

CABINET - TUESDAY, 15 DECEMBER 2020

MINUTES OF A MEETING OF THE CABINET HELD IN REMOTELY VIA SKYPE FOR BUSINESS ON TUESDAY, 15 DECEMBER 2020 AT 14:30

Present

Councillor HJ David – Chairperson

CE Smith
NA Burnett

HM Williams

D Patel

RE Young

Officers:

Claire Marchant	Corporate Director Social Services and Wellbeing
Janine Nightingale	Corporate Director - Communities
Gill Lewis	Interim Chief Officer – Finance, Performance and Change
Kelly Watson	Chief Officer Legal, HR and Regulatory Services
Julie Ellams	Democratic Services Officer - Committees
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
Jonathan Parsons	Group Manager Development
Joanne Ginn	Housing Solutions Team Leader
Adam Provoost	Senior Development Planning Officer
Ieuan Sherwood	Economy and Natural Resources Manager
Justin Kingdon	Strategic Asset Management and Investment Manager

575. DECLARATIONS OF INTEREST

None.

576. APPROVAL OF MINUTES

RESOLVED: That the minutes of a meeting of Cabinet dated 17 November 2020, be approved as a true and accurate record.

577. SOCIAL SERVICES REPRESENTATIONS AND COMPLAINTS ANNUAL REPORT 2019/20

The Corporate Director – Social Services and Wellbeing presented a report, the purpose of which, was to present to Cabinet the 2019/20 Annual Report on social services representations and complaints procedures as required by Welsh Government guidance. The Annual Report was attached at Appendix 1 to the main report.

She advised that Members will be aware, that there is a requirement for local authorities to have in place procedures for considering any representations or complaints made in relation to the discharge of their Social Services functions. This was the sixth Annual Report relating to social services representations and complaints received that have been handled in accordance with the revised Welsh Government Complaint Guidelines “A Guide to Handling Complaints and Representations by Local Authority Social Services” which came into effect on 1st August 2014.

The key elements of the Social Services Representations and Complaints Procedure, were shown in paragraph 3.2 of the report.

Cabinet would also note from the Annual Report, that strong emphasis is placed not just upon complaints, but also on the comments and compliments received from service users which gives an overall balanced view. The services were keen to learn from the information gathered and to use this to inform future service developments/service improvements.

The number of representations (complaints, comments and compliments) received during the reporting period, was broken down as follows:

32	statutory complaints
35	corporate complaints
201	concerns resolved pre-complaints procedure
96	compliments/comments

This was a reduction in the overall number of complaints received in the stated period, but also a reduction in the number of compliments when compared to the previous reporting period.

The Corporate Director – Social Services and Wellbeing continued, by advising that statistics reflected that the Directorate had continued to achieve an early resolution for complainants. The number of complaints resolved by this approach in 2019/20 was 201 compared to previous years, 234 in 2018/19, 198 in 2017/18 and 187 in 2016/17. Therefore, although there had been a reduction in the number of complaints with early resolution by 33 this year, the total overall number of complaints received in the year by the Directorate had also reduced by 44.

Further information in the report, highlighted that during 2019/20, 9 complaints were received by the Public Service Ombudsman Office (PSO), which were subsequently dealt with by recommendations from the PSO to the local authority, rather than the PSO formally investigating these complaints.

During the above period, the Corporate Director – Social Services and Wellbeing confirmed that 6 rota visits by Members took place in adult social care settings, 12, in the independent sector, and 5, in children's social care settings.

She concluded her submission, by picking out some other key information from the report's Appendix to share with Members.

The Cabinet Member – Social Services and Early Help thanked the Corporate Director – Social Services and Wellbeing for the report. She confirmed that whilst no one wished to receive complaints and representations, she was pleased that these were being dealt with by early resolution, particularly in this area of work which could be volatile and where there had been some sustained further pressures due to the Covid-19 situation. She thanked staff for being reactive and dealing with such complaints and representations swiftly in terms of responding to these. She also thanked Members for dealing with these, through engaging with their constituents and making the appropriate Member Referrals as and when required. Finally, she further thanked Members for their efforts in being involved in rota visits and hoped with the easing of the pandemic, social services care homes etc, could once more be visited by them in the not too distant future.

The Leader asked if the Objectives for 2020/21 in the Annual Report, including use of WCCIS to record complaints and increasing the take-up of the complaints awareness e:learning module, had been met.

