

**CABINET - TUESDAY, 22 OCTOBER 2024**

**MINUTES OF A MEETING OF THE CABINET HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON TUESDAY, 22 OCTOBER 2024 AT 14:30**

Present

Councillor JC Spanswick – Chairperson

N Farr  
M J Evans

HM Williams  
M Jones

E L P Caparros

P Davies

Apologies for Absence

J Gebbie

Officers:

Alex Rawlin  
Carys Lord  
Claire Marchant  
Janine Nightingale  
Kelly Watson  
Mark Shephard  
Lindsay Harvey  
Michael Pitman  
Mark Lewis  
Jason Bale

Corporate Policy & Performance Manager  
Chief Officer - Finance, Housing & Change  
Corporate Director - Social Services and Wellbeing  
Corporate Director - Communities  
Chief Officer - Legal & Regulatory Services, HR & Corporate Policy  
Chief Executive  
Corporate Director - Education, Early Years & Young People  
Technical Support Officer – Democratic Services  
Group Manager - Integrated Working  
Operational Manager (Enterprise and Specialist Services)

Declarations of Interest

Cllr Neelo Far declared a personal interest in Agenda Item 14

**This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg**

**372. Approval of Minutes**

Decision Made	<u>RESOLVED:</u> That the minutes of the 24/09/2024 be approved as a true and accurate record.
Date Decision Made	22 October 2024

**373. Local Air Quality Management Annual Progress Report 2024**

Decision Made	<p>The Operational Manager – Shared Regulatory Services presented a report which provided Cabinet with an update on local air quality monitoring undertaken across Bridgend County Borough Council in 2023.</p> <p>He explained that the 2024 Annual Progress Report confirms that in 2023, three sites located on Park Street exceed the air quality objective for nitrogen dioxide as prescribed in the Air Quality (Wales) Regulations 2000 and the Air Quality (Amendment) (Wales) Regulations 2002. All other locations within Bridgend County Borough continue to meet the relevant air quality objectives.</p> <p>He advised however that in 2023 two of the sites recorded annual average figures of 43.3µg/m<sup>3</sup>.which was down by 19% and 22% since 2019. It has shown a steady trend downwards since 2019. Further details could be found in section 3 of the report.</p> <p>The Cabinet Member Finance &amp; Performance explained that this service is one of the most important and overlooked one that's provided.</p> <p>The Cabinet Member for Climate Change and the Environment noted that the report references a 'Commercial Road' in Maesteg which is a typo as it should say 'Commercial Street'.</p> <p><u>RESOLVED:</u> That Cabinet:</p> <ol style="list-style-type: none"><li>1. noted the results of air quality monitoring gathered in 2023 and agreed the finalisation of the 2024 Annual Progress Report (attached as Appendix 1) for submission as a final version to Welsh Government by 31st December 2024, and;</li><li>2. noted the progress made in developing the Air Quality Action Plan for Park Street.</li></ol>
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**374. Disciplinary Policy**

Decision Made	<p>The Group Manager Human Resources and Organizational Development presented a report which sought Cabinet approval of the revised Disciplinary Policy, attached as Appendix 1.</p> <p>He explained that following consultation with trade unions, it was agreed to amend the policy with the aim to provide consistency as well as updated tools and templates to ensure effective process. Further details on the changes were summarized at section 3 of the report, and in full at appendix 1.</p> <p>The Cabinet Member for Education and Youth Services clarified that this policy did not relate to Elected Members, and just BCBC staff.</p> <p>The Group Manager Human Resources and Organizational Development confirmed this was the case, and that the Members Code of Conduct was dealt with Elected Members separately.</p> <p><u>RESOLVED:</u> That Cabinet approved the revised Disciplinary Policy.</p>
Date Decision Made	22 October 2024

