

CABINET - TUESDAY, 17 DECEMBER 2019

MINUTES OF A MEETING OF THE CABINET HELD IN COMMITTEE ROOMS 1/2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 17 DECEMBER 2019 AT 14:30

Present

Councillor HJ David – Chairperson

CE Smith

HM Williams

D Patel

RE Young

Apologies for Absence

PJ White, Corporate Director – Social Services and Early Help

Officers:

Gill Lewis	Interim Head of Finance and Section 151 Officer
Kelly Watson	Head of Legal & Regulatory Services
Mark Shephard	Chief Executive
Mark Galvin	Senior Democratic Services Officer - Committees
Lindsay Harvey	Corporate Director Education and Family Support
Martin Morgans	Head of Performance and Partnership Services
Zak Shell	Head of Neighbourhood Services

15. DECLARATIONS OF INTEREST

None.

16. APPROVAL OF MINUTES

RESOLVED: That the minutes of the following meetings of Cabinet be approved as true and accurate records:-

Special meeting – 13 November 2019
Ordinary meeting – 19 November 2019

17. EMPTY PROPERTY STRATEGY

The Head of Performance and Partnership Services submitted a report, the purpose of which, was to seek approval from Cabinet to formally adopt the Empty Property Strategy 2019-2023 attached at Appendix 1 to the report.

By way of background, he confirmed that bringing empty properties back into use is a priority for the Local Authority, as well as a commitment for the leadership for Bridgend County Borough Council. The Strategy sets out the intention that “the Council” and its partners shall seek to reduce empty properties across the Borough and help contribute towards increasing the availability of housing for sale or for rent’.

In order to achieve this priority, an Empty Property Working Group had been formed, consisting of representatives from each service within the Authority that works with empty properties. The main objective of the Working Group is to deliver the strategic objectives of bringing back into use long-term empty residential properties.

Registered Landlords Association recognises the impact empty properties can have on an area and community and welcomed the proposals, and supported the need for a

robust strategy which provides clarification on the sanctions and enforcements actions available.

A number of updates have been made to the draft Strategy and these were outlined in paragraph 4.6 of the report.

With regards to progress to date, the Head of Performance and Partnership Services advised, that in addition to reporting on the national empty property Public Accountability Measures (PAMs) annually, the work resulting from the Strategy will be measured and reported on in terms of the quantity of engagement and enforcement carried out, in order to demonstrate the efforts that are being made to bring empty properties back into use. This will include recording numbers of letters distributed, responses received, and enforcement action taken. Certain statistical information to date in respect of this, was shown in paragraph 4.7 of the report.

The impact of these activities has meant that, of the properties assessed and scored by the Council using the criteria contained within the Strategy as being in the top 20 list of problem properties:-

5 - are now in use

2 - are listed for auction this month

5 - are under discussion for possible Section 215 action

2 - are For Sale following extensive engagement

1 – is held by Planning due to Bats roosting in the property which requires Welsh Government Guidance

3 - grant applications submitted but refused as eligibility criteria not met

2 - are under discussion with legal in relation to further enforcement action to be taken

The Strategy intervention will be measured and reported on, in terms of the quantity of engagement and enforcement carried out.

The Head of Performance and Partnership Services, concluded his submission, by confirming that as of April 2019 there were 1296 private sector residential properties that were empty for six months or more this accounts for 2% of residential properties.

The Cabinet Member – Future Generations and Wellbeing, extended her thanks to the Empty Property Working Group and the improvements that they had introduced, in respect of delivering the strategic objectives of bringing back into use long-term empty residential properties. She added that she looked forward to seeing further in-roads being made in the future, to making more properties habitable in the valley areas of the County Borough where there still remained a considerable number of vacant properties.

The Leader was pleased to see that the issue regarding Empty Properties in the County Borough had previously been considered by the relevant Overview and Scrutiny Committee and would be revisited in order to gauge progress, in March of next year. He hoped that in the future, the Council could consider putting a premium on Council Tax for properties that remained empty long term, as wherever possible, empty properties he felt should be occupied.

