

MINUTES OF A MEETING OF THE CABINET HELD IN CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 19 FEBRUARY 2019 AT 14:30

Present

Councillor HJ David – Chairperson

CE Smith
RE Young

PJ White

HM Williams

D Patel

Apologies for Absence

None

Officers:

| | |
|----------------|--|
| Gill Lewis | Interim Head of Finance and Section 151 Officer |
| Kelly Watson | Head of Legal & Regulatory Services |
| Mark Shephard | Interim Chief Executive |
| Susan Cooper | Corporate Director - Social Services & Wellbeing |
| Mark Galvin | Senior Democratic Services Officer - Committees |
| Lindsay Harvey | Corporate Director Education and Family Support |
| Zak Shell | Head of Neighbourhood Services |

314. DECLARATIONS OF INTEREST

Councillor HM Williams – Personal interest in Agenda item 10, as he has two grandchildren who are pupils in Ysgol Gynradd Gymraeg Calon Y Cymoedd School.

Councillor CE Smith – Personal interest in Agenda item 11, as a member of the Management Board for the Pupil Referral Unit.

315. RENEWAL OF INSURANCE COVER

The Interim Head of Finance and S151 Officer submitted a report, the purpose of which, was to inform Cabinet of the result of the retender exercise for the liability and officials indemnity policies and to seek Cabinet approval to authorise Marsh UK Limited, as the Council's appointed insurance broker, to accept cover for the full range of policies, on behalf of the Council.

Table 1 in the report confirmed the net premiums, excluding insurance premium tax, and the Interim Head of Finance and S151 Officer added, that Marsh UK Limited had undertaken the annual insurance renewal negotiations for the policies still subject to long term agreements.

She pointed out that negotiations with Marsh UK Ltd had resulted in an overall reduction in premium from 2018-19 of £18,512.

Paragraph 4.8 of the report gave details of the tender process that had been followed, which also included the responses to the tender, the winning score as well as the recommended Insurer. This covered a five year long term agreement. The current premium and claims handling costs as well as the new tender premium and claims handling costs were shown in Table 3 within the report. It was noted that there was a reduction in total cost of £2,936.

The Interim Head of Finance and S151 Officer then concluded her submission by outlining the report's financial implications with the costs for 201-20 being shown in Table 4 in the report, which reflected a reduction of £21,448 (3.0%) compared with last year. Costs would be met from the 2019-20 Insurance Revenue budget.

The Deputy Leader confirmed that he was impressed to note that there was a reduction in insurance cost for the Motor Fleet, notwithstanding the fact that we were now serving a larger population with less vehicles.

RESOLVED: That Cabinet approved the acceptance of the quotations in paragraphs 4.1 and 4.9 of the report and the renewal of the insurance programme through March UK Limited as the Council's appointed Insurance Broker.

316. ANTI-FRAUD & BRIBERY AND ANTI-MONEY LAUNDERING POLICIES

The Interim Head of Finance and S151 Officer presented a report, which sought formal approval and adoption of the Anti-Fraud and Bribery Policy and Anti-Money Laundering Policy, attached at Appendix A and Appendix B, respectively.

The report gave some background information, then advised that Cabinet are required to review and approve both the Anti-Fraud and Bribery, and Anti-Money Laundering Policies on a regular basis, to ensure that they remain up to date with current legislation and to minimise the risks of fraud, bribery or money laundering occurring.

The Anti-Fraud and Bribery Policy has been updated to reflect changes in the General Data Protection Regulations and strengthens the definition of 'fraud' to include deception, forgery, extortion, theft, conspiracy, embezzlement and false representation, manipulating of accounts and records, dishonest contract arrangements and other financial irregularities. The policy also references the need for Members to declare any Related Party Transactions, which forms part of the Statement of Accounts year end processes.

The Interim Head of Finance and S151 Officer confirmed, that the Anti-Money Laundering Policy has been updated to more clearly define Money Laundering and reflect new legislation including the Sanctions and Anti-Money Laundering Act 2018; the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017; and the Criminal Offences Act 2017. New processes for reporting suspected Money Laundering to the National Crime Agency are included and the order of the policy has been amended to provide a more logical flow to its content.