**375. Proposal To Extend The Term Of The Healthy Living Partnership With GLL / Halo Leisure**

Decision Made	<p>The Corporate Director Social Services and Wellbeing presented a report which sought approval from Cabinet to extend the term of the Healthy Living partnership agreement with Greenwich Leisure Limited (GLL) / Halo Leisure Services Limited (Halo). She asked that Cabinet review the risks outlined in the report.</p> <p>She stated that the Council has procured a partner organisation who over the next 12-18 months will support the development of the next Active Bridgend strategy following the Wales Audit Office review and report published in 2020. This exercise will include leisure infrastructure alongside other broader opportunities that support community activity and wellbeing but will help the Council to identify its longer-</p>
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	<p>term strategy.</p> <p>She advised that in August 2023, the Council received a formal proposal from Halo regarding consideration of an extension to the Healthy Living Partnership term by a period of 5 years to 2032 and the rationale for such consideration.</p> <p>The Corporate Director Social Services and Wellbeing provided further information regarding the benefits of extension as well as the financial savings that will occur compared with those in 2012-13. There were however financial implications by continuing the partnership which were highlighted in section 8 of the report.</p> <p>The Cabinet Member for Resources asked in relation to 3.9 with regards to the modification of contract what the risk to the authority was if we were challenged. The Corporate Director Social Services and Wellbeing clarified that following the VEAT process would mitigate this risk as the Council. The Monitoring Officer elaborated on the VEAT process and where those regulations would benefit the Council over and above a full procurement process.</p> <p><b>RESOLVED:</b> That Cabinet agreed:</p> <ol style="list-style-type: none"><li>1. To the proposed extension of the term of the Healthy Living partnership agreement with GLL/Halo based on identifiable cost efficiencies and avoidance of specified risks,</li><li>2. To delegate authority to the Corporate Director, 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 progress the proposed extension and to enter into a variation agreement with GLL/Halo and any further deeds and documents necessary to effect the extension</li></ol>
Date Decision Made	22 October 2024

**376. Outcomes Of ESTYN Inspections Of Schools In Bridgend During Summer Term 2024**

Decision Made	The Corporate Director – Education, Early Years And Young People presented a report which informed Cabinet of the outcomes of the Estyn inspection visits during summer term 2024 to Ffaldau Primary School and St Robert’s Roman Catholic Primary School.
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	<p>He explained that Ffaldau Primary School was inspected by Estyn in May 2024 and the report was published on 16 July 2024 and the strengths reported by the inspection were highlighted at section 3 of the report.</p> <p>He added that there were 2 recommendations provided to the school and these were as follows:</p> <ol style="list-style-type: none"><li>1. Improve pupils' ability to write at length across the curriculum and at a suitably challenging level.</li><li>2. Improve pupil attendance.</li></ol> <p>The Corporate Director – Education, Early Years And Young People explained that St Robert's Roman Catholic Primary School was inspected by Estyn in May 2024 and the report was published on 23 July 2024.</p> <p>He added that there was 1 recommendation provided to this school and this was as follows:</p> <ol style="list-style-type: none"><li>1. Refine teaching to enable pupils to make decisions about how they learn and use their digital skills independently</li></ol> <p>The review meeting that of Nantymoel Primary School was also conducted following the inspection in January 2023 and there were 5 recommendations provided at section 3 of the report.</p> <p>The Cabinet Member for Education and Youth Services thanked the Corporate Director and his team, the Schools Governing Bodies as well as the schools senior management team for receiving the inspections and improving the services provided at the schools which has shown the positive working in Bridgend.</p> <p><b><u>RESOLVED:</u></b> That Cabinet noted the content of this report.</p>
Date Decision Made	22 October 2024

**377. Children Missing Education Policy**

Decision Made	<p>The Corporate Director Education, Early Years and Young people presented a report which of a Children Missing Education Policy (CME) for 2024.</p> <p>He advised that a CME policy is essential and contributes to the well-being and educational rights of</p>
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	<p>children and young people. The local authority is required to comply with a variety of legislative frameworks that enables it to implement its legal duty to locate, assess, monitor and track children missing education. The new CME policy reflects legislative changes since 2016 when the policy was last updated.</p> <p>The Cabinet Member for Regeneration, Economic Development and Housing asked for clarification on what S2S was. The Group Manager Early Years and Young people explained that S2S was a UK wide portal. If a child became de-registered from a school in Bridgend and there is no new school identified then this information went on to this portal. If this child was then registered into another school anywhere in the UK then we would be made aware of this.</p> <p>The Cabinet Member for Regeneration, Economic Development and Housing asked who takes on the responsibility of a child who is consistently missing in education. The Group Manager Early Years and Young people confirmed that it was the Local Authorities responsibility that the child de-registered from.</p> <p>The Cabinet Member for Resources asked what the number of CMEs currently was. The Group Manager Early Years and Young people stated that as of today it was 30, however this number changes daily due to various reasons.</p> <p><b>RESOLVED:</b> That Cabinet approved the CME policy attached at Appendix 1</p>
Date Decision Made	22 October 2024

