

MINUTES OF A MEETING OF THE CABINET HELD IN COMMITTEE ROOMS 1/2/3 - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 23 OCTOBER 2018 AT 14:30

Present

Councillor HJ David – Chairperson

CE Smith
RE Young

PJ White

HM Williams

D Patel

Apologies for Absence

None

Officers:

Gill Lewis	Interim Head of Finance and Section 151 Officer
Kelly Watson	Head of Legal & Regulatory Services
Julie Ellams	Democratic Services Officer - Committees
Darren Mephram	Chief Executive
Mark Shephard	Corporate Director - Communities
Susan Cooper	Corporate Director - Social Services & Wellbeing
Lindsay Harvey	Corporate Director Education and Family Support
Jonathan Flower	Senior Strategy Officer
David Holland	Head of Shared Regulatory Services

251. DECLARATIONS OF INTEREST

Cllr H Williams declared a personal interest in agenda item 11, Opening of an Autistic Spectrum Disorder (ASD) Learning Resource Centre (LRC) at Ysgol Gynradd Gymraeg Calon Y Cymoedd, because he had grandchildren attending that school.

252. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of Cabinet dated 18 September 2018 be approved as a true and accurate record.

253. ANNUAL REPORT 2017-18

The Interim Head of Finance and Section 151 Officer presented a report for Cabinet to consider the Annual Report 2017-18 and recommend to Council for approval. She explained that under section 15 of the Local Government (Wales) Measure 2009 and in accordance with the related statutory guidance the authority had to publish its assessment of performance for the previous financial year before 31 October.

The Interim Head of Finance and Section 151 Officer explained that the Annual Report evaluated how well the Council did in 2017-18 in delivering its commitments and planned outcomes for the financial year, using its success measures and other evidence. Wherever performance was short of its target, explanations were provided.

The Interim Head of Finance and Section 151 Officer reported that overall the Council performed well in 2017-18 and of the 37 commitments taken forward, the Council carried out to completion 29, with 6 mostly completed. The Council was short of meeting the target set for 2 commitments, improving outcomes for vulnerable children and the Good

to Great Strategy for the more able and talented people. Some progress had been made in this area and work continued on delivering these.

The Interim Head of Finance and Section 151 Officer outlined the Councils performance against its commitments and targets and also the Council's performance nationally as detailed in appendix A to the report. She explained that once approved, the Annual Report would be published on the Council's website and shared with stakeholders and hard copies of the report would be produced and placed in the Council's public libraries.

The Leader said that it was important to reflect on progress made in the last year and pleasing to see that 79% of actions had been implemented. A further 16% were almost complete and there were explanations for the remaining two. This was also a key document in terms of the regulators and reflected the Corporate Plan which had been considered by scrutiny.

RESOLVED: Cabinet considered the Annual Report 2017-18 and recommended it to Council for approval.

254. **VULNERABLE PERSON'S RESETTLEMENT SCHEME (VPRS)**

The Senior Strategy Officer – Housing & Community Regeneration presented a report seeking approval from Cabinet to resettle a further 5 refugee families under the Vulnerable Person's Resettlement Scheme or the Vulnerable Children's Resettlement Scheme. Subject to approval from Cabinet, the report sought a waiver under paragraph 3.2.9.2 of the Council's Contract Procedure Rules from the requirement to obtain quotes or tenders by open competition under the Scheme of Delegation in order to vary the existing contract with Hafod Housing Association for the additional 5 units.

The Senior Strategy Officer – Housing & Community Regeneration explained that the UK Government had committed to resettling 20,000 Syrian refugees by 2020, fleeing Syria as a result of the civil war. He explained that the number of refugees likely to be received in Wales was 1,000 to 1,500 over the five years of the VPRS Programme however he added that participation was voluntary.

The Senior Strategy Officer – Housing & Community Regeneration explained that individuals were granted refugee status giving them leave to remain for 5 years with full access to employment and public funds. If after five years, they had not returned to Syria they could be eligible to apply for settlement in the UK. He added that at the end of March 2018, there were 10,500 refugees in the UK, 645 of them in Wales.

The Senior Strategy Officer – Housing & Community Regeneration explained that Cabinet approval had been given in July 2016 then outlined the involvement of the Welsh Refugee Council and Hafod Housing. He explained that the first Syrian family arrived in the county borough on 2nd November 2016. All 6 families had now been resettled with the last family arriving on 12 September 2017. He explained that the families had been settled across the county borough with good access to local schools and amenities. All families had been welcomed by community members and local churches.

