

CABINET - TUESDAY, 17 OCTOBER 2023

MINUTES OF A MEETING OF THE CABINET HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON TUESDAY, 17 OCTOBER 2023 AT 14:30

Present

Councillor HJ David – Chairperson

JC Spanswick
HM Williams

N Farr
JPD Blundell

J Gebbie

W R Goode

Apologies for Absence

Officers:

Alex Rawlin	Corporate Policy & Public Affairs Manager
Carys Lord	Chief Officer - Finance, Performance & Change
Claire Marchant	Corporate Director Social Services and Wellbeing
Janine Nightingale	Corporate Director - Communities
Kelly Watson	Chief Officer Legal, HR and Regulatory Services
Julie Ellams	Democratic Services Officer - Committees
Mark Shephard	Chief Executive
Lindsay Harvey	Corporate Director Education and Family Support
Michael Pitman	Technical Support Officer – Democratic Services
Delyth Webb	Group Manager - Strategic Regeneration

241. DECLARATIONS OF INTEREST

Item 4:

Cllr JP Blundell – Personal Interest
Cllr R Goode – Personal Interest
Cllr J Spanswick – Personal Interest

242. BUDGET MONITORING 2023-24 - QUARTER 2 REVENUE FORECAST

The Chief Officer Finance, Performance and Change presented a report which updated Cabinet on the Council's revenue financial position as at 30th September 2023 and to sought approval for any virements over £100,000 which require approval by Cabinet as required by the Council's Financial Procedure Rules.

She brought Members attention to section 3 of the report which outlined the current financial position as at 30th September 2023. Table 1 provided a comparison of budget against projected outturn at 30th September 2023, while Table 2 provided the prior year Budget Reductions outstanding.

The Chief Officer Finance, Performance and Change stated that the overall projected position at 30th September 2023 was a net over spend of £10.932 million comprising £15.284 million net over spend on directorates and a net under spend of £4.352 million on Council wide budgets. Further information on Budget virements/technical adjustments, Budget Reduction Proposals and other information was provided at Appendices 1 through 3 of the report.

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The Cabinet Member for Finance, Resources & Legal stated it was a disappointing situation that the Council was in. We now have to look at every penny spent across the Council to ensure maximum savings are made. He added that all Councils across Wales found themselves in similar positions and he had hoped that the budget settlement for next year could help this position.

Further discussion took place around the overspends across the Council and questions from the Cabinet were answered by the Corporate Directors and Chief Officers which can be found [here](#).

RESOLVED: That Cabinet

- noted the projected revenue position for 2023-24;
- approved the virements over £100,000 as outlined in paragraph 3.1.6.

243. CAPITAL PROGRAMME UPDATE - QUARTER 2 2023-24

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 an update on the capital programme position for 2023-24 as at 30 September 2023 (Appendix A).
- seek agreement from Cabinet to present a report to Council for approval of a revised capital programme for 2023-24 to 2032-33 (Appendix B).
- note the projected Prudential and Other Indicators for 2023-24 (Appendix C)

She explained that the revised programme for 2023-24 currently totalled £81.817 million, of which £44.574 million was met from Bridgend County Borough Council (BCBC) resources, including capital receipts, revenue contributions from earmarked reserves and borrowing, with the remaining £37.243 million coming from external resources, including Welsh Government General Capital Grant.

The Chief Officer Finance, Performance and Change highlighted the various tables within the report which provided a breakdown of the various directorate spending and resources. She also set out a number of amendments to the capital programme for 2023-24, such as new and amended schemes, since the capital programme was last approved. These were set out in section 3.1 of the report. The revised Capital Programme was set out at appendix B.

The Cabinet Member for Finance, Resources & Legal asked that the Local Places for Nature project had full consultation with staff and the wider public to ensure are making the best use of our assets.

The Cabinet Member for Climate Change and the Environment asked in relation to the Section 106 monies of £2.44 million in Table 2 of the report, if more elaboration could be made on this to give Cabinet a better understanding of what this has been allocated to.