Members acknowledged the fact that the Policies were designed to keep the Authority safe from certain fraudulent activities.

In response to a question from the Cabinet Member – Future Generations and Wellbeing, the Interim Head of Finance and S151 Officer confirmed that the report had recently been considered by CMB and that Fraud Awareness training would be rolled out throughout the Council for appropriate staff.

RESOLVED: That Cabinet noted and approved the revised policies attached at Appendices A and B to the report.

317. TREASURY MANAGEMENT AND CAPITAL STRATEGIES 2019-20 ONWARDS

The Interim Head of Finance and S151 Officer submitted a report, the purpose of the report is to seek Council approval of:-

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- The Treasury Management Strategy 2019-20 which includes the Treasury Management Indicators
- the Capital Strategy 2019-20 which includes the Prudential Indicators
- the Annual Minimum Revenue Provision Policy
- Updated Financial Procedure Rules for incorporation within the Constitution

The Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003 as amended contain detailed provisions for the capital finance and accounting controls including the use of capital receipts and what is to be treated as capital expenditure.

In December 2017, CIPFA published new editions of the Code of Practice on Treasury Management and the Prudential Code for Capital Finance in Local Authorities. Within the Prudential Code, there is a new requirement for authorities to produce a Capital Strategy that needs to be approved by Council.

The key features of the proposed Treasury Management Strategy are:-

- It is an integrated strategy where borrowing and investments are managed in accordance with best professional practice;
- The Council borrows money either to meet short term cash flow needs or to fund capital schemes within the capital programme but loans taken are not associated with particular assets;
- One of the Borrowing Objectives of the Council is maintaining an under-borrowed position which means that the underlying need to borrow for capital purposes has not fully funded with loan debt. Instead the Council has Internal Borrowed using Council reserves, balances and cash flow as a temporary measure as shown in Table 3;
- The Council is exposed to financial risks including the potential loss of invested funds and the effect on revenue of changing interest rates.

The Interim Head of Finance and S151 Officer stated that the key features of the proposed Capital Strategy are:-

- 1) To set out the long term context in which capital expenditure and investment decisions are made;
- 2) To ensure that all capital and investment plans and borrowing are prudent and sustainable;
- 3) To include the prescribed Prudential Indicators for a three year rolling programme;
- 4) To give a high level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services.

The principles of the Capital Strategy have been applied to the allocation of capital resources and schemes with the Capital Programme within the MTFS.

The Interim Head of Finance and S151 Officer then outlined the guiding principles of the Capital Strategy, as well as also expanding upon some of the main points of the Treasury Management Strategy (Appendix A to the report referred.)

Some of the main points of the Capital Strategy were detailed in Appendix B to the report and she directed Members to these accordingly.

The Capital Strategy also contained the Annual Minimum Revenue Provision 2019-20 and the Financial Procedure Rules (Appendix C), which had been updated to incorporate the new requirement to produce a Capital Strategy that is approved by

Council on an annual basis. Tracked changes were shown in Appendix C reflecting the changes that had been made.

The Deputy Leader confirmed that this item had recently shared with the Corporate Overview and Scrutiny Committee who had been overall supportive of the Capital Strategy going forward, other than requiring further information in respect of allocation of monies to developments under Section 106 arrangements.

The Cabinet Member – Wellbeing and Future Generations asked if Officers had any concerns or risks they had identified in respect of the Brexit outcomes.

The Interim Chief Executive confirmed that certain Cabinet Members together with himself attended a Brexit Forum meeting just yesterday, where the Authority shared with the Forum a comprehensive list of potential risks that may have to be considered depending upon the eventual outcome of Brexit. It was also planned to submit a report to a future meeting of Cabinet on the topic of Brexit and the Council's Risk Register.

