

# Public Document Pack

CABINET - TUESDAY, 16 FEBRUARY 2016

MINUTES OF A MEETING OF THE CABINET HELD IN COMMITTEE ROOMS 1/2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 16 FEBRUARY 2016 AT 2.30 PM

## Present

Councillor – Chairperson

MEJ Nott OBE  
HJ Townsend

HJ David  
PJ White

M Gregory  
HM Williams

CE Smith

## 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
Andrew Rees	Senior Democratic Services Officer - Committees

## 830. APOLOGIES FOR ABSENCE

None.

## 831. DECLARATIONS OF INTEREST

Councillor M Gregory declared a personal interest in agenda item 8 - School Modernisation Programme: Proposal to consult on a Regulated Alteration to Pencoed Primary School as a member of the Governing Body of Pencoed Primary School.

## 832. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of Cabinet of 12 January 2016 be approved as a true and accurate record.

## 833. WALES AUDIT OFFICE - CORPORATE ASSESSMENT REPORT ON BRIDGEND COUNTY BOROUGH COUNCIL JANUARY 2016

The Chief Executive introduced the Auditor General's report on the Corporate Assessment of the authority undertaken by the Wales Audit Office. He stated that the Auditor General had concluded the authority compared favourably with other Councils in Wales.

The Chief Executive summarised the key findings of the Corporate Assessment in that the Auditor General had found that the Council was developing key strategic themes for the future in consultation with its citizens and other key stakeholders. The Auditor General had found that the Council has effective governance arrangements in place which would support improvement and drive change and Cabinet members are fully engaged in the development of the new vision playing an active role in considering options for change and establishing new policy direction and alternative methods of

delivery. The Auditor General had also found that Cabinet and the Corporate Management Board work well together to develop options for the future role of the Council. He acknowledged the strengths of the Medium Term Financial Strategy from which a range of projects and activities had evolved and its linkages with the Corporate Plan. The Auditor General had also found that the Council had adopted different models of service delivery through the Cultural Trust model, the Halo/GLL contract and Kier Group waste management contract and had arranged for their scrutiny. The report recognised the work of the Cabinet Committees in making a positive contribution to improvement and that the scrutiny function is transparent and accessible. The Auditor General found that elected Members enjoyed a range of opportunities that equipped them with the skills needed to discharge their roles effectively. The Auditor General also found that the Council has a clear focus on performance management and the strengths of the Performance Management Framework. The Council's Corporate Performance Assessment had been singled out for its positive practice as a very effective means of holding directorates to account. The Auditor General also found the Council to handle financial and asset management well and had made significant progress in rationalising its property portfolio.

The Chief Executive informed Cabinet that the Auditor general had found no reason to make any formal recommendations, conduct an investigation or recommend that Ministers of Welsh Government but had made the following eight proposals for improvement;

- Establishing a vision of the Council for 2020 that will support a strategic approach to service delivery and guide service planning;
- Review measures of success to ensure they enable an evaluation of intended performance and that the expectation of performance is based upon that measure;
- Develop both its ICT and its human resource services so they can support the Council's transformation agenda;
- Ensure that service business plans take into consideration future property requirements; and
- Develop measures to evaluate the success of key activities performed in collaboration with the Local Service Board.

The Leader informed Cabinet that the Corporate Assessment is very encouraging and showed that the Council is moving in the right direction and that it should be proud of its achievements.

RESOLVED: That Cabinet noted the Corporate Assessment Report produced by the WAO.

834. CITY DEAL

The Chief Executive reported on an update on progress made since the Cabinet report of 24<sup>th</sup> November 2015 which set out what a "City Deal" was expected to achieve and the component parts which make up a Deal. He informed Cabinet that since that time significant progress had been made with the Welsh and UK Governments making public statements of their intention to each commit £580m additional funding to an investment fund for the region.

