

CABINET - TUESDAY, 16 APRIL 2024

MINUTES OF A MEETING OF THE CABINET HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON TUESDAY, 16 APRIL 2024 AT 14:30

Present

Councillor HJ David – Chairperson

N Farr

W R Goode

J Gebbie

JPD Blundell

Present Virtually

JC Spanswick

HM Williams

Officers:

Alex Rawlin	Corporate Policy & Public Affairs Manager
Carys Lord	Chief Officer - Finance, Performance & Change
Rachel Keepins	Democratic Services Manager
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
Lindsay Harvey	Corporate Director Education and Family Support
Michael Pitman	Technical Support Officer – Democratic Services

Declarations of Interest

Personal

Cllr J P Blundell – Item 12 - School Governor of Bryntirion Comprehensive School
Cllr J Spanswick – item 11 – Grant bidders are members of Brackla Community Council
Cllr J Gebbie – Item 12 School Governor at Mynydd Cynffig primary school

315. Recommendation from the Call-In of cabinet decision - Proposed use of land transaction transfer protocol with Cardiff Capital Region for land at Bryncethin & Brynmenyn

Decision Made	<p>The Chairperson of Subject Overview & Scrutiny Committee presented a report with the recommendations of the Extraordinary Meeting of Subject Overview and Scrutiny Committee 3 (SOSC 3) held on 26 March 2024, following the Call In by 3 members of Overview and Scrutiny Committees and a Scrutiny Chair of the decision of the executive in relation to the Proposed Use of Land Transaction Transfer Protocol with Cardiff Capital Region for Land at Brynmenyn and Bryncethin.</p> <p>The Chairperson of Subject Overview & Scrutiny Committee stated that Members deliberated on the provided reasons (set out in Appendix B to the report) at this this meeting, and concluded with the following recommendations:</p> <ol style="list-style-type: none">1. That Cabinet consider receiving a further report at the appropriate time on further information including the length of the lease and the terms of the value of the lease.2. That Cabinet note the concerns raised in the Committee as contained in the Notice of Call-In (Appendix B) and take them into account during any further deliberation. <p>Cabinet Members thanked the Chair of the Scrutiny Committee 3 for the work that had gone into the the report and the call in process. While not all comments at the meeting were agreed on, this process was important and a written reply will be provided in due course.</p> <p><u>RESOLVED:</u> Cabinet considered the Recommendations of the Extraordinary meeting of Subject Overview and Scrutiny Committee 3 in paragraph 3.1 above and sought to provide a written response to the Committee.</p>
Date Decision Made	16 April 2024

316. Park Street Air Quality Action Plan

Decision Made	<p>The Operational Manager for Shared Regulatory Services presented a report which approval for the Air Quality Action Plan for the Park Street Air Quality Management Area and for a decision on whether to approve the final measure of the 'do something' scheme - Deny all access onto St Leonards Road from</p>
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	<p>Park Street (Measure 18).</p> <p>He provided details on the Park Street AQMA, the trends in Nitrogen Dioxide Concentrations and the 2023 updated modelling results from the natural compliance assessment. These were highlighted at section 3 of the report.</p> <p>The Cabinet Member for Housing, Planning & Regeneration was pleased to see that Park Street was now only just over the recommended limit for air quality, which shows that significant improvements have been made over the last year.</p> <p>The Cabinet Member for Community Safety and Wellbeing asked if we had any data on how many cars turn in to St Leonard's Road. There are often many cars turning out on to Park Street but less often cars turning from Park Street. The Operational Manager for Shared Regulatory Services explained that he did not have that data to hand but following traffic management assessment we would be able to provide that information should it be needed.</p> <p><u>RESOLVED: Cabinet</u></p> <ul style="list-style-type: none">• Agreed to the finalisation of the Air Quality Action Plan (AQAP) (attached as Appendix 1) for submission as a final version to Welsh Government.• Approved the decision not to implement the final measure of the 'do something' scheme – Measure 18 Deny all access onto St Leonards Road, owing to the timescales for TRO consultation, costs and consideration that natural compliance is not likely to be accelerated as a result. This measure will be retained and will be reconsidered dependent on ongoing NO2 monitoring results in the Park Street AQMA.
Date Decision Made	16 April 2024

