

MINUTES OF A MEETING OF THE CABINET HELD IN COMMITTEE ROOMS 1/2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 26 JULY 2016 AT 2.30 PM

Present

Councillor MEJ Nott OBE – Chairperson

HJ David

HJ Townsend

PJ White

CL Reeves

Officers:

Randal Hemingway	Head of Finance & Section 151 Officer
Darren Mephram	Chief Executive
Deborah McMillan	Corporate Director Education & Family Support
Mark Shephard	Corporate Director - Communities
Susan Cooper	Corporate Director - Social Services & Wellbeing
Andrew Jolley	Corporate Director Operational & Partnership Services
Andrew Rees	Senior Democratic Services Officer - Committees

952. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors CE Smith and HM Williams.

953. DECLARATIONS OF INTEREST

None.

954. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of Cabinet of 5 July 2016 be approved as a true and accurate record.

955. BUDGET MONITORING - QUARTER 1 2016-17

The Section 151 Officer reported on an update on the Council's financial position as at 30 June 2016.

He informed Cabinet that Council on 10 March 2016 had approved a net revenue budget of £254.891 million for 2016-17 along with a capital programme of £43.553 million, which was revised to £49.530 million. He reported that the projected position as at 30 June 2016 was a net over spend of £164,000, comprising a £564,000 net over spend on Directorates and a £400,000 under spend on corporate budgets. The Section 151 Officer stated that the Medium Term Financial Strategy (MTFS) approved by Council in March 2016 had identified the need to develop recurrent budget reduction proposals, based on the most likely scenario amounting to £35.5 million over the next four years.

He reported on the monitoring of budget reduction proposals in that of the £11.225 million budget reduction proposals for 2015-16, £2.692 million were not met in full, with a shortfall in the financial year of £1.909 million. There remained a shortfall of £1.172 million in 2016-17 against these specific proposals. The sum of £333,000 had been transferred to the earmarked reserve in 2016-17 which will be used to partly mitigate the shortfall on MREC, Blue Badges and School Transport. He reported that of the budget reductions proposals totalling £7.477 million, five of the proposals totalling £1.007 million are Red and thirteen of the proposals are Amber, which total £1.115 million. He stated that work is ongoing to deliver the proposals or alternatives which have been reflected in

the forecast outturn for the year. He summarised the financial position for each main service area by Directorate as at 30 June 2016.

The Section 151 Officer reported on the position on the Council wide budgets which is £43.144m with a projected outturn of £42.744m, resulting in a projected under spend of £400,000 as a result of lower demand than forecast for the Council Tax Reduction Scheme. He stated that this projection could change significantly during the financial year, depending on the cost of redundancies incurred during the financial year, the extent of inclement weather, inflationary changes and demands on the Council Tax Reduction Scheme.

The Section 151 Officer reported on the monitoring of the capital programme for 2016-17, which was approved by Council in March 2016, and revised in May and July 2016. The revised programme totalled £49.530 million, of which £35.378 million is met from Council resources with the remaining £14.152 million coming from external grants.

RESOLVED: That the projected revenue and capital outturn position for 2016-17.

956. RESIDUAL WASTE COLLECTION DISPENSATIONS PUBLIC CONSULTATION PROPOSALS

The Corporate Director Communities sought approval to enter into public consultation on possible dispensations to the two bags per fortnightly restriction on the collection of residual household waste, from 1 April 2017 for households with a high number of occupants and for households disposing of ash from coal fires.

He reported that the Waste Collections and Household Waste Amenity Sites contract is currently in the process of being re-procured and will operate from 1st April 2017 to 31st March 2024. At present all residual waste presented by householders is collected by the waste contractor. In order to meet very stringent Welsh Government recycling targets changes to the collection arrangements will be required which would be the subject of public consultation. He stated that during the previous eight week public consultation, a number of questions were raised by the public to the proposal to restrict the number of residual bags that householders could present for collection to two bags per fortnight. The public had highlighted the two areas set out above as being of particular concern and whether the Council would consider providing dispensation from the proposed restriction. It was requested that a further round of public consultation be undertaken to inform and develop proposals for dispensation.

