

MINUTES OF A MEETING OF THE CABINET HELD IN REMOTELY - VIA MICROSOFT TEAMS ON TUESDAY, 14 SEPTEMBER 2021 AT 14:30

Present

Councillor HJ David – Chairperson

CE Smith  
SE Baldwin

HM Williams

D Patel

NA Burnett

Officers:

Claire Marchant	Corporate Director Social Services and Wellbeing
Janine Nightingale	Corporate Director - Communities
Kelly Watson	Chief Officer Legal, HR and Regulatory Services
Mark Shephard	Chief Executive
Andrew Rees	Democratic Services Manager
Deborah Exton	Interim Deputy Head of Finance
Lindsay Harvey	Corporate Director Education and Family Support
Rachel Jones	Corporate Procurement Manager
Gaynor Thomas	School Programme Manager
Mark Wilkinson	Group Manager - Learning Disability

698. DECLARATIONS OF INTEREST

None.

699. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of Cabinet of 20/07/21 be approved as a true and accurate record.

700. FUTURE SERVICE DELIVERY MODEL

The Chief Executive reported on the Council's work to date and plans for its future service delivery model as it recovers from the Covid-19 pandemic.

The Chief Executive reported that the pandemic had presented the biggest challenge to local public services in a generation and had led to rapid and significant changes to the way in which the Council and its partners deliver services. Since March 2020, the Council's focus had been to preserve life, minimise the spread of the virus and support all its communities. He thanked staff for their fortitude, agility, commitment and willingness to deliver services to its communities. There had been a significant investment and roll out of additional ICT and DSE equipment to staff and a significant investment made in core ICT infrastructure to support these changes and provide a reliable home working service.

The Chief Executive informed Cabinet that the delivery of services had been maintained successfully with the Council responding effectively to both the additional challenges of delivering new Covid related services such as track and trace and helping to implement the successful vaccination programme. He stated that the unprecedented nature of the challenges had raised risks and issues identified in the corporate risk assessment, which included, risks to delivering transformational change and agreed financial savings, the recovery and restoration of services while ensuring a Covid safe environment for the public and staff. Workforce issues relating to attracting, developing and retaining staff with the necessary skills to meet the demands placed upon the Council and its services.

He reported that a mission critical challenge for the Council through the recovery phase from the pandemic is how to most effectively plan for and embrace what has worked well over the past 18 months. Addressing some of the issues and concerns that had arisen around staff wellbeing, team development and access to some services. He stated that an opportunity existed to develop and implement a new operating model for the delivery of many of the Council's services, ensuring the Council is 'fit for purpose' moving forward, with a focus on being as agile and customer focussed as possible. Additionally, there was a focus on other parts of the recovery, including implementing the recommendations of the Cross Party Recovery Panel.

He reported that the pandemic had created an opportunity to transform the way in which the Council operates, building on and implementing the lessons and experiences emerging from the pandemic, which had seen more of the Council's services delivered remotely and virtually, and the public embracing new ways of doing business with the Council. A project board had been established to drive forward this work and create a new agile blended model of working, capitalising on the acceleration of digital transformation during the Covid-19 pandemic, seeking to increase the efficiency of services. He outlined the set of strategic principles developed to guide the effective development and implementation of the future service delivery work programme and highlighted the potential benefits derived from a revised future service delivery model, including close alignment with agreed national and corporate objectives, recognising these would have to be managed and monitored carefully.

He informed Cabinet that work would need to be undertaken in 2 phases; an interim phase, which the Council is currently operating within. A Remote Working Questionnaire was issued by Internal Audit, the purpose of which was to identify any changes made to control or governance arrangements as a result of the increase in remote working due to Covid-19. Following analysis of the responses, Internal Audit in its report concluded that the effectiveness of the internal control environment was reasonable and no specific recommendations were made. Staff, having been surveyed on the remote delivery model, welcomed a hybrid or remote model. He stated that having an adequately resourced ICT enabled service was seen as critical and managers were keen to explore further digital solutions for delivery, to drive forward the Council's aim of becoming a Digital Council by 2024, including options for the future management of member meetings. The long term goal, provided that suitable IT solutions can be found to allow it, (voting processes etc.) would be for elected members to have the choice of whether they attend Council meetings in person or remotely.

He reported that an opportunity existed to develop a long-term operating model for the Council which embraced many of the benefits that had emerged from the way the Council has had to operate over the last 18 months during the pandemic, while also addressing some of the concerns that staff and the public have expressed regarding wellbeing issues, opportunities to meet in person where appropriate, and further enhancement of digital services to modernise services while also ensuring that no one is excluded. He stated that the programme of work represented one of the most significant operational challenges this Council has faced and would need to be resourced properly, communicated effectively and implemented skilfully to ensure its success.

