. For works Contracts all Contractors must be registered and verified on Constructionline. Constructionline show the Contractors and categories which have been pre-assessed with a recommended contract value. The recommended contract value is based on a financial risk assessment and is the maximum limit of work that must be placed with a Contractor without additional safeguards.
- 7.7. The basis of selection for companies on Constructionline shall be by way of rotation and/or the suitability of Contractors to undertake the project. Reasons for such choice must be recorded

Quotations

- 7.8. The invitation to submit quotations must include the specification, terms and conditions and evaluation criteria/weightings.
- 7.9. A reasonable time must be allowed for Contractors to return bids. Unless otherwise dictated by urgency, a minimum time period of not less than 14 days must be allowed for the return of quotations.
- 7.10. In accordance with the requirements of the Scheme of Delegation of Functions a record shall be kept by the Appropriate Chief Officer in the prescribed form. In any case in which at least three alternative written offers or quotations were not obtained, the Appropriate Chief Officer shall record the reasons why it was considered impracticable to do so. This should then be recorded on the Corporate Contracts Register.

Tenders

- 7.11. All of the invitation to tender documentation, including specification, evaluation criteria/weightings, must be approved by the Corporate Procurement Manager.
- 7.12. A minimum time period of not less than 14 days must be allowed for the return of tenders, except where the tender is subject to the Act in which case the time periods specified in the Act are applicable.
- 7.13. The Welsh Government approved approach as standard to Supplier selection must be applied and followed.
- 7.14. All tenders must be conducted transparently, fairly and in a non-discriminatory manner, in accordance with the following objectives:
- 7.14.1. delivering value for money;
 - 7.14.2. maximising public benefit;
 - 7.14.3. sharing information for the purpose of allowing suppliers and others to understand the authority's procurement policies and decisions;
 - 7.14.4. acting, and being seen to act, with integrity.

8. THRESHOLDS AND ADVERTISING REQUIREMENTS

- 8.1. The following procedural requirements must be applied for all Contracts within the applicable threshold unless any grant funding conditions dictate otherwise. If the minimum number of businesses required for quotations cannot be identified the Corporate Procurement Unit will put an advertisement on Sell2Wales for the requirement. All quotes and tenders must be conducted electronically. The thresholds below do not apply to procurement through existing Framework Agreements endorsed for use by the Council.
- 8.2. Thresholds for all goods & services Contracts (except works Contracts) and advertising requirements are as follows and are set out in the Summary of Advertising (a copy of which can be found on the Corporate Procurement Page):
- 8.2.1. Up to £30,000 it is necessary to demonstrate that value for money is being achieved but no set procedural requirements apply.
 - 8.2.2. Over £30,000 to £100,000 a minimum of two quotes to be requested from businesses preferably registered on Sell2Wales.
 - 8.2.3. Over £100,000 to Threshold level a minimum of three to be requested from businesses preferably registered on Sell2Wales.
 - 8.2.4. Above Threshold, requirements must be tendered and advertised on Sell2Wales in accordance with Legal Requirements and with such other advertising as directed by the Corporate Procurement Manager.

8.3. Thresholds for works Contracts and advertising requirements are as follows and are set out in the Summary of Advertising (a copy of which can be found on the Corporate Procurement Page):

8.3.1. Contract Up to £30,000 it is necessary to demonstrate that value for money is being achieved using contractors with Safety Schemes in Procurement (SSIP) accreditation and registered and verified to a bronze level on Constructionline but no other set procedural requirements apply.

8.3.2. Over £30,000 to £250,000 a minimum of two quotes to be requested from businesses with Safety Schemes in Procurement (SSIP) accreditation and registered and verified to a bronze level on Constructionline.

8.3.3. Over £250,000 to £1,000,000 a minimum of three quotes to be requested from businesses with Safety Schemes in Procurement (SSIP) accreditation and registered and verified to a bronze level on Constructionline.

8.3.4. Over £1,000,000 to Threshold level requirements must be tendered and advertised on Sell2Wales in accordance with such other advertising as directed by the Corporate Procurement Manager.

8.3.5. Above Threshold, requirements must be tendered and advertised on Find a Tender in accordance with Legal Requirements and with such other advertising as directed by the Corporate Procurement Manager.

8.4. Thresholds for Light Touch Contracts and advertising requirements are as follows and are set out in the Summary of Advertising (a copy of which can be found on the Corporate Procurement Page):

8.4.1. Up to £30,000 it is necessary to demonstrate that value for money is being achieved but no set procedural requirements apply.

8.4.2. Over £30,000 to £250,000 a minimum of two quotes to be requested from businesses preferably registered on Sell2Wales.

8.4.3. Over £250,000 a minimum of three quotes to be requested from businesses preferably registered on Sell2Wales.

8.4.4. Above Threshold, requirements must be tendered and advertised on Find a Tender in accordance with Legal Requirements and with such other advertising as directed by the Corporate Procurement Manager.

8.5. Regulated Below Threshold Contracts

8.5.1. Contracts which are above £30,000 and which are not concession, utilities or exempted Contracts are known as Regulated Below Threshold Contracts and the following requirements apply:

- (a) The Council must consider whether there are any particular barriers to competition for small and medium-sized enterprises and whether any such barriers can be removed or reduced. This requirement does not apply to an award from a Framework Agreement.
- (b) If the Council is going to advertise the opportunity, it must place a Below Threshold Tender Notice on Sell2Wales before advertising or inviting tenders by other means. All tenders must be conducted electronically.
- (c) A Contract Details Notice must be published on Sell2Wales as soon as reasonably practicable after entering the Contract.

8.6. Additional Advertising

8.6.1. Where it is considered appropriate to use additional advertising e.g. specialist requirements, they should be placed in one or more of the following:

- (a) A local newspaper.
- (b) Trade Journal.

8.6.2. Where additional advertisements have been placed as outlined in Rule 8.6.1 the advertisement shall:

- (a) Specify details of the Contract into which the Council wishes to enter.
- (b) Invite persons or bodies interested to apply for permission to tender.
- (c) Specify a time limit of not less than 14 days within which such applications or tenders are to be received by the Council, except where legislation or funding conditions dictates a different time period. Indicate the criteria and weighting to be used to select Tenderer and award the Contract, unless this is specified in the ITT.

9. PRELIMINARY MARKET ENGAGEMENT

9.1. The Council may conduct market consultation prior to seeking quotations or the issue of any tender. This may involve seeking or accepting advice from the market. This advice can be used in the planning and conducting of the procurement process as long as suppliers participating in the market engagement are not put at an unfair advantage and it does not distort competition. If the Council does conduct market consultation for above Threshold Contracts, it must publish a preliminary market engagement

notice in accordance with the Act or provide reasons for not doing so in the tender notice.

10. PROCUREMENT BY CONSULTANTS

- 10.1. Where the Council uses consultants to act on its behalf in relation to any procurement, then the Appropriate Chief Officer shall ensure that the consultants carry out any procurement in accordance with these Contract Procedure Rules.
- 10.2. All decisions must be made in accordance with the Council's Scheme of Delegation of Functions.
- 10.3. No consultant shall make any decision on whether to award a Contract or who a Contract should be awarded to. The Appropriate Chief Officer shall ensure that the consultant's performance in relation to procurement is in accordance with these Contract Procedure Rules and legislation.
- 10.4. Where the Council uses consultants to act on its behalf in relation to any procurement the consultant must declare any potential conflict of interest that may arise to the relevant Appropriate Chief Officer prior to the commencement of the procurement process or at such time that the Contractor becomes aware of such a potential conflict of interest.
- 10.5. Where the Appropriate Chief Officer considers that such a conflict of interest is significant the consultant shall not be allowed to participate in the procurement process.

11. OTHER PROCUREMENT PROCEDURES

- 11.1. The use of reserved, concessionary contracts and dynamic markets may only be used following consultation and prior approval by the Corporate Procurement Manager.

12. NAMING PRODUCTS SUB-CONTRACTORS AND SUPPLIERS

- 12.1. The principle of non-discriminatory and equal treatment is undermined by the naming by the Council of products, Suppliers or sub-Contractors. Equivalents are nearly always able to be specified and will be advertised with the wording "or equivalent" where possible.
- 12.2. Where the Council has determined that a particular type of product or provision of service will be stipulated as an essential requirement of a Contract then this must be approved by the Appropriate Chief Officer following consultation with the Corporate Procurement Manager.
- 12.3. Main contractors must notify the Council of the name, contact details and legal representatives of its sub-contractors in so far as known at the time. This should take place after the award of the contract or, at the very latest, when the performance of the contract commences.

- 12.4. The Council may verify whether there are grounds for exclusion of sub-contractors, and must require the main contractor to replace a sub-contractor if there are mandatory grounds for exclusion and may require replacement (Section 28 of the Act).
- 12.5. Where the Council requires sub-contracting, or where a supplier has indicated to the council that they intend to sub-contract, then the sub-contractor must meet the conditions of participation of the procurement, and the supplier must enter into a legally binding agreement with the proposed sub-contractor. If it doesn't, the Council may choose not to enter into contract with the supplier, require them to enter into a sub-contracting arrangement with another supplier or terminate the contract if it has already been awarded. Where sub-contractors will be used, the contract should include a clause expressly requiring the main contractor to ensure sub-contractors receive payment within 30 days of presenting a valid invoice.

13. COMMUNICATION WITH BIDDERS

- 13.1. All correspondence between the Council and bidders must be concluded via the approved portal to maintain a defined audit trail. Under no circumstances may email correspondence outside the portal be used. Any verbal communication specific to the quote or tender must only be communicated through the relevant category specialist and must be confirmed via the portal. All clarification questions must be broadcast to all prospective bidders, where applicable i.e. not commercially sensitive.
- 13.2. The requirements for the submissions of bids must be set out in the Invitation to Tender (ITT) document issued to bidders via the portal. This will specify the return date and time, which will normally be 12 noon on the agreed date. The time and date when bidders upload their completed documents onto the system is recorded and forms part of an audit record.
- 13.3. Any late bids submitted will be recorded by the system and must be disqualified. A report will be required from the system administrator of the portal that there has been no system malfunction if a bidder challenges the disqualification.
- 13.4. Tenders must be opened electronically in accordance with Rule 15.

14. SUBMISSION AND CUSTODY OF TENDERS AND QUOTATIONS

- 14.1. Where tenders are invited in accordance with these Contract Procedure Rules or otherwise as determined by the Cabinet, the requirements for submission of tenders shall be set out in the invitation to tender document.
- 14.2. Electronic tenders and quotes are held in the approved portal and are inaccessible until the specified closing date and time.

15. OPENING OF ELECTRONIC TENDERS

- 15.1. Quotations or tenders for requirements having an estimated value or amount exceeding £30,000 and not exceeding £100,000 shall be opened via the approved portal at the same time in the presence of one officer from the corporate procurement team, this is to include the technical and commercial envelope.
- 15.2. Tenders for Contracts having an estimated value or amount over £100,000 and not exceeding £1,000,000 shall be opened at the same time in the presence of two officers, one designated by the Monitoring Officer and the other an officer from the corporate procurement team, this is to include the technical and commercial envelope.
- 15.3. Tenders for Contracts having an estimated value or amount exceeding £1,000,000 shall be opened at the same time in the presence of the Monitoring Officer or their nominated representative and two further officers usually an officer from Democratic Services and an officer from the corporate procurement team.
- 15.4. All tenders opened in accordance with this Rule 15 shall include the Technical and Commercial envelope within the approved portal.
- 15.5. A record shall be kept of all tenders and quotations received through the approved portal approved by the Monitoring Officer, including any reasons for disqualification.

16. AMENDMENT OF TENDERS

- 16.1. If an error is identified in the invitation to tender documentation before the closing date for the return of tenders, all tenderers shall be appraised of the error and invited to adjust their tenders.
- 16.2. If an error in the invitation to tender documentation is identified after the closing date for the return of tenders, but prior to opening of tenders, all tenderers shall be given details of the error and afforded the opportunity of withdrawing the tender or submitting an amended tender.
- 16.3. Except as provided in this Rule 16, a tender may not be amended by the tenderer after it has been received unless examination of it reveals errors or discrepancies which would affect the tender figure in an otherwise successful tender, in which case:
 - 16.3.1. If the error is not arithmetical the tenderer shall be given details of the error(s) and shall be given the opportunity of confirming without amendment or withdrawing the tender, or
 - 16.3.2. If the error is arithmetical the Appropriate Chief Officer shall correct the error(s) provided that, apart from these genuine arithmetic error(s), no other adjustment revision or qualification is permitted.