**378. Disabled Facilities Grant Framework**

Decision Made	<p>The Chief Office Finance, Housing and Change presented a report which sought approval from Cabinet to award a Framework and enter into a Framework Agreement with successful bidders detailed in this report to deliver works required and funded through Disabled Facilities Grants (DFGs).</p> <p>Following approval from Cabinet in March 2022, work has been undertaken, alongside colleagues in the corporate procurement and legal teams to develop the necessary tender documents, including an Invitation to Tender and Framework Agreement Terms and Conditions. The costs were indicated at 3.3 of the report as well as the bidders for each lot of the work at 3.9 of the report.</p> <p>The Cabinet Member for Regeneration, Economic Development and Housing asked why the framework had taken this long to complete. The Chief Office Finance, Housing and Change stated that it had been a long process from when we first began dealing with DFG requests and the process had initially been set to</p>
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	<p>be reviewed in early 2020 but had been delayed significantly due to the issues of Covid.</p> <p>The Cabinet Member for Regeneration, Economic Development and Housing asked if work was approved on a private dwelling, do we put a charge on the property so that if it were sold we get money back. The Chief Office Finance, Housing and Change explained that if the house were to be sold within 10 years of the work being completed then we were able to obtain our money back for that.</p> <p><u>RESOLVED:</u> that Cabinet:</p> <ul style="list-style-type: none"><li>• Noted the contents of this report;</li><li>• Approved the award of a DFG Framework and authorises the Council to enter into a Framework Agreement with successful bidders detailed in this report to deliver works required from Disabled Facilities Grants (DFGs).</li></ul>
Date Decision Made	22 October 2024

**379. Minimum Revenue Position Policy**

Decision Made	<p>The Chief Office Finance, Housing and Change presented a report which sought Cabinet approval to recommend to Council a revision to the Minimum Revenue Provision (MRP) Policy for 2024-25.</p> <p>She advised that Council approved the Annual MRP Policy 2024-25 as part of the Capital Strategy in February 2024. This report proposes changing the calculation of MRP identified in paragraph i. and ii. of the Policy. Section 3 of the report provided more detail.</p> <p>The Cabinet Member for Finance &amp; Performance stated that external advice had been sought before bringing this policy before Cabinet and that the changes were in line with current guidance and they meet the standards set out by our regulators. He added that this method also took into consideration the time value of money which was important for forecasting and other indicators.</p> <p><u>RESOLVED:</u> that Cabinet recommended that Council:</p> <ul style="list-style-type: none"><li>• approved the revision of the MRP Policy 2024-25 for calculating MRP on capital expenditure</li></ul>
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	funded from supported and unsupported borrowing from a straight line basis to an annuity method and a revised Minimum Revenue Provision Statement is approved (Appendix A).
Date Decision Made	22 October 2024

**380. Budget Monitoring 2024-25 - Quarter 2 Revenue Forecast**

Decision Made	<p>The Chief Office Finance, Housing and Change presented a report which updated Cabinet on the Council's revenue financial position as at 30th September 2024.</p> <p>Table 1 in the report highlighted the Comparison of budget against projected outturn at 30th September 2024. The overall projected position at 30th September 2024 is a net over spend of £6.797 million comprising £8.801 million net over spend on directorates and a net under spend of £2.004 million on Council wide budgets. A detailed analysis of the more significant projected under and over spends is set out in section 3.3.</p> <p>The Leader stressed that there was a lot of work still to be done to reduce that overspend further. The Cabinet Member for Finance &amp; Performance echoed this. While the position has improved there is still more to be done to bring the spend back in line with the budget.</p> <p><u>RESOLVED:</u> That Cabinet noted the projected year end revenue position for 2024-25.</p>
Date Decision Made	22 October 2024