The Cabinet Member Social Services and Early Help commented on the extremely positive engagement with staff and that homeworking now gave flexibility to take staff circumstances into consideration. She stated that impact on the wider community such as the provision of child care and crèche provision would need to be looked at holistically. The Chief Executive stated that such provision would need to be considered in the longer term and that consideration needed to be given as to accessing services locally.

The Cabinet Member Communities thanked staff for the way they adapted to working in an agile way and he considered that opportunities could be developed for staff to work locally at hubs to make it easier to access child care provision, whilst also contributing to the decarbonisation agenda. The Leader echoed the appreciation to staff and that engagement with staff and trade unions is crucial to the success of the future service delivery model, whilst keeping health and safety and Welsh Government advice at the forefront.

**RESOLVED:** That Cabinet:

- Noted the information contained within the report and the progress that has been made with regard to a new operating model for the Council, and
- Delegated authority to the Chief Executive to develop options for the longer term operating model of the Council and provide a further report for Cabinet approval in due course.

701. **MEDIUM TERM FINANCIAL STRATEGY 2022-23 TO 2025-26 UPDATE**

The Interim Chief Officer Finance, Performance and Change presented an update on the development of the Medium Term Financial Strategy 2022-23 to 2025-26, following the revision of in-built assumptions, and updated information received since the MTFS 2021-22 to 2024-25 was approved by Council in February 2021.

The Interim Chief Officer Finance, Performance and Change reported that the Medium Financial Strategy approved by Council on 24 February 2021 identified a potential gap of £22m over the period 2021-22 – 2024-25, with savings of £1.76 million required in 2021-22 and she outlined estimated future years' savings, based on the best scenario, most likely scenario and worst scenario. She stated that at the time the budget was set, there was a degree of uncertainty due to pay and price increases, along with the long term impact of the pandemic and Brexit. She informed Cabinet that the Council had placed reliance on grant funding received from the Welsh Government's hardship fund of £24.643m to achieve a balanced budget. The Welsh Government had allocated £206m to the hardship fund to support local government for the first 6 months in 2021-22 and confirmed an extension of covid cost related support for adult social care up to the end of the current financial year. No further financial support for non-adult social care was in place, placing additional pressures on the budget.

The Interim Chief Officer Finance, Performance and Change reported on the budget position for 2021-22 which is £298.956, funded from 3 sources. As at 30 June 2021, the position was a projected overspend of £904k, reflecting pressures on adult social care. She outlined the key pressures requiring consideration for the 2022-23 budget strategy, namely pay awards; price inflation and demographic pressures. Consideration had been given to the different scenarios of changes to Aggregate External Finance and council tax increases and the resulting savings required. Very few budget reduction proposals had been put forward and work would continue with the Budget Research and Evaluation Panel to bring together budget reduction proposals for consideration and consultation on over the remainder of the financial year.

The Interim Chief Officer Finance, Performance and Change informed Cabinet that Audit Wales had completed a report on the Council's financial sustainability and concluded that the Council has maintained a strong financial position during the pandemic and there are no apparent risks to the Council's financial sustainability. However, Audit Wales had advised that the immediate impact on the Council's financial sustainability was mitigated by Welsh Government funding, and while the Council has a track record of delivering the majority of its in-year planned savings, like other Councils, identifying

and delivering future savings would be more challenging. Audit Wales also indicated that Councils that show a pattern of unplanned use of reserves to plug gaps in their revenue budget that result in reductions of reserve balances reduce their resilience to fund unforeseen budget pressures in future years.

The Interim Chief Officer Finance, Performance and Change reported on the budget consultation which will commence on 20 September 2021, concluding on 14 November 2021. She also reported on the capital programme, which is a 10 year programme and is updated and reviewed and reported to Council quarterly. The Council would continue to seek to secure external grant funding towards schemes where possible, to reduce the impact on in-house budgets. The Interim Chief Officer Finance, Performance and Change outlined the likely budget timetable, commencing in September 2021, concluding in March 2022.

The Cabinet Member Communities stated there was a misunderstanding in relation to the Council's level of reserves, in that its unrestricted reserves are not high. Also, savings to the Council's budget are in reality budget cuts due to austerity measures. The Interim Chief Officer Finance, Performance and Change commented that the level of reserves is 9% and would only enable the Council to run for a few days in the event of an emergency. She stated that the Council's earmarked reserves of £29m are for schemes in the capital programme. She also stated that the level of general reserves are low and that some Councils shore up its revenue budgets using reserves. The Deputy Leader commented that earmarked reserves are prioritised to be used to support the school modernisation programme and that some are grant specific. He stated that it was unusual for a mid-term report to be received on the MTFS, however the Welsh Government hardship funding had been crucial to keeping the Council afloat and that there were still significant challenges and uncertainty around covid ahead.

The Leader commented that the pressure and demand on services is higher than ever, with no certainty of how much of the additional contributions for health and social care would come to Wales. This policy would bring a further pressure on the Council as an employer in having to fund increased National Insurance contributions.