The Chief Executive informed Cabinet that officer with external advisors have been preparing a Business Case – Proposals Document which, when finalised will be presented to the Leaders of all ten local authorities for approval. The document will set out a strategic statement, the proposed funding composition of the Deal, the proposed

governance structure for the local authority partners (including the need for a commitment from each party for the duration of the Deal) and a series of asks and offers. He stated that in advance of the document being finalised, challenge sessions will be held this month with both the UK Government and the Welsh Government to test the robustness and deliverability of the outline proposals. It was proposed that the local government representation at these sessions should comprise three Council Leaders from RCT, Cardiff and Monmouthshire Councils together with a senior representative from both the private sector and the Higher Education sector, with the Leader of RCT Council acting as the Chair. It was proposed that subject to these sessions and the agreement of the proposals document by all parties a formal announcement may be made in the commencing 7 March 2016.

The Chief Executive informed Cabinet that only once each constituent party is in full agreement to the proposals being put forward and content to sign up to the Deal document it will become binding, which could take between six to eighteen months. He stated the key elements of the Deal document include governance arrangements; collaboration and the establishment of a dedicated delivery unit. He informed Cabinet that the Council would be required to commit £35m over the life of the fund. However, signing the deal document would not commit the Council to expenditure and as the business case was developed over the next six to eighteen months this would lead to greater clarity over the anticipated costs and benefits to Bridgend and a further report would be brought to Cabinet and (Council if appropriate) setting out the financial implications.

The Cabinet Member Communities in commending the proposal stated that this was the next step in the journey towards the City region and he welcomed the governance arrangements being put in place and the involvement of the business sector and higher education sector in the City Deal.

**RESOLVED:** That Cabinet:  
1. Noted the contents of the report;

In the event that a Deal was agreed by the UK Government, Welsh Government and Local Government, the Leader of the Council was authorised to sign the formal "City Deal" offer document on the basis that it did not commit the Council to any expenditure until such time as the detailed proposals were negotiated and agreed between the constituent parties.

**835. BUDGET MONITORING - QUARTER 3 2015-16**

The Corporate Director Resources provided an update on the Council's financial position as at 31 December 2015. She stated that there was an overall projected under spend of £1.165m which comprised under spends of £602k on Directorates and £563k on corporate budgets. The budget had been set on the basis of budget reduction requirements across the Council's budget of £11.225m. She stated that in some cases, proposals to meet this requirement had been delayed, or had found to be unachievable and in these cases Directorates had identified alternative proposals such as holding vacancies to bridge any in-year shortfall.

The Corporate Director Resources reported that Cabinet at its meeting on 12 January 2016 approved for consultation a Draft Budget for 2016-17 and an outline Medium Term Financial Strategy (MTFS) which estimated the Council will have to find £36.5m of recurrent budget reduction proposals between 2016 and 2020. The Corporate Director Resources informed Cabinet that consideration would be given at year end to the overall financial position of the Council including the final outturn, any accrued Council tax

income, the Council's reserve levels and any new pressures or risks that need to be provided for. Directors will be invited to submit earmarked reserve requests to meet any specific unfunded one-off expenditure expected to arise in 2016-17 which will be considered in the context of Directorate outturn positions. She informed Cabinet that at this stage, officers were aware of two significant issues that subject to business cases and Cabinet / Council approval will require significant investment during the MTFS period, namely, the Digital Transformation Programme and the provision of Extra Care facilities. She was also developing a business case for making a contribution to the Pension Fund to meet outstanding superannuation liabilities as a means of reducing pressure on the Council's revenue budget in the future by slowing the rate of employer contribution rate increases. Consideration would also be given to repaying outstanding prudential borrowing where this was affordable and would reduce future capital financing charges.

The Corporate Director Resources also reported on the monitoring of budget reduction proposals in that 76% of the proposals were green compared to 83% at the half year stage. Nine proposals were Red, which total £1.230m and are unlikely to be realised during this financial year. Nine budget reduction proposals are currently Amber, which total £1.481m and likely to be partially realised in the current financial year. She stated that Directors had found short term measures to manage the in-year shortfall caused by the Red and Amber budget reductions.

