

T: 01495 356139 Ext./Est: 6139

E: committee.services@blaenau-gwent.gov.uk

Contact:/Cysylltwch â: Democratic Services



THIS IS A MEETING WHICH THE PUBLIC ARE ENTITLED TO ATTEND

18th November 2021

Dear Sir/Madam

ORDINARY MEETING OF THE COUNCIL

A meeting of the Ordinary Meeting of the Council will be held in Virtually Via Microsoft Teams - if you would like to attend this meeting live via Microsoft Teams please contact committee.services@blaenau-gwent.gov.uk on Thursday, 25th November, 2021 at 10.00 am.

Yours faithfully

Michelle Morris
Managing Director

AGENDA

Pages

1. SIMULTANEOUS TRANSLATION

You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided if requested.

2. APOLOGIES

We welcome correspondence in the medium of Welsh or English. / Croesawn ohebiaith trwy gyfrwng y Gymraeg neu'r Saesneg.

To receive.

3. **DECLARATIONS OF INTEREST AND
DISPENSATIONS**

To consider any declarations of interest and dispensations received.

4. **CHAIR'S ANNOUNCEMENTS**

To receive.

5. **ORDINARY MEETING OF THE COUNCIL** 9 - 32

To confirm and if thought fit, approve the Minutes of the Meeting held on 30th September, 2021.

6. **EXTRAORDINARY MEETING OF THE COUNCIL** 33 - 40

To confirm and if thought fit, approve the Minutes of the Meeting held on 4th November, 2021.

7. **PLANNING, REGULATORY AND GENERAL
LICENSING COMMITTEE (PLANNING MATTERS)** 41 - 58

To confirm the minutes of the meeting held on 2nd September, 2021.

8. **PLANNING, REGULATORY AND GENERAL
LICENSING COMMITTEE (PLANNING MATTERS)** 59 - 74

To consider the minutes of the meeting held on 14th October, 2021.

9. **PLANNING, REGULATORY AND GENERAL
LICENSING COMMITTEE (GENERAL LICENSING
MATTERS)** 75 - 78

To confirm the minutes of the meeting held on 18th October, 2021.

10. **STATUTORY LICENSING COMMITTEE** 79 - 82

To confirm the minutes of the meeting held on 18th October, 2021.

11. **SPECIAL STATUTORY LICENSING COMMITTEE** 83 - 86
- To consider the Minutes of the Special Statutory Licensing Committee held on 28th October, 2021.
12. **EXECUTIVE COMMITTEE** 87 - 102
- To confirm the Minutes of the Executive held on 22nd September, 2021.
13. **EXECUTIVE COMMITTEE** 103 - 118
- To confirm the minutes of the meeting held on 10th November, 2021.
14. **COMMUNITY SERVICES SCRUTINY COMMITTEE** 119 - 128
- To confirm the minutes of the Community Services Scrutiny Committee held on 19th July, 2021.
15. **SOCIAL SERVICES SCRUTINY COMMITTEE** 129 - 136
- To confirm the Minutes of the Social Services Scrutiny Committee held on the 22nd July, 2021.
16. **GOVERNANCE & AUDIT COMMITTEE** 137 - 144
- To confirm the minutes of the Governance & Audit Committee held on 27th July, 2021.
17. **CORPORATE OVERVIEW SCRUTINY COMMITTEE** 145 - 152
- To confirm the Minutes of the Corporate Overview Scrutiny Committee held on 10th September, 2021.
18. **EDUCATION AND LEARNING SCRUTINY COMMITTEE** 153 - 162
- To confirm the Minutes of the Education and Learning Scrutiny Committee held on 14th September, 2021.
19. **REGENERATION SCRUTINY COMMITTEE** 163 - 174

To confirm the minutes of the Regeneration Scrutiny Committee held on 15th September, 2021.

20. DEMOCRATIC SERVICES COMMITTEE 175 - 180

To confirm the Minutes of the Democratic Services Committee held on 17th September, 2021.

21. SPECIAL CORPORATE OVERVIEW SCRUTINY COMMITTEE 181 - 184

To confirm the Minutes of the Special Corporate Overview Scrutiny Committee held on 21st September, 2021.

22. JOINT SCRUTINY COMMITTEE (BUDGET MONITORING) 185 - 188

To confirm the minutes of the Joint Scrutiny Committee (Budget Monitoring) held on 27th September, 2021.

23. COMMUNITY SERVICES SCRUTINY COMMITTEE 189 - 202

To confirm the minutes of the Community Services Scrutiny Committee held on 4th October, 2021.

24. SOCIAL SERVICES SCRUTINY COMMITTEE 203 - 210

To confirm the Minutes of the Social Services Scrutiny Committee held on the 7th October, 2021.

25. MEMBERS QUESTIONS

To receive questions, if any, from Members.

26. PUBLIC QUESTIONS

To receive questions, if any, from the public.

27. MINIMUM REVENUE PROVISION (MRP) POLICY REVISION 211 - 228

To consider the report of the Chief Officer Resources.

28. MEDIUM TERM FINANCIAL STRATEGY 2022/23 TO 2026/27 229 - 268

To consider the report of the Chief Officer Resources.

29. **DRAFT REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES 2022/23** 269 - 364

To consider the report of the Head of Organisational Development.

30. **PLANNING, ADMINISTRATION AND COST OF LOCAL ELECTIONS - 5TH MAY, 2022** 365 - 382

To consider the report of the Managing Director (in the role of Returning Officer for Local Government Elections).

31. **ANNUAL REPORT OF THE DIRECTOR OF SOCIAL SERVICES 2020/2021** 383 - 410

To consider the report of the Corporate Director of Social Services.

32. **GAMBLING ACT 2005 - REVIEW OF STATEMENT OF GAMBLING POLICY** 411 - 478

To consider the report of the Service Manager Public Protection.

33. **MEMBERSHIP REPORT** 479 - 480

To consider the attached report.

34. **EXEMPT ITEMS**

To receive and consider the following reports which in the opinion of the proper officer are exempt items taking into account consideration of the public interest test and that the press and public should be excluded from the meeting (the reasons for the decision for the exemptions are available on a schedule maintained by the proper officer).

35. **NON-EXECUTIVE ROLE** 481 - 486

To consider the report of the Head of Organisational Development.

36. APPOINTMENTS COMMITTEE - JNC OFFICERS

487 - 490

To consider the report of the meeting held on 28th September, 2021.

To: Councillor J. Holt (Chair)
Councillor M. Day (Deputy Chair)
Councillor P. Baldwin
Councillor D. Bevan
Councillor G. Collier
Councillor J. Collins
Councillor M. Cook
Councillor M. Cross
Councillor N. Daniels
Councillor D. Davies
Councillor G. A. Davies
Councillor G. L. Davies
Councillor P. Edwards
Councillor L. Elias
Councillor D. Hancock
Councillor K. Hayden
Councillor S. Healy
Councillor J. Hill
Councillor W. Hodgins
Councillor M. Holland
Councillor J. Mason
Councillor H. McCarthy
Councillor C. Meredith
Councillor J. Millard
Councillor M. Moore
Councillor J. C. Morgan
Councillor J. P. Morgan
Councillor L. Parsons
Councillor G. Paulsen
Councillor K. Pritchard
Councillor K. Rowson
Councillor T. Sharrem
Councillor T. Smith
Councillor B. Summers
Councillor B. Thomas
Councillor G. Thomas
Councillor S. Thomas
Councillor H. Trollope
Councillor J. Wilkins

Councillor D. Wilkshire
Councillor B. Willis
Councillor L. Winnett

All other Members (for information)
Manager Director
Chief Officers

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO:	<u>THE CHAIR AND MEMBERS OF THE COUNCIL</u>
SUBJECT:	<u>ORDINARY MEETING OF THE COUNCIL – 30TH SEPTEMBER, 2021</u>
REPORT OF:	<u>DEMOCRATIC OFFICER</u>

PRESENT: COUNCILLOR J. HOLT (THE CHAIR,
PRESIDING)

- Councillors
- P. Baldwin
 - D. Bevan
 - J. Collins
 - M. Cook
 - N. Daniels
 - D. Davies
 - G. A. Davies
 - G. L. Davies
 - M. Day
 - P. Edwards
 - L. Elias
 - D. Hancock
 - S. Healy
 - J. Hill
 - W. Hodgins
 - J. Mason
 - H. McCarthy, B.A. (Hons)
 - J. Millard
 - J. C. Morgan
 - J. P. Morgan
 - L. Parsons
 - K. Pritchard
 - K. Rowson
 - T. Smith
 - B. Summers
 - B. Thomas
 - G. Thomas
 - S. Thomas
 - H. Trollope

J. Wilkins
D. Wilkshire
B. Willis
L. Winnett

AND: Managing Director
Corporate Director of Social Services
Corporate Director of Education
Corporate Director of Regeneration & Community Services
Chief Officer Commercial & Customer
Chief Officer Resources
Head of Legal & Corporate Compliance
Communications and Marketing Manager

<u>No.</u>	<u>SUBJECT</u>	<u>ACTION</u>
1.	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
2.	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from Councillors K. Hayden, M. Holland, C. Meredith, G. Paulsen and T. Sharrem.</p>	
3.	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
4.	<p><u>CHAIR'S ANNOUNCEMENTS</u></p> <p>Congratulations were expressed to:</p> <ul style="list-style-type: none"> ➤ Rosie Richards aged 8 of Tredegar who had been selected for to train with the Welsh Gymnastics Development Squad. 	

	<ul style="list-style-type: none"> ➤ Lloyd Crump of aged 14 of Waunlwyd who had won the Welsh Mixed Doubles Under 17's Badminton Tournament and would be representing Wales in an international tournament in Scotland in the coming weeks. ➤ Alfie Skinner who had qualified in the 7 to 8-year group at the IMG Academy Junior World Golf Championships and had won a place on the British Junior Golf Team that would represent the U.K. in July 2022 in California. <p>RESOLVED that appropriate letters be sent.</p>	
<p>5 – 18.</p>	<p><u>MINUTE BOOK – OCTOBER 2020 – JULY 2021</u></p> <p>The Minute Book for the period October 2020 – July 2021 was submitted for consideration.</p> <p>It was unanimously,</p> <p>RESOLVED that the minutes be approved and confirmed as a true record of proceedings.</p>	
<p>19.</p>	<p><u>MEMBERS QUESTIONS</u></p> <p>There were no questions submitted by Members.</p>	
<p>20.</p>	<p><u>PUBLIC QUESTIONS</u></p> <p>There were no questions submitted by members of the public.</p>	
<p>21.</p>	<p><u>TREASURY MANAGEMENT OUTTURN 2020/2021</u></p> <p>Consideration was given to the report of the Chief Officer Resources.</p> <p>At the invitation of the Chair, the Chief Officer Resources spoke to the report which provided Members with an opportunity to consider</p>	

the Treasury Management activities carried out in 2020/2021 financial year, in accordance with the CIPFA Treasury Management Code of Practice.

A summary of the Treasury Management activities undertaken during the year were detailed in paragraph 5.1.6 of the report and these included:

- £166m in short term loans had been raised resulting in an interest payment on these temporary borrowings of £265,000 at an average interest rate of 0.83%. This interest rate was lower than the benchmark rate (based on market forces) of 1.00%.
- £400,000 of short term investments had been made which had generated £8,000 in investment returns.
- Long term debt outstanding as at 31st March, 2021 amounted to the value of £170m.
- Short term debt outstanding as at 31st March, 2021 amounted to the value of £65.315m.
- The debt included the loan associated with the Ebbw Valley Railway project – a specific interest free loan from the Welsh Government.

The Council had complied with the Local Government Act 2003, and in accordance with the CIPFA Treasury Management Code of Practice and Welsh Government guidance in carrying out its Treasury Management activities and in doing so had strived for effective risk management and control, whilst at the same time pursuing best value as far as possible. In addition, the Authority had effectively managed credit risk throughout the period, thereby ensuring that it had not been subjected to any financial loss as a result of the credit crisis.

The Chief Officer Resources concluded by advising that the Corporate Services Scrutiny Committee had considered the report on 21st September, 2021 and had endorsed Option 1.

Members were then given to the opportunity to raise questions/comment on the report. These comments were summarised as follows:

- The Leader of the Labour Group referred to the 'Operational Boundary for External Debt' contained in Appendix 1 of the report and alluded to comments and concerns he had made previously relating to the timing of the Ebbw Valley Rail loan. He pointed out that budgets were becoming increasingly stretched as a result of the pandemic and the effect and the impact that this would have on local government, who had a duty to provide social care, was currently unknown going forward. In addition, he expressed his concern regarding the Council's ability to borrow in the future (it was noted that in previous years prudential borrowing had to be used to maintain some of the core services) and asked the Chief Officer whether she was confident that the Operational Boundary limit was appropriate for the authority.

The Chief Officer Resources advised that she was confident that the operational boundary was correct for the authority. The officer explained that the operational boundary was set by the Council and was regularly assessed and monitored to ensure that the level of borrowing was affordable. It was noted that the level of estimated borrowing was built into the revenue budget on an annual basis.

The Leader of the Labour Group continued by commenting further as follows:

- Reference was made to the recent Audit Wales Financial Review of Blaenau Gwent and in particular, the liquidity ratio in term of finances and it was pointed out that Blaenau Gwent had been bottom of the league table (i.e. 22nd out of 22 authorities) for the last 5 years and the Council's liabilities had increased by 62% during this period.
- At the time consideration had been given to the Ebbw Valley Rail loan, he had indicated that this burden should have been shared between the relevant authorities – it had recently been reported in the media that these other local authorities, who were not currently involved would accrue the benefits associated with this project before Blaenau Gwent.

- The report relating to the liquidity ratio was of concern and this needed to be shared and scrutinised, because it was felt that the loan was a step too far and there was growing concern how the authority would manage going forward in terms of borrowing opportunities. The authority had received good financial settlements over the last 4 years and during this period should have been planning for the future.
- Reference was made to the Minimum Revenue Provision (MRP) and concern was expressed that this would be storing up debt for future administrations. He pointed out that whilst the Audit Wales report had alluded that short term borrowing could be undertaken, the Leader of the Labour Group requested an assurance that the liquidity ratio would not cause any major issues going forward.

The Chief Officer Resources confirmed that Audit Wales had commented that the authority's liquidity ratio was low in comparison to other local authorities but advised that she did not have any particular concerns relating to this. The Chief Officer explained that liquidity compared the length of time it took to repay a loan, compared to the length of time it took to receive debt owed to the Council. The Chief Officer gave an assurance that the Council repaid its debts as quickly as possible to ensure that businesses in the area were not disadvantaged by cash flow difficulties. This was a measure that would be kept under review and concluded by stating that she had no concerns over the authority's ability to repay any of its debt.

Other Members commented as follows:

- Another Member echoed the concerns and comments made by the Leader of the Labour Group and expressed her concern that the £70m rail loan would affect the authority's ability for long term borrowing (because this was recorded on the Council's balance sheet) and asked how financial resilient the authority was going forward. The Member also advised that she had grave concerns that if the income was not generated on £70m loan, this could possibly result in cuts to services to re-pay the borrowing.

The Chief Officer Resources advised that reports had been presented previously (including Audit Wales reports) relating to financial resilience across Wales and pointed out that a recent report from Audit Wales had indicated that the Council's position in terms of its financial resilience was improving, the level of reserves was increasing and on an annual basis the Council had been able to manage within its annual budget without overspending – these were positive financial resilience measures.

If faced with significant issues whereby further borrowing would be required, this would need to be built into the budget going forward in order that the debt could be repaid. The Chief Officer confirmed that she had no concerns regarding the Council's credit rating nor the ability to be able to generate the income to repay the loans and the Council's balance sheet would support this - the Council was a trusted borrower with the money market and Public Works Loan Board (PWLB).

It was reiterated that all borrowing had to be re-paid and in order to achieve this the Council would have to prioritise its spending. An income stream had been agreed as part of the Quadripartite Agreement with Welsh Government and Transport for Wales and the Council would be guaranteed that income to offset the MRP impact of the Ebbw Valley Rail loan. Therefore, the Council nor council taxpayer would incur no financial liability as a result of this particular loan.

- The Leader of the Labour Group said that the ambition of every single administration was to replenish reserves but pointed out that sometimes it was considerably easier than others, particularly this year with the massive help of £12m hardship funding that had been provided to authorities. He added that previously, in the midst of severe financial austerity with £10m savings having to be identified in one particular year, the Council had still managed to increase the level of funding in its reserves.
- Reference was made to the £235m of outstanding debt accrued and concern was expressed that there would be financial difficulties ahead to recoup the funding that had been spent as a result of the pandemic.

The Chief Officer explained that the figure of £235m was as at 31st March, 2021 and advised that the level of borrowing fluctuated on a daily basis.

- The Leader of the Labour Group for clarification, advised that he was not debating the issue regarding the Ebbw Valley Rail loan. The only point he was pursuing was that this particular debt, which had been included on the authority's balance sheet could have a potential impact on future borrowing and the ability to borrow particularly, with PWLB. It was noted that the £70m loan accounted for 25% of the balance sheet.

In reply to a question regarding whether interest rates would be affected by the size of the debt, the Chief Officer advised that individual loans were negotiated on a loan by loan basis and would be unlikely to have any impact on the current interest rates. The vast majority of the Council's borrowing was with PWLB (a proportion with other authorities and the money markets) and those interest rates were applicable to all local authorities. Whilst the best interest rates were taken at the time a loan was required, interest rates could increase as well as decrease but the amount borrowed on the balance sheet should not impact upon the interest rates paid and would not affect the Council's credit rating.

The Leader of the Council commenced by stating that he welcomed the concerns that had been raised regarding the liquidity ratio and appreciated that the debate around the Ebbw Valley Railway was not being re-energised because all the assurances that Members had sought relating to this issue had already been provided in the previous two Council meetings.

Whilst acknowledging the concerns raised, he pointed out that he had raised the same questions as part of his portfolio remit and said that Members had to have faith and confidence in the chief officers and the accountants. Whilst borrowing levels and interest rates fluctuated, he was confident that the authority was in good financial position going forward.

The Leader continued by advising that this particular report sought views whether Members were satisfied with the financial management of the authority for the 2020/2021 financial period and

its appropriateness. The Leader confirmed that he had every confidence in the report and proposed that Option 1 be endorsed.

It was, thereupon, unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the Treasury Management activity undertaken during the 2020/21 financial year be accepted and the record of performance and compliance achieved during the year be accepted.

22. ASSESSMENT OF PERFORMANCE 2020/2021

Consideration was given to the report of the Service Manager Performance & Democratic.

The Managing Director commenced by stating that this report had been considered and endorsed by both the Corporate Overview Scrutiny Committee and Executive Committee. This statutory report was required to be produced and published by 31st October annually. However, the new Local Government & Elections (Wales) Act 2021 had changed the reporting arrangements going forward and in future, the Council would be required to develop reports on the progress made against the Corporate Plan priorities and the Well-being of the Future Generations (Wales) Act. Therefore, this would be final report that would be produced in its current format.

The report recognised that 2020/2021 had been an incredibly difficult year for Council's and communities and it was acknowledged that some priorities had been delayed as resources were directed into critical services and as the Council's response focussed on the pandemic and subsequently, the recovery phase.

At this juncture, the Managing Director paid tribute and expressed her appreciation to staff who had worked so tirelessly during this period. The report detailed the progress made within areas of Council activity and this tremendous achievement during such a difficult time was a credit to the workforce, Members, communities and partners.

Members were then given to the opportunity to raise questions/comment on the report. These comments were summarised as follows:

- The Leader of the Labour Group commenced by highlighting that this was the Council's own assessment of its own performance and said he felt that report read too positively and did not highlight sufficiently, the improvements that were required. An example of this was the recent Estyn Thematic Review which, had highlighted positive areas but had focussed less on the required improvements.

The report was overly optimistic and a far more balanced report should have been provided for the public because it portrayed the opposite view to what members of the public perceived i.e. litter and in particular, animal trespass was increasing in all parts of the County Borough – it was pointed out that requests had been made for a new service to be established to address this issue. In addition, as part of the previous year's budget, a proposal to enhance the CCTV service had been presented – again, it was pointed out that Blaenau Gwent was the only authority in Gwent that did not have a manned CCTV service.

The Leader of the Labour Group continued by referring to consultation and said that the Council had failed on this aspect and cited recent topics whereby he felt that there had been a lack of engagement i.e. Festival Park, General Offices and Rail Car Parks and the Ebbw Valley Rail Investment.

However, with regard to the Covid-19 emergency response, the Council had been magnificent and the Social Services Department and staff had been fantastic - this had been qualified in a recent Care Inspectorate Wales Report.

The Leader of the Labour Group concluded by stating that whilst there were areas of good work within Blaenau Gwent there needed to be a focus on less positive areas - previously the Council had been criticised by Audit Wales with regard to being too optimistic and said a far more balanced report would have sufficed.

Other Members commented as follows:

- The work undertaken by the Council and staff throughout the course of the pandemic was commended.
- A Member echoed the comments of the Leader of the Labour Group and said that the Council was going through challenging times as a result of the pandemic and commended the authority on its response. She continued by referring to CCTV and said that she had had extensive consultation with Gwent Police previously and pointed out that the report had failed to mention that Gwent Police would be willing to pay for cloud storage (images would then be able to viewed live at Police Headquarters) if the Council provided a CCTV control operator. The report had also omitted to mention that the Blaenau Gwent was the worst performing Council in Gwent with regard to CCTV.

With regard to animal trespass, there was a considerable amount of work still to be done with regard to fencing and this was an area that was under-resourced.

The Managing Director on a point of accuracy and clarification advised that no offer of funding had been made for CCTV to the authorities from Gwent Police. This service was fully funded by the Council.

The Member confirmed that the Office of the Police & Crime Commissioner had offered to pay for cloud storage when a CCTV operator was in post to monitor the cameras. Blaenau Gwent was the only authority in Gwent not operating in this manner.

The Managing Director welcomed proposals around cloud storage to improve Police access to footage and said that whilst early discussions had taken place, no firm proposal had been provided. However, the Council was willing to participate with the Office of the Police and Crime Commissioner and other authorities on this initiative.

- The level of public engagement and participation had deteriorated since the pandemic. It was pointed out that there were incidences whereby residents were still travelling to the

Civic Centre because they were not aware the building had closed.

- A Member commented in terms of straying animals, that farmers should take more responsibility for their animals and look after them in a reasonable and safe manner.

The Leader of the Labour Group agreed that it was a duty on farmers to take more responsibility for their animals. Whilst the impounding service had ceased in previous years, this had been as a result of £32m direct cuts during that period and at the time this decision had been taken, impounding incidents had decreased. However, each time a proposal had been made to reinstate this service, financially the Council had been in a far better position and, therefore, the service should have been reinstated.

Another Member referred to particular issues with horses on a site in his area which, had been the subject of several meetings and said that there was still a need to consider reinstatement of the impounding service sooner rather than later. Another Member said that the Council had to take responsibility for straying animals as they were straying onto the highway and estates and causing public safety issues. It was noted that in addition to sheep, there had been incidences of large horses and cows straying.

- Blaenau Gwent was the only authority in Wales that had not erected signage in town centres during the pandemic advising people to 'keep safe a safe distance and maintain 2m apart' and a Member asked the reason why this decision had been taken because he had received complaints from retailers regarding the lack of signage. With regard to car parking, this situation had not improved since the Council had taken over the Civil Parking Enforcement powers from the Police because vehicles were still parking dangerously in town centres and the Member had received numerous complaints regarding the lack of enforcement activity in this area.

The Corporate Director of Regeneration and Community Services confirmed that upon receipt of the town centre Covid funding, it had been agreed in discussions with traders, to focus the funding on business activity. A view was taken that

people were well aware of social distancing rules through media channels and the considerable amount of public messaging, which was reinforced with an enforcement presence in areas, including town centres.

With regard to civil parking enforcement this was a new service being operated by the Council which had been passported to the authority from the Police. With the level of resources provided, the service was effective in terms of what it could deliver and a number of tickets had been issued pre Covid-19 and the enforcement activity had started to manage the 'hotspots'.

However, if Members had particular concerns about certain areas, the Corporate Director requested that the relevant details be forwarded and resources would be targeted accordingly. However, if additional activity or changes to the service was required, this would require a separate discussion.

- As Education continued to remain a priority in order to improve standards in schools so that all children were able to reach their full potential, the following two questions were posed to the Executive Member for Education and Corporate Director of Education:

Question 1 – As a result of the pandemic, GCSE examinations had been cancelled and had been replaced by teacher assessments and in addition, there had also been a relaxation to report results of the local authorities. The Executive Member was asked whether she was confident that education standards in Blaenau Gwent were improving, especially within the two particular schools that that were currently in an Estyn category and whether these schools would be removed from these measures.

The Executive Member commenced by stating that it would not be for her to decide if the two schools would be removed from the categories, this would be a decision for Estyn to make. However, she was satisfied that the schools causing concern were making very good progress and there was a rigorous process in place to check and balance the progress that schools were making.

Question 2 - Performance at the Blaenau Gwent Learning Zone. Concern was expressed regarding the number of young people taking 'A' level courses because according to the previous year's data, that this number had decreased. The Corporate Director was asked if he was aware of the percentage of young people attending further education in Blaenau Gwent, as a percentage of young people that had enrolled for 'A' Level courses compared to other schools and colleges in other local authority areas. The following concerns were also raised by the Member:

There were a number of young people who were choosing to attend other establishments rather than attend the Blaenau Gwent Learning Zone, for example Merthyr College and Crickhowell High School.

In a year when no school should be aware of each other's results, one school had circulated a letter to prospective parents indicating that it had the best results in Blaenau Gwent.

Correspondence was being circulated to children attending secondary schools in north Gwent asking them to consider Crickhowell High School as a destination for a secondary education.

The Corporate Director commenced echoing the comments of the Executive Member that the two schools currently in Estyn categories did feature as part of the regional schools causing concerns discussions and he did have confidence that both schools were making real progress.

With regard to the Blaenau Gwent Learning Zone, the data was encouraging in terms of the performance at 'A' Level – A* to E grades were 99.1% pass rates and this performance was in line with the Welsh national average across the country. Further work was being undertaken with the Learning Zone moving forward to make further progress on A* - A grades for the more able and talented learners.

It was noted that one of the main reasons that the Learning Zone had been established was to create a balance between

academic and vocational learning opportunities and parity of esteem and the Learning Zone was holding its position in terms of the amount of 'A' Levels offered and there were more post 16 learners attending the college than ever before. In addition, the amount of vocational learning was also increasing. In terms of the proportion of learners taking 'A' Levels, this had stabilised this year and there were circa 324 'A' Levels results in 2021.

With regard to learning establishments, it was a matter of parental and learner choice to decide which establishment to be educated at. However, the Strategic Post 16 Partnership Board was currently working with headteachers and Coleg Gwent to identify the reason that learners were choosing alternative establishments and to ensure a smooth transition from Year 11 to Post 16. It was noted that discussions had already taken place with the headteacher in Tredegar as a number of the learners from that establishment had decided to attend Merthyr College.

The Corporate Director undertook to have a separate discussion with the Member regarding the letter that had been issued by a school regarding its results because he had not been sighted on this correspondence.

In terms of Crickhowell High School being a destination school, currently there were 3 of 4 secondary schools in the County Borough that were experiencing capacity issues in terms of admissions arrangements. This was an indicator that parents were choosing secondary schools in the County Borough, that the levels of confidence were improving and gave an assurance in terms of secondary performance across the County Borough.

- Concern was expressed regarding members of the public exercising their animals on playing fields and the amount of dog fouling in communities.

The Corporate Director of Regeneration & Community Services advised that enforcement activity on public open spaces and for littering had been reintroduced from the start of September. Although the areas where dogs were prohibited were clearly marked, further messaging would be

released into communities to remind people not to exercise their animals on public spaces and enforcement activity within these areas would continue.

A Member proposed that Option 1 be supported. This proposal was seconded.

The Leader of the Council confirmed his support for Option 1. In recognising that Members had taken the opportunity to highlight some issues, he pointed out that each administration had to make decisions based on circumstances and in the public's best interest. However, it was the intention that reports which would address some of the concerns raised, would be considered and discussed through the democratic process in due course.

With regard to the issue of engagement issue, he accepted that some of the communication of late had not met the required standard, however, the Council had collectively engaged over the last 4 years, and Audit Wales had commented that this engagement had been 'as well as any and maybe better than previous Councils'. However, unfortunately the engagement within town centres and supermarkets via the highly successful roadshows, which had been attended by politicians from all groups had been unable to continue as in previous years, due to the pandemic.

The Leader of the Council said that the report set out the key activities, measured against the improvement plan on a portfolio basis and highlighted notable service activity and the report was very much balanced in this regard.

The Leader of the Labour Group requested that in future the Leader, Deputy Leader and Executive Members participate in the whole debate and not just sum up at the end of the discussion. This was a political report and should be defended and led by Members and not officers. He concluded by advising that he took an alternative view regarding consultation and engagement.

It was, thereupon, unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely, the retrospective progress made and included within the Council's Assessment of Performance for

2020/2021 which also fulfilled all statutory legislative requirements, be approved.

23. DIVERSE COUNCIL DECLARATION – ACTION PLAN

Consideration was given to the report of the Service Manager Performance and Democratic.

At the invitation of the Chair, the Chief Officer Commercial and Customer advised that the Council had already signed up to becoming a diverse Council at its July Meeting and at that time it was agreed that an action plan be developed to support diversity in the democratic process and that the action plan be considered by the Democratic Services Committee, prior to Council approval.

The action plan, attached as an appendix to the report, followed the WLGA format and had incorporated the findings from the work undertaken with 16 – 25 year olds with regard to interaction around democracy. Discussions had also taken place with key officers and equality leads to ensure that the correct connections were made in order that some of the proposed actions could be progressed. It was noted that the action plan set out the intended activity ahead of the 2022 local elections and post elections - there was a longevity to the document and it could be built on and added to as it moved forward.

The Chair of the Democratic Services Committee advised that the report had been welcomed by the Committee but a few points had been raised regarding some of the wording that had been used in terms of the political make up of groups and parachute payments for Members who lost their seats at an election.

The Leader of the Labour Group referred to Item No. 30 contained within the action plan and more specifically the final bullet point, namely “support the Welsh Government’s and IRPW’s commitment to explore Resettlement grants or ‘parachute payments’ for Members who lose their seats at election” and advised that both the Labour Group and Minority Independent Group could not support this proposal.

In reply to a question raised, the Chief Officer confirmed that the action plan was a ‘live’ document and would be reviewed at regular

intervals to ensure that the document included any salient and pertinent points over time. The action plan would be monitored through the Democratic Services Committee as part of the forward work programme.

A further discussion ensued regarding the use of the terminology 'political parties' within the document and it was requested that this be amended to read 'political groups'.

The Chief Officer advised that the points raised at Democratic Services Committee regarding terminology had been captured in the covering report. With regard to parachute payments, this was being considered by the Independent Remuneration Panel for Wales on a national basis and was currently under discussion across Wales. As there would be further iterations of this proposal, Council could consider this in the future as part of the live review of the action plan.

A Member referred to paragraph 6.1 of the report and in particular, the point that Blaenau Gwent continued to have significantly above average levels of disability with a total of 31.6% of working age people being defined as disabled (EA core or work-limiting disabled) compared to 22.8% for Wales. As Blaenau Gwent had one of the highest rates in this category across Wales, the Member asked whether an action could be incorporated in the plan for the Aspire Team to engage with this group and provide support and assistance into gainful employment.

The Chief Officer Commercial and Customer advised that across the Council work was being undertaken with this cohort to help and provide support, wherever possible. However, in terms of the context of this report, this particular reference related to the support that could be provided to encourage participation in the democratic process.

It was proposed that the terminology 'political parties' within the document be amended to read 'political groups'.

It was unanimously,

RESOLVED, subject to the foregoing amendment, that the report be accepted and Option 2 be endorsed, namely, that the action plan be approved for implementation, subject to the above comments and amendment being noted.

24. AMENDMENTS TO THE CONSTITUTION

The report of the Head of Legal and Corporate Compliance was submitted for consideration.

At the invitation of the Chair, the Head of the Legal and Corporate Compliance advised that the purpose of the report was for Council to approve and adopt proposed changes to the Constitution. It was noted that the document had not been updated since 2019 and no updates had been undertaken the previous year as focus was responding to the pandemic. Therefore, this document incorporated 2 years of amendments, both procedural and updated changes.

The Constitution Working Group had considered and approved the proposed amendments at a meeting held on 2nd September, 2021. Correspondence had also been forwarded to absent Members asking for their views and key officers for further amendments. However, no further proposals or comments had been received.

A Member referred to the proposed schedule of amendments to the Council Constitution, in particular the following two proposals:

- Part 4 – The Register of Members Interests – proposal to increase the material benefit of value from £10 to £20.
- Section 20 – Officer’s Code of Conduct – proposal to increase the value of gifts from under to £10 to under £20

The Member continued by stating that in the interests of openness and transparency the above proposals should not be increased but either reduced to zero or the status quo remain.

The Head of Corporate and Legal Compliance confirmed that a recent benchmarking exercise had been undertaken at the All Wales Monitoring Officer’s Group regarding the threshold level of material gifts, at which Members and officers would be obliged to legally record any gifts received. It was pointed out that the setting of the threshold was currently at the discretion of Council and it was evident was from the benchmarking exercise that Blaenau Gwent had set the lowest level in Wales.

The Head of Legal and Corporate Compliance continued by advising that the level of £10 had been in place for over 30 years and most other authorities in Wales had increased their levels to £25-30 because it was quite common for Members and officers to receive gifts at Christmas. Therefore, an increase to £20 in the threshold level would make the process less onerous for Members and a more realistic amount, bearing in mind this had not been revalued for a considerable number of years.

It was noted that some Members disclosed all gifts received irrespective of their value but were not legally obliged to do so unless it fell over the threshold level, which was currently £10. Therefore, this proposal would bring the Council in line with other councils across Wales and the Constitution Working Group had considered £20 to be a reasonable level.

A Member said that he had received gifts previously and had been advised by the then Legal Officer to accept these but make a donation the face value of the gift to the Mayor's Appeal.

Another Member said that he appreciated that inflation had increased and the Council should congratulate itself about being one of the more onerous councils in Wales but said that he would propose an amendment that in the interests of openness and transparency the above proposals should not be increased but either reduced to zero or the status quo remain. He, thereupon, proposed a vote being taken in respect of the following options:

Option 1:

Consider and approve the suggested amendments and incorporate these into the existing Constitution.

Option 2:

Do not approve some or all of the amendments and revert back to the Constitutional Working Group for further consideration.

Option 3:

The value be reduced to 'zero' for the above proposals relating to the Members Register of Interest and the Officer's Code of Conduct.

Option 4:

The limit of '£10' remain for the above proposals relating the Members Register of Interest and the Officer's Code of conduct.

Another Member proposed that Option 1 be approved. This was seconded.

For clarity in terms of the voting procedure, the Head of Legal and Corporate Compliance suggested that an initial vote in respect of Options 1 and 2 be taken and should Option 2 be carried, a further vote in respect of Options 3 and 4 be undertaken.

A vote in respect of Options 1 and 2 was, thereupon taken:

In Favour of Option 1 – Councillors J. Collins, M. Cook, N. Daniels, D. Davies, G. A. Davies, G. L. Davies, M. Day, D. Hancock, S. Healy, J. Hill, W. Hodgins, J. Holt, J. Mason, J. P. Morgan, L. Parsons, K. Rowson, B. Summers, B. Thomas, G. Thomas and J. Wilkins.

In Favour of Option 2 – Councillors D. Bevan, P. Edwards, L. Elias, H. McCarthy, J. Millard, J. C. Morgan, K. Pritchard, T. Smith, S. Thomas, H. Trollope, D. Wilkshire and B. Willis.

The vote on Option 1 was, thereupon carried.

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely, the suggested amendments be approved and incorporated into the existing Constitution.

25. MEMBERSHIPS REPORT

Consideration was given to:

(a)

Aneurin Bevan Community Health Council

- appointing two representatives to the above.

The Leader advised that he had received no nominations for these positions at this point in time.

(b)

Ebbw Valley Railway Liaison Committee

- appointing a representative to the above.

RESOLVED that the Executive Member Regeneration & Economic Development be appointed to the above Liaison Committee.

<p>(c)</p>	<p><u>Education & Learning Scrutiny Committee & Safeguarding Scrutiny Committee – Co-opted Member</u></p> <p>To confirm the appointment of Mr. Tim Pritchard, St. Mary’s RC Primary as a co-opted Member on the above Scrutiny Committees.</p> <p>RESOLVED accordingly.</p>
<p>26.</p>	<p><u>EXEMPT ITEM</u></p> <p>To receive and consider the following report which in the opinion of the proper officer was an exempt item taking into account consideration of the public interest test and that the press and public should be excluded from the meeting (the reasons for the decisions for the exemptions was available on a schedule maintained by the proper officer).</p>
<p>27.</p>	<p><u>SHORTLISTING – JNC OFFICERS</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance, the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraphs 12 & 13, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the meeting held on 15th September, 2021.</p> <p>The Managing Director advised that the Appointments Committee had met and interviewed candidates for the role of Head of Governance and Partnerships on 28th September, 2021 and confirmed that Miss Sarah King had been the successful candidate and had been formally offered the post. It was noted that this role also carried the statutory responsibility of the Head of Democratic Services and it had been confirmed at a recent meeting of the</p>

Democratic Services Committee that this statutory designation should remain with the post of Head of Governance and Partnerships.

