

MINUTES OF A MEETING OF THE CABINET HELD HYBRID IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON TUESDAY, 7 FEBRUARY 2023 AT 14:30

Present

Councillor HJ David – Chairperson

JC Spanswick
HM Williams

N Farr
JPD Blundell

W R Goode

J Gebbie

Officers:

Rachel Keepins	Democratic Services Manager
Carys Lord	Chief Officer - Finance, Performance & Change
Claire Marchant	Corporate Director Social Services and Wellbeing
Kelly Watson	Chief Officer Legal, HR and Regulatory Services
Mark Shephard	Chief Executive
Lindsay Harvey	Corporate Director Education and Family Support
Michael Pitman	Technical Support Officer – Democratic Services

123. DECLARATIONS OF INTEREST

Cllr Blundell – Prejudicial Interest – Item 12
Cllr Spanswick – Prejudicial Interest – Item 11

124. APPROVAL OF MINUTES

RESOLVED: that the minutes of the 12/01/2023 be approved as a true and accurate record.

125. MEDIUM TERM FINANCIAL STRATEGY 2023-24 TO 2026-27 AND DRAFT BUDGET CONSULTATION PROCESS

The Corporate Overview & Scrutiny Committee Chair presented a report which presented Cabinet with the findings and recommendations of the Corporate Overview and Scrutiny Committee (COSC) in relation to:

- a) the report of the Budget Research and Evaluation Panel (BREP) in respect of the Medium Term Financial Strategy (MTFS);
- b) the comments and recommendations from the four Overview and Scrutiny Committees in relation to the draft MTFS including the proposed budget pressures and budget reduction proposals, as part of the budget consultation process

The Scrutiny Chair highlighted that the Budget Research and Evaluation Panel (BREP) met on four occasions throughout the year and discussed the draft budget proposals for the year 2023-24. A summary of the discussions and the information and advice provided to BREP was at section 3 of the report.

He advised that each of the four Overview and Scrutiny Committees were presented with the draft Medium Term Financial Strategy 2023-24 Page 9 to 2026-27 and asked to consider the information contained in the report relevant to their individual remits and

determine whether they wish to make comments or recommendations for consolidation and inclusion in the report to Cabinet on the MTFFS as part of the budget consultation process.

The Scrutiny Chair added that the Corporate Overview and Scrutiny Committee considered the findings of the BREP and all four Overview and Scrutiny Committees on 31 January 2023 and agreed to submit them to Cabinet, as part of the budget consultation process 2023- 24, together with the addition of Recommendation 9 in Appendix B. The comments and recommendations from BREP and the Scrutiny Committees can be found at the appendices to the report.

Cabinet Members highlighted the importance of BREP and the contribution they make to the budget setting process. Cabinet Members thanked the Overview and Scrutiny Committees and BREP for their recommendations for Cabinet to consider

The Leader asked the Scrutiny Chair on more details surrounding Recommendation 8, in particular whether it related to anything specific or was a general point. The Scrutiny Chair stated that he would need to confer with the Chair of BREP and other colleagues on this point.

RESOLVED: That Cabinet considered and responded to the Recommendations of the Corporate Overview and Scrutiny Committee, in response to the Medium Term Financial Strategy 2023-24 to 2026-27 and the Draft Budget Consultation Process.

126. **TREASURY MANAGEMENT - QUARTER 3 REPORT 2022-23**

The Chief Officer Finance, Performance and Change presented a report which:

- updated Cabinet on the Quarter 3 position for treasury management activities and treasury management indicators for 2022-23.
- highlighted compliance with the Council's policies and practices.

She explained that the Council has complied with its legislative and regulatory requirements during the period 1 April to 31 December 2022. A summary of the treasury management activities for April 2022 – December 2022 was shown at Table 1 in Appendix A. She added that Appendix A included details on the Borrowing Strategy and Outturn for 1 April to 30 December 2022 as well as the Investment Strategy and position 1 April to 31 December 2022.