RESOLVED: That Cabinet formally adopted the Empty Property Strategy 2019-2023.

18. **WELSH GOVERNMENT FOUNDATIONAL ECONOMY CHALLENGE FUND**

The Chief Executive submitted a report, the purpose of which, was to update Cabinet on an application for funding to the Welsh Government Foundational Economy Challenge

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Fund and to seek Cabinet approval, to accept a funding offer and enter into agreements with delivery partners as appropriate.

By way of background, the report confirmed that the Welsh Government considers that the foundational economy consists of basic services and products that people rely on, that keep the population safe, sound and civilised. Examples of the foundational economy cited by Welsh Government were shown in bullet point format in paragraph 3.2 of the report.

The Head of Operations – Community Services explained that the Welsh Government’s approach to supporting and developing the foundational economy, focused on three areas, as were detailed in paragraph 3.4 of the report.

In support of this, the Welsh Government had established the following:-

- The Economic Action Plan (EAP) which has set the direction for a broader and more balanced approach to economic development with a shift towards a focus on ‘place’ and making communities stronger and more resilient.
- A Ministerial Advisory Board Task and Finish Group on the Foundational Economy to provide advice to Welsh Ministers on current and future interventions and best practice; support wider engagement with stakeholders in the foundational economy; and promote a joining-up of relevant government and non-governmental initiatives.

This included a £4.5m fund to support the Foundational Economy Fund.

Following the launch of the fund, Officers submitted a proposal for funding the B-Ridges project in July 2019.

The Head of Operations – Community Services then added, that Bridgend County Borough Council (BCBC) has received notification from Welsh Government that the proposal for the B-Ridges project has been approved. The B-Ridges project will have the strapline of: Bridgend County – Retail | Invest | Develop | Grow | Evolve | Sustain.

The B-Ridges project aims to create a support package to allow business start-ups in Bridgend and Maesteg town centres to become sustainable. These areas are targeted as they fall within the Valleys Taskforce area and are therefore eligible for the ring-fenced funding. Officers will however engage with other funders to seek opportunities to further extend the approach being undertaken by the B-Ridges project into other areas of the County Borough.

The proposal for the B-Ridges project has been offered a £75k grant towards a total project cost of £100k, with the gap in funding being supplemented by the ‘Kickstart’ funding programme.

The Cabinet Member – Education and Regeneration advised that the funding would be helpful for businesses looking to set-up in the towns of Bridgend and Maesteg. He congratulated Officers for seeking out such funding opportunities.

The Leader added that if the scheme was successful and more funding was secured in the future, then we could look to implement this into other towns in the County Borough ie Porthcawl and Pencoed.

RESOLVED: That Cabinet:

- (1) Noted the approval of funding from Welsh Government for the delivery of the B-Ridges project to trial new approaches to enable new foundation economy business to start trading from the town centres; support currently empty units to become occupied; provide business advice support to start-up foundation economy businesses; assist new business to create new jobs.
- (2) Authorised the Head of Operations – Community Services, in consultation with the Section 151 Officer and Head of Legal and Regulatory Services, to enter into appropriate agreements to accept the funding and deliver the project.

19. OUTCOME OF THE CONSULTATION 'SHAPING BRIDGEND'S FUTURE'

The Interim Head of Finance and S151 Officer submitted a report, the purpose of which, was to inform Cabinet of the outcome of the 'Shaping Bridgend's Future' 2019 consultation, which asked citizens to share their views on a number of key budget proposals being considered over the Medium Term Financial Strategy (MTFS) period.

The report provided an overview of the budget consultation activities, analysis and key findings.

The Chief Executive confirmed that Bridgend County Borough Council had made reductions from its budget of £27.07m over the last four years, with an expectation of significant further reductions required over the coming four years.