The Corporate Director – Social Services and Wellbeing confirmed that these objectives were being met.

RESOLVED: That Cabinet approved the Annual Report on social services representations and complaints procedures for 2019/20.

578. GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT 2020

The Corporate Director – Communities presented a report, the purpose of which, was to outline the findings of the Gypsy and Traveller Accommodation Assessment (GTAA) and seek authorisation to submit the Assessment to Welsh Ministers for approval. This would allow the Local Housing Authority to fulfil its statutory duty and enable the statutory deposit Local Development Plan (LDP) consultation to proceed as per the Delivery Agreement.

She advised that the Local Housing Authority had a statutory duty to carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area under Part 3 of the Housing (Wales) Act 2014. The Act requires Local Housing Authorities to undertake a GTAA at least every 5 years, although there is flexibility to undertake GTAAs more frequently if a material change in the level of need in the area has been identified. The GTAA must be subject to consultation and submitted to Welsh Ministers for approval. If an approved assessment identifies need for additional pitches within an Authority's area, the Local Housing Authority has a legal duty to ensure that need is met by exercising its powers under section 56 of the Mobile Homes (Wales) Act 2013.

The Council last published a GTAA in 2016 (covering the period up to 2031) and the Local Housing Authority would have therefore been required to review this Assessment in 2021. However, as the Replacement LDP covers the period 2018-2033 and consultation on the deposit LDP is scheduled for early 2021, a slightly early review of the GTAA is necessary to comply with the LDP Delivery Agreement.

The Corporate Director – Communities proceeded further, by informing Cabinet, that a revised GTAA estimated a County Borough need of 5 pitches for the first 5 years of the GTAA period and a further 2 pitches for the remainder of the LDP period. The total estimated pitch provision needed for Gypsies and Travellers in Bridgend County Borough was identified as being 7 pitches up until 2033. This total was the projected amount of provision necessary for the Local Housing Authority to meet its statutory obligations towards identifiable needs of the population arising in the area. The need comprised of combination of doubled-up households, movement from bricks and mortar homes and new household formation. This need could be accommodated across two new sites and through intensification of existing sites, as explained in paragraph 4.2 of the Officer's report.

The Cabinet Member – Wellbeing and Future Generations welcomed the report and thanked Officers for engaging with the Gypsy and Traveller community which was not always an easy task, both on their current needs and any long term visions they may have. She noted that the identified need was now for 6 sites to be provided, even though provision was being made for 7 (sites). The Cabinet Member – Wellbeing and Future Generations confirmed that she supported this increase, due to the demographics and population of the County Borough of Bridgend, which was growing in size.

The Leader concurred with this and looked forward to receiving an update report to Cabinet on any further engagement longer term as the needs of Gypsies and Travellers may change over time.

The Cabinet Member – Communities also welcomed the report and the review outlined therein, which had been brought forward in conjunction with the review of the Council's LDP.

RESOLVED: That Cabinet:

- (a) Approved the Gypsy Traveller and Accommodation Assessment findings and Final Report (Appendix 1 to the report), and;
- (b) Approved the Gypsy Traveller and Accommodation Assessment for submission to Welsh Ministers to enable the Council to fulfil its duty to meet assessed needs.

579. PORTHCAWL HARBOUR BYELAWS

The Corporate Director – Communities submitted a report, the purpose of which, was to seek Cabinet approval to undertake a process to revise the byelaws that are currently effective at Porthcawl Harbour, to reflect the current operations and activities that take place within this particular location and to consult on and advertise any proposed new byelaws, under the provisions of the Local Government Byelaws (Wales) Act 2012.

She was supported in the presentation of the report, by the Group Manager – Economy, Natural Resources and Sustainability.

The report outlined certain background information, following which it advised that specific areas within the footprint of Porthcawl Harbour (as defined by the 1987 Act) are currently subject to local byelaws that identify Public Bathing Places across Porthcawl. These byelaws were established in 1953 by the Urban District Council of Porthcawl.

Based on a recent review of Health and Safety and recent incidents reported in the area, it was considered that revisions are required to the current byelaws. In undertaking a process to revise the byelaws the intention is not to prohibit any particular activity, but more put in place a clear set of rules that are aligned to other coastal and quayside environments that has user's safety as a priority.

The intention is that the byelaws that are currently in place will therefore be revoked, insofar as those byelaws are relevant to Porthcawl Harbour and replaced by more up to date byelaws.