The Chief Officer Finance, Performance and Change stated that at the current time, it was predicted that we were unlikely to borrow in the current financial year based on the Quarter 3 monitoring of the capital programme.

The Cabinet Member Resources stated that interest rates have increased now that the base rate has increased. He asked how this would impact on our treasury management in the short to medium term.

The Chief Officer Finance, Performance and Change explained that the interest rates had changed more this year than the previous few years combined. She stated that the impact would be in relation to our investments and we are starting to see an increase in the interest being earned on the money that we have got invested. With the interest rates changing so frequently this makes predictions of likely income earned difficult anything past the short term.

CABINET - TUESDAY, 7 FEBRUARY 2023

The Deputy Leader asked whether, in relation to the loans given to Thurrock Council, if the repayments were on schedule and compliant. The Chief Officer Finance, Performance and Change explained that both loans to Thurrock Council were due to be repaid this financial year.

RESOLVED: That Cabinet noted the Council's treasury management activities for 2022-23 for the period 1 April 2022 to 31 December 2022 and the projected Treasury Management Indicators for 2022-23.

127. OUTCOME OF THE CONSULTATION 'SHAPING BRIDGEND'S FUTURE' 2022

The Chief Officer Finance, Performance and Change presented a report to Cabinet on the outcome of the 'Shaping Bridgend's Future' 2022 budget consultation which asked citizens their views on what they consider should be the priority areas for allocating the budget for the forthcoming financial year, and to examine those views against funding provided by the Welsh Government.

She explained that the attached consultation report sets out in detail the views expressed by those who participated. Overall the consultation received 1,441 interactions from a combination of survey completions, attendance at engagement events (face-to-face drop-in sessions), social media engagement and via the Council's Citizens' Panel. Further details were at Appendix A of the report.

The Deputy Leader thanked the members of the public who engaged with the consultation. She was pleased to see that social services was considered number 2 in peoples priorities which was considerably higher than previous years. It shows that the public are recognising the importance of social services and the impact it has on the most vulnerable people in Bridgend.

The Cabinet member resources echoed these comments and stressed the importance of the public engagement. He was pleased that the engagement was even higher than previous years.

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

128. CODE OF CORPORATE GOVERNANCE

The Chief Officer Finance, Performance and Change presented a report on the Council's updated Code of Corporate Governance for approval and adoption.

She advised that the updated Code was attached at Appendix A of the report and highlighted changes which included actions that demonstrated good governance and evidence that supported those actions. The Code had been reviewed by the Corporate Management Board.

The Code of Corporate Governance is based on the seven core principles as set out in the CIPFA Framework which was highlighted at 4.2 of the report.

The Leader welcomed the report and stressed the value of the Governance & Audit Committee, their consideration of this report and the Independent members and their valuable role on the Committee. He stated that we are always looking at ways to improve our corporate governance and this report was a reflection of that.

The Cabinet Member Communities asked in relation to page 102 of the pack it states in app voting and paperless agendas. He asked where we were on this. The Monitoring

Officer stated that this was something being looked into and progressed and hoped to provide Cabinet with an update in the near future.

RESOLVED: That Cabinet considered and approved the revised Code of Corporate Governance.

129. **NATIONAL EMPTY PROPERTIES SCHEME**

The Chief Officer Finance, Performance and Change presented a report to confirm participation in Welsh Government's National Empty Properties Scheme and seek approval from Cabinet to enter into a Service Level Agreement (SLA) with Rhondda Cynon Taf County Borough Council as lead authority for the National Empty Properties Scheme.

She explained that on the 17th November 2022, the Minister for Climate Change wrote to all local authorities to notify them that Welsh Government (WG) had granted approval for a national empty homes scheme, building on the previous empty homes scheme delivered as part of the Valleys taskforce. It confirmed that Welsh Government was committing £50million to the scheme split equally over 2 years, 2023-24 and 2024- 25. Further details were at section 3 of the report.

