

MINUTES OF A MEETING OF THE CABINET HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON TUESDAY, 20 JUNE 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
Zak Shell	Head of Neighbourhood Services
Michael Pitman	Technical Support Officer – Democratic Services
Will Lane	Operational Manager Shared Regulatory Services
Ieuan Sherwood	Economy and Natural Resources Manager

183. APOLOGIES FOR ABSENCE

None

184. DECLARATIONS OF INTEREST

Cllr Farr – Item 17, Prejudicial
Cllr Huw David Item 17 – Prejudicial

185. APPROVAL OF MINUTES

RESOLVED: That the minutes of the 09/05/2023 be approved as a true and accurate record.

186. DIRECT PAYMENTS POLICY

Officer presented a report which sought Cabinet approval of a new policy (attached at Appendix 1) for the use of direct payments to meet people's care and support needs, and support needs in the case of unpaid carers.

The Corporate Director Social Services and Early Help provided a summary of direct payments and the new policy as set out in appendix 1. She explained that this new policy enables the Council to respond directly to recommendations made by Audit Wales after its national review of direct payments (2022) provided under **Appendix 2**.

She added that this policy will be reviewed annually to take into account new legislation or guidance. A thorough review will also be undertaken every 3 years as part of good governance.

The Deputy Leader welcome the report and the new policy. She attended the meetings in March and took on board the comments made by residents and users of the policy. The Leader echoed these comments and stressed the importance of co writing the policy. He asked what work we were doing with the Health Board in order to address one of the recommendations made by Audit Wales.

The Corporate Director stated that there were a number of individuals who will have jointly funded packages of care provided to them and this was something the Local Authority could provide help with from the direct payments policy aspect. She added that there was also work being undertaken by Welsh Government to review the current health care policy for Wales and this would hopefully allow for direct payments to be made in a more streamlined way.

RESOLVED: That Cabinet considered and approved the new policy for direct payments attached as Appendix 1.

187. **ANTI-TAX EVASION POLICY**

The Chief Officer Finance, Performance and Change presented to Cabinet an updated Anti-Tax Evasion Policy for approval.

She explained that the Council has in place Anti-Fraud and Bribery and Anti-Money Laundering policies to support effective arrangements to prevent and detect acts of bribery and corruption which are monitored and reviewed by the Governance and Audit Committee. The Anti-Tax Evasion Policy specifically addresses the prevention of tax evasion and provides a coherent and consistent approach for all employees and any person who performs services for and on behalf of Bridgend County Borough Council. Cabinet approved the Anti-Tax Evasion Policy on 9 February 2021. The revised Anti-Tax Evasion Policy is attached as Appendix A, with the changes incorporated.

The Cabinet Member for Finance and Resources welcomed the report and stated that this policy was inward facing in that it focused more towards Members and Officers. It sat alongside our anti-fraud, bribery and money laundering which focused on the customer facing side of the authority.

The Cabinet Member Community Safeguarding and Wellbeing asked if we do find that someone has been evading tax, what action would be taken as an authority.

The Chief Officer Finance, Performance and Change reassured Members that we had not had any reported incidences of tax evasion, however if it were to occur, this would be forwarded to our Senior Fraud Investigator and internal audit service and depending on what that investigation found would depend on where it was then referred to.

The Leader asked if there were training provided to all Members and Officers regarding this. The Chief Officer Finance, Performance and Change explained that there were training models available for all staff on the Intranet.

RESOLVED: That Cabinet approved the updated Anti-Tax Evasion Policy

188. **REVENUE BUDGET OUTTURN 2022-23**

The Chief Officer Finance, Performance and Change presented a report which provided Cabinet with an update on the Council's revenue financial performance for the year ended 31st March 2023.

She explained that Table 1 highlighted the comparison of budget against actual outturn at 31st March 2023. Table 2 highlighted the Covid-19 expenditure claims for 2022-23. The Chief Officer Finance, Performance and Change stated that when the budget was set for 2022-23, very little funding was allocated to directorates for pay and price inflation, as most had not been determined for the forthcoming year. The majority of the provision was retained centrally within council wide budgets, to be allocated as further information was known about specific contractual price increases. Section 3.1.13 of the report highlighted the technical adjustments from quarter 4.

The Chief Officer Finance, Performance and Change outlined the budget reductions that were outstanding from 2021-22 that had been carried forward. Table 4 outlined the budget reductions for 2022-23 with 3.2.4 of the report highlighting the most significant reduction proposals.