The Senior Strategy Officer – Housing & Community Regeneration advised Cabinet that in March 2018 the Co-Chair of the WLGA Strategic Migration Partnership and WLGA Joint Spokesperson for Equalities, Welfare Reform and Anti-Poverty wrote to Local Authorities asking for their commitment to resettlement going forward. In response to this letter the subsequent years of the programme were reviewed and it was proposed that the Authority settled a further 5 families during the remainder of the programme

subject to Cabinet approval. To ensure consistency of service a waiver to the Contract Procedure Rules would be required.

The Senior Strategy Officer – Housing & Community Regeneration explained that year one funding was available from the Overseas Development Aid Budget for direct local authority costs and there was additional support for educational and medical needs. Year 2 to 5 funding would be allocated on a tapered tariff basis over 4 years.

The Cabinet Member for Wellbeing and Future Generations said that these were complex cases comprising of war refugees fleeing Syria. In terms of numbers 34 out of more than 10,000 was not a substantial number but an indication that the authority was playing a role at a time when there were substantial cutbacks.

The Cabinet Member for Education and Regeneration concurred with this and added that Cabinet were proud that Bridgend were involved in this and recognised that it was not a pleasant climate with social media and needed to be handled carefully.

The Leader said that we were fortunate that none of us had experienced this sort of trauma. He was proud of the help the community was providing and asked for thanks to be conveyed to the schools, churches and local communities. He also thanked the Senior Strategy Officer – Housing & Community Regeneration, his colleagues and Hafod.

RESOLVED: That Cabinet:

- (1) Approved the resettlement of a further 5 families by 2020 with flexibility to resettle families from either the Vulnerable Persons Resettlement Scheme (VPRS) or the Vulnerable Children's Resettlement Scheme (VCRS), depending on the most urgent need for resettlement at the time, and
- (2) Agreed a waiver under paragraph 3.2.9.2 of the Council's Contract Procedure Rules from the requirement to obtain quotes or tenders by open competition shall be sought under the Scheme of Delegation in order to vary the existing contract with Hafod Housing Association for the additional 5 units.

255. BUDGET MONITORING 2018-19 - QUARTER 2 FORECAST

The Interim Head of Finance and Section 151 Officer presented a report providing Cabinet with an update on the Council's financial position as at 30th September 2018.

The Interim Head of Finance and Section 151 Officer reported that on 28th February 2018, Council approved a net revenue budget of £265.984 million for 2018-19, along with a capital programme for the year of £33.693 million, which had since been updated to take into account new approvals and slippage between financial years. She explained that the overall projected position at 30th September 2018 was a net underspend of £2.551 million, comprising £738,000 net overspend on directorates and £5.269 million net underspend on corporate budgets, offset by new net earmarked reserves of £1.98 million.

The Interim Head of Finance and Section 151 Officer explained that the Council had recently received its provisional settlement for 2019-20 from Welsh Government and it was clear there would be pressures to meet going forward.

The Interim Head of Finance and Section 151 Officer explained that there had been no budget virements but there had been a number of technical adjustments between budgets since the quarter 1 forecast was reported to Cabinet in July 2018. She then gave a brief explanation of each technical adjustment.

The Interim Head of Finance and Section 151 Officer explained that a number of energy providers had announced price increases for 2018 and so additional funding for energy increases in 2018-19 averaging around 9% had been provided during quarter 2. The pay award for teachers from September 2018 was agreed in the middle of September. The UK Government had announced that it would give Wales an extra £23.5 towards pay for teachers but it was not clear how much Bridgend would receive.

The Head of Finance and Section 151 Officer reported the net budget for the financial year had been set assuming full implementation of the current year budget reduction requirements. If proposals were delayed or not achievable, directorates had to identify alternative proposals to meet their requirements. For 2016-17 and 2017-18 there were £2.982 million of budget proposals that were not met in full, with a total outstanding budget of £2.523 million. The Interim Head of Finance and Section 151 Officer provided the latest position with a summary for each directorate. Of the £2.604 million outstanding reductions, £1.411 million was likely to be achieved in 2018-19 leaving a shortfall of £1.193 million.

The Interim Head of Finance and Section 151 Officer gave an update on the Council's capital programme for 2018-19 and explained the position regarding earmarked reserves. The cumulative drawdown by Directorates was £2.688 million from specific earmarked reserves and there had been net additions of £1.980 as shown in the report.