RESOLVED: That Cabinet considered the report and noted that the following will be presented to Council for approval:-

- 1) the Treasury Management Strategy 2019-20 including the Treasury Management Indicators 2019-20 to 2021-22 (Appendix A to the report);
- 2) the Capital Strategy 2019-20 including the Prudential Indicators 2019-20 to 2021-22 (Appendix B);
- 3) the Annual Minimum Revenue Provision(MRP)Statement 2019-20 (Appendix B – Schedule A)
- 4) the amendments to the Financial Procedure Rules Appendix C) and consequently the updated Constitution as set out in Appendix D.

318. LOCAL AREA ENERGY STRATEGY AND SMART ENERGY PLAN

The Head of Operations – Community Services submitted a report, the purpose of which, was to present to and seek approval from Cabinet for the Bridgend Local Area Energy Strategy (LAES) and Smart Energy Plan.

He outlined some background information which set the scene for Members and advised that BCBC was one of 3 demonstrator local authorities in the UK selected for the Smart System Heat (SSH) programme.

The programme was divided into three phases as illustrated in paragraphs 3.4 to 3.6 of the report.

The Head of Operations – Community Services confirmed that the development of a Local Area Energy Strategy was a cornerstone of the SSH programme, and that the LAES and Smart Energy Plan offered a route to achieving the decarbonisation of heat within the BCB.

He then gave some further and technical information with regard to the above Strategy and Plan, and paragraph 4.8 of the report gave some benefits that the Smart Energy Plan would deliver. Paragraph 4.9 outlined certain projects that were considered deliverable within the Smart Energy Plan.

He concluded his submission by adding that BCBC would not in the main be funding the Strategy/Plan, referring Members to the report's financial implications which outlined further information with regard to funding avenues.

The Cabinet Member – Communities advised that the Local Area Energy Strategy contained BCBC's vision and long term goals for the long term future (2050), whilst the Smart Energy Plan contained the same, albeit for a shorter period (up to 2025).

These would enable the Authority to:-

- Decarbonise heat within the Bridgend County Borough
- Provide new job opportunities
- Attract new and existing businesses to trial initiatives within the County Borough

It was not realistic to expect Bridgend to fund and deliver all these projects.

The intention was, in respect of both Strategies, for the public and private sector to invest and create the tools, models and supply chains that can be replicated across the UK, to ensure that the UK 2050 decarbonisation targets can be met and that Bridgend can realise the economic benefits accrued from the transition within the UK energy market.

So BCBC will not fund and deliver the Smart Energy Plan, but will rather adopt the role of enabler providing the places and conditions within Bridgend County Borough that will attract private sector partners and the investment required to deliver the Smart Energy Plan.

This would result in Bridgend becoming a major force in redesigning the way that energy is produced and delivered in the future, putting the consumer at the heart of the design.

Finally, he advised that last Wednesday Bridgend County Borough hosted a conference jointly with the Energy Systems Catapult. This body set up by the Westminster Government to drive energy change forward confirmed on the day, that Bridgend was now regarded by them as a sector leader in the field and also confirmed that we are a preferred partner.

RESOLVED: That Cabinet:-

- 1) Accepted the recommendations of the Local Area Energy Strategy.
- 2) Approved the Smart Energy Plan.

319. **SCHOOL ATTENDANCE DATA**

The Corporate Director – Education and Family Support submitted a report, in order to share with Cabinet school attendance data over the academic years 2015-2106 to 2017-2018, and also to seek agreement of a proposed amendment to the Local Authority's School Attendance Strategy (2018-2021, which was previously approved by Cabinet on 15 May 2018.

By way of background information, he advised that there was proven to be a clear link between high levels of attendance and good educational attainment. In addition to this, poor attendance and late arrival at school could also have a detrimental effect on a child's learning as well as impacting upon their wellbeing.

The local authority's Attendance Strategy now also incorporated recent Welsh Government guidance on Schools' rewards systems. This guidance reinforced the

importance of schools considering the provisions of the Equality Act 2010. He added that, in particular, schools are required to ensure they do not disadvantage pupils whose attendance is negatively impacted, due to a disability or a diagnosed medical condition.