The Chief Officer Commercial & Customer in her capacity as the out-going Head of Democratic Services, expressed her appreciation to Members for the opportunity given to her to undertake this role since 2013. She continued by stating that it had been a privilege to work alongside Members in this role and looked forward to continuing working with Members in her new role, as part of the senior leadership team.

The Chair expressed her best wishes to the Chief Officer Commercial & Customer in her new role.

It was unanimously,

RESOLVED that the report which related to staffing matters be accepted and the decisions contained therein be noted.

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO:	<u>THE CHAIR AND MEMBERS OF THE COUNCIL</u>
SUBJECT:	<u>EXTRAORDINARY MEETING OF THE COUNCIL – 4TH NOVEMBER, 2021</u>
REPORT OF:	<u>DEMOCRATIC OFFICER</u>

PRESENT: COUNCILLOR M. DAY (DEPUTY CHAIR,
PRESIDING)

Councillors P. Baldwin
D. Bevan
J. Collins
M. Cook
N.J. Daniels
D. Davies
G. A. Davies
G.L. Davies
P. Edwards
L. Elias
D. Hancock
K. Hayden
S. Healy
R. Hill
W. Hodgins
M. Holland
J.E. Mason
C. Meredith
J. Millard
M. Moore
J.C. Morgan
J.P. Morgan
G. Paulsen
K. Pritchard
K. Rowson
T. Smith
B. Summers

B. Thomas
 G. Thomas
 S. Thomas
 H. Trollope
 J. Wilkins
 D. Wilkshire
 B. Willis
 L. Winnett

AND: Managing Director
 Corporate Director of Regeneration & Community Services
 Corporate Director of Social Services
 Chief Officer Resources
 Chief Officer Commercial and Customer
 Head of Legal and Corporate Compliance
 Service Manager – Performance & Democratic
 Communications and Marketing Manager
 Press and Publicity Officer
 Policy Officer

ALSO: Mr. Antony Metcalfe – Royal British Legion – Area Manager for Wales

 Ms. Lisa Rawlings – Regional Armed Forces Officer

 Observers - Representatives from the Royal British Legion Branches within the County Borough

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
1.	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	
2.	<u>APOLOGIES</u> The following apologies for absence were received from:	

Councillors M. Cross, J. Holt, H. McCarthy, L. Parsons, T. Sharrem and representatives of the Ebbw Vale Branch of the Royal British Legion.

3. DECLARATIONS OF INTEREST AND DISPENSATIONS

There were no declarations of interest or dispensations reported.

4. HONORARY 'FREEDOM OF THE COUNTY BOROUGH' - THE ROYAL BRITISH LEGION

The Chair commenced by explaining that an Extraordinary Meeting of the Council had been convened for the sole object, notice of which was now given, of considering and if thought fit passing a resolution in the following terms, which resolution, pursuant to Section 249 (5) of the Local Government Act 1972, must be passed by not less than two-thirds of the Members voting thereon.

The Chair, thereupon, continued by proposing the following Motion:

“That in pursuance of Section 249 (5) of the Local Government Act 1972 the Council of the County Borough of Blaenau Gwent do hereby confer the Honorary Freedom of the County Borough of Blaenau Gwent upon The Royal British Legion to mark the 100th year Anniversary of the Royal British Legion in 2021 and in recognition of the dedicated charitable work undertaken by local branches (Abertillery, Beaufort, Blaina, Brynmawr, Cwm, Ebbw Vale, Rassau and Tredegar) across the County Borough which supports serving and former service men and women and their families. Also, in recognition of the wide range of people in the County Borough who raise funds every year to support the Royal British Legion and Armed Forces Community.

That the Council do embrace the privilege of admitting the said The Royal British Legion as Freemen of the County Borough of Blaenau Gwent”.

This Motion was seconded.

At this juncture, Councillor Brian Thomas the Council's Armed Forces Champion advised that the Freedom of Borough was the highest award that Blaenau Gwent Council could confer, and he was delighted to take this opportunity on the centenary of the Royal British Legion to recognise the dedicated work undertaken by countless volunteers through local branches in Blaenau Gwent over many years. It also reflected the strong community support in Blaenau Gwent for the armed forces. Many men and women from Blaenau Gwent had proudly served in the armed forces, and this award recognised the excellent work that the Royal British Legion had done over many years to support these serving and former service men, women and their families.

Unfortunately, whilst this award was unable to be presented in person today arrangements would be made for it to be presented at a later date. The Armed Forces Champion concluded by again expressing his appreciation to the many volunteers across Blaenau Gwent who contributed to the important work of the Royal British Legion and said he was proud to also second the Motion to award the Freedom of the Borough to The Royal British Legion.

It was, thereupon, unanimously RESOLVED that The Royal British Legion be made Freeman of the County Borough of Blaenau Gwent.

At this juncture, the Chair extended a warm welcome to Mr. Antony Metcalfe, Area Manager for Wales for the Royal British Legion, Ms. Lisa Rawlings, Regional Armed Forces Officer and to the representatives from the Royal British Legion Branches in the County Borough.

Mr. Metcalfe was then invited to respond:

Mr. Metcalfe said it was a great pleasure to receive on behalf of the Royal Legion British, the Freedom of the County Borough of Blaenau Gwent.

He firstly took the opportunity to express his appreciation to the Chair, Councillor Malcom Day, the Armed Forces Champion, Councillor Brian Thomas for their very kind

remarks and to all Members of the Council for their unanimous support to bestow the Freedom of the Borough on The Royal British Legion and said it was a privilege and honour to be in attendance.

Mr. Metcalfe continued by noting that the Freedom of the Borough had been presented to mark the 100th year Anniversary of the Royal British Legion in 2021 and in recognition of the dedicated charitable work undertaken by local branches (such as Abertillery, Beaufort, Blaina, Brynmawr, Cwm, Ebbw Vale, and Tredegar to name but a few) across the County Borough which supports serving and former service men and women and their families. This was also, in recognition of the wide range of people in the County Borough who raise funds every year to support the vital work of the Royal British Legion to support the Armed Forces Community.

This was a very special year for the Legion, it marked the centenary of its formation on the 15th May, 1921. The Legion was formed in the aftermath of the most destructive war the world had seen and brought together four ex-servicemen's organisations under one unifying umbrella. The first poppy appeal in November 1921 raised £106,000 (£5.3 million today) and since then the appeal was an annual feature of the Remembrance calendar. This year, 40,000 volunteers would distribute millions of poppies across the U.K. and abroad, the aim of which was to raise £45 million to support the Legion's vital work.

The fact that the Legion still existed 100 years later, as a charitable organisation was testament to its ability to adapt and change. Over the last 100 years the Legion had supported its three main charitable aims, i.e. that of welfare, campaigning and remembrance.

The Legion was recognised for Remembrance and the annual poppy appeal but also behind the scenes it was the largest provider of welfare support to the armed forces community. Nationally, the Legion respond to close to over a 100,000 requests every year, and spend £1 million a week on care, immediate needs and other such grants, with each

and every one resulting in a life changing outcome for that individual and their families.

The last two years of the Covid-19 pandemic had impacted on everyone in many ways, and Mr. Metcalfe at this juncture expressed his best wishes and condolences to those who had lost someone close.

The pandemic, however, had also demonstrated the best in everyone, communities rallying around those struggling, isolated and in need, charities, community and volunteer groups stepping up to support the health services and the huge success of the vaccination programme.

The nation had seen the Armed Forces Community take on many additional responsibilities, supporting the nations response to Covid-19, building the Nightingale Hospitals, running vaccination centres, supporting ambulance crews and maintaining the flow of PPE were just a few examples. There were also the ongoing operations across the world and the final drawdown from Kabul this summer in Op PITTING. The Armed Forces Community was there for everyone and the Legion would always be there for them.

As the Legion celebrated its 100 years, it was under no illusion that its work was done. The Legion stood ready to continue to hold governments to account, to step in and support where there was a need worldwide and would continue uphold Remembrance, as a source of social good that was relevant for all communities. The Legion stood ready and prepared for the challenges as it moved forward into its next hundred years.

Mr. Metcalfe concluded by again expressing his appreciation for this tremendous honour.

Members were then invited to comment.

A Member said that he had always supported and would always continue to support the Royal British Legion and he fully supported the decision to bestow the Freedom of the Borough on the organisation. However, he expressed his view that the Council in future years needed to provide

further assistance to the Royal British Legion by taking over the responsibility for the road closures (previously undertaken by Gwent Police) for the Remembrance Parades. He felt that this responsibility should not be for the event organisers namely, the Town/Community Councils to co-ordinate and manage.

The Leader of the Council commenced by sharing the welcome that colleagues had extended to the Royal British Legion and congratulating the Legion on its centenary. He echoed the comments made by those Members who had paid tribute to everyone involved and the dedicated work undertaken across Wales and in local branches by the Royal British Legion and paid tribute particularly, to the absolutely phenomenal work that the local branches in Blaenau Gwent did. The Leader continued by expressing his appreciation to all the volunteers for the tireless work and support they provided every year to the Royal British Legion. Blaenau Gwent had a very proud association with the Royal British Legion and conferring the Freedom of the Borough on the Legion was a fitting and an appropriate tribute to such a long standing, proud and respected organisation.

With regard to future years, work had already been undertaken with officers and indeed the organisations who traditionally organised Remembrance Parades on an annual basis to ensure the continuity of these parades and ceremonies well into the future.

The Chair concluded by stating that the Royal British Legion did fantastic work and provided phenomenal support to serving and former service men and women and their families and the Council would do everything it could to continue to support the Legion for future years to come.

The Chair, thereupon, thanked everyone for attending and declared the meeting closed.

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT PLANNING, REGULATORY &
GENERAL LICENSING COMMITTEE –
2ND SEPTEMBER, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillors W. Hodgins
M. Day
G.L. Davies
C. Meredith
K. Pritchard
T. Smith
G. Thomas
L. Winnett
D. Wilkshire
B. Willis

WITH: Team Manager – Development Management
Team Manager – Built Environment
Team Leader – Development Management
Planning Officer
Team Manager – Green Environment
Solicitor
Head of Legal and Corporate Compliance

AND: Public Speakers

Applicant: Mr D. Phillips – Endsleigh, Alma Terrace,
Brynmawr, Ebbw Vale NP23 4DR

Ward Members: Councillors H. Trollope, S. Thomas
and M. Moore - Former Job Centre, Coronation Street,
Tredgar NP22 3RJ

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
	<p><u>PLANNING STAFFING UPDATE</u></p> <p>The Chair provided an update on staffing matters within the Planning Department and reported that Eirlys Hallett, Lynda Healy and Justin Waite would be leaving the Authority in the near future. An Officer reported the changes and vacancies within the Team following the departure of the officers.</p> <p>The Committee requested that a letter be sent on behalf of the Planning, Regulatory and Licensing Committee to thank officers for their invaluable advice and support provided to Elected Members.</p> <p>RESOLVED that a letter of thanks and good luck be sent from the Planning, Regulatory and Licensing Committee to the officers leaving the Authority.</p>	
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>The following apologies for absence were received:-</p> <p>Councillor D. Bevan Councillor K. Rowson Councillor J. Hill Councillor B. Thomas</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest and dispensations were received.</p>	

No. 4

PLANNING APPLICATIONS REPORT

Consideration was given to the following:-

C/2021/0168

18 & 19 Market Street, Abertillery

Change of use to Wine Bar and
associated external alterations

The Team Manager – Development Management provided an overview of the application with the assistance of visual aids. It was outlined that the property was a split level building which occupied a corner plot between Market Street and Commercial Street, Abertillery. The building had been vacant for a number of years with the last known use at ground floor as A3. The building also incorporated a small unit fronting Commercial Street, which was formerly used as a butcher shop. It was noted that the plans indicated that there would be no access from the property onto Commercial Street, the entrance/exit would be via Market Street.

The Team Manager referred to concerns that the change of use of this property to a wine bar would result in a clustering of A3 uses contrary to the Food and Drink SPG. However, the Team Manager highlighted the considerations which could be taken into account when determining the application and advised that these two A3 uses could be deemed as not being adjacent to the proposal and therefore not representing a cluster of A3 uses. There were also historical planning uses granted on the units.

In conclusion, the Team Manager advised that despite such concerns there were also several reasons that would justify supporting this application. This derelict building was an eyesore that currently had a negative visual impact upon the street scene. The re-use of the building would potentially bring the building back into use and would positively contribute to the vitality and viability of the town centre in accordance with LDP Policy SP3.

In this instance it was felt that there are specific locational factors for accepting that the positive impacts of this development would outweigh concerns regarding potential clustering of A3 uses. The development does not raise issues in terms of the number of units within the town centre in accordance with the SPG and was not considered to have an adverse detrimental impact upon the neighbouring area in this town centre location. Therefore, the Team Manager stated that the application was recommended for approval subject to conditions.

The Vice-Chair supported the application as it would enhance the Town Centre and it was unanimously

RESOLVED that Planning permission be **GRANTED.**

C/2021/0196

Endsleigh, Alma Terrace, Brynmawr,

Ebbw Vale NP23 4DR

Complete removal of sycamore tree (T1)

covered by TPO No. BG120

The Team Leader – Development Management outlined the application with the assistance of visual aids and advised that the application sought consent to fell a sycamore tree, which was covered by Tree Preservation Order.

The Team Leader informed that the reason for the proposed felling of the sycamore tree related to the tree's root system which had caused structural damage to the western side boundary wall of the property and adjacent steps, path and gate pillar. This damage had resulted in the boundary wall becoming unstable and the site had been secured via the erection of heras fencing which have been in place since October 2019. The applicant has also advised that Welsh Water has had to carry out works to the sewer due to a blockage caused by the tree's roots.

The Team Leader referred to the consultation responses from Building Control and Arboricultural Officer. The Planning Assessment was further noted and the Team Leader explained the process of TPOs being determined for removal. A Tree Preservation Order was used to protect trees whose removal would have a significant impact on the environment and its enjoyment by the public. The substantial amenity value of the sycamore tree was therefore recognised by the fact that it was protected by a TPO and its removal would unquestionably have a detrimental impact on the character and amenity of the local area. The undertaking of works to, or the felling of, a protected tree was typically justified by concerns relating a tree's health or safety and these concerns must be based on evidence provided by an assessment undertaken by suitably qualified tree professional and documented within a tree report. The submitted tree report does not provide an assessment of the tree's health in this instance and no safety issues with the tree itself had been identified. The Council's Arboricultural Officer also raised no concerns in relation to the sycamore tree's health or safety and as such, the Team Leader advised that there was no justification to remove the tree on the aforementioned grounds.

It was further added that structural damage was also a reason commonly given for the felling of protected trees and the tree report stated that it was evident that the tree's root system had caused considerable structural damage to the boundary wall, steps and path within the grounds of the property along with the pillar which supported the gate. The boundary wall was also recorded as dangerous structure by the Authority in October 2019 and a temporary heras fence has been in situ since this time to limit the health and safety risk to members of the public using the adjacent highway. It was noted that the structural damage to the boundary wall was not in dispute as the movement in the wall most likely to be the result of physical pressure exerted by the tree's root system.

The Team Leader noted the tree report recommended that if the sycamore tree was to remain the boundary wall would need to be rebuilt at least two metres away from its current position which would result in it moving further out into the adjacent highway. The Council's Team Manager Built Environment indicated that the adjacent highway was adopted and would object to its enclosure into the curtilage of the application property. In addition, there was potential for service infrastructure to be located in this area beneath the highway and a "stopping up order" would need to be applied for. If the latter was successful, the land beneath the public highway would automatically transfer to the previous land owner, which may not be the applicant.

The Council's Team Manager Green Environment challenged the adequacy of the tree report and indicated that there are engineering solutions available that would allow the sycamore tree to be retained and the wall to be rebuilt to remove the conflict between the tree's root system and the boundary wall. The applicant was advised that these alternative engineering solutions were available however none were forthcoming from the application and therefore the Council's Arboricultural Officer objected to the felling of the sycamore tree on the basis that it was of substantial amenity value within the local area and there are alternative engineering solutions that would overcome the conflict between the tree's root system and adjacent structures and enable its retention.

The Team Leader referred to the officer's recommendation for refusal based on the aforementioned reasons, however it was advised that if Members are minded to approve the removal of the sycamore tree contrary to the officer's recommendation, it was asked that consideration be given to the imposition of a condition that would secure the planting of a suitable replacement tree within the site but not necessarily in the same location.

At this juncture, the Applicant, Mr. D. Phillips addressed the Committee. Mr. Phillips noted the report provided and asked if the Committee had seen all photographs provided along with the full planning application. Mr. Phillips felt that some of the photographs did not show the full extent of damage to the wall and the photographs to which he referred highlighted significant damage. Mr. Phillips also asked if Members had been furnished with Protected Trees Document which was a document published by Welsh Government. Mr. Phillips further outlined sections of the Protected Trees document for Members information and asked who would decide that a tree had 'significant' impact on the area as Mr. Phillips felt that the removal of this tree would not have significant impact on the area. In his opinion the heras fencing and unsightly wall would have far more detrimental impact in the area. Mr. Phillips also referred to another section of the policy which stated 'when does the Local Authority impose a TPO' and advised that when the property was purchased in 2008 there was no TPO on the tree and works commenced to remove the tree due damage, however an officer turned up to place a TPO on tree. All correspondence in relation to the decision to place a TPO on the tree had been sent to the wrong address.

Mr. Phillips further noted another section of the policy which stated that planning permission was not required for a tree with a TPO if it was dangerous, dying or dead. It was also noted that if a tree was causing a legal nuisance it could be removed and Mr. Phillips thereupon referred to discussions with British Telecom and Welsh Water as the tree was causing issues with the sewer.

Mr Phillips also referred to works he had undertaken on tree and compensation which he could be eligible for these works as per the policy and advice had been sought from solicitor. Mr. Phillips added that he had asked to purchase parts of land around his property and works had been undertaken at his cost around the wall.

Mr. Phillips informed the Committee that a tree with a TPO had been removed from a property own by United Welsh in the area and no issues were raised. It was also reported that Mr. Phillips felt that the TPO on his property did not legally stand as the TPO actually covered his tree and one on a neighbouring property, whereas a TPO could not cover both trees.

At the invitation of the Chair, the Ward Member noted the comments made by Mr. Phillips and concurred that Welsh Water had frequented the area in relation to sewer issues. The Ward Member felt that there were a number of trees in the vicinity and it was important that as a Council we ensure residents are permitted to protect their properties. Therefore, the Ward Member proposed that the Applicant be allowed to remove the tree due to the damage caused by the tree. The Ward Member felt that there were already visible issues caused by the tree which would continue with further growth of the roots.

The Chair invited Members of the Committee at this juncture. Members concurred with the Ward Member that the tree should be removed and another tree planted in its place. However, some Members raised concerns that the full report to consider alternative engineering solutions in relation to damage had not been presented. It was hoped that in light of comments made by the Arboricultural Officer that all options had been explored.

The Vice-Chair proposed that the tree be removed and a new tree be planted, this proposal was seconded.

Therefore, upon a vote being taken 9 voted in favour of the amendment and 1 voted in favour of the officer's recommendation. It was thereupon,

RESOLVED that Planning permission be **GRANTED** and another tree be planted to replace the one to be removed.

The Chair did not exercise his vote.

C/2021/0103

Former Job Centre, Coronation Street,

Tredegar NP22 3RJ

Conversion of former offices into 11 rooms bed & breakfast facility with residential unit, associated parking provision; with internal & external alterations & decking

The Planning Officer informed the Committee that the application sought planning permission for the conversion of the former Job Centre, Coronation Street, Tredegar to an eleven room bed and breakfast facility with residential unit, associated parking provision, internal and external alterations and decking area. The building was a single storey brick faced building located to the north of Tredegar Fire Station which was situated in Tredegar Conservation Area and east of the town centre.

The Planning Officer added that the plans indicated that the building would provide 11 en-suite guest rooms and a 3 bedroom manager's accommodation. There would be decking along the north eastern elevation overlooking the existing public car park and eight car parking spaces are proposed on land to the north of the building.

The Planning Officer referred to the consultation responses as detailed in the report and gave an overview of the planning assessment of the site in relation to compatibility of use, impact on amenity, visual impact, parking provision, trees, biodiversity and third party objections. In terms of the third party objections, the Planning Officer noted the objections received and advised that the proposal was for a B & B use which fell within Class C1 as defined by the Town and Country Planning Use Classes Order. This use was considered compatible in this location. The need for such a facility was not a consideration in planning terms, market forces would determine whether such a facility was required. The Planning Officer noted that it had been suggested that the B & B would be used as a facility to house ex-offenders. However, it was reported that if this was the case it would fall under a different use class and further planning permission would be required.

These concerns could not be used to form the basis of consideration of this application and therefore the Planning Officer advised that the conversion of the building for use as a B & B was acceptable in planning terms and recommended that the application be granted.

The Chair advised that Tredegar Central and West Ward Members had submitted a request to speak at Committee against this application. At the invitation of the Chair, Councillors S. Thomas, H. Trollope and M. Moore addressed the Committee.

Councillor Thomas wanted to inform the Committee that this was not a negative response from local Members as in the past work had been undertaken with the probation service and other similar facilities. It was reported that Tredegar had a difficult summer with a similar facility in the Town Centre which had been turned into a HMO/half way house. There had been a number of complaints from local residents and businesses who have reported some alarming situations. It was reported that Ward Members had worked with businesses and the local Police in an attempt to address these major anti-social behaviour issues.

Councillor Thomas referred to section 5.11 of the report which stated that it had been suggested that the B&B would be used as a facility to house ex-offenders. Although this falls under a different category, there was a loop hole in the application for a B&B to establish a HMO/halfway house and these were concerns shared by businesses and local Police as it had happened with the facility in the Town Centre. Councillor Thomas referred to the significant amount of regeneration money spent in the Town Centre which was all good work, however the issues experienced during the summer have left a number of businesses looking to move away from the Town Centre and if this was to happen it would be detrimental to the Town Centre.

Councillor Thomas further referred the developer who had a similar building in Merthyr Tydfil which housed residents from Social Services. In terms of planning considerations, Councillor Thomas felt that if this application was granted the community impact for Tredegar would be significant. It was hoped that based on the aforementioned statement in section 5.11 of the report that the Committee would be minded to refuse this application. It was added that if a developer wanted to seek permission for such a facility further planning should be required to allow local people, businesses, Ward Members, the Police and other consultees an opportunity to scrutinise the application and give the appropriate responses.

Councillor Trollope concurred with the comments raised by his Ward Colleague and added that the reason for the concern was that the facility in the Town Centre was also registered as a B&B. However, the Member was unaware of any other B&B's in the area which had 24-hour security. The Ward Member referred to the lack of comments from the Police, although in a recent meeting with Ward Members the Inspector had major concerns as the accommodation within the Town Centre caused a great deal of problems for the Police and Tredegar Police had applied for more resources to assist with the issues in Tredegar. If the request was unsuccessful then Police would need to be transferred from other areas as the anti social behaviour in the Town Centre had increased greatly.

Councillor Trollope referred to the lack of response from Tredegar Town Council and advised that comments had been made on the original application. It therefore assumed that those comments would be included in this application, although this was not the case and the Councillor apologised for the error which would not happen again. Councillor Trollope stated that Tredegar Town Council shared the same concerns as myself and my Ward Colleagues.

In terms of planning considerations, Councillor Trollope advised that planning should give regard to the impact on the public. As local Members we are concerned when residents and businesses are thinking of moving from the Town Centre, therefore it was important that we need to protect our communities.

Councillor Moore also concurred with her Ward Colleagues and felt that the size of the building could only be classed as a large guest house and noted concerns that the B&B would be situated in the conservation area of Tredegar.

Councillor Moore noted the error due to the lack of response from the Town Council, however they had responded on the original proposal. There was no response from the Police, however all local Ward Members had submitted objections, although this had not been recorded. The anti social behaviour experienced in the Town Centre was threatening the livelihood of businesses and local business owners had stated on many occasions that they would leave the Town Centre. A great deal of Welsh Government and Council funding had been used to enhance Tredegar Town Centre and the Ward Member felt that this development would be detrimental to the area.

The Chair invited Members of the Committee to speak to the application.

Councillor Willis, a Member of the Tredegar Central and West Ward who sat on the Planning, Regulatory and Licensing Committee concurred with his colleagues and proposed that the application be refused for the reasons raised.

The Vice-Chair referred to the concerns raised by the Ward Members it was requested that the application be deferred until there was more information available. The Vice-Chair advised that he was uncomfortable accepting an application where the Police had major concerns, however had not commented on the application. It was acknowledged that the Ward Members are the people who know their area and with their comments in mind, the Vice-Chair reiterated that the planning application be deferred until further information was available.

Councillor Thomas, Ward Member advised that the Police had not been able to comment as the application was for a B&B therefore the Police would not respond as there was no material objections that could be made.

A Member concurred with the comments raised by Ward Members and the reasons for refusing the application. The Member also raised concerns around the car parking provision and Tredegar Town Centre had issues with car parking. The application proposed 8 spaces for 11 rooms and if there was full occupancy there would be an overflow which would place pressure on the local area.

The Chair disagreed with the comments raised in relation to car parking issues as there was a car park nearby.

Another Member agreed with the comments raised in relation to car parking and also felt it was not viable. The additional car parking could bring problems for the Fire Station and the Member felt that a 'holiday accommodation' was not suitable next to a Fire Station. The Member proposed that the application be refused on the unsuitable location, car parking provision and highways.

The Team Manager – Built Environment noted the comments raised in relation to parking and advised that the Highway Authority had not objected as it complied with the SPG. It was noted that there were two existing car parking spaces to the front and if there was any overflow it would be picked up by the rear car park.

A Member raised concerns around the suitability of the building and felt that it would be used as a HMO which was unacceptable in a conservation area. The Member felt that visitors would not stay in this building. As the Ward Members pointed out there was a similar facility in the Town Centre and this building did not have further planning to operate as a HMO. The Ward Member referred to the concerns experienced in the Town Centre and it was felt that the Member could not ignore these issues and therefore proposed that the application be refused as Elected Members should not ignore local residents and businesses concerns.

The Committee further discussed the application and concerns were raised around the lack of response from the Police, Fire Authority and Town Council. Although, Members also had concerns about granting the application.

An Officer reminded Members that the application for consideration was for a B&B and it was an assumption it would be used for something different. A hostel or HMO would be a different class, however this was not ex-offenders facility or HMO and therefore Members should be mindful of the application as it was presented. The officer also noted that conditions could be imposed to ensure the property remained as a B&B and could not move to another use within the same useclass without planning permission and that a condition could be imposed to limit the amount of days people could stay at the property in any visit.

Councillor Thomas reiterated the loop hole for the B&B and if it was a HMO it would come under more scrutiny. The facility in the Town Centre was established under a B&B and the reason for no comments from our partners was that the application was being put forward as a B&B. Councillor Thomas felt that it was for Ward Members to bring the concerns of the community forward for committee to give consideration.

Councillor Thomas appreciated the Officer's suggestions of conditions which could be placed on the application. However, if restrictions were to be placed on the facility it would not guarantee certain activities being prevented as the matter was something that needed to be addressed nationally. Councillor Thomas proposed that the application be refused in the interest of the community impact.

The Chair stated that community impact was not a planning consideration. A Member felt that community impact was a fair assessment of the concerns and that proposed that it be the reason for refusal.

The Team Manager – Development Management appreciated the difficult situation this application placed on the Committee. She noted their concerns regarding the lack of responses from consultees who may not have commented due to the nature of the application. She advised that it was evident that the same issue was being faced by the Planning Committee.

The Ward Member referred to a matter related to a similar facility in the Town Centre, who may use the building and the applicant's business in another authority. However, the decision should not take into account the applicant, the decision should be based on the application land being considered.

The Team Manager advised that if this application was refused, it would be very unlikely that the decision could be defended successfully at appeal. Therefore, the Team Manager suggested that the issue of community impact be considered and a further report be presented at the next Committee. The impact the development may have on businesses and the conservation area could be explored. The Team Manager added that parking was not going to be a sustainable reason for refusal as the Highway Authority had not objected to the parking layout. The Team Manager advised Committee that she considered it likely that despite further investigation of the issues raised by them it was likely that if the application was refused for these matters the development may well be granted at appeal.

This suggestion was welcomed by Members and the Ward Member asked that the possibility of imposing conditions on the facility should also be explored. The Ward Member added that although an appropriate planning reason was required it was felt that Ward Members should have a voice on such applications as Ward Members are best placed to be aware of local concerns.

The Team Manager – Development Management agreed to come back to the next meeting with a report which explored possible reasons for refusal. She advised that the issues they had raised were not unique to Blaenau Gwent however unless National planning legislation was amended it would be difficult to justify refusal of the application for the reasons cited by Members. Therefore, the reasons given by the Authority had to be justifiable on planning grounds until planning policy changed nationally.

It was proposed that the application be deferred until the next Meeting in order for consideration to be given to community impact and considerations relating to the planning permission granted and the current use of the Chambers, Tredegar to ensure this development did not bring further anti-social behaviour to Tredegar Town Centre. Members also requested that conditions be explored to include on the application if the application was agreed at the next meeting. This proposal was seconded and it was thereupon

RESOLVED that Planning permission be **DEFERRED** to the next Planning, Regulatory and General Licensing Committee.

C/2021/0197

Former Pochin Works Site Newport Road Tredegar Variation of condition '1' which requires submission of reserved matters within 3 years of planning permission application C/2014/0238 to allow additional time for submission. C/2014/0238: Outline planning permission for construction of dwellings

The Team Manager – Development Management advised that outline planning permission with all matters reserved was originally granted in 2017 for the construction of dwellings of the former Pochin Works Site. The original permission was approved subject to conditions and the completion of a S106 agreement. The S106 contained obligations to secure a sum towards the provision of affordable housing and the Team Manager pointed out that the current application did not propose any changes to the scheme to develop the site for residential purposes. The application only sought to vary condition 1 of the approved outline planning permission to allow further time from the date of approval for the submission of the reserved matters and consequently extend the life of the outline planning permission.

The Team Manager noted issues that had been experienced on site since the original approval which explained the need to extend the life of the permission. She advised that there have been no significant changes in local or national policy since planning permission was previously approved in 2017. Therefore, the Team Manager advised that the proposed development was in accordance with relevant LDP policies. The approval of this application would facilitate the delivery of this site and was to be welcomed. There are no planning concerns in relation to the approval of this application and the Team Manager advised that the only reason for it being reported to Planning Committee was that any approval would require the applicant to enter a deed of variation in relation to the previously signed Section 106 agreement. The current officer delegation agreement did not allow for officers to issue such decisions without reference to Planning Committee.

A Member raised concerns in relation to the length of time this project had been ongoing and agreed with the extension of time. However, the Member felt that officers from Environmental Health and Planning should visit the site as there was a great deal of flytipping instances.

The Team Manager noted the request, however the Officer reminded the Member of the staff shortages and could not guarantee when the visit would be made.

It was unanimously,

RESOLVED that the applicant be invited to enter into a deed of variation to the S106 relative to the planning approval C/2014/0238. Following the completion of the aforementioned outline planning permission be **GRANTED** subject to conditions.

<p>No. 5</p>	<p><u>APPEALS, CONSULTATIONS AND DNS UPDATE: SEPTEMBER 2021</u></p> <p>Consideration was given to the report of the Service Manager – Development & Estates.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 6</p>	<p><u>ENFORCEMENT APPEAL UPDATE: 1 HAWTHORNE GLADE, TANGLEWOOD, BLAINA</u></p> <p>Consideration was given to the report of the Planning Officer.</p> <p>RESOLVED that the report be accepted and the appeal decision be noted.</p>	
<p>No. 7</p>	<p><u>PLANNING APPEAL UPDATE: LAND REAR OF NEWALL STREET, ABERTILLERY</u></p> <p>Consideration was given to the report of the Planning Officer.</p> <p>RESOLVED that the report be accepted and the appeal decision for planning application C/2021/0033 be noted.</p>	
<p>No. 7</p>	<p><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 25TH MAY, 2021 – 9TH JULY, 2021</u></p> <p>Consideration was given to the report of the Senior Business Support Officer.</p> <p>A Member noted the amount of applications decided under delegated powers between 25th May, 2021 and 7th July, 2021 and wished to extend thanks to the officers responsible. It had been reported that there were capacity issues within the Planning Team which placed limitations on staff, however the Member felt that the completion of 47 applications during this period was a credit to the Council.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT PLANNING, REGULATORY &
GENERAL LICENSING COMMITTEE –
14TH OCTOBER, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillors W. Hodgins
D. Bevan
G. L. Davies
J. Hill
C. Meredith
K. Pritchard
K. Rowson
B. Thomas
G. Thomas
T. Smith
D. Wilkshire
B. Willis
L. Winnett

WITH: Service Manager Development & Estates
Team Manager Development Management
Team Leader Development Management
Planning Officer
Solicitor

AND: Public Speakers

Llys Berry, 28 Tanglewood Drive, Abertillery

Applicant: Thomas Llewelyn

Ward Member: Cllr Garth Collier

Plot, land east of Whitworth Terrace, Tredegar

Applicant: Kimberley Moore

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>An apology for absence was received from Councillor M. Day.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>The following declarations of interest was made:-</p> <p><u>Councillor B. Willis</u> Item No. 4 – Planning Applications Report C/2021/0133 – Plot, Land east of Whitworth Terrace, Tredegar</p>	
No. 4	<p><u>PLANNING APPLICATIONS REPORT</u></p> <p><u>C/2021/0243</u> <u>Llys Bery, 28 Tanglewood Drive, Blaina,</u> <u>Abertillery, NP13 3JB</u> <u>Retention & completion of decking area, walls,</u> <u>landscaping & enclosures</u></p> <p>The Team Leader advised that the application sought permission to retain and complete a raised decking area within the front garden of a detached residential property. The Planning Officer outlined the application with the assistance of visual photographs and diagrams as detailed in the report.</p>	

The Team Leader further referred Members to the consultation and advised that no objections had been raised and it had been requested that the application be presented to Committee by a Ward Member who did not consider the development to have a harmful effect on the street scene.

In terms of planning assessment, it was reported that the proposal had been assessed against policies DM1 and DM2 of the adopted Local Development Plan and the adopted Supplementary Planning Guidance in relation to raised decks, balconies and retaining walls. The Planning Officer advised that the Local Development Plan stated that the development proposals should be appropriate to the local context in terms of type, form, scale and mix. The proposals must be of good design which reinforced the local character of the area or positively contributed to the area's transformation, therefore the Planning Officer noted from the report that the introduction of the raised decking area was an unsightly and very prominent addition within the street scene and would be contrary to policy within the Local Development Plan. The development was situated to the front of the dwelling and was highly visible within the street scene. The visibility of the development was also increased due to the elevated position of the existing dwelling. The decking extended the width of the existing gable, however it also projected further to the side of the dwelling. It was added that due to the 2.9m projection of the decking and its extension which was wider than the existing gable, it was determined that the development was particularly large in scale. The Planning Officer advised that although the street scene consists of dwellings which vary in scale and design the dwellings to the east and south are set at a higher level than the road. The Officer was of the opinion that this proposal could set a precedent for similar developments which would have a detrimental impact on the character of the streetscape.

The Team Leader reminded Members of the recent appeal decision in relation to the retention of decking at Hawthorne Glade, Tanglewood which was dismissed due to the adverse visual impact and loss of privacy to neighbouring properties.

The Team Leader concluded that due to the scale, mass and siting, the raised decking was considered to be an unduly dominant feature that would have an adverse visual impact upon the street scene and noted the officer's recommendation that the application be refused.

At the invitation of the Chair, the Applicant addressed the Committee.

Mr. Llewellyn informed the Committee that he built the property in 2003 and have undertaken landscaping works around the property as funding had allowed. In September 2017 works commenced on the front, prior to this landscaping the existing ground was flat and extended from the foot outwards by 4m towards the highway before a steep gradient to the boundary wall. The gradient was such that any future access and maintenance would be difficult and the terracing was the only suitable course action, therefore the Applicant advised that he commenced works to form two less steep gradients with a flat lower terrace mid-way between. Mr. Llewellyn referred to from Blaenau Gwent householder design guidance note 7 and informed that it was his intentions to form the upper terrace and return the ground to its previous state both in height and scale by building a retaining wall within the permitted development height. The deck surface would then be retained at ground level the whole structure appeared to meet the guidance with no need for planning application.

The Applicant advised that the development would not cause any additional overlooking of neighbouring properties besides the ones which could currently be seen out the windows. It was added that the Applicant had choose a sustainable option for the development which would achieve suitable structural frame, supported by brick wall to achieve a same visual outcome. The choice of finish for the building material would be in keeping with the Tanglewood development. The scale of the decking surface would be smaller than the footprint of the land removed to facilitate the terrace works and the level above the highway remained unchanged. In order to necessitate support the wall would be slightly longer as it must meet the path along the building.

The Applicant continued that the laurel hedge and cherry tree planting to be included as part of the development would obscure the wall and enhance biodiversity.

It was further continued that the back drop, terrace or character of building would not be affected and would be similar to other homes on the estate. There were also some higher properties on the site and the Applicant noted that there was evidence available to support these comments. Mr Llewellyn added that no complaints had been received from neighbours and therefore he was of the opinion that the application would not affect our wellbeing nor that of his neighbours and would ask the Committee to apply due consideration and allow the balcony to be granted.

The Ward Member concurred with the comments made by the Applicant and felt that the structure enhanced the area. The Ward Member disagreed with the officer's recommendation and felt that reference should not have been given to a previous application as this development was of a smaller scale. The Ward Member felt that the application would not have a detrimental effect on the area as it was in keeping with other properties on the site.