17. POST-TENDER NEGOTIATION AND CLARIFICATION

- 17.1. Where procurement is conducted pursuant to the Act through either the open or competitive flexible procedure, no post-tender negotiations are permitted. Any negotiation in respect of the competitive procedure with negotiation must comply with the requirements of the Act.
- 17.2. The responsible officer may seek clarification from tenderers where appropriate following consultation with the Corporate Procurement Manager.
- 17.3. Where procurements do not exceed Threshold the Appropriate Chief Officer may authorise negotiations in exceptional circumstances, following the opening of tenders and before acceptance, subject to compliance with any Legal Requirements, and only when:
 - 17.3.1. Amendments have been made to any relevant specification since the invitation of tenders, which could not have been foreseen at the invitation stage, or
 - 17.3.2. The volume of goods, works or services required by the Council has substantially increased or decreased since the invitation of tenders, or
 - 17.3.3. Only one tender has been received, or
 - 17.3.4. Tender prices exceed financial targets predetermined by the Council, the Cabinet or the appropriate Committee,in all instances, the possibility of such negotiations must have been indicated in the invitation to tender.
- 17.4. Negotiations shall be conducted in a manner which treats all tenderers equally and is non-discriminatory and transparent at all times during the procurement process, and a full record of the negotiations shall be made by the Appropriate Chief Officer which shall include the names of the officers involved, minutes of all meetings and copies of all relevant correspondence and other documents.

18. EVALUATION OF TENDERS

- 18.1. The Appropriate Chief Officer shall examine tenders in accordance with predetermined evaluation criteria.
- 18.2. In respect of all tenders the tender criteria shall be Most Advantageous Tender (which can be the lowest/highest price only where appropriate) and the evaluation criteria shall as a minimum be listed in the invitation to tender documentation in order of importance. Any particular scoring or weighting attributable to any criteria and sub-criteria must be clearly stated. In addition, the criteria must be strictly observed and remain unchanged at all times throughout the Contract award procedure.

- 18.3. Tenders must be checked for compliance with the exclusion grounds set out in the Act, depending on the tenderers, connected persons and named sub-contractors must also be checked against the central debarment list. If the name appears, advice should be sought from procurement colleagues as to any further action required.

19. ACCEPTANCE AND AWARD OF TENDERS

- 19.1. A Contract shall only be awarded subject to the tender evaluation criteria specified in the invitation to tender document.
- 19.2. Tenders for Contracts having an estimated value exceeding £5,000,000 may be invited and accepted only by the Cabinet unless the power to do so has been specifically allocated or delegated to a Cabinet Member or Appropriate Chief Officer.
- 19.3. No tender relating to a Contract to which Sections 2 to 9 of the Local Government (Contracts) Act 1997 apply, shall be accepted without the approval of the Monitoring Officer.
- 19.4. Before a tender is accepted other than for the sale of goods the Appropriate Chief Officer must obtain the Chief Finance Officer's confirmation that the tenderer's financial standing is satisfactory, unless the tenderer has already been approved using the prequalification of the tender process.
- 19.5. The award of any Contract shall be in accordance with the Act and any other Legal Requirements.
- 19.6. If the award of any Contract is subject to the Act then there shall be a standstill period of at least eight working days between the publication of the Contract Award Notice and the entering into of that Contract.
- 19.7. The Contract Award Notice issued as part of a tender process under the Act must not be issued prior to approval of award in accordance with the Council's constitution.
- 19.8. Feedback to unsuccessful tenderers must be included in Assessment Summaries and must include the characteristics and relative advantages of the tender selected.
- 19.9. Where a tender above Threshold has been tendered and advertised on Sell2Wales, the Council shall publish a Contract Award Notice on Sell2Wales which will follow the issue of the Assessment Summaries to all bidders who submitted a tender. Publication of the Contract Award Notice will trigger the standstill period.
- 19.10. All correspondence notifying evaluation outcomes must be communicated through the approved portal.

20. LETTERS OF INTENT

- 20.1. Letters of intent shall only be used with the agreement of the Monitoring Officer and only in exceptional circumstances.
- 20.2. Where the terms and conditions of the Contract are not fully agreed no Contractor shall be allowed on site to begin preliminary works until a full risk assessment has been carried out by the Appropriate Chief Officer as to possible implications to the Council of the Contractor being allowed to start on site before the Contract terms and conditions have been finalised.

21. EXECUTION OF CONTRACTS

- 21.1. Every Contract not exceeding £500,000 in amount or value shall be in writing in a form approved by the Monitoring Officer such form being the Form of Tender. However the Form of Tender should not be used in the following situations and a formal Contract must be entered into:
 - 21.1.1. where the appropriate Chief Officer has assessed the level of risk associated with the Contract including the potential for challenge or latent defects and deems the level of risk to be high,
 - 21.1.2. where the Contract is being procured through a Framework or Dynamic Market and the applicable call off procedure requires the use of another form of contract, or
 - 21.1.3. where the Contract must be executed as a deed under seal.
- 21.2. The Form of Tender must be issued as part of the tender and must be signed and returned by the bidder. On contract award the signed Form of Tender must be issued with the award letter, signed by either the Appropriate Chief Officer or the Monitoring Officer, or another officer authorised in writing to sign on behalf of the Appropriate Chief Officer or the Monitoring Officer. Both Parties are to keep a signed Form of Tender.
- 21.3. Every Contract, including Framework Agreement call off contracts, which exceeds £500,000 in amount or value, shall be referred to the Monitoring Officer to approve the form of contract prior to issuing invitations to tender.
- 21.4. Contracts in writing or official orders not executed as a deed under seal may be signed either by the Appropriate Chief Officer or by an officer in writing authorised to approve on behalf of the Appropriate Chief Officer.
- 21.5. Every Contract for Works (other than Framework Agreements) exceeding £1,000,000 shall require a performance bond and for Contracts below this limit the Appropriate Chief Officer shall determine the necessity for a Performance Bond based on an assessment of risk for that Contract. A Surety shall be approved by the Chief Finance Officer.
- 21.6. A risk assessment shall be conducted for all service Contracts to determine the necessity for a performance bond. The approval of the Chief Finance

Officer is required where a performance bond is not deemed necessary for service Contracts in excess of £1,000,000 in value.

21.7. Contracts not exceeding £500,000 may be signed electronically except in the following situations:

21.7.1. where the appropriate Directorate has assessed the level of risk associated with the Contract and it deems the level of risk to be high; or

21.7.2. where the Contract must be executed as a deed under seal.

21.8. The use of electronic signature must be in accordance with the procedure set down by the Corporate Procurement Manager.

22. ASSIGNMENT AND NOVATION

22.1. Any Contract subject to potential assignment or novation must be referred to the Monitoring Officer at the earliest possible instance.

23. TERMINATION OF CONTRACTS

23.1. For any Contract, or part thereof, exceeding £100,000 in value, early termination shall be approved by the Appropriate Chief Officer in consultation with the Monitoring Officer and the Chief Finance Officer and must be in accordance with the termination provisions set out in the Contract. Contracts of a lesser value may be terminated early by agreement prior to the expiry date or in accordance with the termination provisions set out in the Contract.

23.2. Whenever an above Threshold Contract is terminated a Contract Termination Notice must be published within thirty (30) days of the termination date.

24. FINANCIAL LIMITS

24.1. With the exception of the financial limit specified in Rule 21, which may be varied only by the Council, the financial limits specified in these Contract Procedure Rules or any of them may be varied at any time by the Monitoring Officer in consultation with the Chief Finance Officer, but any alterations shall be reported to the next meeting of the Council.

25. RECORD AND DOCUMENT RETENTION AND CONTROL

25.1. A full report of all Contracts awarded should be written and kept electronically (a checklist of what the report should contain can be found on the Corporate Procurement Page).

25.2. A full record of all documents used including the Delegated Power to invite and accept, any other internal approvals, should be scanned and uploaded into the approved portal or procurements 'o' drive against the specific Contract reference number.

- 25.3. All Contracts under seal i.e. Deeds (inc. Tenders) must be retained for a minimum of 12 years after the term of the Contract has expired. Contracts which have not been sealed must be retained for a minimum of 6 years after the term of the Contract has expired, unless a longer period is required by legislation or grant conditions.
- 25.4. Unsuccessful tender and pre-qualifying documents which have been accepted for tender purposes will be retained for a minimum period of 2 years after the start of the Contract within the approved portal.
- 25.5. Any tender which is rejected or disqualified at the time of opening will be notified via the approved portal.
- 25.6. All request for quotations must be retained for a minimum period of 2 years after the term of the Contract has expired.
- 25.7. Where Contracts are subject to the Act, they must also comply with the record, document retention and control requirements of the Act, including keeping records which are sufficient to explain any material decisions made for the purpose of awarding or entering into a Contract.

26. CONTRACT MANAGEMENT

- 26.1. The officer identified on the Commissioning Form will act as the Contract Manager and will be responsible for ensuring the obligations of these Rules and ensuring that all Legal Requirements are fulfilled. The Appropriate Chief Officer must ensure that the appointed Contract Manager has the appropriate skills, experience and training.
- 26.2. A Contract must not start until the Contract has been signed or sealed by both parties and dated without the prior approval of the Monitoring Officer. Contract Managers must allow time for this in their forward work plan.
- 26.3. Within ten calendar days of the start of the Contract, the Contract Manager must add the details of the Contract onto the Corporate Contracts Register and record all the required information within etenderwales. These details must be maintained and updated as and when required to do so. Contract Managers should contact the Corporate Procurement Manager if training is required.
- 26.4. Every above Threshold Contract with a total estimated value of more than £5m must include at least three key performance indicators (KPI's) (excluding Light Touch Contracts). These must be included in the Contract Details Notice.
- 26.5. The Contract Manager is responsible for:

- 26.5.1. Managing the Contract and ensuring that it is carried out in accordance with its terms and conditions.
- 26.5.2. Monitoring the Contractor's performance including where relevant, performance against KPI's and carrying out mid-Contract reviews to determine ongoing value for money.
- 26.5.3. Publishing a Contract Performance Notice where required, to report annual KPI scores for public contracts valued above £5m and poor supplier performance / breach of contract within 30 days of the event (not required for Light Touch Contracts).
- 26.5.4. Ensuring that the Contractor maintains the insurance policies required by the Contract.
- 26.5.5. Keeping a record of all payments, claims, monitoring, changes and certificates under the Contract.
- 26.6. The Contract Manager must consult the Monitoring Officer for consideration of the Council's legal position:
 - 26.6.1. Before any Contract is to be terminated or suspended; or
 - 26.6.2. In the event of a claim for payment not clearly within the terms and conditions of Contract.
- 26.7. Whenever an above Threshold Contract expires or is terminated, the Contract manager must publish a Contract Termination Notice within thirty (30) days of that expiry/termination.

27. CORPORATE CONTRACTS REGISTER

- 27.1. The Corporate Contracts Register is held within the approved portal and all quotations and tenders conducted must be created into a register entry. It is the responsibility of each Contract Manager to create and maintain their own Contracts within the portal.
- 27.2. It is the responsibility of each Contract Manager to update the register following a quotation or tender process within the approved portal.
- 27.3. Any officer that requires training must contact the Corporate Procurement Unit.

28. REVIEW AND AMENDMENT OF CONTRACT PROCEDURE RULES

- 28.1. The Corporate Procurement Manager shall continually review these Contract Procedure Rules and shall undertake a formal review at least every three years.
- 28.2. With the exception of Rule 24.1 the Monitoring Officer shall have authority to make alterations of a minor nature or such as are required to be enacted

immediately to ensure compliance with statutory obligations. Any minor changes will be reported to the next meeting of the Council.

Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	CABINET, COUNCIL AND OVERVIEW AND SCRUTINY COMMITTEES FORWARD WORK PROGRAMMES
Report Owner / Corporate Director:	CHIEF OFFICER – LEGAL AND REGULATORY SERVICES, HR AND CORPORATE POLICY
Responsible Officer:	MARK GALVIN – SENIOR DEMOCRATIC SERVICES OFFICER - COMMITTEES
Policy Framework and Procedure Rules:	There is no impact on the policy framework and procedure rules.
Executive Summary:	The report is required in order to outline the planned programme of items proposed to be considered at Cabinet, Council and Overview and Scrutiny Committee meetings in the six coming months. The publishing of this report will benefit the public in terms of them being made aware of such key items of business in advance.

1. Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet approval for items to be included on the Cabinet Forward Work Programme for the period 1 March 2025 to 31 August 2025 and for Cabinet to note the Council and Overview and Scrutiny Committees' Forward Work Programmes for the same period.