317. Social Services And Wellbeing Commissioning Strategies 2023-28

Decision Made	The Corporate Director Social Services and Wellbeing presented a report which sought approval from Cabinet in respect of the three Commissioning Strategies that have been developed within the Social Services and Wellbeing Directorate (included as Appendix A, Appendix B, Appendix C).
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	<p>She explained that the Social Services Directorate had recently reviewed and updated its 'transformation and planning' group structure as outlined in section 3 of the report, where the newly established Planning Groups have overseen the development of the Commissioning Strategies for their respective areas.</p> <p>She added that Commissioning Strategies set out how current services will need to change and develop over the next 5 years, in order to continue to meet the needs of people in the Bridgend County.</p> <p>The Deputy Leader asked in relation to page 216 of the report, she asked for an amendment to points listed in here. She added that she was pleased to see in the commissioning strategy that it was citizen centered with it being accessible and flexible. With the complex needs that children and adults are facing and the support required for them, we need to be flexible and show innovation going forward.</p> <p>The Leader discussed the overspend in some areas and the need for this strategy to be able to prioritize areas. The Group Manager – Commissioning answered further questions made by the Cabinet.</p> <p><u>RESOLVED:</u> Cabinet:</p> <ul style="list-style-type: none">• Noted the contents of this report; and• Approved the three commissioning strategies (Appendix A, Appendix B, Appendix C) for the Directorate to further develop and implement the priority areas and commissioning intentions as set out in each of the three strategies, subject to the following amendment: <ul style="list-style-type: none">• BCBC internal services to remodel short- and long-term reactive service and;• An options appraisal to be undertaken
Date Decision Made	16 April 2024

318. Proposals For Procurement Of A Replacement System For Caredirector (WCCIS)

Decision Made	<p>The Corporate Director Social Services and Wellbeing presented a report which sought approval from Cabinet for:</p> <ul style="list-style-type: none">• a waiver under Contract Procedure Rule 3.2.12 for another public body to procure an alternative system to replace the social care system for CareDirector (WCCIS) on behalf of the Council;
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	<ul style="list-style-type: none"> to enter into a Regional Agreement to work collaboratively with Rhondda Cynon Taf County Borough Council (RCTCBC), Merthyr Tydfil County Borough Council (MTCBC) and Vale of Glamorgan Council (VoG) to support the procurement process and implementation of a replacement social care system for CareDirector (WCCIS) <p>She explained that as of January 2026, the existing CareDirector system (WCCIS) will become end of life. It is therefore an essential requirement that all social care users and services are migrated from WCCIS to a new technology within stringent timescales.</p> <p>The Corporate Director Social Services and Wellbeing explained the current situation and highlighted the risks and benefits of each provided option in the report. She stated that the preferred option was Option 2.</p> <p>The Deputy Leader asked that an update report be brought back to Cabinet in due course with details on the procurement process as well as the financial position. She also asked that this be placed on the corporate risk register due to the potential impact upon the service.</p> <p><u>RESOLVED:</u> Cabinet:</p> <ul style="list-style-type: none"> Approved a waiver under Contract Procedure Rule 3.2.12 for another local authority to procure a replacement to the CareDirector system (WCCIS) on behalf of the Council; Delegated authority to the Corporate Director of Social Services and Wellbeing in consultation with the Chief Officer – Legal and Regulatory Services, HR and Corporate Policy and Chief Officer – Finance, Housing and Change, to negotiate and agree final terms and to arrange execution of a Regional Agreement with RCTCBC (or another authority if required under Option 2 above) on behalf of the Council, to support the procurement process and implementation of any new system. noted that an update report will be brought back to update Cabinet regarding the procurement process, the financial position and for approval to award a contract to the successful tenderer. Agreed to place on the Corporate Risk Register for monitoring
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319. Building and Improvement Lines