The Interim Head of Finance and Section 151 Officer concluded that the authority was in a better position than previously reported and the position on directorate budgets was pleasing.

The Deputy Leader asked for his thanks to be conveyed to the finance team. The report appeared to be satisfactory but it masked a number of issues they would be facing shortly. The Annual Report stated that 973 people had been diverted away from main stream services. If this were not the case then the position would be far more challenging. A fair funding settlement was needed from Welsh Government.

The Cabinet Member for Social Services and Early Help advised that when comparing the RAG status, there was very little change but there were still 2 quarters to go.

The Leader confirmed that Welsh Government had recently announced that there would be some additional funding for social services in the forthcoming year. This would be useful in light of the forecasted overspend in social services. The pressure was not just from children's services but also from learning disabilities. The Leader added that it would be useful to receive a report to a future meeting. There were now more people with complex and severe disabilities and it would be helpful to review the provision and identify what future demands would be and to plan for the anticipated increase in demand.

The Corporate Director – Social Services & Wellbeing said that it was a significant pressure point and there appeared to be increased complexity in those with learning disabilities and they were also living longer.

The Leader stated that the settlement was gloomy and there was less money than the authority had in the previous year but they still had to find £4 million for schools to cover increased pension contributions and a pay increase for teachers. This would account for

more than the income generated from a council tax increase of 4.9%. He reported that some good news had been received in that EU funding had been confirmed for the new water sports centre in Porthcawl.

- RESOLVED:
1. That Cabinet noted the projected revenue and capital outturn position for 2018-19.
 2. That a report on Learning Disabilities be submitted to a future meeting.

256. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT SECTION 65 POWER TO FIX FARES FOR HACKNEY CARRIAGES APPLICATIONS TO VARY THE HACKNEY CARRIAGE FARES TARIFF

The Head of Shared Regulatory Services reported back on the trade consultation carried out in respect of the Bridgend County Borough hackney carriage table of fares. This followed proposals to the Licensing Department to amend the table of fares. Cabinet were being asked to consider the proposals and the consultation responses and to determine whether one of the proposals should go forward to the public notice process.

The Head of Regulatory Services explained that at the September 2017 Cabinet meeting, three proposals to vary the current hackney carriage table of fares were presented. Cabinet decided to reject the three proposals and recommended the legality and practicalities of consulting on hackney carriage fees with the taxi trade and public be explored. The applicants were asked to present a further application with support from all parties. However, no consensus could be reached and so a letter and questionnaire was sent each licensed hackney/private hire vehicle driver in Bridgend seeking views and a preferred option. The Head of Regulatory Services reported that 653 letters were sent out and 67 responses were received. Proposal 1 was the preferred option as detailed in the report. He also provided a comparison with the proposed fare and the fares authorised by other licensing authorities.

The Cabinet Member for Social Services and Early Help said that in Bridgend there were both rural and urban areas and that these vehicles were used as part of everyday life. It would be helpful to be in a position where we could move forward and meet the pressures and raising costs.

The Head of Regulatory Services clarified the differences between a hackney carriage and a private hire vehicle. He added that in the Vale and Cardiff, Uber appeared to be driving the competition.

The Cabinet Member for Wellbeing and Future Generations said that the response was disappointing but the opportunity had been provided for all to comment. The drivers appeared to believe there should be a slight increase and the majority supported proposal 1. The consultation would give the passengers an opportunity to make their comments.

The Head of Regulatory Services endorsed these comments and said that proposal 1 was lower than the other proposals. The drivers had seen significant increases in insurance premiums but there had been no increase in terms of fees since 2011

- RESOLVED: Members recommended that proposal 1 go forward to the public notice process with an implementation date of 3 December 2018 (provided that there are no objections).

257. DATA PROTECTION POLICY AND DISCLOSURE OF SPECIAL CATEGORIES OF PERSONAL DATA - ELECTED MEMBERS PROTOCOL

The Head of Legal and Regulatory Services and Monitoring Officer provided Cabinet with the updated Data Protection Policy for approval which had been informally reviewed by the Information Commissioner's Office. Cabinet was also being asked to note the Disclosure of Special Categories of Personal Data – Elected Members Protocol.

The Head of Legal and Regulatory Services and Monitoring Officer explained that in April 2018, Cabinet received a report on the provisions of the General Data Protection Regulation and the Data Protection Act 2018 which came into force in May 2018. She explained that the authority had reviewed all of its data protection procedures and policies to ensure they were fit for purpose and the updated Data Protection Policy was included in the report.