**RESOLVED:** That Cabinet noted the report on the updated MTFS 2022-23 to 2025-26.

**702. SUBSTANCE MISUSE SERVICE PROVISION IN BRIDGEND COUNTY BOROUGH**

The Corporate Director Social Services and Wellbeing reported on an update of the work to transition substance misuse services from the former Western Bay Area Planning Board into Cwm Taf Morgannwg Area Planning Board.

The Corporate Director Social Services and Wellbeing informed Cabinet that Area Planning Boards (APB) were set up by the Welsh Government in 2010 to provide a regional framework to strengthen partnership working and strategic leadership in the delivery of the substance misuse strategy; enhance and improve the key functions of planning, commissioning and performance management. The Cwm Taf Morgannwg APB is a multi-agency Board, accountable to the Public Services Board in respect of all its activities. She stated that most substance misuse services are funded through two Welsh Government funding streams, the Substance Misuse Action Fund (SMAF): £4M and the Local Health Board ring-fenced substance misuse allocation: £3.5M, with RCTCBC being the nominated banker, which also employ a small commissioning team to engage with partners to coordinate the required functions of the APB. The team is managed by a Substance Misuse Lead Officer.

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The Corporate Director Social Services and Wellbeing reported that as part of a process of modernisation to respond to changes in legislation and service user need, the Cwm Taf APB commissioned consultants, Health and Social Research (HSR), to carry out a review of substance misuse service provision in RCTCBC and Merthyr Tydfil, and to develop a model of service. The new integrated service commenced on 1 April 2019. Following the health board boundary change in April 2019, HSR were asked to carry out a needs assessment specifically for the Bridgend area.

The Corporate Director Social Services and Wellbeing reported that Tier 3 services will be commissioned and provided by Cwm Taf Morgannwg University Health Board. Tier 1 and 2 treatment and support services will be recommissioned and a new integrated service with one provider appointed. Development of the procurement process commenced in March 2021, with the tender anticipated to be published on 1 October 2021, with the new service scheduled to commence on 1 April 2022. A contract would be awarded for two years with an option to extend for a further one plus one year to coincide with the Cwm Taf contract. RCTCBC, will continue as nominated banker and grant recipient and employer of the regional commissioning team for the APB, and will undertake the procurement process through the regional commissioning team. A collaboration agreement would be negotiated and agreed between BCBC and RCTCBC to govern their respective roles and responsibilities during the procurement process and setting out how the parties will collaborate to oversee the delivery of the service. The Corporate Director Social Services and Wellbeing outlined the components of the new service, which would be person centred and focused on improving outcomes for people and provide a consistent approach to the provision of substance misuse services.

The Cabinet Member Social Services and Early Help in commending the report stated that providing that Tiers 1 and 2 treatment services are put in place, this would lessen the demand on Tiers 3 and 4. She stated that the services will provide vital support to families so that better outcomes are achieved.

The Cabinet Member Communities asked whether a difference had been seen to the provision of substance misuse services since the health board boundary change. The Group Manager Learning Disability, Mental Health and Substance Misuse commented that the boundary change to Cwm Taf had seen a positive arrangement, whereas previously, there was a lack of structure to the APB. He commented on the effectiveness of the regional team in RCT, which was well organised.

The Cabinet Member Wellbeing and Future Generations was pleased to see the joint working with partners and requested a further report once things have bedded in, on order to see how substance misuse services are improving.

The Leader commented that substance misuse is a contributor to homelessness and that it was important to focus on tackling this health problem. The Corporate Director Social Services and Early Help stated that the service was seeing a complexity of presentations since the pandemic and commented on the importance of early intervention and support.

The Leader thanked the Group Manager Learning Disability, Mental Health and Substance Misuse and his team who have continued to provide such valuable services to the community during the pandemic.

RESOLVED: That Cabinet:

- noted the work that has been undertaken to transition substance misuse services from the former Western Bay APB to the Cwm Taf Morgannwg APB;
- approved RCTCBC to undertake the procurement exercise to commission the integrated service provider for Tier 1 and 2 substance misuse service provision in Bridgend County Borough in accordance rule 3.1.5 of the Council's Contract Procedure Rules, with approval to award the service contract via delegated powers (under BCBC's Scheme of Delegation) once the procurement and evaluation process has been undertaken; and
- approved BCBC entering into a regional collaboration agreement with RCTCBC to set out the responsibilities of each Local Authority for the initial procurement process and contract management of the service contract.
- delegated authority to the Corporate Director Social Services and Wellbeing, in consultation with the Interim Head of Finance and Section 151 Officer and Chief Officer - Legal, HR and Regulatory Services, to agree the terms of and enter into the regional collaboration agreement and any documents or deeds ancillary to that agreement.
- requested that a further report be submitted to Cabinet once the new services and new provider are in place and on the success of those services.