The Corporate Director Resources reported on the position on the Council wide budgets which is £39.642m with a projected outturn of £39.079m, resulting in an under spend of £563k. She stated that the half year position had identified an under spend on corporate budgets of £775k which had been transferred to earmarked reserves to support the capital programme following a review of the Council's investment needs. The main variances at this quarter related to underspend the Council tax reduction Scheme; Building Maintenance and other Corporate Budgets, offset by a transfer of £750,000 to the Revenue Contribution to Capital reserve. She stated that the forecast outturn for Corporate Budgets could change towards the end of the financial year, depending on additional redundancies incurred during the remainder of the financial year, the extent of inclement weather, further demands on the Council tax reduction Scheme and the superannuation business case.

The Corporate Director Resources reported on the monitoring of the capital programme for 2015-16, whereby Council in October 2015 approved a revised capital programme of £40.223m. The current capital programme budget totalled £40.088m of which £24.794m is the Council's resources with the remaining £15.294m coming from external grants. The main reasons for the difference between the October programme and the current programme are the provision of a new artificial pitch at Pencoed Comprehensive School; additional Welsh Government funding for the Coity by-pass land compensation scheme and adjustments against the Vibrant and Viable Places Programme to maximise grant. There was a projected under spend of £62k against budget after slippage of £8.399m, affecting the 21<sup>st</sup> Century Schools Programme; Housing Renewal / Disabled Facilities Grants and the Relocation and Rationalisation of Depot Facilities. She stated that at this point in the financial year and following discussions with Directorates projects will be in line with the revised budget. However this was dependent on any inclement weather which may be experienced which may place additional pressure on project timescales.

The Corporate Director Resources also reported that the Council is required to maintain adequate financial reserves to meet its needs. She stated that Directorates in the period until December 2015 had drawn down £288k of funding from their Directorate specific earmarked reserves and £940k from Corporate Reserves including the Major Claims Reserve and the Change Fund.

RESOLVED: That Cabinet noted the projected revenue and capital outturn position for 2015-16.

836. LA GOVERNOR APPLICATIONS

The Corporate Director Education and Transformation sought approval for the appointment of Local Authority governors to the school governing bodies listed.

RESOLVED: That Cabinet approved the appointments listed in paragraph 4.1 of the report.

837. SCHOOL MODERNISATION PROGRAMME: PROPOSAL TO CONSULT ON A REGULATED ALTERATION TO PENCOED PRIMARY SCHOOL

The Corporate Director Education and Transformation sought approval to commence consultation on proposals to make a regulated alteration to Pencoed Primary School by relocating the school to the site of the school playing fields at Penprysg Road, Pencoed with effect from 1 April 2018.

The Corporate Director Education and Transformation reported that Cabinet at its meeting on 8 February 2011 determined to discontinue Heol y Cyw Primary School from 31 August 2011 and to make a prescribed alteration to Pencoed Primary School whereby it was enlarged and operated on 3-11 provision as a split site from the Heol Y Cyw premises and Pencoed premises until the end of the summer term 2014, or upon completion of the new building Pencoed Primary School. Cabinet also resolved to change the catchment area of Pencoed Primary School to include the current catchment area of Heol Y Cyw Primary School.

The Corporate Director Education and Transformation reported that in order to relocate Pencoed Primary School to a new build school on the school playing fields it was necessary to consult in respect of a regulated alteration. The Heol y Cyw site is situated more than one mile from the entrance of the proposed new school entrance and as a result of the School Organisation Code 2013 this regulated alteration dictates that the statutory process is followed. She stated that subject to the outcome of the consultation, Welsh Government approvals and planning permission, the regulated alteration would become effective from April 2018. The new build school would have a capacity of 510 for pupils aged 4-11, a 70 place nursery, 8 places for the visually impaired, 8 infant observation places and 2 classes of 15 places for pupils with moderate learning difficulties, the published admission number for the school would be 72.

