

**CABINET - TUESDAY, 28 FEBRUARY 2017**

**MINUTES OF A MEETING OF THE CABINET HELD IN COMMITTEE ROOMS 1/2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 28 FEBRUARY 2017 AT 2.30 PM**

Present

Councillor HJ David – Chairperson

HJ Townsend

PJ White

HM Williams

CL Reeves

Apologies for Absence

CE Smith

Officers:

Randal Hemingway	Head of Finance & Section 151 Officer
Darren Mephram	Chief Executive
Mark Shephard	Corporate Director - Communities
Andrew Jolley	Corporate Director Operational & Partnership Services
Mark Galvin	Senior Democratic Services Officer - Committees
Jackie Davies	Head of Adult Social Care
Nicola Echanis	Head of Education & Family Support

1060. DECLARATIONS OF INTEREST

Councillor H Townsend declared a prejudicial interest in Agenda item 8, in that she was Vice-Chairperson of Brackla Community Council. Councillor Townsend left the meeting whilst this item was being considered.

1061. APPROVAL OF MINUTES

RESOLVED: That the Minutes of the following meetings of Cabinet held on the dates as stated be approved as a true and accurate record:-

31 January 2017  
14 February 2017 (as revised)

1062. RENEWAL OF INSURANCE COVER

The Head of Finance and S151 Officer presented a report, the purpose of which was to seek approval for the renewal of the Council's insurance programme and to authorise Marsh UK Ltd as the Council's insurance broker, to accept cover for the full range of policies on behalf of the Council.

By way of background information, whilst the Council's insurance cover is subject to long term agreements with providers, the Council is required each year to agree annual premiums and associated claims handling costs for each policy.

The Head of Finance and S151 Officer went on to confirm that the annual insurance negotiations have been undertaken, and the net premiums were detailed in the Table shown in paragraph 4.1 of the report.

The claims estimate for 2017-18 amounted to £843,003 which was an increase of £7k compared to the previous year, or just under 1%. The Head of Finance and S151 Officer advised that the premiums were net figures and other than Engineering Inspection,

claims handling and part of the Terrorism insurance, were subject to 10% Insurance Premium Tax, which was an increase from 9.5% in 2016-17.

The Deputy Leader asked why there had been a year on year change amounting to 39.76% in respect of Engineering Insurance.

The Head of Finance and S151 Officer advised that this was due to the fact that a number of further items had been added to this policy hence making for increased liability cover, together with added policy cover in respect of the joint responsibility the Council now had with the SW Police for its Vehicle Maintenance Depot.

**RESOLVED:** That Cabinet approved the acceptance of the quotations contained in paragraph 4.1 of the report, and the renewal of the insurance programme through Marsh UK Limited as the Council's appointed Insurance Broker.

**1063. INTERMENT CHARGES FOR CHILDREN (UP TO AND INCLUDING THE AGE OF 16 YEARS)**

The Corporate Director Communities submitted a report, seeking Cabinet approval to amend the current pricing policy for the interment of children within Council municipal cemeteries, with a view to removing the interment charge for children up to and including the age of 16.

He confirmed that Members may be aware of the recent campaign led by Carolyn Harris (MP for Swansea East) to abolish charges imposed by Local Authorities for the interment of children. Appendix 1 to the report, showed BCBC's current policy together with those of other local authorities in Wales.

The Corporate Director Communities added that BCBC did not currently charge for interments of children under the age of 12 years in its municipal cemeteries, except within Laleston cemetery. The recommendations of the report he added, would provide a more consistent approach in terms of interment charges for burials of younger people.

He then referred to paragraph 4.5 of the report, where in table format, a summary was shown of BCBC's current policy on the charges for children in the municipal cemeteries, outlining also the current proposal to remove the interment charge for children up to and including the age of 16.

He further added, that removing the interment charge for those aged under 17 years of age, would demonstrate the Authority's empathy and understanding towards parents and the community when the terrible loss of a child occurs.

The Corporate Director Communities then referred to the reports financial implications, should such changes proposed be agreed.

The Cabinet Member – Communities supported the report's proposals which she felt would go a little way toward alleviating the terrible stress borne by parents losing a child, insofar as there would be less financial pressures put upon them.