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The Corporate Director Communities stated that this money is agreed through the Development Control Committee and allocated to specific projects or sites throughout the Borough. The money will sit until the time that these sites begin work but were spent when needed. She gave the example of a housing development where the money can sometimes sit until the end of the development before being utilised. She added that for the benefit of understanding, she would provide a breakdown of the money in future reports.

RESOLVED: that Cabinet:

- noted the Council's Capital Programme 2023-24 Quarter 2 update to 30 September 2023 (Appendix A).
- agreed that the revised Capital Programme (Appendix B) be submitted to Council for approval.
- noted the projected Prudential and Other Indicators for 2023-24 (Appendix C).

244. TREASURY MANAGEMENT HALF YEAR REPORT 2023-24

The Chief Officer Finance, Performance and Change presented a report, its purpose was 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 CIPFA Code). And;
- Report on the Treasury Management Indicators for the half year April to September 2023.

The Chief Officer Finance, Performance and Change provided some economic background that that had been influenced by the changes in inflation and GDP, more detail was set out in section 3 of the report.

She highlighted the Council's external debt and investment position as of 30 September 2023. There was currently £99 million in long term debt and one long term investment which was still outstanding and this was set out in 3.3.7 of the report.

The Chief Officer Finance, Performance and Change stated that there was no intention for the Council to borrow in the coming financial year, however any chance to reschedule and loans at a preferential rate, the Council will seek to do so.

The Cabinet Member for Finance, Resources & Legal welcomed the final repayment of the loan from Thurrock Council which has earned BCBC over £100,000 in interest.

The Cabinet Member for Climate Change and the Environment in relation to the \$5.8million of investments, if more information could be provided on this. The Chief Officer Finance, Performance and Change provided a detailed explanation on this.

RESOLVED: that Cabinet:

- Noted the treasury management activities for 2023-24 for the half year period 1 April 2023 to 30 September 2023
- Noted the Treasury Management Indicators for the half year ending 30 September 2023 against those approved in the Treasury Management Strategy 2023-24.

245. **ENGAGEMENT AND PARTICIPATION STRATEGY**

The Chief Officer Finance, Performance and Change presented a report to Cabinet on the draft Engagement and Participation Strategy which set out how the Council would engage with the public. The report sought approval to commence a public consultation on the draft Strategy and note that following the consultation period the final Strategy will be reported back to Cabinet for approval.

She explained that the Strategy covered the need to engage with key stakeholders across a variety of areas as set out in section 3 of the report. A full public consultation will be undertaken for the duration of 12 weeks to seek the views of citizens and stakeholders on the proposed Strategy. An engagement plan has been developed to support this. The Draft Strategy was attached at Appendix 1.

The Cabinet Member for Housing, Planning & Regeneration welcomed the report. He asked that going forward we ensure that residents can co-produce and be involved at an earlier stage of the process, to ensure maximum engagement with residents. He added that engagement with harder to reach communities was also important to ensure that their views were not missed. He also asked that we ensure every voice was heard, and that it was balanced to ensure the views reflect as many people as possible.

The Cabinet Member for Finance, Resources and Legal welcomed the report and hoped that the relevant Scrutiny committee would have a chance to look at this and provide their thoughts also.

RESOLVED: That Cabinet gave approval for the commencement of a public consultation on the draft Engagement and Participation Strategy and noted that the final Strategy will be reported back to Cabinet for approval.

246. **CORPORATE PLAN DELIVERY PLAN TARGETS**

The Chief Executive presented a report which sought approval the proposed annual performance targets for 2023-24 for the performance indicators in the Corporate Plan Delivery Plan (CPDP) that supported the Council's new Corporate Plan.

He explained that the Performance Indicators and targets were included in Appendix 1, and they highlighted the following points:

- There are 99 PIs for the seven wellbeing objectives.
- Nearly half of those indicators can be reported quarterly (47 indicators).
- Trend data is available on 60% of indicators.
- 87% of indicators (86) now have proposed targets. Of these, 60% (52) have targets to improve performance or are set at a maximum level. 13% (11) have targets to maintain performance. The others are new indicators where we don't have historical performance data.