The next sections of the report, outlined the process that takes place when byelaws are put in place, including the legislative requirements that have to be met to this end.

A copy of the proposed draft byelaws intended for consultation, was attached at Appendix A to the report.

The Cabinet Member – Education and Regeneration welcomed the report. He felt that some clarification in terms of what the byelaws would actually cover and making the public aware of this, would assist in them knowing what activities could and could not take place in and around the areas of the Porthcawl Marina and Harbour. He was aware for example, that there had been reported previously an issue with jet skiing in the waterways at Porthcawl coastal area. It was important he felt for certain activities of a dangerous nature, to hopefully cease in the future, or be regulated (by for example byelaws being in place).

The Leader advised that it was important to note that at this stage, the Council were only looking to consult on the making of revised byelaws, as opposed to putting them in place. He hoped that the consultation would include key partners such as the RNLI, as

the byelaws if adopted, would help to ensure that the public are kept safe in what is a potentially dangerous coastline area. He also hoped that the consultation would be extended to both Porthcawl Town Council and the Porthcawl local members, to ensure that if the byelaws were pursued, they would be fit for purpose for the area.

The Cabinet Member – Communities advised that the Bristol channel waters were some of the most dangerous in the whole of the UK and that it should be noted that byelaws currently existed in the area of Porthcawl. What was being proposed was merely a revision of these, to possibly make them more fit for purpose, given the development of Porthcawl both in terms of certain areas of land there and within the coastal area.

RESOLVED: That Cabinet:

- Authorised the Corporate Director, Communities, to undertake a consultation process, under the provisions of the Local Government Byelaws (Wales) Act 2012, and to take all necessary steps described in Paragraph 4 of the report to make new byelaws under the Mid Glamorgan Act 1987 in relation to Porthcawl Harbour to reflect the current operations and activities that took place.
- Noted that a further report would be submitted to Cabinet once the process described in paragraph 4.7 of the report had been completed.

580. **INTRODUCTION OF A DEVELOPMENT VIABILITY MODEL**

The Corporate Director – Communities presented a report, which sought authorisation to implement a new schedule of charges for issuing a Development Viability Model (DVM) to developers and/or site promoters. The charges will cover the Council's administrative costs and will enable the submission of viability evidence in support of Candidate Sites and/or Planning Applications.

Following her introduction of the report, she introduced the Group Manager – Planning and Development Services, who took Cabinet through the report

Legislation required the Council to publish its deposit Local Development Plan (LDP) for public inspection and consultation before submitting the LDP to Welsh Government. Sites prioritised and proposed for allocation in the plan would need to be evidenced as deliverable, particularly in relation to financial viability. Planning Policy Wales (Edition 10) and the Development Plans Manual (Edition 3) require site-specific viability appraisals to be undertaken as early as possible during LDP preparation, although no later than deposit (LDPR 17) stage. Proposed site allocations will need to be supported with robust evidence proportionate to their scale and significance in delivering the plan. Further viability testing at the planning application stage should then only be required on an exceptional basis.

He confirmed that, the Council had worked in partnership with other Councils across the South East Region to develop the Development Viability Model (DVM) assessment tool. The DVM has been created by Burrows-Hutchinson Ltd as a comprehensive, user-friendly model that can be used to assess the financial viability of development proposals. It was based on the same, well-received approach used by the Mid and South West Wales Strategic Planning Group. The model would eventually be adopted by all authorities in the Cardiff Capital Region.

The Group Manager – Planning and Development Services explained that the Council could make the DVM available to developers, site promoters, or any other individual/organisation to undertake a financial viability appraisal of a proposed development.

The Council proposed to release the DVM to developers and site promoters in a site-specific locked format with an accompanying user-guide, subject to receipt of a standard fee. This mirrored the approach employed in the Mid and South West Region for consistency. The proposed fee schedule for this service was detailed in paragraph 4.1 of the report (with all charges shown being subject to VAT).

The Group Manager – Planning and Development Services advised, that the fees were intended to cover the Council's administrative costs of locking and distributing the model, verifying the completed appraisal and providing a high-level review to the developer/site promoter. Therefore, payment of a fee would not serve to guarantee site allocation within the Replacement LDP, or directly result in the granting of planning permission. The fee will enable the Council to consider certain criteria, as illustrated in paragraph 4.2 of the report.

The Cabinet Member – Communities supported the directives contained in the report and the fee charges which were modest and set at a 'sliding scale', dependent on the size of the development.