The Ward Member advised that prior to the works undertaken by Mr. Llewellyn on his property the area was overgrown and unsightly and therefore encouraged Members to grant planning permission. However, if Members felt that a site meeting would be beneficial, the Ward Member proposed a site meeting be arranged.

The Members of the Committee concurred with the Ward Member and felt that the application would enhance the area. The development was situated towards the back of the site and would be finished to high standard. In terms of the previous application, Members noted that the balcony was on a much larger scale and therefore it was felt that all applications should be considered on its own merits.

A Member referred to the statement made by the Applicant in relation to additional planting for screening and asked if a condition could be placed on the application as part of the decision.

The Ward Member advised that planting was already in situ by the Applicant and the Applicant confirmed that trees had been planted and would be happy to plant more maturing trees if requested by the Committee.

It was proposed and seconded that the application be granted with the appropriate condition to be delegated by officers to ensure the decking had an acceptable level of landscape screening and upon a vote being taken it was unanimously,

RESOLVED that planning permission be **GRANTED**.

C/2021/0172

Ben Wards Field, Brynmawr, NP23 4GU

Retention of earthworks including importation of material, re-profiling of existing contours, temporary ancillary works including welfare facilities & parking areas with restoration to grass land with hedgerows & drainage features, for grazing and nature conservation & reinstatement of the rights of way, cycle routes and temporary access point

The Team Manager Development Management advised that the application sought planning for permission for the retention of earthworks at Ben Wards Field, Brynmawr. The work included the importation of material, re-profiling of existing contours, temporary ancillary works including welfare facilities & parking areas, restoration to grass land with hedgerows and drainage features and the reinstatement of the rights of way, cycle route and temporary access point. The work had been undertaken in conjunction with the current work being carried out for the Heads of the Valleys Road dualling project which covered the area between Brynmawr and Gilwern. The material that had been deposited at Ben Wards field was surplus to the design requirements of the new highway. The Team Manager Development Management added that Members may recall that planning permission had been granted for the deposit of surplus material along with other ancillary works on Ben Wards Field in 2016, however, the scheme had now changed due to the need to deposit additional fill on site and therefore the need for the submission of this retrospective application.

The Team Manager Development Management further outlined the application with the assistance of diagrams as detailed in the report and gave an overview of the consultation which had taken place and was positive. The Team Leader noted the comments raised by Natural Resource Wales and Brecon Beacons National Park and advised that these had been addressed in the report.

The Team Manager further spoke to the report and outlined key points in relation to the landscape and visual impact, ecology and biodiversity, environmental, access, land use and recreation, ground stability, drainage and historic environment as detailed in the planning application. The Team leader advised that she shared the views of the Councils Service Manager Green Infrastructure and the Council's Ecologist and had no issues with regards to hedgerows and was satisfied with the proposed landscape restoration scheme. The Team Leader advised that the land profiles had slightly changed since the report had been finalised as softer profiling had been requested.

The Team Manager referred to photographs taken at different points and was of the opinion that there would be no unacceptable impact on the landscape and nearby properties.

In terms of aftercare, the Team Manager advised that this was initially for 5 years, however the Applicant had been asked if it could be made longer and an 8-year period was agreed which exceeded the aftercare period.

The Team Manager referred to the recommendation for approval and advised that the conditions 2 and 3 required further information. This information had now been received, was acceptable and the conditions were no longer required. The Team Manager was satisfied that the application be granted.

The Ward Member advised that the residents of Brynmawr have experienced a great deal of disruption during the works. The Ward Member added that it had been suggested that this area would be best used as an outdoor space for the community and welcomed additional planting in the area.

The conditions did not mention the planting of more hedgerows and trees and the Ward Member felt that this should be included. Also, the Ward Member suggested a pond be placed in the area. It was felt that these additional aspects would make it a pleasant outdoor area.

The Team Manager noted the comments in relation of additional planting and advised that there was a detailed landscaping scheme in place which had been carefully designed to benefit from biodiversity enhancements on site and hoped to encourage lapwings back to the site. If more trees were to be planted it could have a detrimental impact on the biodiversity and ecology aims this site was looking to achieve. In respect of the pond, the Team Leader advised that the ponds had been designed to take water run-off from the site and for ecology purposes as part of a wider enhancement for drainage and biodiversity. The Team Leader stated that the scheme presented was acceptable and suggested that the additional trees could be explored in the future.

Another Member noted that the land would be used for grazing land and welcomed the hedgerows. However, the Member felt that more planting would be used as a shelter for the animals. The Member also raised concerns in relation to stability and advised that if there were more trees on site this would assist with drainage and prevent water running onto the A467.

The Team Manager advised that if Members were looking to change the landscaping they must be mindful that the additional planting would potentially impact the biodiversity enhancements the site looked to achieve. The Team Leader suggested that she be delegated powers to add conditions in relation to additional tree planting.

The Committee felt that the site would benefit from additional planting. The Ward Member thereupon proposed that a condition be sought to included additional planting and this was seconded.

Upon a vote being taken it was unanimously,

RESOLVED that planning permission be **GRANTED**.

C/2021/0133

Plot, Land east of Whitworth Terrace, Tredegar
New detached dwelling (replacement for previous
approval C/2016/0225)

It was reported that the application sought full planning application to erect a detached 4-bedroom house on land situated to the east of Whitworth Terrace, Tredegar. The land was accessed off Whitworth Terrace via a track which currently ran between two blocks of stables and storage sheds. The application site measured approximately 0.15 hectare and was a long narrow plateau which was partly surfaced in hard-core. The site measures at its maximum approximately 20 x 75 metres, which slopes from south to north. The proposal was to erect a dwelling at an oblique angle north east of the existing stable and storage buildings which would face north west over the wooded valley slopes to the north which are also owned by the Applicant.

The main house would be rendered and the annex wings would be constructed in face brickwork and have a slate roof. In terms of design the main house was a two storey gable ended property and would feature a large two storey gable projection on the front.

The Officer further noted the diagrams as detailed in the report along with the consultation responses. The Officer accepted that the dwellings built to the south of the site are different in design to each other however both houses are of a smaller scale and are more traditional in style than the one currently proposed. In conclusion, the Officer was of the opinion with all relevant matters considered the scale and design of the proposed house was unacceptable in this location and would appear out of context with the surrounding area, therefore recommended that the application be refused.

At the invitation of the Chair, the Ward Member, Councillor John Morgan addressed the Committee. The Ward Member advised that he was in favour of the development and noted discrepancies he felt was in the application.

The Ward Member added that this Authority favoured additional housing in Blaenau Gwent and the Ward Member felt that we have a number of the lower banded homes in the area, however there was only 78 houses in Band G. The Ward Member felt that it was important that larger homes be built as many people who work in management jobs in Blaenau Gwent looked outside of the area for higher end homes.

The Ward Member further added that the development was acceptable and supported the application for approval.

A Member referred to previous discussions around the Local Development Plan and informed that this area had been proposed to be included for housing development. However, due to the pandemic these updates had not been taken forward. The Member concurred with the Ward Member and felt that the development would enhance the area and would not be intrusive. The Member reiterated that this parcel of land should be included in the Local Development Plan and therefore proposed that planning permission should be granted.

Another Member advised that there were a number of properties in Georgetown of various designs and scales and raised no objections to the concerns with the application. The Member welcomed this property and felt that Blaenau Gwent needed more homes of this design/scale.

It was proposed and seconded that the application be granted and powers be delegated to officers in order for the appropriate conditions to be added to the application.

RESOLVED that planning permission be **GRANTED.**

Councillor B. Willis abstained from voting.

<p>No. 5</p>	<p><u>APPEALS, CONSULTATIONS AND DNS UPDATE: OCTOBER 2021</u></p> <p>Consideration was given to the report of the Service Manager – Development & Estates.</p> <p>Councillor K. Rowson left the meeting at this juncture.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 6</p>	<p><u>PLANNING APPEAL UPDATE: MAS Y DDERWEN, CHARLES STREET, TREDEGAR REF: C/2020/0282</u></p> <p>Consideration was given to the report of the Planning Officer.</p> <p>The Service Manager Development and Estates spoke to the report which detailed the decision of the Planning Inspectorate in respect of a planning appeal against the refusal of planning permission for the construction of a 5 bedroom supported living unit and associated works at Maes Y Dderwen, Charles Street Tredegar.</p> <p>The Service Manager noted the reasons provided by the Committee for refusal in relation to parking, suitability of location, loss of amenity space and not in the best interest of the community.</p> <p>The Service Manager advised that the Inspector had disagreed with these reasons for refusal and had felt that there was lack of evidence to support the reasons provided for refusal. The Inspector was satisfied that subject to the imposition of conditions the development was acceptable, allowed the appeal and planning permission was granted for the development.</p> <p>The Service Manager Development and Estates further outlined the Appeal Decision Notice and reiterated the reasons were rejected due to lack of evidence. The Service Manager appreciated that Members disagreed with the officer’s recommendations on occasions, however it was important that the necessary evidence was provided to support decisions made by Members.</p>	

	<p>The local Members were disappointed with the appeal decision and another Member advised that she had presented the Inspector with additional evidence on an issue in her Ward, however it was ignored.</p> <p>The Service Manager stated that no local Members came forward to support the reasons for refusal, therefore the only evidence provided was the Minutes of the Meeting.</p> <p>A Member suggested that going forward the Committee assist the officers in any way possible in order for reasons for refusal against an officer's recommendation be presented. It was added that comments from the Police should also be sought in certain instances.</p> <p>RESOLVED that the report be accepted and the appeal decision for planning application C/2020/0282 be noted.</p>	
<p>No. 7</p>	<p><u>APPLICATION: C/2021/0103 SITE: FORMER JOB CENTRE, TREDEGAR PROPOSAL: CONVERSION OF FORMER OFFICE INTO 11 ROOM BED AND BREAKFAST FACILITY WITH RESIDENTIAL UNIT, ASSOCIATED PARKING PROVISION WITH INTERNAL AND EXTERNAL ALTERATIONS AND DECKING</u></p> <p>Consideration was given to the report of the Service Manager Development & Estates.</p> <p>The Officer advised that the report had been requested at the last Committee as Members deferred the application to gain responses from local Police, Tredegar Town Council and the Fire Authority as well as seek further clarification on reasons for refusal. The Officer spoke to the report and provided an overview of the key points.</p> <p>It was reported that the main concerns raised by local Members were the problems experienced in the Town Centre from similar establishments. However, the Officer reported that the facility of concern had planning permission for a hostel and pointed out that the current application was for B&B and conditions have been proposed which may address concerns. If the applicant wished to change the use further planning permission would be required.</p>	

Therefore, the Officer stated that her recommendation remained unchanged and the application be granted.

The Chair invited the Ward Member to address the Committee at this juncture.

Councillor S. Thomas, Tredegar, Central and West Ward welcomed the comments received from the Local Police in respect of the application. The information provided supported concerns raised by local Members and the Ward Member felt that it would be difficult for the Police and Local Authority to monitor proper uses. The Ward Member stated that if the application was granted the people of Tredegar would have very little recourse to refuse the development.

The Ward Member advised that the developer operated similar establishments in other areas under the guest house application which were used similarly as the facility in the Town Centre. The report detailed the costs of appeal, however in this instance the refusal would be supported by the Local Police, local Members and the community.

The Ward Member offered his support if the decision was appealed and would be happy to provide the necessary evidence. The Ward Member thereupon asked the Committee to refuse the application due to the current issues being experience in Tredegar Town Centre.

Another local Member supported the comments raised and felt that it was not a suitable local for a B&B. The Member welcomed tourism to Tredegar, however this building was more suited to offices rather than a B&B. It was felt that when applications for businesses within Town Centres are submitted it would be good to see business plans to ascertain what the applicant had planned for the development and how it would bring benefits to the Town Centre. The Member supported the Ward Member that the application be refused.

It was proposed and seconded that the application be refused. The reason for refusal was that the development would have an unacceptable impact on the surrounding area given existing issues that exist.

	<p>Therefore, upon a vote being taken 12 voted in favour of the amendment and 1 abstained from voting. It was thereupon,</p> <p>RESOLVED that planning permission be <u>REFUSED</u>.</p>	
<p>No. 8</p>	<p><u>POTENTIAL DNS SCHEMES FOR WIND FARMS</u></p> <p>Consideration was given to the report of the Team Manager Development Management.</p> <p>The Service Manager Development Management outlined the report which had been presented to make Members aware of consultation with Welsh Government in respect of four scoping directions which have been submitted for wind farms. It was reported that the wind farms would be located at Mynydd Carn-y-Cefn, Mynydd Llanhilleth, Maenmoel and Abertillery and an overview of the areas was provided.</p> <p>The Service Manager Development Management advised that not all planning applications would be submitted to the Council. The schemes for renewable energy that generated above 10 Megawatts was called a 'Development of National Significance' and these schemes were submitted to Welsh Government to be decided by an independent Planning Inspector, however the Council would be formally consulted on any subsequent planning applications.</p> <p>It was reported that all Members would have an opportunity to submit questions if the schemes are forthcoming.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	

<p>No. 9</p>	<p><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 23RD AUGUST, 2021 – 24TH SEPTEMBER, 2021</u></p> <p>Consideration was given to the report of the Senior Business Support Officer.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 11</p>	<p><u>ENFORCEMENT CLOSED CASES BETWEEN 9TH JULY 2021 AND 30TH SEPTEMBER 2021</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 12, Schedule 12A of the Local Government Act 1972 (as amended).</p> <p>Consideration was given to the report of the Service Manager Development.</p> <p>RESOLVED that the report which contained information relating to a particular individual be accepted and the information contained therein be noted.</p>	

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

SUBJECT PLANNING, REGULATORY & GENERAL LICENSING COMMITTEE (GENERAL LICENSING MATTERS) – 18TH OCTOBER, 2021

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillors W. Hodgins
 D. Bevan
 G. L. Davies
 M. Day
 J. Hill
 C. Meredith
 K. Pritchard
 K. Rowson
 B. Thomas
 T. Smith
 D. Wilkshire
 B. Willis
 L. Winnett

**WITH: Team Manager – Trading Standards and Licensing
 Senior Licensing Officer
 Solicitor**

AND: Applicant

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	

<p>No. 2</p>	<p><u>APOLOGIES</u></p> <p>An apology for absence was received from Councillor G. Thomas.</p>	
<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest and dispensations were received.</p>	
<p>No. 4</p>	<p><u>ACTIVITIES REPORT FOR 2020/21 AND 2021/22 (Q1 & Q2)</u></p> <p>Consideration was given to the report of the Senior Licensing Officer.</p> <p>The Team Manager Trading Standards and Licensing advised that the report updated the Planning, Regulatory and General Licensing Committee on the work of the Licensing Team from the 1st April, 2020 to 31st March, 2021 and 1st April, 2021 to 30th September, 2021. The Team Manager spoke to the report and outlined the key points detailed in the report related to the Impact of Covid-19, staffing and duties, working practices along with the operational report, street trading, charity collections, scrap metal, freedom of information requests, inspection and enforcement activities and management report.</p> <p>The Team Manager noted that no formal complaints had been received during this period and referred Members to the appendices.</p> <p>A Member asked if there were any delays on DBS Checks.</p> <p>The Senior Licensing Officer advised that DBS checks were now on a rolling programme and where due to be followed up in December.</p> <p>A Member raised concerns in relation to staff reductions and the Team Manager – Trading Standards and Licensing advised that the Team was currently at full capacity and reassured Members that there had been no reductions in staff.</p>	

It was added that where staff had been temporarily redeployed during the pandemic, appropriate measures were taken to backfill or extend other Officers hours for the period in question.

Another concern was raised in relation to the closure of the cash desk at the Civic Centre and it was reported applicants are able to pay over the phone using a card and invoices could be raised if an applicant wished to pay with cash. The Team Manager added that the service was continually looking at service improvement options and other payment options could be explored as appropriate.

In response to another concern raised by the Member in relation to interviewing of applicants, the Team Manager advised that the Team was now based at Anvil Court and an interview room was available if required. The Team Manager added that it was now widely accepted that interviews could be carried out via Teams and the Committee interviews which had been held in this way had been successful. The Team Manager further added that the Local Authority are now in a position to offer hybrid meetings, therefore he felt that there was now a balance in place.

A Member wished to extend thanks to staff for maintaining the high standard of work during this period.

Another Member welcomed the report and concurred that credit should be given to the Team as well as licence holders who have maintained their service during the pandemic.

A discussion ensued around the electric taxis pilot and it was reported that vehicles had been delivered and all electric charge points had been installed, however, there was a delay in the appointment of a management company. The Local Authority was not in a position to issue licences until the management company had been appointed by the Cardiff Capital Region and Welsh Government following their tender process. The Senior Licensing Officer added that there had been interest from taxi drivers and once the management company had been appointed the project could proceed.

	<p>The Team Manager added that it was hoped that this issue could be addressed as soon as possible in order to move this project along, however it was out of the Licensing Authority's control.</p> <p>In terms of extending the scheme, it was reported that there were no confirmed timeframes, therefore it could be a possibility.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 6</p>	<p><u>SCHEDULE OF APPLICATION FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 12, Schedule 12A of the Local Government Act 1972 (as amended).</p> <p>Consideration was given to the report of the Senior Licensing Officer.</p> <p>The Senior Licensing Officer introduced the Applicant to Officers and Members of the Committee and gave an overview of the application to be considered.</p> <p>A number of questions were raised by Members in relation to the application and the questions were responded to accordingly by the Applicant and Officers.</p> <p>RESOLVED that the report which contained information relating to a particular individual be accepted and the granted the application for a new hackney carriage.</p>	

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT STATUTORY LICENSING COMMITTEE –
18TH OCTOBER, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillors W. Hodgins
D. Bevan
G. L. Davies
J. Hill
C. Meredith
K. Pritchard
T. Smith
B. Willis
L. Winnett
D. Wilkshire

**WITH: Team Manager – Trading Standards and Licensing
Senior Licensing Officer
Solicitor**

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>The following apologies for absence was received:-</p> <p>Councillor G. Thomas Councillor K. Rowson</p>	

<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest and dispensations were received.</p>	
<p>No. 4</p>	<p><u>STATUTORY LICENSING SUB-COMMITTEE</u></p> <p>Consideration was given to the Minutes of the Sub-Committee held on 28th July, 2021.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 4</p>	<p><u>ACTIVITIES REPORT FOR 2020/21 AND 2021/22 (Q1 & Q2)</u></p> <p>Consideration was given to the report of the Senior Licensing Officer.</p> <p>The Team Manager Trading Standards and Licensing advised that the report updated the Planning, Regulatory and General Licensing Committee on the work of the Licensing Team from the 1st April, 2020 to 31st March, 2021 and 1st April, 2021 to 30th September, 2021. The Team Manager spoke to the report and outlined the key points detailed in the report related to the Impact of Covid-19, staffing and duties, working practices along with the operational report, alcohol and entertainment, gambling, gaming and lotteries, inspection and enforcement activities and management report.</p> <p>The Team Manager further referred Members to the detail outlined in the appendix to the report.</p> <p>A Member raised concerns around underage drinking and it was advised that the Local Authority gathered evidence in line with the Council's RIPA Policy. The Team Manager further provided an explanation of the process which would be undertaken in the event of alleged under-aged sales of alcohol and explained that outcomes and actions would be dependent on all of the circumstances, including who made the sale to the underage individual.</p>	

In response to a question raised in relation to the nature of Freedom of Information (FOI) requests made, it was reported that requests made included information on the number of public houses, clubs closed or surrendered/lapsed due to Covid-19. The Officer advised that before the information was submitted checks are always made with the FOI Team to ensure the data was appropriate to disclose .

A Member referred to the changes made to a number of licenced premises during the pandemic in order to offer outdoor spaces. The Member asked does the Authority have the appropriate capacity to manage these outdoor spaces and stated that although it was paramount that these businesses are promoted it was also important that they are managed correctly as some public houses were in residential areas.

The Team Manager – Trading Standards and Licensing felt that capacity was adequate at the moment and noted that only a relatively small number of premises had given rise to complaints relating to the use of the outside areas to date. However, this situation was continually being monitored in line with Covid-19 restrictions. The Team Manager added that discussions were ongoing with Gwent Police to work in partnership with the Local Authority and feedback intelligence to the Licensing/Trading Standards Team to investigate/monitor further via enforcement visits.

RESOLVED that the report be accepted and the information contained therein be noted (option 2).

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT SPECIAL STATUTORY LICENSING COMMITTEE –
28TH OCTOBER, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillors W. Hodgins
D. Bevan
J. Hill
C. Meredith
K. Pritchard
K. Rowson
G. Thomas
B. Willis
L. Winnett

**WITH: Team Manager – Trading Standards and Licensing
Senior Licensing Officer
Solicitor**

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>The following apologies for absence were received:-</p> <p>Councillor M. Day. Councillor T. Smith</p>	

<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest and dispensations were received.</p>	
<p>No. 4</p>	<p><u>GAMBLING ACT 2005 – REVIEW OF STATEMENT OF GAMBLING POLICY</u></p> <p>Consideration was given to the report of the Senior Licensing Officer.</p> <p>The Team Manager – Trading Standards and Licensing advised that the report sought to obtain the support of the Statutory Licensing Committee for the revised Gambling Act 2005 - Statement of Licensing Policy. The Team Manager added that the report had been presented to the Statutory Licensing Committee for consideration prior to being formally approved by full Council and advertised in a local newspaper before coming into effect on 31st January 2022.</p> <p>The Team Manager added that the statutory consultation on the draft Policy had been undertaken between 3rd September and 1st October 2021 with six relevant licence holders under the Act which covered 12 licensed gambling premises consisting of three adult gaming centres and eight betting premises. It was noted that some licensees hold more than one licence. The consultation was also carried out between Responsible Authorities, Members and other relevant groups and organisations which included the Gambling Commission, HMRC, Gamcare. The Team Manager reported that only one response had been received and this was purely administrative to amend an address of an organisation.</p> <p>The Team Manager noted the preferred option and referred Members to the Final Policy as detailed in Appendix 1.</p>	

The Chair invited questions from Members at this juncture.

A Member asked if there was a limit on the number of gambling outlets and it was reported that there was no policy in place to restrict the number of gambling establishments.

In response to a question raised in relation to amendments to the Policy, the Team Manager confirmed that there had been no representations, therefore the Policy remained unchanged.

A Member asked when was the date of the next review and it was informed that it would be in 3 years.

RESOLVED that the report be accepted and the Statutory Licensing Committee supported the reviewed policy as attached to the report in Appendix 1 and recommends approval by the Council (option 1).

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: **THE CHAIR AND MEMBERS OF THE COUNCIL**
SUBJECT: **EXECUTIVE COMMITTEE – 22nd SEPTEMBER, 2021**
REPORT OF: **DEMOCRATIC & COMMITTEE SUPPORT OFFICER**

PRESENT: **Deputy Leader/Executive Member –
Regeneration & Economic Development**
Councillor D. Davies (CHAIR)

Executive Member – Education
Councillor J. Collins

Executive Member – Environment
Councillor J. Wilkins

Executive Member – Social Services
Councillor J. Mason

WITH: Managing Director
 Corporate Director Regeneration and Community Services
 Corporate Director Social Services
 Corporate Director Education
 Head of Organisational Development
 Head of Legal and Corporate Compliance
 Communications, Marketing and Customer Access Manager
 Corporate Procurement Manager - Commercial Services
 Service Manager - Customer Experience & Benefits

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	

<p>No. 2</p>	<p><u>APOLOGIES</u></p> <p>The following apologies for absence were received:-</p> <p>Councillor N. Daniels Chief Officer Commercial and Customer</p>	
<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest and dispensations raised.</p>	
	<p><u>MINUTES</u></p>	
<p>No. 4</p>	<p><u>EXECUTIVE</u></p> <p>Consideration was given to the minutes of the meeting held on 21st July, 2021.</p> <p>RESOLVED that the minutes be accepted as a true record of proceedings.</p>	
<p>No. 5</p>	<p><u>SPECIAL EXECUTIVE COMMITTEE</u></p> <p>Consideration was given to the minutes of the meeting held on 26th July, 2021.</p> <p>RESOLVED that the minutes be accepted as a true record of proceedings.</p>	
<p>No. 6</p>	<p><u>SPECIAL EXECUTIVE COMMITTEE</u></p> <p>Consideration was given to the minutes of the meeting held on 1st September, 2021.</p> <p>RESOLVED that the minutes be accepted as a true record of proceedings.</p>	

	<p><u>GENERAL MATTERS</u></p>	
No. 7	<p><u>CONFERENCE, EVENTS AND INVITATIONS</u></p> <p><u>Wales Festival of Remembrance 2021</u> <u>6th November, 2021</u></p> <p>RESOLVED that Councillor Brian Thomas, Armed Forces Champion be approved to attend.</p> <p><u>Reserve and Cadets Association for Wales Event</u> <u>7th October, 2021</u></p> <p>RESOLVED that Councillor Brian Thomas, Armed Forces Champion be approved to attend.</p> <p><u>Merchant Navy Day</u> <u>2nd September, 2021</u></p> <p>RESOLVED that Councillor Brian Thomas, Armed Forces Champion be approved to attend.</p>	
	<p><u>DECISION ITEMS – CORPORATE SERVICES</u></p>	
No. 8	<p><u>FORWARD WORK PROGRAMME – 10TH NOVEMBER, 2021</u></p> <p>Consideration was given to the report of the Leader of the Council.</p> <p>RESOLVED that the Forward Work Programme be accepted and the information contained therein be noted.</p>	

No. 9

GRANTS TO ORGANISATIONS

Consideration was given to the report of the Chief Officer Resources.

The following grants were received following publication of the report:-

ABERTILLERY

Llanhilleth Ward - Councillor N. Parsons

- | | | |
|----|-----------------------|------|
| 1. | Abertillery Belles FC | £100 |
|----|-----------------------|------|

Six Bells Ward - Councillor M. Holland

- | | | |
|----|----------------------------|------|
| 1. | Alzheimer's Research UK | £400 |
| 2. | Friends of Six Bells Park | £300 |
| 3. | Six Bells Over 50's Club | £100 |
| 4. | Six Bells Bowls | £300 |
| 5. | Six Bells Community Centre | £200 |

EBBW VALE

Badminton Ward - Councillor C. Meredith

- | | | |
|----|------------------|------|
| 1. | RTB Ebbw Vale FC | £100 |
|----|------------------|------|

Badminton Ward - Councillor G. Paulsen

- | | | |
|----|------------------|------|
| 1. | RTB Ebbw Vale FC | £100 |
|----|------------------|------|

Rassau Ward - Councillor D. Wilkshire

- | | | |
|----|--------------|------|
| 1. | Beaufort RFC | £150 |
|----|--------------|------|

RESOLVED accordingly.

FURTHER RESOLVED, subject to the foregoing that the report be accepted and the information contained therein be noted.

No. 10 **ASSESSMENT OF PERFORMANCE 2020/21**

Consideration was given to the report of the Service Manager Performance and Democratic.

The Managing Director advised that the report presented the Council's Assessment of Performance 2020/2021 and informed that the Local Government (Wales) Measure 2009 had been replaced by the Local Government and Elections (Wales) Act 2021. Therefore, the Managing Director advised that this would be the last Assessment of Performance under these regulations. The Council would still be required to develop reports on the progress made against the Corporate Plan and also implementation of the Well-being of Future Generations (Wales) Act and reports would be presented to Executive accordingly.

The Managing Director further noted Appendix 1 which detailed the progress the Council had made during 2020/21 and an assessment of the work undertaken as part of the response to the COVID 19. The Managing Director recognised that 2020 had been a challenging year for everyone including the Local Authority and it was a credit to the workforce that this performance was achieved against such challenges. There had been some issues in service areas due to the effects of the pandemic, however all services had picked back up in the summer.

The Managing Director referred the Executive to the options which sought to ensure that it fulfilled all required statutory legislative requirements before being submitted to Council for approval.

The Deputy Leader concurred that the workforce, communities and businesses had all been affected by the pandemic and extended thanks and admiration on the work achieved during this period.

RESOLVED that the report be accepted and the retrospective progress made be endorsed and included within the Council's Assessment of Performance for 2020/21 and be assured that it fulfils all required statutory legislative requirements before being submitted to Council for approval (Option 1).

DECISION ITEM – EDUCATION MATTERS

No. 11 **HOME TO SCHOOL AND POST 16 TRANSPORT
POLICY REVIEW 2022 – 2023**

Consideration was given to the report of the Corporate Director Education.

The Corporate Director Education spoke to the report which sought the views of Executive in relation to the review of Blaenau Gwent Home to School and Post 16 Transport Policy for the 2022/23 and summarised the changes and additions made.

In response to comments raised at the Education and Learning Scrutiny Committee it was reported that the Policy was reviewed on an annual basis and there was an opportunity for the review, if required. The Corporate Director Education also added that it would feature on the Scrutiny Forward Work Programme and it would be brought back for consideration in 12 months.

RESOLVED that the report be accepted and approved the Home to School and Post 16 Transport Policy 2022/23 as outlined in Appendix 2 (Option 1).

**EDUCATION ACCESSIBILITY STRATEGY AND
ACTION PLAN REVIEW**

Consideration was given to the report of the Corporate Director Education.

The Corporate Director Education advised that the report provided an overview of the Education Accessibility Strategy Review process and associated timelines. The Corporate Director outlined the key points as contained in the report and pointed out that Blaenau Gwent had been recognised by the Children’s Commissioner for Wales as being one of the only Councils in Wales to have a published Accessibility Strategy and associated action plan.

The Executive Member for Education welcomed the report which reflected well on the Local Authority and reiterated that Blaenau Gwent had been recognised by the Children’s Commissioner for Wales as being one of the only Councils in Wales to have a published Accessibility Strategy.

RESOLVED that the report be accepted and the information contained therein be noted (Option 1).

INCLUSION STRATEGY AND REVIEW (2021-2022)

Consideration was given to the report of the Corporate Director Education.

The Corporate Director Education outlined the report which detailed plans to review the Inclusion Service during the period of September 2021 – August 2022 in line with the requirements of Welsh Government’s Additional Learning Needs and Educational Tribunal (Wales) Act 2018. The Corporate Director felt that Blaenau Gwent was well placed to take forward the review and referred the Executive to the key priorities of the Strategy.

The Deputy Leader advised that schools had made good progress during these challenging times and the Strategy would give further support to pupils with special needs. The Executive Member for Executive concurred with the comments raised and welcomed the common approach to be taken by schools across Blaenau Gwent.

RESOLVED that the report be accepted and the review of the Inclusion Service be agreed to ensure that the requirements of the ALN Act are met, this would include reviewing relevant resourcing, structures, job descriptions and ensuring that relevant arrangements are in place to fulfil the needs of the ALN Act (Option 2).

**DECISION ITEM –
REGENERATION AND ECONOMIC DEVELOPMENT MATTERS**

No. 14 INVESTMENT IN MICRO-HYDRO DEVELOPMENT

Consideration was given to the report of the Team Manager Regeneration Opportunities.

The Corporate Director Regeneration and Community Services advised that the report provided an update on progress of the Micro-Hydro Feasibility Study carried out in Cwm and Llanhilleth and sought approval for the next steps of the Project. The Corporate Director noted the potential eleven areas for investigation and advised that following further research sites in Llanhilleth and Cwm were determined as the preferred locations. Although electricity could be generated at the aforementioned areas it was decided that at this time it was not feasible for the Council to take the work forward further investigations and development.

It was reported that the Regeneration Scrutiny Committee supported the preferred option as the Council had committed to undertake investigations at all eleven areas identified as worthy sites of further exploration for hydro generation.

The Deputy Leader felt that all aspects of energy should be considered in line with work being undertaken around carbonisation and although the commercial element for Council investment was not available, there could be other opportunities to be explored in our communities.

RESOLVED that the report be accepted and the Council choose not to take these schemes forward for further investigation and development. The projects would be closed from the current point and would only be revisited should costs significantly reduce or new technologies become available (Option 1).

No. 15 **PARTNERSHIP DELIVERY APPROACH – TOWN CENTRES**

Consideration was given to the report of the Team Manager Regeneration Opportunities.

The Corporate Director Regeneration and Community Services spoke to the report which sought approval to formulate the Town Centre Advisory Boards across the Town Centres of Abertillery, Brynmawr and Ebbw Vale to support a partnership delivery approach for future project delivery. It was hoped that the work undertaken in Tredegar could be built upon and rolled out across all Town Centres.

The Corporate Director advised that the report had been considered by the Regeneration Scrutiny Committee and it was requested that Blaina be included in the project. It was confirmed that that this course of action was agreed and Blaina would be undertaken once the Abertillery area had been completed.

The Deputy Leader noted the work undertaken with Tredegar Forum and advised that working with our partners and other businesses was vital to improving our town centres and footfall.

RESOLVED that the report accepted and the Executive provided approval for the formation of a series of Advisory Boards for the Town Centres of Abertillery, Blaina, Brynmawr and Ebbw Vale based upon the Tredegar Advisory Board approach and acknowledge the draft Terms of Reference as outlined in Appendix One. The Advisory Board shall act as a consultative body to oversee development and delivery of Town Centre Strategies and Plans. Each shall start with a small membership identified by members of the Town Centres Task and Finish Group alongside Officers. The membership can then be expanded and developed further as discussions develop.

	<p><u>MONITORING ITEMS – CORPORATE SERVICES</u></p>	
<p>No. 16</p>	<p><u>COMMUNICATIONS STRATEGY QUARTERLY PERFORMANCE MONITORING (APRIL-JUNE 2021)</u></p> <p>Consideration was given to the report of the Chief Officer Commercial and Customer.</p> <p>RESOLVED that the report be accepted and Quarter 4 (January to March 2021) update against the Communication Strategy (Option 1).</p>	
<p>No. 17</p>	<p><u>COMMERCIAL STRATEGY QUARTERLY PERFORMANCE MONITORING (APRIL-JUNE 2021)</u></p> <p>Consideration was given to the report of the Chief Officer Commercial and Customer.</p> <p>An overview of the progress made for Quarter 1 against the Commercial Strategy was provided. A detailed overview of the key points in relation to the Strategic Commissioning and Commercial Board, Customer Experience, Digital, Procurement Officer Group, Procurement Plans and Contract Management and Procurement Strategy and Policy was provided.</p> <p>The Deputy Leader welcomed the report and acknowledged that the commercial aspect of the Council was important for this administration and advised that positive feedback had been received on the community hubs. The Deputy Leader also recognised the work of the procurement team which was paramount in achieving value for money</p> <p>RESOLVED that the report be accepted along with the performance of the Commercial Strategy during the period April – June 2021 as presented (Option 1).</p>	

No. 18 **SICKNESS ABSENCE PERFORMANCE 2020/21**

Consideration was given to the report of the Head of Organisational Development.

The Head of Organisational Development spoke to the report which outlined sickness absence performance for 2020/21, the continued actions to support improvement in attendance and recognise the positive attendance of the majority of the workforce. It was reported that the overall year end outturn figure for the Council of 11.67 days per full time employee (9.98 days excluding COVID-19 sickness). This was a decrease from the previous year's outturn of 13.91 days (13.48 days excluding COVID-19 sickness). The Head of Organisational Development advised that the outturn exceeded the target set of 10.50 days. It was added that when sickness absence related to COVID-19 had been excluded the outturn figure reduced to 9.98 days which was an overall reduction of 3.93 days bringing the outturn figure below the corporate target. The Head of Organisational Development added that Quarter 1 figures for this financial year are showing an increase in sickness and it was understood that other Councils are experiencing a similar trend in performance.

The Deputy Leader recognised the challenges within the workforce which had been experienced by all Councils due to the pandemic. The Deputy Leader felt that the robust recording and monitoring of sickness in place which was paramount as well as support for staff's health and well being.

RESOLVED that the report be accepted and the ongoing actions to support improvement in attendance (Option 2).

	<u>MONITORING ITEMS – EDUCATION</u>	
No. 19	<u>EDUCATION SERVICES – MAIN SELF-EVALUATION REPORT (SER)</u> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>RESOLVED that the report be accepted and acknowledged that effective self-evaluation was an on-going process (Option 1).</p>	
No. 20	<u>SAFEGUARDING SELF-EVALUATION OUTCOMES</u> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted (Option 1).</p>	
	<u>MONITORING ITEMS – REGENERATION AND ECONOMIC DEVELOPMENT</u>	
No. 21	<u>REGENERATION & DEVELOPMENT PERFORMANCE REPORT</u> <p>Consideration was given to the report of the Corporate Director Regeneration and Community Services.</p> <p>The Corporate Director Regeneration and Community advised that the report sets out a range of the activities undertaken across Blaenau Gwent and highlighted work taken forward around housing, skills and enterprise, energy.</p> <p>The Deputy Leader noted the positive work carried out across the Council over the last 12 months, particularly the Regeneration Team who had worked well in supporting and encouraging businesses to Blaenau Gwent throughout these challenging times. The Deputy Leader wished to thank the Team for the work achieved.</p> <p>RESOLVED that the report be accepted and information contained therein be noted (Option 2).</p>	

No. 22 **PROGRESS UPDATE ON DECARBONISATION PLAN**

Consideration was given to the report of the Managing Director.

The Managing Director advised that this was the first progress report since the adoption of the Council's Decarbonisation Plan. The Managing Director spoke to the report and outlined the progress made along with the actions of the Board. The Council had made good progress but there was still a significant amount of work to be done to overcome the challenges presented by climate change.

In terms of the next steps, the Managing Director noted that further readiness assessments on the remaining transitions would be undertaken. It was anticipated that all of the readiness assessment will be completed during this financial year and progress on agreed actions would be monitored via the Council's existing business planning process on an ongoing basis with updates provided on a quarterly basis. The Managing Director added that the Council was well placed to respond to the Welsh Government's Net Zero Reporting for Local Authorities.