The Cabinet Member for Climate Change and the Environment welcomed the report and the easy-to-read format which will help the Council monitor performance going forward. The Chief Executive added that the information in the report was also seen by the Corporate Overview and Scrutiny Committee last month, and they were keen that the rationales were improved and clearer.

The Cabinet Member for Climate Change and the Environment asked that on future reports, we needed to include more performance indicators to monitor our progress of increasing the number of trees planted.

RESOLVED: That Cabinet considered and approve the targets for the Corporate Plan Performance Indicators in Appendix 1

247. **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.

He explained that for the 9 current local authority governor vacancies at the 8 schools in the table at section 3 of the report, the applicants met the approved criteria for appointment as a local authority governor and there was no competition for the vacancy.

RESOLVED: That Cabinet approved the appointments detailed at paragraph 3.1.

248. **POSITIVE BEHAVIOUR SUPPORT/MANAGEMENT AND THE USE OF RESTRICTIVE PRACTICES POLICY**

The Corporate Director Social Services and wellbeing presented a report which provided Cabinet with an overview of the development of the proposed Positive Behaviour Support/Management and the use of Restrictive Practices Policy (Appendix 1) and sought Cabinet approval to implement the Policy across regulated care services provided by the Social Services and Wellbeing Directorate.

She advised that the proposed policy had been created to cover and support all regulated care services provided by Bridgend County Borough Council's (BCBC) Social Services and Wellbeing Directorate (SSWB), in both Adults and Children's Services. further background on restricted practices and the framework developed to support the reduction of Restrictive Practices was at section 3 of the report.

The Deputy Leader stated that we do not hold licences for any form of mechanical restraints. Any use of medical restraints would be highlighted in someone's risk assessment and care plan.

She added that it was important that the plan highlighted what restraint method could be used, and at what point, and also to ensure that the staff who carry out these methods were supported as well as the patient.

The Deputy Leader pointed out that restraints were used as a last resort as diffusion of the situation was more important and should be used where possible.

The Cabinet Member for Community Safety and Wellbeing asked who had been part of the consultation process for this policy. The Corporate Director Social Services and wellbeing explained that service managers were consulted in the development of the report as well as trade union representative in BCBC. She has also suggested that the recording of incidents were included in the corporate safeguarding dashboard.

RESOLVED: that Cabinet considered and approved the implementation of the Positive Behaviour Support/Management and the use of Restrictive Practices Policy attached as Appendix 1.

249. **STRATEGIC TRANSPORT PROJECTS**

The Corporate Director Communities presented a report which provided Cabinet with an update of the Council's current and potential future strategic transport projects and sought authorisation for schemes to go forward for any future phases of Metro or other national, regional and local funding applications.

She highlighted the various Strategic Transport Schemes that were currently in progress as well as the proposed Strategic Transport Projects as set out in section 3 of the report.

The Cabinet Member for Climate Change and the Environment highlighted that on the Active Travel Routes, there were lots of schemes listed that required funding before they could be implemented. He hoped that a number of these schemes could receive funding, namely the Brackla Halt Railway Station scheme which has been listed for around 20 years.

The Leader added that the projects listed were aspirations of the Council, and were not ones that were all in the pipeline to start immediately, however it was important to have projects that were identified in order to start when the money was available.

The Cabinet Member Education asked if there were the opportunities for Local Members to these projects to have conversations with Officers around them as well as feed in to future discussions. The Group Manager Planning and Development Services confirmed that local Members were consulted on all new schemes as and when the process begins. Further discussions took place on this item which can be found [here](#).

RESOLVED: that Cabinet:

1. Considered the information contained within this report and noted the progress on the Active Travel Programme and Porthcawl Metrolink.
2. Approved the proposed strategic transport projects as identified above to be included as part of any future applications to the Cardiff Capital Region Metro Programme, Levelling Up Fund, or other funding opportunities as well as the basis for discussion with other outside transport bodies on national and regional strategic transport priorities.