The Cabinet Member – Wellbeing and Future Generations asked whether the fee charges may possibly put off smaller developers who were maybe looking to construct smaller size developments in less viable areas such as BCB valley locations.

The Group Manager – Planning and Development Services whilst acknowledging this point, considered the fees to be modest and less than both a planning application and building regulation fee. He did not think that the fee would therefore discourage smaller developers.

He added that if site developers did not use this model, they would have to use a commercial model instead, which would be more expensive.

The Leader advised that following the fees being introduced, these could be reviewed if it was ascertained they were discouraging developers from constructing new smaller developments, particularly in our valley communities.

RESOLVED: That Cabinet:

- Agreed the proposed approach and fee charging schedule; and
- Authorised the Group Manager Planning and Development Services to implement the Development Viability Model and fee charging schedule.

581. COSY CORNER

The Corporate Director – Communities (supported by the Group Manager – Economy, Natural Resources and Sustainability) presented a report, the purpose of which, was to update Cabinet on recent developments in relation to the proposed development of a Maritime Centre on Cosy Corner, Porthcawl; to outline a series of recommendations in relation to taking forward a preferred option for the site and to seek authority for BCBC to submit a funding proposal to Visit Wales.

The Maritime Centre project was developed and was being taken forward by Porthcawl Harbourside Community Interest Company (CIC), which later became Credu Charity Ltd.

It was explained, that BCBC has worked closely with Credu Charity Ltd for many years, to support them to further develop and implement their project. This was a substantial property development proposal by Credu Charity Ltd on Council owned land and officers undertook significant due diligence to ensure lease arrangements were in place to

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control delivery and ownership of the site. Prior to the agreement for lease being entered into a full risk assessment was undertaken and reported to Cabinet, which included an assessment of the business case and the funding requirements.

Credu Charity Ltd were granted a 3 year lease on part of the site on 16th November 2017 to enable them to set up portacabin showers and toilets, as well as storage shipping containers for displaced groups. On 14th November 2019 Credu Charity Ltd were granted a license to install hoardings and set up a temporary compound. The Council entered into an agreement for lease on 7th November 2019 to provide Credu Charity Ltd with certainty that they could take entry onto the site to carry out the full construction works but only once a number of conditions had been met, including funding and planning. These conditions were never met and the agreement was subsequently terminated and the Council took possession of the site on 9th November 2020.

Officers continued, by advising that on 2nd October 2020 BCBC received formal notification from Welsh Government that the Welsh Ministers gave Credu Charity Ltd notice on the 18th August 2020 of their intention to withdraw further ERDF funding towards the Maritime Centre and to recover the ERDF funding they had already paid to Credu.

As a result of this, BCBC terminated the agreement for lease relating to the Maritime Centre at the Cosy Corner site, as Credu Charity Ltd were unable to satisfy conditions relating to that agreement for lease within an agreed timeframe.

Since this time no work has taken place on Cosy Corner and today it stands as a part completed development site surrounding by hoarding. The site has partially laid foundations and a range of materials left on it. Their removal is being considered at this time and potential implications are being reviewed.

Since serving notice to terminate the agreement for lease and resuming control of the site it has become clear that the site cannot remain in its current condition for any length of time and that significant resources and timely action is required. However, as the proposed Maritime Centre was being taken forward by Credu Charity Ltd, BCBC does not have funding set aside for the remediation of the site and its return to a safe and useable condition.

Visit Wales have since confirmed that as BCBC is already a partner in the TAD programme an opportunity exists to put forward a proposal to potentially access TAD funding. Any funding within the TAD programme must be secured, spent and claimed within a timeframe far shorter than that needed to deliver a project the size of the Maritime Centre. Therefore, officers have started the process of considering options for the future of Cosy Corner with a focus on what may realistically be achieved with possible funding and the time available.

The preferred approach at this time, based on information available, is a two stage process. Stage 1 will take place in the short to medium term and will involve officers submitting proposals to Visit Wales in an effort to secure funding to undertake improvements to part of Cosy Corner. Stage 2 will take place in the medium to longer term and will relate to the part of Cosy Corner not impacted by such proposed improvements. Stage 2 will involve securing a development partner and working with that partner to implement further improvements to Cosy Corner. The land there would remain primarily public realm with substantial community use as well as commercial opportunities. This public realm would provide a mainly open space break between nearby developed zones

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In reviewing options for both Stage 1 and Stage 2, the following principles are proposed to be used as a set of guiding principles for the way forward:-

- Desire to ensure funding allocated for Cosy Corner is retained for Cosy Corner. There is potentially funding still available through the TAD programme for Cosy Corner
- Adopting a partnership approach with key stakeholders
- Taking action in a suitable timeframe
- Minimising the period of time that Cosy Corner remains in its current condition
- Minimising the on-going maintenance requirements and costs for BCBC
- Enhancing the tourism offer of Porthcawl

The current possibilities for Stage 1 were as was outlined in paragraph 4.7 of the report.