The next sections of the report outlined data in respect of:

- Primary school attendance
- Free school meal eligibility (and attendance data – Primary schools)
- Persistent absenteeism in Primary schools
- Secondary school attendance
- Free school meal eligibility (and attendance data – Secondary schools)
- Persistent absenteeism in Secondary schools
- Other similar information in respect of Primary and Secondary schools, in respect of:-
 1. Looked after children (LAC)
 2. Pupils with English as an additional language (EAL)
 3. Pupils with special educational needs (SEN) – Statemented (S) and School Action Plus (SA+)

He pointed out that attendance figures in respect of the above, were across the board above the All-Wales average levels.

Attached at Appendix A to the report was a copy of the revised local authority School Attendance Strategy for 2018-2021, which highlighted (in 13.3 of the document) the proposed amendment suggested.

The Corporate Director – Education and Family Support concluded his report by advising that a Well-being of Future Generations (Wales) Act 2015 assessment had been completed and this could be found at Appendix 2 to the report.

The Cabinet Member – Education and Regeneration was pleased to note from paragraph 13.3 of the Strategy, that schools were taking into consideration the provisions of the Equality Act 2010, and not disadvantaging those pupils with a disability or medical condition. This meant that a young person with an attendance record of less than 100% because of health reasons or other circumstances beyond the control of the individual child, should not be negatively impacted with regards to schools' rewards systems.

The Leader extended his congratulations to schools, School Welfare Officers and all the staff in the family support and early help teams for the positive results confirmed in the report, with regard to school attendance data. He noted that although the attendance at primary schools was projected to dip slightly, attendance at secondary schools was due to increase slightly.

He suggested the strategy is shared with School Governors as well as Head Teachers through the usual communication channels.

RESOLVED:

That Cabinet:

- 1) Approved the revised Local Authority Attendance Strategy 2018-2021.
- 2) Considered the School Attendance Data outlined within the report.

320. APPOINTMENT OF LOCAL AUTHORITY GOVERNORS

The Corporate Director – Education and Family Support submitted a report, the purpose of which, was to seek approval from Cabinet for the appointment of local authority governors to the school governing bodies listed at paragraphs 4.1 and 4.2 of the report.

Paragraph 4.1 of the report, confirmed that for the 8 schools in the table contained therein, all 9 applicants met the approved criteria for the appointment as local authority governors, with there being no competition for any of the vacancies. The appointed individuals for the schools so listed were also confirmed in this section of the report.

Paragraph 4.2 of the report, then confirmed that there was competition for one vacancy at one school, and the applicants were detailed in the table contained in this section of the report.

The report confirmed that Mrs Karen Jones was the successful applicant in respect of this school (Llangewydd Junior).

The Cabinet Member – Education and Regeneration, advised that perhaps the Education Department could look at maintaining forms on file of previous applications for future consideration of vacancies, as opposed to them completing a form on every occasion.

The Corporate Director – Education and Family Support confirmed that he would look into the feasibility of this request being implemented.

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

321. SCHOOL ADMISSIONS POLICY AND ARRANGEMENTS 2020-21

The Corporate Director – Education and Family Support submitted a report, seeking Cabinet approval of the Schools Admissions Policy and Arrangements 2020-2021, appended to the report.

The report confirmed that on 15 November 2018, the Bridgend Admissions Forum agreed a draft School Admissions Policy and Arrangements for 2020-2021, as per the requirements under the School Admissions Code 2013.

Local authorities must consult each year on the admission arrangements for those schools for which they are the admission authority. The consultation period for the 2020-2021 admission policy was 11 December 2018 to 31 January 2019.

Following consultation, five representations were received from certain stakeholders that were near identical or identical and these were detailed in Table 1 of the report, with the next section of the report outlining the responses to such consultation representations.

The next part of the report gave information with regard to Published Admission Numbers (PAN) at schools, and Table 2 in the report confirmed amendments to PAN for the year 2020-2021 at Mynydd Cynffig and Oldcastle Primary Schools.

The Corporate Director – Education and Family Support, added that an increase of PAN in both schools had been assessed as being achievable, with such an increase benefiting the local authority, schools and parents, particularly as the changes would result in additional places for pupils in both schools.