**703. TRANSFORMING TOWNS (TT) PROGRAMME IMPLEMENTATION 2021-2022**

The Corporate Director Communities reported on an update on the former Targeted Regeneration Investment (TRI) programme and sought approval to progress TRI's successor programme - Transforming Towns (TT) within the County Borough. She informed Cabinet that to date, funding of £2.7m had been secured via the TRI programme to support regeneration projects and that officers are working with landowners / leaseholders with the aim of supporting projects through the TT programme, which will run until March 2022, with the possibility of an extension.

The Corporate Director Communities reported that the Council had been successful in securing £910k from the TT programme for the acquisition and demolition of the police station site at Cheapside, with officers working in partnership with the Police and Bridgend College to progress the proposals for the site.

The Corporate Director Communities also reported that the Council will continue to deliver the thematic projects in order to continue supporting project pipelines developed through the TRI Thematic 2018-21 scheme which require completion, whilst recognising the additional eligible activity included in the TT Place Making Grant 2021-22. She stated that Rhondda Cynon Taf CBC (RCT) will act as the lead body and will report to the Welsh Government and the South East Wales Regional Regeneration Board, which will comprise the Cardiff Capital Region Regeneration Board. The place making grant would be aimed at the town centres of Bridgend, Maesteg and Porthcawl.

She also reported that the Council had been successful in securing £1,166,000 to be shared with the other South East Local Authorities in 2021-22 to bring projects under Meanwhile Projects; Events and Marketing and Digital Support to fruition within the Town Centres. The Corporate Director Communities outlined the risks and issues of continuing with the programme.

The Cabinet Member Education and Regeneration in commending the proposals stated that the regeneration achievements on Nolton Street need to be publicised. He stated that the proposals at Cheapside will see education and regeneration meet and which arise out of the Bridgend Town Centre Masterplan. The Cabinet Member Social Services and Early Help commented that the projects will make a difference to the town centres and will also require landlords to come forward to enable regeneration projects to take place. She asked what can be done to ensure landlords come forward. The Corporate Director Communities informed Cabinet that landlords need to be willing to come forward as some properties are in a poor state of repair. The Council is able to use powers under Section 215 of the Town and Country Planning Act 1990 to serve a notice if it considers the condition of land or buildings to be harmful to the area. She stated that the serving of a notice is often sufficient to ensure landlords take action to improve their properties. She stated that action in respect of a fire damaged property was subject to court action. The Council also has Compulsory Purchase Order powers at its disposal for the greater corporate good, which would be used after all other avenues had been exhausted. The Leader commented that the schemes completed under the TRI programme had been possible through Welsh Government funding and working in partnership with landlords, which had seen properties being brought back into use with town centre living on the upper floors and retail on the ground floors. He looked forward to receiving an update report as the Transforming Towns programme developed.

**RESOLVED:** That Cabinet:

1. Approved the outline proposals for the delivery of TT in Bridgend town centres, as set out in section 4 of the report.
2. Noted and accepted the risks and issues highlighted in paragraph 4.7.
3. Authorised the Chief Finance Officer to accept the TRI grant on behalf of the Authority.
4. Delegated authority to the Director of Communities, in consultation with the Interim Chief Officer – Finance, Performance and Change and Chief Officer - Legal, HR and Regulatory Services, to:
  - negotiate and enter into the revised service level agreement with Rhondda Cynon Taff; and
  - approve any extension or amendment to the service level agreement and to enter into any further deeds and documents which are ancillary to service level agreement.
5. Delegated authority to the Group Manager, Regeneration, to award the TT place making and Business Grants.
6. Approved the appointment of the Principal Regeneration Officer to sit as BCBC partner representative on the TT operational group.

704. **SMALL BUSINESS RESEARCH INITIATIVE CONTRACT NOVATION**

The Corporate Director Communities sought approval to waive Contract Procedure Rules in accordance with CPR 3.2.9.4 in respect of the contract with PassivSystems Limited for Phase 2 for the Small Business Research Initiative and to enter into a Deed of Novation to novate that contract from PassivSystems Limited to Passiv UK Limited.

The Corporate Director Communities reported that in February 2019 Cabinet approved the Bridgend Local Area Energy Strategy and Smart Energy Plan. The Smart Energy Plan contained several project ideas to be developed over the period 2019 – 2025 which will provide the evidence base for the decarbonisation of Bridgend County Borough in line with the Local Area Energy Strategy. The Council submitted a proposal to Welsh Government through their Small Business Research Initiative (SBRI) to run an innovation competition (over two phases – Feasibility and Demonstration) to allow innovators in the market to come forward with ideas around how heat networks could be developed at a lower cost to current market conditions.