These options were based on information known at this time, so therefore subject to change and by no means definitive, the Officers added.

The Corporate Director – Communities then gave details of the funding available for the project (which included match funding) and when this funding had to be committed in order to carry out the necessary works at the site.

The Cabinet Member – Education and Regeneration, thanked Officers for the work they had committed to this particular site which was undoubtedly an iconic part of Porthcawl and the South Wales coast and very much part of the wider regeneration proposals that were planned for the town.

He felt that it was unfortunate that Credu Charity Ltd had not delivered in terms of the former Agreement, as they had been supported by the Council with regards to development proposals for the site, from the outset. The site as reflected in the report, would now primarily be used as a public realm area, the Cabinet Member – Education and Regeneration concluded.

The Deputy Leader concurred with the views expressed immediately above. He was disappointed by the fact that the Community Interest Group had not been able to assist in the development of the site thereby facilitating the project. He thanked Officers however, for the time and commitment they had given to this ongoing issue.

Leader concluded debate on the item, by stating that he was pleased to see that as part of the planning proposals for Stage 1, the aspiration was for a changing places facility provided for the public/visitors to the area and the provision of a free public children's play area within this location, if sufficient funding was available.

RESOLVED: That Cabinet:-

- Noted the recent action by officers in relation to Cosy Corner;
- Approved the principles for considering future action on Cosy Corner as set out in section 4.6 of the report;
- Authorised the Corporate Director - Communities, to develop and submit a proposal to Visit Wales, in agreement with the Section 151 Officer and the Chief Officer, Legal, HR and Regulatory Services, to access possible resources for improvements to Cosy Corner in line with the financial information in section 8.2 of the report;
- Agreed to receive a further report relating to the detail of any funding offer from Visit Wales if successful and, should it be required, recommend to Council an update to the Capital programme.

582. WELSH GOVERNMENT HOMELESSNESS PHASE 2 CAPITAL BIDS

The Interim Chief Officer – Finance, Performance and Change presented a report, in order to provide Cabinet with an update regarding Bridgend County Borough Council's (BCBC) response to the Welsh Government Homelessness Phase 2 Guidance.

As part of the Covid 19 response, all local authorities were expected to ensure that no individual was street homeless and was provided with suitable temporary accommodation. Suitable temporary accommodation was defined as having en-suite facilities and where possible access to own kitchen. For BCBC this entailed re-purposing its current temporary accommodation and under-occupying premises to ensure it met those requirements as far as possible; reducing the numbers in floor space; securing bedrooms within the local hotels that had remained open; the use of Air BNB; purchasing four homeless pods; providing flat pack furniture, microwaves, and small fridges where needed; and providing take-away meals for those without access to a kitchen. 24 hour security has also been provided for hotels.

In accordance with Welsh Government (WG) Guidance, BCBC has accommodated significantly increased numbers in temporary accommodation. Between March to November 2020, 587 households have been provided with temporary accommodation.

The Interim Chief Officer – Finance, Performance and Change, stated that on 3rd June 2020, WG issued Phase 2 Guidance, which made it clear that those individuals being temporarily accommodated are to be provided with permanent accommodation, with no one returning to homelessness. A Rapid Rehousing approach was to be taken to help achieve this. Funding was then made available for this through Welsh Government, but to date such funding was only available up to the end of March 2021.

Currently Bridgend Council had around 125 households being supported in temporary accommodation.

The Interim Chief Officer – Finance, Performance and Change, continued by informing Members, that on 30th June 2020, BCBC submitted a funding application and Phase 2 Plan to WG. The application included funding bids for 7 capital projects and 8 revenue projects. Liaison with providers and partner Registered Social Landlords (RSLs) took place and bids focused on the key areas, as were detailed in paragraph 4.2 of the report.