2. Background

- 2.1 The Forward Work Programme is usually prepared by the Monitoring Officer to cover a period of four months except when ordinary elections of councillors occur. However, following a recent recommendation from the Audit Wales, this in future will be amended to cover six months. The reason for this is, to give more opportunity for robust pre-decision scrutiny and provide greater transparency around the decision-making process for both Members and the public.
- 2.2 The Forward Work Programme will contain matters which the Cabinet, Overview and Scrutiny Committees and full Council are likely to consider. It will contain information on:
 - (a) the timetable for considering the Budget and any plans, policies or strategies forming part of the Policy Framework and requiring Council approval, and which body is to consider them;

responsibility of the Cabinet;

- (c) the work programme of the Overview and Scrutiny Committees, to the extent that it is known.

3. Current situation / proposal

- 3.1 The proposed Forward Work Programmes for the above period are appended to the report, as follows:

- Cabinet - **Appendix 1**
- Council - **Appendix 2**
- Overview and Scrutiny Committees - **Appendix 3**

- 3.2 Following consideration by Cabinet, the Forward Work Programmes will be published on the Council's website.

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 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 or corporate parent implications arising from this report.

8. Financial Implications

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

9. Recommendations

Cabinet is recommended to:

- Approve the Cabinet Forward Work Programme for the period 1 March 2025 to 31 August 2025 at **Appendix 1**;

- Note the Council and Overview and Scrutiny Committees' Forward Work Programmes for the same period, as shown at **Appendix 2** and **Appendix 3** of the report, respectively.

Background documents

None.

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CABINET FORWARD WORK PROGRAMME - 1 MARCH 2025 TO 31 AUGUST 2025

Date	Title of Report	Contact Officer
11 Mar 25	Non-Domestic Rates Discretionary Relief: Retail, Leisure and Hospitality Rates Relief Scheme 2025-26	Carys Lord Chief Officer - Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
11 Mar 25	Treasury Management Quarterly Report to December 2024	Carys Lord Chief Officer - Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
11 Mar 25	Homelessness Temporary Accommodation	Carys Lord Chief Officer - Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
11 Mar 25	Future Local School Improvement and Regional Professional Learning arrangements	Lindsay Harvey Corporate Director – Education, Early Years and Young People Tel: 01656 642612 Email: Lindsay.Harvey@bridgend.gov.uk

Date	Title of Report	Contact Officer
11 Mar 25	School Modernisation Programme - Coety Primary School, four-classroom extension - modification to the implementation date of the enlargement	Lindsay Harvey Corporate Director – Education, Early Years and Young People Tel: 01656 642612 Email: Lindsay.Harvey@bridgend.gov.uk
11 Mar 25	Outcomes of Estyn Inspections of Schools in Bridgend during Autumn Term 2024	Lindsay Harvey Corporate Director – Education, Early Years and Young People Tel: 01656 642612 Email: Lindsay.Harvey@bridgend.gov.uk
11 Mar 25	Social Services and Wellbeing Daytime Opportunities Review and Modelling	Claire Marchant Corporate Director Social Services & Wellbeing Tel: 01656 643248 Email: Claire.marchant@bridgend.gov.uk
11 Mar 25	Social Services and Wellbeing Accommodation Based Services Review	Claire Marchant Corporate Director Social Services & Wellbeing Tel: 01656 643248 Email: Claire.marchant@bridgend.gov.uk
11 Mar 25	Health and Social Care Regional Memorandum of Understanding	Claire Marchant Corporate Director Social Services & Wellbeing Tel: 01656 643248 Email: Claire.marchant@bridgend.gov.uk
11 Mar 25	Draft Supplementary Planning Guidance (SPG): Retail and Commercial Development	Janine Nightingale Corporate Director Communities

Date	Title of Report	Contact Officer
		Tel: 01656 643241 Email: Janine.nightingale@bridgend.gov.uk
11 Mar 25	Joint Vehicle Maintenance (JVM) Service with South Wales Police	Janine Nightingale Corporate Director Communities Tel: 01656 643241 Email: Janine.nightingale@bridgend.gov.uk
11 Mar 25	Owners Agreement for Porthcawl Waterfront Regeneration and Porthcawl Pavilion Contract	Janine Nightingale Corporate Director Communities Tel: 01656 643241 Email: Janine.nightingale@bridgend.gov.uk
11 Mar 25	Fleet Replacement Programme	Janine Nightingale Corporate Director Communities Tel: 01656 643241 Email: Janine.nightingale@bridgend.gov.uk
11 Mar 25	Revised Contract Procedure Rules	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.watson@bridgend.gov.uk
8 Apr 25	Assisted Transport Policy	Claire Marchant Corporate Director Social Services & Wellbeing

Date	Title of Report	Contact Officer
		Tel: 01656 643248 Email: Claire.marchant@bridgend.gov.uk
8 Apr 25	Care Inspectorate Wales Inspection of BCBC's Regulated Services in Adult Social Care	Claire Marchant Corporate Director Social Services & Wellbeing Tel: 01656 643248 Email: Claire.marchant@bridgend.gov.uk
8 Apr 25	Corporate Plan Delivery Plan 2025-26	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.watson@bridgend.gov.uk
14 May 25	Proposed dates for meetings of Cabinet, Cabinet Equalities Committee and Cabinet Committee Corporate Parenting	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.watson@bridgend.gov.uk
24 Jun 25	Representation on Outside Bodies, Joint Committees and other Cabinet Committees	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.watson@bridgend.gov.uk

Date	Title of Report	Contact Officer
24 Jun 25	Revenue Budget Outturn 2024-25	Carys Lord Chief Officer – Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
24 Jun 25	Direct Payments Policy	Claire Marchant Corporate Director Social Services & Wellbeing Tel: 01656 643248 Email: Claire.marchant@bridgend.gov.uk
22 Jul 25	Budget Monitoring 2025-26 Q1 Revenue Forecast	Carys Lord Chief Officer – Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
22 Jul 25	Capital Programme Outturn 2024-25 and Q1 Update 2025-26	Carys Lord Chief Officer – Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk

Date	Title of Report	Contact Officer
22 Jul 25	Treasury Management Outturn Report 2024-25	Carys Lord Chief Officer – Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
22 Jul 25	Treasury Management Q1 2025-26	Carys Lord Chief Officer – Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk

COUNCIL FORWARD WORK PROGRAMME – 1 MARCH 2025 TO 31 AUGUST 2025

Date	Title of Report	Contact Officer
12 Mar 25	Revised Contract Procedure Rules	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.Watson@bridgend.gov.uk
12 Mar 25	Independent Remuneration Panel for Wales Annual Report 2025-26	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.Watson@bridgend.gov.uk
12 Mar 25	Pay Policy Statement 2025-26	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.Watson@bridgend.gov.uk
12 Mar 25	Fleet Replacement Programme	Janine Nightingale Corporate Director Communities Tel: 01656 643241

Date	Title of Report	Contact Officer
		Email: Janine.nightingale@bridgend.gov.uk
12 Mar 25	Related Party Transactions 2024-25 for Statement of Accounts	Carys Lord Chief Officer - Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
12 Mar 25	Budget 2025-26	Carys Lord Chief Officer - Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
12 Mar 25	Governance and Audit Committee Annual Report 2023-24	Carys Lord Chief Officer - Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
12 Mar 25	Capital Support for the Grand Pavilion Porthcawl Project	Janine Nightingale Corporate Director Communities Tel: 01656 643241 Email: Janine.nightingale@bridgend.gov.uk Carys Lord

Date	Title of Report	Contact Officer
		Chief Officer - Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
9 Apr 25	Corporate Plan Delivery Plan 2025-26	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.Watson@bridgend.gov.uk
14 May 25	Appointments to Council Committees and Other Bodies	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.Watson@bridgend.gov.uk
14 May 25	Programme of Meetings of Council and Other Committees	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.Watson@bridgend.gov.uk
14 May 25	Representation on Outside Bodies and Other Committees	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.Watson@bridgend.gov.uk

Date	Title of Report	Contact Officer
25 Jun 25	Revenue Budget Outturn 2024-25	Carys Lord Chief Officer - Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
23 Jul 25	Capital Programme Outturn 2024-25 and Q1 Update 2025-26	Carys Lord Chief Officer - Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
23 Jul 25	Treasury Management Outturn Report 2024-25	Carys Lord Chief Officer - Finance, Housing and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk

APPENDIX 3**OVERVIEW AND SCRUTINY FORWARD WORK PROGRAMME – 1 MARCH 2025 – 31 AUGUST 2025**

Date	Title of Report	Scrutiny Committee	Contact Officer
13 Mar 25	<ul style="list-style-type: none"> - Community and Library Hubs - Children's Placement Commissioning Strategy 	Subject Overview and Scrutiny Committee 2	Claire Marchant Corporate Director Social Services & Wellbeing Tel: 01656 643248 Email: Claire.marchant@bridgend.gov.uk
17 Mar 25	<ul style="list-style-type: none"> - Quarter 3 Performance Report 2024-25 - Scrutiny Review - Corporate Plan review for 2025/26 	Corporate Overview and Scrutiny Committee	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.watson@bridgend.gov.uk Mark Shephard Chief Executive Tel: 01656 643380 Email: Mark.Shephard@bridgend.gov.uk

Date	Title and Description of Report	Scrutiny Committee	Contact Officer
	- Disabled Facilities Grants		Carys Lord Chief Officer - Finance, Performance and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk
31 Mar 25	- School Modernisation Programme	Subject Overview and Scrutiny Committee 1	Lindsay Harvey Corporate Director – Education and Family Support Tel: 01656 642612 Email: Lindsay.harvey@bridgend.gov.uk
7 Apr 25 (subject to change)	- Maesteg Town Hall (Provisional) OR - Porthcawl Regeneration OR - Bridgend Town Centre Masterplan and Regeneration	Subject Overview and Scrutiny Committee 3	Janine Nightingale Corporate Director, Communities Tel: 01656 643179 Email: Janine.Nightingale@bridgend.gov.uk

Date	Title and Description of Report	Scrutiny Committee	Contact Officer
1 May 25	- TBC	Subject Overview and Scrutiny Committee 2	Claire Marchant Corporate Director Social Services & Wellbeing Tel: 01656 643248 Email: Claire.marchant@bridgend.gov.uk
8 May 25	- Pupil Behaviour, Exclusions and Attendance	Subject Overview and Scrutiny Committee 1	Lindsay Harvey Corporate Director – Education and Family Support Tel: 01656 642612 Email: Lindsay.harvey@bridgend.gov.uk
30 Jun 25 (Subject to agreement at Annual Council)	<ul style="list-style-type: none"> - Election of Chairperson - Corporate Parenting Champion Nomination - Draft Forward Work Programme (including Q3 Performance Dashboards & Regulatory tracker) - Corporate Plan Delivery Plan 2025-26 	Corporate Overview and Scrutiny Committee	Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.watson@bridgend.gov.uk Mark Shephard Chief Executive Tel: 01656 643380

Date	Title and Description of Report	Scrutiny Committee	Contact Officer
	- Revenue Budget Outturn 2024-25		<p>Email: Mark.Shephard@bridgend.gov.uk</p> <p>Carys Lord Chief Officer - Finance, Performance and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk</p>
3 July (Subject to agreement at Annual Council)	- TBC	Subject Overview and Scrutiny Committee 1	<p>Lindsay Harvey Corporate Director – Education and Family Support Tel: 01656 642612 Email: Lindsay.harvey@bridgend.gov.uk</p>
9 July (Subject to agreement at Annual Council)	- TBC	Subject Overview and Scrutiny Committee 2	<p>Claire Marchant Corporate Director Social Services & Wellbeing Tel: 01656 643248 Email: Claire.marchant@bridgend.gov.uk</p>

Date	Title and Description of Report	Scrutiny Committee	Contact Officer
14 July (Subject to agreement at Annual Council)	- TBC	Subject Overview and Scrutiny Committee 3	Janine Nightingale Corporate Director, Communities Tel: 01656 643179 Email: Janine.Nightingale@bridgend.gov.uk
24 July (Subject to agreement at Annual Council)	<ul style="list-style-type: none"> - Budget Monitoring 2025-26 – Quarter 1 Revenue Forecast - Quarter 4 / Year End Performance 2024-25 - Corporate Self-Assessment 2024-25 	Corporate Overview and Scrutiny Committee	Carys Lord Chief Officer - Finance, Performance and Change Tel: 01656 643302 Email: Carys.Lord@bridgend.gov.uk Kelly Watson Chief Officer, Legal and Regulatory Services, HR and Corporate Policy Tel: 01656 643248 Email: Kelly.watson@bridgend.gov.uk
August - Summer Break – No Committee Meetings			

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Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	DRAFT SUPPLEMENTARY PLANNING GUIDANCE (SPG): RETAIL AND COMMERCIAL DEVELOPMENT
Report Owner / Corporate Director:	CORPORATE DIRECTOR – COMMUNITIES
Responsible Officer:	LOUIS PANNELL PRINCIPAL STRATEGIC PLANNING POLICY OFFICER
Policy Framework and Procedure Rules:	There is no impact on the policy framework or procedure rules.
Executive Summary:	The purpose of this report is to seek Cabinet approval to consult on a draft Supplementary Planning Guidance (SPG) for Retail and Commercial Development. Subsequent adoption of this SPG will enable effective implementation of the Retail and Commercial Development Policies within the Council's Replacement Local Development Plan adopted March 2024 (RLDP), the Council's statutory land-use Planning document.

1. Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet approval to consult on the draft Supplementary Planning Guidance (**SPG**) for Retail and Commercial Development (**Appendix 1**).

2. Background

- 2.1 The Replacement Local Development Plan (**RLDP**), adopted March 2024, has a key role in ensuring that Town, District and Local Centres (**Centres**), are promoted as hubs of socio-economic activity, and are the focal points for a diverse range of services which support the needs of the communities they serve. Town Centres offer a wide range of shops and facilities serving a large catchment area, whereas District and Local Centres usually contain a small foodstore and a range of services that serve a smaller, more limited catchment area. They act as the most appropriate and sustainable locations for new retail, leisure and supporting commercial development. This accords with the '*Town Centre First*' policy contained within Planning Policy Wales and '*Future Wales: The National Plan 2040*' (Future Wales), to help build resilient communities, and respond to the long-term impacts of Covid-19, which have not only re-focused the lives of people and communities but acted as a further driver towards making such Centres multi-functional places.

- 2.2 The framework for the management of retail and commercial development in the County Borough is provided by Policies SP12, and its supporting Policies ENT6, ENT7, ENT8 and ENT9. The *Retail Study 2018* formed a key part of the adopted RLDP's evidence base and helped form the basis of these policies. The Retail Study 2018 set out a number of recommendations, including '*retail need*' (the demand for additional retail floorspace), the distribution of retail need and the definition of "*Primary Shopping Areas*" and "*Secondary Shopping Areas*", to inform the policies contained within the adopted RLDP. The *Retail Study Update 2022*, further analysed trends affecting the retail sector across the County Borough, considered how trends may change over time and then assessed future needs for '*comparison*' retail (retail that sells goods that consumers compare before purchasing, goods that are usually higher value and purchased infrequently e.g. furniture, clothing, electronics), and '*convenience*' retail floorspace (retail that stocks a wide range of everyday items e.g. groceries) to 2033.
- 2.3 In recognising that Centres are moving away from their traditional retail roles, Policy SP12, and its supporting policies seek to ensure that such Centres become the focus of a wider variety of services and facilities. The '*Town Centre First*' approach is key to enabling such Centres to increasingly become multi-functional places and community focal points, thereby rendering them more viable as "go-to" destinations.
- 2.4 The purpose of this SPG is to expand on the above policies and provide clarity in respect of their future interpretation and setting out what the Council expects from applicants in respect of satisfying the detailed criteria of those policies.
- 2.5 Development Control Committee were informed of the need to produce a SPG for Retail and Commercial Development on 8th August 2024. Councillor Easterbrook, volunteered to champion production of the SPG for Retail and Commercial Development and has since been working alongside the Principal Strategic Planning Policy Officer to progress the SPG. The draft SPG attached to this report (**Appendix 1**) represents the result of this work.

3. Current situation / proposal

- 3.1 The purpose of this proposed SPG for Retail and Commercial Development is to support and provide further direction on the implementation of the retail and commercial development policies contained within the RLDP which include:
- SP12: Retailing, Commercial and Service Centres
 - ENT6: Retail and Commercial Development
 - ENT7: Development in Commercial Centres of Bridgend, Porthcawl and Maesteg
 - ENT8: Non-A1 (shops), A2 (financial/professional services) and A3 (food and drink) Uses Outside of Primary Shopping Areas
 - ENT9: Retail Development Outside of Retailing and Commercial Centres

3.2 The SPG will provide detailed guidance on retail and commercial development to protect the retail Centres. The SPG, once adopted, will be a material consideration in the determination of all planning applications for retail and commercial development.

3.3 The SPG seeks to provide specific guidance on:

Policy ENT7: Development in Commercial Centres of Bridgend, Porthcawl and Maesteg.

3.4 The Policy ENT7 defines Primary Shopping Areas and Secondary Shopping Areas within these three commercial Centres. This policy seeks to protect these areas to ensure their existing function is not diluted so they can continue to operate as viable shopping Centres. The SPG will provide further clarity on what is deemed acceptable within these named areas.

Policy ENT8: Non-A1, A2 and A3 Outside of Primary Shopping Areas.

3.5 The RLDP allows more flexibility to introduce shops, financial/professional services and food and drink uses outside of Primary Shopping Areas. This policy ENT8 explains what other uses may be acceptable in commercial Centres. The SPG will clarify what uses may be acceptable within commercial Centres outside of Bridgend, Porthcawl or Maesteg.

Policy ENT9: Retail Development Outside of Retailing and Commercial Centres.

3.6 This policy explains what type of retail and commercial development is acceptable outside of retailing and commercial Centres. The SPG will provide guidance on the loss of retail and commercial floorspace outside of commercial Centres in addition to explaining what types of development would be appropriate on existing retail parks.

3.7 Ultimately, the guidance in the SPG will assist applicants and decision makers when considering changes of use in retail Centres and other town Centre developments. The main aim is to ensure our retail Centres are sustainable in the long term.

3.8 Prior to seeking Council's approval for adoption, the SPG for Retail and Commercial Development will be subject to a public consultation exercise. Consultation responses will be sought to influence and shape the final version of the SPG. A consultation report will be reported back to Cabinet then to Council, to present a general summary of comments, the issues raised, the Local Planning Authority's response and how those comments have influenced the final version of the SPG. Once adopted, the final SPG will then add weight to the interpretation and application of RLDP retail and commercial development policies; provide more detailed advice to applicants preparing to submit planning applications and will become a material consideration in the determination of planning applications.

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 (Wales) Act 2015 implications and connection to Corporate Well-being Objectives

- 5.1 The SPG for Retail and Commercial Development will provide additional guidance and material weight to support adopted RLDP Policies that seek to provide clarity in respect of their future interpretation, setting out what the Council expects from applicants in respect of satisfying those policies' detailed criteria. This is a key contributory factor to delivering Local Wellbeing Objective 2 '*A county borough with fair work, skilled, high-quality jobs and thriving towns.*'
- 5.2 The SPG will also contribute to the following goals within the Well-being of Future Generations (Wales) Act 2015:
- A prosperous Wales – Ensuring retail and commercial Centres are protected, promoted and support a prosperous Wales by ensuring they act as hubs of socio-economic activity and are the focal points for a diverse range of services which support the needs of the communities they serve.
 - A resilient Wales – Ensuring retail and commercial Centres are protected, promoted and support a resilient Wales by ensuring they become increasingly multifunctional, which will help to respond to the long-term impacts of Covid-19 and online shopping.

6. Climate Change Implications

- 6.1 There are no direct climate change implications from this report, although the SPG will provide additional guidance to ensure that new retail and commercial development is directed to existing retail and commercial Centres, that are well connected by established active travel routes and public transport links. This will help to encourage a sustainable modal shift, reducing carbon emissions that are released from car-borne travel.

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 arising from this report.

9. Recommendations

- 9.1 That Cabinet:
- a) Approve the draft SPG for Retail and Commercial Development (**Appendix 1**) as the basis for a public consultation for a minimum period of 6 weeks.

- b) Authorise the Corporate Director – Communities and Group Manager – Planning and Development Services to make minor presentational changes, typographical or factual corrections as necessary prior to public consultation.
- c) Authorise the Corporate Director – Communities and Group Manager – Planning and Development Services to undertake the public consultation and to report the results of the public consultation back to Cabinet for approval to send the report to Council and seek adoption of the final SPG.

Background documents

None

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Bridgend County Borough Local Development Plan 2018-2033

Draft Retail and Commercial Development Supplementary Planning Guidance March 2025

Cyngor Bwrdeistref Sirol



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Wyndham Street, Bridgend

Bridgend Local Development Plan 2018-2033
Retail and Commercial Development Supplementary Planning Guidance

1.0 Introduction

- 1.1 The purpose of this Supplementary Planning Guidance (**SPG**) is to support and provide further direction on the implementation of the retail and commercial development policies contained within the Adopted Bridgend Replacement Local Development Plan (**RLDP**). It outlines further guidance on retail and commercial development to protect the vitality, attractiveness, and viability of the designated retail centres in accordance with the approach outlined in National Planning Policy. This guidance aims to assist applicants and decision makers when considering specific changes of use in retail centres and other town centre developments, in accordance with the policies contained within the RLDP, National Plan 2040 (**Future Wales**) and in light of other material considerations to ensure the County Borough's retail centres are sustainable in the long term.
- 1.2 This SPG will be a material consideration in the determination of all planning applications for retail and commercial development including applications for renewal of consents.
- 1.3 Anyone wishing to submit an application for retail and commercial development within Bridgend County Borough is urged to consider this SPG and to contact the Local Planning Authority (**LPA**), in advance of submitting a planning application, to discuss the issues that are raised in this document on a site-specific basis.
- 1.4 The SPG provides specific guidance on:
- Development in commercial centres of Bridgend, Porthcawl and Maesteg (including Primary Shopping Areas, Secondary Shopping Areas and outside of shopping areas but within commercial centres);
 - Non A1, A2 and A3 uses in commercial centres outside of Bridgend, Porthcawl and Maesteg; and
 - Retail development outside of retail and commercial centres.



John Street, Porthcawl

2.0 Policy & Legislative Context

- 2.1 The National Planning Policy context for the provision of retail and commercial development through the planning system is set out in Future Wales: The National Plan 2040, Planning Policy Wales (PPW) and Technical Advice Note 4 November 2016 (TAN4) Retail and Commercial Development.
- 2.2 **Future Wales: The National Plan** is the National Policy framework setting out the direction for development in Wales to 2040. 'Town Centre First' is a key policy within Future Wales (Policy 6), and it is recognised that the planning system has a long-established role in this respect. Future Wales recognises the need to re-think the future of town and city centres, which are moving away from their traditional retail roles towards more multi-functional places. Town centres remain important focal points of communities and are increasingly becoming places to live, centres of community and cultural activity, a focus for public services such as health and education, and the location of new co-working spaces.
- 2.3 **PPW (Edition 12)** sets out the National priorities and considerations with regards to new commercial and retail development and for managing change within existing commercial and retail centres. PPW requires local planning authorities to establish through their development plan a clear strategy for retail development, supported by policies, to achieve vibrant, attractive and viable retail and commercial centres. The Welsh Government operates a 'Town Centre First' approach in relation to the location of new retail and commercial centre development (Policy 6, Future Wales, as referred above).
- 2.4 **TAN 4: Retail and Commercial Development** sets out National Policy and guidance in relation to the changes of use in Primary and Secondary retail and commercial Areas. TAN4 identifies a number of overarching objectives for retail and commercial centres where the planning system must promote viable urban and rural retail and commercial centres as the most sustainable locations to live, work, shop, socialise and conduct business; sustain and enhance retail and commercial centres' vibrancy, viability and attractiveness; and improve access to, and within, retail and commercial centres by all modes of transport, prioritising walking, cycling and public transport.
- 2.5 **TAN 23: Economic Development (February 2014)** defines economic development broadly so that it can include any form of development that generates wealth, jobs and income, recognising that retail is an economic land use.
- 2.6 **Building Better Places: The Planning System delivering Resilient and Brighter Futures - placemaking and the Covid-19 recovery (Welsh Government, July 2020)** recognises that town centres should become places where a variety of retail, employment, commercial, community, leisure, health

and public sector uses come together in a hub of activity to make them viable as go-to destinations. Flexible, local co-working spaces could also be a crucial new element to increase space to work. Residential uses are also key to the vitality of centres, provided that they do not curtail the commercial activities which take place and that noise impacts are considered.

2.7 **Town and Country Planning (Use Classes) Order 1987 (as Amended) (Use Classes Order 1987)** identifies uses of land and buildings and places them within various categories known as ‘Use Classes’. The Use Classes Order 1987 does not contain a definitive list of all the different types of uses of land and buildings but provides broad categories to allow developers and decision makers to understand which Use Class should apply.

