

MINUTES OF A MEETING OF THE CABINET HELD IN COMMITTEE ROOMS 1/2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 15 DECEMBER 2015 AT 2.30 PM

Present

Councillor MEJ Nott OBE – Chairperson

HJ David
PJ White

M Gregory
HM Williams

CE Smith

HJ Townsend

Officers:

Darren Mepham	Chief Executive
Ness Young	Corporate Director - Resources & Section 151 Officer
Deborah McMillan	Corporate Director - Education & Transformation
Mark Shephard	Corporate Director - Communities
Susan Cooper	Corporate Director - Social Services & Wellbeing
Andrew Jolley	Assistant Chief Executive Legal & Regulatory Services and Monitoring Officer
Sarah Daniel	Democratic Services Officer - Committees

803. APOLOGIES FOR ABSENCE
None

804. DECLARATIONS OF INTEREST

Declarations of Interest were received from the following Officers / Members for the reasons so stated:

Deputy Leader – personal interest in item 7 as Chair of Cefn Cribwr Community Association which had received grants from the fund in the past.

805. APPROVAL OF MINUTES

RESOLVED: That the minutes of a meeting of Cabinet of 24 November 2015 be approved as a true and accurate record

806. WALES AUDIT OFFICE - ANNUAL IMPROVEMENT REPORT ON BRIDGEND COUNTY BOROUGH COUNCIL SEPTEMBER 2015

The Chief Executive introduced a report of the Auditor General to the Cabinet Committee which included an assessment of whether the Council met statutory continuous improvement duties contained within the Local Government (WALES) Measure 2009. It focused on the Council's delivery of its improvement objectives that were defined for 2014-15 and its planning of improvement for 2015-16

The Chief Executive stated that the overall conclusion of the report was positive in that the Council continued to make progress in delivering improvements in its priority areas and recognised the need to support improvement of children's services; its forward planning arrangements and track record suggested it was well placed to secure improvement in 2015-16

RESOLVED: Cabinet noted the Annual Improvement Report produced by the WAO and that the report would be presented to Council at its meeting on 16 December 2015

807. OUTCOME OF THE CONSULTATION 'SHAPING BRIDGEND'S FUTURE'

The Corporate Director Resources submitted a report to Cabinet to inform them of the Outcome of the 'Shaping Bridgend's Future' consultation which asked citizens to share their views on the Councils corporate priorities and on a number of key budget proposals being considered over the Medium Term Financial Strategy (MTFS) period.

The Corporate Director Resources explained that in addition to questions on the proposed corporate priorities, respondents were also asked, to share their views on 12 key budget proposals being considered between 2016-17 and 2019-20, including: nursery services; residential and respite care; complex homecare support; lifeguard services; holiday support for people with a learning difficulty; highways maintenance and direct labour; reduction of supported bus services; looked after children; regeneration; cleaning service; parks and open spaces and online services. She added that budget consultations were undertaken in 2013/14 and 2014/15

The Corporate Director Resources stated that the budget consultation overview, document and survey was made available online via the Council's website between 28 September 2015 and 22 November 2015. The consultation was aimed at reaching key stakeholders that included citizens, schools, BCBC Cabinet Members/ Councillors, local businesses, the third sector, BCBC staff, trade unions, town and community councils, partner organisations, equality groups, youth services/ council and local media. Communication and promotional activities included a radio campaign with BridgeFM, various press release editorials in local media, a social media/ web campaign, development of three short films, poster/sign campaign, direct marketing to key target audiences e.g businesses, youth council, internal communications campaign for staff and elected members.

The Corporate Director Resources stated that 1819 responses were received via various consultation mechanisms which included online submissions, Citizens Panel, community engagement events/ workshops and social media. The overall response rate was very positive and exceeded the target of 1,400 set. In comparison the Authority had received 1338 more interactions than the previous year's combined responses

The Corporate Director Resources informed members of the headline figures and themes which included the following:

- All three proposed corporate priorities received strong support, with at least 80 per cent of respondents agreeing. 71 per cent however, believed the priorities are also missing important factors. Streamline the council; workforce and processes (39 responses), public transport, highways and infrastructure improvements (27 responses), and support local businesses and offer free parking (23 responses) were the three most suggested themes put forward by respondents.
- There was minority support for increasing council tax in order to keep services running (only 31% agreed).
- The majority (68%) believe schools should be expected to make efficiency savings. However, 73 per cent believe some services should be protected over others.
- 11 of the 12 budget proposals were supported by the majority of respondents. Online services were the most popular – a combination of 87 per cent either agreed with the proposal or chose to increase the proposed reduction. Highway

maintenance was the least supported proposal with 48 per cent either agreeing with the proposal or increasing the proposed reduction

- There was a high level of consistency when respondents chose to reduce (increase) specific proposals. The most common alternative was to cut elsewhere (spend elsewhere), followed by increasing (lowering) council tax.