The Corporate Director Education and Transformation informed Cabinet that the first stage of the statutory process is to undertake consultation with stakeholders over a 6 week period. Following this period of consultation a further report on its outcome would be submitted to Cabinet to consider the responses to the consultation process and to consider authorising the publication of a statutory notice. A further report would be presented to Cabinet on the outcome of the statutory notice process and any objections received. If there were no objections to the public notices, Cabinet would be recommended to make a final decision. If there are any objections, an objections report containing a formal response would be prepared and submitted to Cabinet to make a final decision on whether or not to proceed with the proposals.

The Deputy Leader informed Cabinet that plans for a replacement 3-11 school for Pencoed Primary on a single site had been put in place since 2011. He also informed

Cabinet of the importance of undertaking the consultation and he looked forward to the views of the local community, staff, pupils and governing body on the proposals.

**RESOLVED:** That Cabinet agreed to consultations with the governing body, staff, parents, pupils, the community and other interested parties, with the outcomes reported back to Cabinet, on the proposals to make a regulated alteration to Pencoed Primary School by relocating the whole school to the site of the school playing fields on Penprysg Road with effect from April 2018.

838. **SCHOOL MODERNISATION PROGRAMME: PROPOSAL TO CONSULT ON APPROPRIATION OF LAND FOR EDUCATIONAL PURPOSES AT BETTWS ROAD, BETTWS**

The Corporate Director Education and Transformation reported on a proposal to consider the appropriation of land for educational purposes at Bettws Road, Bettws which currently forms part of an open space.

The Corporate Director Education and Transformation informed Cabinet that an agreement was reached in late 1969 / early 1970 between Ogmere & Garw Urban District Council and Glamorgan County Council that the land be developed for joint use by both authorities as playing fields. However Council records indicate that Bettws Primary School had had exclusive of the open space during school hours for school activities since 1970. She stated that the Council's Parks Department had inspected and maintained the play equipment located within the land and Bettws Primary School maintained the playing fields.

The Corporate Director Education and Transformation reported that Cabinet at its meeting on 31 March 2015 agreed to proceed with a replacement of Bettws Primary School on the playing fields of the existing school site. She stated that Cabinet at its meeting on 1 September 2015 approved the proposal to relocate Ysgol Gynradd Gymraeg Cwm Garw to the existing Bettws Primary School site with effect from September 2018. She informed Cabinet that as part of the planning process an objection had been received to the proposed loss of public open space. The Corporate Director Education and Transformation stated that due to the existing dual use of the land, as playing fields and public open space, appropriation of the land under Section 122 (1) Local Government Act 1972 for educational purposes was recommended by the Council's legal officer, as the land is currently used for educational purposes during the school day, and informal recreational space outside school hours.

The Deputy Leader informed Cabinet that the land has been used exclusively by Bettws Primary School as playing fields since the 1970s and that appropriation of the land is essential to the development of two schools on this site. He also informed Cabinet that two new all-weather sports pitches will be developed on the site for community use and flood-lighting for one of the pitches funded by the Garw Valley Community Council.

**RESOLVED:** That Cabinet approved the publication of a S122(2A) Local Government Act 1972 Notice and would consider any objections received in order to assess whether land forming part of an open space at Bettws Road, Bettws should be appropriated for educational purposes.

839. **SENIOR OPEN CHAMPIONSHIP, ROYAL PORTHCAWL 2017**

The Corporate Director Communities sought approval for the contribution of funding and officer support to the Senior Open Championship 2017 and to work to establish Royal Porthcawl as a venue capable of hosting the Open Championship.

The Corporate Director Communities reported that Bridgend County hosted the first golf major in Wales when Royal Porthcawl hosted the Senior Open Championship in 2014. He stated that it was estimated that over 43,000 people attended the event, generating an estimated economic impact of £2.16m. In addition the media equivalence value from comprehensive television coverage for Porthcawl and the County Borough was calculated at a further £5.2m. Prior to hosting the Senior Open Championship, Royal Porthcawl had hosted many prestigious tournaments resulting in the scale and calibre of championship golf hosted in the County Borough increasing significantly.