2.8 The list below sets out the types of uses which would fall under the retail Use Classes contained under Part A Schedule 1 of the Use Classes Order 1987:

Use Class	Examples
A1 Shops	Shops, retail warehouses, post office (not sorting offices), hairdressing, undertakers, dry cleaners, pet shops, sandwich bars, showrooms and domestic hire shops.
A2 Financial and professional services	Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies.
A3 Food and drink	For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes, drinking establishments and take-aways.

2.9 **Town and Country Planning (General Permitted Development) Order 1995 (as Amended) (GPD Order 1995)** identifies that certain types of minor development changes can be made to land and buildings without requiring planning consent. These are known as permitted development rights and are contained within the GPD Order 1995. In relation to proposals involving similar types of Use Classes a change of use to the building or land may not require planning consent. For example, a hairdressers could be changed to a shoe shop without the need for permission as these uses fall within the same ‘Class’, a restaurant could be changed to a shop or an estate agency as the Use Classes Order allows this type of change to occur without requiring planning permission.

2.10 However, most external building work associated with a change of use is likely to require planning permission, for example new advertising for the new use. Regarding change of uses which fall under the Use Class A retail uses, the following table outlines where a change of use would be considered a permitted development.

Existing Use	Permitted Change of Use
A2 (professional and financial services) when premises have a display window at ground level	A1 (shop)
A3 (food and drink)	A1 or A2
Sui Generis – Car showrooms and Betting Offices only	A1 Shop
A1 or A2	A1 plus a single flat above
A2	A2 plus a single flat above

2.11 Please note in some areas of the County Borough permitted development rights are more restricted. If the land or building is located in a Conservation Area (including Bridgend Town Centre, Porthcawl Town Centre and Maesteg Town Centre), planning permission will be required for certain types of development works which may not apply in other areas. There are also additional restrictions if a building has been designated as a Listed Building. Furthermore, the existing use may have been permitted but subject to the removal of permitted development rights so that planning consent would be required for the changes of use shown in the above table (para 2.10). In some instances, a use may have been restricted to a specific user or subject to other limitations, consequently it is important that the planning history of a building or land is fully understood before undertaking any type of permitted development. The LPA offers a pre-application service (details available on the Council's website), which offers advice before a planning application is submitted. This will help to identify issues that may be of relevance to a particular site.



3.0 Background

3.1 The RLDP sets out the Council's land use planning policies up to 2033. The Retail Study 2018 (Stantec) formed a key part of the adopted RLDP's evidence base setting out recommendations on retail need (the demand for additional retail floorspace), the distribution of retail need and the definition of "Primary and Secondary Shopping Areas" to inform the policies contained within the adopted RLDP. The Retail Study Update 2022 (Stantec) further analysed trends affecting the retail sector across the County Borough, considered how trends may change over time and then assessed future needs for comparison and convenience retail floorspace to 2033, based on existing market shares. In the consideration of planning applications for retail and commercial development, the following policies are particularly relevant:

- SP12: Retailing, Commercial and Service Centres
- ENT6: Retail and Commercial Development
- ENT7: Development in Commercial Centres
- ENT8: Non-A1, A2 and A3 Uses Outside of Primary Shopping Areas
- ENT9: Retail Development Outside of Retailing and Commercial Centres

3.2 The policies listed above can be viewed within the [RLDP Written Statement](#).

3.3 Policy SP12 promotes specified town, district, and local centres (Centres) as hubs of socio-economic activity and as the focal points for a diverse range of services which support the needs of the communities they serve. These Centres are denoted on the RLDP Proposals Map. Policy ENT7 also defines Primary Shopping Areas (a central part of a retail and commercial Centre where A1 retail uses are concentrated) and Secondary Shopping Areas (located adjacent to or near a Primary Shopping Area that consists of a wider range of uses) located in Bridgend, Porthcawl and Maesteg, which adds an additional layer of protection in defining a retail 'mass' where policy controls apply in respect of retail activity.

3.4 The distribution of shopping facilities in Bridgend fits within the wider regional hierarchy. Cardiff and Swansea are the highest order Centres within the regional hierarchy. As the sub-regional town centre, Bridgend contains the largest number and widest range of shops, services and leisure and is the principal shopping centre for much of the County Borough and some communities outside.

3.5 The other significant town centres of Maesteg and Porthcawl offer a wide range of shops and facilities, including a medium sized convenience offer to meet the needs of their immediate catchment areas.

- 3.6 District and local Centres within the County Borough usually contain a small foodstore and a range of services which serve a smaller, more limited catchment area. These Centres primarily provide only essential goods available for 'top up' shops.
- 3.7 The County Borough's retail hierarchy comprising of sub regional, town, district and local Centres is set out in the table below. This excludes existing 'edge of centre' and 'out of centre' retail sites.

Sub Regional Centre	Bridgend Town Centre
Town Centres	Maesteg and Porthcawl
District Centres	Aberkenfig (Valleys Gateway); Kenfig Hill, Ogmores Vale, Pencoed, Pontycymmer and Pyle
Local Centres	Bettws North, Bettws South, Blackmill, Blaengarw, Brackla, Broadlands, Bryntirion, Caerau, Laleston, Nantymoel, North Cornelly, Nottage, Pontrhydydyff, Sarn, Verlands Court (Pencoed), Wildmill and Five Bells Road (Bridgend)



Maesteg Market

4.0 Planning Requirements

4.1 Policy ENT7 – Development in Commercial Centres of Bridgend, Porthcawl and Maesteg

- 4.2 Policy ENT7 defines the Primary and Secondary Shopping Areas of Bridgend, Porthcawl and Maesteg. Policy ENT7 aims to ensure that commercial centres do not lose their ‘*critical mass*’ of retail units to the extent that they can no longer function as viable shopping centres. This section will clarify how Policy ENT7 applies to Primary Shopping Areas and Secondary Shopping Areas in turn, before providing further clarity on the status of the remaining broader commercial centres.

Primary Shopping Areas

- 4.3 In relation to Primary Shopping Areas, strict criteria need to be met before a change of use to a non-A1 use will be considered as acceptable.
- 4.4 The following paragraphs will address each policy criterion in turn.

4.5 Policy ENT7: Criterion 1

‘The development would not, by virtue of its nature, design and scale, materially dilute the continuity of the primary shopping frontage.’

Primary Shopping Areas are frontages within the town centre which are focussed on providing an opportunity for shopping and therefore the dominant use should be A1 retail.

- 4.6 Proposals which are considered to ‘*tip the balance*’ in terms of diluting the ‘*critical mass*’ of A1 retail frontage will not be supported.
- 4.7 In determining the impact of a proposed change of use, consideration should be given to the following:
- i) **The proportion of non-A1 uses that already exist in the Primary Shopping Area in the street scene and in the frontage within which it is located.** Consideration will be given to where the introduction of another non-A1 use would ‘*tip-the-balance*’ in terms of diluting the ‘*critical mass*’ of A1 uses. Figure 1.1 provides an illustrative example of this dilution effect. This scenario reduces the number of A1 uses, with the non-A1 uses becoming dominant and therefore unacceptable in planning terms. This phenomenon dilutes the primary retail character of the area, reducing its appeal as a shopping destination. Consideration of this dilution effect will need to be reviewed on a case-by-case basis.



Figure 1.1 – Primary Shopping Area Dilution

Key: A1 Units
 Non - A1 Units

- ii) **The scale and design of a shop front to which the change of use relates.** Whilst the proposal may not numerically ‘tip the balance’ in favour of non-A1 uses, loss of a large shop front with a prominent design or presence in the frontage can have a significant impact in terms of dilution as illustrated in figure 1.2.

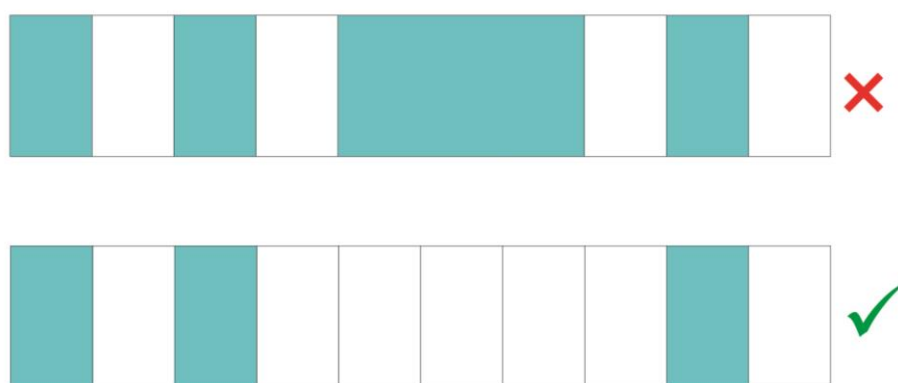


Figure 1.2 – Primary Shopping Area Dilution

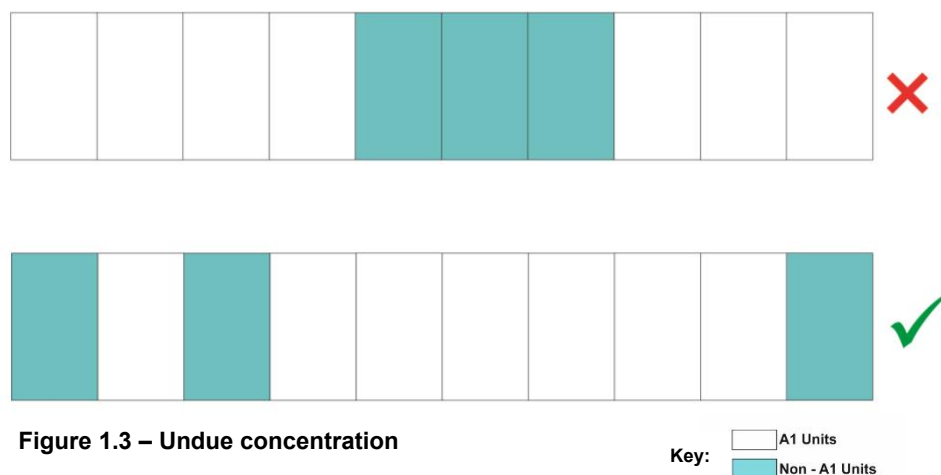
Key: A1 Units
 Non - A1 Units

4.8 Policy ENT7: Criterion 2

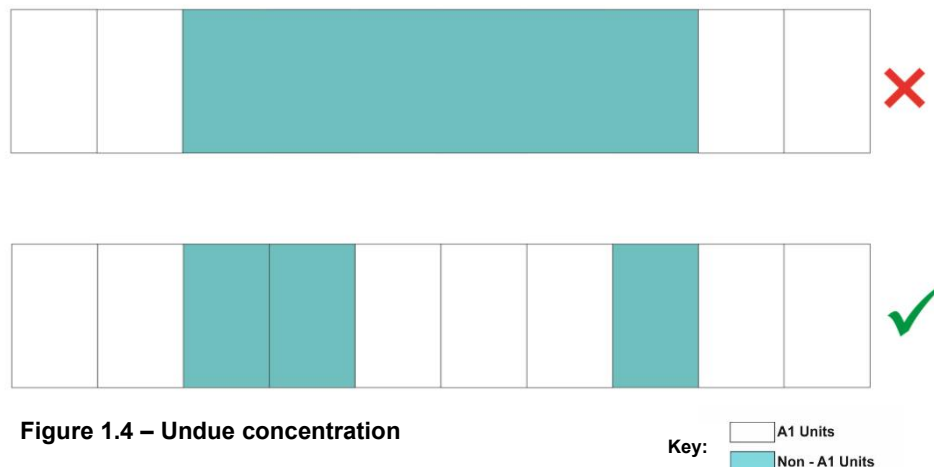
‘The development would not exacerbate an existing, nor create a new, undue concentration of non-A1 uses.’

- 4.9 This Criterion 2 is concerned with clusters of non-A1 uses in the Primary Shopping Area. Whilst a change of use might be acceptable in the context of Criterion 1 in terms of the number of units in the frontage as a whole, a number of non-A1 units in close proximity can have a similarly detrimental impact on the frontage.

