

CABINET - TUESDAY, 30 JANUARY 2018

MINUTES OF A MEETING OF THE CABINET HELD IN COUNCIL CHAMBER - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 30 JANUARY 2018 AT 14:30

Present

Councillor HJ David – Chairperson

CE Smith
RE Young

PJ White

HM Williams

D Patel

Apologies for Absence

Officers:

Gill Lewis	Interim Head of Finance and Section 151 Officer
Julie Ellams	Democratic Services Officer - Committees
Darren Mephram	Chief Executive
Mark Shephard	Corporate Director - Communities
Susan Cooper	Corporate Director - Social Services & Wellbeing
Andrew Jolley	Corporate Director Operational & Partnership Services
Lindsay Harvey	Corporate Director Education and Family Support
Gary Jones	Head of Democratic Services
Mandy Paish	Senior Challenge Advisor, Central South Consortium

133. DECLARATIONS OF INTEREST

Councillor D Patel declared a personal interest in agenda item 10, Local Authority Governor Applications as she had applied to be a local authority governor at Coleg Cymunedol Y Dderwen and agenda item 13, Estyn Inspection Outcomes for Ogmore Vale Primary School as she was a school governor at Ogmore Vale Primary School.

134. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of Cabinet of 19th December 2017 be approved as a true and accurate record.

135. BUDGET MONITORING 2017-18 - QUARTER 3 FORECAST

The Leader welcomed the Interim Head of Finance and Section 151 Officer to her first Cabinet meeting. The Interim Head of Finance and Section 151 Officer then provided Cabinet with an update on the Council's financial position as at 31st December 2017.

The budget monitoring report provided an overview of the current financial position and projected outturn for the year against the budget approved by Council in March 2017.

On 1st March 2017, Council approved a net revenue budget of £258.093 million for 2017-18, along with a capital programme for the year of £63.854 million, which had since been updated to £49.893 million taking into account new approvals and slippage of schemes into 2018-19.

The overall projected position at 31st December 2017 was a net underspend of £1.245 million, comprising £947,000 net over spend on directorates and £5.336 million net under spend on Council wide budgets. This was a reasonable position to be in with no

significant variances between budgets since those reported to Cabinet at the end of quarter 2 in October 2017.

She explained that potential in-year budget pressures in respect of energy increases for both gas and electricity were still unknown and any adjustments would be processed as figures became more certain.

Where proposals for current year budget reduction requirements had been delayed or were not achievable, directorates were working diligently to identify mitigating actions to meet the balance of the shortfalls in this financial year.

The Interim Head of Finance and Section 151 Officer provided an update on the Council's capital programme and movement within earmarked reserves during quarter 3.

The Leader welcomed the overall projected underspend. He requested further information on the pressures behind the overspends on services for people with learning disabilities and the proposals brought forward to manage cost pressures.

The Corporate Leader – Social Services and Wellbeing explained that the directorate was currently undertaking a full financial review and formulating a financial plan to identify alternative cost reduction opportunities. In the Learning Disabilities Residential Care service, there was a projected over spend of £127,000 as a result of an increase in the complexity of needs together with the demand for residential respite services. They were trying to avoid expensive out of county placements but a significant part of the over spend was down to the complexity of the people they were supporting.

The Cabinet Member for Social Services and Early Help explained that the pressures on the directorate were detailed in the report. There were more people with complex needs and learning disabilities and numbers were increasing. He added that he would like to see a review of the budget in addition to the financial plan.

The Deputy Leader thanked the finance officer for keeping finances on track and requested more information on movement between reserves. The Interim Head of Finance and Section 151 Officer explained that the reserves were kept under close scrutiny because of the possibility of unforeseen circumstances. A new contingency reserve had been created to cover pay awards the impact of which could be difficult to fund. She added that if reserves were not utilised they would be reviewed.

The Cabinet Member for Wellbeing and Future generations asked what impact the underspend had had on the workforce and the provision of street services. The Corporate Director-Communities explained that there had been a problem recruiting temporary seasonal staff. Options were being considered to make the service more resilient and preparations were being made for cuts the following year. The vast majority of staff had responded well to new ways of working.