Decision Made	The Corporate Director Communities presented a report which sought Cabinet approval for the Building
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	<p>and Improvement lines outlined in Appendix 1 to be revoked and rescinded and removed from the Register of Local Land Charges and to delegate authority to the Corporate Director – Communities to authorise the revocation of any other historic Building Improvement lines that may be identified in consultation with Legal Services.</p> <p>She stated that it was considered that the historic improvement, building and visibility lines in the Register of Local Land Charges summarised in Appendix 1 are now obsolete by virtue of the changes to road layout or traffic patterns over the years, the powers contained in current Planning Legislation, or there is no prospect of the identified highway improvement being progressed. Further details were at section 3 of the report.</p> <p>The Cabinet Member for Climate Change and the Environment explained that the lines were almost 100 years old and therefore it was time to make the necessary changes of removing these from the Local Land Charges Register.</p> <p>The Leader added that it was good to see these were checked against the RLDP to ensure there were no conflicts with the Plan.</p> <p><u>RESOLVED:</u> Cabinet</p> <ul style="list-style-type: none">• Approved that the Building and Improvement lines as outlined in Appendix 1 be revoked and rescinded and removed from the Local Land Charges Register;• Delegated authority to the Corporate Director – Communities to authorise the revocation of any other historic Building Improvement lines that may be identified in consultation with Legal Services.
Date Decision Made	16 April 2024

320. Future Waste Service Options Post 2026

Decision Made	The Corporate Director Communities presented a report which provided Cabinet with the findings of the commissioned report from Eunomia Research and Consulting (Eunomia) on future recycling and waste options from April 2026 and fed back to Cabinet the recommendations and observations following a Subject Overview and Scrutiny Committee 3 (SOSC3) meeting which took place on 19th March 2024.
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She explained that to ensure continuity of service post 2026, when the Plan B contract ends, decisions are now required on how the Council will provide the waste service in the future. This may be done via a re-procured service, by bringing the waste services back in-house or the establishment of a Council owned arm's length company or LATCo. This was the topic of discussion at the SOSC3 meeting and their recommendations were highlighted at section 3.11 of the report.

The Corporate Director Communities explained that Eunomia Research and Consulting (Eunomia) was commissioned by the Council to undertake a detailed qualitative risk assessment and financial modelling of the commissioning options for future waste collection service delivery. The report, included as Appendix A, examines the comparative cost and key risks and opportunities associated with each of the future commissioning options. Further details were at section 3 of the report.

The Cabinet Member for Climate Change and the Environment stated that this service was the only one that the Council provides that covers every resident in the County Borough and therefore was an important one to ensure it was delivered properly. He stressed the importance of adhering to a reasonable timeframe as delays could deter contractors given that there were only 5 major contractors in the whole country.

He added that if we were to go through the option of re-procurement now, it could be months due to the consultation process and then the contractor starting. The risk associated with this is also great as we could end up with only 1 bidder and then be left with no choice but to go with them, regardless of financial pressures. Further points were made on this and following agreement from Members, amended recommendations were agreed on.

RESOLVED: That Cabinet amended the recommendations as set out in the report and

- Noted the contents of this report and the qualitative and financial analysis undertaken by Eunomia.
- do not proceed with a procurement exercise for a new waste contract post April 2026 and that further work be undertaken on the LATCO and In-House models.
- Agreed that a further report will be brought for Cabinet approval on the details of that waste collection service, prior to a public consultation in the summer of 2024.

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	<ul style="list-style-type: none">• Agreed that a subsequent report will be brought for Cabinet with more detailed examination of how the LATCO model works in other parts of the country where they are operating a waste service.• Noted the intent to move to a new rolling fleet replacement programme for waste service vehicles from 2024. This will need to be through a separate report to Council for approval for inclusion in the Council's capital programme.
Date Decision Made	16 April 2024

321. Porthcawl Grand Pavilion Levelling Up Fund Project Update

Decision Made	<p>The Corporate Director Communities presented a report which provided an update to Cabinet on progress made and decisions taken in relation to the design, procurement and programme of the Porthcawl Grand Pavilion project.</p> <p>She explained that following the approved LUF bid of £17,998,316 towards the redevelopment of the Grand Pavilion Porthcawl, design work has been progressing well and a review of the work which has informed the RIBA stage 3 designs and LUF application has been completed. A Grand Pavilion Programme Manager has been appointed to oversee the programme and support the delivery of the project. Further background was at section 3 of the report.</p> <p>She added that following the review, Purcell had incurred additional costs related to the design changes, at a total cost of £80,418.56. Approval was therefore sought for the continued suspension of the requirements of the Council's CPRs and approval to appoint AWEN to procure services on behalf of the Council for the additional service requirement and associated costs.</p> <p>The Cabinet Member for Housing, Planning & Regeneration explained that while he did not like to suspend the Contract Procedure Rules, as they were there for good reason, it was clear that doing so here would ensure the security of the project to be delivered on time and on budget.</p> <p>The Deputy Leader asked for confirmation that this project was in the financial envelope. The Corporate</p>
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	<p>Director Communities confirmed this was the case.</p> <p><u>RESOLVED:</u> That Cabinet</p> <ul style="list-style-type: none">• Noted that progress has been made in connection with the design of the project, procurement, communications and any future activity.• Agree to the further suspension of the Council's CPR's to allow AWEN to procure the remainder of the RIBA Stage 4 design work for the Grand Pavilion with Purcell's Architects at an additional value of up to £80,418.56.• Noted that a report will be presented to Cabinet to award the main contract in due course.• Continue to explore alternative funding opportunities for the project• Seek confirmation from UK Government that funding can be spent up until March 2023.
Date Decision Made	16 April 2024