It was further reported that Blaenau Gwent was the first area in Wales to host a Climate Assembly and referred to the members briefing session which was held and the commitment given to publish a Council Response to the findings. This work was underway and would be reported to the Executive and Scrutiny Committee in due course. The Council was also taking a lead role in developing the response provided to the Climate Assembly on behalf of the Public Services Board which would be completed this autumn.

The Deputy Leader stressed the importance of Climate Change and advised that this report helped us to understand the work undertaken to date and further work to be achieved. The Deputy Leader noted that this matter was a worldwide issue and he felt that Blaenau Gwent would play its part. The work done to date placed the Authority in a good position to play our critical part in climate change and decarbonisation. There was a significant amount of work to be undertaken in our communities and as Elected Members we needed to play a part in this work to assist in reducing Blaenau Gwent's carbon footprint.

RESOLVED that the report be accepted along with the progress made as presented (Option 1).

MONITORING ITEM - SOCIAL SERVICES

No. 23 **UPDATE ON STRATEGY TO SAFELY REDUCE THE NUMBERS OF CHILDREN LOOKED AFTER**

Consideration was given to the report of the Corporate Director Social Services.

The Corporate Director Social Services advised that the report outlined progress made on the Safe Reduction of Children Looked After Strategy. The Corporate Director noted that a new strategy was in place for 2020 – 2025, however it contained the objectives of the previous strategy with additional actions following the independent review by Worcester University.

The Corporate Director stated that the reduced number of children coming into care had been recognised by Welsh Government as a priority and as a result integrated care monies could be accessed to invest and develop services to safely reduce the number of children coming into care. The Corporate Director advised that this had enabled the Council to fund family group conferences, support special guardians and enhance resources in our Supporting Change Team and Enhance the Young Person's Mediation Service.

The Corporate Director further noted the impact of the joint team with Monmouthshire which had resulted in a significant underspend in our children residential budget at the end of 20/21. This was due to the hard work of the My Support Team and 14 plus Team who worked to reduce the numbers of children in residential care and worked to prevent children entering residential care. The Corporate Director noted the reduction in numbers and advised that today the number was 12. Further reference was made to the work undertaken and the Corporate Director informed that as at Monday our children looked after numbers was 189. Although these figures could change at any time there is a continued downward trend in the right direction.

In conclusion the Corporate Director noted the number of vacancies in the Team which made the figures even more remarkable and showed the excellent work of the staff in Blaenau Gwent. The report was positive and showed the continued progress of the Strategy and the positive impact for the children and families of Blaenau Gwent and allowed families to stay together when it was safe to do so as well as reduce the budget pressures.

The Executive Member for Social Services welcomed the report and wished to thank staff in Social Services for their excellent contribution in reducing looked after children in Blaenau Gwent. The Executive Member informed that the CIW had acknowledged Blaenau Gwent's way in which the safe reduction of children Strategy had proved successful.

The Executive Member also reported that there was today 187 looked after children in Blaenau Gwent which was a further reduction since Monday's figure as reported by the Corporate Director.

RESOLVED that the report be accepted and the information therein be noted (Option 1).

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

SUBJECT: EXECUTIVE COMMITTEE - 10TH NOVEMBER, 2021

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR N. DANIELS (CHAIR)

Councillors J. Collins
D. Davies
J. Mason
J. Wilkins

WITH: Managing Director
Corporate Director Social Services
Corporate Director Education
Chief Officer Resources
Chief Officer Commercial and Customer
Head of Community Services
Head of Legal and Corporate Compliance
Communications Officer

DECISIONS UNDER DELEGATED POWERS

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>An apology for absence was received from Corporate Director Regeneration and Community Services.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p>	

	There were no declarations of interest and dispensations raised.	
	<u>MINUTES</u>	
No. 4	<u>EXECUTIVE COMMITTEE</u> Consideration was given to the minutes of the meeting held on 22 nd September, 2021. RESOLVED that the minutes be accepted as a true record of proceedings.	
	<u>DECISION ITEMS - CORPORATE SERVICES MATTERS</u>	
No. 5	<u>FORWARD WORK PROGRAMME - 15TH DECEMBER, 2021</u> Consideration was given to the report of the Leader of the Council. RESOLVED that the Forward Work Programme be accepted and the information contained therein be noted.	
No. 6	<u>GRANTS TO ORGANISATIONS</u> Consideration was given to the report of the Chief Officer Resources. The following additional grants were received since the publication of the report:- <u>ABERTILLERY</u> <u>Abertillery Ward - Councillor N. Daniels</u> 1. Remembrance Parade £14.10 2. Chillax £100 <u>Abertillery Ward - Councillor J. Holt</u>	

1. Remembrance Parade	£14.10
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Abertillery Ward - Councillor M. Cook

1. Remembrance Parade	£14.10
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Cwmtillery Ward - Councillor T. Sharrem

1. Remembrance Parade	£14.10
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Cwmtillery Ward - Councillor J. Wilkins

1. Remembrance Parade	£14.10
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Cwmtillery Ward - Councillor M. Day

1. Remembrance Parade	£14.10
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Llanhilleth Ward - Councillor H. McCarthy

1. Remembrance Parade	£14.10
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Llanhilleth Ward - Councillor J. Collins

1. Remembrance Parade	£14.10
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2. Brynithel Senior Citizens	£200
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Llanhilleth Ward - Councillor N. Parsons

1. Remembrance Parade	£14.10
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2. Wyndham Vowles Community Centre	£100
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Six Bells Ward - Councillor D. Hancock

1. Remembrance Parade	£14.10
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Six Bells Ward - Councillor M. Holland

- | | | |
|----|-------------------------------|--------|
| 1. | Remembrance Parade | £14.10 |
| 2. | Six Bells Tenants & Residents | £300 |

BRYNMAWR

Brynmawr Ward - Councillor J. Hill

- | | | |
|----|---|------|
| 1. | Remembrance Parade | £62 |
| 2. | Friends of North Ebbw Fach Interact | £150 |
| 3. | Serving Veterans Association of Blaenau Gwent | £150 |

Brynmawr Ward - Councillor L. Elias

- | | | |
|----|--|------|
| 1. | Remembrance Parade | £62 |
| 2. | Brynmawr Town Centre Partnership Xmas Lights | £100 |
| 3. | St. Mary's Roman Catholic School | £50 |
| 4. | Blaen y Cwm School | £50 |

Brynmawr Ward - Councillor W. Hodgins

- | | | |
|----|--------------------|-----|
| 1. | Remembrance Parade | £62 |
|----|--------------------|-----|

EBBW VALE

Badminton Ward - Councillor G. Paulsen

- | | | |
|----|--------------------|-----|
| 1. | Remembrance Parade | £45 |
|----|--------------------|-----|

Badminton Ward - Councillor C. Meredith

- | | | |
|----|--------------------|-----|
| 1. | Remembrance Parade | £45 |
|----|--------------------|-----|

Beaufort Ward - Councillor G. Thomas & S. Healy

- | | | |
|----|--------------------|--------|
| 1. | Remembrance Parade | £82.50 |
|----|--------------------|--------|

Ebbw Vale North - Councillor D. Davies, P. Edwards &

R. Summers

1. Remembrance Parade £135

Ebbw Vale South - Councillor J. Millard & K. Pritchard

1. Remembrance Parade £90

Rassau Ward - Councillor G. Davies

1. Remembrance Parade £41.25

Rassau Ward - Councillor D. Wilkshire

1. Remembrance Parade £41.25

2. Ebbw Vale Male Voice Choir £100

3. RTB Football Club £150

4. Hospice of the Valleys £75

NANTYGLO & BLAINA

Nantyglo Ward - Councillor P. Baldwin

1. Remembrance Parade £72.25

Nantyglo Ward - Councillor J. Mason & K. Rowson

1. Remembrance Parade £144.50

Blaina Ward - Councillor J. P. Morgan

1. Remembrance Parade £72.25

2. Blaina & District Cricket Club £500

Blaina Ward - Councillor L. Winnett

1. Remembrance Parade £72.25

Blaina Ward - Councillor G. Collier

	<p>1. Remembrance Parade £72.25</p> <p>RESOLVED accordingly.</p> <p>FURTHER RESOLVED, subject to the foregoing that the report be accepted and the information contained therein be noted.</p>	
<p>No. 7</p>	<p><u>UPDATE ON UK RESETTLEMENT AND ASYLUM SEEKER DISPERSAL SCHEMES</u></p> <p>Consideration was given to the report of the Chief Officer Commercial and Customer.</p> <p>The Chief Officer Commercial and Customer spoke to the report which provided an update on participation supporting the UK Resettlement scheme. The Chief Officer noted the recent addition which included supporting the resettlement of Afghan Nationals and advised that the report also sought agreement for the participation in the Home Office Widening Asylum Seeker Dispersal Scheme.</p> <p>The Chief Officer further highlighted the work done to date working with lead officers and partners as detailed in the report.</p> <p>The Leader of the Council welcomed the report which demonstrated the Council's commitment in supporting people who seek sanctuary in Blaenau Gwent. The Leader referred to the work undertaken by the Chief Officer along with other officers and the Working Group which had been active for a number of years. The Working Group identified good external partnership working and was chaired by the Executive Member for Social Services. The Executive Member for Education also played a key role in the Working Group and the Leader wished to acknowledge the excellent work achieved by the Working Group, particularly the aforementioned Executive Members.</p> <p>RESOLVED that the report be accepted and the progress made in</p>	

	<p>participation with the UK resettlement, including most recently the Afghan resettlement programme be noted. The proposal to participate in the Widening Asylum Seeker Dispersal Scheme as a pilot be agreed (option 1).</p> <p>The Chief Officer Commercial and Customer left the meeting at this juncture.</p>	
	<p><u>DECISION ITEM - SOCIAL SERVICES MATTERS</u></p>	
<p>No. 8</p>	<p><u>PROPOSAL TO DEVELOP A BLAENAU GWENT MY SUPPORT TEAM (MYST)</u></p> <p>Consideration was given to the report of the Head of Children’s Services.</p> <p>The Corporate Director Social Services advised that the report outlined the proposal and business case to develop a Blaenau Gwent My Support Team (MyST) instead of the current joint MyST with Monmouthshire. The Corporate Director noted that Monmouthshire had now agreed their stand-alone Team via their democratic process.</p> <p>The Corporate Director spoke to the report and provided an overview of the actual savings and cost avoidance the MyST have achieved during 2019/2020 and 2020/2021. The Corporate Director further highlighted the costs of a full Blaenau Gwent team as detailed in the report and advised that this had been based on the forecast that Monmouthshire had provided for the joint Blaenau Gwent Monmouthshire Team for 2021/2022.</p> <p>Further key points were reported in relation to the financial benefits of the preventative work undertaken by Social Services along with anticipated savings estimated to be achieved by an establishment of a BG MyST.</p> <p>The Executive Member for Social Services welcomed and sought</p>	

support from the Executive to develop a Team which had far reaching benefits for the children and families of Blaenau Gwent. The work undertaken brought children back into the Borough and placed Social Services at the heart of our communities now and in the future.

The Executive Member noted the success of the partnership working between Blaenau Gwent and Monmouthshire which was a credit to all the dedicated staff involved. The Executive Member was confident that a stand-alone Team for Blaenau Gwent would continue to recognise benefits for our children and families in Blaenau Gwent.

In conclusion, the Executive Member wished to thank everyone involved for their work over the last two years.

The Leader of the Council supported the comments raised by the Executive Member and felt that the work undertaken in this area by the Corporate Director and the Executive Member was remarkable. The Leader felt it was paramount that Blaenau Gwent continued with this work and looked forward to seeing the positive work in the coming months and years.

RESOLVED that the report be accepted and the positive work MyST have undertaken be noted and the development of a Blaenau Gwent MyST be supported (option 1).

DECISION ITEM - ENVIRONMENT MATTERS

No. 9 SECTION 19 FLOOD INVESTIGATION REPORT, LLANHILLETH

Consideration was given to the report of the Head of Community Services.

The Head of Community Services advised that the report presented the S19 Flood Investigation Report for Llanhilleth following the flooding that occurred in Meadow Street and Railway Street during the 15th and 16th February 2020. The Officer spoke to the report and provided a detailed an overview of the key findings from the S19 Flood Investigation Report for Llanhilleth and referred the Executive to the full report which was detailed in Appendix 1 of the report.

	<p>The Head of Community Services further informed the Executive of the key actions from S19 Flood Investigation Report.</p> <p>The Executive Member for Environment noted the report which investigated the flooding incident which affected a significant amount of homes in the Llanhilleth Ward. The Executive Member stated that the report was very factual, however it could not recognise the human and community impact the flooding had on families in the area. The Executive Member added that the work would be ongoing and updates would be reported as part of the Annual Flood Management Plan to both Scrutiny and Executive in due course.</p> <p>RESOLVED that the report be accepted along with the Section 19 Flood Investigation Report, Llanhilleth and agreed to publish the report in accordance with the FWMA 2010 legislation (option 1).</p>	
	<p><u>DECISION ITEM - EDUCATION MATTERS</u></p>	
<p>No. 10</p>	<p><u>MUTUAL INVESTMENT MODEL (MIM)</u> <u>21ST CENTURY SCHOOLS</u> <u>WELSH EDUCATION PARTNERSHIP – T</u> <u>HE STRATEGIC PARTNERSHIP AGREEMENT</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>RESOLVED that the report be accepted and</p> <p>(a) the execution, delivery and performance of a supplemental agreement to the WEP Strategic Partnering Agreement dated 30th September 2020 (the “Deed of Adherence”) be agreed and from the date of execution of the Deed of Adherence to give effect to and be bound by the terms of the WEP Strategic Partnering Agreement dated 30th September 2020 as a party to it, to facilitate the delivery of a range of infrastructure services and the delivery of education and community facilities;</p> <p>(b) the terms of the Deed of Adherence and the WEP Strategic</p>	

	<p>Partnering Agreement dated 30th September 2020 at Appendix A and B of this report be approved and summarised in Appendix 1 and 2 of this report so as to give effect to recommendation (a), subject to recommendation (c) below;</p> <p>(c) it was noted that the Corporate Director of Education shall complete the Deed of Adherence for execution and was approved to complete all information gaps;</p> <p>(d) it was noted that the Deed of Adherence shall be executed as a deed and attested in accordance with in accordance with Section 12.5 of the Council’s Constitution of the Constitution; and,</p> <p>(e) it was approved (i) the appointment of the Service Manager - Education Transformation and Business Change as ‘Participant Representative’ to sit on the Strategic Partnering Board (SPB) for the purposes of Clause 12 (<i>Parties’ Representatives</i>) of the WEP Strategic Partnering Agreement; and (ii) the name, address and contact details for the purposes of Clause 40 (<i>Notices</i>) of the WEP Strategic Partnering Agreement; and</p> <p>(f) it was noted that in agreeing to enter into the Deed of Adherence it was not being asked during this meeting to decide to proceed with any Project, and that any decision to proceed with a Project would be considered separately and reported back to Cabinet in future report(s) for decision.</p>	
	<p><u>MONITORING ITEMS - ENVIRONMENT</u></p>	
<p>No. 11</p>	<p><u>COMMUNITY SERVICES PERFORMANCE REPORT 2020/21</u></p> <p>Consideration was given to the report of the Head of Community Services.</p> <p>RESOLVED that the report be accepted and information contained therein be noted (option 1).</p>	
<p>No. 12</p>	<p><u>WASTE AND RECYCLING PERFORMANCE 2020-21</u></p>	

Consideration was given to the report of the Service Manager Neighbourhood Services.

The Head of Community Services outlined the report and provided an overview of the waste and recycling performance outcomes for 2020/2021. The Head of Community Services noted that the Welsh Government statutory recycling targets had been achieved and the Council had maintained success for the current year in exceeding the target of 64%.

The Head of Community Services felt that this had been achieved due to the hard work and dedication of the frontline staff, officers and wardens who worked in partnership with WRAP and with support from the Communications Team, Performance Team, Senior Management, the Elected Leadership and most importantly the residents of Blaenau Gwent. The Head of Community Services stated that this had been one of the most difficult years in recent history and was therefore thankful for the support to maintain collections throughout the pandemic.

The Head of Community Services further added that the Local Authority continued to face financial penalties from the Welsh Government if the Council failed to achieve the statutory recycling targets, however at present Quarters 1 and 2 were exceeding targets.

The Executive Member for Environment and the Leader of the Council echoed the comments raised by the Officer and wished to extend thanks to all involved. The Leader of the Council added that it was also important to acknowledge the participation of the majority of the public in the Council's waste and recycling services. If the Council did not meet the targets set by Welsh Government the fines would have a significant effect on the Council's budget and services provided.

RESOLVED that the report be accepted and the information contained therein be noted (option 1).

	<u>MONITORING ITEMS - CORPORATE SERVICES</u>	
No. 13	<u>ANNUAL REPORT OF THE PUBLIC SERVICES OMBUDSMAN FOR WALES 2020/2021</u> Consideration was given to the report of the Head of Legal and Corporate Compliance. RESOLVED that the report be accepted and the information contained therein be noted (option 1).	
No. 14	<u>REVENUE BUDGET MONITORING -2021/2022, FORECAST OUTTURN TO 31ST MARCH 2022 (AS AT 30TH JUNE 2021)</u> Consideration was given to the report of the Chief Officer Resources. The Chief Officer Resources spoke to the report which detailed the forecast financial outturn position across all portfolios for the financial year 2021/2022 as forecast at 30 th June 202 and outlined the key points as contained in the report. The Leader of the Council advised that the report identified the positive strides made over the last 3-4 years on the Council's budget. The Leader added that although in recent years the Council had been criticised for their low level of reserves, these were now being built to an acceptable level and our budgets are in a more favourable position. RESOLVED that the report be accepted and (a) Members provided appropriate challenge to the financial outcomes in the report; and (b) approved the virements detailed in paragraphs 5.1.4 to and 5.1.7.	
No. 15	<u>CAPITAL BUDGET MONITORING, FORECAST FOR 2021/2022</u>	

FINANCIAL YEAR (AS AT 30TH JUNE 2021)

Consideration was given to the report of the Chief Officer Resources.

The Chief Officer Resources advised that the report provided the Executive with an overview of each Portfolio's actual and forecast capital expenditure against funding approvals for the 2021/2022 financial year as at the 30th June 2021. The Chief Officer further spoke to the report and provided an overview of the information contained therein.

RESOLVED that the report be accepted and

- (a) Members provided appropriate challenge to the financial outcomes in the report.
- (b) Members continued to support appropriate financial control procedures agreed by Council.
- (c) Members noted the budgetary control and monitoring procedures in place within the Capital Team, to safeguard Authority funding.

No. 16

**BRIDGING THE GAP (BTG) PROGRAMME 2021/2022 -
PROGRESS UPDATE APRIL TO JUNE 2021**

Consideration was given to the report of the Chief Officer Resources.

The Chief Officer Resources noted that the report provided an update on the progress made in terms of the Strategic Business Reviews during the period April to June 2021. The Chief Officer Resources further outlined the key points in relation to Budget Gaps (surplus) per MTFS (March 2021), latest estimated achievements, and the Remaining Budget Gaps following application of BtG Opportunities.

RESOLVED that the report be accepted and the Executive provided appropriate challenge to the Bridging the Gap programme (option 1).

	<u>MONITORING ITEMS - EDUCATION</u>	
No. 17	<u>EDUCATION DIRECTORATE – RECOVERY AND RENEWAL PLAN</u> Consideration was given to the joint report of the Corporate Director Education, Head of School Improvement and Inclusion and Service Manager - Education Transformation and Business Change. RESOLVED that the report be accepted, associated documentation and proposed course of action (option 1).	
No. 18	<u>IMPROVING SCHOOLS PROGRAMME 2021</u> Consideration was given to the report of the Corporate Director Education. The Corporate Director Education advised that the report provided an overview on the Blaenau Gwent Improving Schools Programme, in line with national changes to school evaluation, improvement and accountability. The report also covered the pilot of the new regional approach 2021-2022. The Corporate Director referred to the new arrangements in place to support schools and gave an overview of the level of support provided which resulted in positive progress made in schools. RESOLVED that the report be accepted and information contained therein be noted.	
No. 19	<u>PUPIL EXCLUSIONS</u> Consideration was given to the report of the Corporate Director Education. RESOLVED that the report be accepted and the information therein be noted (option 1).	

	<u>MONITORING ITEM – REGENERATION & ECONOMIC DEVELOPMENT MATTERS</u>	
No. 20	<u>HYBRID UNITS AND HWB BOCS – PERFORMANCE MONITORING</u> Consideration was given to the report of the Service Manager – Business and Regeneration. RESOLVED that the report be accepted and the information therein be noted (option 1).	
	<u>MONITORING ITEMS - SOCIAL SERVICES</u>	
No. 21	<u>CHILDREN AND COMMUNITIES GRANT</u> Consideration was given to the report of the Head of Children’s Services. RESOLVED that the report be accepted and <ul style="list-style-type: none"> (a) the progress made to date on the Children and Communities grant was considered; and (b) it be noted that the CCG Steering Group continued to oversee and implement the delivery programme and provides an annual report on progress to scrutiny, executive and the new local arrangements to replace the Public Service Board. 	
No. 22	<u>CARE INSPECTORATE WALES (CIW) ASSURANCE CHECK</u>	

**2021: BLAENAU GWENT COUNTY BOROUGH COUNCIL
SOCIAL SERVICES**

Consideration was given to the report of the Corporate Director Social Services.

The Corporate Director Social Services advised that the report presented the Care Inspectorate Wales (CIW) Assurance check summary as identified in their letter dated the 11th June 2021 which was attached at Appendix 1. The Corporate Director added that the purpose of the assurance check was to review how well the Local Authority's Social Services continued to help and support adults and children with a focus on safety and well-being.

The Corporate Director referred to the questions asked by CIW and reported the responses provided along with areas which need improvement.

The Executive Member for Social Services was pleased that the CIW recognised the hard work and commitment of Blaenau Gwent's Team. The Executive Member stated that the last 18 months had been difficult, however the Team remained focused on service users and their families' specific situation.

The Leader of the Council welcomed the comprehensive and honest report provided by the Corporate Director and wished to pass on thanks on behalf of the Executive to the Team who work tirelessly to support families in Blaenau Gwent their level of work and commitment was recognised.

RESOLVED that the report be accepted and the information detailed within the CIW Assurance letter be noted (option 1).

No. 24	<p><u>SILENT VALLEY WASTE SERVICES LTD PERFORMANCE REPORT</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Part 1, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to report of the Service Manager Neighbourhood Services.</p> <p>RESOLVED that the report be accepted and the information which contained details relating to the business/financial affairs of persons other than the Authority be accepted. (Option 1).</p>	
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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: COMMUNITY SERVICES SCRUTINY COMMITTEE –
19TH JULY, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR M. MOORE (CHAIR)

Councillors C. Meredith
P. Baldwin
M. Cook
M. Day
P. Edwards
S. Healy
W. Hodgins
J. Holt
J.C. Morgan
L. Parsons
T. Sharrem
B. Summers
L. Winnett

WITH: Head of Community Services
Service Manager Neighbourhood Services
Team Manager Street Scene
Senior Engineer Land Drainage
Estates Manager
Scrutiny & Democratic Officer/Advisor

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	
No. 2	<u>APOLOGIES</u> No apologies for absence were reported.	

No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest or dispensations were reported.</p>	
No. 4	<p><u>COMMUNITY SERVICES SCRUTINY COMMITTEE</u></p> <p>The minutes of the Community Services Scrutiny Committee held on 7th June, 2021 were submitted.</p> <p>The Committee AGREED that the minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET – 7TH APRIL, 2021</u></p> <p>The action sheet arising from the Community Services Scrutiny Committee held on the 7th April, 2021 was submitted.</p> <p><i><u>Highway Capital Works Programme 2021-22</u></i></p> <p>The Head of Community Services reported that the Members Briefing Session had been arranged for 29th July, 2021 at 2.00 p.m.</p> <p>The Committee AGREED, subject to the foregoing, that the action sheet be noted.</p>	
-----	<p><u>CHANGE OF AGENDA ORDER</u></p> <p>It was agreed that Item No. 9 would be considered next on the agenda.</p>	
No. 9	<p><u>FORWARD WORK PROGRAMME 4TH OCTOBER, 2021</u></p> <p>Consideration was given Forward Work Programme for the meeting scheduled for the 4th October, 2021.</p> <p>A Member requested that a report on Safe Routes to School be brought to Committee as soon as possible, to include the Flexi Bus.</p> <p>A brief discussion ensued when the Head of Community Services explained that the scope of Safe Routes to School</p>	

	<p>had been widened and was now 'Safe Routes to Communities' and a report on the criteria for bids would be brought to the Committee.</p> <p>Another Member suggested that the winter maintenance policy be reviewed in light of new housing developments within the Borough.</p> <p>The Service Manager Neighbourhood Services confirmed that the major new housing developments currently under construction were already on the winter maintenance schedule. However, the schedule would be reviewed to take into account any future new developments.</p> <p>In response to a further question the Officer confirmed that there was provision for salt bins for any properties not on the main gritting route, and the criteria for those would be considered for new developments when they become occupied.</p> <p>The Committee AGREED, subject to the foregoing, that the Forward Work Programme be agreed.</p>	
<p>No. 6</p>	<p><u>FLOOD RISK MANAGEMENT PLAN (2016-2022)</u></p> <p>Consideration was given to report of the Head of Community Services/Team Leader Natural Environment.</p> <p>The Senior Engineer Land Drainage presented the report which updated Members on progress in delivery of the Blaenau Gwent Flood Management Plan of 2016-22. Appendix 2 highlighted progress made since the Plan was adopted in December 2015, and progress made since the last annual review in 2020.</p> <p>The Officer went through the report and highlighted points contained therein.</p> <p>A Member referred to section 2.2 of the report and asked what work was being done with other parties to establish responsibility for drainage.</p>	

The Officer confirmed that the Council worked with other parties including Welsh Water and Tai Calon. However, it was sometimes difficult to identify responsibility, particularly when Tai Calon properties had been sold.

Another Member asked whether there was a rolling programme in place to clean drains in order to prevent flash flooding.

The Team Manager Street Scene confirmed that funding had been received from Welsh Government last year to undertake additional gully cleaning operations across the highway infrastructure. There was a schedule in place and some gullies were inspected every 2 weeks, and others every 6 weeks.

A Member asked whether there were systems in place to check and maintain culverts on private land, or whether land owners were responsible for maintenance etc.

The Senior Engineer confirmed that the Council undertook extensive CCTV investigations of culverts which accounted for a large proportion of grant funding. In terms of land in private ownership, the general rule was that the land owners would be responsible for any water courses running through their land.

The Member asked whether private landowners would be liable for any damage caused as a result of culverts not being maintained.

The Officer said each case would be judged on its own merits, however, he was not aware of any cases where the Council had recharged residents for any works undertaken as a result of flooding. The Council's main focus was to resolve the problem and undertake any works that were needed. These were funded from within the existing budget or grant funded.

Members took the opportunity to thank the Team for their work in dealing with a number of flooding incidents during the past year.

A Member said many of the culverts within the Borough were extremely old and at risk particularly with the increased number of storms in recent years, and said the Council should consider establishing a fund to respond to emergency flooding situations.

He also referred to the flooding in Skewen caused by old mine workings, and asked whether the Council was working with the Coal Authority to ascertain the condition of old mine workings in the Borough.

In response the Officer said the Council worked well with the Coal Authority, however, there was a date when they would cease to be responsible for old mines. Also due to the legislation in place they were limited in what action could be taken. In terms of setting up a fund to undertake emergency works, the Officer explained that if the Council paid for works upfront, Welsh Government would not allow us to claim back monies.

The Member said flooding would become more frequent, and there was money available in reserves which could be set aside to undertake emergency works, similar to the winter maintenance budget.

A Member referred to section 2.7 and asked when Members could expect the Section 19 Flood Investigation Report.

In response the Officer said it was in the process of being finalised and would either be submitted to the next meeting of the Committee, or subject to a special meeting.

The Member then referred to section 4.10 and the Council's arrangement with Caerphilly in relation SuDS, and asked whether this was arrangement would be reviewed.

The Head of Community Services confirmed that the arrangement was up for review so it would not be appropriate to discuss any details. He reported that the WLGA were also looking at SuDS as the new guidelines were onerous with additional costs. However, he pointed out that all parties would have to move forward with SuDS as it was a major part of climate control and flood management.

	<p>The Committee AGREED to recommend that the report be accepted and noted progress made over the previous 12 months (Option 1).</p>	
<p>No. 7</p>	<p><u>POSITION REPORT – STRAYING ANIMALS</u></p> <p>Consideration was given to report of the Corporate Director Regeneration & Community Services / Services Manager Neighbourhood Services.</p> <p>The Service Manager Neighbourhood Services presented the report which provided an overview on the issue of straying animals within the County Borough. The report outlined the scale of the issue, including identifying geographical locations where the problem was often reported and set out an Action Plan to resolve incidents. The report was a multi-departmental report and the Action Plan clearly sets out those responsible for each action.</p> <p>A Member expressed concern that the survey of land and work to identify responsibility of fencing had still not been completed. He said gates being left open and damaged fencing was not the fault of the farmers, but ultimately they were responsible for checking their animals and rounding them up when they stray.</p> <p>The Officer said part of the Action Plan was to develop a fully up-to-date list of farmers to be contacted when issues of straying animals are reported. He pointed out that the majority of farmers responded very quickly, but there were a small number that took longer, particularly those undertaking additional jobs. Work moving forward was about building relationships with farmers to see what we can do to support them, and also working with the Police to ensure that animals are moved on quickly.</p> <p>A Member referred to section 2.5 and asked when the Council last inspected its fence lines. Whilst she welcomed the Action Plan she said it was very similar to the work undertaken previously by the Straying Animals Forum. She also expressed concern regarding the time taken for the Council to respond to issues of damaged fencing.</p>	

In response the Estates Manager said the Council was a significant landowner and did not have the resources available to undertake regular inspections of its boundaries. It was undertaken on a reactive basis when reports of damaged fencing was received.

In relation to the response times the Officer said there was a number of factors slowing up the process. There was currently only one Terrier Deeds Officer available to identify land ownership. Officers also found it difficult to identifying the exact location of damaged fencing, and she suggested that it may be beneficial moving forward for Members to meet Officers on site to pinpoint where repairs were needed. Also the Council currently only had one fencing contractor, as there seemed to be a lack of appetite for this type of work, and there were also delays with the supply of materials.

She said part of Action Plan was to identify 'hot spot' areas on a plan, and identify responsibility for maintaining those areas. A procurement exercise for additional fencing contractors was also intended.

A Member referred to the legislation requiring private landowners to maintain fence lines adjacent to common land, and asked who was responsible for enforcing that legislation.

The Estates Manager confirmed that identifying responsibility for fence lines on common land would be prioritised within the Action Plan. However, she explained that some landowners may not be registered, and also the deeds may not indicate responsibility for boundaries, and she was unaware whether any action could be taken in this instance.

A brief discussion ensued when a Member expressed concern that there had not been a meeting with the farmers for 2 years. He said the last meeting was productive and it was agreed to meet with farmers in specific areas, and he expressed concern that this had not been progressed.

The Team Manager Street Scene said it was intended to hold local meetings to discuss 'hot spot' areas, however, the

Covid pandemic meant that those meetings were put on hold. However, he confirmed that the Executive Member was keen to progress those meetings and they would form part of the Action Plan moving forward.

A Member said money should be identified to address the issue of straying animals. He also suggested that the Council seek agreement with local farmers to impound sheep on the Council's behalf.

In response the Service Manager Neighbourhood Services said this had been considered previously with Powys CC, however, some farmers were reluctant due to the specific time needed to hold an animal.

A Member referred to the Local Authority comparison on page 53 of the report and pointed out that all LA's in the region were experiencing the same problems, and said a collaborative approach across the South East Wales Region be should be considered.

A further discussion ensued when a Member said the Council should consider reinstating the impounding service.

The Officer said the Council decided to cease the impounding service in 2014/15. Should the Council decide to reinstate the service a new facility would need to be sourced.

A Member said many Members felt that reinstatement of the impounding service was needed, and it would be beneficial to compare the current ongoing costs against those needed to bring the service back in-house. She said the Council had a significant amount of land in its ownership that could be used for that purpose.

The Officer said the report was not suggesting reinstatement of the impounding service, it was highlighting what it would cost. He understood the point being made by the Member, but stressed that a lot of work would be needed in terms of the practicalities and legislation to reinstate that service. However, he confirmed that costs could form part of the Action Plan.

	<p>In response to a question raised by a Member regarding the Gwent Wide Operations in relation to off-road motorcycles, the Team Manager Street Scene confirmed that the Police would be undertaking operations in the coming weeks, and meetings of the Working Group would be held every 3 months. He also confirmed that discussions were also ongoing regarding potential funding via the Active Travel initiative for the provision of stock-proof gates on active travel routes.</p> <p>The Committee AGREED to recommend that the report be accepted and made recommendations for changes to the approach / Action Plan set out in the report. (Option 2)</p>	
<p>No. 8</p>	<p><u>ADDITIONAL HIGHWAYS MAINTENANCE WORKS – 2021-2022</u></p> <p>Consideration was given to report of the Head of Community Services / Team Manager Street Scene.</p> <p>The Team Manager Street Scene presented the report which provided options for proposed additional works to deal with highways routine maintenance issues, such as potholes and patching works in the current financial year 2021/22.</p> <p>In response to a question raised by a Member, the Officer reported that in the coming weeks it was intended to meet with Ward Members to identify works within their wards.</p> <p>A Member asked whether the matrix works could be added to the existing contract, and the Officer undertook to report back on this matter.</p> <p>Members welcomed the report and looked forward to the ward meetings.</p> <p>The Committee AGREED to recommend that the report be accepted and identify necessary works across all 16 wards and tender to a private contractor; and undertake a tendering exercise to acquire a cost of highways patching works per sq. metre, targeting around 400 sq. metres of highways repairs per ward covering residential roads in all 16 wards. (Option 2).</p>	

<p>No. 10</p>	<p><u>CENTRE OF OPERATIONS - PROJECT UPDATE AND OUTLINE BUSINESS CASE</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Part 1, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to report of the Head of Community Services / Team Manager Street Scene.</p> <p>The Team Manager Street Scene presented the report which provided an update on the development of a new Centre of Operations, and presented the Outline Business Case (OBC) for the new facilities.</p> <p>A discussion ensued when the Officer clarified points raised by Members.</p> <p>The Committee AGREED to recommend that the report which contained information relating to the financial/business affairs of persons other than the Authority be accepted and that Members:</p> <ul style="list-style-type: none"> • Acknowledge the progress currently been made on this key strategic project to date, • Support the Outline Business Case (OBC) attached at appendix 1, subject to capital resources being identified and funding applications being put forward to external funding bodies, such as Welsh Government, to secure the funding for the project; and • To progress to final business case stage for consideration. 	

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: SOCIAL SERVICES SCRUTINY
COMMITTEE – 22ND JULY, 2021**

**REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT
OFFICER**

PRESENT: COUNCILLOR S.C. THOMAS (CHAIR)

Councillors: D. Bevan
M. Cook (substitute for Cllr K. Rowson)
P. Edwards
K. Hayden
S. Healy (substitute for Cllr G.A. Davies)
W. Hodgins
J. Holt
G. Paulsen
T. Smith
B. Summers

Executive Member Social Services

Councillor J. Mason

Representative from Care Inspectorate Wales (CIW)

Ann Rowling, Lead Inspector (CIW)

AND: Corporate Director of Social Services
Service Manager Children Looked After
Communications & Policy Officer
Scrutiny & Democratic Officer / Advisor

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p>	

	<p>Apologies for absence were received from Councillors K. Rowson and G.A. Davies.</p> <p>Head of Children's Services Head of Adult Services</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>Councillor Wayne Hodgins declared an interest in the meeting as some of his clients may also be service users of the Social Services Directorate.</p>	
No. 4	<p><u>TIME OF FUTURE MEETINGS</u></p> <p>The Committee AGREED that future meetings be held at 10.00 a.m.</p>	
No. 5	<p><u>SOCIAL SERVICES SCRUTINY COMMITTEE</u></p> <p>The Minutes of the Social Services Scrutiny Committee Meeting held on 22nd April, 2021 were submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 6	<p><u>PROPOSED SCRUTINY COMMITTEE FORWARD WORK PROGRAMME 2021-22</u></p> <p>Consideration was given to the report of the Chair of the Social Services Scrutiny Committee which presented the Social Services Scrutiny Forward Work Programme for 2021-22 (Appendix 1) and to seek approval from Committee.</p> <p>It was noted that the dates referred to on pages 20 & 21 in the last column of the Forward Work Programme should all read 2022.</p> <p>The Committee AGREED, subject to the foregoing, that the report be accepted and endorse Option 1; namely that the Social Services Scrutiny Committee Forward Work Programme 2021-22 be agreed.</p>	
	<p><u>ADSS CYMRU – A TRIBUTE TO ALL CARE WORKERS</u></p>	

	<p>As agreed with the Chair the Corporate Director of Social Services introduced a short film produced by the Association of Directors of Social Services Cymru in tribute to social care workers in Wales who at great costs to themselves delivered care and support to vulnerable people throughout the pandemic.</p> <p>A link would be provided by the Corporate Director of Social Services for Members to view the online video.</p>	
<p>No. 7</p>	<p><u>CARE INSPECTORATE WALES (CIW) ASSURANCE CHECK 2021: BLAENAU GWENT COUNTY BOROUGH COUNCIL SOCIAL SERVICES</u></p> <p>Consideration was given to the report of the Corporate Director of Social Services which presented the Care Inspectorate Wales (CIW) Assurance check summary as identified in their letter dated the 11th June 2021 (Appendix 1). The purpose of the assurance check was to review how well the local authority's social services continue to help and support adults and children with a focus on safety and well-being. This letter summarises the findings of CIW assurance check on 17 May to 21 May 2021.</p> <p>The Lead Inspector (CIW) gave an overview of the CIW Assurance check in their letter of 11th June, 2021 which summarised how well the Authority's Social Services Directorate continued to support vulnerable adults and children throughout the pandemic.</p> <p>The Chair commented that it was a fantastic report highlighting how well Blaenau Gwent had performed during the pandemic. Another Member said it was a major accolade as other Authorities could look to Blaenau Gwent to see how well they had performed and hoped that the press would report on this positive message.</p> <p>In relation to paragraph 6.6 of the report - 'most practitioners who responded to our survey felt supported by colleagues and managers and regarded their workload as manageable', a Member enquired regarding the word 'most'. The Lead Inspector explained it was usually the case with surveys that some issues arise in relation to change as not all practitioners were happy to embrace</p>	

change. The Inspector had spoken with management regarding the issue and felt it was not of major importance.