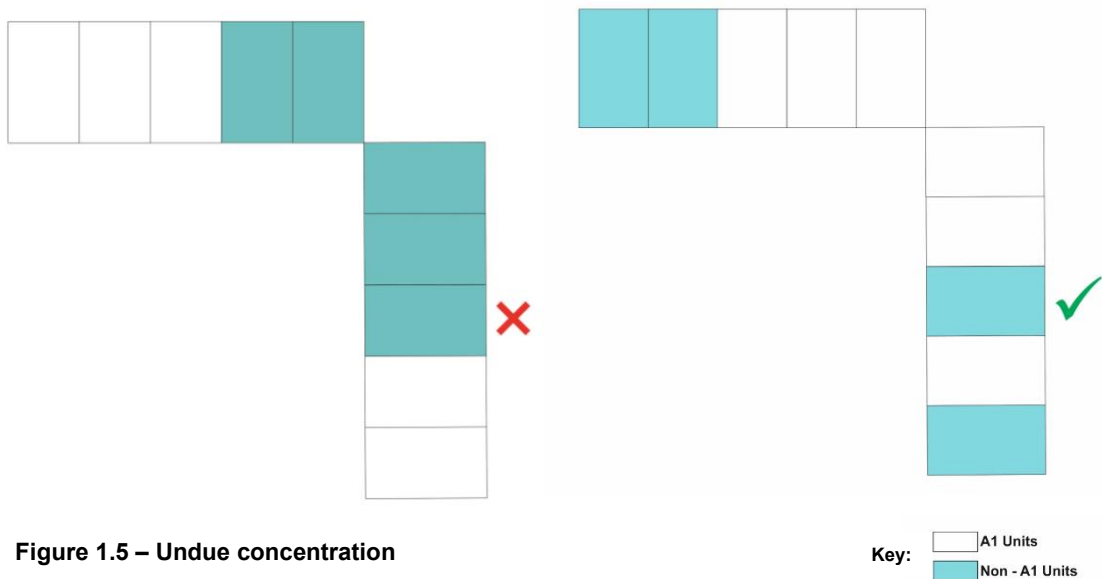
4.10 When considering applications for a change of use in the context of Criterion 2, applicants should consider the units that surround the proposal and whether the introduction of an additional non-A1 use would create a noticeable 'gap' in the A1 retail frontage. Figure 1.3 provides an illustrative example.



4.11 The impact may be exaggerated by the scale of the shop front. Loss of a large and/or prominent A1 frontage is likely to have an impact far greater than a regular sized frontage as illustrated by figure 1.4.



4.12 Additionally, the location of the proposal may be of significance. For example, a proposal which is located in a gateway location and/or on a corner will have a far more noticeable impact as illustrative by figure 1.5.



4.13 Policy ENT7: Criterion 3

'The development would not create a dead frontage but would rather stimulate passing trade and maintain public interest.'

4.14 This Criterion 3 relates to individual units. All units in the Primary Shopping Area should seek to create attractive and vibrant shopping frontages of interest to passers-by. A dead window frontage is not only concerned with the design of the frontage (i.e. blank facades or blanked out windows), but it also refers to the operations within the unit. For example, a B1 office use could have a similar dead frontage impact as a blank façade because the operation within the unit may not be of interest to the shopping public and may also be unlikely to operate on the basis of passing trade. A dead window frontage can also be created by A3 hot food takeaway establishments where the operating hours are associated with the nighttime economy and are closed during the daytime operating hours of the town centre.

4.15 However, certain non-A1 uses can maintain the interest of passers-by provided that they are acceptable in the context of the other Policy ENT7 Criteria. For example, A3 cafes and coffee shops which have window displays, outside seating and opening hours consistent with A1 retail operations can introduce an element of vibrancy to the town centre.

4.16 Therefore, consideration should be given to the nature of the use in terms of its operational requirements, opening hours and window displays, which could make the proposal acceptable in accordance with this Criterion 3.

4.17 Policy ENT7: Criterion 4

'Individually or cumulatively the proposal would not adversely affect the vitality, viability and character of the centre.'

4.18 Diversity of retail and commercial Centres is the key to their success, and careful attention should be paid to proposals within Centres, which will enhance their vitality and viability. Some proposals can have an adverse effect on a Centre, damaging both the vitality and viability of the retail and entertainment uses within it.

4.19 Factors that will be considered in the determination of planning applications, to ensure that any loss of A1 floorspace would not undermine the vitality, viability and character of a Centre, include:

- Whether the existing use is surplus to requirements;
- The nature of the proposed use and the contribution to vitality it might bring;
- The number of vacant premises in the Primary Shopping Area or Centre;
- The length of continuous frontage in non-retail use that would be created.

4.20 Policy ENT7: Criterion 5

'The development would not give rise to new, nor materially exacerbate existing, local problems due to traffic generation, congestion, highway safety, noise, smell, crime, anti-social behaviour or other amenity considerations.'

4.21 With regards to traffic generation, congestion and highway safety, town centres are highly accessible locations with ample car parking, therefore small-scale proposals for change of use within the Primary Shopping Area are not likely to have an adverse impact.

4.22 However, for some larger proposals that are likely to generate significantly higher levels or densities of traffic, a traffic statement may be required to support a planning application. Applicants are advised to contact the LPA prior to the submission of a planning application to ascertain what additional information, if any, is required.

4.23 A traffic statement should include information on:

- Likely patron/visitor attraction;
- Staffing levels;
- Parking requirements;
- Potential area of attraction;
- Means of accessing the site by sustainable means i.e. public transport; active travel; and

- A travel plan may also be of benefit, assuming the proposal is large enough to warrant this.

4.24 Any highway infrastructure improvements to cater for an increase in traffic, such as a widened or new footway or a junction or carriageway improvement, should be included as part of the planning application.

4.25 With regards to noise, smell, crime, anti-social behaviour and other amenity considerations, applicants should consider the nature of the proposal, its impact on its surroundings and the impact of the surroundings on the proposal.

4.26 For example, if the proposal was for A3 hot food takeaway use, potential issues relating to noise and smell (generated by the extractor fans or otherwise), in addition to noise and litter generated by customers, will need to be given due consideration.

4.27 Applicants should consider the following:

- Is the land or building located amongst other similar uses?
- Are there residential units in close proximity?
- What opening times will the use be operating within?
- How will the site accommodate delivery to the unit?
- Will the operation offer a delivery service?

4.28 In addition to the above requirements [and considerations], **all developments that involve the loss of an existing A1 use on the ground floor must be actively marketed** prior to submission of a planning application. A marketing strategy (See Appendix 1 for Marketing Strategy Checklist) should be submitted to and agreed by the LPA in advance of any marketing being undertaken. Providing the LPA has approved the marketing strategy in advance and is satisfied that the strategy has been executed appropriately, one year of marketing will be considered acceptable. Otherwise, the LPA will need to be satisfied that marketing has been undertaken on reasonable terms for at least two years prior to the submission of a planning application. Residential development on the ground floor will not be permitted within Primary Shopping Areas.

Secondary Shopping Areas

4.29 In relation to **Secondary Shopping Areas**, greater flexibility exists to promote a wider range of retail uses to address long-term vacancy rates. Development proposals must be for A1, A2 and A3 unless they satisfy the Criteria under Policy ENT7. Residential development on the ground floor will not be permitted within Secondary Shopping Areas.

4.30 The following paragraphs will address each Criterion in turn.

4.31 Policy ENT7: Criterion a)

'Individually or cumulatively the proposal would not adversely affect the vitality, viability and character of the centre.'

4.32 Diversity of retail and commercial Centres is the key to their success and careful attention should be paid to proposals within Centres, which will enhance their vitality and viability. Some proposals can have an adverse effect on a Centre, damaging both the vitality and viability of the retail and entertainment uses within it.

4.33 Factors that will be considered in the determination of planning applications to ensure that any loss of A1, A2 and A3 floorspace would not undermine the vitality, viability and character of a Centre, include:

- Whether the existing use is surplus to requirements;
- The nature of the proposed use and the contribution to vitality it might bring;
- The number of vacant premises in the Secondary Shopping Area or Centre;
- The length of continuous frontage in non-retail use that would be created.

4.34 Policy ENT7: Criterion b)

'The development would not give rise to new, nor materially exacerbate existing, local problems due to traffic generation, congestion, highway safety, noise, smell, crime, anti-social behaviour or other amenity considerations.'

4.35 This Criterion b) will be assessed in accordance with the guidance detailed under Policy ENT7 Criterion 5 (paragraph 4.20 above).

4.36 Policy ENT7: Development outside of Primary and Secondary Shopping Areas but within the commercial Centres of Bridgend, Porthcawl and Maesteg

4.37 Greater flexibility exists within the commercial Centres of Bridgend, Porthcawl and Maesteg that are located outside of Primary and Secondary Shopping Areas. New development that provides retail, office, leisure, entertainment, cultural or community floorspace will be permitted within these retailing and commercial Centres as outlined by Policy SP12 (RLDP). Residential development will be encouraged and permitted on the first and upper floors of properties.



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4.38 Policy ENT8: Non A1, A2 and A3 Uses Outside of Primary Shopping Areas

4.39 Paragraphs 5.4.65 – 5.4.67 of the RLDP provide the rationale behind Policy ENT8, however, it is considered that additional guidance on meeting the policy criteria under this Policy ENT8 would be beneficial to applicants wishing to introduce a non-A1, A2 or A3 use within commercial Centres that do not relate to Bridgend, Porthcawl or Maesteg (See table below).

District Centres	Aberkenfig (Valleys Gateway), Kenfig Hill, Ogmore Vale, Pencoed, Pontycymmer and Pyle.
Local Centres	Bettws North, Bettws South, Blackmill, Blaengarw, Brackla, Broadlands, Bryntirion, Caerau, Laleston, Nantymoel, North Cornelly, Nottage, Pontrhydydyff, Sarn, Verlands Court (Pencoed), Wildmill and Five Bells Road (Bridgend)

4.40 The following paragraphs will address each Policy ENT8 Criterion in turn.

4.41 Policy ENT8: Criterion 1

‘If for residential purposes:

The premises/floorspace has been vacant for at least two years and has been actively marketed over that time’

4.42 In terms of demonstrating that the premises has been vacant for at least two years, it should be noted that the LPA conducts an annual survey of all retail premises within established town, district and local service Centres.

4.43 As such, the LPA maintains an annual “*snapshot*” of the use and occupancy of each retail unit, which will be used to assist in identifying how long a retail unit may have been vacant for. In addition to the length of any vacancy period, the LPA must be satisfied that the property is no longer required for its retail function. Applicants must therefore provide evidence of the length of time the property has been vacant and demonstrate that the property has been actively marketed on reasonable terms for retail occupancy/sale over that time.

4.44 This will include due consideration as to ‘where’ and ‘how’ the marketing has taken place, together with the advertised sale price/rent compared to comparable properties within the locality.

4.45 It should be noted that the LPA will require evidence to demonstrate the requirements under paragraph 4.4 above, which may include letters of instruction to agents; published letting/sales material and/or photographic evidence (See Appendix 1 for the ‘Marketing Strategy Checklist’).

- 4.46 In some Centres, it is acknowledged that existing retail and commercial uses may have only been operating for a short period of time. Where applicants can robustly demonstrate that this is the case and that a long-term residential use was previously established, a more pragmatic approach may be adopted for residential development proposals following an investigation into the nature and duration of the existing use.

'The premises/floorspace does not form part of a purpose-built retail environment or a continuous frontage of three or more existing commercial units.'

- 4.47 Purpose-built retail environments refer to those retail sites which have been developed to meet a specific retail need. Examples include shopping Centres such as Brackla Local Service Centre or retail centres which were developed to specifically serve a housing development such as the Broadlands Local Service Centre.

4.48 Policy ENT8: Criterion 2

'If for other purposes:

The proposal does not involve the loss of existing A1 floorspace.'

- 4.49 In terms of the acceptability of uses other than A1, A2 and A3 within the boundaries of existing retailing and commercial Centres; developments that provide office, leisure, entertainment, cultural or community floorspace will be permitted within these retailing and commercial Centres, providing the proposal does not involve the loss of occupied and operational A1 floorspace.

- 4.50 The final requirement of Policy ENT8 Criterion 2 states:

'Wherever possible, proposals for a change of use of existing floorspace must be designed so as not to prejudice a future conversion back to a retail or commercial use.'

- 4.51 It is accepted that changes of use to residential cannot practicably retain a retail frontage within its final design. However, non-retail commercial uses should wherever possible limit the external alteration to the unit to retain its external appearance. This would limit the visual impact of the change of use on the street scene and enable the unit to re-use its primary A1, A2 or A3 retail function, should the non-retail use vacate the property, without unnecessary complication and costs.

4.52 Policy ENT9: Retail Development Outside of Retailing and Commercial Centres

4.53 The first requirement of Policy ENT9 of the RLDP States:

‘Development proposals outside of Retail and Commercial Centres that result in the loss of retail and commercial floorspace will only be permitted where there is proven to be other sufficient provision locally or where the premises/floorspace has been vacant for at least 12 months and has been actively marketed over that time.’