The Corporate Director Communities informed Cabinet that following a competition in 2019, 4 organisations were appointed to develop their ideas as part of Phase 1 of the SBRI process. One of which, was Passiv Systems, who were awarded the contract to deliver their demonstration project as part of Phase 2 of the SBRI in March 2021. However, PassivSystems were placed into administration in April 2021 and were then acquired by Passiv UK. She stated that as a consequence of this acquisition, Passiv UK had requested that the contract with PassivSystems be novated to Passiv UK Limited.

The Cabinet Member Communities in commending the proposal to waive Contract Procedure Rules stated that the Council had been awarded Welsh Government funding to deliver innovative projects, outing the Council at the forefront not only in Wales, but throughout the UK. This innovation would contribute to decarbonisation and reduce fuel poverty.

The Cabinet Member Wellbeing and Future Generations asked what due diligence had been undertaken and by whom when Passiv were awarded the contract. The Corporate Director Communities stated that Passiv had been appraised by the Council and Welsh Government and also had to enter into a contract for their demonstration project. She informed Cabinet that the parent company then launched a new company.

**RESOLVED:** That Cabinet:

- Authorised the waiver of the Council's Contract Procedure Rules to allow the modification of the existing contract with PassivSystems Limited in relation to Phase 2 of the Small Business Research Initiative by consenting to the novation of that contract to Passiv UK limited in accordance with Rule 3.2.9.4;
- delegated authority to the Corporate Director Communities to approve the final terms of the Deed of Novation required to novate the contract from PassivSystems Limited to Passiv UK Limited and enter into that Deed of Novation in consultation with the Interim Chief Officer, Finance, Performance and Change and Section 151 Officer, and Chief Officer Legal, HR and Regulatory Services and to arrange execution of the Deed of Novation on behalf of the Council, subject to such delegated authority being exercised in consultation with the Chief Officer Legal, HR and Regulatory Services.

705. **SCHOOL MODERNISATION MUTUAL INVESTMENT MODEL AND LAND AT PLAS MORLAIS**

The Corporate Director Education and Family Support sought approval to submit the Mutual Investment Model (MIM) Stage 1 application to the Welsh Education Partnership Co (WEPco); and proceed with the required land transactions in order to facilitate the development of schools in this location. He informed Cabinet that this would include the completion of an option agreement with Valleys to Coast (V2C) in respect of the intended use of the former Glan-yr-Afon Resource Centre; together with instructing solicitors to commence proceedings to



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acquire the Plas Morlais site from V2C; and to prepare contract documents for the disposal of Afon-Y-Felin Primary School site to V2C at an agreed price at a future date.

The Corporate Director Education and Family Support reported that the Welsh Government in November 2020 approved the Strategic Outline Case for two Bridgend West schemes and, in December, Council approval was received to include funding in the capital programme for the purchase of land at Plas Morlais in order to support the English-medium element of the project. Following a statutory consultation process which took place in June 2021, under the School Organisation Code in respect of the two Bridgend West proposals, Cabinet determined to approve the two proposals (to discontinue Afon Y Felin and Corneli Primary Schools and establish a new two form-entry English-medium primary school on the Plas Morlais site, and to enlarge Ysgol Y Ferch O'r Sgêr to a two form-entry FE, to be located on the Corneli Primary School/Ysgol Y Ferch O'r Sgêr site). He stated that in respect of the associated land transactions, Cabinet and Council approval was given in December 2020 for the inclusion within the Capital Programme of the amounts required for the acquisition of the Plas Morlais site from V2C within 2021-2022. Approval was also received to include the future sale of the Afon Y-Felin primary school site to V2C and Glan-yr-Afon as part of this three property transaction. V2C had confirmed a commitment to these transactions and are working with officers to bring them forward.

He reported that formal approval to proceed to deliver any new project and to enter into associated legal documentation to facilitate the same, including a Project Agreement (Stage 1), required Cabinet approval. He stated that the schemes are now at the stage where a Stage 1 application to WEPco needs to be submitted. Following receipt WEPco will consider the application and determine whether it can be accepted as a 'new project'. If accepted, the design development process for the new schools will commence.

The Corporate Director Education and Family Support also reported that following an extensive site search and feasibility exercise for the proposed replacement schools in the West, neighbouring land at Plas Morlais, owned by V2C, had been identified for development of one of the new Schools, with the existing site shared by Corneli Primary School and Ysgol Y Ferch O'r Sgêr as the other. He stated that the principle of the land transaction is based upon a 'swap' deal with V2C, whereby the Council would exchange the Afon-Y Felin Primary School site for V2C's Plas Morlais site, however the sequencing and payments related to the two elements of the 'swap' were unable to be aligned as the Afon-Y-Felin Primary School site cannot be sold until the completion of the new school development, and the new school site has to be acquired ahead of the new school development. The Council would acquire the Plas Morlais site upfront, ahead of realisation of the capital receipt for the Afon-Y-Felin Primary School site. He stated that a jointly instructed valuation of both sites had been undertaken by the District Valuer who has returned values for both sites. The reported values indicate a difference in value in favour of the Plas Morlais site, being valued higher based on size and anticipated development densities. In order to account for the difference in values, Cabinet has agreed that Glan-yr-Afon, Ynysawdre could be incorporated into the 'land swap'. The District Valuer has valued this site in its current condition and agreement has been reached with V2C that will see them take an immediate option agreement on Glan-Yr-Afon at the District Valuer valuation, whilst the acquisition agreement for Plas Morlais is concluded. This would allow V2C to bring forward redevelopment plans for the Glan-yr-Afon site forthwith.