RESOLVED: Cabinet noted the projected revenue and capital outturn position for 2017-18.

136. RE-DEVELOPMENT OF MAESTEG TOWN HALL

The Corporate Director – Communities provided an update on the Maesteg Town Hall Project seeking approval from Cabinet to present a report to Council proposing a revision to the capital programme for 2017-18 to 2016-27. Following the transfer of management of the Town Hall to Awen Cultural Trust in 2015, feasibility work was commissioned for the restoration and renovation of the building and creation of a modern multi-purpose culture and arts venue. The scheme proposal had been

prioritised by WG for Buildings for the Future Funding and a full business case for the project was now required.

The Corporate Director – Communities explained that Mace Group was commissioned in August 2017 to develop the design concept, carry out additional feasibility and provide more accurate cost estimates for the project. The detailed feasibility work was scheduled for completion by March. It was anticipated that the cost of the scheme based on the original ambition would be £5-6 million, an increase over the initial preliminary estimate of £4-5 million which was made before detailed feasibility work had been carried out. The renovation of old historic buildings was though he explained always complex and until feasibility was complete and all pertinent issues identified a true capital estimate was difficult to predict accurately. He went on to explain that until final tenders were received the cost estimate would remain indicative with a further report to be presented to cabinet when the work and cost plan had been completed.

Cabinet had already resolved to ring fence £800,000 of the anticipated receipt from the sale of land at Ewenny Road for regeneration in the Llynfi Valley and it had always been anticipated that this sum would be used to support the redevelopment of Maesteg Town Hall. The land however had not yet been sold and so this presented a timing issue as it was necessary now to confirm the additional £800,000 allocation to the scheme for the purposes of external funding bids, because the Council had been advised that there was better chance of those being successful if the full amount of the Council's match funding was confirmed now prior to those applications being formally considered. However, this required the Council to identify the £ 800,000 in its capital programme now which would be offset once the sale of Ewenny Road was complete . This presented a small risk to the Council as there was a risk that it would not sell and that if it did it would sell for less than £800,000. The Corporate Director Communities reassured Cabinet however that the sale of the land was well advanced.

The Cabinet Member for Education and Regeneration explained that the Llynfi Valley residents were aware of discussions but it would be helpful for new members if examples of the proposals could be circulated. Concerns were raised that the project could not go ahead without the sale of land at Ewenny Road. The Corporate Director Communities explained that in a scenario where the current ambition for the redevelopment of the hall became unaffordable, either because all of the anticipated external funding was not secured or because the costs of the scheme increased , that there were a number of options. It would be possible to look for other sources of external funding, although this might cause some delay, the scheme could be paired back and value engineered to whatever amount of money was available, but there would potentially be operational consequences of doing this, or a further request could go back to Council to secure the additional funds required if necessary, however this would need to be considered in the context of other demands on the Council's capital programme. .At this stage he reiterated that the ambition remained to deliver the full scheme , but this may have to be reviewed depending on the final cost estimate and the result of external funding bids over the next few months.

The Cabinet Member for Wellbeing and Future Generations asked if officers were confident that costs would not increase again. The Corporate Director – Communities said that he would be more confident when final estimates were received at the end of March.

The Leader stated that he was confident the project would go ahead and that the receipt from Ewenny Road would be secured.

RESOLVED: Cabinet recommended obtaining approval from Council for an increased capital budget of £5.186 million for the proposed

redevelopment of Maesteg Town Hall, which included an additional £800,000 of capital receipts, generated either by the sale of the land at Ewenny Road, or general capital receipts, in the event that the Ewenny Road receipt failed to materialise or was lower than the anticipated receipt together with revised funding from external sources.

137. CROESTY PRIMARY SCHOOL & PENCOED COMPREHENSIVE SCHOOL - SAFE ROUTES IN COMMUNITIES SCHEME EXPENDITURE INCREASE

The Corporate Director – Communities presented a report requesting Cabinet approval to increase the contract expenditure for Phase 2 of the Croesty Primary and Pencoed Comprehensive School capital scheme which was being funded by the Welsh Government's Safe Routes in Communities programme. The report also sought a waiver under Contract Procedures Rule 3.2.5 from the requirement to obtain quotes or tenders to allow the extension of the contract with the current contractor.