The Cabinet Member Resources thanked the staff involved in the consultation and noted that more members of the public were engaged into this years' consultation than was previously. He stated that lessons would also be learned to achieve higher numbers again for following years including looking at more convenient locations for community engagement events and would also look at the possibility of a consultation desk in the foyer of Civic offices. He also recognised that overall the digital response was far more popular than other channels.

The Cabinet Member Regeneration and Economic Development supported the report and asked that in the future if more information could be sought from consultees such as location, gender and income band as this would improve reliability and validity of the responses.

The Cabinet Member Communities thanked the staff involved in engaging with the public on the consultation and advised that BCBC could be more active through social media channels to encourage the public to be more engaged, there was a lot of interest generated on Facebook and Twitter but not all fed into the consultation

RESOLVED: Cabinet noted the outcome of the consultation with interested parties as detailed in the attached consultation report

808. LIBRARY SERVICE PERFORMANCE

The Corporate Director Communities submitted a report to Cabinet on the Council's performance against the Welsh Public Library Standards (WPLS) Fifth Framework for 2014-15. He stated that in order to assist in discharging this responsibility, the Welsh Government established, in 2002, 3-year Frameworks of Standards for local authority library managers, the WLGA and other relevant bodies. He explained that new targets of provision and performance were set every 3 years. The new Framework of Standards, "Libraries Making A Difference", was the fifth, 2014-17, and, in its first year, required local authorities to meet this range of provision and performance targets for public libraries by March 2015.

The Corporate Director Communities stated that BCBC transferred the management of a range of cultural services, which included the Library Service, to Awen Cultural Trust from 1st October 2015. The statutory duty to provide the library service and report on its performance remained with the Council but Awen, under the terms of the management agreement, provided the Council with the information it needed to satisfy itself that the service is meeting the desired outcomes.

The Corporate Director Communities highlighted the 2014/15 report from MALD in response to the Library Service self-assessment return against the fifth Framework of Welsh Public Library Standards 2014-17 that was attached at appendix 1 of the report. He added that on the whole the MALD Report was positive and demonstrated that the budgetary pressures notwithstanding, the service continued to deliver a comprehensive and quality service. All 18 of the core citizen entitlements for public libraries were met and of the 7 quality indicators which had targets, Bridgend met 4 in full and the other 3 in part.

The Corporate Director Communities advised Cabinet that in a ministerial statement of the 9 November 2015, The Deputy Minister for Culture, Sport and Tourism, outlined his commitment to public libraries by welcoming community hubs which delivered a range of digital, literacy and cultural services, as well as providing access to other services. The Minister re-emphasised also using the framework provided by the recommendations of Baroness Andrews' report, *Culture and Poverty* (2014), to encourage participation and engagement in cultural activities in deprived areas. He added that Bridgend was considered an area of best practice in implementing the hub model through its innovative Life Centres.

The Corporate Director Communities stated that Bridgend was considered an area of best practice in implementing the hub model through its innovative Life Centres. He added that it was prudent to continue with the strategy when considering solutions to the library provision at Maesteg and Porthcawl. He further added that ALMA-UK had recently published the report on its research into the economic value of public libraries. A key finding was that users of libraries placed a theoretical monetary value of between £24 and £27 per visit on their library services, which was between 5.5 and 7.5 times greater than the cost of provisions it was prudent to continue with this strategy in considering solutions to library provision at Maesteg and Porthcawl.

RESOLVED: That Cabinet:

1. Considered and noted the content of the report and the Appendix, noting progress against the Welsh Public Library Standards
2. Approved the Council's continued approach to library development through the life centre and cultural-hub model and supported partnership with Awen Cultural Trust

809. WELSH CHURCH ACT FUND REVISED CRITERIA AND IMPLEMENTATION ARRANGEMENTS

The Corporate Director Communities submitted a report to Cabinet to consider proposed changes to the selection criteria and implementation arrangements for the Welsh Church Act Fund. The Fund operated across the County Borough areas of Rhondda Cynon Taf, Bridgend and Merthyr Tydfil and was a charitable trust that was managed by Rhondda Cynon Taf Council, with all Councillors of Rhondda Cynon Taf acting as trustees. He added that over the 10 year period 2006-2016, grant awards to Bridgend County organisations under the Welsh Church Act Fund had ranged from £545 to £10,000 and have totalled on average around £57,000 per year.