The Cabinet Education and Regeneration stated that the land transaction was a highly technical matter but was necessary to take the development of the new schools forward

which was the largest education investment ever in the Cornelly area, delivering 21<sup>st</sup> century schools and regenerating the area. He stated that the project would be phased in such a way that no child would be affected by construction works or educated in temporary classrooms, which would see the English medium school being developed first, followed by the Welsh medium school.

The Cabinet Member Communities stated that although the transaction was described as a land swap, the authority would still be purchasing the land to facilitate the development of the new schools. The Leader stated that land values would be assessed by the District Valuer and it was essential that the authority acquires the land to construct the new schools as it did not have suitable land in its ownership. The Corporate Director Communities informed Cabinet that the availability of land was crucial to the development going ahead in order to deliver the schools and that the District Valuer would assess land values at agreed prices.

**RESOLVED:** That Cabinet:

- approved the Stage 1 submission to WEPco; and
- approved the option agreement of Glan-Yr-Afon to V2C as part of the overall 'land swap' agreement and to authorise officers to progress contracts for the acquisition of the land at Plas Morlais from V2C and the future sale of Afon-Y-Felin Primary School to V2C at the agreed values, ensuring the Council obtains best consideration in line with section 123 of the Local Government Act 1972 in line with Land Transaction Protocols.

**706. SCHOOL MODERNISATION PORTHCAWL WELSH-MEDIUM SEEDLING SCHOOL**

The Corporate Director Education and Family Support sought approval to submit an expression of interest to Welsh Government (WG) in respect of the recently announced second tranche of the Welsh-medium Capital Grant.

He informed Cabinet that there is a duty on local authorities to promote the Welsh language and support Welsh Government's Cymraeg 2050 ambition. He stated that the authority in November 2018, had secured £2.6m of WG Capital Grant funding for the development of Welsh-medium childcare provision in strategic geographical areas of the county borough, in order to support the 2050 vision. Four areas were identified for investment, one of which was Porthcawl and in principle approval had been given by Cabinet on 21 January 2020 to the development of a 1 form entry Welsh-medium school to serve the Porthcawl area as part of a future band of the school modernisation programme. The intention is that the new provision would be aligned to the development of the Porthcawl Regeneration scheme.

He stated that in order to promote the Welsh language and deliver on the Cabinet commitment within this part of the county borough, the need for an interim measure in the form of a Welsh-medium seedling school had been identified. He informed Cabinet that from an economic perspective, it would make the most efficient use of funding to co-locate childcare and seedling Welsh-medium provisions on a single site (since the associated economies of scale would mean that significant savings could be made as compared to providing separate provisions at disparate locations). From a logistical perspective, it would be beneficial to parents/carers since there would be a natural progression from the childcare provision through to the seedling school.

The Corporate Director Education and Family Support reported that the estimated cost for the provision of a combined Welsh-medium seedling school and childcare facility of £3.75m includes an element of £150k for anticipated highways works. The full extent of

the highways work required for the proposed scheme would not be known until a Transport Assessment is undertaken at detailed design stage. He stated that the WG currently only grant fund construction within the curtilage of development sites, consequently, the Council would be required to fund any necessary highways works falling beyond the site boundary. He informed Cabinet that a report would be submitted to Council at a later stage when the extent of any additional capital funding and additional revenue costs were known.

The Leader informed Cabinet that it had been an ambition by families in support of Welsh medium education to establish such provision in Porthcawl. The Cabinet Member Wellbeing and Future Generations commented that the proposal would help support the growth of the Welsh language in Porthcawl. The Cabinet Member Wellbeing and Future Generations questioned the likelihood of a successful being made for grant funding. The Corporate Director Education and Family Support indicated that the Welsh Government were supportive of the proposals and that officers are working with Rhieni Dros Addysg Gymraeg who were equally supportive of the proposal to establish a seedling school in Porthcawl.

**RESOLVED:** That Cabinet gave approval for an expression of interest to be submitted to WG in respect of the Welsh-medium Capital Grant in order to create a Welsh-medium seedling school in the Porthcawl area.