He added that a public consultation exercise was undertaken over an eight week period from 9 September 2019 to 3 November 2019. Respondents were asked to share their views on a range of budget proposals being considered between 2020-21 and 2023-24, including proposed increases to council tax and considering cutbacks to services including street cleaning, CCTV, pest control, town centre events, adult learning, education support services, as well as closing one of its three community recycling centres.

The report advised how the budget consultation process in terms of engagement with the public regarding this, had evolved since its introduction in 2013-14, including with a variety of age groups that included the younger generation in society.

Attached to the report at Appendix A was a Consultation Report that set out the views expressed by those who had participated in this this year, with the response rate and methods by which respondents interacted set out in table format in paragraph 4.3 of the report.

Paragraph 4.4 then outlined some headline figures and themes arising from the public consultation and the Chief Executive gave a resume of these, for the benefit of Members.

The Deputy Leader noted that with 3,417 responses having been received to the surveys, this represented a 27% increase compared with last year's total of 2,677 responses, which he felt was a considerable improvement in the consultation process. This gave the Council a more accurate picture on where the public wanted money to be spent/cut in terms of services the Authority provided, etc.

The Cabinet Member – Future Generations and Wellbeing extended her thanks to organisations such as BAVO and Halo for also facilitating some of the sessions, that

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were extended to a wide area of the communities that comprise the County Borough. She noted that 3,417 surveys had been completed and asked how many of these had been completed in Welsh.

The Consultation, Engagement and Equalities Officer, advised that there had been 12 responses received in Welsh, 5 of which came from the Citizens Panel.

The Cabinet Member – Future Generations and Wellbeing added that of all the Community Centres and Schools visited, were there any main differences in terms of feedback received from the two.

The Consultation, Engagement and Equalities Officer, confirmed that feedback from younger people reflected that they had more balanced views than perhaps some of the older generation, in that they wished to protect a more variety of services.

The Cabinet Member – Communities felt that the consultation process was becoming more valuable and meaningful year on year as public participation increased during this period. The public were also becoming more understanding of the pressures the Council were facing (also year on year), due to continued cuts to its budget.

The Chief Executive agreed with this, adding that at the consultation sessions, Officers explained to the public, service areas where it was easier to make cuts, as well as other relevant information, for example, the difference between capital and revenue expenditure, etc.

The Leader concluded debate on this item, by thanking Welsh Government for the 4.7% increase in settlement the Council would receive this coming year.

RESOLVED: That Cabinet noted the outcome of the consultation with interested parties as detailed in the consultation report.

20. ADDITIONAL LEARNING NEEDS GRANT

The Corporate Director – Education and Family Support submitted a report, in order to seek approval from Cabinet to enter into an agreement with Rhondda Cynon Taf County Borough Council (“RCT”), the County Council of the City and County of Cardiff, Merthyr Tydfil County Borough Council and the Vale of Glamorgan County Borough Council regarding the Additional Learning Needs Transformation Grant 2019/20.

Background information within the report, confirmed that the Additional Learning Needs Transformation Grant 2019/20 (“ALN Grant”) is a Welsh Government grant funded scheme to support the delivery of the additional learning needs transformation programme, including the preparation for and management of the implementation of the Additional Learning Needs and Education Tribunal (Wales) Act 2019 (“ALNET Act”).

RCT, acting as Lead Authority, submitted an application to Welsh Government for the ALN Grant on behalf of the council, the County Council of the City and County of Cardiff, Merthyr Tydfil County Borough Council and the Vale of Glamorgan County Borough Council and third party providers (who are further education sector and local health boards in the regions of the councils).

The application for ALN Grant was successful and an award of funding for up to £949,656.00 was made to RCT as Lead Authority which will be allocated to each Council in accordance with the ALN Transformation Plan.

As Lead Authority, the Corporate Director – Education and Family Support confirmed, RCT is required to accept the terms and conditions of the ALN Grant as set out in the offer letter from Welsh Government. In order to deliver the project and ensure compliance with the terms and conditions set out in the offer letter, RCT requires the Council, along with the 3 other local authorities listed at paragraph 3.2 of the report, to enter into an agreement in relation to this ALN Grant. This agreement shall set out the roles and responsibilities of the councils and how the funding shall be allocated.