The Chief Officer Finance, Performance and Change highlighted the appendices to the report which provided the following information:

- Appendix 1 - Prior Year Budget Reductions Monitoring
- Appendix 2 - 2022-23 Risk Tracker Budget Reduction Proposals March 2023
- Appendix 3 Revenue Budget Monitoring 2022-23
- Appendix 4 - Earmarked Reserves Quarter 4

The Cabinet Member for Finance and Resources thanked the Officers for the report. He asked with regards to the underspend in other Council wide budgets, how much of the underspend needs to be retained in the base budget and how much can be spent for other priorities.

The Chief Officer Finance, Performance and Change explained that this would be reviewed again through the process of setting next years budget. However a number of underspends should be carefully considered, for example the significant underspend on our Capital Financing as well as the Council Tax Reduction scheme. Borrowing costs are going up and therefore taking money from areas of underspend need to be more closely and carefully considered.

Further questions and discussions were had on this report which can be found [here](#).

RESOLVED: That Cabinet noted the revenue outturn position for 2022-23.

189. **CAPITAL PROGRAMME OUTTURN 2022-23**

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

- Comply with the Chartered Institute of Public Finance and Accountancy's (CIPFA) 'The Prudential Code for Capital Finance in Local Authorities' (2021 edition) requirement to report performance against all forward looking indicators on a quarterly basis.
- provide details of the capital outturn for 2022-23 (Appendix A)
- note the actual Prudential and Other Indicators for 2022-23 (Appendix B)

The Chief Officer Finance Performance and Change explained that **Appendix A** provided details of the individual schemes within the capital

programme, showing the budget available in 2022-23 compared to the actual spend. Since the last report presented to Council in March 2023 there have been a few minor amendments to the 2022-23 Programme which were highlighted at 3.1.2 of the report. The revised budget for 2022-23 was now at £58.760 million.

She highlighted that slippage forecast to be spent in 2023-24 of £27.875 million is required. These were highlighted in 3.1.4 of the report.

The Chief Officer Finance Performance and Change stated that In February 2022, Council approved the Capital Strategy for 2022-23, which included the Prudential Indicators for 2022-23. **Appendix B** detailed the actual indicators for 2021-22, the estimated indicators for 2022-23 set out in the Council's Capital Strategy and the actual indicators for 2022-23 based on the Capital Programme outturn. These show that the Council is operating in line with the approved indicators.

The Leader welcomed the report and the progress on the Eweny Road industrial estate site as well as the Shared Prosperity Fund update. He asked in relation to the affordable housing and the allocation for this, confirmation of the sum and the reason for it being reported.

The Chief Officer Finance Performance and Change explained that the £844,000 was section 106 monies that had been received last year and has been earmarked. A report to Cabinet is due shortly on a draft Homelessness Strategy which will outline our aspirations with regards with what needs to be done to increase the housing availability across the borough. This money will be used towards this.

RESOLVED: That Cabinet:

- noted the Capital outturn for 2022-23 (Appendix A)
- noted the actual Prudential and Other Indicators for 2022-23 (Appendix B)

190. **TREASURY MANAGEMENT OUTTURN 2022-23**

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

- Comply with the requirement of the Chartered Institute of Public Finance and Accountancy's (CIPFA's) 'Treasury Management in the Public Services: Code of Practice' (the TM Code) to report an overview of treasury activities for the preceding financial year.
- Report on the actual Treasury Management Indicators for 2022-23.

The Chief Officer Finance Performance and Change stated that during 2022-23 the war in Ukraine continued to keep global inflation above central bank targets and the UK economic outlook remained relatively weak with the chance of a mild recession. The economic backdrop during January to March 2023 continued to be characterised by high energy and commodity prices, high inflation, and the associated impact on household budgets and spending.

She added that The Consumer Prices Index (CPI) rose to 10.1% in the 12 months to March 2023. This was an increase from 5.5% at the start of the financial year, but slightly down from February 2023 which was 10.4%, At its

highest CPI reached 11.1% in October 2022. Whilst fuel costs have seen some reductions, food, recreation and culture costs have contributed to higher inflation. Further background was at section 3 of the report.

The Chief Officer Finance Performance and Change stated that the Treasury Management activities for 22-23 were highlighted in Appendix A of the report. Table 1 provided a summary of Councils debt and investment position with further information on this also at appendix A.

The Cabinet Member Finance and Resources welcomed the report and believed that it demonstrated the effective way the Council manages its finance with the balance of risk and responsibility. The Leader added that the report largely reflects the changes in the economy and the increase in rates overall. He also added that the Governance and Audit Committee played an important role in the treasury management monitoring process.

