

**CABINET - TUESDAY, 14 JANUARY 2025**

**MINUTES OF A MEETING OF THE CABINET HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON TUESDAY, 14 JANUARY 2025 AT 14:30**

**Present**

Councillor JC Spanswick – Chairperson

HM Williams  
M Jones

E L P Caparros

P Davies

M J Evans

**Present Virtually**

N Farr

J Gebbie

**Apologies for Absence**

None

**Officers:**

Anya Richards  
Oscar Roberts  
Nimi Chandrasena  
Carys Lord  
Claire Marchant  
Janine Nightingale  
Kelly Watson  
Mark Shephard  
Lindsay Harvey

Group Manager - Communications and Public Affairs  
Business Administrative Apprentice - Democratic Services  
Democratic Services Officer - Support  
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

**Declarations of Interest**

None

**418. Approval of Minutes**

Decision Made	<b><u>RESOLVED :</u></b> Cabinet approved the Minutes of the Cabinet meeting held on 19/11/2024 and 10/12/2024
Date Decision Made	14/01/2025

**419. School Modernisation Programme Heronsbridge School and Harwood House - Procurement**

Decision Made	<p>The Corporate Director - Education, Early Years &amp; Young People presented the report which sought approval from the Cabinet in relation to :</p> <ul style="list-style-type: none"><li>• The procurement strategy for the design and build of the replacement school;</li><li>• Seek Cabinet approval to proceed with tendering the scheme; Page 27 Agenda Item 4</li><li>• Seek Cabinet approval to include the specialist children's residential provision (Harwood House) as part of the tender as a separate option, allowing for the scheme to be either included or excluded once contracts are awarded, pending the required capital funding being confirmed;</li></ul> <p>The purpose of the report was also to :</p> <ul style="list-style-type: none"><li>• Advise Cabinet that they will be presented with a future report prior to awarding the main construction contract, which sets out the position regarding costs and budget; and</li><li>• Advise Cabinet that they will be presented with a future report to modify the school opening date.</li></ul> <p>A discussion took place with regards to the following points :</p> <ul style="list-style-type: none"><li>• With reference to points 2.4 to 2.6, a question was raised as to the school's current capacity and its</li></ul>
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	<p>provision of a residential facility. The Manager (Sustainable Communities for Learning) responded that as at the last count in January 2024, there were 266 pupils on roll. She added that while there was no capacity calculation for special schools, a calculation conducted a number of years ago indicated that there was significant overcrowding in classrooms and circulation areas which also left hygiene areas inadequate. She also responded that school currently had a residential facility which comprised of two houses with 3 bedrooms in each house.</p> <ul style="list-style-type: none"><li>• A member referred to 3.9 and sought clarification in relation to costs incurred when calling for tenders and agreements with the incumbent designers. The Manager (Sustainable Communities for Learning) responded that the preference would be for the incumbent designer to take forward the design so they would provide a price which would include the design fees, however this was subject to the tender process and the expectation was that any designer awarded the tender would quote including the design fee.</li><li>• The Corporate Director of Social Services and well-being stated that Harwood House was a specialist children's residential home for children with multiple and profound disabilities and was currently co-located with Heronsbridge School. Currently, there are no transport costs for the children to attend school and the children who reside in Harwood would always be children who would attend that particular school. It is expected that they would attend the new school when it when it moves site. By continuing to have the three services alongside each other, an alignment of services could be achieved for the most vulnerable children in the county borough. She stated that there was significant risk if the Harwood element did not secure the funding mentioned within in the report. The needs of the children were such that it would not be suitable for them to remain on site, while significant works were happening on the current Heronsbridge site as it would leave the Authority with a considerable challenge in terms of residential provision for those particular children and other children who would require that service going forward. The Corporate Director Social Services and wellbeing stated that it was therefore vital that the facilities were Co located.</li><li>• A member drew attention to point 3.13 in the report where it mentioned that due to delays in the broader project, the building works were now unlikely to be completed until 2027-2028, where officers have subsequently advised the regional team that the 3.2 million initially earmarked in the HFC capital programme was for 2025-2026 and queried if the Authority have received formal confirmation of funding from the Welsh Government. The Corporate Director Social Services and wellbeing responded that this was a priority within that regional capital strategy, and had been approved by the Regional Partnership Board which oversee that fund, there was a further exchange around specific figures in relation to the funding.</li></ul>
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	<ul style="list-style-type: none"><li>• A member queried the difference of 4.485 million between the projected cost and the tendered cost and was advised that the additional funding of just over 4,000,000 was to pick up the costs for contingency, risk, furniture and equipment and all the costs associated with client side as opposed to contractor side. There was a further discussion with regards to the projected costs and delivery of the project which can be found in detail within the recording of this meeting.</li></ul> <p><b><u>RESOLVED</u></b> :</p> <p>It was agreed that Cabinet:</p> <ul style="list-style-type: none"><li>• Approved the procurement strategy for the design and build of the replacement school scheme;</li><li>• Gave approval to proceed with tendering the scheme; Page 33</li><li>• Gave approval to include the specialist children's residential provision (Harwood House) in the tender as a separate option, allowing for the scheme to be either included or excluded once contracts are awarded, pending the required capital funding being confirmed;</li><li>• Noted that Cabinet will be presented with a future report prior to awarding the main construction contract, which sets out the position regarding costs and budget; and</li><li>• Noted that Cabinet will be presented with a future report to modify the school opening date.</li></ul>
Date Decision Made	14/01/2025