He added that, the Inclusion Service leads from each local authority meet on a monthly basis with the ALN Transformation Lead at the Transformation Board. During this meeting, the ALN Implementation Plan and grant spend is monitored.

The Cabinet Member – Education and Regeneration, confirmed that the funding secured, went a long way to support some of the provisions of the ALNET Act and the growing area of need for people with ALN.

RESOLVED: That Cabinet:

1. Approved the Council entering into the agreement with RCT, the County Council of the City and County of Cardiff, Merthyr Tydfil County Borough Council and the Vale of Glamorgan County Borough Council.
2. Delegated authority to the Corporate Director Education and Family Support in consultation with the Section 151 Officer and Head of Legal and Regulatory Services to negotiate and agree the terms of the agreement and enter into the agreement.

21. **LICENSING ACT 2003, STATEMENT OF LICENSING POLICY AND CUMULATIVE IMPACT ASSESSMENT**

The Team Manager – Licensing submitted a report, which related to the Council’s role as a licensing authority, as the regulatory body for pubs, clubs, off-licences and late night takeaways.

The purpose of the report was to seek approval to publish the Statement of Licensing Policy for the next five year period and to approve a special Cumulative Impact Assessment and Policy as part of that process.

The Team Manager – Licensing explained that the Council must undertake its functions to promote the licensing objectives of:

- Prevention of crime and disorder;
- Prevention of public nuisance;
- Public safety;
- The protection of children from harm

She confirmed that the Council became the Licensing Authority in 2005 and it was now time for the five year review of the Statement of Licensing Policy. This is a formal process and the statutory process was outlined at paragraph 3.2 of the report. The Consultation with regards to this she explained, took the form of an online consultation between 17 June 2019 and 9 September 2019. The statutory consultees included the Police, Fire Authority, Shared Regulatory Services, the local Health Board, other Council departments and the Home Office.

It also included all Elected Members, Town and Community Councils, the Town Centre Manager and trade representatives.

The Statement of Licensing Policy sets out how the Council exercises its functions and the approach to decision making. It also sets out what it expects prospective applicants to consider when preparing applications for new licences or major variations. Section 9 of the policy sets out a number of measures which could be considered, depending on the style of the premises. The Team Manager – Licensing advised, that other than in the Bridgend Town Centre, the consultation did not result in any new trends or issues which would merit a change in policy. As a result, the proposed over-arching Statement was at Appendix A to the report. The changes to this she pointed out, were highlighted in red. They related firstly to updates made to the Council's corporate objectives. A number of Directorates had changed in their shape or levels of area of responsibility and in view of that, some revisions at page 40 of report needed to be further looked at, ie where some of the addresses of the bodies so listed there, required updating.

The second issue explained the Team Manager – Licensing, related to the Special Cumulative Impact Policy in place in Bridgend Town Centre. Cumulative Impact is a term used to describe how a density of licensed premises in a particular area can have a negative impact on crime and disorder, littering, anti-social behaviour and nuisance. If a Council identified that there is an evidence problem in an area, it can include a policy to address Cumulative Impact within the main Policy Statement. Such a policy has been in place in Bridgend Town Centre Streets since 2005. The effect of this policy is to control the number of new premises or major changes to premises within the area. The policy effectively creates a rebuttable presumption of all new applications and variations, unless the applicant can demonstrate that their premises will not add to the problems being experienced within that location.

The main change this year is that the Council must undertake an Assessment of Cumulative Impact and publish a separate document before adopting a policy for a specific area.

She further explained as was also outlined in the report, that the South Wales Police was asking the Council to retain the policy which relates to the Bridgend Town Centre streets of Derwen Road, Market Street, Wyndham Street and parts of Nolton Street. Their letter to this effect, was attached at Appendix B to the report.