Three of the capital projects require planning permission and as such were going through the application process. Once delivered the capital projects would provide up to 34 units of accommodation. These will increase BCBC's social housing stock and also allow for increased temporary accommodation units. The revenue projects will enable increased support packages to those who are homeless.

Following an agreement between BCBC and RSL partners, a RRP has been agreed and has been operational since June 2020. The Protocol explains the context within which BCBC is now working and outlines a new operational process that is being followed, to meet the pent up demand currently housed in temporary accommodation, such as hotels and Bed and Breakfast accommodation.

The Interim Chief Officer – Finance, Performance and Change explained further, that to date 70 households have been rehoused via the RRP, with a further 21 pending a move in date. Without this process it is likely that the numbers in temporary accommodation would be higher than the current 125 households at present.

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The Cabinet Member – Wellbeing and Future Generations, advised that she was pleased to see the support proposed for the homeless in our society from Welsh Government, particularly since and in light of the pandemic. She also thanked BCBC staff and the RSL's for taking into account the needs of people who were homeless in Bridgend and providing support in the form of the projects proposed as detailed in the report.

The Cabinet Member – Social Services and Early Help being also the Ward Member for the Morfa ward which covered most of Bridgend town, knew first-hand the extent of the homeless and rough sleepers there were in this location. She too welcomed the different levels of support aside of just providing people on the streets with accommodation, for example, support for substance abuse, etc. She asked how BCBC had compared with other Welsh local authorities in terms of the level of funding it had received, as a result of submitting a bid for some of the funding that Welsh Government had made available.

The Interim Chief Officer – Finance, Performance and Change, advised that BCBC had been successful here when compared to other neighbouring authorities.

The Head of Partnership Services expanded upon this, by confirming that Bridgend had received £2.2m worth of funding from Welsh Government and that a Multi-Disciplinary Team had been established including BCBC partners, in order to deliver the projects proposed in the report.

In response to a further question from the Leader, he added that this Team would provide floating on-hand support to former homeless individuals, once they had secured accommodation, in order to provide them with ongoing assistance in order for them to overcome living on the streets and other ongoing problems they may have as part of their life, such as substance misuse, mental health issues, alcohol dependence and financial problems.

The Leader was also assured by the Officer that local members will be notified at the relevant stage.

RESOLVED: That Cabinet noted the report and supported:

- The collaborative working arrangement with Welsh Government (WG) and the Registered Social Landlords (RSLs) to increase the temporary accommodation units across the Borough;
- The partnership working with Registered Social Landlords (RSLs) through the Rapid Rehousing Protocol (RRP) to reduce the numbers in temporary accommodation.

583. REDUCED TIMETABLE POLICY

The Corporate Director – Education and Family Support submitted a report in order to seek off Cabinet, formal approval and adoption of Bridgend County Borough Council's Reduced Timetable Policy (attached at Appendix A to the report).

He confirmed that there was no statutory basis upon which to establish a reduced timetable, however, in exceptional circumstances, schools may need to implement a reduced timetable in order to support a pupil who cannot attend school for a full day for a variety of reasons.

Schools, pupil referral units (PRUs) and educational settings have a statutory duty to ensure all pupils on their roll receive a full time educational entitlement and achieve good outcomes, the Corporate Director – Education and Family Support added.

The Pastoral Support Plan (PSP) is a school-based intervention to help individual pupils to better manage their behaviour and to identify any support mechanisms which need to be put in place. The PSP should identify precise and realistic behavioural outcomes for the pupil to work towards. PSPs could also be used in other circumstances, such as a managed move or returning to school from a long health related absence.

The Corporate Director – Education and Family Support advised, that as there was no statutory basis to establish a reduced timetable, it was important that there is an element of consistency and equity for all pupils in schools, PRU and educational settings, who, for one reason or another may require a phased reintegration back into full time education for a limited amount of time.

A database was being developed in order to capture accurate data on the number of pupils who are on a reduced timetable in schools, PRU and educational settings in Bridgend County Borough.

He concluded his report, by confirming that reduced timetables will be monitored by the Access to Education Panel, which meets on a monthly basis. This approach would ensure that there is consistent, regular oversight of any pupil that is not accessing full-time education.

The Cabinet Member – Education and Regeneration supported the proposals of the report.

The Leader asked how the impact of the Policy would be monitored, with regards to individuals with protected characteristics.