RESOLVED: That Cabinet:

- Noted the annual treasury activities for 2022-23
- Noted the actual Treasury Management Indicators for 2022-23 against those approved in the Treasury Management Strategy 2022-23.

191. **EDUCATION & FAMILY SUPPORT DIRECTORATE STRATEGIC PLAN 2023-2026**

The Corporate Director Education and Family Support presented a report which sought Cabinet's approval of the Education and Family Support Directorate (EFS) Strategic Plan 2023-2026 as attached at Appendix A.

He explained that the directorate's three-year strategic plan was an important part of the directorate's delivery model as it enables clear alignment with national policy and locally determined priorities. There was no statutory duty to produce a three-year plan, however the directorate was keen to engage with stakeholders to ensure service delivery, over the medium term, was well co-ordinated and, wherever possible, met the needs of service recipients. Key groups and stakeholders were consulted during the process and these were outlined at section 3.4 of the report. Further details were also at section 3 of the report.

The Cabinet Member Education welcomed the report and thanked everyone involved who contributed their views and helped the directorate incorporate these views into the development of the Plan. He added that it was important that this was a collaborative report which was evidenced here.

RESOLVED: That Cabinet approved the EFS Strategic Plan 2023-2026

192. **OUTCOME OF THE ESTYN INSPECTION OF YSGOL GYFUN GYMRAEG LLANGYNWYD**

The Corporate Director Education and Family Support presented a report to Cabinet of the outcomes of the recent Estyn inspection of Ysgol Gyfun Gymraeg Llangynwyd.

He explained that during the spring and summer term 2022, Estyn piloted inspection arrangements that support renewal and reform in Welsh education. The new inspection reports longer include summative gradings, but instead detail how well providers are

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helping a child to learn. Ysgol Gyfun Gymraeg Llangynwyd was inspected by Estyn, using the new approach, in March 2023 and the report was published on 5 June 2023. The full text of the report was available on the Estyn website.

The Corporate Director Education and Family Support was pleased to report that YGGL received no recommendations from ESTYN which was the first time a Welsh Medium school has achieved this. He highlighted some of the key points made by ESTYN which were detailed at section 3 of the report.

The Cabinet Member Education welcomed the report and congratulated the school on an amazing achievement. Having recently visited the school he stated that all in attendance at the school visit agreed that it was a great school that took pride in the children and their education.

RESOLVED: That Cabinet noted the content of this report.

193. SCHOOL MODERNISATION PROGRAMME - BRIDGEND WEST MUTUAL INVESTMENT MODEL

The Corporate Director Education and Family Support presented a report which sought Cabinet approval to:

- submit the Mutual Investment Model (MIM) Stage 2 application to the Welsh Education Partnership Company (WEPco) in respect of the Bridgend West School Modernisation Programme scheme; and
- nominate Cllr Jon-Paul Blundell to be the Bridgend County Borough Council (BCBC) Participant Representative on the Welsh Education Partnership Strategic Partnering Board (SPB).

The Corporate Director Education and Family Support stated that on 17 May 2023, the local authority received approval from the Minister for Education and Welsh Language in respect of the Bridgend West OBC. This Welsh Government approval of the OBC enables a MIM Stage 2 (detailed design, planning and supply chain assembly) application to WEPco to now be made.

The Cabinet Member Education explained that this was an important step forward in the Bridgend west School Modernisation Programme and welcomed the nomination for himself to sit on the board.

The Leader echoed these comments and that it was an important milestone in the redevelopment of primary provision in Cornelly. It was the biggest single investment that had taken place in this area. the community of Cornelly had also expressed their excitement towards this. The Leader also highlighted that Welsh Government had provided a commitment to ensuring net zero carbon on all future developments which was an important step in our carbon neutral strategy.

RESOLVED: That Cabinet:

- approves the submission of the MIM Stage 2 application to WEPCo in respect of the Bridgend West scheme; and
- approves the nomination and appointment of Cllr Jon-Paul Blundell to be the BCBC Participant Representative on the SPB.

194. **SCHOOL MODERNISATION: PORTHCAWL WELSH MEDIUM SEEDLING SCHOOL - OUTCOME OF CONSULTATION**

The Corporate Director Education and Family Support presented a report to:

- inform Cabinet of the outcome of the consultation on the Porthcawl Welsh medium Seedling School proposal; and
- seek approval to continue to progress a scheme to establish a Welsh medium seedling school and childcare provision for the Porthcawl area on land at the Porthcawl Primary School site.