The Corporate Director Communities added that the indicative annual budget was now proposed at £500,000, but this could be varied at the discretion of Rhondda Cynon Taf's Section 151 Officer. The amount included existing balances the Fund had previously accrued.

RESOLVED: That Cabinet approved the revised Welsh Church Act Fund Criteria and implementation arrangements set out in paragraphs 4.8-4.10

810. DRAFT DEMENTIA STRATEGY AND DELIVERY PLAN 2015-2018

The Corporate Director Social Services and Wellbeing provided Cabinet with an update in respect of the developments made to the BCBC/ABMU Dementia Strategy 2015-18 and Delivery Plan 2015-16 following the consultation exercise, and requested Cabinet approval of the Dementia Strategy and Delivery Plan for publication.

The Corporate Director Social Services and Wellbeing informed Cabinet that the Adult Social Care Commissioning Plan set out how it would be achieved through the delivery of a new model of assistance and support. The model required a change in traditional commissioning practices to a person-centered approach that promoted independence and positive outcomes for individuals and ensured value for money.

She added that the Adult Social Care Remodeling Programme was well underway, with a detailed schedule of work being taken forward to achieve the new model of assistance and support. As part of the Programme, a Dementia Strategy Project Team had been established.

The Corporate Director Social Services and Wellbeing advised that there had been a comprehensive consultation and engagement exercise on the dementia strategy and delivery plan during the summer period, which had included:-

- Coffee morning for carers and service users;
- Visiting BCBC dementia services to talk to service users and care staff;
- A Third Sector presentation and workshop;
- Attending service user and carer forums;
- Public consultation via the BCBC website

The Corporate Director Social Services and Wellbeing stated the Strategy identified five dementia priority areas which were as followed:

- Improved service provision
- Improved diagnosis and timely interventions
- Improved access to better information
- Improved training
- Improved accommodation

The consultation asked the following:

- Do you agree or disagree that the priority areas identified should be a priority in the strategy and delivery plan?

In respect of the lower-level objectives that sat beneath each of the priority areas –

- Do you agree or disagree with the measurements that had been identified to deliver against the priority?

The Corporate Director Social Services and Wellbeing advised that in the main, the feedback confirmed that the priority areas were the right ones. However, it was felt that Priority 5 (improved accommodation) was too narrow, and should be expanded to cover wider elements such as transport and communities.

The Cabinet Member Adult Social Care and Health and Wellbeing welcomed the report and recognised the hard work of staff that had gone into producing it. He stated that Dementia was on the increase in younger people and people were also living longer with the illness which had and would continue to put increased pressure on the Authority.

The Cabinet Member Resources stated that Dementia was a big strain, not only on the sufferer but also that of the family members of those who were affected by the illness. He added that Mental Health suffered with a lack of adequate funding and that more was needed to support sufferers and their families in the Borough.

RESOLVED: That Cabinet:

1. Noted the consultation exercises undertaken in order to further develop the draft Dementia Strategy and Delivery Plan
2. Approved the joint Dementia Strategy 2015-18 attached as Appendix A for publication
3. Approved the joint Dementia Delivery Plan 2015-16 attached as Appendix B for publication

811. SAFEGUARDING OF VULNERABLE ADULTS

The Corporate Director Social Services and Wellbeing informed Cabinet of the work undertaken to safeguard some of the most vulnerable people in the County Borough. She stated that the Welsh Assembly Government published "In Safe Hands" in 2000 and the document still provided guidance for local authorities and their partners, on how to develop codes of practice to prevent, identify, investigate and record allegations of adult abuse. In April 2011, The Wales Interim Policy and Procedure for the Protection of Vulnerable Adults was launched. The Corporate Director Social Services and Wellbeing advised that the Mental Capacity Act 2005 provided a statutory framework for acting and making decisions on behalf of individuals who lacked mental capacity to do so for themselves. She added that in 2007, the Deprivation of Liberty Safeguards (DoLS) was introduced to provide a legal framework to prevent breaches of the European Convention on Human Rights following the 'Bournewood' judgement.