The Chief Officer Finance, Performance and Change explained that scheme will be fully operational from 1st April 2023, however, Welsh Government is intending to launch the scheme on 30th January 2023 to enable applications to begin to be processed leading into 2023-24. The main terms of the scheme were set out at section 3.6 of the report.

She requested Members to confirm participation in the scheme and agree to enter into the Service Level Agreement with RCT to take part in the scheme and ensure compliance with WG terms and conditions. Members were requested to delegate powers to the Chief Officer, Finance, Performance and Change and the Chief Officer Legal, HR and Regulatory Services to complete negotiations and sign the necessary paperwork.

The Cabinet Member Future Generations welcomed the report and stated that it went hand in hand with a report that was to be delivered to Council 8th February 2023 on the Long Term Empty Property premiums on Council task. It was pleasing to see that Welsh Government recognised the importance of encouraging property owners to invest in their properties to ensure their appropriate use.

The Deputy Leader echoed these comments and believed the additional council tax that could be obtained from these properties would benefit local communities and it was a positive step forward in having more housing available for use in Bridgend.

The Leader stated that there had been a number of grants and schemes over the years relating to bringing empty homes and properties back into use. He asked if this SLA would replace these.

The Chief Officer Finance, Performance and Change stated that there were a number of different initiatives and funding streams which will remain in place when this is introduced in April, for example, Welsh Government has a Homes to Home scheme which provides loans to support residents as well as empty property grants that can help people adapt properties if needed. The SLA would be in addition to existing ones.

The Leader suggested that information of these grants be made available on the Councils website for the benefit of residents.

RESOLVED: That Cabinet delegate authority to the Chief Officer, Finance, Performance and Change and Chief Officer Legal, HR and Regulatory Services to:

- 9.1.1 negotiate and enter into a service level agreement with Rhondda Cynon Taf as lead authority for the National Empty Properties Scheme;
- 9.1.2 approve any extension or amendment to the service level agreement and to enter into any further deeds and documents which are ancillary to the service level agreement.

130. **REVIEW OF THE SOCIAL SERVICES AND WELLBEING SUPERVISION POLICY**

The Corporate Director Social Services and Wellbeing presented a report which provided Cabinet with an overview of the review of the Supervision policy and guidance that has been in place since the previous review in March 2018 and sought approval to replace the original policy established in 2010 with 2 new policies.

She explained that the review has been completed following an audit of supervision activity that was completed in 2021 which established inconsistencies in practice, completion and recording. Further details were at section 3 of the report.

The Corporate Director Social Services and Wellbeing emphasised the areas that were highlighted as part of the review which were detailed at section 4 the report. She highlighted that following the consultation it was agreed that the policy be split into two parts, one for those specifically working in direct care services, the other for those working across the rest of the Social Services and Wellbeing directorate. The main differences between the policies were outlined at 4.7 of the report. She added that the full policies were provided as appendices to the report.

The Deputy Leader welcomed the report and thanked Claire Holt for putting the policies together. She added that it was pleasing to see the policies developed in conjunction with the workforce as these are the users that it will apply to. The Deputy Leader stated that there had already been some significant improvements seen particularly with the child practice review, as one of the highlighted points was the lack of appropriate and considered supervision. She highlighted the feedback given from one of the officers who had seen benefits from the changes.

The Cabinet Member Regeneration highlighted the importance of regular supervision to reflect on the practice and cases particularly with complex issues. She asked the Corporate Director if the policy stated how often supervision should take place, and if there were checks in place that would flag up if there had been a breach.

The Corporate Director Social Services and Wellbeing stated that the policies did set out the frequency, for non-direct care staff this was every 4-6 weeks and the WCCIS system does enable recording if supervision has or has not taken place. Further questions were asked by the Leader and Cabinet and answered by the corporate director which can be found on the recording [here](#).

RESOLVED: that Cabinet grant approve of the two policies; Staff supervision policy and practice guidelines: Social Services and Wellbeing workforce (appendix 1) and Staff supervision policy and practice guidelines: Social Services and Wellbeing Workforce Direct Care Services (appendix 2) as replacement for the 2018 Social Services and Wellbeing Supervision policy.