In terms of the licensing objectives, the South Wales Police had concluded that having a cumulative impact policy has had a direct bearing on the reduction of recorded crime within the town centre and also, incidents of reported anti-social behaviour.

The draft Assessment added the Team Manager – Licensing, was included at Appendix C to the report. As part of the public consultation, she advised that a questionnaire was included to identify issues of concern relating to licensed premises within the town centre.

The sample size is small, ie totalling 15, with members of the public, interested parties and licence holders having replied to such consultation. 93% were in favour of retaining the cumulative impact policy and the top issues of concern were listed in bullet point format in paragraph 4.7 of the report.

The policy was one of a set of measures that can be used to control the impact of licensed premises, which involve enforcement, the use of CCTV and trade schemes, such as Pubwatch.

The Team Manager – Licensing outlined that the conclusion of the assessment, was that there is evidence to support the continuation of a cumulative impact policy for Bridgend

town centre and that is a proportionate measure to address the problems so identified there.

The effect of adopting the policy will create a rebuttable presumption that where relevant representations are received, most likely from the police in relation to crime and disorder, but it could relate to public nuisance as well, applications for new premises or variations of existing premises will be refused, unless the applicant can demonstrate that the application will not add to the negative impact in the town centre streets covered by the policy.

Though this was not a blanket policy, it does place the onus on the operator.

She stated that if the responsible authorities or public, have no concern about the proposed style or operation of the premises and do not make representations, then the application would be granted.

The Team Manager – Licensing concluded her submission, by confirming that the policy aims to reduce incidents of alcohol related problems and crime and disorder, as well as to ensure that Bridgend Town Centre is a safe environment for people both visiting and working in the area.

The Cabinet Member – Future Generations and Wellbeing advised that she was pleased to note, that the revised Policy would go some way to mitigating concerns in respect of ant-social behaviour, particularly in Bridgend town centre and particularly the saturation areas of the town where there are a considerable number of late night establishments in close proximity of each other.

The Leader expressed his disappointment in the number of responses received to the consultation, as well as pointing out, that all four towns in the County Borough should be referred to and/or included in the Policy.

RESOLVED: That Cabinet noted the report which would be presented to Council on 18 December 2019.

22. FORWARD WORK PROGRAMME

The Head of Legal and Regulatory Services presented a report, in order to seek Cabinet approval for items to be included on the Forward Work Programme (FWP) for the period 1 January to 30 April 2020.

She confirmed that in accordance with a provision of the Council's Constitution, the FWP will be prepared by the Monitoring Officer to cover generally a period of four months. It would also contain matters which the Cabinet, Overview and Scrutiny Committees and Council are likely to consider.

The proposed FWP's for the next period were shown attached to the report, as follows:-

- Cabinet – Appendix 1
- Council – Appendix 2
- Overview and Scrutiny – Appendix 3

The Cabinet Member – Future Generations and Wellbeing, noted from the report's supporting information, that there were some interesting topics on the Overview and Scrutiny FWP and that due to this, it may be worth considering web casting some of these meetings for the benefit of the interest of the public.

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RESOLVED: That Cabinet:-

1. Approved the Cabinet Forward Work Programme for the period 1 January to 30 April 2020 at Appendix 1 to the report.
2. Noted the Council and Overview and Scrutiny Forward Work Programmes as shown at Appendix 2 and 3 of the report, respectively.

23. INFORMATION REPORTS FOR NOTING

The Head of Legal and Regulatory Services presented a report, that informed Cabinet of an Information Report for noting (attached thereto) that had been published since its last scheduled meeting.

Details of the Information Report was shown in paragraph 4.1 of the covering report.

The Cabinet Member – Education and Regeneration and the Leader in turn, commended all three schools following the recent inspection of West Park Primary; the revisit of Tynyrheol Primary and the review of progress at Cynffig Comprehensive.

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

24. URGENT ITEMS

None.

The meeting closed at 15:50