The Corporate Director Education and Family Support highlighted the responses received in respect of the consultation process which were detailed in section 3 of the report. Cabinet would note that the responses received were largely positive. He stated that Appendix 3 highlighted the response from Parents for Welsh Medium Education to Bridgend County Borough Council's consultation on the Proposal for Welsh-medium seedling school and childcare in the Porthcawl area.

The Cabinet Member Education stated that in Porthcawl it was a desire to provide a Welsh Medium Primary School there and asked for reassurance that this was the case. The Corporate Director Education and Family Support confirmed that this was the plan within the next stages of the School Modernisation Programme.

The Cabinet Member Education asked what would be done to ensure that the increased traffic did not negatively effect the area. The Corporate Director Education and Family Support stated that with all new builds a Traffic Impact Assessment would need to be undertaken. This would include engagement with the Highways department as well as residents in the surrounding area of the new build.

RESOLVED: That Cabinet:

- noted the outcome of the consultation on the Porthcawl Welsh-medium Seedling School proposal; and
- gave approval to continue the progress the scheme to establish a Welsh medium seedling school and childcare provision for the Porthcawl area on land at the Porthcawl Primary School site.

195. **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 paragraphs 3.1 and 3.2.

He explained that the the one current local authority governor vacancy was detailed in table 1 of the report. The applicant met the approved criteria for appointment as a local authority governor and there was no competition for the vacancy. There was competition for one vacancy at Heronsbridge school and these applicants were listed in table 2.

Due to the extensive experience as a local authority governor, having served for many years on the governing body of Heronsbridge School, and most recently in the role of vice chairperson, Mrs Marjorie Nash was recommended for reappointment.

RESOLVED: That Cabinet approved the appointments detailed in paragraphs 3.1 to 3.3.

196. **REPRESENTATION ON OUTSIDE BODIES**

The Chief Officer Legal and Regulatory Services, HR and Corporate Policy presented a report which sought Cabinet's approval for the appointment of Members to joint committees, Cabinet committees and the nomination of Members to outside bodies. The Authority was represented on a number of outside bodies and joint committees as listed in Appendix 1.

It was proposed that Members be appointed for a term of one year except where earlier revocation of appointment is appropriate.

The Chief Officer Legal and Regulatory Services, HR and Corporate Policy proposed that where Cabinet nominates on the basis of a Member's role within the Authority the appointment be attached to the role and not to the individual Member, e.g. Scrutiny Chair, Cabinet Member. All appointments are made with the assumption that appointees represent Bridgend County Borough Council. Further details were at section 3 of the report.

She asked Cabinet to note that the scrutiny members were included on the Corporate Parenting nomination but these were subject to change as they are determined by the individual committees.

RESOLVED: That Cabinet appointed the requisite number of Members to the joint committees and other outside bodies as listed in Appendix 1.

197. **LICENSING ACT 2003 APPROVAL TO PUBLISH CUMULATIVE IMPACT ASSESSMENT BRIDGEND TOWN CENTRE**

The Operational Manager – Shared Regulatory Services presented a report which provided Cabinet with a proposed Cumulative Impact Assessment (Bridgend Town Centre) for consideration and noting. The approval of a Cumulative Impact Assessment (CIA) was a Council function and therefore presented to full Council at tomorrow's meeting.

He explained that on 18 December 2019 Council approved the publication of a Cumulative Impact Assessment (CIA) for Bridgend town centre which informs decision making within the Council's Statement of Licensing Policy. The CIA expired in December 2022.

A CIA assesses various issues relating to the impact of licensed premises including crime and disorder, public nuisance, littering and other negative impacts on particular areas and sets out the evidence on which the Council basis its decision to publish a CIA.

The Operational Manager – Shared Regulatory Services stated that South Wales Police had requested that the CIA remain in its current form, details of which are attached at Appendix B. Further details on the streets that the CIA would cover including other relevant details were at section 3 of the report.

The Deputy Leader asked in relation to premises licence conditions, if these could be made more readily available for the public to be able to access, without the need to contact the licensing team at BCBC. The Operational Manager – Shared Regulatory Services stated that he would look into whether this was possible going forward.

RESOLVED: That Cabinet noted the report and the option set out in 3.19 above, which will be presented to Council on 21 June 2023.

198. **UNITED KINGDOM SHARED PROSPERITY FUND GRANT FUNDS**

The Head of Operations – Community Services presented a report which sought approval to establish and deliver a series of grant funds as part of the delivery programme for Bridgend’s Local Investment Plan through the United Kingdom Shared Prosperity Fund and to make amendments to the Council’s Scheme of Delegation of Functions to facilitate the award of grant funding.