He then concluded his submission by outlining the report's financial implications.

The Cabinet Member – Education and Regeneration commended the fact that there would be an increase of pupils in Mynydd Cynffig Primary of 13 and 10 in Oldcastle Primary, and the benefits that this would bring to families.

He added that the provisions contained within the report would not have any effect upon parents of pupils in terms of their ability to apply for Out of County Placements, in accordance with the current policy regarding the process for this.

The Leader concluded debate, by confirming that the recommendations of the report would have no impact upon children in the east of the County Borough currently attending Dolau Primary School and Ysgol Gyfun Llanhari, who would still receive Home to School Transport. The proposals would also be added, assist in the future in the promotion of attendance at Ysgol Gyfun Gymraeg Llangynwyd, the County Borough's only Welsh medium secondary school which has significant surplus places.

RESOLVED: That Cabinet:

- 1) Approved the 2020-2021 Schools Admission Policy and Arrangements (Appendix A to the report) including the removal of the historic references to Dolau Primary School and Ysgol Gyfun Llanhari as shown in Table 1 in the report.
- 2) Approved changes to the schools' published admission numbers for 2020-2021 (Table 2 refers) for Mynydd Cynffig Primary School and Oldcastle Primary School.

322. PROVISION FOR PUPILS WITH ADDITIONAL LEARNING NEEDS (ALN) - ESTABLISHING A LEARNING RESOURCE CENTRE (LRC) FOR PUPILS WITH AUTISTIC SPECTRUM DISORDERS (ASD) AT YSGOL GYNRADD GYMRAEG CALON Y CYMOEDD (FORMERLY KNOWN AS YSGOL GYNRADD GYMRAEG CWM GARW)

The Corporate Director – Education and Family Support submitted a report, the purpose of which, was to inform Cabinet of the outcome of the consultation on the proposal to establish a LRC for pupils with ASD at Ysgol Gynradd Gymraeg Calon Y Cymoedd (formerly known as Ysgol Gynradd Gymraeg Cwm Garw).

In December 2011, Cabinet received an update on the review of support and provision for the inclusion of children and young people with Additional Learning Needs (ALN). In conjunction with this proposal, an ASD LRC was opened at Ysgol Gyfun Gymraeg Llangynwyd in March 2018.

In order to progress a proposal to establish a LRC for pupils with ASD, consultation exercises were carried out in a period between November and December 2018, with staff, governors, parents and pupils of Ysgol Gynradd Gymraeg Calon Y Cymoedd and also the wider community, in accordance with the Statutory School Organisation Code.

Attached to the report at Appendix 1 was a Consultation Report, and the Corporate Director – Education and Family Support picked out the salient points of this for the benefit of Members.

He then referred to the report's financial implications, advising that the funding for the LRC would be allocated through the mainstream school's delegated budget, via the school's formula allocation, and using a combination of a class allocation and the age-weighted pupil unit (AWPU) element.

Funding levels would be derived from notional current staffing needs and are based on the salary of a teacher and two support staff. One-off funding for the set-up costs would be £10k.

As part of the Medium-Term Financial Strategy budget setting process for 2017-2018, a total of £263k was allocated under budget pressures to establish additional LRCs for pupils with ASD in both Welsh-medium and English-medium schools with effect from the academic year 2017-2018. This was further supplemented in the 2018-2019 budget-setting process by an additional £51k to meet the full year effect of the previous budget pressure application. These allocations will be used to fund the LRC, including the set up costs, at Ysgol Gynradd Gymraeg Calon y Cymoedd, should the proposal go ahead.

The Cabinet Member – Education and Regeneration confirmed that when he and the Corporate Director – Education and Family Support visited schools, part of their visit entailed looking at the level of support that was required there for pupils with this type of need.

The Leader added that the school subject of the report, was the first Welsh medium Primary School in the County Borough that would accommodate an LRC for children with autism. He further added that he was also very pleased with the very positive response received from pupils, parents, staff and governors in the consultation.