The Leader sought clarification that the proposal would still mean that the Exclusive Rights of Burial fee (£1,226) remains for the cost of a family plot.

The Corporate Director Communities advised that the plot fee would still remain, and any work required for grave digging would be free. It was the Interment fee that would be changed from free to children under 12 to being free for children aged 16 and under.

The Leader further added that it would be useful for Cabinet to receive a report at a future date to look further at Exclusive Rights of Burial, at all Council operated burial sites within the Bridgend County Borough.

RESOLVED: That Cabinet:

- (1) Approved to align the charges for Bridgend County Borough Council's Cemeteries and Coychurch Crematorium, so creating unified charges within the Bereavement Services, by increasing the age at which the interment fee for a child is not charged in the Council's Cemeteries from under 12 years to 16 years and below.
- (2) Awaits a progress report on the subject of exclusive rights of burial and any further changes that may be considered or deemed required in the future to the Council's policy regarding this insofar as it effects all Council burial sites.

1064. BRIDGES INTO WORK

The Corporate Director Communities submitted a report, seeking Cabinet approval to apply for and accept an extension of the Bridges Into Work 2 (BIW2) Project to 31 March 2020.

By way of background, he advised that Cabinet had previously agreed in 2013 to the submission of funding proposals which included BIW2 under the new round of European funding. BIW2 is a European Social Fund project under Priority One – Tackling Poverty through Sustainable Employment and Theme 1B – Inclusion and Engagement in the Labour market.

The Corporate Director Communities proceeded by stating that BIW2 was a project collaborating with 5 other local authorities across SE Wales.

The report advised that the Project targeted economically inactive and long-term unemployed people living outside Communities First areas over the age of 25.

The next section of the report advised of challenges the Project had faced to date, including eligibility requirements and recruitment of staffing problems. He added though that the targets to be met by the end of the delivery phase of the current project would after some doubt, be met.

The Corporate Director Communities then referred to paragraph 4.2 of the report, where it was stated that an extension had been sought from WEFO to extend the project to the end of March 2020 in a potentially final round of European funding before "Brexit".

The Corporate Director Communities concluded his submission by referring to the report's financial implications outlined in paragraphs 7. of the report.

The Cabinet Member Wellbeing and Future Generations commended schemes like Bridges into Work, which gave people an excellent opportunity to obtain qualifications that would assist them in gaining employment.

She added that schemes such as this and the previous Genesis Project, that she personally benefited from in terms of receiving further qualifications.

The Corporate Director Communities responded to her comments, by stating that Bridges Into Work offered opportunities not just for individuals but for whole families, who would be able to benefit from the opportunities and subsequent achievements the Project would bring about.

The Cabinet Member Social Services and Early Help felt that the project was successful due largely to the hard work and commitment made by the management and staffing compliment that supported the scheme. It was projects such as Bridges Into Work he felt kept unemployment in the County Borough lower.

**RESOLVED:** That Cabinet gave authorisation for the Corporate Director – Communities, in consultation with the Section 151 Officer, to apply for and accept an extension to the Bridges into Work 2 (BIW2) Programme up to 31 March 2020, in line with the Council's Grants policy, and subject to being satisfied that any grant conditions attached to the extension of funding are acceptable.

**1065. NANTYMOEL COMMUNITY BUILDING INVESTMENT**

The Corporate Director Communities submitted a report, in order to provide an update to Cabinet on the progress made by relevant community groups to develop alternative community facilities within Nantymoel, using the £200k allocation within the Capital Programme set aside following the closure and subsequent demolition of the Berwyn Centre in 2012/13.

He advised that on 8 October 2012, Cabinet resolved to allocate the above sum and link this to the identification and development of new or alternative facilities in Nantymoel to replace the Berwyn Centre.

Unfortunately, advised the Corporate Director Communities, some problems had been experienced with progressing the facility as were detailed in the report, and due to this, it was proposed to extend the deadline of the release of the £200k for a further year to 31 March 2018.