**381. Transforming Towns Empty Property Enforcement Fund**

Decision Made	<p>The Chief Office Finance, Housing and Change presented a report which sought approval from Cabinet to accept loan funding from Welsh Government's Transforming Towns Empty Property Enforcement Fund and enter into multiple loan agreements with Rhondda Cynon Taf County Borough Council as the Authority responsible for the ongoing management of the Fund.</p> <p>Currently, Bridgend CBC has three active empty property projects which meet the criteria of the Welsh Government Empty Property Enforcement Fund. These projects were highlighted in section 3 of the report.</p>
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	<p>The Cabinet Member for Regeneration, Economic Development and Housing welcomed this report and said that it was common to hear from the public that not enough was being done to tackle empty properties in Bridgend but this report shows some of the work that had been done.</p> <p>The Cabinet Member for Education and Youth Services asked if there were any ways to improve the relationship with Town Councils to ensure collaborative working as they may often have better insight and ideas that are not in the scope of BCBC. The Chief Office Finance, Housing and Change explained that there was already a lot of collaborative working with Officers and the Town &amp; Community Councils and that is particularly the case with SRS but agreed that they are likely to have a beneficial source of information for this fund and its uses.</p> <p><b><u>RESOLVED:</u></b> That Cabinet:</p> <ol style="list-style-type: none"><li>1. Agreed to enter into multiple loan agreements with Rhondda Cynon Taf CBC for the purpose of accessing loan funding under the Transforming Towns Empty Property Enforcement Fund.</li><li>2. Delegated authority to Head of Partnerships &amp; Housing in consultation with the Chief Officer - Finance, Housing &amp; Change and the Chief Officer - Legal &amp; Regulatory Services, HR &amp; Corporate Policy to:<ul style="list-style-type: none"><li>○ Negotiate and arrange execution of any loan agreements with Rhondda Cynon Taf CBC as the responsible authority for managing the Transforming Towns Empty Property Enforcement Fund; and</li><li>○ To enter into any further agreements which are ancillary to the purpose.</li></ul></li></ol>
Date Decision Made	22 October 2024

**382. Tennis Facilities Management Agreement**

Decision Made	<p>The Corporate Director Communities presented a report which updated Cabinet on progress made with regards to the development of new tennis facilities across the borough, in conjunction with the Lawn Tennis Association (LTA), and to secure a key decision regarding the appointment of an external operator for the management and maintenance of the courts.</p>
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	<p>She explained that the refurbishments had now been completed and were currently being maintained by the Green Spaces department, however due to the levels of work it was necessary to progress with the appointment of an external operator for a period of 15 years. Further details were at section 3 of the report.</p> <p>The Corporate Director Communities highlighted the figures for the projected operator income over a 15-year term for all four sites, which are set out at Appendix A, as well as the estimated costs of refurbishment of the courts at years 10-12 which were set out at Appendix B.</p> <p>The Cabinet Member for Climate Change and the Environment was pleased to see that under section 5 of the report there was a long list of positive implications regarding the Wellbeing and Future Generations.</p> <p>The Cabinet Member for Regeneration, Economic Development and Housing asked who would cover the cost of repairs that occurred from vandalism. The Corporate Director Communities confirmed that this would also be considered under the maintenance and repairs.</p> <p><b><u>RESOLVED:</u></b> That Cabinet:</p> <ol style="list-style-type: none"><li>1. Approved the award of a concession contract in the form of an Operator Agreement to Tennis Wales Limited, based on the principles set out in this report;</li><li>2. Delegated authority to the Corporate Director – Communities to negotiate the final terms of an operator agreement in consultation with the Chief Officer Finance, Housing and Change and the Chief Officer – Legal and Regulatory Services, HR and Corporate Policy to enter into the Operator Agreement and any supplementary agreements and to grant any necessary consents required on behalf of the Council.</li><li>3. Noted that Tennis Wales Limited will be subject to a lease or licence agreement with the Council to reflect the site-specific requirements.</li></ol>
Date Decision Made	22 October 2024