In response to a Member's question regarding issues with the Welsh Community Care Information System (WCCIS), the Inspector said there were major problems with the system. The Corporate Director of Social Services commented that WCCIS was the Health & Social Care computer system that was promoted by the Welsh Government for all 22 Local Authorities and 7 Health Boards to sign up to and implement. Some Authorities and Health Boards had implemented the system but there were major issues regarding reliability and functionality of the system, the Director was aware of plans to upgrade and make improvements to the system and hoped this would be progressed within the next few months.

A Member commented on the excellent report and praised staff on how they dealt with the difficult period of the pandemic and the measures that had been put in place by the Authority to enable placements to stay together and to allow children to see their families and siblings at such a very difficult time and also the support put in place for Social Workers, Foster carers and everyone else involved, he felt this was excellent news for the Authority.

Another Member commented that it was a glowing report from an external agency and felt that it showed that staff were in touch with the clients they supported and showed that the whole of the Council took their Corporate Parenting role seriously.

Other Members echoed their colleagues' comments on the excellent report and felt that safeguarding procedures in Blaenau Gwent were excellent and felt that staff and officers should be very proud of their performance during the pandemic.

In response to a Member's question regarding how the 25 files that were reviewed were selected, the Inspector explained the files were randomly selected from four categories set out in the guidance sent to Local Authorities. The 25 files reviewed included 5 files from Children's Services and 5 from Adults Services. The Local Authority were only given a few days notice as to which files were

	<p>going to be reviewed in order to arrange interviews with social workers, team managers and when appropriate the person the file belonged to.</p> <p>At the invitation of the Chair the Executive Member for Social Services commented that the report was excellent news for the Authority and especially the Social Services Directorate. He expressed appreciation for the complexity of the work undertaken by the Social Services Directorate in supporting vulnerable adults and children and their dedication and commitment to their work was outstanding especially throughout the pandemic, they had faced many challenges with different ways of working and he was proud of the officers and staff in Blaenau Gwent's Social Services Directorate. He expressed thanks to the Director of Social Services, the Head of Children's Services, the Head of Adult Services and all staff for their commitment and endurance during this challenging period. He also thanked the Social Services Scrutiny Committee for the support they gave him as their Executive Member for Social Services.</p> <p>The Chair thanked the Executive Member for his heartfelt comments and thanked the Care Inspectorate Wales and the Lead Inspector for her comments and delivering the report.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 2; namely that the report and letter from CIW be accepted as provided.</p>	
<p>No. 8</p>	<p><u>ANNUAL REPORT OF THE DIRECTOR OF SOCIAL SERVICES 2019/20</u></p> <p>Consideration was given to the report of the Director of Social Services which presented the Annual Report of the Director of Social Services 2019/2020 (Appendix 1).</p> <p>The Corporate Director of Social Services introduced the report and highlighted the main points in paragraph 6.4 Adult Services. The Service Manager Children Looked After highlighted the main points contained in paragraph 6.3 Children's Services.</p>	

	<p>With regard to referrals a Member enquired when police visited a family if a Social Worker also attended with them and was there a police officer dedicated to providing that service. The Service Manager Children Looked After said that it depended on the nature of the referral, if there were child protection concerns and those concerns had a criminal investigation element then a police officer would attend the referral. There was a dedicated team of police officers via the public protection unit and joint enquiries under Section 47 of the Children’s Act could be undertaken whereby Social Services could make enquiries in relation to the welfare of the children and the police could investigate any criminal element of the concerns.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 2; namely that the report be accepted as provided.</p>	
<p>No. 9</p>	<p><u>UPDATE ON STRATEGY TO SAFELY REDUCE THE NUMBERS OF CHILDREN LOOKED AFTER</u></p> <p>Consideration was given to the report of the Head of Children’s Services which was presented to update the Social Services Scrutiny Committee on the progress made in relation to the implementation of the Safe Reduction of Children Looked After Strategy 2020 – 2025.</p> <p>The Service Manager Children Looked After spoke to the report and highlighted the main points contained therein.</p> <p>A Member commented that there had been no increase in the numbers of children coming into care and enquired if that was due to the lockdown. The Service Manager said that the long term impact of the pandemic had yet to be seen, the Supporting Change Team had continued to visit children who were deemed to be at risk. Staff had worked hard to prevent children coming into care and had also managed to help children exit care via discharge care orders.</p> <p>A Member referred to the number of foster carers in Blaenau Gwent and enquired regarding the progress of recruitment of foster carers. The Service Manager explained that most of the assessments taking place at the</p>	

moment were kinship carers. In relation to recruitment the Foster Wales brand had been officially launched and they were looking at how to collaborate and work together to strengthen Blaenau Gwent's position in the market for recruitment of foster carers to make it more of a Wales-wide approach rather than local authorities working in isolation against the independent providers.

With regard to recruitment of foster carers from independent providers the Service Manager explained that in terms of the differential of spend, when on-costs were factored in there would be minimal potential savings and felt that there would be better management and support of the Authority's own foster carers.

In response to a Member's question regarding the number of existing and new children coming into care in Figures 2, 3, 4 and 5, the Service Manager said that the overall population would include children who had been in care for some time and would be a rolling figure, children coming into and leaving care those figures would be unique to that month.

With regard to the ages of children coming into care, the Team would look to assess all potential options for that child which could include rehabilitation to parents if the parents could make changes, placement with extended family could be considered or adoption. She assured Members that there were mechanisms in place to ensure that plans put in place to support the child did not drift and children move out of the system as safely and quickly as possible regardless of age.

A Member commented that in comparison to other Authorities what was Blaenau Gwent's position in relation to vacancies within the service. The Service Manager said that the vacancy situation was comparable with other Gwent Authorities, particularly for Children's Services and felt it was a national problem and Blaenau Gwent's offer to social workers needed to be comparable with other Authorities and highlight what Blaenau Gwent was good at, she felt that the CIW Assurance check letter highlighted the good performance of Blaenau Gwent's Social Care staff. In relation to advertising and attracting people into the Social Care sector, the Service Manager said they were looking at

what could be done with Universities and other bodies to make social care and social work a more attractive proposition.

The Corporate Director of Social Services said that it was a national issue and Blaenau Gwent had a 'grow your own' approach over the last 4/5 years which helped support workers move onto the degree course to become qualified. Other Authorities were starting to increase their salary rates and offer incentives, which Blaenau Gwent could not compete with. The Directorate provided additional support to newly qualified Social Workers to retain their services but as a small Authority could not offer the same opportunities for career progression as larger Authorities. The Director advised Members that he could present a report later in the year in relation to social work pay and incentives being offered by other Authorities for consideration by the Social Services Scrutiny Committee.

The Executive Member for Social Services said this issue was a critical risk for Blaenau Gwent and across the whole of Wales. There had been discussions with the Director of Social Services, with the intention to raise this issue with the Directors of Social Services across Wales, to look at all possible ways to run an awareness and/or recruitment campaign to increase the opportunities for people to work in the Social Care sector. He felt it was important to safeguard the capacity of staff in Social Services to be able to carry out Blaenau Gwent's responsibilities in Social Services.

A Member requested that a letter of appreciation be forwarded to all members of staff in the Social Services Directorate to express Members appreciation for the excellent work and commitment shown by all Social Services staff.

This course of action was AGREED.

The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the information contained within the report be accepted.

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: **THE CHAIR AND MEMBERS OF THE COUNCIL**
SUBJECT: **GOVERNANCE & AUDIT COMMITTEE – 27TH JULY, 2021**
REPORT OF: **DEMOCRATIC SUPPORT OFFICER**

PRESENT: Mr. Terry Edwards (Chair)

Councillors S. Healy
D. Davies
D. Hancock
J. Hill
J. Holt
W. Hodgins
J. Millard
M. Moore
K. Rowson
B. Summers
H. Trollope
L. Winnett

WITH: Audit & Risk Manager
Service Manager Accountancy
Senior Business Partner - Capital and Corporate Accounting
Professional Lead – Internal Audit
Principal Accountant
Senior Auditor
Finance Officer
Data Protection & Governance Officer

AND: Mike Jones, Audit Wales

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received for Councillors J.C. Morgan, S. Thomas, P. Baldwin and Mr. Martin Veale.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>Councillor B. Summers declared an interest in any reference to Silent Valley Waste Services.</p>	
No. 4	<p><u>AUDIT COMMITTEE</u></p> <p>The minutes of the Audit Committee held on 29th June, 2021 were submitted.</p> <p>RESOLVED that the minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET</u></p> <p>There were no actions arising from the meeting held on 29th June, 2021.</p>	
No. 6	<p><u>INTERNAL AUDIT PLAN (2021-2026)</u></p> <p>Consideration was given to report of the Audit & Risk Manager.</p> <p>The Audit & Risk Manager presented the report which</p>	

provided the strategic Audit Plan for the period 2021-2026, and the rationale for implementing a one-year operational plan.

The Officer reported that a number of changes had been made to the Plan this year, however, it still complied with the Public Sector Internal Audit Standards (PSIAS) and the criteria as detailed in section 2.2 of the report. The main differences for this year were highlighted at section 2.4 onwards, and the Officer highlighted the key points contained therein.

A Member asked whether there would be greater focus on overspending Portfolios moving forward, particularly in light of discussions at the Joint Scrutiny (Budget Monitoring) Committee held the previous day regarding the Environment Portfolio.

In response the Officer confirmed that any overspends would be considered as part of the risk matrix. However, she explained that whilst a particular Portfolio may score high on the budget position, it may score lower in other areas of the matrix and balance out. In terms of the Environment Portfolio, some systems were rated high risk but not the Department as whole.

Another Member pointed out that a number of the high risk budgets had been mitigated by the Welsh Government Hardship Fund. He asked whether these budgets would now be removed from a high risk rating, and also whether the Council's spend of WG Hardship Funding would be audited.

The Officer explained that an area would not be removed because it received WG Hardship Funding. The risk assessment was based on a broader range of issues, and not just finance. In terms of auditing the Council's spend of WG Hardship Funding, this was dependent on the requirements for audit under the terms of funding, or whether we choose to undertake an audit due to the money involved, as was the case with the NNDR Grants provided as part of the Covid pandemic support. Due to the large sums of money being passed through the Authority it was felt appropriate to consider those as part of the Plan last year.

	<p>RESOLVED that the report be accepted and the Committee note the basis for audit selection / prioritisation as described in section 2, and approve the audit plan attached at Appendix A, deeming it to provide sufficient coverage upon which the Audit and Risk Manager can provide an annual audit opinion, enabling the Governance & Audit Committee to fulfil its assurance role.</p>	
<p>No. 7</p>	<p><u>DRAFT STATEMENT OF ACCOUNTS 2020/2021</u></p> <p>Consideration was given to the report of the Chief Officer</p> <p>The Senior Business Partner Capital and Corporate Accounting presented the Draft Statement of Accounts 2020/21 and the Authority's financial standing as at 31st March, 2021 (subject to audit).</p> <p>The Officer went through the report and highlighted points contained therein.</p> <p>He reported that under Section 10A of the amended regulations, the deadline for the preparation of the draft Statement of Accounts was 31st May, 2021, and publication of the final audited accounts was 31st July, 2021. However, in recognition of the continuing impact of the Covid-19 pandemic, Welsh Government acknowledged that additional work could be required to finalise local authority accounts for the 2020/2021 financial year, and consequently Local Authorities are now able to prepare their accounts to the extended timetable implemented for 2019/20, i.e. preparation of Draft Statement of Accounts by 31st August, 2021 and publication of the final audited accounts by 31st November, 2021.</p> <p>The Officer confirmed that the Draft Statement of Accounts 2020/2021 was prepared and certified by 18th June, 2021 which represented a significant improvement on the previous year. Following detailed examination by Audit Wales it was anticipated that the Accounts will be re-presented to the Governance & Audit Committee for approval in September 2021. Following approval at that meeting the Chair was required to sign and date the Accounts on behalf of the</p>	

	<p>Council.</p> <p>A Member enquired as to the implications for the Council in not meeting the statutory deadlines.</p> <p>In response the Officer explained that the Council had failed the statutory deadline of 31st May, 2021 by two weeks, however, Audit Wales had extended the deadline for the Draft Statement of Accounts until the end of August, and that deadline had been met. The Statutory deadline for publication of the final accounts by 31st July, 2021 would not be met as the audit would not be completed by that time, however, the Council will publish a set of draft Accounts with a notice stating that they will be audited over the Summer period and presented back to the Governance & Audit Committee in September.</p> <p>The Member also asked whether the Council had received the monies from Welsh Government for the railway investment.</p> <p>The Officer confirmed that the £71m had been received at the end of March. The money had been put into short term investments ahead of due diligence being completed on the project. In the event of the project not being agreed, the money would be paid back to Welsh Government.</p> <p>The Audit Wales Officer said prior to the Covid pandemic there were concerns around the timeliness of the Accounts process, not only with Blaenau Gwent Council but also other Councils. However, he assured Members that Blaenau Gwent was in a different place this year and well placed in comparison with other Councils. He said the Council had been working towards the extended deadline and timeliness of the Draft Accounts had improved.</p> <p>RESOLVED that the report be accepted and the Committee receive the Draft 2020/2021 Statement of Accounts for information, prior to the anticipated consideration for approval in September.</p>	
No. 8	<u>ANNUAL GOVERNANCE STATEMENT 2020/2021</u>	

Consideration was given to the report of the Audit & Risk Manager.

The Audit & Risk Manager presented Members with the Draft Annual Governance Statement (AGS) for 2020/21 (attached at Appendix A).

The Officer went through the report and highlighted points contained therein. She confirmed that the AGS had been collated following an evidence gathering exercise which called upon a number of sources including Internal and External Regulatory Reports; Annual Report of the Audit and Risk Manager; and an Evidence Framework illustrating how the Authority complied with the core principles of the Code of Governance.

As a consequence of Covid, some of the ways the Council operated changed during 2020/21, e.g moving to agile working, however, these changes have not weakened the governance framework. The AGS has been produced to reflect these changes, with notable updates being to the engagement activities conducted for the period under Core Principle B, development of wellbeing objectives under Core Principle B, expansion of self-assessment requirements under Core Principle D and changes to the Governance and Audit Committee under Core Principle G.

A Member referred to engagement activities and expressed concern regarding complaints received from members of the public regarding the time taken to contact the Council. Members had also experienced difficulties in contacting Officers.

In response the Officer explained that the engagement activities outlined in the AGS was the broader engagement undertaken by the Council. The complaints referred to was an operational issue and the Officer undertook to refer this matter to the relevant Officer.

RESOLVED that the report be accepted and the Committee approve and adopt the Draft AGS having considered and challenged the content, ensuring it is consistent with their

	<p>knowledge and understanding of the wider issues affecting the Council.</p>	
No. 9	<p><u>INTERNAL AUDIT CHARTER</u></p> <p>Consideration was given to the report of the Audit & Risk Manager.</p> <p>The Professional Lead Internal Audit presented the revised Internal Audit Charter for 2021/22 to the Committee.</p> <p>The Officer went through the report and highlighted points contained therein. The report outlined the basis for production of the Internal Audit Charter, incorporating amendments to reflect changes since the last update.</p> <p>In response to a question raised by a Member regarding future changes to the Committee membership, the Audit & Risk Manager explained that the Terms of Reference for the Committee would reflect the changes in membership. This document outlined how the Internal Audit Section operated in terms of its purpose and responsibilities.</p> <p>RESOLVED that the report be accepted and the Committee approve the Audit Charter in line with good practice and the requirements of the Public Sector Internal Audit Standards (PSIAS).</p>	
No. 10	<p><u>AUDIT WALES – BLAENAU GWENT COUNTY BOROUGH COUNCIL ANNUAL AUDIT SUMMARY 2020</u></p> <p>Consideration was given to report of Audit Wales.</p> <p>The Audit & Risk Manager presented the Audit Wales - Blaenau Gwent County Borough Council Annual Audit Summary 2020 (attached at Appendix 1). The report was submitted by the Democratic Services section and provided an annual summary of the work undertaken by Audit Wales. The Officer said there was an error within the report in relation to the number of Members of the Council and confirmed that this would be amended.</p>	

	<p>RESOLVED that the Committee note the Annual Audit Summary published in May 2021.</p>	
<p>No. 11</p>	<p><u>AUDIT WALES - 2021 AUDIT PLAN – BLAENAU GWENT COUNTY BOROUGH COUNCIL</u></p> <p>Consideration was given to report of Audit Wales.</p> <p>The Audit Wales Officer presented the report which provided the 2021 Audit Plan for Blaenau Gwent.</p> <p>The Officer went through the report and highlighted points contained therein. The COVID-19 pandemic continued to have a significant impact across the UK and on the work of public sector organisations. As in 2020, it was likely to significantly impact on the preparation of the 2020-21 accounts, the financial audit and performance audit work. Consequently, while this Audit Plan sets out an initial timetable for completion of the audit, the ongoing uncertainties around the impact of COVID-19 meant that some timings may need to be revisited, and any amendments to the proposed timetable would be discussed with the Council moving forward.</p> <p>A Member said in light of the continued impact of the Covid pandemic he felt this year should be more about ‘steadying the ship’ rather than continuous improvement as outlined in the Plan.</p> <p>In response the Officer said there was a requirement for the Council to have a plan for continuous improvement, and Audit Wales would be looking to ensure that was in place.</p> <p>In response to a question raised by a Member, the Service Manager Accountancy confirmed that the fees for Audit Wales were paid from the Corporate Management budget within the Corporate Services Portfolio.</p> <p>RESOLVED that the information contained in the report be noted.</p>	

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: CORPORATE OVERVIEW SCRUTINY
COMMITTEE – 10TH SEPTEMBER, 2021**

**REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT
OFFICER**

PRESENT: COUNCILLOR M. COOK (IN THE CHAIR)

Councillors: P. Baldwin
G.A. Davies
L. Elias
J. Hill
W. Hodgins (substitute for Cllr Healy)
J. Holt
H. McCarthy
C. Meredith
J.P. Morgan
G. Paulsen
S. Thomas

AND: Corporate Director of Social Services
Corporate Director of Regeneration & Community Services
Chief Officer – Commercial & Customer
Head of Community Services
Head of Organisational Development
Head of School Improvement & Inclusion
Service Manager, Customer Experience & Transformation
Interim Service Manager - Commercial & Procurement
Scrutiny & Democratic Officer / Advisor

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p>	

	Apologies for absence were received from Councillors S. Healy (Chair) and T. Smith.	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
No. 4	<p><u>CORPORATE OVERVIEW SCRUTINY COMMITTEE</u></p> <p>The Minutes of the Corporate Overview Scrutiny Committee Meeting held on 16th July, 2021 were submitted.</p> <p><u>CCTV</u></p> <p>The Chief Officer Commercial and Customer explained the rationale why the progress report on CCTV was not on the agenda as mentioned in the minutes from the previous meeting. She assured Members that work was progressing in this area and it would be more beneficial to bring forward a report with more substance to a future meeting for Members consideration.</p> <p>A Member raised concerns on the delay regarding the progress report on CCTV as he felt that a report was urgently needed.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>COMMUNICATIONS STRATEGY QUARTERLY PERFORMANCE MONITORING (APRIL-JUNE 2021)</u></p> <p>Consideration was given to the report of the Chief Officer Commercial & Customer which presented the quarter 1 update (April to June 2021) against the Corporate Communications Strategy.</p> <p>The Chief Officer Commercial and Customer spoke to the report and highlighted the main points contained therein.</p> <p>A Member commented that he felt there appeared to be no interaction from leading Members with journalists and the local newspapers.</p>	

	<p>In response to a Member’s question regarding direct contact with the media, the Chief Officer Commercial and Customer confirmed that the Council’s Corporate Communications Team dealt directly with the press and colleagues in the media.</p> <p>A Member pointed out that some members of the press viewed Committee meetings online and in the past there had been some criticism that Members had been issuing individual statements on social media.</p> <p>The Member felt that as publically elected Members they were answerable to the public for the decisions taken and the best way to do that was through the local press and believed that the Leadership of the Council should be proactive in this regard.</p> <p>In response to a Member’s question regarding the rationale behind the decision of which newspaper got which story, the Chief Officer Commercial and Customer explained that sometimes a dual approach was taken, if there was a specific topic they would look to the most relevant network, if a broader approach was needed then that particular article would be shared more widely, however, not all networks may decide to follow through to publication.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the quarter 1 progress update against the Communications Strategy, be endorsed.</p>	
<p>No. 6</p>	<p><u>COMMERCIAL STRATEGY QUARTERLY PERFORMANCE MONITORING (APRIL-JUNE 2021)</u></p> <p>Consideration was given to the report of the Chief Officer Commercial & Customer which presented the quarter 1 (April - June 2021) progress update against the Commercial Strategy.</p> <p>The Chief Officer Commercial and Customer spoke to the report and highlighted the main points contained therein. A Member referred to Community Hubs and raised concerns regarding communication in relation to operating times and the services provided within the Community Hub in Blaina. He felt that the Blaina hub should be open</p>	

weekly, the same as Abertillery, Tredegar, Brynmawr and Ebbw Vale, to enable residents to access services more frequently and increase the number of people using the hub. He felt that advertising on facebook did not cover all generations of the public. The Chief Officer Commercial and Customer reassured the Member that they were looking at more traditional forms of communication such as flyers in GP surgeries and shops etc. to reach as many residents as possible to ensure they were made aware of this service. With regard to the operating schedule this was a developmental and live approach and would take account of the amount of queries coming from residents and demand for the service. She advised the Member that a revised operating schedule was planned for quarter 2 onwards.

Another Member commented that Community Hubs were working well and brought services closer to the public. In relation to the Brynmawr Community Hub, he raised concerns regarding privacy and felt that rooms should be available for private discussion. He also pointed out that there was no signage outside the building to indicate that it was a Community Hub. The Chief Officer Commercial & Customer said they were currently operating in a particular space and agreed there may be occasions when a resident may want a more private conversation and would look to ensure that that facility was available to residents. With regard to signage, the Community Hub could only operate on the day that the Library was closed due to national restrictions at the time. Library staff had erected signs indicating when the Community Hub was open and she would look to continue this practice going forward.

A Member commented that Community Hubs were proving successful and felt that they were the front door of the local Authority and individual towns and should cater for the whole of Blaenau Gwent to ensure that everyone has access to services. The Member referred to the Strategic Commissioning and Commercial Board (SCCB) and enquired if investment possibilities would be presented to full Council. The Chief Officer Commercial & Customer said that any investment would go through the democratic process, the Strategic Commissioning and Commercial Board (SCCB) were looking at early opportunities, and all

	<p>democratic arrangements and processes would be followed in line with the Council's Constitution.</p> <p>The Corporate Director of Regeneration & Community Services supported the Chief Officer Commercial & Customer's comments and said that as a Member led Authority any opportunities that arise from commercial activity would go through the democratic process for Members consideration on whether to support and implement them.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the quarter 1 progress update against the Commercial Strategy be endorsed.</p>	
<p>No. 7</p>	<p><u>SICKNESS ABSENCE PERFORMANCE 2020/21</u></p> <p>Consideration was given to the report of the Head of Organisational Development which was presented to provide Elected Members with the opportunity to scrutinise and challenge the sickness absence performance for 2020/21, the continued actions to support improvement in attendance and recognise the positive attendance of the majority of the workforce.</p> <p>The Head of Organisational Development spoke to the report and highlighted the main points contained therein.</p> <p>A Member enquired regarding Managers use of the iTrent system and what support was in place for staff on long term sickness absence due to mental health issues. The Head of Organisational Development gave assurances that training had been undertaken with Managers and they were now accessing the iTrent system correctly to extract sickness absence data from the system. With regard to support for staff with mental health issues there was a range of support available which included Occupational Health support, the Employee Assistance programme and the Managing Attendance policy for Managers to apply in supporting individuals with sickness issues.</p> <p>A Member enquired if CLT scrutinised the sickness absence reports to ensure the same level of management was consistently applied across the Council. The Head of</p>	

Organisational Development said that all quarterly information and statistical information was presented to CLT to review, and each Directorate had a continuous review of the top 20 long term cases with a view to enable those staff to return to work.

A Member referred to the breakdown of sickness absence by service area on page 43 of the report and enquired regarding provider services. The Head of Organisational Development explained that related to frontline services i.e. domiciliary care, Court Mytton and Augusta House supported living. She advised Members that there were overall figures in the report and figures excluding Covid related sickness absence.

A Member commented on the massive pressures facing health and social care and felt that the figures were a direct consequence of what was taking place across the whole of the country.

The Corporate Director of Social Services said that 2021 had been a challenging year, particularly for frontline Social Services with regard to responding to the virus. Staff had been under tremendous pressure and strain delivering services and trying to keep people safe in the community for a prolonged period. Some staff had also been asked to work in different environments and this may have created more stress and anxiety. Sickness figures were high but there had been significant mitigating factors with regard to Covid and also a national issue around recruitment of social care staff. Currently they were trying to mitigate some of those pressures and working from a Blaenau Gwent perspective were trying to find solutions with Health colleagues who were also facing the same issues and pressures within their services.

The Chair commended the entire Directorate for their hard work and commitment in exceptional circumstances.

The Head of Organisational Development reminded Members that there was an improving picture over the last year with regard to sickness absence, there were hotspots that were being reviewed, but there was an improvement in sickness absence in comparison to the previous year.

	<p>A Member commented that the Appendix showed that all local authorities had improved sickness absence figures and felt that the improvement came from staff homeworking and comparison with the next set of performance figures was needed to see if they would improve further.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 2; namely that the ongoing actions to support improvement in attendance be endorsed.</p>	
<p>No. 8</p>	<p><u>FORWARD WORK PROGRAMME:</u> <u>22ND OCTOBER 2021</u></p> <p>Consideration was given to the report of the Chair of the Corporate Overview Scrutiny Committee.</p> <p>The Chief Officer Commercial & Customer advised Members that they would be looking to bring forward two update reports on CCTV progress and the UK Resettlement scheme in the early autumn.</p> <p>A Member requested a Members briefing session be arranged in relation to the Resettlement scheme. The Chief Officer Commercial & Customer responded that a Members briefing session would be arranged prior to the formal report being presented to Committee so that all Members would be aware of the approach taken.</p> <p>The Committee AGREED, subject to the foregoing, that the report be accepted and endorse Option 1; namely that the Forward Work Programme for the meeting on the 22nd October, 2021 be agreed and the following two additional reports be presented to a future meeting of the Corporate Overview Scrutiny Committee in early autumn:-</p> <ul style="list-style-type: none"> • CCTV Progress Report • UK Resettlement Scheme <p>and FURTHER AGREED that an all Member Briefing Session be held in relation to the Resettlement Scheme prior to the formal report being presented to the Corporate Overview Scrutiny Committee.</p>	

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: EDUCATION & LEARNING SCRUTINY
COMMITTEE – 14TH SEPTEMBER, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR H. TROLLOPE (CHAIR)

Councillors: J. Holt
 D. Bevan
 M. Cook
 M. Day
 L. Elias
 J. Hill
 C. Meredith
 J.C. Morgan
 J. P. Morgan
 T. Smith
 B. Summers
 D. Wilkshire

Co-opted Member

T. Baxter

AND: Corporate Director of Education
 Service Manager Education Transformation &
 Business Change
 Scrutiny & Democratic Officer/Advisor

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<u>APOLOGIES</u>	

	<p>The following apologies for absence were reported:-</p> <p>Head of School Improvement and Inclusion Service Manager Young People and Partnerships Strategic Education Improvement Manager</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest and dispensations were raised.</p>	
No. 4	<p><u>EDUCATION & LEARNING SCRUTINY COMMITTEE</u></p> <p>The Minutes of the Education & Learning Scrutiny Committee Meeting held on 22nd June, 2021 were submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET – 22nd JUNE, 2021</u></p> <p>The action sheet arising from the meeting of the Education & Learning Scrutiny Committee held on 22nd June, 2021 was submitted, whereupon:-</p> <p><u>Vacant Position for Co-opted Member</u></p> <p>It was reported that a nomination had been received to be considered by Full Council in September. If the nomination was accepted, the governor would be briefed in order to attend the October meeting of the Scrutiny Committee.</p> <p><u>Pupil Development Grants</u></p> <p>A Member referred to the information provided and although the data was welcomed, the Member advised that he had wanted to see how individual grants had been used to support individual and groups of learners in schools.</p> <p>The Corporate Director Education agreed that a further update would be provided at the next meeting.</p>	

	<p>The Committee AGREED that course of action.</p> <p>The Committee AGREED, subject to the foregoing, that the action sheet be noted.</p>	
<p>No. 6</p>	<p><u>VERBAL UPDATE - COVID 19</u></p> <p>The Corporate Director Education provided a verbal update on the current status of Covid-19 within Education and schools. Although, the Corporate Director stated that the situation was a dynamic one and changed on a daily basis.</p> <p>The Corporate Director advised that the number of cases had increased over the last few days and the situation was deteriorating in the Authority’s education and learning settings. There were particular increases in the children and young people category aged between 10-19 year olds. The Corporate Director informed that at present there were 119 positive cases across Blaenau Gwent School estate of which were 109 learners and 10 members of staff. There was also a number of the workforce self-isolating. The highest numbers are within Abertillery Learning Community – Secondary Phase, Ebbw Fawr Learning Community – Secondary Phase, Tredegar Comprehensive and Cwm Primary School. The Corporate Director noted that these were the figures for the second week of term, which emphasised the level of challenge faced and reminded Members that these figures were likely to change on a daily basis.</p> <p>The Corporate Director referred to the meetings with headteachers to be prepared for the term ahead and advised that these meetings included education, environmental health, health and safety and support services. The responses from headteachers had been excellent and a common position was reached. The Welsh Government infection control framework was considered, which advocates managed self-isolation for children under the aged of 18. The contact groups would be identified for testing and monitoring and this course of action was taken with a view to maintain face to face teaching and learning, where possible. All schools would be providing support for TTP services as there was capacity challenges in this area.</p>	

The catering and cleaning staff are fragile due to the number of staff self-isolating and the Corporate Director confirmed that this would be closely monitored along with the situation with teachers and learners as we go through the autumn term.

At this juncture, Members raised the following questions which were answered accordingly.

How are PPE supplies within schools?

The stocks of PPE within schools are sufficient to support teaching and learning. It had also been confirmed that hardship funding would be continued, which would assist with such associated costs.

Have Welsh Government issued guidance on vaccinations for 12-19 year olds?

The vaccinations programme for 12-15 year olds has been agreed by the four Chief Medical Officers across the UK and a WG announcement was imminent. The vaccination programme is currently available for young people over the age of 16 years.

A Member praised the Local Authority in the approach and actions being taken in schools. The Member felt that it was being handled in a positive way.

Concerns were raised around children being sent to school if there was a positive case of Covid-19 within the home and there were mixed opinions of whether children should remain home to self-isolate or be sent to school. The Corporate Director Education advised that Welsh Government had provided some flexibility to work on a local basis, but there was clear guidance in place that needed to be in place by the 20th September. Therefore, Blaenau Gwent was working with Environmental Health colleagues to ascertain the best way forward to manage the situation. The Member felt that parents should be advised to keep children home to self-isolate.

	<p>The continued learning and wellbeing of pupils was a real balance as learners had already been disrupted and it was felt that being in school was important for both their emotional and physical wellbeing. It was added that the priority was to ensure learners stayed within their respective school settings. There would be instances where learners may need to work from home and a great deal of work has been done on blended learning should the need arise, however, focus was on maintaining face to face learning.</p> <p>The Chair thanked the officers for the verbal update and felt it was important that these updates are provided in order to keep our constituents up to date.</p>	
<p>No. 7</p>	<p><u>EDUCATION SERVICES – MAIN SELF-EVALUATION REPORT (SER)</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>The Corporate Director Education outlined the report, which provided Members of the Scrutiny Committee with an opportunity to scrutinise the findings of ongoing self-evaluation processes undertaken within the Education Directorate, across the Council and with key partners.</p> <p>The Corporate Director spoke to the report and detailed the comprehensive self-evaluation process, which helped to identify those areas where progress has been made and where further improvement was required. It was noted that the detailed findings were contained in the Main SER, which was attached as at appendix 2 and the Corporate Director referred the Members of the Scrutiny Committee to the three inspection areas of the LGES inspection framework. The Corporate further provided an overview of the areas where good progress had been made and areas where further improvement was required as outlined in the report.</p>	

In conclusion, the Corporate Director acknowledged that the Main SER document was a very lengthy working document, which covered all of the LGES framework. The document provided the context and data to evidence progress and inform self-evaluative commentary. However, it was intended to update the Summary SER document for future self-evaluation reports and this will enable Members to focus specifically on key priorities. Therefore, the Corporate Director suggested that Members consider the following areas as lines of enquiry for the scrutiny process, in line with the corporate impact assessment as detailed in Appendix 4.

- Recovery and renewal linked to academic progress;
- support for vulnerable learners;
- ALN reform/Curriculum reform;
- learner wellbeing; and,
- collaborative working to support learners, particularly with schools.

The Corporate Director Education invited questions from Members of the Scrutiny Committee at this juncture.

A Member noted that although the gender gap was mentioned in the report there was no area for improvement and it was asked if this was area to be considered.

The Corporate Director Education advised that the topics covered in the report was not an exhaustive list and summarised in the report, although, gender information could be found in the main Self Evaluation Report.

A Member referred to the accuracy of targets and outcomes outlined in the report as precise data was not being provided. The Member felt that it was important to monitor this information to ensure pupils had not slipped due to the pandemic and target settings was accurate.

The Corporate Director Education informed that in line with the School Development Plans across the schools, the targets set are ambitious, realistic and deliverable. The Corporate Director advised that work was being undertaken in conjunction with the EAS for schools had been identified as needing additional support in a graduated fashion. This work was a key strand of activity

	<p>in the Recovery and Renewal Plan to ensure the base line data was recalibrated so data focused on attention going forward.</p> <p>Councillor M. Day left the meeting at this juncture.</p> <p>Concerns were raised in relation to predicted grades as the pandemic had greatly affected our schools and it was hoped that our vulnerable learners had the appropriate support. It was important that although this data was not available at the present time it be made available to the Scrutiny Committee in order for Members to monitor the situation.</p> <p>The Corporate Director Education suggested a report could be presented which detailed the evidence on how the appropriate judgement was arrived. In terms of the effects of the pandemic, secondary schools managed KS4 centre determined grades processes well. The Corporate Director added that there had not been many appeals against the grades awarded, therefore, it was felt that there was a balanced understanding of our learners.</p> <p>In response to concerns raised in relation to the number of young people attending further education outside Blaenau Gwent as the academic courses was not available. The Corporate Director Education confirmed that it was intended to organise a member briefing with Coleg Gwent to provide the latest position and the Corporate Director agreed to raise this matter with Coleg Gwent at the next Post 16 Strategic Partnership Board.</p> <p>A Member also asked for information on admissions in secondary schools outside of Blaenau Gwent and the Corporate Director agreed to provide the inward and outward migration data from secondary schools.</p> <p>The Committee AGREED that the report be accepted and acknowledged that effective self-evaluation is an on-going process (Option 1).</p>	
<p>No. 8</p>	<p><u>INCLUSION STRATEGY AND REVIEW (2021-2022)</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p>	

	<p>The Corporate Director Education spoke in detail to the report and outlined the key points.</p> <p>It was noted that an extensive consultation process had been undertaken with Pen y Cwm. A Member felt that it would be beneficial to establish a focus group of like-minded parents and asked if this could be explored.</p> <p>The Corporate Director advised that the views of both parents and pupils will feature within the development of the strategy.</p> <p>A Member referred to the Service Level Agreement and hoped that it was a live document which had sign up from everyone as it was important that Coleg Gwent was involved to make them aware.</p> <p>The Committee AGREED that the report be accepted and agreed to the review of the Inclusion Service to ensure that the requirements of the ALN Act are met, this would include reviewing relevant resourcing, structures, job descriptions and ensuring that relevant arrangements are in place to fulfil the needs of the ALN Act (Option 2).</p>	
<p>No. 9</p>	<p><u>EDUCATION ACCESSIBILITY STRATEGY AND ACTION PLAN REVIEW</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>The Service Manager for Education Transformation and Business Change advised that the report provided the Education and Learning Scrutiny Committee with an overview Education Accessibility Strategy Review process and associated timeline. The Service Manager added that the revised Strategy would be implemented from September 2022 and outlined in detail the strong progress which had been made against the Strategy along with associated actions between 2017 and 2021.</p> <p>The Service Manager further spoke in detail to the report and outlined the current context, alignment with the administration of medicines and medical needs as well as the financial implications on the budget.</p>	

	<p>The Committee welcomed the reported and was pleased that Blaenau Gwent was leading the way.</p> <p>Councillor Summers left the meeting at this juncture.</p> <p>The Committee AGREED that the report be accepted and information therein be noted (Option 1).</p>	
<p>No. 10</p>	<p><u>HOME TO SCHOOL AND POST 16 TRANSPORT POLICY REVIEW 2022 – 2023</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p> <p>The Service Manager for Education and Business Change provided a detailed overview of the report and outlined the key points as noted in the report.</p> <p>Concerns were raised around the travel distance for children and it was felt that additional resources should be available for school transport and a Member felt that this needed to be reviewed. The Officer advised that an extensive review had been undertaken and Blaenau Gwent’s existing limits are more generous than the statutory limits, however, the policy would be reviewed on an annual basis.</p> <p>Further concerns were raised about public transport, which was late on occasions and the Service Manager for Education and Business Change advised that the Authority was aware of these issues and although the Authority only provided travel grants for pupils, the concerns had been escalated to the appropriate transport providers in order to address the issue.</p> <p>The Committee AGREED that the report be accepted and approved the Policy in its current format, however, it was recommended to the Executive that a review of the policy be undertaken next year in line with normal procedures.</p>	
<p>No. 11</p>	<p><u>FORWARD WORK PROGRAMME: 19TH OCTOBER, 2021</u></p> <p>Consideration was given to the report of the Corporate Director Education.</p>	

The Corporate Director Education advised that KS4 data would not be available to share with Scrutiny at the next meeting and following discussions the Committee AGREED that Pupil Exclusion report be included on next month's agenda.