322. Strategic Development Plan (SDP) Initial Resourcing Approach

Decision Made	<p>The Corporate Director Communities presented a report which sought approval from Cabinet to delegate authority to the Strategic Planning and Transportation Manager to act as the Corporate Joint Committee Liaison Officer in regard to regional spatial planning for the Cardiff Capital Region (CCR).</p> <p>She explained that The CJC Liaison Officer role is critical to ensure strategic alignment at a regional and local level and will be the regional lead in discussions and negotiations with Welsh Government (WG), as regards spatial planning. The role would be on a temporary basis with the remit being highlighted at section 3 of the report.</p> <p>The Deputy Leader asked what work this Officer currently did, and what impact would this position have on other Council services. The Corporate Director Communities explained that the current Officer heads the Strategic Transport and Planning team with his main role to date being the implementation of the LDP. There was still significant work to be done in order to fully embed our LDP but at this stage we feel that we have the capacity for the Officer to undertake the role of the CJC Liaison Officer.</p>
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	<p><u>RESOLVED:</u> That Cabinet:</p> <p>Delegated authority to the Strategic Planning and Transportation Manager to act as the Corporate Joint Committee Liaison Officer in regard to regional spatial planning.</p> <p>Noted that the CJC Liaison Officer will provide update reports to Cabinet about the progress of the Strategic Development Plan and any changes to the role of CJC Liaison Officer, should it change, so that any impact to the Council can be considered.</p>
Date Decision Made	16 April 2024

**323. Allocations Under Town And Community Council Capital Grant Scheme
2024-25**

Decision Made	<p>The Corporate Director Communities 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 2024-25.</p> <p>She explained that T&CC's were made aware of the grant scheme in October 2023 and the Council had received a total of 5 applications. She advised that based on the assessments set out in table 2 of the report, it was recommended that the T&CC's applications listed in table 3 of the report were approved.</p> <p>The Cabinet Member for Climate Change and the Environment highlighted that it was pleasing to see the scheme taken advantage of, but hoped to see a few more T&CC's applying for the fund. He hoped that we could go out again for further rounds of applications and see more take advantage. He added that it was a shame to see a good application from Coity Higher, but it was refused because it lacked accessibility which was important for future development of play areas.</p> <p>There were further examples of this and the Cabinet Member asked that some advice and guidance be given to T&CC's prior to their applications to ensure they were taking the right steps and securing funding.</p> <p><u>RESOLVED:</u> Cabinet</p> <p>Approved the allocation of capital funding within the existing Capital Programme of £38,124.50 under the</p>
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	<p>T&CC Capital Grant scheme 2024-25 to develop projects in line with the specific applications detailed at Table 3.</p> <p>Approved a second round of the T&CC Capital Grant to be made available in the 2024-25 financial year to enable T&CCs to have the opportunity to access the remaining funding of £181,061.50 for projects aligning to corporate priorities and themes.</p>
Date Decision Made	16 April 2024