The Cabinet Member – Wellbeing and Future Generations explained that there was a need to update the policy and she reminded members that online training was available and mandatory.

The Leader reminded members that it was a criminal offence to delete information requested and repeated that there would be mandatory training for members.

The Cabinet Member – Social Services and Early Help endorsed his comments and added that training was necessary and should be arranged as early as possible.

RESOLVED: That Cabinet:

- (1) Approved the updated Data Protection Policy attached at Appendix 1.
- (2) Noted the Disclosure of Special Categories of Personal Data – Elected Members Protocol attached at Appendix 2.

258. INFORMATION REPORTS FOR NOTING

The Head of Legal and Regulatory Services presented a report informing Cabinet of the Information Reports for Noting published since its last scheduled meeting:-

1. Treasury Management Half Year Report 2018 -19
2. An Exemption, under Rule 3.1.1 of the Contract Procedure Rules (Cprs) – Urgent Works, Mynydd Cynffig Primary School.

RESOLVED: That Cabinet acknowledged the publication of the documents listed in the report.

259. PROJECT EXTENSION OF THE INSPIRE 2 ACHIEVE AND INSPIRE 2 WORK PROGRAMMES FUNDED BY EUROPEAN SOCIAL FUNDING

The Corporate Director – Education and Family Support presented a report seeking approval from Cabinet to extend the Inspire 2 Achieve and Inspire 2 Work projects led by Blaenau Gwent County Borough Council funded through the European Social Fund under Priority 3 (Youth Employment and Attainment). The report also asked Cabinet to delegate authority to the Corporate Director- Education and Family Support subject to the approval of the Section 151 Officer and the Monitoring Officer to enter into the necessary funding letters with WEFO and the associated agreements with BGBCB and other joint beneficiaries on behalf of the Council.

The Corporate Director-Education and Family Support provided a background to the work programmes and explained that delivery of both projects was currently scheduled

to end in December 2018, with the programmes closing in their entirety by the end of March 2019. The proposed extension for both would see the service running to December 2022 to continue to support young people who were not in education, employment or training or had the potential to be NEET. This work was pivotal to the local authority being able to deliver the requirements set out in Welsh Government's Youth Engagement and Progression Framework.

The Corporate Director-Education and Family Support outlined the objectives of each programme, a summary of young people in Bridgend, the outcomes of the project to date and the proposals for a staff profile. He explained that suitable match funding would need to be sourced for the duration of the proposed extensions, one through a contribution from secondary schools utilising a fixed percentage of their Education Improvement Grant and one through the Welsh Government Youth Support Grant. The Corporate Director-Education and Family Support outlined the risk to the authority that match funding streams could reduce or cease to be available in future years and if this did happen, the option to source alternative funds or to withdraw from the project with the risk of a clawback of grant.

The Cabinet Member for Wellbeing and Future Generations stated that the report was very positive and noted the number of people the authority had worked with and how the level had reduced. She said that this was an important group to be working with and an opportunity to set them up for life and she supported the proposals.

The Cabinet Member for Education and Regeneration supported the recommendations and said that he had case studies for a number of those that had benefited from the programmes.

The Leader said this was excellent news and that it was important to invest in young people. The table spoke volumes and showed a reduction of over 50% across the local authority in the number of Year 11 school leavers presenting as NEET upon leaving school in the first academic year I2A became operational. He asked for his thanks to be conveyed to officers.

RESOLVED: That Cabinet:

- (1) Authorised the proposed extension of the Inspire 2 Achieve and Inspire 2 Work projects.
- (2) Delegated authority to the Corporate Director Education and Family Support, subject to the approval of the S151 Officer and the Monitoring Officer, to enter into the necessary funding letters with WEFO and associated agreements with BGCBC and other Joint Beneficiaries on behalf of the Council.

260. **OPENING OF AN AUTISTIC SPECTRUM DISORDER (ASD) LEARNING RESOURCE CENTRE (LRC) AT YSGOL GYNRADD GYMRAEG CALON Y CYMOEDD**

The Corporate Director-Education and Family Support presented a report seeking Cabinet's approval to consult formally with the parents, staff and governing body of Ysgol Gynradd Gymraeg Calon y Cymoedd and other interested parties on the proposal to establish a LRC for pupils with ASD at Ysgol Gynradd Gymraeg Calon Y Cymoedd. He explained that the Council supported the principles that when possible, children should be educated in mainstream school environment and as near to their home as possible. The proposal to open a further ASD LRC at Ysgol Gynradd Gymraeg Calon Y Cymoedd would afford those children with ASD currently taught through the medium of Welsh to continue their education in their local area.