In terms of 'helping elected members get to know our schools' it was felt that at present there was a great deal of pressure on schools it and was felt that this was not the right time to pursue this activity.

The Committee AGREED this course of action.

The Committee, subject to the foregoing, AGREED that the report be accepted and the Forward Work Programme for the meeting 19th October 2021 with the aforementioned amendments (Option 1).

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: REGENERATION SCRUTINY COMMITTEE –
15TH SEPTEMBER, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR J. HILL (CHAIR)

- Councillors G.A. Davies
- M. Cook
- P. Edwards
- K. Hayden
- J. Holt (*substituting for S. Healy*)
- W. Hodgins
- J.C. Morgan
- H. McCarthy
- G. Paulsen
- K. Rowson
- L. Winnett (*substituting for M. Cross*)
- B. Willis

AND: Managing Director
 Corporate Director Regeneration & Community Services
 Service Manager Business & Regeneration
 Team Manager, Regeneration Opportunities
 Team Manager, Connected Communities
 Policy Officer
 Marketing & Communications Officer
 Scrutiny & Democratic Officer/Advisor

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p>	

	<p>Apologies for absence were reported for Councillors S. Healy and M. Cross.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest or dispensations were reported.</p>	
No. 4	<p><u>REGENERATION SCRUTINY COMMITTEE</u></p> <p>The minutes of the Special Regeneration Scrutiny Committee held on 9th June, 2021 were submitted.</p> <p>The Committee AGREED that the minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>REGENERATION SCRUTINY COMMITTEE</u></p> <p>The minutes of the Regeneration Scrutiny Committee held on 30th June, 2021 were submitted.</p> <p>The Committee AGREED that the minutes be accepted as a true record of proceedings.</p>	
No. 6	<p><u>ACTION SHEET – 30TH JUNE, 2021</u></p> <p>The Action Sheet arising from the meeting of the Regeneration Scrutiny Committee held on 30th June, 2021 was submitted.</p> <p><i><u>Electric Vehicle Charging Points</u></i></p> <p>In response to a question raised by a Member the Team Leader Regeneration Opportunities confirmed that the Council had received two electric taxi vehicles. Arrangements for management of the vehicles was currently being developed, and once this was in place the vehicles would be ready for use. The Officer undertook to inform Members when the taxis were in operation.</p> <p><i><u>Community Municipal Investment</u></i></p> <p>In response to a question raised the Officer confirmed that the administration fee was a one-off amount.</p>	

	<p>The Committee AGREED, subject to the foregoing, that the Action Sheet be noted.</p>	
No. 7	<p><u>REGENERATION SCRUTINY COMMITTEE</u></p> <p>The minutes of the Special Regeneration Scrutiny Committee held on 15th July, 2021 were submitted.</p> <p>The Committee AGREED that the minutes be accepted as a true record of proceedings.</p>	
No. 8	<p><u>PROGRESS UPDATE ON DECARONISATION PLAN</u></p> <p>Consideration was given to the report of the Managing Director.</p> <p>The Managing Director presented the first progress report since adoption of the Council’s Decarbonisation Plan and the declaration of a Climate Emergency on 24th September, 2020. The Plan sets out how we intend to deliver our commitment to the ambition of the Welsh Public Sector to achieve net Zero by 2030. It outlined how we could reduce our organisational emissions across nine transitions, and these were highlighted at section 2.3 of the report.</p> <p>The Managing Director said a lot of work had been done during the last year to try and embed decarbonisation into how we think and operate as an organisation, and the summary at section 2.4 of the report highlighted that whilst we are making good progress there was still a lot of work to be done.</p> <p>The Managing Director then went through the report and highlighted points contained therein.</p> <p>A Member asked whether there would be opportunity for financial support from WRAP to adapt our fleet and practices at our HWRC sites.</p> <p>The Managing Director said good work had been done over the last few years and the Council had been successful in increasing its recycling rates and this was having a positive impact on the decarbonisation agenda; and was recognised</p>	

by the Climate Change Citizens Assembly. In terms of next steps and decarbonising our fleet, the Managing Director pointed out that WRAP was a facilitator, so any potential funding would come from Welsh Government. She looked forward to publication of the Zero Wales Plan in the coming weeks, to see what financial support Welsh Government intended putting behind the Plan to help us achieve its targets.

The Team Leader Regeneration Opportunities confirmed that work had been done with Community Services to review our fleet, and an analysis had also been undertaken of vehicles / technology currently on the market that would be suitable for the Borough. She felt the Council were in a good position to present proposals and a business case when funding becomes available.

A Member said he was pleased with the progress made since the Plan was adopted by the Council, and felt the Council was being pro-active and commended everyone involved in the BG Climate Change Citizens Assembly. He asked how the Council intended to develop the recommendations made by the Citizens Assembly.

The Managing Director said the response and enthusiasm of Officers to be involved was excellent. The Council's response to the Assembly's recommendations would be reported in due course, and a special Wider CLT meeting was being convened to consider the recommendations and look at what we are currently doing and where more action was needed in response to what our residents are telling us. Work was also being done through the Public Services Board and collectively across the public sector in Blaenau Gwent, and she was confident that that work would provide good outcomes and actions for the future.

A Member referred to renewable energy technology, and pointed out that the approximate life span for a wind farm was 20 years. He asked what would happen to these sites when they are no longer in working order.

In response the Managing Director said this was all part of the decarbonisation journey, and work was being done to

review procurement strategies to ensure that the carbon impact was taken into account when purchasing goods and services. In terms of wind farms, they were currently providing a valuable source of renewal energy for Wales, however, advances in technology may mean that renewal energy could be achieved in different ways.

A Member referred to the planning restrictions in place to protect listed buildings and the impact of this when trying to decarbonise these buildings.

The Corporate Director Regeneration & Community Services said this was challenging, and it may be that legislation would have to change in the future to align with the climate change agenda. A pragmatic approach was taken in relation to any works undertaken on listed buildings without changing the character of the building, however, some buildings would not achieve carbon zero. Welsh Government have issued guidance around planning applications for listed buildings, and each site would be considered individually.

A Member asked whether it was intended to designate land within the Local Development Plans for tree planting to help reduce our carbon footprint, and also help to prevent flooding, and also whether peat bogs were being considered.

In response the Managing Director confirmed that this was being considered as part of the PSB response, with specific actions and work streams in relation to the environment.

In relation to peat bogs, the Corporate Director said these were an important resource in capturing carbon. There was some land within Blaenau Gwent that could become peat bogs, and moving forward it may be necessary to reconsider some of our previous land allocations within the Local Development Plan.

A Member asked how it was intended to relay the challenges of net Zero to the community.

The Managing Director said one of the positive outcomes from the Climate Change Citizens Assembly was that the

	<p>community are up for the challenge. Part of our response to the Assembly is to harness that enthusiasm and work in partnership to identify actions moving forward.</p> <p>The Committee AGREED to recommend that the report be accepted and the Committee support presentation of the report to the Executive Committee. (Option 1)</p>	
<p>No. 9</p>	<p><u>REGENERATION & DEVELOPMENT PERFORMANCE REPORT</u></p> <p>Consideration was given to report of the Corporate Director Regeneration & Community Services.</p> <p>The Corporate Director Regeneration & Community Services presented the annual service activity report for the period April 2020 to July 2021. The Corporate Director went through the report and highlighted the main points contained therein.</p> <p>A Member referred to previous discussions in relation to the Audit of Commemoration that went through Welsh Government in November 2020, and asked when a report on this could be expected.</p> <p>In response the Corporate Director undertook to investigate.</p> <p>Another Member enquired as to the current percentage of rented properties against home ownership, and whether there was greater need for social housing or private housing within the Borough.</p> <p>The Corporate Director said balance was key in meeting the needs of the community and having the right mix of housing to meet those needs. In terms of the percentage of rented properties, he said this was approximately 30% including social landlords and private rented. He confirmed that the Housing Market Needs Assessment was used to identify trends and demands coming through, and there was currently a demand for people wanting to move to Blaenau Gwent, and also for people wanting to move-up the property ladder, which had resulted in interest from private housing developers, however, it was important not to lose sight of the needs of our existing community. He confirmed that the</p>	

Housing Market Needs Assessment would be brought to Scrutiny in due course to ensure we have the right balance and understanding of future demand.

The Team Leader Connected Communities said moving forward a more blended approach to new housing developments would be encouraged i.e. a mix of social rented and intermediate products, and also low cost home ownership.

Another Member asked how many long term empty properties there were currently in the Borough.

The Corporate Director said this figure was currently in the region of 800-900 vacant properties. There were a number of initiatives to reduce this figure, i.e. reduced empty property discount, and there was also a very active grant and loan programme in place to bring empty properties back into use. In 2019/20 56 properties were brought back into use, however, this number was less during 2021 due to the redeployment of staff in response to the Covid pandemic. However, there were less properties vacant for a period of 6 months which meant the work being done in this area was proving beneficial.

A Member expressed concern regarding the impact of the rental increase of the Council's business units, which had resulted in some businesses leaving the Borough. She also felt that the new Box Works units had not been sufficiently advertised.

In response the Corporate Director said Members would be aware that as part of the Council's plans to become a more commercial organisation and to manage our units more effectively a service charge was introduced for our business units. Whilst this resulted in an increase in rental for occupiers, they were now getting an improved service. He said the retention of businesses in the Borough was paramount, and while many of our business units were designed for 'start-ups', it was expected they would move on to larger units as they grow, and the Council was focussed on ensuring that we have that ladder of accommodation for businesses, but also taking a business-like approach in the management of our units.

In relation to the Box Works site the Corporate Director explained that the Council had yet to take possession of the units from the contractor and this was anticipated to take place during the next week. He was optimistic that demand would increase significantly over the coming weeks.

Another Member referred to the refurbishment of Trinity Chapel and expressed concern that the relocation of the Library to the building, along with the plans for a community shop and café in the former library building would draw people away from the Town Centre. He also looked forward to the refurbishment of Monwel and asked whether it was possible bring the scheme forward.

In relation to the Monwel site the Corporate Director said it was intended that the scheme would be completed and open for students in September 2022. This was a tight timescale due to the significant remodelling to reach the high aspirations for the site.

In terms of the proposals for the former Abertillery Library, he said the community shop and café was more of an ancillary facility for people accessing the training centre.

A Member said the report was evidence of the good work being undertaken within the Department. However, he said it lacked detail in relation to employability, in terms of the number of people employed locally and also initiatives in place within the Borough to get people into work. He said there were a number of projects through the voluntary sector and partners and their work in supporting the Borough and employment opportunities should be highlighted in the report moving forward.

The Corporate Director agreed that this should be included moving forward.

A Member reported that the bridge over Cwmcelyn Pond was in need of repair, and asked that it be included on the Forward Work Programme for the relevant Scrutiny Committee as it provided a vital link to areas within the community.

The Member also expressed concern that the electric vehicle charging point in Blaina was not being used.

In response the Team Manager Regeneration Opportunities said it was important to have every area within the Borough included within the project. The locations were based on forecast usage, and usage across most of the charging points was good. However, more work would be done to promote the provision, but it may be that electric vehicle ownership was lower in Blaina and other locations were more prominent and in busier locations.

Another Member referred back to the refurbishment of Trinity Chapel and said a further consultation exercise was needed. He was aware that many residents were against the proposals to move the library provision from a purpose built premises and undertake extensive renovations of Trinity Chapel in order to relocate the library. He also referred to the community supermarket and pointed out that the plans for the building, under the previous administration, would have provided an excellent resource during the Covid pandemic but the building had now stood empty for 4 years.

In response the Corporate Director said the scheme for Trinity Chapel had been agreed and was progressing along with significant investment from Coalfields Regeneration Trust to bring back the building into a meaningful use.

A discussion ensued a Member said the project and was an excellent opportunity for Abertillery. Another Member expressed concern that the refurbishment costs seemed to be escalating, and asked regarding the current costs of the project.

The Team Leader Regeneration Opportunities said she was unable to provide the figure as the tender review process was currently underway. However, the Covid pandemic had impacted on the figures due to an increase in building and construction costs due to the lack of materials available. The full costs of refurbishment would be available in the next few weeks.

The Member asked that this be highlighted as an action point.

Another Member referred to the rail link to Abertillery and disagreed that the link and increased frequency of trains would increase footfall in the town centre. He also said that increased frequency of trains did not guarantee more passengers, and expressed concern that in years to come the Ebbw Valley railway would become unviable.

The Corporate Director reported that when undertaking original work to justify reopening of the railway, passenger numbers were estimated at 400k per annum, however, following reopening the numbers exceeded 700k. Our forecast also assumed travel from Ebbw Vale to Cardiff, however, there was a huge number of journeys within the Valley which were not in the original forecast. He said increased frequency would make travel within the Borough easier for people accessing jobs and visiting family etc, and provide a strong public transport hub at the edge of town.

Another Member referred to the public consultation exercise undertaken on Llanhilleth Pithead Baths and the fact that the public were against the proposed use of the site for housing. He asked whether an alternative proposal was intended, and whether the Council would be in a position to purchase the land without the proposed housing.

In response the Corporate Director said this report highlighted progress on projects. He said feedback from the consultation on the Pithead Baths would be considered to understand the nature of those concerns, and how best to deal with them.

The Service Manager Business & Regeneration confirmed that a number of consultations exercises were planned to continue this work which was fundamental to the development of the site, to achieve a deliverable scheme to improve the area.

The Committee AGREED to recommend that the report be accepted as provided. (Option 2).

No. 10 **INVESTMENT IN MICRO-HYDRO INVESTMENT**

	<p>Consideration was given report of the Team Manager Regeneration Opportunities.</p> <p>The Team Manager Regeneration Opportunities presented the report which provided an update on progress of the Micro-Hydro Feasibility Study for Cwm and Llanhilleth wards, and sought support for the next steps for this part of the Project.</p> <p>A Member said he was disappointed that the project would not be progressed and asked whether it was possible for a trial to be undertaken in one location in the Borough.</p> <p>In response the Team Leader Regeneration Opportunities said it was a good scheme, however, due to the costs of the technology and grid costs at the present time the scheme would not offer the financial returns that the Council would expect. However, if any community groups etc secured funding the feasibility studies could be offered and the Council could work to support those organisations.</p> <p>The Committee AGREED to recommend that the report be accepted and that the Council choose not to take these schemes forward for further investigation and development. The projects be closed from the current point and would only be revisited should costs significantly reduce or new technologies become available. (Option 1)</p>	
<p>No. 11</p>	<p><u>PARTNERSHIP DELIVERY APPROACH – TOWN CENTRES</u></p> <p>Consideration was given report of the Team Manager Regeneration Opportunities.</p> <p>The Team Manager Regeneration Opportunities presented the report which sought support for the formulation of Town Centre Advisory Boards across the Town Centres of Abertillery, Brynmawr and Ebbw Vale to support a partnership delivery approach for future project delivery. A Member expressed concern that Blaina had been omitted from the report.</p> <p>In response the Officer explained that Blaina had been omitted due to current resources within the Team.</p>	

	<p>However, it was intended to establish a Town Centre Advisory Board for Blaina in the future and the Officer undertook to amend the report to include Blaina prior to the report being submitted to the Executive Committee.</p> <p>A discussion ensued regarding representation on the Advisory Boards and the importance of everyone working towards the best outcomes and improvements for their towns.</p> <p>The Committee AGREED to recommend, subject to the addition of Blaina, that the report be accepted; and</p> <ul style="list-style-type: none"> • Members support and recommend approval by the Executive Committee for the formation of a series of Advisory Boards for the Town Centres of Abertillery, Brynmawr and Ebbw Vale based upon the Tredegar Advisory Board approach, and acknowledge the draft Terms of Reference (Appendix One). The Advisory Board shall act as a consultative body to oversee development and delivery of Town Centre Strategies and Plans. • Each shall start with a small membership identified by members of the Town Centres Task and Finish Group alongside Officers. The membership can then be expanded and developed further as discussions develop. (Option 1) 	
<p>No. 12</p>	<p><u>FORWARD WORK PROGRAMME – 3RD NOVEMBER, 2021</u></p> <p>Consideration was given to the Forward Work Programme for the meeting of the Regeneration Scrutiny Committee scheduled for 3rd November, 2021.</p> <p>It was reported that the Tredegar Placemaking Plan report would be moved to the December meeting.</p> <p>The Committee AGREED, subject to the foregoing, that the report be accepted and the Forward Work Programme for 3rd November, 2021 be approved.</p>	

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: DEMOCRATIC SERVICES COMMITTEE –
17TH SEPTEMBER, 2021**

**REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT
OFFICER**

PRESENT: COUNCILLOR J.C. MORGAN (CHAIR)

Councillors B. Summers
M. Cook
D. Davies (substitute for Cllr J. Collins)
G.A. Davies
K. Hayden
J. Hill (substitute for Cllr L. Parsons)
J.P. Morgan (substitute for Cllr S. Healy)
K. Pritchard

**ALSO: Scrutiny Chairs & Vice-Chairs
Councillor C. Meredith**

**AND: Managing Director
Service Manager, Performance & Democratic
Chief Officer – Commercial & Customer
(outgoing Head of Democratic Services)**

ITEM	SUBJECT	ACTION
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	
No. 2	<u>APOLOGIES</u> Apologies for absence were received from Councillors J. Collins, G.L. Davies, M. Day, S. Healy, L. Parsons, J. Holt, T. Sharrem and H. Trollope.	
No. 3	<u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u>	

	<p>The Service Manager, Performance & Democratic declared an interest in item 5 – Designation of the Head of Democratic Services.</p>	
No. 4	<p><u>DEMOCRATIC SCRUTINY COMMITTEE</u></p> <p>Consideration was given to the Minutes of the meeting held on 16th July, 2021.</p> <p>The Committee AGREED that the Minutes be received as a true record of proceedings.</p>	
No. 5	<p><u>DESIGNATION OF THE HEAD OF DEMOCRATIC SERVICES</u></p> <p>The Service Manager, Performance & Democratic declared an interest in this item and remained in the meeting but took no part in the discussion.</p> <p>Consideration was given to the report of the Managing Director which was presented to seek affirmation for the designation of the Council’s statutory Head of Democratic Services.</p> <p>The Managing Director spoke to the report and highlighted the main points contained therein. She advised that the post of Head of Governance & Partnerships was currently vacant and was in the process of recruitment. She requested Members consideration and agreement for the designation of the statutory post of Head of Democratic Services continues to be aligned to the Head of Governance & Partnerships and be taken on board by the new Officer when appointed.</p> <p>As the outgoing Head of Democratic Services, the Chief Officer Commercial & Customer thanked Members for the opportunity and their interaction over the years and said that it had been a privilege to hold the post and to work with Members in that role.</p> <p>The Chair thanked the outgoing Head of Democratic Services for all the work she had undertaken and whilst she wouldn’t be leaving she would be missed in her existing role.</p>	

	<p>The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the designation of the statutory post of Head of Democratic Services to the Head of Governance & Partnerships be agreed.</p>	
<p>No. 6</p>	<p><u>DIVERSE COUNCIL ACTION PLAN</u></p> <p>Consideration was given to the report of the Service Manager Performance & Democratic which presented the Draft Diverse Council Action Plan for consideration.</p> <p>The Service Manager Performance & Democratic spoke to the report and highlighted the main points contained therein which included that the action plan had been developed for the Democratic Services Committee following agreement at Council in July 2021 to become a diverse Council as it had been recognised nationally that there was a lack of diversity across Councils. As part of that agreement, it was agreed that an action plan be undertaken.</p> <p>A Member referred to point 30 of the Action Plan, the last bullet point which read – ‘Support the Welsh Government’s and IRPW’s commitment to explore Resettlement grants or ‘parachute payments’ payments for Members who lose their seats at election.’ The Member felt this was unnecessary and placed an unfair burden on taxpayers. The Service Manager Performance & Democratic explained the reason for this was that Members of the Senedd would have a parachute payment if they were unsuccessful at election, it had been highlighted to the IRPW and Welsh Government that Members of local authorities should also have the same remuneration. She advised Members that this was something the Welsh Government and the IRPW may explore, it was not in the IRPW currently and if resettlement grants were introduced nationally then as a Council we would look to support it.</p> <p>A Member commented that one of the barriers to attracting more diverse councillors could be time off from work to undertake the role and enquired regarding statutory rights in relation to this. The Service Manager Performance & Democratic said that Councillors should have time provided back to them from their employer to undertake their role,</p>	

however, this could not be enforced and was something that the Welsh Government and the WLGA were looking at to consider what options could be put in place to accommodate working Members i.e. staggering times of meetings, job sharing and recess schemes etc.

A Member commented that more would need to be done if the Council were serious about diversifying. He felt that Blaenau Gwent did not have the same problems that other areas had i.e. Cardiff. The Service Manager Performance & Democratic said that the Welsh Government desired Councils to become more diverse and agreed that there would be differences and nuances across different local authorities. The Action Plan was Blaenau Gwent's approach which had tried to identify key areas that they either needed to implement directly or support as a Council. There would be a collective approach with other local authorities and the Council could then look to meet the nuances of what specifically was needed in Blaenau Gwent to attract a more diverse set of Members.

A Member referred to paragraph 2.5 of the report, bullet point one which read 'to encourage all political parties, through the WLGA Political Groups, to commit to proactive and coordinated activities to improve diversity in local government democracy' and felt that this should be reworded as some Members were not part of a political group.

Another Member felt that the wording may inhibit individuals from standing for election as they may think a political background was required.

The Chair welcomed the report and was pleased that Blaenau Gwent was leading the way with this Action Plan and suggested that the wording in paragraph 2.5 be amended to include political parties / non-political groups / individuals.

The outgoing Head of Democratic Services clarified that the Action Plan be developed by the Democratic Services Committee and then taken to Council for approval and any amendments from the debate could be included in the report presented to Council at the end of the month. With regard to political groups, she explained that some of the

guidance related specifically to political groups as they could action certain things within the parameters of being a political group.

The Committee AGREED to recommend that the report be accepted and endorse Option 2; namely that the Democratic Services Committee considered the Action Plan, attached at Appendix 1, and provided comment that the wording on 2.5 of the report, bullet point one - to encourage all political parties, be amended to include political parties / non-political groups / individuals before submission to Council on 30th September for approval.

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: CORPORATE OVERVIEW SCRUTINY
COMMITTEE – 21ST SEPTEMBER, 2021**

**REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT
OFFICER**

PRESENT: COUNCILLOR S. HEALY (CHAIR)

Councillors: M. Cook
 G.A. Davies
 P. Edwards (substitute for Cllr L. Elias)
 J. Hill
 J. Holt
 C. Meredith
 G. Paulsen
 T. Smith
 H. Trollope (substitute for Cllr S. Thomas)

AND: Managing Director
 Corporate Director of Social Services
 Corporate Director of Education
 Chief Officer Resources
 Head of Regeneration
 Service Manager Performance & Democratic
 Scrutiny & Democratic Officer / Advisor

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from Councillors L. Elias and S. Thomas; and Corporate Director of Regeneration & Community Services</p>	

<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
<p>No. 4</p>	<p><u>ASSESSMENT OF PERFORMANCE 2020/21</u></p> <p>Consideration was given to the report of the Service Manager Performance and Democratic which was to present the Council’s Assessment of Performance 2020/21 (attached at Appendix 1) for consideration.</p> <p>The Service Manager Performance and Democratic spoke to the report and highlighted the main points contained therein. She advised Members that as part of the Local Government Measure the Council had a statutory responsibility to develop an assessment of performance each year and make it publicly available. It should be noted that the Local Government and Elections Act has now replaced the duties under the Measure, therefore, this assessment will be the last under these regulations. However, in future the Council will still be required to report progress of the Corporate Plan and implementation of the Well-being of Future Generations Act.</p> <p>In response to a Member’s question regarding impact assessments being included on reports, the Service Manager Performance & Democratic explained that impact assessments were included as part of the reporting template and should be looked at when producing reports for committees to ensure that any impacts are addressed. The Assessment of Performance had undertaken an equality impact assessment but did not require a socio economic impact assessment as it was not defined as a strategic decision. The Member had concerns that some impact assessments were not being carried out. The Service Manager said that this process should be undertaken and report authors need to ensure these are completed and included within reports as appropriate.</p> <p>A Member commented that it was a positive report with some good developments such as the reduced number of Children Looked After and enquired if this trend was continuing. The Director of Social Services confirmed the trend was continuing, the figure stood at 189 which was the</p>	

	<p>lowest for some time. Referrals were also continuing but the general trend was downwards.</p> <p>The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that Members considered the retrospective progress made and included within the Council's Assessment of Performance for 2020/21 and be assured that it fulfils all required statutory legislative requirements before being submitted to Executive Committee for endorsement and to Council for approval.</p>	
<p>No. 5</p>	<p><u>TREASURY MANAGEMENT ANNUAL REVIEW REPORT 1ST APRIL 2020 TO 31ST MARCH 2021</u></p> <p>Consideration was given to the report of the Chief Officer Resources which was presented to give Members the opportunity to scrutinise the Treasury Management activities carried out by the Authority during the 2020/2021 financial year.</p> <p>The Chief Officer Resources spoke to the report and highlighted the main points contained therein.</p> <p>In response to a Member's question regarding short and long term loans, the Chief Officer confirmed that a short term loan was anything under 1 year and a long term loan was 1 year plus.</p> <p>A Member enquired if the Council had shares in gas or electricity companies that found themselves in financial difficulties. The Chief Officer Resources said the Council did not have shares in utility companies as the Council tended not to invest directly into stocks and shares. The Council usually invested in financial institutions such as Banks and other public sector organisations and felt that in the current circumstances the risk was low.</p> <p>A Member enquired regarding withdrawing investments in fossil fuels. The Chief Officer Resources explained that the brokers the Council use and the companies and organisations that they invest in have policies around ethical investments; and that where possible the Council avoided investing in companies involved in the fossil fuel market.</p>	

<p>The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that Members scrutinised the treasury management activity undertaken during the 2020/21 financial year and provided comment prior to its submission to full Council.</p>	
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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: JOINT SCRUTINY COMMITTEE
(BUDGET MONITORING) – 27TH SEPTEMBER, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR S. HEALY (CHAIR)

Councillors M. Cook
D. Bevan
P. Baldwin
G.A. Davies
G.L. Davies
L. Elias
P. Edwards
J. Hill
L. Parsons
G. Paulsen
J. Millard
M. Moore
H. McCarthy
K. Rowson
T. Smith
B. Summers
H. Trollope
B. Willis
L. Winnett

**WITH: Managing Director
Chief Officer Resources
Corporate Director Education
Corporate Director Social Services
Head of Community Services
Chief Officer Commercial & Customer
Service Manager Neighbourhood Services
Scrutiny & Democratic Officer/Advisor**

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>Apologies for absence were reported for Councillors S. Thomas, K. Hayden, C. Meredith, D. Wilkshire and Mr. T. Baxter.</p>	
No. 3	<p><u>DECLARATIONS OF INTERESTS AND DISPENSATIONS</u></p> <p>The following declarations of interest were reported:-</p> <p><i><u>Item No. 6 - Revenue Budget Monitoring - 2021/2022, Forecast Outturn to 31 March 2022 (As at 30th June 2021)</u></i></p> <p>Councillors B. Summers and M. Cook (Silent Valley Waste Services)</p>	
No. 4.	<p><u>JOINT SCRUTINY COMMITTEE (BUDGET MONITORING)</u></p> <p>The minutes of the Joint Scrutiny Committee meeting held on 26th July, 2021 was submitted.</p> <p>It was reported that Councillor W. Hodgins' attendance had been omitted from the front page of the minutes.</p> <p>The Committee AGREED, subject to the foregoing, that the Minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET – 26TH JULY, 2021</u></p> <p>The action sheet arising from the Joint Scrutiny (Budget Monitoring) Committee held on 26th July, 2021, whereupon:-</p> <p><i><u>Festival Park</u></i></p>	

	<p>A Member asked whether the Council's SLA with the new company could potentially impact on the Council's budget should they request an increase to the management fee</p> <p>In response the Corporate Director Regeneration & Community Services explained that the lease arrangement between the Council and the new owners was the same as the previous arrangement. The management fee was built into the current long term lease, which protected both parties, and could not be renegotiated. He reported that positive dialogue had taken place with the company and hopefully the site would be improved in the future.</p> <p><u>Update on the Truck Shop, Tredegar</u></p> <p>The Corporate Director confirmed that a submission had been that agreement was awaited from CADW. However, discussions were positive and they were aware of the urgency for us to progress and would hopefully be resolved during this financial year.</p> <p>A brief discussion ensued when a Member stated that a response to a question raised by a Member in a Scrutiny meeting should be reported back to the Committee.</p> <p>The Chair confirmed that the Officer responded directly to the Member.</p> <p>The Corporate Director undertook to provide a briefing note to Members.</p> <p>The Committee AGREED, subject to the foregoing, the Action Sheet be noted.</p>	
<p>No. 6</p>	<p><u>REVENUE BUDGET MONITORING 2020/2021 FORECAST OUTTURN TO 31ST MARCH, 2022 (AS AT 30TH JUNE, 2021)</u></p> <p>Consideration was given to report of the Chief Officer Resources.</p> <p>The Committee AGREED to recommend that the report be accepted and Members noted the virements detailed in paragraphs 5.1.4 to and 5.1.7.</p>	

<p>No. 7</p>	<p><u>BRIDGING THE GAP (BTG) PROGRAMME 2021/2022 – PROGRESS UPDATE APRIL TO JUNE 2021</u></p> <p>Consideration was given to report of the Chief Officer Resources.</p> <p>The Committee AGREED to recommend that the report be accepted; and Members provided appropriate challenge to the Bridging the Gap programme.</p>	
<p>No. 8</p>	<p><u>CAPITAL BUDGET MONITORING FORECAST FOR 2021/2022 FINANCIAL YEAR AS AT 30TH JUNE, 2021</u></p> <p>Consideration was given to report of the Chief Officer Resources.</p> <p>The Committee AGREED to recommend that the report be accepted, and;</p> <ul style="list-style-type: none"> • Provided appropriate challenge to the financial outcomes in the report. • Continued to support appropriate financial control procedures agreed by Council. • Noted the budgetary control and monitoring procedures in place within the Capital Team, to safeguard Authority funding. 	

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

SUBJECT: COMMUNITY SERVICES SCRUTINY COMMITTEE – 4TH OCTOBER, 2021

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR M. MOORE (CHAIR)

Councillors G. Paulsen (substituting for C. Meredith)

P. Baldwin

M. Cook

J.P. Morgan (substituting for M. Day)

P. Edwards

S. Healy

W. Hodgins

J. Hill (substituting for J. Holt)

J.C. Morgan

L. Parsons

B. Summers

T. Smith (substituting for L. Winnett)

WITH: Corporate Director Regeneration & Community Services
Head of Community Services
Service Manager Neighbourhood Services
Team Leader Environmental Protection
Engineering Manager
Senior Engineer Land Drainage
Engineer
Estates Manager
Scrutiny & Democratic Officer/Advisor

AND: Charlotte Owen (Audit Wales)
Mr. D. Waggett (Silent Valley Waste Services Ltd.)

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received for Councillors C. Meredith, M. Day, J. Holt and L. Winnett.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>Councillors B. Summers and M. Cook declared an interest in the following item:</p> <p>Item No. 11 Silent Valley Waste Services Ltd. Performance Report</p>	
No. 4	<p><u>COMMUNITY SERVICES SCRUTINY COMMITTEE</u></p> <p>The minutes of the Community Services Scrutiny Committee held on 19th July, 2021 were submitted.</p> <p>The Committee AGREED that the minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET – 19TH JULY, 2021</u></p> <p>The action sheet arising from the Community Services Scrutiny Committee held on the 19th July, 2021 was submitted, whereupon:</p> <p><i><u>Position Report Straying Animals</u></i></p> <p>The Chair confirmed that a report would be presented to Members at the next meeting of the Scrutiny Committee.</p> <p>The Committee AGREED, subject to the foregoing, that the action sheet be noted.</p>	

No. 6

AUDIT WALES: REVIEW OF PEOPLE, PERFORMANCE AND FINANCIAL RESILIENCE IN COMMUNITY SERVICES

Consideration was given to report of the Head of Community Services.

The Head of Community Services presented the report Audit Wales report, 'Review of People, Performance and Financial Resilience in Community Services' (attached at Appendix 1). The report also included the Community Services action plan in response to Audit Wales' proposals for improvement.

The Audit Wales representative then went through the report and highlighted the main points contained therein, namely:

- There are opportunities for the Community Services Directorate to build resilience by sharing the learning and good practice demonstrable in specific service areas to further develop its arrangements to manage performance, and strengthen strategic financial and workforce planning.
- The waste service has achieved substantial progress over the period since 2015 through sound strategic planning supported by the adoption of a learning culture to manage change effectively.
- The Council is developing a new corporate workforce strategy and although Community Services understands its key workforce issues and is taking steps to address them, there is scope for closer collaboration with HR to improve workforce planning and resilience.
- Waste and recycling performance has improved significantly but the use of performance data is inconsistent across Community Services and some performance reports lack sufficient detail.
- Robust corporate budget monitoring arrangements have helped manage Community Services'

overspends, but the scope and focus of financial planning is overly short-term.

The Audit Wales representative confirmed one proposal for improvement was identified, namely *'to strengthen its resilience, Community Services should ensure that learning and good practice that exists within its different service areas is shared throughout the directorate. The Council should also consider whether it would benefit from sharing some examples more widely across the Council.'*

The Head of Community Services thanked Audit Wales for their support throughout the review process. In terms of the one proposal for improvement, he felt this was a positive and was more of a celebration of the Department's successes, and that this message be passed on to other elements of the Council. He also pointed out that the review was undertaken during the last 18 months through the Covid pandemic when frontline services were under immense pressure.

He then went through the report in detail and highlighted points contained therein. In terms of the management response to the proposal for improvement, i.e. to ensure that the good learning and practice is shared throughout the Authority, he confirmed that the Waste Team would be making presentations to the wider environment groups and wider CLT. It was also proposed to present the technical services income generation model to the wider audience in due course. This would be followed-up with business plans and performance reports to the relevant Committees.

A Member said the Council should consider establishing a contingency fund to respond to unexpected pressures, and asked whether any other Local Authorities were taking this approach.

The Audit Wales representative said she was not aware of any other Local Authorities taking this approach, but pointed out that not all Councils would be subject to the same level of overspend as Blaenau Gwent, and contributing factors like the weather and issues of fly tipping varied between Local Authorities. She said the Council should analyse data

	<p>to identify trends over a number of years to help mitigate in-year events that are difficult to plan for.</p> <p>A Member said this was a pleasing report, particularly the 5 apprentices that had been taken on and the career progression opportunities created within the Department. He also agreed with the suggestion of a contingency fund and said this should be considered.</p> <p>Another Member said this was a positive report, however, he was concerned that the issue of updating the iTrent system had been identified.</p> <p>In response the Head of Community Services said this was a challenge particularly with the volume of staff in frontline services, and also the technical challenges around the IT system. However, he confirmed that Audit Wales' comments had been noted and the Department was currently working with OD on this issue.</p> <p>The Committee AGREED to recommend that the Audit Wales report be accepted and the actions to implement the proposals for improvement. (Option 1)</p>	
<p>No. 7</p>	<p><u>WASTE AND RECYCLING PERFORMANCE 2020-21</u></p> <p>Consideration was given to report of the Service Manager Neighbourhood Services.</p> <p>The Service Manager Neighbourhood Services presented the report which provided an update on waste and recycling performance outcomes for 2020-21.</p> <p>The performance data was summarised in Appendix 1, and the Officer pointed out that during the previous 2 years the Council had exceeded the WG statutory recycling target of 58% and 64% respectively. This success was maintained in 2021 and the Council exceeded the target by attaining 64.29%. He acknowledged that this had been achieved through the hard work of the Waste Team, working with partners in WRAP, and also the Council's Communications, Performance, and Senior Management Team; but most importantly the residents of Blaenau Gwent in what had been a very difficult year. He said through careful</p>	

prioritisation and engagement with our workforce, the Council was able to maintain all waste and recycling collections throughout the Covid pandemic.