He also reported that the issue of the disposal of pet waste had been raised in the previous consultation. He stated that allowing such a dispensation was considered, however due to the need to achieve current and future statutory recycling targets and to reduce the waste disposal costs by the Council, increasing the amount of waste to be disposed to landfill would make this dispensation cost prohibitive and the Council was unable to offer any form of dispensation for pet waste disposal.

The Cabinet Member Communities commented on the need for further public consultation to be carried out in relation to dispensations for the two areas identified but that it was not practical to offer a dispensation for the disposal of pet waste.

RESOLVED: That Cabinet approved public consultation on proposed dispensations from the Council's policy for restricting household residual waste collections to two bags per fortnight from 1 April 2017 in the circumstances detailed below: -

1. Households with a high number of occupants.
2. Households disposing of ash from coal fires.

That Cabinet noted that a further report will be brought forward for consideration by Cabinet, which will set out in detail: -

1. The findings of the public consultation.
2. Recommendations on what dispensations should be granted.
3. Details of the criteria to be used when considering applications from the public for dispensation from the collections restriction.

957. SOCIAL SERVICES ANNUAL REPORT 2015/16

The Corporate Director Social Services and Wellbeing presented her Annual Report for 2015/16 requesting that the judgements reached locally about social care services in Bridgend be noted. She stated that the seventh Annual report was based on the authority's self-assessment of the performance and delivery of social services.

The Corporate Director Social Services and Wellbeing reported that aim of the Annual report is to provide the Council and people living in the Borough with an overview of the standard of social care. It also highlighted the progress made during the year and identified where improvements are needed during 2016/17. The Corporate Director Social Services and Wellbeing informed Cabinet that the report is in four parts, with the first part providing an overview of Bridgend and summarising the main achievements in 2015/16 and priorities for social services in 2016/17. The second and third sections provide more detail about the two main service areas of adult social care and safeguarding and family support and on performance and developments. She stated that arrangements in both children and adult services are generally sound, although there is always room for improvement and mistakes do occur. Services are generally effective in meeting the needs of people who require social care.

The Corporate Director Social Services and Wellbeing outlined the areas of good practice and areas for improvement and follow-up highlighted by the CSSIW. She stated that in line with the Social Services and Wellbeing (Wales) Act 2014, the process for producing the Annual Report will change and the arrangements for 2016/17 are being finalised.

The Cabinet Member Adult Social Care and Health and Wellbeing highlighted the good case studies outlined in the Annual Report. He stated that the Annual report had been well received by the Overview and Scrutiny process. The Cabinet Member Children's Social Services and Equalities thanked the officers of the Directorate for their hard work and in particular for driving forward changes to services to children with disabilities and children's social services. The Deputy Leader also commended the Directorate for the work undertaken to remodel adult social care and children's social services.

RESOLVED: That Cabinet noted the Director of Social Services Annual report for 2015/16.

958. SOCIAL SERVICES' FUNCTIONS IN RELATION TO PART 11 OF THE SOCIAL SERVICES AND WELLBEING (WALES) ACT 2014 UPDATE, AND TO SEEK APPROVAL TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH HMP PARC PRISON

The Corporate Director Social Services and Wellbeing reported on the authority's responsibilities in respect of the Secure Estate, following the implementation of the Social Services and Wellbeing (Wales) Act 2014. The Act introduced responsibilities on local authorities for addressing the care and support needs of all adults and children in the secure estate not just upon discharge but while they are in custody.

The Corporate Director Social Services and Wellbeing reported that there is a training and resettlement prison accommodating 1723 males from the age of 18 within the authority's boundary and which the authority is responsible for meeting the care and support needs of individuals with eligible needs. She outlined the responsibilities of the authority with regard to adults and children within the Secure Estate. She stated that the authority will also have responsibilities for looked after children in the Secure estate under Part 6 of the Act both as a home local authority and an authority in which a Secure Estate establishment for children is located.