It was anticipated that the full costs of the original scheme and the additional works identified, including any further cost increases that might occur as a result of issues encountered on site, would be deliverable within the revised funding allocation of £675,000, subject to the submission and approval of an acceptable quotation to undertake the additional works by Alun Griffiths (Contractors) Limited.

The Cabinet Member for Communities commended the proposal and said that it was essential for this proposal to be approved.

RESOLVED: Cabinet:

- a) Approved the additional expenditure on the scheme;
- b) Authorised a waiver under Contract Procedure Rule 3.2.5 from the requirement to obtain quotes or tenders for the above to allow the extension of the contract with the current contractor.

138. CHILDREN'S SOCIAL CARE - UNIVERSITY FEES

The Corporate Director – Social Services and Wellbeing presented a report informing Cabinet of the review that was underway in relation to financial support provided to care leavers with university fees and associated costs. The report also sought approval to formally consult on the proposed three financial options to support care leavers attending University.

The Corporate Director – Social Services and Wellbeing explained that the Authority provided young people who were previously looked after children with financial assistance to attend university and higher education courses. This assistance was provided in the absence of an agreed policy and there was no identified budget from which the financial support could be drawn. The report also reflected the package of recommendations included in the Review of Higher Education Funding and Student Finance Arrangements in Wales final report. The Authority was currently supporting nine care leavers to attend university and this number was likely to increase over the next three years.

The Corporate Director – Social Services and Wellbeing explained that the three alternative options to the current position were consistent in ensuring that the Authority

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was compliant with the SSWBA. She outlined the three options and the risks and benefits of each one.

The Cabinet Member for Social Services and Early Help stressed the importance of providing the best support possible and ensuring that students were not treated differently. More looked after children were entering university and it was important to have a policy and budget in place for them.

The Leader concurred that it was important to have a policy and budget in place and for it to be consistently applied. It was important for students to have the opportunity to progress in life and he was looking forward to seeing the outcome of the consultation.

The Deputy Leader welcomed the opportunity to develop a policy to support looked after children going to university. He suggested that consideration should be given to any suggestions arising from the consultation and not just the three options already proposed.

The Cabinet Member for Social Services and Early Help agreed with the suggestion and that a policy was required to deal with a substantial amount of money in an area where numbers were likely to increase.

RESOLVED: Cabinet

- Noted the information contained in the report
- Approved a formal 12 week consultation on the options detailed in the report;
- Agreed to receive a report with the outcome of the consultation, (including amendments/additions to the three options), which would include Overview and Scrutiny Committee members, in order for Cabinet to make a final decision.

139. WELSH LIBRARY STANDARDS - PERFORMANCE

The Corporate Director – Social Services and Wellbeing presented to Cabinet the Council's performance against the Welsh Public Library Standards (WPLS) Fifth Framework for the period 2016-17 and to gain approval for the Library Service's strategic principles. On an annual basis Bridgend Council submitted a WPLS annual return for consideration by assessors. A report was then issued by the Museums, Archives and Libraries Division (MALD) attached as Appendix 1 to the report. This report explained that the Library Service in Bridgend now met all eighteen of the core citizen entitlements in full and also in relation to the seven target based quality indicators, five were fully met and one part met.

The Leader stated that it was encouraging to receive the report as for the first time the authority met all eighteen of the entitlements.

The Cabinet Member for Wellbeing and Future Generations commented that she was pleased to see the report and that all eighteen of the entitlements had been met and that customers were happy with the service provided.

RESOLVED: Cabinet:

- 1) Considered and noted the content of the report and appendix, and recognised a successful year of progress against the Welsh Public Library Standards.

- 2) Approved the strategic principles for development including the potential co-location of facilities and options for the mobile library service to be progressed as part of the service development plan for 2018/19.

140. PROPOSAL TO ESTABLISH AN AUTISTIC SPECTRUM DISORDER (ASD) LEARNING RESOURCE CENTRE (LRC) AT PENCOED PRIMARY SCHOOL

The Interim Corporate Director, Education and Family Support presented a report seeking Cabinet approval to consult formally with the parents, staff and governing body of Pencoed Primary School and other interested parties on the proposal to establish a LRC for pupils with ASD at Pencoed Primary School.