707. **SUSPENSION OF COUNCIL'S CONTRACT PROCEDURE RULES AND AWARD OF CONTRACT FOR PARENT PARTNERSHIP SERVICES**

The Corporate Director Education and Family Support sought approval to continue service delivery of the existing parent partnership service, to allow for a fully complaint tender process to take place, including an adequate mobilisation period; suspend the relevant parts of the Council's contract procedure rules (CPRs) with regards to the requirement to re-tender the contract detailed in this report; and authorise the Group Manager (Learner Support) to enter into a short-term contract with the current provider.

The Corporate Director Education and Family Support reported that following a tender exercise the Council entered into a contract with SNAP Cymru for parent partnership services. The contract was commissioned from 1 May 2018 for an initial one-year period, with an option to extend for a further one-year period of up to two years. The existing contract in relation to the parent partnership service ended on 31 March 2021. Despite no contract being in place, the Service has continued to be provided by the contractor. He stated that the Council is required under its Contract Procedure Rules and Public Contract Regulations 2015 to re-tender for replacement service providers via a competitive procurement exercise.

He reported that current service provision has been reviewed, with performance monitoring undertaken to gather both qualitative and quantitative data around client need, demand for service and outcomes achieved. He stated that the positive impact on partnership with parents could be clearly demonstrated and that engagement and communication had taken place between the Council and the current contract holder to ensure the service remained fit for purpose and can adequately meet the needs of children, young people and their families.

**RESOLVED:** That Cabinet:

- approved the continuance of service delivery of the existing parent partnership service, to allow for a fully complaint tender process to take place;

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- suspended the relevant parts of the Council's CPRs in respect of the requirement as to re-tendering of the proposed contract; and
- authorised the Group Manager (Learner Support) to enter into contract for the provision of the parent partnership service until 31 December 2021.

**708. WELSH IN EDUCATION STRATEGIC PLAN**

The Corporate Director Education and Family Support sought approval to consult with stakeholders on the draft Welsh in Education Strategic Plan (WESP) from 27 September 2021 for a period of twelve weeks. Its outcome will be reported back to Cabinet following the closure of the consultation.

He reported that Section 84 of The School Standards and Organisation (Wales) Act 2013 ("the 2013 Act") required a local authority to prepare a Welsh in Education Strategic Plan. The purpose of the regulations is to improve opportunities for local authorities to plan Welsh-medium education provision in order to support the current and future expectation for growth in Welsh-medium education. He stated that the Plan must contain a local authority's proposals on how it will carry out its education functions to improve the planning of the provision of education through the medium of Welsh ("Welsh-medium education") in its area; improve the standards of Welsh-medium education and of the teaching of Welsh in its area. The local authority's targets for improving the planning of the provision of Welsh-medium education in its area and for improving the standards of that education and of the teaching of Welsh in its area; and report on the progress made to meet the targets contained in the previous Plan or previous revised Plan.

The Corporate Director Education and Family Support reported that new guidance for the WESP had been issued in August 2016. There was now a clear intent to link the work of the WESPs to the Welsh Language Standards and to drive local authorities towards Welsh Government's stated aim of having one million Welsh speakers by 2050. He stated that the plan had to be submitted to Welsh Government for approval by 31 January 2022 and that the first ten-year Plan will commence on 1 September 2022, expiring on 31 August 2032. Each further Plan will commence on 1 September in the year during which the previous ten year Plan will come to an end and must include a target outlining the expected increase in the number of Year 1 learners taught through the medium of Welsh in the local authority area during the lifespan of the Plan.

The Cabinet Member Education and regeneration in commending the consultation on the draft WESP hoped there would be wide participation in it and he looked forward to seeing the outcome of the consultation.

**RESOLVED:** That Cabinet:

- noted the content of the draft plan; and
- gave approval to consult.

**709. APPOINTMENT OF LOCAL AUTHORITY GOVERNORS**

The Corporate Director Education and Family Support sought approval for the appointments of local authority governors to the school governing bodies listed at paragraph 4.1 of the report.

**RESOLVED:** That Cabinet approved the appointments listed at paragraph 4.1.

710. **REVISED SOCIALLY RESPONSIBLE PROCUREMENT STRATEGY, ADOPTION OF THE MODERN SLAVERY STATEMENT AND UPDATE ON THE RESPONSE TO THE RECOMMENDATIONS OF THE PROCURING WELL-BEING IN WALES REPORT**

The Chief Officer – Legal, HR & Regulatory Services sought approval for the adoption of the Socially Responsible Procurement Strategy and Modern Slavery Statement to take effect from 1 October 2021 and update Members on the response to the recommendations of the Procuring Well-being in Wales – Future Generations Commissioners for Wales’ Section 20 Procurement Review Report.

The Chief Officer – Legal, HR & Regulatory Services informed Cabinet that the Council delivers its services directly through its own workforce, private and third sector organisations, spending over £186 million a year and has a responsibility to manage public money with probity, to ensure that value for money is achieved and to manage it in such a way that it can support wider Council objectives. In order for the Council to fulfil its responsibility and deliver the Council’s objectives, a Procurement Strategy and Delivery Plan is required.