The Officer then went through the report and highlighted points contained therein.

A Member asked whether recycling rates would increase if the Council reduced the number of communal collection points throughout the Borough. He felt it was unfair that the majority of residents were expected to comply with number of refuse bags they were able to put out, but residents in communal collection areas were able to deposit as much as they liked. He also asked whether fly tipping collected from Tai Calon's estates were included in the Council's figures.

In relation to the Council's communal collection points he said some progress had been made where possible, however, the Council were unable to remove some collection points due to health and safety restrictions.

In terms of fly tipping on Tai Calon's estates the Team Leader Environmental Protection explained that waste deposited on private land was the responsibility of the landowner to remove. He understood that Tai Calon had their own cleansing team so any fly tipping they removed would not be included in the Council's figures.

He also confirmed that a new Team had been established to look at unofficial collection points causing significant problems. When this work was resolved it was intended to then look at official collection points to ensure everyone complied with the rules.

A Member commended the Waste and Recycling Team for their work during a very challenging year. He asked whether a contingency plan was in place in the event of a fuel shortage and the lack of HGV drivers, and staff sickness. He also referred to the figures for composting recycling and said it was unfair for Blaenau Gwent to be compared to rural LA's and that WG should consider a fairer approach to this element of recycling.

The Member also expressed concern regarding the increase in residual waste and asked whether this was due to a change of habits and residents mixing their residual waste with recycling. He also asked whether the 'appointment only' approach at our HWRCs was a contributing factor and whether it was intended to return to a non-appointment system post Covid.

In response to the Member's comments regarding a contingency plan the Service Manager Neighbourhood Services confirmed that the Council received a fuel delivery last week which would last 3 weeks on a normal working pattern. There was a plan in place in the event of a fuel shortage and the need to reissue fuel to other services, but to date there had been no impact of the fuel shortage reported in the press.

He said the shortage of HGV drivers was a national issue, but fortunately there had been no impact on the Council's services. He said the Department's priority services continued to be waste collections and winter maintenance operations from 1st November, 2021. However, the issue had been highlighted on the risk register in the event of a major spike in sickness and Covid infections.

In relation to the composting recycling figures he agreed that Blaenau Gwent were at a disadvantage with the limited number of green areas compared to rural LA's. However, moving forward it was intended to focus efforts on improving the food recycling element.

With regard to the increase in residual waste he said the fact that enforcement activities ceased for a significant period through 2020/21 in response to the Covid pandemic had contributed. However, it was intended to reinstate enforcement activities and hopefully this would help to change behaviour and return to the positive impact prior to the pandemic.

In relation to the booking system put in place as a result of the Covid pandemic the Officer confirmed that the system had been improved. He pointed out the whilst a number of Covid restrictions had been relaxed, the track and trace element was still in place and there was still a responsibility

to restrict numbers at the sites. He said feedback from staff was positive, and a significant number of residents who utilised the sites seemed happy with the system in place, however, he acknowledged that some residents saw it as a block to using the sites.

In response to a question raised by a Member regarding the difference in figures for the 2 sites, the Officer explained that this report outlined performance for 2020/21. Only New Vale was operational during 2020/21 as the Roseheyworth site did not open until earlier this financial year.

In response to a further question regarding the recycling figures for rear lane collections the Officer said he did not have specific figures as this formed part of the overall recycling round. However, additional rear lane collections were intended over the coming months as part of our route optimisation exercise.

A Member asked whether the figures for the recycling materials deposited at our HWRC sites were factored into the kerbside recycling figures.

The Officer explained that all waste streams at our HWRC sites were included in our tonnages. However, the only income generated was from cardboard and scrap metal, and the Council had to pay disposal costs for all other materials deposited at the sites.

A brief discussion ensued regarding the HWRC sites when the Officer stated that the Roseheyworth site was less used than New Vale, however, there were no usage figures available prior to the Covid pandemic and the booking system being put in place. He said only a small number of complaints had been received about the booking system, and confirmed that the provision of same day bookings was being explored.

A Member referred to the last sentence of section 5.1 of the report and asked why the budget had not been aligned to the change in recycling habits.

The Officer explained that habits had changed since the significant changes to the service in 2015, and recycling

	<p>receptacles are more expensive and more in demand particularly following storms in the winter months. The drive to hit Welsh Government's target also meant additional resources were required, but hopefully the policies now in place would offset these additional resources moving forward.</p> <p>In response to a question raised by a Member the Officer confirmed that a pilot scheme was undertaken of approximately 2k properties to separate glass from cardboard waste. Feedback from the pilot scheme was positive and it was intended to roll this out to over 5k properties Borough wide over the coming months. This would provide additional capacity for residents to recycle more cardboard.</p> <p>Another Member enquired as to the trial undertaken to recycle plastic bags and the Officer reported that this project was undertaken in conjunction with Merthyr Tydfil CBC, with support from WRAP. The results of the trial had yet to be analysed, and when this was completed it would be brought to Members for consideration as there was costs associated with the scheme.</p> <p>A Member proposed Option 1, and this was seconded.</p> <p>Another Member proposed Option 2 with the addition that a review of the budget be undertaken, with a view to establishing a contingency budget.</p> <p>A Member seconded the proposal.</p> <p>A vote was thereupon taken, and</p> <p>The Committee AGREED to recommend that the report be accepted and the information contained therein be noted. (Option 1)</p>	
<p>No. 8</p>	<p><u>COMMUNITY SERVICES PERFORMANCE REPORT 2020/21</u></p> <p>Consideration was given to report of the Head of Community Services.</p>	

The Head of Community Services presented the report which provided an update on Community Services performance outcomes over the period 2020/21, including the following key service areas:

- Infrastructure Services
- Neighbourhood Services; and
- Property services

The Officer went through the report and highlighted points contained therein.

In response to concerns raised by a Member regarding the limited resources within the Section to undertake inspections, the Corporate Director Regeneration & Community Services confirmed that the level of resources was a challenge as the service was extremely busy. He said Members would be aware of the funding constraints in the public sector over a number of years, with the public sector being expected to do more work with the same level of resources. However, he confirmed that workloads were cautiously prioritised, and funding opportunities explored wherever possible for jobs, and also apprentices. He confirmed that pressures would continue to be monitored to ensure sufficient resources.

A Member said consideration should be given to instating an impounding service. He also expressed concern regarding the level of fly tipping in the Borough.

The Head of Community Services reported that a decision was taken by the previous Council to cease the impounding service. However, if Members felt that the issue of straying animals was significant to warrant reinstating the service, it would go through the appropriate process of review.

In relation to concerns regarding fly tipping, he said the Litter & Fly Tipping Strategy was adopted approximately 6 months ago, and hopefully improvements would be seen over the coming months.

In response to a question raised by a Member regarding Aberbeeg Road and the Big Arch, the Officer reported that a significant amount of work had been undertaken on

	<p>Aberbeeg Road and this was reflected in the costs. That section of road would continue to be monitored and funding had been secured from Welsh Government to undertake feasibility studies to potentially improve the road in the longer terms. In relation to the Big Arch the Officer confirmed that works were due to commence shortly.</p> <p>The Committee AGREED to recommend that the report be accepted and the information contained therein be noted. (Option 1)</p>	
<p>No. 9</p>	<p><u>SECTION 19 FLOOD INVESTIGATION REPORT, LLANHILLETH</u></p> <p>Consideration was given to report of the Head of Community Services.</p> <p>The Engineer presented the S19 Flood Investigation Report for Llanhilleth following the flooding that occurred in Meadow Street and Railway Street during 15-16th February 2020. The Officer went through the report in detail and highlighted the key findings of the report detailed at section 2.3 of the report; and the key actions detailed at section 2.4</p> <p>A Member said he was disappointed that the report was available in the public domain prior to Ward Members having sight of it. However, he thanked all Council staff and other agencies who worked tirelessly at the time of the flooding, and in the days and weeks thereafter. He said while this was a very comprehensive report it did not reflect the anguish of the residents affected.</p> <p>He then referred to page 112 of the report, namely the DCWW Pumping Station, and said in his opinion the enquiry should have been undertaken by an independent body. He had been informed by residents that the pump was faulty but when they tried to report it to Welsh Water they could only get through to an answer phone.</p> <p>The Member also asked whether the Council carried out further checks between the date of the incident and the 28th February, 2020.</p>	

In response the Senior Engineer Land Drainage reported that CCTV surveys were undertaken some weeks after the incident in March. He confirmed that regular surveys were undertaken of culverts, and depending on the classification this would be done every 2 weeks for critical culverts and every 12 weeks for significant culverts.

The Member pointed out that Railway Street would have flooded again on the 28th February, 2020 had it not been for the work of an Officer who located another blockage between Railway Street and Meadow Street. He said 89 properties had been flooded and the Council should look to compensate those residents who have needed to vacate their homes for 10 months, and that the process of compensation should be made as easy as possible.

A Member referred to section c on page 127 of the report and asked whether any remedial works had been undertaken to remove the pipe. He stressed the importance of all remedial works being undertaken as a matter of urgency to alleviate any problems in the future.

In response the Senior Engineer Land Drainage said the pipe could not be removed, however, investigations were ongoing to determine whether it was possible to install an additional pipe and re-route the main drain. He confirmed that funding had been secured to undertake remedial works, with a deadline to spend the money by the end of March 2022, and site investigations were currently being undertaken.

A discussion ensued when the Engineer explained that the report stated that it was probable that the high intensity and prolonged rainfall saturated the ground, and the 2 blockages identified in the drainage system contributed to the flooding.

A Member suggested an amendment to Option 1, namely that the Council puts in place a scheme to compensate residents affected by the flooding.

A discussion ensued when the Scrutiny Officer explained that it was not within the remit of the Committee to agree compensation.

	<p>In response the Member said he would approach the Executive Member Environment and a request a public meeting.</p> <p>The Committee AGREED to recommend that the Section 19 Flood Investigation Report, Llanhilleth report be accepted and published in accordance with the FWMA 2010 legislation. (Option 1)</p>	
<p>No. 10</p>	<p><u>FORWARD WORK PROGRAMME: 15TH NOVEMBER 2021</u></p> <p>The Forward Work Programme for the meeting scheduled to be held on 15th November, 2021 was submitted.</p> <p>A Member requested that the following additional items be considered for inclusion on the FWP:</p> <ul style="list-style-type: none"> • A full list of Community Asset Transfers. • A report on the condition of drainage systems throughout the Borough. <p>The Committee AGREED that the Forward Work Programme be accepted.</p> <p>Councillor S. Healy left the meeting at this juncture.</p>	
<p>No. 11</p>	<p><u>SILENT VALLEY WASTE SERVICES LTD PERFORMANCE REPORT</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Part 1, Schedule 12A of the Local Government Act, 1972 (as amended).</p>	

<p>Consideration was given to report of the Service Manager Neighbourhood Services.</p> <p>The Service Manager Neighbourhood Services presented the report which provided an update of Silent Valley Waste Services Ltd performance outcomes for 2020/21.</p> <p>The Officer went through the report and highlighted points contained therein.</p> <p>The Committee AGREED to recommend that the report which contained information relating to the business/financial affairs of persons other than the Authority be accepted and the information contained therein be noted. (Option 1)</p>	
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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: SOCIAL SERVICES SCRUTINY
COMMITTEE – 7TH OCTOBER, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR S.C. THOMAS (CHAIR)

Councillors: Councillor K. Rowson (Vice-Chair)

D. Bevan
G. Davies
P. Edwards
K. Hayden
W. Hodgins
J. Holt
M. Moore
G. Paulsen
T. Sharrem
B. Summers
T. Smith

AND: Corporate Director of Social Services
Head of Adult Services
Service Manager Children’s Services
Communications & Policy Officer
Scrutiny & Democratic Officer/Advisor

ITEM	SUBJECT	ACTION
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<u>APOLOGIES</u>	

	<p>An apology for absence was received from Councillor G. Collier.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>The following declaration of interest was raised:-</p> <p>Councillor G. Paulsen Item No. 6 – Children and Communities Grant</p> <p>Councillor Wayne Hodgins also raised a declaration of interest in the meeting as some of his clients may be service users of the Social Services Directorate.</p>	
No. 4	<p><u>SOCIAL SERVICES SCRUTINY COMMITTEE</u></p> <p>The Minutes of the Social Services Scrutiny Committee Meeting held on 22nd July, 2021 were submitted; whereupon:-</p> <p>A Member referred to the suggestion raised by the Corporate Director that a report could be presented in relation to social work pay and incentives being offered by other Authorities for consideration. The Member noted that this was not on the Forward Work Programme for the November meeting and asked when the report could be expected.</p> <p>The Corporate Director Social Services advised that the report could be presented to the next meeting.</p> <p>The Committee AGREED that the report be presented to a future meeting.</p> <p>The Committee FURTHER AGREED, subject to the foregoing that the Minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ANNUAL REPORT OF THE</u></p>	

DIRECTOR OF SOCIAL SERVICES

Consideration was given to the report of the Corporate Director Social Services.

The Corporate Director Social Services referred to the Annual Report of the Director of Social Services 2020/2021 which was detailed in Appendix 1 and invited questions from Members.

A Member referred to the priority 'to develop alternative models of support that promotes independence and supports well-being outcomes' and in particular individuals 25 years and over. The Member advised that many of these young people are keen to get back to normality and asked what plans are in place going forward to get service users over 25 years old back into the community out of their homes where they have been since the start of the pandemic.

The Corporate Director Social Services referred to the presentation provided at a previous meeting in relation to the pressures in the social and health care system. It was informed that day care staff were supporting services in other areas as a result of staff shortages in frontline services due to the pandemic. Therefore, some services were not operating as they would have before the pandemic and a ration day service had been developed to fit an individual's needs. The Corporate Director added that there was a need to establish a model for day services facilities as the Department could not return to pre-pandemic ways as Social Services had an obligation to protect the most vulnerable in our communities and needed to comply with Welsh Government risk assessment to stop the spread of COVID-19 which would include social distancing restrictions. It was added that once this review had been undertaken it would be presented to Members for consideration, however the Corporate Director stated that the pandemic was continuing and there was a need for risk assessments to be undertaken to maintain some social distancing in our facilities.

It was noted that during the pandemic services have been offered virtually and on a 1-2-1 basis and service users had

welcomed this contact and it was hoped that this interaction could be continued. There would be consultation undertaken with families and service users to identify their needs.

The Member welcomed the work undertaken by Social Services, however he further asked if projects were being sought with community clubs and organisations to get these individuals outdoors. The Member stated that these young people had been indoors for 18 months and families were keen to see the outdoor activities resume.

The Corporate Director confirmed that work was ongoing with other sectors where support could be offered within the community. The Head of Adult Services agreed to take the matter up with the respective Members direct.

A Member referred to the complaints and compliments section of the report and felt that there should be a number of compliments received which recognised the good work undertaken by Social Services to support families during the pandemic.

The Corporate Director Social Services advised that due to closures of facilities the Department was unable to gather compliments as the majority of correspondence was sent direct to buildings. The complaints are collated via one system and it was hoped that compliments could be received in the same way as the complaints to make them all more accessible.

A Member raised concerns in relation to vulnerable clients that would have had access to day centres and felt it was important that this service was reintroduced to support families. It was paramount that families had this support and as an Authority these services should now be fully operational. The Member acknowledged that the service was to be reviewed, however he could not support a reduction in the service and felt it was important that the Authority reverted back to the level of services provided prior to the pandemic.

The Corporate Director Social Services reiterated that due to social distancing restrictions these facilities could not be opened to same numbers as pre-pandemic. It was added

	<p>that consultation would assist in identifying the needs of the service users and their families and this would be used to model out services going forward.</p> <p>The Committee AGREED that the report be accepted and considered the detail contained in the Annual Report of the Director of Social Services 2020/2021 and contributed to the continuous assessment of effectiveness by making appropriate comments and or recommendations for amendment to the report before consideration at Executive Committee and approval at Council.</p>	
<p>No. 6</p>	<p><u>CHILDREN AND COMMUNITIES GRANT</u></p> <p>Consideration was given to the report of the Head of Children’s Services.</p> <p>The Service Manager, Children’s Services provided a detailed overview of the progress of the Children and Communities Grant and outlined the key points as detailed in the report.</p> <p>In response to a question raised in relation to grant funding, it was advised that grant funding allocations were confirmed as part of the Welsh Government budget settlements received by the Local Authority. This information was provided in December and specific grants were separate to the budget settlement.</p> <p>Another Member asked if information could be presented on specific funding projects. The Service Manager advised that this information was available along with performance indicators and agreed to provide this information.</p> <p>The Committee AGREED, subject to the foregoing that the report be accepted and the progress made to date on the Children and Communities grant be noted. The CCG Steering Group continued to oversee and implement the delivery programme and provides an annual report on progress to scrutiny, executive and the new local arrangements to replace the Public Service Board.</p>	
<p>No. 7</p>	<p><u>PROPOSAL TO DEVELOP A BLAENAU GWENT MY SUPPORT TEAM (MYST)</u></p>	

	<p>Consideration was given to the report of the Head of Children’s Services.</p> <p>The Service Manager Children’s Services spoke to the report which outlined the proposal and business case to develop a Blaenau Gwent My Support Team (MyST) instead of the current joint MyST with Monmouthshire. The Service Manager referred to the background of the establishment of the joint MyST and noted the evidence in the report on the work which had been achieved in past 2 years in relation to:-</p> <ol style="list-style-type: none"> 1. Numbers of Blaenau Gwent children MyST have supported to move out of residential care. 2. The numbers of Blaenau Gwent children MyST have prevented going into residential care. 3. The number of Blaenau Gwent Psychological practice consultations undertaken by MyST 4. The actual cost savings made by MyST 5. The cost avoidance as a result of MyST <p>The Service Manager referred to the actual savings and cost avoidance the MyST had achieved during 2019/2020 and 2020/2021 and noted the anticipated costs for a Blaenau Gwent team based on a forecast provided by Monmouthshire. The Service Manager further spoke to the report and advised that the establishment of a Blaenau Gwent MyST would continue the positive work achieved and increase capacity within Blaenau Gwent to address the backlog of referrals.</p> <p>The Committee welcomed the report and Members felt that the savings made as well as the impact on the number of children looked after were positive. The Committee fully supported the report and thanked the officer for an informative overview.</p> <p>The Committee AGREED that the report be accepted and the positive work MyST have undertaken be acknowledged and support the development of a Blaenau Gwent MyST to the Executive Committee (option 1).</p>	
<p>No. 8</p>	<p><u>FORWARD WORK PROGRAMME:</u> <u>18TH NOVEMBER, 2021</u></p>	

Consideration was given to the report.

The Head of Adult Services advised that the Future Model of Assistive Technology/Telecare Provision report may not be presented to the next meeting as the responsible officer was dealing with the continued response to the pandemic. Therefore, the Chair agreed that the report be presented to a future meeting.

The Committee AGREED, subject to the foregoing, that the report be accepted (option 1) and

- a) any amendments to the topics scheduled for the meetings;
- b) suggest any additional invitees that the committee requires to fully consider the reports; and
- c) request any additional information to be included with regards to the topics to be discussed.

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Agenda Item 27

Executive Committee and Council only

Date signed off by the Monitoring Officer: 21.09.2021

Date signed off by the Section 151 Officer: 14.09.2021

Committee:	Council
Date of Meeting:	25th November, 2021
Report Subject:	Minimum Revenue Provision (MRP) Policy Revision
Portfolio Holder:	Councillor N. Daniels – Leader/Executive Member Corporate Services
Report Submitted by:	Rhian Hayden, Chief Officer Resources
Report Written by:	Joanne Watts, Business Partner Finance

Reporting Pathway							
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council
					16.7.21		25.11.21

1. Purpose of the Report

- 1.1 To consider a proposed change to the Authority's Minimum Revenue Provision (MRP) policy and the impact this will have on the minimum revenue provision going forward.

2. Scope and Background

- 2.1 During February / March 2021, the Council engaged Treasury Advisors, Link Asset Services, to conduct a review of the current MRP policy.
- 2.2 The review identified the opportunity to change two elements of the current policy which would provide positive benefits to the Council by reducing the annual MRP charge until 2031/32 for unsupported borrowing and 2057/58 for supported borrowing.
- 2.3 This report, supported by the Link review, will provide a reasoned justification supporting the case to change:-
- the supported borrowing element of the MRP from 2% straight line to a 50-year annuity basis. and
 - changing the unsupported borrowing element of the MRP from an annuity basis to a weighted average annuity basis.
- 2.4 Under regulation 21 of the Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003, local authorities are required to charge Minimum Revenue Provision (MRP) to their revenue account for each financial year to

provide for the repayment of debt resulting from capital expenditure. The Council is required to determine a level of MRP it considers to be **prudent**, whilst having regard to MRP Guidance issued by WG, which states “The broad aim of prudent provision is to ensure that the cost of debt is charged to a revenue account over a period that is commensurate with that over which the capital expenditure provides benefits or, in the case of borrowing supported by Revenue Support Grant (RSG), reasonably commensurate with the period implicit in the determination of that grant”.

- 2.5 The legislation does not define what constitutes a “prudent provision”, however the MRP guidance (attached at Appendix 1) issued by the Secretary of State (WG) interprets the term and provides some ready-made examples of acceptable methods for calculating a prudent level of MRP. Overall, the original statutory intent that it is for an authority to itself determine what represents a prudent annual amount of MRP

3. **Options for Recommendation**

3.1 Option 1

Members do not agree to change the supported borrowing element of the MRP calculation from 2% straight line to a 50-year annuity basis and to changing the unsupported borrowing element of the MRP calculation from an individual asset annuity basis to a weighted average annuity basis.

Option 2 (preferred option)

- 3.2 Members agree the change of the supported borrowing element of the MRP calculation from 2% straight line to a 50-year annuity basis and to changing the unsupported borrowing element of the MRP calculation from an individual asset annuity basis to a weighted average annuity basis. This change is to be applied from 1st April 2021.

The calculation of the MRP proposed in Option 2 is in line with the examples provided in WG guidance on MRP.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

- 4.1 The report is written under legislation the Local Government Act 2003),Welsh Government guidance and CIPFA codes of practice.
- 4.2 This report also supports the Corporate Plan proposed outcome statement 2020/2022 “An ambitious and innovative Council delivering the quality services we no matter to our communities”.

The proposal has also been identified as part of the Bridging the Gap programme with the aim of supporting the Council’s financial resilience

5. Implications Against Each Option

Impact on Budget (short and long term impact)

- 5.1.1 The following table illustrates the impact on the MRP charge the methodology will have:

Financial Year	MRP based on the Current Policy (MRP based on the Proposed Policy (revised Methodology)	Change in the MRP charge	Impact on the MTFS (Original method) Increase / decrease	Impact on the MTFS (New method)
	£	£	£	£	£
2021/22	1,026,573	1,025,961	-612	0	
2022/23	4,470,516	1,744,449	-2,726,066	3,443,943	718,489
2023/24	4,301,872	1,837,629	-2,464,242	-168,644	93,180
2024/25	4,335,574	1,933,697	-2,401,876	33,702	96,068
2025/26	4,370,510	2,032,745	-2,337,765	34,937	99,047
2026/27	4,385,674	2,720,657	-1,665,016	15,164	687,912
2027/28	4,413,668	2,826,975	-1,586,693	27,994	106,317
2028/29	4,437,023	2,898,430	-1,538,593	23,355	71,456
2029/30	4,474,208	2,972,243	-1,501,965	37,185	73,813
2030/31	4,471,907	3,048,494	-1,423,413	-2,301	76,250
2031/32	4,039,439	2,712,834	-1,326,605	-432,468	-335,660
2032/33	4,076,695	2,794,209	-1,282,487	37,257	81,375
2033/34	4,029,319	2,878,277	-1,151,042	-47,377	84,068

The above table illustrates that if agreed, the revised policy would reduce the expected MRP charge from 2022/23 onwards. Under the current policy the MRP charge for 2022/23 is forecast to be £4.47m this will reduce to £1.74m under the revised policy and will increase incrementally in the following years as shown above.

- 5.1.2 The 2022/23 the MRP charge of £1.74m is higher than the current charge of £1.03m (by £718k) but lower than the current forecast increase of £3.4m. Based on the current MTFS assumptions, the proposed change in policy would have a positive impact of in excess of £750,000. The MRP charge is estimated to increase in subsequent years but this charge will be lower than current estimates and will mitigate some of the cost pressure previously identified and reduce the currently assessed budget gaps.
- 5.1.4 It is important to note that the changes are prospective and do not amend any previous year calculations. The figures incorporate the re-profiling of the remaining £3.2m retrospective adjustment balance from the previous MRP Policy review in 2017/18. over the period 2021/22 to 2025/26. In 2026/27 at the point where the full retrospective amount has applied the MRP is expected to increase by £600,000.

- 5.2 For the purpose of this report the Authority's future capital expenditure estimates have not been included in the analysis and all options are based on the CFR position as at 31 March 2021.

Risks including Mitigation

- 5.2.1 Audit Wales monitor the minimum revenue provision as part of their annual audit of the statement of accounts, we are not expecting AW to challenge the proposals. However, the Authority's Treasury advisors will be available to assist in any queries the auditors may have.
- 5.2.2 The impact of a revised MRP policy would need to be kept under regular review in order to ensure that the annual provision is prudent. The MRP policy will be reviewed in line with the annual budget setting process. As the MRP policy is scrutinised by Corporate Overview Committee and approved by Council each year there will be an opportunity to monitor this and change the policy if required.
- 5.3 *Legal*
- 5.3.1 The report is written under legislation (the Local Government Act 2003), Welsh Government guidance and CIPFA codes of practice.
- 5.4 *Human Resources*
- 5.4.1 There are no direct staffing implications to report.

6. Supporting Evidence

- 6.1 Performance Information and Data
- 6.1.1 ***Current Policy***

The Council's current policy for:-

Supported Borrowing (i.e. borrowing that receives central government support through the RSG) - The Council currently makes MRP for supported borrowing and borrowing pre 1st April 2008 on a straight-line basis at 2% (i.e. over 50 years).

Unsupported borrowing (i.e. prudential borrowing) is based on Option 3 of the statutory guidance that allows for MRP provision using the asset life methodology on an annuity basis. It is applied to particular items of capital expenditure for example Highways prudential borrowing, IT Infrastructure and 21st Century Schools projects and spreads the expenditure over the useful life of the asset. MRP is chargeable in the first financial year after the relevant asset becomes operational. The interest rate to be used in the annuity calculation is the average PWLB annuity rate for a loan with a term equivalent to the estimated life of the asset.

6.1.2 **Supported Borrowing**

The Authority currently makes MRP for supported borrowing and borrowing pre 1st April 2008 on a straight-line basis at 2% (i.e. over 50 years). It could choose instead to make MRP for this element of its Capital Financing Requirement (CFR) on an annuity basis.

CIPFA puts forward the following reasoning for using the annuity method in CIPFA's 'The Practitioner's Guide to Capital Finance in Local Government' (2019) which states: 'The annuity method provides a fairer charge than equal instalments as it takes account of the time value of money, whereby paying £100 in 10 years' time is less of a burden than paying £100 now. The schedule of charges produced by the annuity method thus results in a consistent charge over an asset's life, taking into account the real value of the amounts when they fall due. The annuity method would then be a prudent basis for providing for assets that provide a steady flow of benefits over their useful life.'

Unsupported Borrowing

The Authority currently uses the asset life annuity basis methodology for MRP on unsupported borrowing, which is in line with option 3 in the MRP Guidance. An asset life is determined for each item of capital expenditure financed by unsupported borrowing and a calculation of MRP is carried out for each individual item.

A prudent option needs to ensure that the MRP repayment period is reasonably commensurate with the period over which the capital expenditure provides benefits. An alternative simplified method has therefore been developed that uses an average asset life for all unsupported borrowing in each year and applies the annuity calculation to the total unsupported borrowing capital expenditure for that year, rather than to individual project.

6.1.3 **Prudential Indicators**

The MRP is a statutory requirement for local authorities to charge to their revenue account for each financial year a prudent amount for the principal cost of their debt in that financial year. It impacts upon the Councils prudential indicators that are set at the start of the financial year. Prudential Indicators however are not intended to be a measure of the Council's performance against other local authorities; they should instead be used as indicators of affordability of the Council's capital spending plans.

6.1.4 Amending the MRP as proposed will cause an increase in our CFR compared to current projections reflected within our prudential indicators. This is because the MRP reduces the CFR each year, so a decrease in the amount of reduction causes an increase in the current projected CFR. It is important to recognise however that this will not affect our actual debt repayments or actual debt outstanding which will remain unchanged. MRP is the statutory amount required to be charged to the revenue account each year to represent debt repayment and the CFR is a measure of indebtedness rather than actual debt.

6.1.5 The decrease in MRP will not adversely impact upon the Council's ability to repay its future debt obligations.

- 6.2 *Expected outcome for the public*
- 6.2.1 The Council's Treasury Management activities support delivery of services to the public. Revising the MRP policy will mitigate the large rise in the MRP costs from 2022/23.
- 6.3 *Involvement (consultation, engagement, participation)*
- 6.3.1 Members of the Corporate Overview Scrutiny Committee and full Council are involved in developing and monitoring compliance with the Council's Treasury Management Strategy, the MRP Policy forms part of this.
- 6.4 *Thinking for the Long term (forward planning)*
Changing the MRP policy will still result in the debt being written off over the same period of time, however it will avoid large fluctuations in the charge which can impact significantly on the budget setting in those individual years. This proposal also forms part of the Bridging the Gap programme which has been developed to support the Council's ongoing financial resilience.
- 6.5 *Preventative focus*
- 6.5.1 Revising the MRP policy will mitigate the large rise in the MRP costs in 2022/23.
- 6.6 *Collaboration / partnership working*
The report has been prepared in conjunction with the Authority's Treasury Management advisors, Link.
- 6.7 *Integration(across service areas)*
n/a
- 6.8 *Decarbonisation and Reducing Carbon Emissions*
The Authority considers Environmental, Social and Corporate Governance (ESG) factors when undertaking any loan / investment arrangements.
- 6.9a *Socio Economic Duty Impact Assessment*
See 6.8 above
- 6.9b *Equality Impact Assessment*
N/A

7 Monitoring Arrangements

- 7.1 The MRP policy will be reviewed in line with the annual budget setting process
- 7.2 As the MRP policy is scrutinised by Corporate Overview Committee and approved by Council each year there will be an opportunity to revisit any decision at least annually, or make additional voluntary payments.

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GUIDANCE ON MINIMUM REVENUE PROVISION

Guidance issued by Welsh Ministers under section
21(1A) of the Local Government Act 2003
[Revised 2018]

DEFINITIONS

1. In this guidance:

2003 Act means the Local Government Act 2003.

2007 Act means the Local Government and Public Involvement in Health Act 2007.

2003 Regulations means the Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003 [SI 2003/3239, as amended].

CFR means the Capital Financing Requirement, as defined in the Prudential Code.

Credit arrangement has the meaning given in section 7 of the 2003 Act.

Housing assets means any land, houses or other property to which subsection (1) of section 74 of the Local Government and Housing Act 1989 (duty to keep Housing Revenue Account) applies. (Section 74 was amended by section 222 of, and paragraph 24(2) of Schedule 18 to, the Housing Act 1996).

Lease means a lease transaction as defined under proper accounting practices.

Local authority has the meaning given in section 23 of the 2003 Act. (This guidance does not apply to community councils and charter trustees).

MRP means Minimum Revenue Provision.

Non-housing CFR has the meaning given in regulation 22 of the 2003 Regulations before this was amended by the 2008 regulations.

Prudential Code means the code of practice referred to in regulation 2 of the 2003 Regulations.

Supported Capital Expenditure means the total amount of capital expenditure which a local authority has been notified is to be taken into account in the calculation of the revenue grant due to the authority in respect of its use of borrowing and credit. It excludes any expenditure which is supported by capital grant.

APPLICATION

Effective date

2. This Guidance applies for accounting periods starting on or after 1 April 2019. It supersedes all previous versions of this Guidance.

Transitional arrangements

3. There is no requirement for local authorities to recalculate MRP charged for 2018-19 or any prior year following the issue of this updated guidance. Where, prior to 31 March 2019, a local authority changed the methodology that it uses to calculate a prudent provision and thus calculated an over-provision, it can continue to incorporate that overprovision into the future calculations of prudent provision, if the Authority considers it appropriate to do so.
4. As set out in paragraph 19 of the statutory guidance, if a local authority changes the methodology it uses to calculate MRP, then this change can never give rise to an overpayment.

Local authorities

5. This guidance applies to all local authorities in Wales and their relevant bodies. It does not apply to town and community councils or charter trustees.

INTRODUCTION

6. Under regulation 21 of the 2003 Regulations, local authorities are required to charge to their revenue account for each financial year MRP to account for the cost of their debt in that financial year. Prior to its amendment by the 2008 Regulations, regulation 22 set out details of the method authorities were required to follow in calculating MRP. This has been replaced with a requirement that local authorities calculate an amount of MRP which they consider to be prudent.
7. In calculating prudent provision, local authorities must have regard to this guidance. Where this guidance is not followed and authorities adopt an alternative method of calculating a prudent provision, the authorities must

explain the non-compliance and how this calculates a more appropriate provision

ANNUAL MRP STATEMENT

8. It is recommended that before the start of each financial year a local authority prepares a statement of its policy on making MRP in respect of that financial year and submits it to the full council. The statement should indicate how it is proposed to discharge the duty to make prudent MRP in the financial year.
9. If it is ever proposed to vary the terms of the original statement during the year, a revised statement should be put to the council at that time.

MEANING OF “PRUDENT PROVISION”

10. Regulation 22 of the 2003 Regulations requires a local authority to calculate for the current financial year an amount of MRP which it considers to be prudent. Welsh Ministers recommend that, for the purposes of regulation 22, the prudent amount of provision should normally be determined in accordance with paragraphs 11 and 12 below.
11. An underpinning principle of the local authority financial system is that all capital expenditure has to be financed either from capital receipts, capital grants (or other contributions) or debt. The broad aim of prudent provision is to ensure that the cost of debt is charged to a revenue account over a period that is commensurate with that over which the capital expenditure provides benefits.
12. In the case of borrowing supported by the Welsh Government Revenue Support Grant, the meaning of prudent provision is to put funds aside over a period commensurate with the period implicit in the determination of that grant. “Commensurate” is not intended to require exactly the same period as in the determination of the grant.
13. Welsh Ministers consider that the methods of making prudent provision include the options set out in paragraphs 21 to 26, subject to the conditions in paragraphs 27 to 35. This does not rule out or otherwise preclude a local authority from using alternative approaches differing from those exemplified should it decide that it is more appropriate.

OVERPAYMENTS OF MRP

14. Local authorities may choose to pay more MRP than they consider prudent in any given year. If they do so they should separately disclose the in-year and cumulative amount of MRP overpaid in the Statement presented to full council.

MEANING OF CHARGE TO A REVENUE ACCOUNT

15. A charge to a revenue account for MRP cannot be a negative charge.
16. A charge to a revenue account can only be £nil if:
- A local authority's CFR was nil or negative on the last day of the preceding financial year; or
 - A local authority chooses to offset a previous year's overpayment (as set out in paragraph 14) against the current year's prudent provision. If a local authority chooses to offset a previous year's overpayment, they should disclose this fact and any remaining cumulative overpayment of MRP in the Statement presented to full council.

CHANGING METHODS FOR CALCULATING MRP

17. A local authority may change the method(s) that it uses for calculating part or all of its MRP at any time.
18. Where a local authority changes the method(s) that it uses to calculate MRP, it should explain in its Statement why the change will better allow it to make prudent provision.
19. The calculation of MRP under the new method(s) should be based on the residual CFR at the point the change in method is made (i.e. it should not be applied retrospectively). Changing the method used to calculate MRP can never give rise to an overpayment in respect of previous years, and should not result in a local authority making a reduced charge or a charge of £nil for the accounting period in which the change is made, or in any subsequent period on the grounds that it needs to recover overpayments of MRP relating to previous years.

TRANSFERRED DEBT

20. Where debt is transferred between authorities, the authorities concerned should agree on arrangements for the continued making of MRP and adjust their CFRs accordingly. Normally, the authority relinquishing the debt should cease to make MRP in respect of it and the authority taking it over should begin to make MRP as if incurring new debt funded capital expenditure.

OPTIONS FOR PRUDENT PROVISION

Option 1: Regulatory Method

21. MRP is equal to the amount determined in accordance with the former 2003 regulations, as if they had not been revoked by the 2008 Regulations. For the purposes of that calculation, the Adjustment A should normally continue to have the value attributed to it by the authority in the financial year 2004-05. However, it would be reasonable for local authorities to correct any perceived errors in adjustment A, if the correction would be in their favour.
22. The former Regulations 28 and 29 of the 2003 Regulations are included at Annex A.

Option 2: CFR Method

23. MRP is equal to 4% of the non-housing CFR at the end of the preceding financial year.

Option 3: Asset Life Method

24. Where capital expenditure on an asset is financed wholly or partly by borrowing or credit arrangements, MRP is to be determined by reference to the life of the asset. There are two main methods by which this can be achieved, as described below. Under both variations, authorities may in any year make additional voluntary revenue provision, in which case they may make an appropriate reduction in later years' levels of MRP.