He explained that the Council supported the principles that, when possible, children should be educated within a mainstream school environment as near to their home as possible. The proposal to open an ASD LRC at Pencoed Primary School would afford children with ASD living in the east locality of BCB to be educated locally.

The Interim Corporate Director, Education and Family Support added that the opinions of young people would also be sought as part of the consultation.

The Cabinet Member for Education and Regeneration stated that he supported the proposals which represented a substantial investment in Pencoed and for the whole county.

The Leader said he was pleased to see the proposals and planned consultation and that when stakeholders had been consulted about opening a learning resource centre at Ysgol Gyfun Gymraeg Llangynwyd, there had been an overwhelmingly positive response from the school community and he was confident of an equally positive response at Pencoed.

RESOLVED: Cabinet agreed to consult formally on the proposal to establish a LRC for pupils with ASD at Pencoed Primary School and for the outcome of the consultation to be reported back to Cabinet so that an informed decision could then be made on the proposal with effect from 1 September 2018.

141. LOCAL AUTHORITY GOVERNOR APPLICATIONS

The Interim Corporate Director, Education and Family Support presented a report seeking approval from Cabinet for the appointment of local authority governors to the school governing bodies listed in the report.

For 12 of the schools listed, 15 applicants met the approved criteria for appointment as LA governors and there was no competition for any of these vacancies. For the remaining 4 schools, there was competition for 5 vacancies and the officer panel scrutinised the applications and made the recommendations contained in the report.

The Cabinet Member for Education and Regeneration invited any community minded residents to look out for future vacancies and said that free training would be provided.

RESOLVED: Cabinet approved the appointments listed in paragraphs 4.1 and 4.2 of the report.

142. SCHOOL MODERNISATION PROGRAMME - BAND B

The Interim Corporate Director, Education and Family Support presented a report with the Interim Head of Finance and Section 151 Officer seeking Cabinet endorsement of the financial programme required for Band B of the School Modernisation Programme prior to submission to Council.

In December 2017 Welsh Government gave approval in principle for Bridgend's second wave of investment which had an estimated programme envelope cost of £68.2m. Further costs yet to be determined may be required associated with additional infrastructure capacity. Initial work had commenced on the programme and project teams were being established. The work of the project teams would determine any additional requirements to deliver on the individual schemes such as highway improvements.

The Interim Corporate Director, Education and Family Support explained the financial implications, the need for detailed business cases for each project and how the match funding would be provided. He also reported the projects included in the Council's capital programme to be confirmed once Welsh Government approved the final business cases and sufficient funding had been generated.

The Cabinet Member for Education and Regeneration added that this was an ambitious yet achievable scheme.

RESOLVED: Cabinet:

- (1) approved in principle the financial commitment required for Band B of the school Modernisation Programme. The approval would be subject to sufficient resources being identified and allocated to meet the match funding commitment;
- (2) approved that a report be submitted to Council to amend the capital programme for Band B of the School Modernisation Programme.

143. ESTYN INSPECTION OUTCOMES FOR CYNFFIG COMPREHENSIVE SCHOOL

The Group Manager, Schools Improvement, presented a report on the outcomes of the recent Estyn inspection of Cynffig Comprehensive School. The School was inspected by Estyn in October 2017 and the report was published on 4 December 2017. Inspectors reached 4 judgements of "Adequate and needs improvement" and one "Good" and made a number of recommendations. The school would draw up a post-inspection action plan which would detail how it would address the recommendations.

The Cabinet Member for Education and Regeneration stated that he was pleased that there was a proactive programme of support following the mixed results.

The Group Manager, Schools Improvement outlined the support that had been put in place including support on good practice skills from across the region, support from specialists in relation to behaviour and evidence from other schools and partnerships to help develop systems and processes.

The Leader stated that he was confident the school would make progress and he looked forward to receiving a report back in due course.

RESOLVED: Cabinet noted the content of the report.