He concluded debate on the item by stating that a similar specialist provision would be available for the same pupils, upon reaching secondary level age at Ysgol Gyfun Gymraeg Llangynwyd.

RESOLVED: That Cabinet:-

- (1) Noted the outcome of the consultation with interested parties as detailed in the Consultation Report attached to the covering report (Appendix 1 to the report.)
- (2) Approved the Consultation Report for publication.
- (3) Authorised the publication of a Statutory Public Notice on the proposal.

323. PROVISION FOR PUPILS WITH ADDITIONAL LEARNING NEEDS (ALN) - CHANGES TO BETWS PRIMARY SCHOOL

The Corporate Director – Education and Family Support presented a report, which informed Cabinet of the outcome of the consultation on the proposal to cease the local authority (LA) nurture provision at Betws Primary School.

He confirmed that in order to progress a proposal to cease the local authority nurture provision at Betws primary School, consultation exercises were carried out in a period between November and December 2018, with staff, governors, parents and pupils of Betws Primary School and also the wider community, in accordance with the Statutory School Organisation Code.

Attached to the report at Appendix 1 was a Consultation Report, and the Corporate Director – Education and Family Support picked out the salient points of this for the benefit of Members. He added that there had been no objections to the reports proposal.

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He then referred to the reports financial implications, that confirmed that there are projected full-year savings of £51,378 from the closure of the LA nurture provision at Betws Primary School. This will be re-allocated within the primary schools' Individual Schools Budget (ISB).

As a result of the closure, the funding of the senior support officer (SSO) at Betws Primary School Nurture Provision will be used to support the finance required for the introduction of foundation phase at The Bridge. There are no redundancy costs associated with this proposal.

The Corporate Director – Education and Family Support added that the result of the Estyn follow-up visit after they had previously conducted an inspection of The Bridge, was very good and made for positive reading.

The Leader and Cabinet Member – Education and Regeneration both conveyed their congratulations to staff at The Bridge for their hard work that contributed to a positive follow-up Inspection, stating that this was a very good achievement given that the young people supported there had complex needs. The Estyn feedback also gave reassurance that the Bridge was well placed to offer the proposed foundation phase provision.

RESOLVED: That Cabinet:

- 1) Noted the outcome of the consultation with interested parties, as detailed in the Consultation Report attached to the main covering report.
- 2) Approved the Consultation Report for publication.
- 3) Authorised the publication of a Statutory Public Notice on the proposal.

324. FORWARD WORK PROGRAMME

The Head of Legal and Regulatory Services submitted a report, the purpose of which, was to seek Cabinet approval for items to be included on the Forward Work Programme for the period 1 April to 31 July 2019.

The proposed Forward Work Programmes were described in paragraph 4.1 of the report, as follows:-

- Cabinet 1 April to 31 July 2019 – Appendix 1
- Council 1 April to 31 July 2019 – Appendix 2
- Overview and Scrutiny – Appendix 3

It was intended that following consideration by Cabinet, the Forward Work Programme would be published on 18 March 2019.

Translation costs of approximately £60 for each quarterly update of the Forward Work Programme would be required when it is published on the Bridgend County Borough Council website. These would be met from within existing budgets.

RESOLVED: That Cabinet:-

- (1) Approved the Cabinet Forward Work Programme for the period 1 April to 31 July 2019, as shown at Appendix 1 to the report.
- (2) Noted the Council and Scrutiny Forward Work Programme as shown at Appendix 2 and 3 of the report, respectively.

325. INFORMATION REPORT FOR NOTING

The Head of Legal and Regulatory Services presented a report, that informed Cabinet of the Information Report for noting published since its last meeting.

This report was attached to the covering report, and is entitled 'Amendment to the School Admissions Policy and Arrangements 2019-2020.'

RESOLVED: That Cabinet acknowledged the publication of the document listed in the report.

326. URGENT ITEMS

None.

327. EXCLUSION OF THE PUBLIC

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

328. BRIDGEND SHARED LIVES SCHEME - PROPOSAL FOR FUTURE DELIVERY ARRANGEMENTS