The Corporate Director Social Services and Wellbeing stated that The White Paper Sustainable Social Services for Wales: A Framework for Action highlighted a number of challenges faced by public services in Wales. These included demographic changes, increased expectations from those who accessed care and support as well as continuing hard economic realities. The new Social Services and Wellbeing (Wales) Act 2014 aimed to address the issues and in doing so would give people greater freedom to decide which services they needed while offering consistent, high-quality services across the country. The 2014 Act would be implemented in April 2016 and expected collaboration across Local Authority Areas to improve consistency within the wider Health Board footprint. The Western Bay Safeguarding Adults Board (WBSAB) had been established to promote, inform and support multi agency safeguarding adults' work across Bridgend, Neath Port Talbot and Swansea local authority areas.

The Corporate Director Social Services and Wellbeing stated that a report was published in May 2015 by Margaret Flynn "In Search of Accountability" which she urged Members to read if they hadn't already had a chance to do so. It detailed the findings of Operation Jasmin, a major police investigation that concerned 63 deaths which were a cause for concern in care homes and nursing homes for older people in the Gwent area. She explained that Welsh Government set up a review of Operation Jasmin in order that authorities may 'learn for the future' and made a number of recommendations for the residential and nursing home sector, Public Health Wales, Adult Safeguarding Boards, Gwent Police, NHS Wales and the General Medical Council. In light of the report, the Council had reviewed the policies and procedures for monitoring the quality of care in residential and nursing home settings to take account of the recommendations that were set out in the report.

The Corporate Director Social Services and Wellbeing informed Cabinet that the Safeguarding Team had developed over the last two years to include three full time Contracting and Quality Monitoring Officers that undertake contract monitoring and quality visits in 25 residential and nursing establishments and 13 domiciliary care

providers. She added that Regional Quality Standards had been commissioned across Western Bay and they were used to benchmark standards against services monitored.

The Corporate Director Social Services and Wellbeing stated that the Mental Capacity Act 2005 clarified the law about decisions that needed to be made on behalf of those people who lacked mental capacity. She added that the Council as the Supervisory Body was responsible for considering requests from Managing Authorities (registered care settings) to deprive a person of their liberty. The supervisory body was responsible for managing the process and commissioning the assessments which comprised of six individual assessments which needed to meet the legal criteria and was in the person's best interest for the authorisation to be granted.

The Cabinet Member Adult Social Services and Health and Wellbeing stated that he attended The Western Bay Safeguarding Adults Board alongside the Corporate Director for Social Services and Wellbeing earlier in December and members of the panel were concerned and distressed by the report that was published by Margaret Flynn concerning the 63 deaths in the Gwent area. He added that £15 million was spent on investigating the deaths to establish who was responsible. He urged Members if they had not yet had a chance to read the report to do so as it was a real eye opener to him.

The Deputy Leader added that many of us would like to think that the findings in the report published by Margaret Flynn did not occur anymore but it was upsetting that it does still occur. He added that CSSIW, the Health Board and the Local Authority were aware of what was going on and had taken action to try and address the problem. However it was horrendous that the vulnerable adults were not receiving their basic rights such as food and water. He stated that we all like to think the best of people but that we should always remain vigilant, he added that we should be reassured that BCBC had taken action previously when the level of care in care homes had not met the required standards and that BCBC remained vigilant.

RESOLVED: That Cabinet:

1. Noted developments in the safeguarding of vulnerable adults across the County Borough of Bridgend
2. Noted that a further report would be presented to Cabinet on Operation Jasmine

812. PROPOSAL TO ESTABLISH A PARTNERSHIP WITH THE RNLI TO OPERATE A SEASONAL BEACH LIFEGUARDING SERVICE AT LOCAL BEACHES

The Corporate Director Social Services and Wellbeing submitted a report to Cabinet to request approval to establish a partnership with the RNLI to operate a seasonal beach lifeguarding service at local beaches. Bridgend County Borough Council had, for an extensive period of time, directly employed a seasonal beach lifeguarding workforce comprised of seasonal employees at Coney Beach, Rest Bay, Trecco Bay and Pink Bay. She added that there had been a strong tradition of working in partnership with surf lifesaving clubs and also the landowners of the respective beaches which were not in the ownership of the Local Authority. Whilst local clubs developed the skills and knowledge of surf lifesaving amongst their membership and provide periodic voluntary patrolling, this operated alongside the paid beach lifeguarding service at defined times of the year.

The Corporate Director Social Services and Wellbeing advised that it was proposed that Bridgend County Borough Council considered a partnership approach to operating seasonal beach lifeguarding services for the following reasons:

- The RNLI is a unique organisation due to its core focus on coastal safety to be able to support the Local Authority to maintain levels of service and achieve efficiencies also.
- The model that is being proposed currently operates successfully at Local Authorities across the Welsh coast including the neighbouring Local Authority areas of the Vale of Glamorgan, Neath Port Talbot and Swansea.