**420. Regional Advocacy and Independent Visiting Service for Children and Young People**

Decision Made	<p>The Corporate Director - Education, Early Years &amp; Young People presented the report which sought approval from the Cabinet in relation to :</p> <ul style="list-style-type: none"><li>• Approve the procurement of a contract for the IPA and IV services by another public body on behalf of the Council as a waiver under the Council's Contract Procedure Rules;</li><li>• Approve the Council entering into a regional collaboration agreement to work collaboratively to ensure effective delivery of the service and appropriate governance;</li><li>• Delegate authority to the Head of Children and Family Services to represent and make decisions for the Council as part of the Regional Project Board. Page 3</li></ul>
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	<p>A discussion took place with regards to the following points :</p> <ul style="list-style-type: none"><li>• A member asked if the consequence of working regionally had resulted in the delays faced by young people and adults trying to access advocacy. She also asked if there was a team dedicated to Bridgend and how the pay out was calculated. The Corporate Director - Education, Early Years &amp; Young People responded that work has been carried out on a regional basis as it makes economic sense and service sense to do so as it provides some economies of scale thereby better value for money in terms of the service. She stated that the contract ensured there were dedicated staff for Bridgend. She also stated that the contract, as a regional one , provided flexibility in terms of staff allocation. She confirmed that there were no delays experienced in terms of children and young people being able to access the advocacy they needed and the pay was calculated based on the usage of the contract.</li><li>• A member asked how the member rota visits could provide a link with an access to advocacy and awareness that young people in care are entitled to contact their local councillor. The Corporate Director Social Services and wellbeing responded that the independent visiting service is a statutory service Bridgend's residential care homes. She stated that she found the reports that come through invaluable because members tend to pick up something that the professionals who visited did not. She stated that she would need to check how far care experienced are made aware that they can contact their local counsellors. The children are provided with information about how to make a complaint and procedures. However, she could not confirm exactly what information is provided in relation to their right to contact their local councillor and will follow up as an action following the meeting.</li></ul> <p><b><u>RESOLVED :</u></b></p> <p>It was agreed that Cabinet:</p> <ul style="list-style-type: none"><li>• Approved BCBC entering into a regional collaboration agreement with RCTCBC and MTCBC for the provision of an advocacy and independent visiting service for Children and Young People;</li><li>• Delegated authority to the Corporate Director Social Services and Wellbeing in consultation with the Chief Officer - Finance, Housing and Change and Section 151 Officer and Chief Officer - Legal and Regulatory Services, HR and Corporate Policy, to agree the terms of the regional collaboration agreement and any ancillary agreements and to arrange execution of those agreements on behalf of the Council.</li></ul>
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	<ul style="list-style-type: none"><li>• Approved a waiver under Contract Procedure Rule 3.2.12 for RCTCBC to procure the advocacy and independent visiting service for children and young people including entering into a regional contract on behalf of the Council and note that approval to award any contract will be agreed by the parties through the governance arrangement prescribed by the regional collaboration agreement once the procurement process had been completed; and</li><li>• Delegated authority to the Head of Children and Family Services to represent and make decisions for BCBC as part of the Regional Project Board.</li></ul>
Date Decision Made	14/01/2025