The Corporate Director – Education and Family Support confirmed that the Policy could affect and support any learner at any time and that those that were particular recipients of the Policy provisions were, pupils regarded as anxious non-attendees at school, pupils with mental health issues, pupils affected by a managed move and pupils with physical issues, amongst certain other characteristic groups. In terms of the detail of such monitoring arrangements, he added that he would be happy to provide this to any Member who wished to receive it including the Leader, outside of the meeting.

The Cabinet Member – Wellbeing and Future Generations asked how many pupils were on a Reduced Timetable throughout the County Borough and when on this Timetable, how long was it before they returned to back to an integrated school based setting.

The Corporate Director – Education and Family Support in response to the first point, advised that these figures fluctuate and vary almost on a daily basis though once the Policy was in place, this would allow for further data such as this to be qualified, quantified and in turn collated. Each pupil would be re-integrated back into their school environment at their own speed, on their own individual merits and through analysing for example, outcomes in their Personal Support Plan's (PSP's).

RESOLVED: That Cabinet formally adopted and approved the Reduced Timetable Policy.

584. **CONTRACT FOR THE SUPPLY OF HOME-TO-COLLEGE TRANSPORT - SUSPENSION OF THE CONTRACT PROCEDURE RULES**

The Corporate Director – Education and Family Support presented a report in relation to the above matter.

He explained by way of introduction, that following a procurement process in 2018, the Council awarded a contract for the supply of home-to-college transport to First Cymru Buses Ltd. That contract was now due to expire on 7 January 2021.

Following the report to Cabinet in September 2020, on the outcome of the public consultation on the proposed changes to the Council's Home-to-School/College Transport Policy, he reminded Members, that Cabinet determined that Education and Family Support Directorate officers, together with transportation officers, continue dialogue with private sector transport providers, Bridgend College and other post-16 providers, in order to make a saving. This also more significantly assisted creating a budget which will provide students with a 'travel pass'. This would be more flexible than traditional home-to-college transport and would be a more 'adult' solution for young people.

In order for the identified engagement to progress with all prospective suppliers and stakeholders and for a range of options to be proposed for consideration by Cabinet on the future arrangements for a post-16 travel pass, it was proposed that the Council should suspend the contract procedure rules and enter into a contract with First Cymru Buses Ltd on the same terms as the current contract from 8 January 2021 until 25 June 2021 (ie the end of the current academic year). This is necessary as work to progress the development of a travel pass and an assessment of the development required by the Council to bring this forward to fruition, will likely not be completed until the end of April 2021, at the earliest. There is also a review ongoing by Welsh Government into Learner Travel, the main focus of which was in respect of post-16 learners, added the Corporate Director – Education and Family Support. This was due to be concluded in March 2021.

Under the Council's contract procedure rules, the Council is required to tender and advertise contracts such as this one on 'Sell2Wales' as a minimum. The Council, in entering into a contract in this manner, will be unable to comply with those requirements.

The Corporate Director – Education and Family Support concluded his submission, by advising that Cabinet should be aware, that by not complying with its contract procedure rules the Council is exposed to the risk of potential challenge from other suppliers of such products, as we are entering into a contract without any competition which breaches the requirements of procurement legislation.

The Cabinet Member – Education and Regeneration advised, that interesting dialogue was ongoing with First Cymru and other third parties with regard to seeking a more innovative and adult method of transport provision for young adults and the proposals in the report, gave the education authority an opportunity to further progress those negotiations, with a view to putting in place a new form of transport arrangements for 16 plus and Home-to-College students.

RESOLVED: That Cabinet:

- Suspended the relevant parts of the Council's contract procedure rules in respect of the requirements relating to the procurement of the contract for the supply of home-to-college transport; and
- Delegated authority to the Corporate Director Education and Family Support in consultation with the Interim Chief Officer – Finance, Performance and Change and Section 151 Officer and Chief Officer - Legal, HR and Regulatory Services, to enter into a contract for the supply of home-to-college transport with First Cymru Buses Ltd from 8 January 2021 until 25 June 2021.

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None.

586. 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 contained exempt information as defined in Paragraph 14 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Act.

Following the application of the public interest test it was resolved that pursuant to the Act referred to above, to consider the following item in private, with the public excluded from the meeting, as it was considered that in all circumstances relating to the item, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, because the information is commercially sensitive and it relates to the business and financial affairs of the Council and the proposed vendors.

587. SCHOOL MODERNISATION PROGRAMME - BAND B CAPITAL PROGRAMME - LAND COSTS

The meeting closed at 17:00