The Chief Officer – Legal, HR & Regulatory Services reported that the Socially Responsible Procurement Strategy builds on the previous procurement strategy that established the adoption of category management to improve procurement performance across the Council. It set out the Council’s key procurement priorities through to 2024 and the key changes that it will make to improve the management of its external spend on goods, services and works. The Strategy was focused on the delivery of seven broad over-arching Organisational Procurement Objectives and had been informed by the Corporate Plan, Welsh Government and UK legislation and policy including the Wales Procurement Policy Statement, Well-being of Future Generations (Wales) Act 2015 and the draft Social Partnership and Public Procurement Bill (2021). She stated that the Strategy placed an increased emphasis on the delivery of economic, social, environmental and cultural well-being objectives relating to progressive procurement, such as the Foundational and Circular Economy, and preventing climate change by prioritising carbon reduction and zero emissions through more responsible and sustainable procurement.

The Chief Officer – Legal, HR & Regulatory Services also reported that the Council will publish an annual Modern Slavery Statement setting out its commitments to ensuring modern slavery and human trafficking have no place in the business and supply chains. She stated that the Statement sets out the commitments the Council is making to manage and minimise the risk of slavery or trafficking occurring within day to day operations.

The Chief Officer – Legal, HR & Regulatory Services informed Cabinet that in March 2020 the Council was one of nine public sector bodies that participated in the Procuring Well-Being in Wales - Future Generations Commissioner for Wales’ Section 20 Procurement Review. The Commissioner had highlighted some areas of strength, as well as further opportunities for development, when considering the Council’s contribution to the seven well-being goals and organisational well-being objectives and using the five ways of working to think differently about the approach to procurement. The Commissioner had identified a key strength for the Council being the long-term approach to working collaboratively with the commissioning teams, considering the outcomes procurement can deliver. The Chief Officer – Legal, HR & Regulatory Services informed Cabinet that an action plan had been developed to implement the main recommendations of the report.

The Deputy Leader in commending the report welcomed the new contractual commitments and that it would be part of the contract monitoring process and to ensure

the Council is compliant with its responsibilities. He looked forward to seeing the implementation of the action plan. The Cabinet Member Social Services and Early Help was delighted to see that the Council is setting the pace in procurement as the Council has a responsibility to help with community wellbeing and it reinforces the foundation economy, giving businesses the ability to compete.

**RESOLVED:** That Cabinet:

- (i) approved and adopted the revised Socially Responsible Procurement Strategy attached at Appendix 1 to the report to take effect from 1st October 2021;
- (ii) approved and adopted the Modern Slavery Statement attached at Appendix 2 to the report to take effect from 1st October 2021;
- (iii) delegated authority to the Chief Officer – Legal, HR & Regulatory Services to conduct an annual review of the Modern Slavery Statement, make amendments to that statement as appropriate and publish the Modern Slavery Statement every financial year as required;
- (iv) noted the responses to the recommendations of the Procuring well-being in Wales Report as outlined in Section 4.10 of the report.

711. **REVISED CONTRACT PROCEDURE RULES**

The Chief Officer – Legal, HR & Regulatory Services sought approval for revised Contract Procedure Rules to take effect from 1st October 2021; for the Council's Scheme of Delegation of Functions in relation to Executive Functions to be amended in accordance with paragraph 4.17 of the report; and that a report would be taken to Council to amend the Constitution to incorporate the revised Contract Procedure Rules and amendments to the Scheme of Delegation of Functions in relation to Council functions.

The Chief Officer – Legal, HR & Regulatory Services reported that Council is required to review the Contract Procedure Rules, which form part of the Council's Constitution, on a regular basis. The Contract Procedure Rules contain the rules and guidelines for procuring goods, services and works and are designed to ensure compliance with UK and European law, ensure best practice is followed and best value is achieved in the use of public funds. Following the a review, a number of changes have been made to the existing Contract Procedure Rules to ensure the Council modernises the way it procures goods, services and works.

The Leader requested that where documents that were previously sealed by Members that they be shared to the relevant postholders by officers.

**RESOLVED:** That Cabinet:

- (i) approved the revised Contract Procedure Rules attached at Appendix 1 to the report to take effect from 1st October 2021;
- (ii) approved the amendments to the Scheme of Delegation of Functions in relation to Executive functions as set out in paragraph 4.17 of the report;
- (iii) Noted that a report will be taken to Council to amend the Scheme of Delegation of Functions in relation to Council functions and to amend the Constitution to incorporate the revisions to the Contract Procedure Rules.

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(iv) approved that documents that formerly required sealing be shared with the post holders for information.

712. **URGENT ITEMS**

There were no urgent items.

The meeting closed at 17:25