**421. Medium Term Financial Strategy 2025-26 to 2028-29**

Decision Made	<p>The Chief Officer – Finance, Housing and Change presented the draft Medium Term Financial Strategy 2025-26 to 2028-29 to Cabinet, which sets out the spending priorities of the Council, key investment objectives and budget areas targeted for necessary savings. The strategy included a financial forecast for 2025-2029 and a detailed draft revenue budget for 2025-26.</p> <p>A discussion took place with regards to the following points :</p> <ul style="list-style-type: none"><li>• A member stated that with cuts to budget, there were pressures that could not be avoided, he would now welcome the consultation period with scrutiny. He went on to say that the public needed to be encouraged to take part in the public consultation, where the purpose was to keep people safe and informed of the Council functions. He asked that the Public to let the Authority know their thoughts about the proposals and they would endeavor to manage that expectation.</li><li>• A member asked if there was information available about how many responses were available from the public consultation considering residents who did not have access online or via social media. The Group Manager Communications responded to state that wide promotional campaign was being conducted to include regular post on all social media channels, they were using Facebook advertising to extend that reach. She stated that the Consultation was promoted weekly in the Members Bulletin (a bulletin that goes to all BCBC members as well as 10 and community councils). The Consultation was promoted in the residence bulletin and in Bridgend, which is the</li></ul>
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	<p>internal newsletter. She confirmed that as at the date of the meeting , her team were in receipt 747 responses.</p> <ul style="list-style-type: none"><li>Referring to page 67 of the report, a member queried how much of the settlement was classed as new money. The Chief Officer – Finance, Housing and Change responded that there was an extra 10.6million expected which was a net figure as there were movements in and out of the settlement. The rest of the funding was sourced from grants and such items that transferred into the settlement. She stated it would not be identified as all new money, as some of it was helping the Authority to support itself with pay and price increases. Therefore it was not new money for new initiatives as the fund just goes towards helping the Authority to continue to manage requirements.</li><li>It was mentioned that a presentation on the budget and the opportunity for members to present an alternative budget was due to take place in February 2025. The expectation was that on 26th of February, there would be a United Council supporting the budget before them following the consultation that had taken place.</li></ul> <p><b><u>RESOLVED :</u></b></p> <p>Cabinet agreed to submit for consultation with the Overview and Scrutiny Committees the 2025-26 annual budget and development of the MTFS 2025-26 to 2028-29, as set out in this report, prior to presenting a final version for approval by Council on 26 February 2025.</p>
Date Decision Made	14/01/2025

**422. Budget Monitoring 2024-25 - Quarter 3 Revenue Forecast**

Decision Made	<p>The Chief Officer – Finance, Housing and Change presented the report to provide Cabinet with an update on the Council’s revenue financial position as at 31st December 2024.</p> <p>Members commented there were significant underlying pressures across base budgets and the purpose of</p>
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	<p>the draft revenue budget seeks to address concerns. Members acknowledged an improvement in Period 2, though they also acknowledged that there was more work to be done.</p> <p><u>RESOLVED :</u></p> <p>Cabinet noted the projected year end revenue position for 2024-25</p>
Date Decision Made	14/01/2025

**423. Update to the Council's Financial Procedure Rules**

Decision Made	<p>The Chief Officer – Finance, Housing and Change presented the report to seek approval from Cabinet for an updated version of the Council's Financial Procedure Rules (FPRs)</p> <p>A Member acknowledged that the changes had already been brought up in Council and was aware that another member had sought a few minor amendments which they hoped could be incorporated.</p> <p>A member queried if all recommendations and/or concerns raised by Council have been addressed and also queried the reasons any that have not addressed. The Chief Officer – Finance, Housing and Change responded that she felt it was important to provide Members reassurance that when changes have been requested , they are implemented promptly and quickly it is practicable. She noted that dependent on the change being requested , it has not always been possible to specify timeline. She assured members that any changes reported or recorded are implemented within the requirements of the financial procedure rules.</p> <p><u>RESOLVED :</u></p> <ul style="list-style-type: none"><li>• Cabinet approved the amendments to the Financial Procedure Rules outlined in Appendix 1;</li><li>• Cabinet noted that a separate report will be presented to Council to incorporate the revised Financial Procedure Rules into the Constitution, as attached at Appendix 2.</li></ul>
Date Decision Made	14/01/2025

**424. Urgent/Emergency Works To Culvert At A4061 Bwlch-Y-Clawdd Road,  
Nantymoel Following Landslide During Storm Bert, 24th November  
2024**