131. **RENEWAL OF SECTION 33 AGREEMENT FOR COMMUNITY EQUIPMENT**

The Corporate Director Social Services and Wellbeing presented a report which:

1. sought approval to renew the Section 33 Agreement for the supply of community equipment;
2. sought authority to suspend the Council's Contract Procedure Rules in respect of the requirement to competitively procure the services provided by Rhondda Cynon Taff County Borough Council under the agreement; and
3. sought approval for the appointment of the Integrated Community Services Manager - CRT as the Bridgend County Borough Council (BCBC) representative for the Community Equipment Partnership Board.

She explained that Community equipment service currently provided a wide range of equipment e.g. aids to daily living, home, nursing equipment, static seating, children's equipment, physiotherapy equipment, sensory equipment, etc to assist adults and children in their own home. The Section 33 Agreement was first established in 2008. Further background was at section 3 of the report.

The Corporate Director Social Services stated that the proposed principles within the agreement are fundamentally unchanged, although the timeframe for the new agreement being 10 years with an option to extend by a further 2 years.

The Deputy Leader welcomed the report and stressed the importance of this partnership service to residents. It was a service that many would not know was there unless they received it and asked that if any residents required this service to get in touch and we can point them in the right direction. The Leader echoed this and added that he had seen a growth in the demand for this service, which further showed the necessity for it.

Further questions were asked by the Cabinet which were answered by the Corporate Director.

RESOLVED:

That Cabinet:

- considered the contents of this report and agreed to renew the Section 33 Agreement for the provision of Community Equipment;
- approved the suspension of the Council's Contract Procedure Rules in respect of the requirement to competitively procure the services provided by Rhondda Cynon Taff County Borough Council under the agreement;
- delegated authority to the Corporate Director – Social Services and Wellbeing, in consultation with the Chief Officer – Finance, Performance and Change and Section 151 Officer, and Chief Officer – Legal & Regulatory Services, HR & Corporate Policy, to agree the final terms of the revised Section 33 agreement and to enter into that agreement on behalf of the Council; and
- Approved the appointment of the Integrated Community Services Manager - CRT as the BCBC representative for the Community Equipment Partnership Board.

132. **MANAGED SERVICE - CHILDREN'S SERVICES**

The Corporate Director Social Services and Wellbeing presented a report which sought approval from Cabinet to directly award a 'managed service' contract to an independent organisation currently delivering the service in Bridgend County Borough Council's (BCBC) Children's Services, to ensure continuity in child safeguarding arrangements. Cabinet approval is being sought to suspend the relevant parts of the Council's Contract Procedure Rules (CPRs) with regards to the requirement to re-tender the 'managed service' element of the contract detailed in this report.

She provided background as set out in section 3 of the report. Since the implementation of the Innovate managed team, advertising for permanent vacancies in Information, Advice and Assistance team (IAA) has been ongoing. At present, notwithstanding the additional team implemented in IAA, the vacancy rate remains high at 50%, which increases to 60% once absence is considered.

Officers containing representation from a number of key areas, including Children's Services, Commissioning, Procurement and Legal have met to consider and risk assess/appraise the short-medium term options for securing services beyond 18th March. Further details were at section 4 of the report.

The Corporate Director Social Services and Wellbeing stated that to ensure continuity and knowledge of the existing provider, it is proposed that Cabinet suspends the relevant parts of the Council's CPRs – requiring a competitive procurement exercise in accordance with the requirements of the Public Contract Regulations 2015 – and agrees to the awarding of the managed service contract to the current provider for a 12 month period from 18th March 2023, with an option for two further 12 monthly extensions, to provide maximum flexibility given the highly challenging market for permanent social work recruitment. Further details were at section 4 of the report.

The Corporate Director Social Services and Wellbeing added that with the challenges that all local authorities were facing in terms of recruiting social workers and the high level of vacancies within our council, it was challenging and unlikely to fill all these positions in the near future.