The Cabinet Member Communities made the point that the above sum was public money, so there was now a need to ensure that the business plan, final design work, local governance, and certain financial elements were soon to be resolved in order to progress the project in the coming financial year.

The Deputy Leader reiterated this, adding that it was unlikely that there would be a further extension of this money agreed to, as there were other interested groups or parties that could look to develop facilities similar to those that were proposed by other methods, such as through Community Asset Transfer.

The Leader further concurred with Members comments made immediately above, adding that there was a long list of projects being awaited that would benefit from such a financial commitment.

**RESOLVED:** That Cabinet approved an extension to 31 March 2018 for Ogmore Community Council and relevant community groups to submit an acceptable business plan to the Council to develop community facilities in Nantymoel and draw down and spend the allocated capital funding in the Capital Programme.

**1066. TOWN AND COMMUNITY COUNCIL - CAPITAL FUND UPDATE**

The Corporate Director Communities presented a report, the purpose being, to seek Cabinet approval to allocate the remaining funds from the Town and Community Council Capital Fund in line with the recommendations contained within the report.

He advised that for 2016-17 the Fund was increased from its historic level of £50k per annum to a total fund of £100k.

The Corporate Director Communities further advised that a report to Cabinet on 7 June 2016 set out the detail of the applications received this year. A total allocation of £83k was approved by Cabinet, leaving a current balance of £9,500 from the £100k capital allocation this year as a further sum of £7,500 was allocated to a scheme carried over from 2015/16.

The report then outlined two applications originally received by Cabinet last summer, with Brackla Community Council submitting a proposal with total project costs of £23,500 to replace the boilers at Brackla Community Centre, and with Cornelly Community Council also submitting an application for a project for a gateway project at 'Fairfields' North Cornelly totalling £40,500.

Paragraphs 4.1 and 4.2 of the report then clarified the reasons why the project in Brackla was preferred to being supported by financial assistance from the Council, as opposed to the Cornelly project.

The Cabinet Member Communities noted that the Brackla bid linked more to Community Asset Transfer criteria, and therefore she was in support of their application, whilst the Leader added that there was a strong business case for the application from Brackla Community Council, particularly as Brackla supported one of the largest residential areas of the County Borough.

**RESOLVED:** That Cabinet approved a funding allocation of £9,500 to Brackla Community Council from the Town and Community Council fund towards total project costs of £23,500 to replace boilers at Brackla Community Centre.

**1067. WESTERN BAY COMMISSIONING STRATEGY FOR CARE HOMES FOR OLDER PEOPLE 2016-2025**

The Corporate Director Social Services and Wellbeing submitted a report, to seek approval from Cabinet to endorse the regional Western Bay Care Homes Commissioning Strategy for Older People and local implementation strategy for Bridgend County Borough, and explain the Strategy's agreed objectives and commissioning priorities following the stakeholder consultation process.

The Head of Adult Social Care confirmed that the Western Bay Care Homes Commissioning Strategy for Older People had been developed as part of the Western Bay Health and Social Care Programme.

She advised that the Strategy, post consultation (attached at Appendix 1 to the report), was endorsed for approval on behalf of the Western Bay partnership by the Community Service Board on 16th December 2016 and approval was now sought from partner organisations for the Western Bay Commissioning Strategy for Care Homes for Older People and its local implementation plans (Appendix 2 of the report referred).

The Head of Adult Social Care further added that in total there had been 300 comments on the above document, and the feedback received and detailed responses were contained in Appendix 3 of the report.

She then proceeded to advise of the objectives of the Commissioning Strategy which were detailed in paragraph 3.6 of the report.

The Commissioning Strategy sets out the challenges for the future as a result of the changing demographic profile across the population, not only for the health and social care system but also by the providers of residential care services, who are increasingly providing care to older people with complex needs, and those at the end of life.

The Head of Adult Social Care stated that building on this statutory and non-statutory guidance, and the feedback from the consultation process, the Western Bay Health and Social Care Partnership had identified a series of key strategic intentions. These were shown in paragraph 4.5 of the report.

She proceeded by advising that the Strategy provided greater focus on person centred working that promotes choice, dignity and quality of life, and the Western Bay partnership intended to develop an outcomes framework to measure the critical outcomes and results that commissioners will want to see delivered, such as quality of life and quality of care amongst others.