The Corporate Director Social Services and Wellbeing stated that the RNLI, through national and local fund raising activity, would generate investment towards the costs of operating the Porthcawl beaches, which would be supplemented through the partnership with the Local Authority and stakeholders. She added that Bridgend County Borough Council would agree a fixed seasonal fee that met the budget available to the service area and additionally would work with partners to generate support for operational costs or enhanced service development.

The Corporate Director Social Services and Wellbeing informed Cabinet that during the summer of 2015, the RNLI conducted a risk assessment of the four local beaches to identify the appropriate level of staffing required by local circumstances. The costs that had been presented would maintain service levels for 2016-17 and also support Bridgend County Borough Council to deliver its medium term financial strategy. The RNLI would manage recruitment, training, event cover, equipment, uniforms, supervision and management. She added that the initial discussions with beach owners had identified that beyond the model of a directly managed service, a partnership with the RNLI would be considered acceptable.

The Cabinet Member Adult Social Care and Health and Wellbeing thanked officers for their hard work in their deliberations. He added that support from all land owners of the private beaches would have been welcomed for the models of seasonal beach lifeguarding service rather than just receiving their permissions.

RESOLVED: That Cabinet approved the proposal to establish a partnership with the RNLI to operate seasonal beach lifeguarding services for 2016/17

813. AMENDMENT TO THE SCHEME OF DELEGATION OF FUNCTIONS

The Assistant Chief Executive Legal and Regulatory Services submitted a report to Cabinet that sought approval for the amendment to the Scheme of Delegation of Functions. It was proposed that the following amendment was made to the Scheme of Delegations:- Scheme B2 Paragraph 3.3 to be amended as follows:

To recommend to the Assistant Chief Executive Legal and Regulatory Services the commencement of criminal proceedings in respect of fraudulent Council Tax Reduction Claims. It was further proposed that the following amendments were made to the scheme of delegations:

- Scheme B2, paragraph 2.54 be removed as it is a duplicate of paragraph 2.21;
- "Scrap Metal Dealers Act 2013" be inserted into the legislative provisions listed at Scheme B2, paragraph 2.58;
- Scheme B2, paragraph 2.59 be amended as follows:

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- To conduct age related surveillance under the Regulation of Investigatory Powers Act 2000
- Scheme A, paragraph 2.2 be amended as follows:
 - To allocate Capital Programme funds to Town and Community Councils to facilitate community projects, upon the recommendation of the Corporate Property Group.

RESOLVED: That Cabinet noted the content of the report and approved the amendments to the Scheme of Delegation of Functions

814. ARMED FORCES COMMUNITY COVENANT - LEAD OFFICER

The Assistant Chief Executive submitted a report to Cabinet to appoint a new Lead Officer for the Armed Forces Community Covenant. He informed Members that there was a significant amount of work being undertaken within Bridgend County Borough to underpin their commitment to Bridgend's Armed Forces Community Covenant. He stated that on 8 January 2013, Cabinet nominated the Assistant Chief Executive Legal and Regulatory Services to be the Lead Officer for the Covenant. It was proposed that the Head of Democratic Services was now appointed to take over the role.

RESOLVED: That Cabinet

1. Noted the work being undertaken in the County Borough
2. Approved the appointment of the Head of Democratic Services as the Lead Officer for the Armed Forces Community Covenant.

815. INFORMATION REPORTS FOR NOTING

The Assistant Chief Executive Legal and Regulatory Services presented a report, the purpose of which was to inform Cabinet of the Information Reports that had been published since the last meeting.

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

<u>Title</u>	<u>Date Published</u>
Proposed Reconfiguration of the Community space at Coleg Cymunedol Y Dderwen	9 December 2015
Gambling Act 2005 Statement of Licensing Principles 2016-2019	9 December 2015

816. URGENT ITEMS

None

817. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, the public be excluded from the meeting during consideration of the following items of business as they contained exempt information as defined in Paragraphs 14

and 16 of Part 4 and Paragraph 21 of Part 5 of 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 it was resolved that pursuant to the Act referred to above, to consider the under-mentioned item in private with the public being excluded from the meeting as it would involve the disclosure of exempt information as stated above.

<u>Minute No.</u>	<u>Summary of Item:</u>
818	Procurement of Waste Management Services at the materials recovery and energy centre Crymlyn Burrows (MREC)

818. PROCUREMENT OF WASTE MANAGEMENT SERVICES AT THE MATERIALS RECOVERY AND ENERGY CENTRE CRYMLYN BURROWS

The meeting closed 3.33pm