The Deputy Leader welcomed the report and stated that the managed service team had been instrumental in our practice improvements in Bridgend. The need for continuous stream of social workers was important to ensure a safe and effective delivery of service.

Further questions were asked of the cabinet which were answered by the Corporate Director.

RESOLVED:

That Cabinet:

- approves the continuance of the managed service with the current service provider Innovate Children and Young People's Services;
- suspend the relevant parts of the Council's CPR's in respect of the requirement as to re-tendering of the proposed contract; and
- delegated authority to the Corporate Director – Social Services and Wellbeing, in consultation with the Chief Officer – Finance, Performance and Change and Section 151 Officer, and Chief Officer – Legal & Regulatory Services, HR & Corporate Policy, to enter into a contract for the Managed Service for a 12 month

period from 18th March 2023, with an option to extend by a further two 12 month periods (maximum 3-year duration) provided that the exercise of any such extension option be subject to the prior approval by the Cabinet/Corporate Management Board and consultation with Scrutiny Chairs.

133. **APPOINTMENT OF LOCAL AUTHORITY GOVERNORS**

The Corporate Director Education and Family Support presented a report which sought approval from Cabinet for the appointment of local authority governors to the school governing bodies listed at paragraph 4.1 and 4.2.

The Corporate Director Education and Family Support advised however that the recommendations for appointment listed at 4.1 for Ogmores Vale Primary School were as a result of an administrative error, therefore no appointment will be going ahead.

He highlighted the appointments for the remaining schools. It was recommended that out of the two applicants for Bryntirion Comprehensive School, that Mr Jeffrey Lewis be appointed for this position.

RESOLVED: That Cabinet is approved the appointments detailed at paragraphs 4.1 and 4.2, subject to the removal of the appointment at 4.1 for Ogmores Vale Primary School due to an administrative error.

134. **SCHOOL ADMISSIONS POLICY 2024-2025**

The Corporate Director Education and Family Support presented a report which sought Cabinet approval for the School Admissions Policy 2024-2025 (see Appendix A).

He explained that the Bridgend Admissions Forum agreed a draft School Admissions Policy for 2024- 2025, as per the requirements under the Code, in September 2022. A consultation was run between 30 November 2022 and 6 January 2023. A concern was expressed regarding the policy formalising an increase to the PAN of Caerau Primary School from 45 to 60.

The Corporate Director Education and Family Support explained that the school had adopted a 'working PAN' of 60 for a number of years and this change will subsequently formalise this. Further details were at section 4 of the report.

The Corporate Director Education and Family Support stated that concerns were raised regarding increasing the number of English-medium school places in an area without a corresponding number of readily accessible Welsh-medium places, this may have a detrimental impact on the take-up of Welsh-medium places and, consequently, the Welsh language. A Welsh Language Impact Assessment has been carried out which was attached at Appendix B.

The Cabinet Member Education welcomed the report and stated that the temporary measure of increasing the PAN to 60 for Caerau Primary School for the past couple of years has been due to demand and the number of appeals for school places. This change is just being formalised in this report and he did not believe there would be any detriment to Welsh medium schools as there had already been increases in Welsh medium education and the WESP plan over the next few years also facilitates that.

RESOLVED: That Cabinet:

CABINET - TUESDAY, 7 FEBRUARY 2023

- approve the Schools Admissions Policy 2024-2025 (see Appendix A); and
- determine whether to approve the formal increase in the PAN for Caerau Primary School from 45 to 60, acknowledging the increase has been operationally implemented for a number of years and while considering the potential negative impact identified in the accompanying (Appendix B) Welsh Language Impact Assessment.

135. **URGENT ITEMS**

None

136. **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 was excluded from the meeting during consideration of the following item of business as it contained exempt information as defined in Paragraph 12 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 the circumstances relating to the item, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, because the information would be prejudicial to the applicant so mentioned

137. **PORTHCAWL METROLINK**