She concluded the report, by advising that the financial implications of the Strategy would be managed within the overall context of the MTFS.

The Cabinet Member Social Services and Early Help supported the report, whilst the Leader noted that the timescales associated with different elements of the Implementation Plans were showing as incomplete in terms of target dates, and therefore, he felt that an update report should be presented to Cabinet at a future date showing these as being targeted and/or completed.

He added that there was a lot of examples of good and effective care support plans in place in the Bridgend County Borough, though there was always some room for improvement in important areas such as this.

- RESOLVED:**
- (1) That Cabinet approved the Commissioning Strategy for Care Homes for Older People 2016 – 2025 and the local implementation plan for Bridgend County Borough.
  - (2) That a further report be submitted to a future meeting of Cabinet confirming timescale dates for all elements of the Strategy's Local Implementation Plans.

**1068. APPROVAL OF THE STATEMENTS OF PURPOSE FOR REGULATED SERVICES**

The Corporate Director – Social Services and Wellbeing submitted a report that provided Cabinet with the revised Statements of Purpose for the current regulated services provision in Bridgend County Borough for approval.

The report confirmed that each In-House service provision had its own Statement of Purpose, which set out the aims and objectives of the service, and what individuals can expect from that service. These were attached at Appendices 1 – 4 of the report.

The Head of Adult Social Care referred Members to paragraph 4.2 of the report, which outlined the changes to the Statements of Purpose that related to Newbridge House, Sunnybank, Bakers Way and the BCBC Fostering services.

The Cabinet Member for Social Services and Early Help congratulated all the staff for their hard work in remodelling the service for the future. He added that the recent inspection of the services made by CSSIW had gone well and he had also visited the three residential facilities in question, and had received positive feedback from these visits.

He concluded by advising that his aim was to encourage foster caring in the Bridgend County Borough, rather than the more Out of County placements, which was extremely expensive.

**RESOLVED:** That Cabinet noted the content of the report and approved the Statements of Purpose for each of the regulated services provision.

**1069. APPOINTMENT OF LOCAL AUTHORITY GOVERNORS**

The Corporate Director Education and Family Support presented a report, seeking approval from Cabinet for the appointment of Local Authority (LA) governors to the school governing bodies listed in paragraph 4.1 of the report.

The Head of Education and Family Support referred Members to the above section of the report, which stated that for the 13 schools listed there, 14 applicants had met the approved criteria for appointment as LA governors with there being no competition for any of the vacancies. As a result of this the persons named in the report were successfully appointed. She added however, that there were still 22 vacancies that needed to be filled and details of these were shown in Appendix A to the report.

**RESOLVED:** That Cabinet approved the appointments listed in paragraph 4.1 of the report.

**1070. INFORMATION REPORTS**

The Corporate Director Operational and Partnership Services presented a report, so as to inform Cabinet of the Information Reports which have been published since its last scheduled meeting.

These were detailed in paragraph 4.1 of the report.

The Leader wished it placed on record that following inspections at the four schools mentioned in the reports by Estyn, he was very pleased to note that prospects for improvement at Bryntirion Comprehensive and Ysgol Cynwyd Sant had been judged as 'excellent', and 'good' in respect of Pencoed Primary School. Tremains Primary School's prospects for improvement by Estyn however, had only been described as 'adequate' following this school being inspected, and he felt therefore that a further report needed to be submitted to Cabinet regarding future progress at this particular school in due course.

**RESOLVED:**

- (1) That Cabinet acknowledged the publication of the document listed in the report.
- (2) That in respect of the information report entitled "Estyn Inspection Outcomes for Tremains Primary School" a

further report be submitted to Cabinet at a future date containing details of progress at the school, given that following a recent inspection of the school by Estyn its current performance and prospects for improvement were judged as only being 'adequate'

**1071. SCHOOL MODERNISATION – PENCOED PRIMARY**

The Chairperson accepted the above item as urgent under Rule 2.4.(e) of the Cabinet Procedure Rules within the Council's Constitution, on the basis that the business in question needs to be considered at the meeting in order to meet the funding profile agreed by Welsh Government. In addition, the school is scheduled to be opened on 1 April 2018. If Cabinet did not consider the report until its next scheduled meeting, it would become impossible for the scheme to be completed by April 2018.