**324. School Modernisation Programme Bryntirion Comprehensive School -
Four-Classroom Block - Highway Works**

Decision Made	<p>The Corporate Director Education, Early Years and Young People presented a report which sought Cabinet approval for the following recommendations to be made to Council:</p> <ul style="list-style-type: none">• to vire £141k of capital budgets detailed in this report for the purpose of active travel/highway improvements associated with the delivery of a four-classroom block at Bryntirion Comprehensive School; and• include a scheme for active travel/highway improvements in respect of Bryntirion Comprehensive School in the capital programme with a budget of £141k. <p>He highlighted the other projects that the £141k were originally earmarked for no longer required work on. These were set out at section 3.3 of the report. The estimated cost of the project for Bryntirion Comprehensive School was £121k which allowed a £20k contingency.</p> <p>The Cabinet Member for Community Safety and Wellbeing asked why no funding from Welsh Government was provided for this. The Corporate Director Education, Early Years and Young People explained that as it was outside of the school curtilage, they would not provide funding.</p> <p>The Cabinet Member for Education asked for clarification that the money taken from the other schemes were not going to cause a detriment to those. The Corporate Director confirmed there were no detriment to the other schemes and provided details on this.</p>
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	<p><u>RESOLVED:</u> Cabinet</p> <p>recommended to vire £141k of capital budgets detailed in this report for the purpose of active travel /highway improvements associated with the delivery of the four-classroom block at Bryntirion Comprehensive School; and</p> <p>recommended to include a separate scheme for active travel/highway improvements in respect of Bryntirion Comprehensive School in the capital programme, with a budget of £141k.</p>
Date Decision Made	16 April 2024

325. Corporate Plan / Delivery Plan For 2024 / 25

Decision Made	<p>The Corporate Policy and Public Affairs Manager presented a report which proposed a draft 1-year Corporate Plan Delivery Plan for 2024-25 for Cabinet approval.</p> <p>She explained that in order to prepare the updated delivery plan, Directorate Management Teams (DMTs) reviewed the 2023-24 Corporate Plan Delivery Plan (CPDP) and provided findings to CMB. Further changes were then made and incorporated in the plan. The Plan now consisted of:</p> <ul style="list-style-type: none">• 7 wellbeing objectives• 42 aims, supported by:<ul style="list-style-type: none">○ 84 commitments○ 88 performance indicators <p>The Leader was pleased to see the inclusion of additional performance indicators around domestic abuse and how victims were supported. He noticed in the EIA there was a reference to the impact on pregnant women and maternity which was listed as 'no impact'. Given the roll out of the flying start program he believed reference should be made to the positive impact on this.</p> <p><u>RESOLVED:</u> Cabinet</p> <p>Approved the proposed draft Corporate Plan Delivery Plan for 2024-25 as set out in Appendix 1.</p> <p>Considered the proposed work of Corporate Overview and Scrutiny Committee to support the Corporate</p>
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	Performance Team looking at how best to measure service user perspectives as part of the Council's performance management framework.
Date Decision Made	16 April 2024

326. Amendment to the Scheme of Delegation of Functions

Decision Made	<p>The Chief Officer Legal & Regulatory Services, HR and Corporate Policy presented a report which sought Cabinet approval to amend the Council's Scheme of Delegation of Functions in relation to the establishment, alteration and removal of pedestrian crossing facilities in accordance with the Road Traffic Regulation Act – Section 23.</p> <p>She explained it was not necessary to make an order to implement the proposals and therefore it is considered that a new paragraph is appropriate to accurately to reflect this requirement. This was set out in section 3.1 of the report.</p> <p>The Deputy Leader asked for confirmation whether this affected the process when dealing with contentious applications. The Chief Officer Legal & Regulatory Services, HR and Corporate Policy stated that this did not affect that process as there has to be a statutory consultation process for applications etc. This report dealt with the Delegated Powers side of it, which would be at the end of process following consultations.</p> <p><u>RESOLVED:</u> Cabinet approved the amendment to the Scheme of Delegation of Functions as set out in paragraph 3.1 of this report.</p>
Date Decision Made	16 April 2024

327. Urgent Items

Decision Made	None
Date Decision Made	16 April 2024

328. Exclusion of the Public

Decision Made	<p><u>RESOLVED</u>: The following item was not for publication as it contained exempt information as defined in Paragraphs 14 of Part 4 and Paragraph 21 of Part 5, Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.</p> <p>Following the application of the public interest test, Cabinet resolved pursuant to the Act to consider this item in private, with the public being excluded from the meeting during such consideration.</p>
Date Decision Made	16 April 2024

329. Redstart Joint Venture - Procurement Update

Decision Made	This decision was exempt
Date Decision Made	16 April 2024

The meeting closed at 19:00