He explained that the United Kingdom Shared Prosperity Fund (UKSPF) was a key part of the UK government’s Levelling Up agenda, forming part of complementary funding, including the Levelling Up Fund and Community Ownership Fund. In July 2022 Bridgend County Borough Council (BCBC) Cabinet delegated authority to the Corporate Director Communities to submit the Bridgend County Local Investment Plan to Rhondda Cynon Taff County Borough Council (RTCBC) for inclusion in the overall submission of the South East Wales Local Investment Plan to the UK Government. As part of the funding process there was, and remains, a need to appoint one local authority to assume the role of the ‘Lead Local Authority’ for the region for the UKSPF. It was agreed by BCBC Cabinet that RCTCBC performs this role. Further background was at section 2 of the report.

The Head of Operations – Community Services proposed that the grant funds as outlined in section 3.5 of the report were set up and delivered. In order to facilitate these, there were a number of changes that needed to be made to the Scheme of Delegation of Functions. These were set out in section 3.11 of the report.

The Cabinet Member Community Safeguarding and Wellbeing asked when would Cabinet receive an update report reviewing the grant funding process. The Head of Operations – Community Services stated that the reporting back to Cabinet would need to be regular due to the strict timelines of delivery.

The Cabinet Member Community Safeguarding and Wellbeing noted that there would be a panel established. Has the membership of this panel been decided. The Head of Operations – Community Services stated that this had not yet been decided however there will be relevant officers and cabinet members assigned to this as and when discussions had taken place.

The Leader added that it was disappointing that the UK Government took so long in providing the funding for this and there was an expectancy for Local Governments to deliver this funding in a short timeframe.

The Cabinet Member for Housing, Planning and Regeneration welcomed the report and highlighted the importance of making the Bridgend Town Centre as attractive for businesses as it can be. He added that when looking at success stories of town centres’ regeneration, it was the artisanal and unique businesses that people look for. He asked how we were going to support those who apply for this grant and ensure that they can market themselves.

The Head of Operations – Community Services explained that part of the funds were aimed at providing businesses with that development that they needed to get them to into the further stages needed for progression and expansion. The Group Manager – Economy, Natural Resources & Sustainability added that through the work with the Bridgend Business Forum BCBC offer training and workshops as well as networking

opportunities. There was also opportunities from within the CCRCDC that business can utilise.

Further discussions took place on this item which can be found [here](#).

RESOLVED: That Cabinet:

- delegate authority to the Corporate Director Communities to establish, deliver and award the grant funds set out in section 3 of the report as part of the delivery of the Bridgend County Local Investment Plan, funded through the United Kingdom Shared Prosperity Fund;
- approve the amendments to the Council's Scheme of Delegation of Functions as set out in paragraph 3.11.

199. **ALLOCATIONS UNDER TOWN AND COMMUNITY COUNCIL CAPITAL GRANT SCHEME 2023-2024**

The Head of Operations – Community Services presented a report which sought Cabinet approval to allocate capital funding to Town and Community Councils to develop projects in line with the recommendations contained within this report from the Town and Community Council (T&CC) Capital Grant scheme for 2023-24.

The Head of Operations – Community Services explained that BCBC has £50,000 allocated for 2023-24 and subsequent years in the Council approved Capital Programme to support applications from T&CCs for capital projects. With the carry forward funds from 2022-23 the budget available for 2023-24 is £116,419.57.

He explained Town and Community Councils were made aware of the T&CC Capital Grant, 2023- 24 on 9 November 2022. Details of the grant applications as well as the approvals were at section 3 of the report.

The Cabinet Member for Climate Change and Environment welcomed the report but asked that an additional recommendation be included which sought to review the application criteria for the Town & Community Council Capital Grant Scheme. The recommendation was seconded by Cllr H Williams.

RESOLVED: That Cabinet:

- approved allocation of capital funding within the existing Capital Programme of £62,814.00 to Town and Community Councils (T&CC) to develop projects in line with the specific applications detailed at Table 2 from the Town and Community Council Capital Grant Scheme
- Note that funding of £53,605.57 will be rolled forward to support projects in 2024-25 onwards.
- Review the application criteria for the Town & Community Council Capital Grant Scheme.

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200. **URGENT ITEMS**

None

201. **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 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 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.

202. **(REDSTART) JOINT VENTURE AGREEMENT - REQUEST FOR CONTRACT EXTENSION**