**383. Allocations Under Town And Community Council Capital Grant Scheme,  
Round 2 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 second round of the Town and Community Council (T&amp;CC) Capital Grant scheme for 2024-25.</p> <p>She explained that BCBC had £50,000 allocated for 2024-25 and subsequent years in the Council approved Capital Programme to support applications from T&amp;CCs for capital projects. With the carry forward funds from 2023-24 the budget available for 2024-25 was £219,186.00.</p> <p>She added that Table 2 showed the 2024-25 T&amp;CC Capital Grant round 2 applications, Table 3 showed the assessment by T&amp;CC Funding Panel and Table 4 provided details on the 2024-25 T&amp;CC Capital Grant round 2 proposed approvals.</p> <p>The Cabinet Member for Climate Change and the Environment welcomed the report and stated that it was exactly what the Town and Community Councils needed. With the meeting this week and if Cabinet approve this report we are on our way to a more collaborative working. He asked that we need to look at the criteria of gaining this grant money as many T&amp;CC's are not eligible.</p> <p>The Cabinet Member for Resources added that while BCBC were able to provide certain services at a larger scale, the T&amp;CCs are the ones that can provide those day to day changes for the community.</p> <p><u>RESOLVED:</u> That Cabinet approved the allocation of capital funding within the existing Capital Programme of £61,171.26 under the T&amp;CC Capital Grant scheme round 2, 2024-25 to develop projects in line with the specific applications detailed at Table 2 and 3.</p>
Date Decision Made	22 October 2024

**384. Parc Afon Ewenni Refurbishment Of The Highways Depot At Waterton**

Decision Made	<p><u>RESOLVED:</u> That Cabinet deferred this item to a later date pending further details regarding the capital funding required.</p>
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Date Decision Made	22 October 2024
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**385. Bridgend County Borough Council Invasive Species Policy**

Decision Made	<p>The Corporate Director Communities presented a report which presented the draft Invasive Non-Native Species Policy to Cabinet for approval, and to request a decision from Cabinet in relation to the preferred way forward for the treatment of Japanese Knotweed on BCBC assets.</p> <p>She advised that BCBC Invasive Non-Native Species (INNS) treatment on its land holdings but approaches and frequencies differ between service areas. Inconsistency of approach has the potential to increase the risk of legal challenge, therefore, to mitigate against the risk of legal challenge, a change in approach is proposed to increase consistency of approach and overall frequency of treatment. Further details were at section 3 of the report.</p> <p>The draft BCBC INNS policy, attached as Appendix 1, has been discussed and agreed upon by all members of BCBC INNS working group.</p> <p>The Cabinet Member for Finance &amp; Performance asked if this policy related to ragwort. The Corporate Director Communities explained that this policy primarily focused on Japanese Knotweed, Himalayan Balsam and Rhododendron ponticum which were considered the most dangerous in BCBC. Cabinet Members agreed that ensuring the treatment and prevention of these species growing further across Bridgend was important and the policy allows for better consistency of approach.</p> <p><u>RESOLVED:</u> That Cabinet:</p> <ol style="list-style-type: none"><li>1. Noted work undertaken by officers.</li><li>2. Approved the draft policy, attached as Appendix 1.</li><li>3. Considered the management options presented in section 3.6, and their financial implications presented in section 8.7, which were subject to a budget growth bid, it was agreed that a decision on the preferred management option will be taken as part of the budget process and determined by Council in February 2025.</li></ol>
Date Decision Made	22 October 2024

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**386. Urgent Items**

Decision Made	There were no urgent items
Date Decision Made	22 October 2024

**387. Exclusion of the Public**

Decision Made	<p><b>RESOLVED:</b> 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	22 October 2024

**388. Porthcawl Grand Pavilion - Project Budget Update And Request For Approval To Go Out To Tender For Main Works Contract**

Decision Made	This decision was exempt.
Date Decision Made	22 October 2024

To observe further debate that took place on the above items, please click this [link](#)

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The meeting closed at 17:00