The Corporate Director Social Services and Wellbeing also reported that the Head of Adult Social Care represents the Council on a National Steering Group convened to discuss the implementation of responsibilities of the four local authorities in Wales that have prisons within their boundaries. A Local Implementation Group has been established to develop a local implementation plan. Two senior social work practitioners and a senior occupational therapist had been appointed on temporary 9 month contracts to carry out assessments and develop managed care and support plans for those within the secure estate. This Team will support the work of the existing health board mental health in-reach team, with the posts being funded by the Welsh Government grant.

The Corporate Director Social Services and Wellbeing reported that to establish the secure estate service, work has progressed to resolve many of the governance issues associated with the development of this service which had led to a draft Information Sharing Protocol (ISP) and a Memorandum of Understanding (MOU). She stated that the process had not been straightforward due to the significantly challenging security ICT issues associated with the required security processes at HMP Parc. The Corporate Director Social Services and Wellbeing informed Cabinet that a mapping exercise has been carried out which indicated that there were 20 people waiting for integrated assessment and 40 requiring assessment for aids and equipment to support their daily living. The Corporate Director Social Services and Wellbeing also informed Cabinet that the authority is already working in partnership with HMP Parc on the Invisible Walls Wales project which works with families affected by parental imprisonment, with the aim of reducing the risk of re-offending.

The Corporate Director Social Services and Wellbeing informed Cabinet that the Memorandum of Understanding will set out the shared strategic intent and joint commitment of the authority with ABMU Health Board, HMP and Youth Offending Institute Parc under the leadership of G4S and National Offender Management Service to work together to ensure that people within the secure estate have access to appropriate social care support. She stated that the Information Sharing Protocol has been developed to support the regular sharing of personal information between the partner agencies to enable the delivery of effective care and support. An agreement would be entered into with G4S Medical Services Limited to provide appropriate care and support within the secure estate. She stated that this company currently provide such a service within the prison and due to the nature of the prison being an environment of a locked secure premises, outside agencies would need to go through

strict clearance processes in order to provide social care support to individuals in the secure estate. Therefore, G4S Medical Services Limited was technically the only potential provider of care and support services.

The Corporate Director Social Services and Wellbeing reported on the financial implications of funding social care for prisoners in that the authority received a Welsh Government grant of up to £236,744 in 2016/17. This funding was one for one year only and thereafter the funding would reduce to £217,448 on an ongoing basis. She stated that as this is a new responsibility and in order to understand the demand for services at HMP Parc, it was intended to establish a pilot team and evaluate the actual demand and cost of the service in the first year.

The Cabinet Member Adult Social Care and Health and Wellbeing commented that this was a new responsibility for local government had been awarded additional funding at the current level for this year only and it was too early to ascertain whether the level of resources was sufficient. The Deputy Leader expressed concern at the new responsibility had been moved from the prison service to local government with the burden for providing the service falling on council tax payers and requested that representations be made to the Welsh Government.

RESOLVED: That Cabinet:

- (1) Noted the information contained in this report; and the additional responsibilities for the Local Authority as a result of the implementation of the Social Services and Wellbeing Act (Wales) 2014.
- (2) Approved a waiver under Rule 3.2.3 from the requirement to seek competitive tenders for the provision of care and support within HMP Parc on the basis that there is technically only one organisation which can deliver this service
- (3) Delegated authority to the Director of Social Services and Wellbeing in consultation with the Corporate Director for Operational and Partnership Services and the Section 151 Officer to:
 - Finalise and approve the terms of a Memorandum of Understanding (MOU) with HMP Parc Prison and other strategic partners to set out agreed procedures for the provision of care and support for prisoners in the Secure Estate and execute the MOU on behalf of the Council;
 - Finalise and approve the terms of an interagency information sharing protocol (ISP) between Bridgend Council and relevant agencies to support the regular sharing of personal information between those agencies to enable them to deliver effective care and support and execute the ISP on behalf of the Council;
 - Subject to Cabinet's approval of a waiver under Rule 3.2.3, of the Contract Procedure Rules, finalise and approve the terms of a short term 'pilot scheme' agreement on the terms set out in paragraph [4.27] above with G4S Medical Services Ltd and arrange the execution of the final agreement on behalf of the Council.