250. **PORTHCAWL GRAND PAVILION LEVELLING UP FUND PROJECT UPDATE**

The Corporate Director Communities presented a report which:

- Updated Cabinet on progress made and decisions taken in relation to the design, procurement and programme of the Porthcawl Grand Pavilion project and;
- Sought authority to suspend the requirements of the Council's Contract Procedure Rules and authorise our cultural services partners AWEN to procure the services of Purcell's Architect's via the PAGABO framework to continue the RIBA Stage 4 design services for the project.

The Corporate Director Communities provided some background for on the project and the bid and highlighted the new facilities proposed within the bid. She explained that the current terms of the grant award set out that the project will be completed by Spring of 2025. It is now imperative that the project progresses at pace, that the detailed design stage is completed, planning permission approved, and that the procurement of a

professional services team and main contractor is in place to enable works on the building itself to commence in the Spring of 2024.

She provided background to the bid and the facilities proposed within that bid. On the 20th of January 2023, the Council were informed that the bid was successful and that the Council would be awarded £18m towards the Grand Pavilion Project. In order to ensure that the project incurs no further delays and is delivered in line with the current programme and in line with the terms and conditions of the grant, the sections below set out the governance, consultation and procurement process which has been undertaken or requires to be progressed. Further information on this was set out at section 3 of the report.

Cabinet Member for Housing, Planning & Regeneration welcomed the report and stated that as the Cabinet Member who signed off the Delegated Decision for the suspension of the CPR, he understood the urgency of this work to ensure our to authorise our cultural services partners AWEN to appoint architects Purcell Ltd, that undertook the original designs and RIBA Stage 3 work, to complete the RIBA 4 detailed design work up to a value of £100,000.

He added however, that the CPR's were in place for good reason, and it was important to reflect on this with our partners to ensure that we mitigate risk to the public purse. Following this point, he asked how much risk this project faces if we agree to suspend the CPR's.. The Corporate Director Communities highlighted point 3.8 of the report which outlined the risks associated with suspending the CPR's. She added that financially, we would need to commit around £650,000 at this stage.

The Deputy Leader highlighted that we had £2 Million allocated to this project and asked for reassurance that we were able to use this given the current budget pressures.

The Corporate Director Communities stated that in order to receive the £18 million grant funding from LUF, a condition of the grant was that BCBC provided £10%. This money had been already earmarked in our Capital Programme for this project. If we did not show that we were able to provide this money, the £18million would have been lost. She highlighted that in order to not use the 10%, we were looking into external providers covering that amount, which if successful, could then be released for other projects or services. Further discussions on this item took place and questions were answered by Officers.

RESOLVED: that Cabinet:

- Noted the progress that has been made in connection with the design of the project.
- Noted that appropriate and robust governance will be put in place to support this project.
- Noted the delegated decision (CMM-PRU-23-30) to suspend the Council's CPRs in relation to allowing our cultural services partners AWEN to procure the services of Purcell's Architect's via the PAGABO framework to commence the RIBA Stage 4 design stage for the Grand Pavilion Project in Porthcawl.
- Agreed to further suspend the Council's CPR's to allow our cultural partner AWEN to procure the remainder of the design work for the Grand Pavilion Porthcawl with Purcell's Architects via the PAGABO Framework, to ensure that

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the design process is completed within the timescales as set out by the LUF funding agreement.

- Delegated authority to the Director of Communities, in consultation with the Chief Officer - Finance, Performance & Change and the Chief Officer - Legal & Regulatory Services, HR & Corporate Policy, to enter into any required agreements to novate the design appointments to inform the procurement of the main works contractor.
- Noted that the Director for Communities is progressing with the appointment of a project Cost Consultant in accordance with the Council's CPR's.
- Noted that a future report to both Cabinet and Council will come forward in due course to set out the financial implications of the project, prior to procuring a works contractor for the construction contract for the Grand Pavilion project.

251. **URGENT ITEMS**

None