Decision Made	<p>The Corporate Director for Communities presented a report to notify Cabinet of the authorisation and award of a works order to contractors to undertake urgent/emergency works to culvert at A4061 Bwlch-y-Clawdd road, Nantymoel, in the interests of public safety and maintenance of highway for an exemption under Rule 3.1.6 of the Council's Contract Procedure Rules.</p> <p>Members commended the Emergency Services and the Corporate director for the action during the recent storms. A member queried the progress of the application for EFAS funding and also asked if there was a register that members could refer to, in order that they identify if a culvert belonged to the Council or to NRW. The Corporate Director for Communities responded that during instances of extreme storm damage, the Authority makes an application to the Welsh Government, they have historically been successful and are hopeful that it would be the case in the most recent case too. She stated that there was no current list of ownership of culverts but this was something she can look to obtain.</p> <p>RESOLVED :</p> <p>Cabinet noted the exemption from the requirement to seek quotes, in accordance with Rule 3.1.6 of the Contract Procedure Rules.</p>
Date Decision Made	14/01/2025

**425. The Provision Of Beach And Water Safety Services In Partnership With  
The Royal National Lifeboat Institution (RNLI)**

Decision Made	<p>The Corporate Director for Communities presented a report to request approval to establish a new long-term partnership arrangement with the Royal National Lifeboat Institution (RNLI) to operate a seasonal beach lifeguarding service at local beaches and in doing so seek a waiver under paragraph 3.2.3 of the Council's Contract Procedure Rules from the requirement to obtain quotes or tenders by open competition</p>
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	<p>and agreement to enter a contract with the RNLI. She detailed the four options, following discussions with RNLI, for Cabinet to consider. This was followed by a discussion between members and the Corporate director as to costs involved. A decision was deferred to the next Cabinet Meeting scheduled on the 4<sup>th</sup> of February 2025, it was agreed that a decision was time sensitive and the Authority needed to notify RNLI in a timely manner.</p> <p><b><u>RESOLVED :</u></b></p> <ul style="list-style-type: none"><li>• Cabinet agreed to discuss the four options provided in detail within a meeting prior to the next Cabinet meeting. Officers were to be advised of Cabinet's choice of option on the way forward from those set out in section 3 of this report during the next Cabinet meeting scheduled 04/02/2025 .</li><li>• Cabinet noted that if either option 2, 3 or 4 then any future associated agreement will require a waiver of the Contract Procedure Rules relating to the requirement to obtain quotes or tenders by open competition for the provision of the services on the basis that the services could be provided by only one tenderer in accordance with rule 3.2.3. In proposing such an action, it was highlighted that the RNLI was a unique organisation in respect of such services due to its core focus on coastal safety; Page 220. It was however agreed to be discussed within a meeting prior to the next Cabinet meeting and the chosen option shared within the next Cabinet meeting.</li><li>• Cabinet noted the financial implications of each option and how any increase in financial commitment would be funded;</li><li>• Cabinet agreed to discuss, within a meeting prior to the next Cabinet meeting on 04/02/2025 , delegated authority to the Corporate Director, Communities, if either option 2, 3 or 4 were chosen, to finalise negotiations with the RNLI and enter into a three year partnership arrangement and associated service level agreement and any further deeds and documents which are supplemental to the agreement, and any subsequently required amendments, with the RNLI and in doing so agree a waiver under paragraph 3.2.3 of the Council's Contract Procedure Rules .</li></ul>
Date Decision Made	14/01/2025

**426. Urgent Items**

Decision Made	None
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Date Decision Made	14/01/2025

**427. Exclusion of the Public**

Decision Made	RESOLVED :  The following items were not for publication as they contained exempt information as defined in Paragraphs 12 and 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. Following the application of the public interest test Cabinet resolved pursuant to the Act to consider these items in private, the public were excluded from the meeting during such consideration.
Date Decision Made	14/01/2025

**428. Approval of Exempt Minutes**

Decision Made	RESOLVED :  Cabinet approved the exempt minutes of the Cabinet meetings held on 19/11/2024 and 10/12/2024
Date Decision Made	14/01/2025

**429. Exempt Report - School Modernisation Programme - Bridgend West**

Decision Made	This item was exempt.
Date Decision Made	14/01/2025

**430. SIMS Support Unit (SSU) Agreement Signature Approval to Suspend the  
Relevant Parts of the Council's Contract Procedure Rules (CPR)**

Decision Made	This item was exempt
Date Decision Made	14/01/2025

The meeting closed at 17:02