The Head of Education and Family Support presented a report, that requested that Cabinet agrees to delegate authority to the Corporate Director Education and Family Support, to conduct negotiations with the lowest price tenderer in accordance with procurement legislation, and subject to the successful outcome of any such negotiations, delegates authority to the above Officer to award a contract, with the terms to be finalised in consultation with the S151 Officer, and to arrange execution of the same on behalf of the Council.

The report outlined certain background information, following which it confirmed that on 4 October 2016, Cabinet authorised the invitation of tenders for the construction of the new Pencoed Primary School, with delegated authority being given, to award the contract to the bidder who submitted the most economically advantageous tender for the construction of the new school, subject to the tender price being acceptable to the S151 Officer and receipt of Welsh Government funding approval and certain other requirements

The Head of Education and Family Support that the tender process had been undertaken, and that only 2 of the 5 tenderers had been in compliant with the scheme, with both of these tender quotes significantly in excess of the construction budget available for the scheme.

In view of this, the way forward now was to, as a matter of urgency, commence negotiation of a 'Value Engineering' schedule with the contractor who submitted the lowest tender, in order to bring the construction cost sum within available budget, due to there being a clause in the tender which allows for the authority to negotiate with the lowest tenderer. The Head of Education and Family Support added however, that this negotiation process would undoubtedly prolong to a degree the awarding of the contract and potentially delay the school opening date. It may also impact on achieving next year's Welsh Government (WG) spend on the project she added.

Paragraph 7 of the report reinforced this, by adding that the timetable was restrictive as the construction contract was part funded by WG, so there was a risk that if the spend profile was not met then the Council may lose the approved Welsh Government grant funding.

The Head of Education and Family Support concluded her submission by outlining the report's financial implications as shown in paragraph 7.1 (of the report).

The Leader advised that undertaking negotiation of a 'Value Engineering' schedule with the contractor would not impact in any way on the quality of work needed in the construction of the facility. When the construction cost sum is eventually received, then



this would be assessed by the Council's Quantity Surveyors in order to establish if any savings could be achieved through design changes that would not have any impact on future teaching and learning.

The Deputy Leader advised that he was frustrated that the tender did not come in on budget, however, as the Leader had just stated, Council Officers would ensure that the project remains "Value for Money".

The Head of Education and Family Support also reinforced that prices/estimates in respect of the school had originally been set in 2010, and since then costs for materials had increased.

The Cabinet Member for Social Services and Early Help closed debate on this item by further adding that work for Engineering companies had also picked up within the last few years.

**RESOLVED:**                      That Cabinet:

1. Delegated authority to the Corporate Director, Education and Family Support to conduct negotiations, with the lowest priced tenderer, in accordance with procurement legislation.
2. Subject to the contract being awarded in accordance with paragraph 8.1.1 of the report, and to the revised price being acceptable to the S151 Officer (which is a requirement of Cabinet in its resolution of the 4th October 2016), delegated authority to the Corporate Director, Education and Family Support to enter into a construction contract and any relevant ancillary agreements thereto, in consultation with the Director of Operational and Partnership Services and arrange for execution of the same on behalf of the Council.
3. Noted that Cabinet will in due course receive an information report detailing the outcome of the negotiation and award process.

**1072. EXCLUSION OF THE PUBLIC**

**RESOLVED:**                      That under Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, the public be excluded from the meeting during consideration of the following items of business as they contain exempt information as defined in Paragraphs 14, 16 and 18 of Part 4 and Paragraph 21 of Part 5 of 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 and the advice of the Monitoring Officer in respect of these items, it was resolved that pursuant to the Act referred to above, to consider them in private with the public being excluded from the meeting as they would involve the disclosure to them of exempt information.

**1073. APPROVAL OF EXEMPT MINUTES**

**CABINET - TUESDAY, 28 FEBRUARY 2017**

1074. RISK BASED VERIFICATION

The meeting closed at 4.06 pm