144. ESTYN INSPECTION OUTCOMES FOR OGMORE VALE PRIMARY SCHOOL

The Group Manager, Schools Improvement, presented a report on the outcomes of the recent Estyn inspection of Ogmores Vale Primary School. Ogmores Vale Primary School was inspected by Estyn in October 2017 and the report was published on 4 December 2017. Inspectors reached 4 judgements of "Adequate and needs improvement" and one "Unsatisfactory and needs urgent improvement" and made a number of recommendations. The school would draw up a post-inspection action plan which would show how it would address the recommendations. The Interim Corporate Director, Education and Family Support reported that Estyn would review the position on 13th and 14th February 2018 and then provide termly updates in terms of progress.

The Cabinet Member for Education and Regeneration stated there had been a recent visit to the school before the results were published and Members had a good understanding of what was happening at the school and he was positive the school would rise to the challenge.

The Group Manager, Schools Improvement explained that there was a further level of follow up category for this school. The post inspection action plan required a statement from the Local Authority within 10 days. The school had submitted the relevant documentation and Estyn were currently working through the statement of action. They were expecting to see improvements within the academic year and would report half termly on progress. Progress would be monitored through the school improvement group and there would be further reports to Cabinet.

RESOLVED: Cabinet noted the content of the report.

145. PRIVATE SECTOR RENEWAL POLICY

The Corporate Director Operational and Partnership Services presented a report seeking Cabinet approval to amend the Private Sector Housing Renewal and Disabled Adaptations Policy to reflect the Welsh Government changes to the terms and conditions of the "Houses into Homes" empty property loan scheme.

He explained that Welsh Government had changed the terms and conditions of the loan scheme by increasing the loan term for empty properties intended for rental from a maximum of 3 years to 5 years. The maximum loan offered per applicant for empty properties was also increased from £150,000 to £250,000 (10 units at £25,000 per unit).

The Cabinet Member for Wellbeing and Future Generations welcomed the changes which would help with the empty properties agenda.

The Deputy Leader also welcomed the changes and the ability to recycle funds and invest in local builders and suppliers.

RESOLVED: Cabinet approved the revised Private Sector Renewal and Disabled Adaptation Policy, specifically, the changes to the 'Houses into Homes' empty property loan scheme as outlined in section 4.1 of the report.

146. PUBLIC SPACE PROTECTION ORDER

The Corporate Director Operational and Partnership Services reported that this item had been withdrawn because the report did not contain plans of the new Public Space Protection Orders which Members were being asked to create.

RESOLVED: That the item be withdrawn.

147. DATA RETENTION POLICY

The Corporate Director Operational and Partnership Services presented a report for Cabinet to approve the Data Retention Policy which would set out the Council's responsibilities and activities in respect to the data it held with an emphasis on the introduction of a data retention schedule agreed by all Directorates.

He explained that the General Data Protection Regulation would come into force in May 2018 and would introduce additional requirements around the retention of personal data compared to the current Data Protection Act 1998. A breach of these provisions could lead to the imposition of considerable fines.

The Corporate Director Operational and Partnership Services explained that the Data Retention Policy aimed to define the Authority's obligations and responsibilities in the handling and storage of data in relation to the Data Protection Act 1998.

The Cabinet Member for Wellbeing and Future Generations thanked the officers who had worked on the development of the policy.

RESOLVED: Cabinet approved the Data Retention Policy attached at Appendix 1 to the report.

148. COMMISSIONING AND AWARD OF CONTRACTS IN RESPECT OF THE SUPPORTING PEOPLE PROGRAMME

The Corporate Director Operational and Partnership Services presented a report seeking approval to enter into a pilot contract for 12 months with an option to extend for a further 12 months for a Perpetrator Programme to complement the existing Integrated Domestic Abuse Service. If approval was granted then part of the Council's Contract Procure Rule in respect of a pilot contract for Perpetrator Programme would be suspended and the Corporate Director Operational and Partnership Services would be authorised to enter into a 12 month pilot contract with an option to extend for a further 12 months.

The Corporate Director Operational and Partnership Services explained that an opportunity had arisen to develop a pilot scheme to run alongside the existing provision to work with perpetrators. The Perpetrator intervention programme would deliver a holistic approach to service delivery with the commitment of eradicating violence against men and women, domestic abuse and sexual violence, supporting the prevention, protection and support agenda through the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015, and Social Services and Wellbeing Act (Wales) 2014.