The Corporate Director-Education and Family Support outlined the impact of the proposals and how from the pupils' point of view, they would have access to individual small group and whole class experiences as appropriate. Other mainstream pupils at the school would also benefit from the proposal as it would seek to widen the specialist learning facilities within the school.

The Cabinet Member for Education and Regeneration said that there was overwhelming support for this to be established.

The Leader said this was an exciting first for a primary school. Parents, governors and staff would have the opportunity to have their say in the formal consultation process.

RESOLVED: That Cabinet agreed:

- (1) To consult formally on the proposal to establish an LRC for pupils with ASD at Ysgol Gynradd Gymraeg Calon Y Cymoedd, and.
- (2) For the outcome of the consultation to be reported back to Cabinet.

261. PROVISION FOR PUPILS WITH ADDITIONAL LEARNING NEEDS (ALN) - CHANGES TO BETWS PRIMARY SCHOOL

The Corporate Director-Education and Family Support presented a report seeking Cabinet's approval to consult formally with the parents, staff and governing body at Betws Primary School and other interested parties on the proposal to cease the local authority nurture provision at Betws Primary School. He explained that Welsh Government had approved the introduction of foundation phase provision at The Bridge Alternative Provision (The Bridge). The Corporate Director-Education and Family Support outlined the impact of proposals and that from a pupils' point of view, they would have access to individual, small-group and whole-class experiences as appropriate. The aim would be to reintegrate them into mainstream school where appropriate.

The Cabinet Member for Education and Regeneration thanked the Corporate Director Education and Family Support for the report. He said that this was an opportunity for people to get their voices heard during consultation process. There had already been significant discussions between Betws and Bridge. Bridge was very specialised and well regarded and he looked forward to hearing the responses.

RESOLVED: That Cabinet:

- (1) Agreed to consult formally on the proposal to cease the nurture provision at Betws Primary School, and
- (2) Agreed for the outcome of the consultation to be reported back to Cabinet in due course.

262. APPOINTMENT OF LOCAL AUTHORITY GOVERNORS

The Corporate Director Education and Family Support presented a report seeking approval from Cabinet for the appointment of local authority governors to the school governing bodies listed in the report. He explained that for the nine schools, all nine applicants met the approved criteria for appointment as local authority governors and there was no competition for any of the vacancies.

RESOLVED: Cabinet approved the appointments listed in the report.

263. PORTHCOWL AND THE RUN4WALES 10KM SERIES

The Corporate Director Communities presented a report requesting approval to establish a partnership arrangement with Run4Wales to operate an annual 10k running event in Porthcawl for a 3 year period. He explained that the current Destination Management Plan 2018-2022 set the framework for managing the tourism vision to 2022. The Plan targeted attracting new events of regional or national significance, which as part of a diverse portfolio of events would support the delivery of the priority to raise the profile and attract more people to BCBC.

The Corporate Director Communities explained that in the UK, social running was going through an unprecedented period of growth. The Active Adult Survey indicated an increase in the number of runners in Wales from 6.9% in 2009 to 13.4% in 2014. A new Porthcawl 10k run would form part of the Run4Wales 10k series along with Cardiff Bay, Newport and Barry Island. The first Porthcawl event would take place in 2019 with two further events in 2020 and 2021. He explained that there were financial implications and at this stage a financial contribution of £10,000 per event was required. Funding would be secured through existing Communities Directorate budgets. He outlined other aspects that might require in-kind staff support or a financial contribution such as traffic management services and stewarding.

The Cabinet Member for Education and Regeneration said that the importance of this should not be underestimated and it would bring television and media attention to Porthcawl and he gave it 100% support.

The Cabinet Member for Communities said that this was an opportunity to raise the profile of Porthcawl. This was a popular venue and would be one of a series of events to raise the profile of South Wales as a whole.

RESOLVED: That Cabinet:

- (1) Supported the establishment of the Porthcawl 10k event in partnership with Run4Wales for an initial 3 year period.
- (2) Delegated authority to the Corporate Director – Communities, in agreement with the Head of Legal and Regulatory Services and the Interim Head of Finance, to finalise negotiations with Run4Wales, agree in-kind and financial support and enter into a 3 year partnership arrangement and associated agreement with the Run4Wales.

264. URGENT ITEMS

None

The meeting closed at 16:00