4.54 It is recognised that local shopping facilities play an important role in serving local communities and their provision can mean a vital service is provided to local people. The loss of a single retail store to another use could lead to a deficit in provision locally. Policy ENT9 seeks to ensure that any loss of shopping facilities serving local communities outside of retail and commercial Centres will not lead to an under-provision in the area. Applicants must demonstrate that there is other sufficient provision locally. The LPA will undertake a check of the surrounding area to determine whether there is sufficient local provision to justify the loss of retail use. If there is no other local provision, applicants proposing a loss of local retail use must demonstrate that the property has been actively marketed for at least 12 months prior to the submission of a planning application. The LPA will need to be satisfied that marketing has been undertaken on reasonable terms and, as a minimum, would require sales particulars and information from sales/letting agents to be submitted as part of an application (See Appendix 1 for Marketing Strategy Checklist).

Examples of uses that are considered to offer a local convenience service, include but are not limited to the following:

- Newsagent/convenience store
- Bakery
- Café/restaurant/hot food takeaway
- Post Office
- Pharmacy

4.55 Policy ENT9 also states:

‘Retail development outside of Retail and Commercial Centres will be concentrated at the following existing locations:’

Location	Acceptable Uses	Type
Bridgend Retail Park	Bulky Comparison & Convenience	Out-Of-Centre
Waterton Retail Park	Bulky Comparison & Convenience	Out-Of-Centre
Sainsbury, Cefn Hirgoed	Convenience	Out-Of-Centre
Tesco, Brewery Lane	Convenience	Edge-Of-Centre
Tesco, Llynfi Lane, Maesteg	Convenience	Edge-Of-Centre
Bridgend Designer Outlet Village	Controlled by s106	Out-Of-Centre

4.56 Retail development at the locations defined in Policy ENT9 will be restricted to bulky goods retailing, by means of appropriate planning conditions and/or legal agreements. Policy ENT9 respects the specific role and function of sites at these locations, which can provide a complementary role to town and district Centres by providing opportunities for large format, bulky goods retailing that does not compete with '*in-Centre*' trading. Extensions within the boundaries of these locations, increases to the allocated floorspace or relaxations/changes to the types of goods sold, may require a needs test, sequential test and retail impact assessment, as detailed within National Policy (TAN4: Retail and Commercial Development / PPW), depending on the nature of the proposal and the potential impacts. This will also apply to planning applications which seek to vary conditions to change the types of goods sold from sites at these locations



or the subdivision of units, both of which could potentially undermine the vitality and viability of town and district Centres if not properly controlled.

4.57 In respect of the ‘types’ of bulky comparison goods that are likely to be permitted at Bridgend and Waterton Retail parks, these are defined as:

- Carpets and flooring;
- Baby and toddler equipment;
- Cycles and accessories;
- DIY and home improvements;
- Electrical and other durable goods;
- Footwear;
- Gardening items and equipment;
- Sports camping and leisure goods (excluding clothing);
- Textiles and soft furnishings;
- Toys, games and hobbies;
- Vehicle and motorcycle sales;
- Vehicle accessories; and
- Bulky food and drink outlets.

4.58 In general terms, the LPA considers that the above list reflects accurately what could be considered as ‘*bulky*’ and is the starting point in determining whether it is a ‘*bulky*’ item or not, although this is not an exhaustive list. As a further guide in determining acceptability the following two questions are useful:

1) *Can the item fit within a bag and be easily carried around a town or district Centre?*

(The purpose of allowing out-of-centre retailing for bulky items is because the items, by their very nature do not allow easy movement between shopping units and require the use of a car within close proximity of the store to transport items with them).

2) *Are there other stores already located within any of the town and district Centres which sell similar items?*

(If there are stores selling similar items within a town, district or local Centre already, this could be used as an indication that an ‘*out-of-centre*’ location is not required).

4.59 Whilst there have been subsequent variations of conditions based on individual circumstances, the above list (paragraph 4.57), remains the basis for determining what constitutes a ‘*bulky*’ item in the above described retail parks and will be the starting point in determining planning applications on those retail parks.

4.60 Proposals for non-Bulky goods

- 4.61 As highlighted above, development within allocated '*edge of centre*' and '*out of centre*' locations will be restricted to the sale of predominantly bulky goods, and/or other goods that would not typically be sold from premises within a Centre. The tests of '*retail need*', 'Sequential' approach and impact will apply to the consideration of **all development proposals** at '*edge of centre*' and '*out of centre*' locations.
- 4.62 Proposals for Class A3 (food and drink) floorspace within designated '*out of centre*' locations will be restricted to small scale provision that is ancillary and incidental to the primary retail function of the wider site, or comprises a facility that due to its operational and functional requirements cannot reasonably be accommodated within a Centre. '*Small scale*', for the purposes of this policy refers to a facility less than 200 sqm gross floor area.
- 4.63 Class D2 (leisure) proposals will only be permitted at '*out of centre*' locations if the applicant demonstrates that there is no viable prospect of the proposed scheme being accommodated within the retailing, commercial and services hierarchy outlined under Policy SP12 (RLDP), as required by the Sequential Test (used to assess the suitability of sites for retail and commercial uses, prioritising development in defined retail and commercial centres first, followed by '*edge of centre*' locations, and finally '*out-of-centre*' locations if no suitable alternative areas are available) (See Appendix 2 for Checklist).
- 4.64 Leisure uses will not be permitted at these locations if judged to give rise to a critical mass and range of facilities that pose a threat to the future vitality, viability and attractiveness of the retail, commercial and district Centres. The policy aim is to protect the threat of '*out of centre*' allocations becoming '*all round destinations*' for customers to have such a range and opportunity for retail and leisure experiences that it negates the need to undertake any separate visit to existing retail, commercial and district Centres.
- 4.65 Certain proposals have operational requirements that cannot reasonably be accommodated within Centres. A '*drive through*' restaurant/café proposal, for example, represents a Class A3 operation that, due to its circulation requirements and size constraints, would not typically be located within a Centre and may instead be accommodated within an '*out of centre*' allocation.

Appendix A: Marketing Checklist for Applicants

Marketing Requirement	Further Information
Period of Marketing	
1. Has the site and/or premises been actively and comprehensively marketed for its current and/or last permitted use for the minimum continuous period specified in the relevant RLDP Policy?	<p>Marketing is required under Policy ENT7: (RLDP): <i>Development in Commercial Centres of Bridgend, Porthcawl and Maesteg</i> (Supporting paragraph 5.4.62) for the change of use from A1 to non-A1.</p> <p>Marketing is required under Policy ENT8: (RLDP): <i>Non-A1, A2 and A3 Uses Outside of Primary Shopping Areas</i> for the change of use from non-A1, A2 or A3 to residential.</p>
Flexibility of use	
2. Does the marketing include marketing of the site/premises on a freehold as well as leasehold basis?	The purpose of marketing the freehold of a site and/or building is to increase the likelihood of sale by enabling potential purchasers to use it for a wider range of future uses than if they rented or purchased the site/building's leasehold.
Forms of marketing	
3. Advertising board posted in a prominent location on site throughout the period of marketing. The board should include contact information and be clearly visible. Photographic evidence should be provided with the application and/or pre-application enquiry.	
4. Registration of the property with at least one commercial property agent. The site should be continuously included on the commercial agent's website over the period of the marketing campaign. The site/premises should also be advertised on commercial property search sites and online advertising portals.	The requirement for registration with at least one commercial agent is a Minimum. The LPA will expect to see evidence of a range of methods of advertising throughout the required marketing period in order to demonstrate wide market exposure and an active approach to marketing. This may include mailshots, printed and online advertising (see point below) and use of a number of commercial agents.

5. Have details of where and how often the site was advertised, with copies of all printed advertisements placed and web pages, including publication dates, been supplied?	Any advertisements on websites should appear continuously throughout the required marketing period.
Price and terms	
6. Has evidence of the asking price and/or rent at which the property has been offered been included in the marketing statement?	
7. Has the site/premises been independently valued by at least two independent agents and marketing at a reasonable and competitive guide sale price and lease amount and terms that reflects its current value taking into account the current state of the property (including in relation to use, condition, quality and location of floorspace) and local sales/rents? Evidence of the above should be provided with the application and/or pre-application enquiry.	
8. Have details of any reductions in price throughout the marketing period also been recorded and included with the valuation evidence referred to in question 7?	Note: This information should be provided to indicate the price and/or rent at which the property has been offered.
9. Does the marketing statement include the number and detail of enquiries and/or offers received for the site/premises, reasons for refusal of any offers and reasons why any offers fell through?	
10. Does the marketing statement include the reasons for prospective tenants not making an offer and/or taking up the space, and how these problems have been addressed?	
11. Have the dates and periods for each individual marketing activity been clearly shown on the marketing statement?	

Appendix B: Sequential Test - Assessment Checklist for Applicants

Sequential Assessment	Further Information
1. Description of the proposed use	
2. The size of the unit	Whether existing or proposed
3. The area covered by the sequential search	
4. Justification for the area search	If it is less than Borough-wide or limited to particular types of centres
5. The types of units searched for	
6. Justification for any limitations applied to the types of units considered	
7. A list of the alternative, available, sequentially preferable units identified	<ul style="list-style-type: none"> • This list should set out the address and size of the unit and if it is suitable or not. • If a unit is unsuitable, full justification and evidence should be provided alongside the listing. • A conclusion as to whether the Sequential Test is met, looking at both the availability and suitability of those sites to accommodate the proposal. • If the Sequential Test is not met, an explanation of any overriding material considerations that would justify the grant of planning permission.

Cyngor Bwrdeistref Sirol



Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	JOINT VEHICLE MAINTENANCE (JVM) SERVICE WITH SOUTH WALES POLICE
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 effect upon policy framework or procedure rules
Executive Summary:	<p>The current initial term arrangement with South Wales Police for joint fleet management and maintenance is due to expire in March 2025. There are emerging challenges with changes in technology, staffing and budget management which require assessment before deciding upon the future of this joint arrangement.</p> <p>Accordingly, this report seeks a one year extension of the arrangement to develop these issues into proposals for the future of fleet management and maintenance for Bridgend County Borough Council.</p>

1. Purpose of Report

- 1.1 To provide an update to Cabinet in respect of the collaboration between Bridgend County Borough Council (BCBC) and South Wales Police (SWP) in providing a joint fleet maintenance service and seek agreement for an extension of the initial term of the collaboration arrangement.

2. Background

- 2.1 In 2013 both Bridgend County Borough Council (BCBC) and South Wales Police (SWP) were operating fleet maintenance operations from facilities that were beyond their economic life, requiring significant capital investment to bring them up to a standard that supports efficient and modern fleet maintenance operations.
- 2.2 Both organisations considered that bringing operations under one roof could provide benefits for the respective organisations, and this culminated in 2015 with BCBC and SWP committing to an arrangement to amalgamate their fleet maintenance operations at a shared location at Newlands Avenue, Bridgend (Ty Thomas). This

approach provided a number of financial and non-financial benefits for each organisation:

- Reducing the aggregate cost of fleet maintenance
- Improving fleet maintenance facilities and equipment
- Improving customer service and transparency of the value for money offered by the fleet management and fleet maintenance service
- Improving opportunities for staff development and a greatly improved working environment
- Meeting the Welsh Government (WG) agenda for shared services

2.3 During the time the facility has been in operation the approach has provided benefits in more robust management arrangements, a fit for purpose repair and maintenance facility and management and discharge of the council's Operator license responsibilities.

2.4 However, the financial model operated by BCBC, which is predicated on a break-even basis, has proven flawed with consistent financial periods reporting substantial under recovery of costs. This is in part due to the inability to recruit and retain heavy goods vehicle technicians as well as use of a recharge rate that does not cover the full operational cost of the service in practice.

2.5 Recruitment of heavy goods vehicle technicians has proven problematic due to the differential in public sector remuneration against private sector pay rates for skilled technicians as well as long term sickness. Whilst a market supplement has been considered and introduced it has not resulted in the ability of BCBC to fill vacancies, and this has led to a reliance on agency staff if available.

3. Current situation / proposal

3.1 The partnership arrangement set an initial fixed term of 10 years up to March 2025 which, subject to agreement by both members can be extended for further terms.

3.2 Consideration by officers is that the provision still provides excellent resilience for the authority in discharging its duties as an operator license holder, and the arrangement benefits the organisation through the relationships and combined purchasing power of both organisations for the fleet procurement programme.

3.3 As described above the fleet service is not just a repair workshop but also deals with legislative matters arising from the Council operating fleet vehicles with the requirement for an Operators' Licence Holder as well as discharging function such as issuing exemption permits for schools and social care operating minibuses, as well as specifying and procurement of vehicles for hire, lease or purchase.