He explained that there were difficulties in the commissioning of these services due to the unknown future funding of such Contracts under Welsh Government funding programmes. The proposed length of this contract was relatively short term and had a low value. This risk needed to be weighed against the need to provide a preventative

service to prevent or reduce domestic abuse, sexual violence and risk of serious harm or homicide from occurring.

The Cabinet Member for Wellbeing and Future Generations added that this was an interesting report tackling the issue of domestic abuse in a different way. The core service would continue to work with victims in the usual way and this was an opportunity to pilot the scheme.

The Leader and Cabinet Member for Communities concurred with this and added that this was a highly specialist service which could only be provided by a limited number of organisations.

RESOLVED: Cabinet:

- (1) Suspended the relevant parts of the Councils CPRs in respect of the requirements to tender and enter into a pilot contract for 12 months, with an option to extend for a further 12 months for the Perpetrator Programme listed in Appendix 1 of the report.
- (2) Authorised the Corporate Director Operational and Partnership Services to enter into a 12 month pilot Contract with an option to extend for a further 12 months for Perpetrator Programme.

149. **INFORMATION REPORTS FOR NOTING**

The Corporate Director Operational and Partnership Services presented a report that informed Cabinet of the Information Reports for noting published since its last scheduled meeting, as contained in paragraph 4.1 of the report.

RESOLVED: That Cabinet acknowledged the publication of the four documents contained in the covering report.

150. **URGENT ITEMS**

RESOLVED: The Chairperson accepted the following item as urgent in accordance with paragraph 2.4 (e) of the Cabinet Procedure Rules within the Constitution, in order to enable sufficient time for Cabinet to consider both the findings of the Budget Research and Evaluation Panel (BREP), together with the responses of each of the Subject Overview and Scrutiny Committees on the draft Budget proposals contained within the Council's Medium Term Financial Strategy (MTFS).

151. **MEDIUM TERM FINANCIAL STRATEGY 2018-19 TO 2021-22 AND DRAFT BUDGET CONSULTATION PROCESS**

Cllr M Jones, Chairperson of the Budget Research and Evaluation Panel, presented Cabinet with the findings and recommendations of the Corporate Overview and Scrutiny Committee in relation to the findings of the Budget Research and Evaluation Panel (BREP) and the responses from all the Subject Overview and Scrutiny Committees in relation to Cabinet's draft budget proposals. Cllr C Green, Chairperson of the Corporate Overview and Scrutiny Committee was due to present the report but sent apologies for absence due to her being unwell.

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Cllr M Jones thanked the Deputy Leader and officers for their support during the process. The Corporate Overview and Scrutiny Committee considered the findings of the BREP on 25 January 2018 to determine whether the recommendations should be forwarded to Cabinet as part of the budget consultation process.

He explained that in addition to proposing recommendations in relation to the draft budget proposals for 2018-19 to 2021-22 and the consultation process, the Panel also made several recommendations regarding future budget planning and also proposed recommendations to other forums within the Authority.

The Deputy Leader thanked Cllr M Jones for chairing BREP and for taking the role seriously and enthusiastically. Cabinet would give due diligence to the recommendations and report further in due course.

The Leader also thanked Cllr M Jones and the Panel for the time taken to carefully consider all the proposals. This was a cross party panel and he thanked members for the constructive way they engaged in the process. Cabinet would now consider the recommendations and then report back to scrutiny and BREP.

RESOLVED: Cabinet agreed to consider the recommendations of the Corporate Overview and Scrutiny Committee, in response to the Medium Term Financial Strategy 2018-19 to 2021-22 and the Draft Budget Consultation Process

152. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, the public be excluded from the meeting during consideration of the following item of business as it contains exempt information as defined in Paragraph 14 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 in consideration of this item, it was resolved that pursuant to the Act referred to above, to consider the item in private, with the public being excluded from the meeting as it would involve the disclosure of exempt information of the nature as stated above.

153. DISPOSAL OF LAND AT PARC AFON EWENNI (FORMER JOHN RAYMOND TRANSPORT DEPOT)

The meeting closed at 16:20