The Corporate Director Communities reported that the Senior Open Championship will return to Royal Porthcawl in 2017 with the level of spectators and predicted economic impact close to that of 2014. He stated that the Welsh Government is supporting the delivery of the three Senior Open Championships between 2014 and 2024 with a grant of £5m and a request had been made by the event organisers for a contribution from the Council of £50k. The proposed contribution of £50k is the total capped funding package requested from the Council towards the event to cover the costs associated with any or all of the costs indicated in the report as considered appropriate by the European Senior Tour (EST) in return for the benefits indicated in the report to the Council and the substantial estimated impact on the local economy. He stated that this support would not only benefit in the short term with the intention of the event in 2017 being as successful as the event in 2014, but would also support work towards the destination being selected to act as a host for the Open Championship in the future.

The Corporate Director Communities reported that Royal Porthcawl is considered as the most likely destination in Wales to host an Open Championship, the economic impact of hosting the tournament had been estimated at £70m which would be a considerable return on investment from hosting major golf tournaments. He outlined a proposal whereby the Regeneration Service would establish a Senior Open Championship 2017 liaison group with representation across the Council and a representative of the EST. The group will aim to provide advice and guidance to the EST to assist with their decision making, broker relationships between the EST and local stakeholders and identify opportunities in relation to local partnership development, business engagement and promotion and marketing for the EST to take forward.

The Cabinet Member Regeneration and Economic Development in commending the proposals stated that this event would draw attention to the County Borough and the Capital region on a global basis. He stated there was also a need to embrace the ambition of hosting the Open Championship in the future.

In response to a question from the Cabinet Member Childrens Social Services and Equalities, the Corporate Director Communities stated that he would look at the potential for admission tickets to be made available to looked after children.

**RESOLVED:** That Cabinet:

1. Approved the proposed contribution of £50,000 for the purposes in set out in paragraph 4.4 of the report;
2. Authorised officers to establish and support a Senior Open Championship liaison group for the purposes set out in paragraph 4.7 of the report;

3. Authorised officers to work with the Royal Porthcawl Golf Club to establish the venue as an Open Championship course within the next 10 years.

840. REPRESENTATION ON OUTSIDE BODIES AND JOINT COMMITTEES

The Assistant Chief Executive Legal and Regulatory Services sought approval for the appointment of Members to fill vacancies which had arisen on the Valleys to Coast Management Board and the Swansea Bay Health Authority.

RESOLVED: That Cabinet:

1. Appointed the Cabinet Member for Children's Social Services and Equalities and Councillor D Patel as two of the three member representatives on the Valleys to Coast Management Board for the remainder of this administrative year and until May 2017;
2. Appointed the Cabinet Member for Regeneration and Economic Development as one of the two representatives on the Swansea Bay Port Health Authority for the remainder of this administrative year and until May 2017.

841. 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>
Estyn Inspection Outcome for Newton Primary School	10 February 2016
Estyn Inspection Outcome for Garth Primary School	10 February 2016
Estyn Inspection Outcome for Ffaldau Primary School	10 February 2016
Update on Bridge Alternative Provision	10 February 2016
Monitoring Report – Complaints, Freedom of Information and Data Protection	10 February 2016
Active Travel Act – Existing Routes Map	10 February 2016
Treasury Management Activities and Treasury and Prudential Indicators	10 February 2016



2015-16

The Deputy Leader congratulated the staff, pupils and governing body of Newton Primary School on the good outcomes of their recent Estyn inspection. He also congratulated the staff, pupils and governing bodies of Ffaldau Primary School and Garth Primary School on the outcome of their recent Estyn inspection where the school had made strong / very good progress in all recommendations and were removed from any further follow-up activity.

842. URGENT ITEMS

There were no urgent items.

843. 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 items in private with the public being excluded from the meeting as they would involve the disclosure of exempt information as stated above.

844. APPROVAL OF EXEMPT MINUTES

845. AWARD OF CONTRACTS IN RESPECT OF THE SUPPORTING PEOPLE PROGRAMME AND LEARNING DISABILITY SERVICES

846. COUNTY BOROUGH SUPPLIES CLOSURE REPORT

The meeting closed at 3.40 pm

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