3.4 In terms of the range of plant and equipment maintained by the workshop this includes road sweepers, minibuses, HGV's, gritters, gulley machines, tippers, crew cabs, elevated working platforms, tractors, excavators, tracked vehicles, mowers, transits, small vans, cars, mini-buses and a range plant and equipment.

- 3.5 Workshop provision covers breakdown and recovery for fleet vehicles, vehicle testing and safety inspections, MOTs for private vehicles and Taxi licencing requirements. The taxi inspection regime is currently under review by the licensing section and may result in changes to how this function is delivered in the future. Also of note is the return of urban and rural grass cutting to an in-house provision and the planned waste management insourcing which will need to be accounted for within the councils Operator licence management.
- 3.6 As the expiry of the first 10-year term is reached the council is faced with a number of risks as both facilities for maintenance and management are provided by SWP via the arrangement. The risk in not reaching agreement for a future term is that arrangements for fleet management would need to be put in place by the Council to discharge the regulatory responsibilities, recruitment of suitable managers and staff to oversee the process as well as seeking alternative premises or providing an alternative delivery model to meet the needs of the organisation.
- 3.7 Officers of the council including the Corporate Director of Communities have met with senior police representatives in January 2025 at a Joint Vehicle Maintenance (JVM) board to discuss the way forward with partnership arrangements.
- 3.8 It was clear to the board that whilst the existing arrangements work well for both parties, changes in future requirements with regard to maintenance were on the horizon. For both parties changes to vehicle types and specifically the transition to electric powered vehicles would have the potential to change the maintenance space requirements going forward, as would the planned introduction of an in-house waste service for the council with all of the associated maintenance requirements.
- 3.9 Both parties agreed that whilst the existing arrangements are mutually beneficial and would continue to be so for at least another year, a review would be needed to determine future needs for both partners and a view taken on the best approach going forward.
- 3.10 In seeking to enter further fixed terms the authority will need to understand the implications of the arrangement of both financial and service delivery models. To allow the opportunity to explore these implications it is proposed to extend arrangements for an initial one year term so that these factors can be considered and negotiated before extending any further.
- 3.11 During this period, officers will review the existing arrangement taking into account any changing circumstances such as the insourcing of the waste management fleet, fleet utilisation, financial remuneration, service provision as well as impacts of decarbonisation of the council's fleet.
- 3.12 With regard to the review of fleet provision, officers are also proposing to review the ongoing provision of fleet in terms of ongoing effective and efficient use of fleet. The budgets for fleet purchase replacement and maintenance are held within service departments throughout the authority. Fleet services provide maintenance, support and advice only.

- 3.12 A review of the structure of fleet management arrangements, as well as review of fleet maintenance arrangements mentioned in 3.11, will be undertaken during the extension year. This review will be subject to a future separate report.
- 3.13 It is recognised that whilst taxi testing is currently mandated to be undertaken at the Ty Thomas facility, police partners were clear at the JVM board that, should the Council via the licencing committee decide to implement alternative arrangements, they would support either the ongoing testing at Ty Thomas or be content with this work being undertaken at suitable alternative facilities during the extended term. Any decision in this regard would also form part of the review for ongoing future service provision.
- 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 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 in relation to 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 During the proposed one-year extension term arrangements would remain aligned to current terms. However, during this extension period there may be a need for a review of the recharge arrangement between SWP and BCBC, which has remained static under the original agreement, whereas actual costs e.g. energy costs have been subject to inflationary increases. Finance officers would be involved in these discussions as well as financial matters arising during discussions for any subsequent term.

- 8.2 Financial matters to be discussed include the rental agreement that has been fixed during the initial 10 year period , also agreement of apportionment of managerial and administration costs as well as utilities that have been divided 50/50 for the portion of occupied accommodation and workshops as well as estate costs. Costs have been set out on an open book accounting basis to provide the required level of transparency in accordance with local government practice.
- 8.3 Whilst the process of payments between SWP and BCBC is to be confirmed there is still the financial model operated by BCBC to be reviewed, which is predicated on a break-even basis, but which has failed to achieve a break even position for a number of years. This is reflected in a significant deficit/under recovery to cover all the operational costs and overheads, as outlined in quarterly revenue budget monitoring reports to Cabinet.
- 8.4 Recruitment of heavy goods vehicle technicians has proven problematic due to the differential in public sector remuneration against private sector pay rates for skilled technicians as well as long term sickness. Whilst a market supplement has been considered and introduced it has not resulted in the ability of BCBC to fill vacancies with a reliance on agency staff if available.
- 8.5 In addressing the issues identified in 8.3 and 8.4, a review of the structure of fleet management and fleet maintenance arrangements mentioned in 3.11, will be undertaken during the extension year. This review will be subject to a future separate report.

9. Recommendation

- 9.1 That Cabinet agree to
- i) Extend for a further 1 year term the arrangement with South Wales Police for the Joint Vehicle Maintenance service, to enable detailed dialogue and agreement for any future fixed terms to be agreed.
 - ii) Provide delegated power to the Corporate Director - Communities in consultation with the Chief Officer - Finance, Housing & Change and Chief Officer - Legal & Regulatory Services, HR & Corporate or additions to the terms and conditions of the arrangement and duration of period of future fixed terms.
 - iii) To receive a further report following the outcome of the discussions.

Background documents

None

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Meeting of:	CABINET
Date of Meeting:	11 MARCH 2025
Report Title:	FLEET REPLACEMENT PROGRAMME
Report Owner / Corporate Director:	CORPORATE DIRECTOR - COMMUNITIES CORPORATE DIRECTOR CHIEF OFFICER – FINANCE, HOUSING AND CHANGE
Responsible Officer:	ZAK SHELL HEAD OF OPERATIONS – COMMUNITY SERVICES
Policy Framework and Procedure Rules:	There is no effect upon policy framework or procedure rules
Executive Summary:	<p>The Council has a fleet of 186 vehicles across all of its services from social care to highway maintenance, in addition to plant and equipment that comprises the council fleet. As vehicles and plant come to the end of their operational life cycle, planning and procurement for their replacement takes place.</p> <p>In June 2024 the fleet allocation for replacement vehicles/plant in the capital programme was assigned to the part procurement of vehicles for the Council's outsourced waste management contract.</p> <p>However, no replacement capital allocation has to date been included in the capital programme to permit the continuation of planned replacement of existing council fleet.</p> <p>Without an allocation, replacement vehicles cannot be purchased, although revenue for the repayment of any capital borrowing is available and allocated within departmental budgets.</p> <p>Therefore, this report seeks approval from Cabinet to recommend to Council the inclusion of a capital budget in the capital programme to recommence fleet replacement.</p>

1. Purpose of Report

- 1.1 The purpose of this report is to outline the proposed costs for the replacement of existing council fleet for inclusion in the Capital Programme. It identifies the types of

vehicles and items of plant and equipment that are scheduled for replacement which are age expired and need to be replaced for operational expediency.

- 1.2 The report also seeks agreement from Cabinet to recommend that Council approves a capital budget for inclusion in the capital programme to accommodate the Council's requirements for fleet replacement, which is to be funded from prudential borrowing, and met from service department revenue budgets.

2. Background

- 2.1 Fleet services has a programme for the procurement, management and disposal of Council owned fleet vehicles, plant, and equipment. The Fleet Replacement Programme (FRP) details when council owned vehicle assets should be replaced to maximise both the vehicle economic life expectancy as well as a return on its resale within the marketplace.
- 2.2 In June 2024 the remaining fleet allocation for replacement vehicles in the capital programme was assigned to the part procurement of vehicles for the Council's outsourced waste management contract. However, no replacement capital allocation has to date been included in the capital programme to permit the planned replacement of existing council vehicles.
- 2.4 Without an allocation, replacement vehicles cannot be purchased, although revenue for the repayment of any capital borrowing is available and allocated within departmental budgets. Departments will risk having to now support either more expensive hiring of plant and vehicles to replace age expired items or incur additional costs of maintenance of increasingly less reliable existing fleet until a capital allocation can be approved.
- 2.5 Approval of a capital budget, to be repaid via prudential borrowing, will allow the Fleet Department to recommence its programme of replacing /procuring the Council's fleet of vehicles, plant and equipment, ensuring it delivers where possible, ultra-low emission vehicles (ULEV) and plant. Where not possible or practical, the aim will be providing a low emission fleet to all council services, by purchasing the cleanest fuel-efficient vehicles available where ULEV is not currently a viable option.
- 2.6 The continuation of the planned replacements as part of the Fleet Replacement Programme will ensure the maintenance and expenditure on vehicles will be kept to a minimum, whilst allowing us to maximise re-sale values of assets to be disposed of. Renewal of the fleet will ensure optimal service delivery for all council services by reducing the amount of downtime required for maintaining older vehicles.
- 2.7 As part of the vehicle replacement programme, vehicle utilisation and requirements are reviewed by the Fleet manager, with service users, to ensure that only appropriate vehicles and plant are procured that is suited to each user area to assist them in the best delivery of their services.
- 2.8 In order to ensure that appropriate fleet is being procured, consultation with service managers also includes a review of future service developments, reductions or constraints which would affect future vehicle requirements, with alternatives and

options proposed subject to analysis of the service needs and fit within available budgets.

- 2.9 Risks to the Council of the current position continuing is an increase in maintenance cost and of vehicle down time by continuing to extend the current fleet life, resulting in a reduction in vehicle availability to the services and their operations. There will also be an increase in costs to the authority with a greater need to hire additional vehicles to cover vehicle outages whilst under repair or until a replacement vehicle can be procured once a capital budget allocation has been provided.
- 2.10 A further factor in respect of reliance on hire vehicles over a prolonged period is the potential higher revenue costs to account for hire company profit margin, repair of vehicles prior to return and the ability of the authority to regain a resale value. Therefore, it is considered more cost effective to acquire plant and vehicles through purchase.

3. Current situation / proposal

- 3.1 Due to the reallocation of capital funding to the procurement of waste fleet in June 2024 the programme for general vehicle replacement had to be temporarily halted, and this is starting to lead to issues in vehicle and plant reliability as the backlog of vehicles due for replacement increases.
- 3.2 31 of the 186 vehicles in the BCBC fleet are now identified as needing to be replaced alongside replacement plant and equipment during 2025-26 at a cost of circa £1.2m. Council approval of capital to procure these vehicles via prudential borrowing will enable temporary vehicles to be off-hired or age expired vehicles replaced where appropriate.
- 3.3 Funding to repay the prudential borrowing for replacement vehicles is already included within departmental revenue budgets. Therefore, the capital approval is not seeking any additional revenue funding, but is simply securing the approval so that operational plant and vehicles can be replaced through purchase, otherwise there will continue to be increased cost exposure of operating older vehicles for the reasons set out above.
- 3.4 The requirement for vehicles/plant currently awaiting renewal crosses multiple departments including Social Services and Wellbeing, Corporate Landlord, Bereavement Services, Green Spaces, and Highway Services .

Types of fleet needing replacement include various vehicles and items of plant. The following is indicative of the fleet required but may be subject to change through operational expediencies, verification of costs and final specifications.

- 1 Telehandler, circa £80,000 – Highways
- 2 Boxer vans £60,000 - Highways and Green Spaces
- 15 Custom Vans £480,000 Building Maintenance and Grounds Maintenance
- 6 Tippers £220,000 – Highways and Grounds Maintenance
- 9 Small vans/vehicles £240,000 – Green Spaces – Highways maintenance – Building Maintenance, Social Services

- Plant trailers, road resurfacing plant and equipment £120,000

3.5 It is proposed that Cabinet recommend to Council the approval of a £1.2 million capital budget for inclusion in the capital programme for replacement of existing council fleet, funded from prudential borrowing.

3.6 In respect of the review of fleet provision, officers are also proposing to review the ongoing provision of fleet in terms of ongoing effective and efficient use of fleet, fleet management arrangements along with a review of fleet maintenance arrangements via the partnership working with South Wales Police. This review will be subject to a separate report.

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 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 Where the introduction of ULEV alternative vehicles to support the council's decarbonization programme is viable from a cost and operational perspective this will be undertaken.

7. Safeguarding and Corporate Parent Implications

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

8. Financial Implications

8.1 The proposal will require a capital budget of £1.2 million to be included in the capital budget, funded from prudential borrowing. The revenue costs of borrowing will be met from existing service department revenue budgets.

8.2 Associated operational costs of the vehicles will also be funded from existing service department revenue budgets.

9. Recommendation

- 9.1 It is recommended that Cabinet recommends to Council for approval that a capital budget of £1.2 million be included in the capital programme, to be funded from prudential borrowing, to enable the Fleet Replacement Programme to continue.

Background documents

None

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