- (4) Noted that the outcome of the pilot agreement with G4S will be reported back to Cabinet in due course and authority to enter into a longer term agreement, if appropriate, will be sought at that time.
- (5) Make representations to the Welsh Government via the WLGA to seek funding from the Prison Service to be devolved to the authority to enable it to provide services to the Secure Estate previously provided by the Prison Service.

959. **SCHOOL MODERNISATION PROGRAMME - GARW VALLEY SOUTH ACCEPTANCE OF TENDER AND CONTRACT AWARD**

The Corporate Director Education and Family Support reported that Cabinet in March 2015 agreed to proceed with a replacement of Betws Primary School on land used as the playing fields for the existing school site, which is also an area of public open space. Cabinet in September 2015 agreed to relocate Ysgol Gynradd Gymraeg Cwm Garw to the existing Betws Primary School site with effect from September 2018. She stated that a consultation on the appropriation of land at Betws Primary School to change the purpose of the land held for a leisure function to educational purposes was completed and planning approval obtained in May 2016.

The Corporate Director Education and Family Support reported that the procurement and tender process for the scheme was progressed on a two stage process, with officers currently undertaking the second stage of the process, inviting 7 contractors to tender. She stated that the value of the contract is above £5 million and Cabinet approval would normally be sought to award the contract to the most economically advantageous tender, in accordance with the Scheme of Delegation. However, the current timetable for the procurement process would result in the contract having to be awarded before the date of the next Cabinet meeting, with a risk of the spend profile not being met which may result in Welsh Government grant funding being lost. Delegated authority was sought to award the contract to the most economically advantageous tender for the construction of Betws Primary School and Ysgol Gynradd Gymraeg Cwm Garw subject to the cost of the overall scheme being within the budget available.

The Deputy Leader in commending the proposal stated that tenders will be evaluated on the basis of the most economically advantageous tender and also in accordance with quality and that the schools will be involved in the scoring process.

RESOLVED: That Cabinet:

- 1) Delegated authority to the Corporate Director, Education and Family Support to award the Contract to the bidder submitting the most economically advantageous tender, subject to the tender price being acceptable to the S151 Officer, and subject to receipt of Welsh Government funding approval.
- 2) Subject to the Contract being awarded in accordance with paragraph 8.1.1. of the report, delegated authority to the Corporate Director, Education and Family Support to enter into a construction Contract with any relevant ancillary agreements thereto, in consultation with the Director of Operational and Partnership Services, and arrange for execution of the same on behalf of the Council.

3) Noted that Cabinet will in due course receive an Information Report detailing the outcome of the tender process.

960. INFORMATION REPORTS

The Corporate Director Operational and Partnership Services presented a report, the purpose of which was to inform Cabinet of the Information Reports and minutes of a Joint Committee that had been published since the last meeting.

The Deputy Leader congratulated the staff, pupils and governing body of Caerau Primary School on the strong progress made against the post action plan which had been recognised by Estyn.

He also commented on the very positive feedback received from users of adult social care services as outlined in the Social Services Representations and Complaints Annual Report.

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

Title	Date Published
Social Services Representations and Complaints Annual Report 2015/16	20 July 2016
Corneli Primary School Post Inspection Action Plan	20 July 2016
Treasury Management Activities and Treasury Management and Prudential Indicators 2016-17	20 July 2016
Minutes of the Catalogue Supplies Joint Committee of 9 February 2016	20 July 2016

961. URGENT ITEMS

There were no urgent items.

962. 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 item of business as it contained exempt information as defined in Paragraph 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.

CABINET - TUESDAY, 26 JULY 2016

The Corporate Director Operational and Partnership Services confirmed that this item was not subject to the public interest test for reasons of legal professional privilege and should therefore be considered in private.

963. RE-COMMISSIONING INDEPENDENT DOMICILIARY CARE COMMISSIONING PLAN

The meeting closed at 3.30 pm