(a) Equal instalment method

MRP is the amount given by the following formula:

$$\frac{A - B}{C}$$

Where-

A is the amount of the capital expenditure in respect of the asset financed by borrowing or credit arrangements

B is the total provision made before the current financial year in respect of that expenditure

C is the inclusive number of financial years from the current year to that in which the estimated life of the asset expires.

(b) Annuity method

MRP is the principal element for the year of the annuity required to repay over the asset life the amount of capital expenditure financed by borrowing or credit arrangements. The authority should use an appropriate interest rate to calculate the amount. Adjustments to the

calculation to take account of repayment by other methods during the repayment period (e.g. by the application of capital receipts) should be made as necessary.

Option 4: Depreciation Method

25. MRP is to be equal to the provision required in accordance with depreciation accounting in respect of the asset on which expenditure has been financed by borrowing or credit arrangements. This should include any amount for impairment chargeable to the Income and Expenditure Account.
26. For this purpose standard depreciation accounting procedures should be followed, except in the following respects:
- MRP should continue to be made annually until the cumulative amount of such provision is equal to the expenditure originally financed by borrowing or credit arrangements. Thereafter MRP shall be zero.
 - On disposal of the asset, the charge should continue in accordance with the depreciation schedule as if the disposal had not taken place. This does not affect the ability to apply capital receipts or other funding sources at any time to repay all or part of the outstanding debt.
 - Where the percentage of the expenditure on the asset financed by borrowing or credit arrangements is less than 100%, MRP should be equal to the same percentage of the provision required under depreciation accounting.

CONDITIONS FOR USING THE OPTIONS

27. Options 1 and 2 may only be used in relation to:
- (a) capital expenditure incurred before 1 April 2008; or
 - (b) capital expenditure which forms part of its supported capital expenditure.
28. For expenditure incurred on or after 1 April 2008 which does not form part of the authorities supported capital expenditure, prudent approaches include Options 3 and 4.
29. For all capitalised expenditure incurred on or after 1 April 2008, the Welsh Government recommends that authorities should use Option 3, adapted in accordance with paragraphs 39 and 40 below.
30. Where a local authority uses options 3 or 4 or any other alternative methodology that has the useful life of assets as a component to the

calculation, asset lives should not normally exceed a maximum useful life of 50 years. Local authorities may exceed this maximum in two scenarios;

- Where a local authority has an opinion from an appropriately qualified professional advisor that an asset will deliver service functionality for more than 50 years it can use the life suggested by the professional advisor; and
- For a lease or PFI asset, where the length of the lease/PFI contract exceeds 50 years. In this case the length of the lease/PFI contract should be used.

Estimated useful life of assets

31. The estimated life of the asset should be determined in the year that MRP commences and not subsequently be revised.

Investment Properties

32. The duty to make MRP extends to investment properties where their acquisition has been partially or fully funded by an increase in borrowing or credit arrangements. As depreciation is not charged on investment properties, Option 4: the Depreciation method is not a suitable approach for calculating the MRP to be charged in respect of investment properties.

Freehold land

33. If no life can reasonably be attributed to an asset, such as freehold land, the life should be taken to be a maximum of 50 years. However, in the case of freehold land on which a building or other structure is constructed, the life of the land may be treated as equal to that of the structure, where this would exceed 50 years (subject to conditions of paragraph 25).

Commencement of provision.

34. Subject to paragraph 35 below, MRP should normally commence in the financial year *following* the one in which the expenditure was incurred.

MRP commencement.

35. When borrowing to provide an asset, the authority may treat the asset life as commencing in the year in which the asset first becomes operational. It may postpone beginning to make MRP until the financial year following the one in which the asset becomes operational. "Operational" here has its standard accounting definition. Investment properties should be regarded as becoming operational when they begin to generate revenues.

Leases and PFI

36. In the case of finance leases (or, when applicable, leases where a right-to-use asset is on balance sheet) and on balance-sheet PFI contracts, the MRP requirement would be regarded as met by a charge equal to the element of the rent/charge that goes to write down the balance sheet liability.

37. Where a lease (or part of a lease) or PFI contract is brought onto the balance sheet, having previously been accounted for off-balance sheet, the MRP requirement would be regarded as having been met by the inclusion in the charge, for the year in which the restatement occurs, of an amount equal to the write-down for that year plus retrospective writing down of the balance sheet liability that arises from the restatement.

Housing Assets

38. The duty to make MRP to cover borrowing or credit arrangements used to finance capital expenditure on housing assets remains unchanged from the current determinations.

Capitalised Expenditure

39. Where on or after 1 April 2008 an authority incurs expenditure which is:

- (a) funded by borrowing or credit arrangements; and
- (b) treated as capital expenditure by virtue of either a direction under section 16(2)(b) of the 2003 Act or regulation 20(1) of the 2003 Regulations,

The authority should make MRP in accordance with Option 3.

40. For the purpose of the formula in paragraph 24 above, in the initial year of making MRP the variable, "C" should be given the maximum values as set out in the following table:

<u>Expenditure type</u>	<u>Maximum value of "C" in initial year</u>
Expenditure capitalised by virtue of a direction under s16(2)(b)	"C" equals the period specified in the direction. This will generally not exceed a maximum of 20 years.
Regulation 20(1)(a) Expenditure on computer programs	"C" equals the value it would have for computer hardware or the length of the software license.
Regulation 20(1)(b) Loans and grants towards capital expenditure by third parties	"C" equals the estimated life of the assets in relation to which the third party expenditure is incurred
Regulation 20(1)(d) Acquisition of share or loan capital	"C" equals 20 years
Regulation 20(1)(e) Repayment of grants and loans for capital expenditure	"C" equals 25 years or the period of the loan if longer
Regulation 20(1)(f) Expenditure on works to assets not owned by the authority	"C" equals the estimated life of the assets

<p>Regulation 20(1)(h) Expenditure incurred on the acquisition, production or construction of assets not owned by the authority</p>	<p>“C” equals the estimated life of the assets</p>
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Agenda Item 28

Executive Committee and Council only

Date signed off by the Monitoring Officer: 12.11.2021

Date signed off by the Section 151 Officer: 12.11.2021

Committee: **Council**

Date of Meeting: **25th November, 2021**

Report Subject: **Medium Term Financial Strategy
2022/2023 to 2026/2027**

Portfolio Holder: **Councillor Nigel Daniels - Leader of
the Council/Executive Member
Corporate Services**

Report Submitted by: **Rhian Hayden, Chief Officer
Resources**

Report Written by: **Gina Taylor – Service Manager
Accountancy**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	28/10/21				19/11/2021		25/11/2021	

1. Purpose of the Report

- 1.1 The purpose of this report is to provide Members with an update on the Medium Term Financial Strategy (MTFS) and the latest assessment of the Council's financial position over the next 5 years.

2. Scope and Background

- 2.1 The Medium Term Financial Strategy (MTFS), is a key element within the Council's strategic planning framework. It is this financial framework which will support the Council's financial resilience and ensure it operates sustainably.
- 2.2 The MTFS brings together all known factors affecting the Council's financial position and forms the basis for decision making. The MTFS includes a forward look over the next five years to assess the spending requirements the Council is likely to face to deliver the priorities set out in the Corporate Plan and highlights the level of cuts (reducing or stopping services) that will need to be made to ensure the Council can set a balanced budget each year.
- 2.3 The MTFS proposes the approach that the Council will take to respond to the financial challenges we face over the next five-year period. This will be an iterative process and one that will develop and be refined as our funding position from Wales Government becomes clearer and strategic business reviews are further developed and implemented.

2.4 On the 27th October, 2021 the UK Government concluded its one year spending review, and it is anticipated that Wales Government will announce their budget and the provisional Local Government Settlement on 22nd December, 2021, with the final settlement due 1st March, 2022. Having the provisional settlement so late in the financial year has implications for the budget setting process for 2022/2023 and planning for setting a balanced budget.

3. Options for Recommendation

3.1 *To include Recommendation(s) / Endorsement by other groups, e.g. CMT/Committees/Other groups)*

Option 1 – That Council :-

- Consider and approve the MTFS
- Note the forecast funding gap for the period of the MTFS;
- Note the cost pressures identified at Appendix 1 of the MTFS;
- Note the forecast financial achievement for the Strategic Business Reviews attached at Appendix 2 of the MTFS.

Option 2 – Council provide comments and challenge the assumptions in the MTFS and the progress made to the Bridging the Gap Programme.

4. Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan

4.1 The Medium Term Financial Strategy (MTFS) is a key element within the Council’s strategic planning framework and supports the delivery of the priorities set out in the Corporate Plan.

5. Implications Against Each Option

5.1 *Impact on Budget (short and long term impact)*

5.1.1 Based upon the assumptions in the MTFS and the cost pressures identified in Appendix 2, a budget gap of £21m over the next 5 years is forecast as follows:

Table 1: MTFS Budget Gap

2022/2023 £m	2023/2024 £m	2024/2025 £m	2025/2026 £m	2026/2027 £m	Total £m
6.7	3.5	3.5	3.5	3.5	20.7

5.1.2 The Council’s ability to progress a number of the Strategic Business Reviews have been impacted by the Covid-19 pandemic. An update on the overall current financial assessment towards the budget gap is currently assessed as £6.8m over the period of the MTFS as follows:

Table 2: Estimated Financial Achievement of the Strategic Business Reviews

	Estimated Achievement			
	2022/2023	2023/2024	2024/2025	2025/2026 & 2026/2027
	£m	£m	£m	£m
Strategic Business Reviews	2.69	1.18	1.26	0.8

- 5.1.3 Based on the current estimated achievement from the Strategic Business Reviews compared to the budget gap identified in the MTFS, there is a residual funding gap as follows:

Table 3: Residual Funding Gap

	2022/2023	2023/2024	2024/2025	2025/2026 & 2026/2027
	£m	£m	£m	£m
Residual Funding Gap	4.00	2.36	2.29	2.7

- 5.1.4 Bridging the Gap remains the council's medium/long term strategy to address the budget gaps currently identified. Additional proposals will be developed to mitigate the possible residual funding gaps in future years.

5.2 ***Risk including Mitigating Actions***

- 5.2.1 The assumptions built into the MTFS may change over time e.g. pay & inflation rates, service demand, Revenue Support grant and Council Tax levels.

- 5.2.2 The Council's current MTFS contains a number of assumptions which impact on the level of its income and expenditure. Changes in these assumptions can have a fundamental effect on the budget gap over the next 5 years. The impact of a 1% change on our main assumptions has been calculated and can be seen in the following table:-

Assumptions within the MTFS	+/- 1% £'000
ISB – Cash flat	466
AEF – Cash flat	1,204
Council Tax	368
Non-Employee Inflation	621
Pay	472

- 5.2.3 There is a risk that the current Strategic Business reviews do not identify sufficient financial benefits to Bridge the Gap in the medium to long term. Additional / alternative proposals will therefore be required.
- 5.2.4 Progress against predicted delivery of Bridging the Gap proposals form part of the budget monitoring arrangements.
- 5.2.5 These risks are also mitigated by regularly reviewing the assumptions and revising the MTFS to reflect updated information. MTFS will be updated following announcement of the local government settlement.
- 5.3 ***Legal***
- 5.3.1 The Council must set a balanced budget on an annual basis. The MTFS & Bridging the Gap proposals will support this requirement.
- 5.4 ***Human Resources***
- 5.4.1 Not applicable for this report.
- 6. **Supporting Evidence**
- 6.1 ***Performance Information and Data***
- 6.1.1 The attached Medium Term Financial Strategy & Bridging the Gap provides information for Members consideration.
- 6.2 ***Expected outcome for the public***
- 6.2.1 The MTFS will support the Council in the development of its annual budgets which in turn will allow the Council to deliver services to the public.
- 6.3 ***Involvement (consultation, engagement, participation)***
- 6.3.1 Officers & Members of the Council are involved in the development of the MTFS & Bridging the Gap Strategic Business Reviews.
- 6.3.2 The proposals have/will be considered by the appropriate Scrutiny Committee.
- 6.3.3 Public engagement will be undertaken as part of the budget setting process.
- 6.4 ***Thinking for the Long term (forward planning)***
- 6.4.1 The MTFS forecasts the financial position of the Council for a 5 year period and provides information upon which the Council can plan for the future.
- 6.5 ***Preventative focus***
- 6.5.1 Included within the Bridging the Gap programme is a proposal focussing on an evaluation of the long term impact of prevention and early intervention on

reducing the requirement for high cost services and better outcomes for our most vulnerable residents.

6.6 Collaboration / partnership working

6.6.1 Achievement of the Bridging the Gap proposals will require cross Council working and collaboration / partnerships with other stakeholders.

6.7 Integration(across service areas)

6.7.1 Bridging the Gap proposals have been developed across the Council and are crosscutting in nature.

6.8 Decarbonisation and Reducing Carbon Emissions

6.8.1 The Council is committed to the Decarbonisation Plan to achieve a carbon neutral public sector by 2030 and the Bridging the Gap programme includes the strategic business review, Low Carbon.

6.9a Socio Economic Duty Impact Assessment
N/A

6.9b EqIA(screening and identifying if full impact assessment is needed)

6.9b.1 Equality Impact Assessments will be undertaken on the opportunities taken forward as part of the Bridging the Gap proposals.

7. Monitoring Arrangements

7.1 *State how the work will be monitored e.g. through scrutiny or directorate performance management arrangements*

The MTFS & Bridging the Gap will be considered by Scrutiny and Council as part of the Council's financial planning arrangements.

Background Documents /Electronic Links

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Cyngor Bwrdeistref Sirol

Blaenau Gwent

County Borough Council

MEDIUM TERM FINANCIAL STRATEGY

2022/2023 to 2026/2027

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1. **Introduction**

- 1.1 The Medium Term Financial Strategy (MTFS), the Council's key financial planning document, is an integral part of the Council's Corporate Business Planning arrangements. The Strategy is a rolling a 5 year plan and is updated, reviewed and approved annually by Council. The Strategy will change over time as new opportunities, or policy decisions affect the financial position of the Council.
- 1.2 The MTFS includes a forward look over the next five years to assess the spending requirements the Council is likely to face to deliver its priorities and the level of cuts i.e. reducing or stopping services that will need to be made to ensure the Council can set a balanced budget each year. It provides guidance for officers and Members on the short, medium and longer term financial challenges and enables advance financial planning to be carried out, assisting the Council to understand and meet future demands. Planning now to meet known or anticipated changes in the future provides greater opportunity to phase in the impact of the changes.
- 1.3 The Strategy sets out how the Council will finance its priorities, having regard for the Corporate Plan.

2. **Corporate Plan**

- 2.1 The Council's response to the Covid-19 pandemic provided the Council an opportunity to build on the positive work carried out to strengthen and modernise the Council, adopting new working practices and challenging how things were done before, in order to map out an ambitious future, create a stronger organisation and to sustain the strong relationships forged with communities and partners.

- 2.2 This has led to the Corporate Plan being refreshed and enhancing our One Council approach. The Council approved the Corporate Plan 2020-2022 in July 2020 and this sets out the Council's Vision, Values and Outcomes and these are:

Our Core Vision:

Proud Heritage

Strong Communities

Brighter Future

Our Core Values:



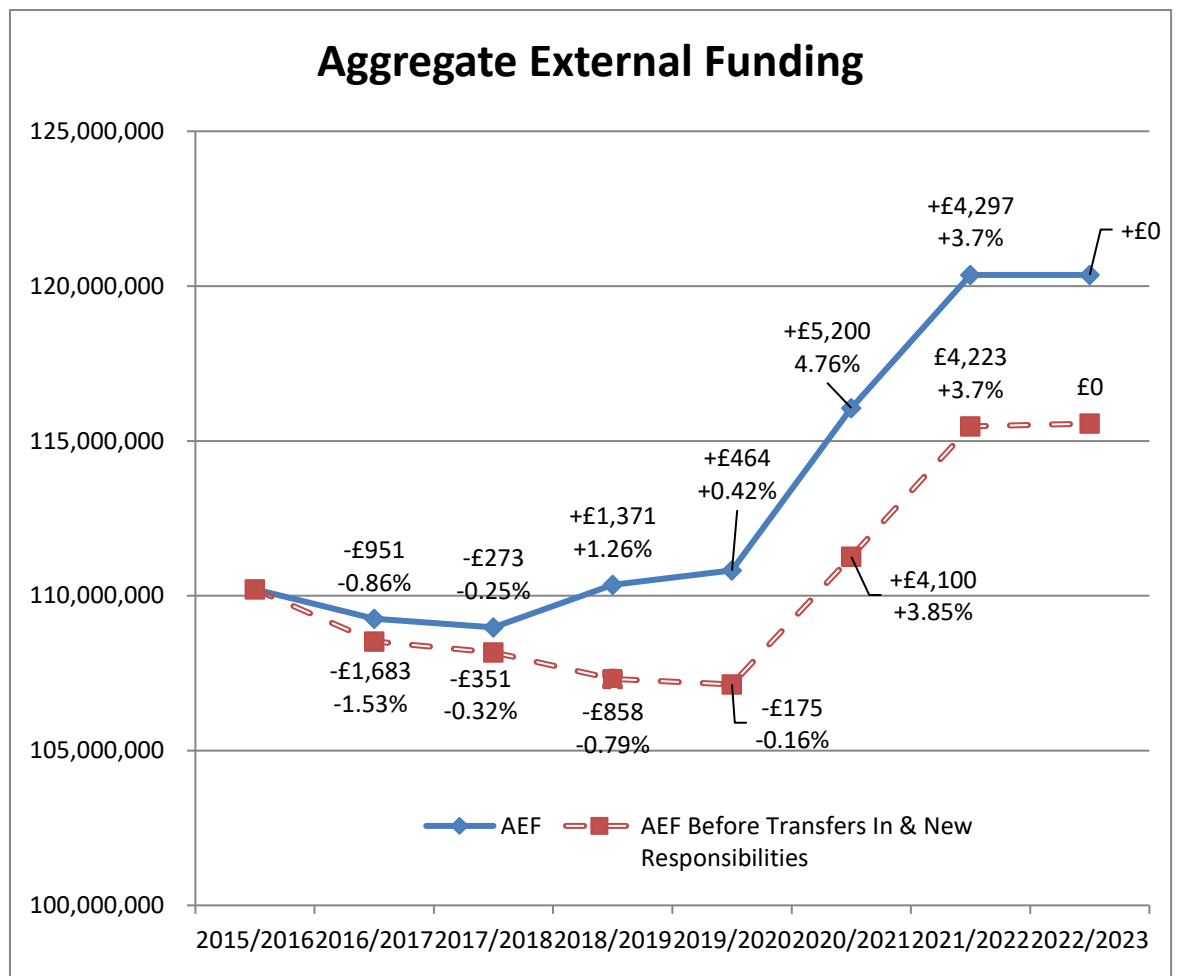
2.3 Our Outcome Statements:

- Protect and enhance our environment and infrastructure to benefit our communities
- Support a fairer sustainable economy and community
- To enable people to maximise their independence, develop solutions and take an active role in their communities
- An ambitious and innovative council delivering the quality services we know matter to our communities.

3. Revenue Settlement – Recent Trends

- 3.1 2021/2022 revenue settlement was the second consecutive year that the Council received an increase in the Revenue Support Grant (before transfers in and new responsibilities) from Welsh Government.
- 3.2 The Council's revenue settlements for the period 2016/2017 to 2021/2022 and forecast of future settlements is shown in Figure 1. This illustrates the actual cash impact and the impact excluding transfers into the settlement for grants and new responsibilities.

Figure 1: Trend in Aggregate External Funding



3.3 The graph demonstrates that on a cash basis the funding received from Wales Government has increased overall by £11.1m between 2016/17 and 2021/22. However, in real terms, when Grants transferring into the settlement and new responsibilities are excluded, the funding increase is reduced to £6.9m. In cash terms RSG has only increased by £3.2m since 2013/2014 from £117m to £120m.

3.4 This when combined with increased demand for services and increasing costs have contributed to the financial challenge the council has faced in delivering its services to the residents of Blaenau Gwent.

3.5 **2021/2022 Revenue Budget**

3.6 The baseline revenue funding the Council received in 2021/2022 from Welsh Government after allowing for transfers was £120m, an

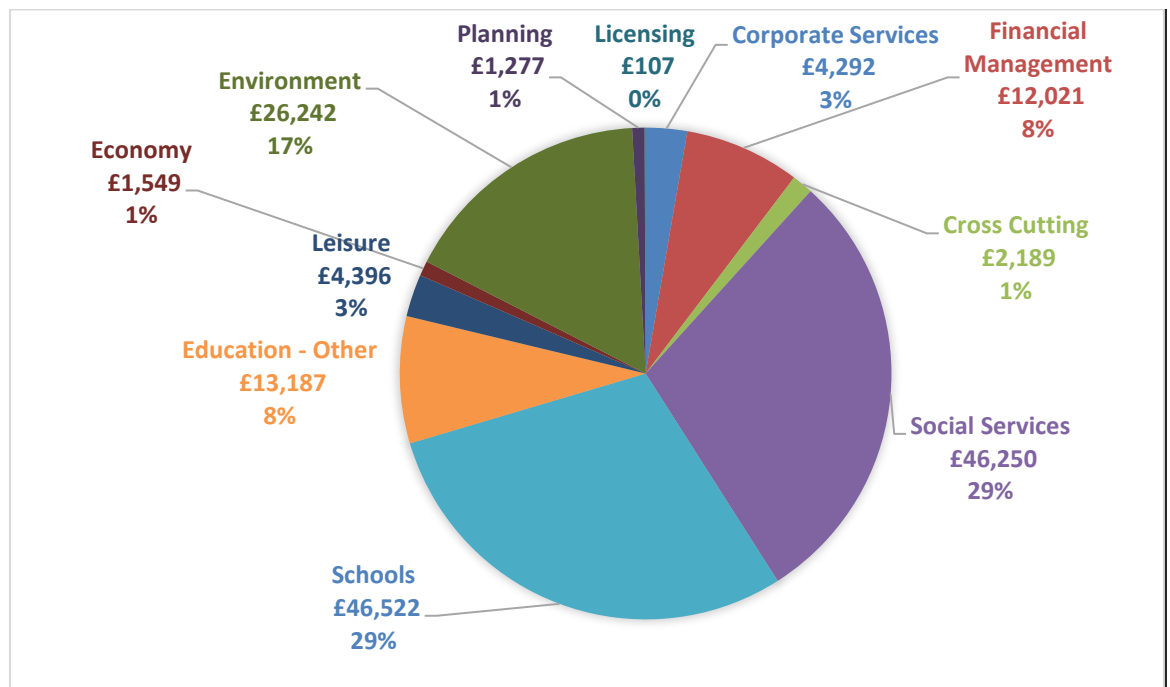
increase of 3.6% (£4.2m). The all Wales increase in the Local Government Settlement was 3.8%.

3.7 In setting the 2021/2022 budget, the Council agreed:-

- All grants transferring into the Settlement would be transferred to the relevant service
- Additional funding of £2.2m to be built into the budget, over and above pay and price inflation, to address existing and emerging cost pressures
- Bridging the Gap proposals of £0.76m
- A contribution to the General Reserve of £0.2m
- Contribution to a specific reserve to support medium term financial planning - £1.05m
- Council Tax increase of 3.3%

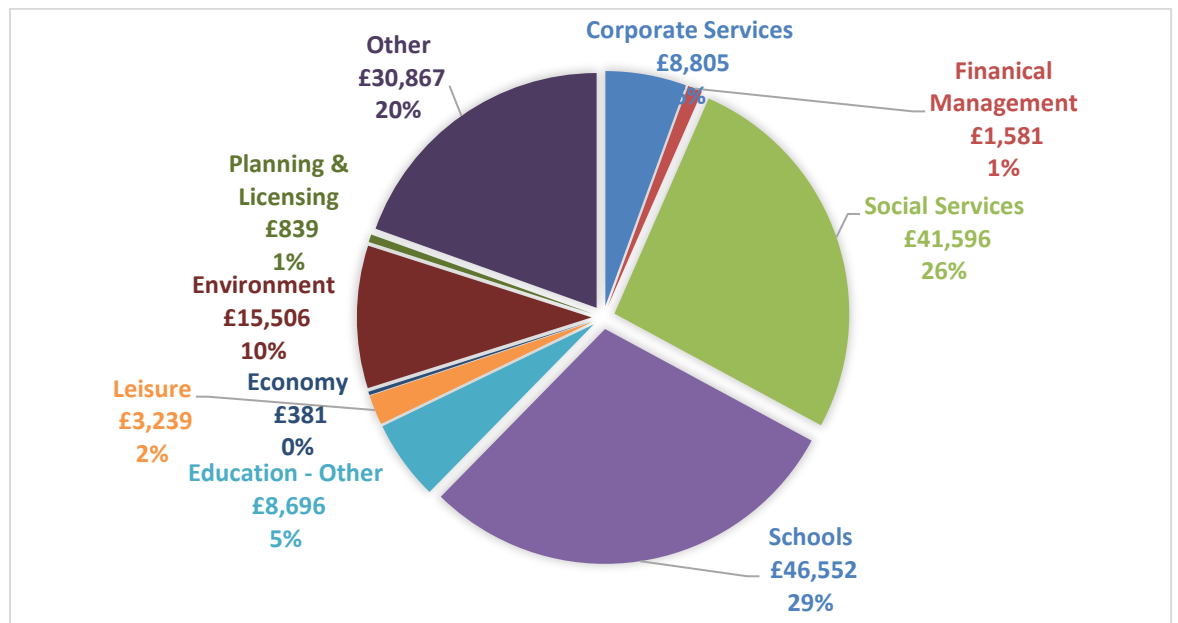
3.8 For the current financial year, the Council agreed a net budget requirement of £157m. The budget allocation across Portfolios is shown in figure 2 below:

Figure 2: 2021/2022 Revenue Budget per Portfolio (£'000)



3.9 The graph shown in figure 3 shows the direct costs of delivering services across portfolios.

Figure 3: 2021/2022 Direct Service Costs per Portfolio (£'000)



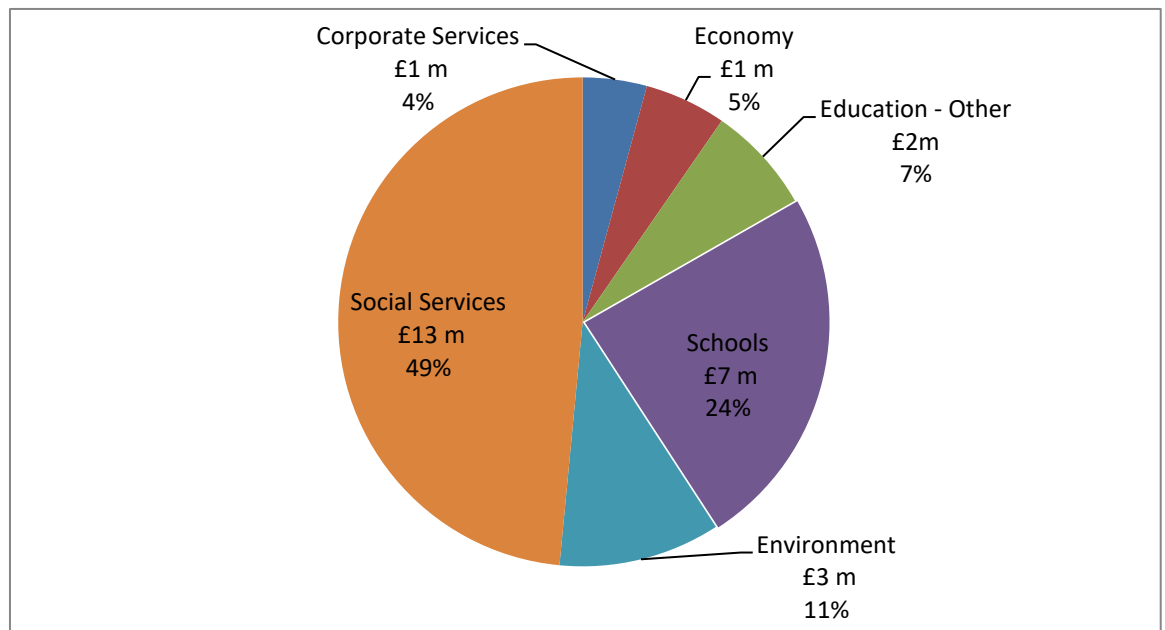
*Other includes:

- Capital charges - £8m
- Fire & Apprenticeship Levy – £3.8 m
- Council Tax Reduction Scheme - £9.9m
- IT, Administration Buildings & Insurance - £5.9m
- Cross Cutting Budgets - £2.2m
- Other - £1m.

3.10 In addition, to the agreed net budget, the Council spends a further £28m per annum to support the delivery of services. The Council receives specific revenue grant to fund this expenditure. The assumption within the MTFS is that all grants will continue at the current level, and any reduction or termination of grant will be offset by a reduction in service expenditure.

3.11 Specific revenue grant allocations across Portfolios is shown in figure 4 below and shows the estimated level of grant awards for 2021/2022 (based on 2020/2021 levels).

Figure 4: Specific Revenue Grant Funding Per Portfolio 2021/2022



- 3.12 The global Covid-19 pandemic and the response had a significant impact on the Council both financially and on the delivery of services throughout 2020/2021. The changing circumstances during 2020/2021 saw a number of services being suspended or being delivered in an alternative way. Council buildings have been closed to the public, staff have been working from home where possible and/or redeployed to support front line services and the Council has established a new local Test, Trace and Protect Service as part of the regional pandemic response.
- 3.13 Welsh Government provided significant one-off financial support to both reimburse additional costs borne by the Council as a result of the required response to the pandemic and also compensate for loss of income incurred due to closure of facilities and the suspension of services.
- 3.16 The 2020/2021 outturn position was positive for the Council, allowing for an increase in both earmarked reserves and the General reserve. This places the Council in a much better position to respond to increased levels of risk.
- 3.17 Welsh Government continues to provide financial support to Local Authorities for the current financial year. However, there remains uncertainty as to the full impact of the pandemic in the medium/long term with no guarantee of funding after March 2022.

4. **Review and Update of the MTF5**

- 4.1 The MTF5 must be regularly reviewed to ensure preparedness from a financial planning perspective. The review will include considering and updating assumptions used in the Strategy to reflect new / emerging information for example inflation, changing demographics, service demand and policy changes and more recently the ongoing financial impact of Covid-19 on service delivery.
- 4.2 The table below identifies the key assumptions included in the MTF5.

Table 1: Key Financial Planning Assumptions

Financial Planning Key Assumptions	
Pay	<p>Non-Teaching staff – The pay award offer for 2021/2022 is 1.75%, however no agreement has been reached with the unions currently balloting members.</p> <p>Therefore, being prudent, 2% has been assumed for 2022/2023 onwards.</p> <p>Teaching Staff:</p> <p>Teaching staff have been awarded a pay rise of 1.75% from September 2021.</p> <p>2% pay award has been assumed for 2022/2023 onwards.</p> <p>Incremental Pay Progression – the estimated cost of annual pay progression has been applied based on existing staffing</p> <p>Pension – Based on the actuarial revaluation in 2019/2020 for LGPS employer pension contributions (non-teaching), a 1% per annum increase has been recommended and assumed for 2022/2023 onwards.</p> <p>Vacancy Factor of 1.5% has been built into staffing budgets to reflect the financial impact of staff turnover.</p>

Price Inflation (Non Schools)

The Consumer Price Index (CPI) increased to 3.2% in August 2021, and this was a result of the lifting of restrictions following the Covid-19 pandemic. It is expected that this will reduce to its previous 2% level over the remainder of the MTFS.

Forecasts for the UK economy: A comparison of independent forecasts (August 2021), suggests the annual CPI to be:

	Independent Forecasts	Office for Budget Responsibility (OBR)	
		March 2021	October 2021
2022	2.8%	1.8%	4%
2023	2.2%	1.9%	2.6%
2024	2.1%	1.9%	2.1%
2025	2%	2%	2%

The Bank of England has a target of 2% CPI Inflation.

The continued uncertainty with Covid-19 and exiting the EU is having an impact on the economy with disruption to food supplies and staff shortages which could have an impact on consumer prices.

It is proposed to maintain the annual inflationary increase in the MTFS at 2%, (in line with the Bank of England’s target) and include as a cost pressure the financial impact from any short term increases.

Utilities – Headline figures are indicating an increase in energy prices of 40% from April 2022, however, this is a volatile and changing picture. Therefore, 2% per annum has been included in the MTFS and the financial impact of price increases will be monitored and reported as part of cost pressures.

Income Inflation – Increase in discretionary fees and charges in line expenditure inflation above.

Council Tax Reduction Scheme – This has been increased in line with the assumed increase in Council Tax of 4.0%.

<p>Schools Growth (ISB)</p>	<p>No inflationary increase has been applied to the Individual Schools Budget (ISB), a cash flat budget has been assumed for the term of the MTFs in line with the assumption for Welsh Government funding.</p> <p>Projected increases or decreases in pupil numbers will impact upon the ISB and based on September 2021 data collection and projecting the pupils through the year groups:</p> <table border="1" data-bbox="568 618 1295 1043"> <thead> <tr> <th></th> <th>Increase / (Decrease) in Pupils</th> <th>Financial Impact Increase / (Decrease) in Funding (£'000)</th> </tr> </thead> <tbody> <tr> <td>2022/2023</td> <td>114</td> <td>543</td> </tr> <tr> <td>2023/2024</td> <td>12</td> <td>(83)*</td> </tr> <tr> <td>2024/2025</td> <td>102</td> <td>507</td> </tr> <tr> <td>2025/2026</td> <td>-64</td> <td>(138)</td> </tr> <tr> <td>2026/2027</td> <td>-16</td> <td>(53)</td> </tr> </tbody> </table> <p>*The decrease in funding is due to a shift in pupils from Secondary to Primary and the Age Weighted Pupil Unit is lower for Primary schools.</p> <p>The financial impact has been included on the Cost Pressure appendix.</p>		Increase / (Decrease) in Pupils	Financial Impact Increase / (Decrease) in Funding (£'000)	2022/2023	114	543	2023/2024	12	(83)*	2024/2025	102	507	2025/2026	-64	(138)	2026/2027	-16	(53)
	Increase / (Decrease) in Pupils	Financial Impact Increase / (Decrease) in Funding (£'000)																	
2022/2023	114	543																	
2023/2024	12	(83)*																	
2024/2025	102	507																	
2025/2026	-64	(138)																	
2026/2027	-16	(53)																	
<p>Specific Grant Funding</p>	<p>This has been assumed to remain at the 2020/2021 level (as identified on the Revenue Grants Register) and excluding Hardship Funding. It is assumed that any reduction in funding is offset by a reduction in expenditure.</p>																		
<p>Capital Financing</p>	<p>Capital Financing – Capital financing costs reflect the schemes within the current capital programme, with borrowing costs for future schemes funded from either USB (Unhypothesized Supported Borrowing) or prudential borrowing. For 2022/2023 onwards, it has been assumed that there is no change to the capital adjustment in the MTFs. This will be updated in line with the revised MRP charge following the re-calculation of the MRP as a result of the Policy Review.</p>																		

Council Tax	<ul style="list-style-type: none"> • Council Tax increased by 3.3% in 2021/2022. For planning purposes, it has been assumed that Council Tax will increase by 4% per annum. (1% increase will generate approximately £354,000 additional funding). • No additional funding has been assumed at this stage from an increase in the Council Tax Base for 2022/2023 onwards. This will be reflected in the Growth proposals within the BtG proposals.
Estimated Funding reduction (Aggregate External Funding)	<p>Welsh Government does not currently provide funding forecasts for future years. 2021/2022 saw an increase of 3.6% (£4.2m) in AEF (after allowing for transfers of grant into the settlement).</p> <p>For planning purposes, a cash flat budget for Blaenau Gwent has been assumed for the next 5 years.</p>
Reserves	The financial modelling assumes a minimum contribution to General or specific reserves of £200,000 per annum.

4.3 **Medium Term Financial Forecast**

4.4 The table below identifies the funding gap after applying the above assumptions to the 2021/2022 approved Estimates.

Table 2: Assessed Budget Gap

	Medium Term Budget Gap				
	2022/2023 £'000	2023/2024 £'000	2024/2025 £'000	2025/2026 £'000	2026/2027 £'000
Draft Expenditure					
Draft Estimates	160,860	163,936	167,078	170,287	173,564
Revenue Grants	28,000	28,000	28,000	28,000	28,000
Assumed Savings	0	(2,458)	(4,004)	(5,555)	(7,110)
Adjusted Draft Budget	188,860	189,478	191,074	192,732	194,454
Draft Funding					
AEF	120,360	120,360	120,360	120,360	120,360
Council Tax	38,242	39,772	41,363	43,017	44,738
Revenue Grants	28,000	28,000	28,000	28,000	28,000
Total Draft Funding	186,602	188,132	189,723	191,377	193,098
Budget Gap	(2,258)	(1,346)	(1,351)	(1,355)	(1,356)
Contribution to Reserves	(200)	(200)	(200)	(200)	(200)
Adjusted Funding Gap	(2,458)	(1,546)	(1,551)	(1,555)	(1,556)

4.5 The table identifies a potential funding gap of £8.6m over the next 5 years should the Council continue to deliver services in their existing form and before considering cost pressures.

4.6 **Additional Costs Built into the MTFs**

4.7 The draft estimates have been prepared based on the approved 2021/2022 budget and increased in line with the assumptions included in Table 1, and these costs are detailed in the table below:

Table 3: Estimated Additional Costs Compared to 2021/2022 Budget

	2022/2023 £'000	2023/2024 £'000	2024/2025 £'000	2025/2026 £'000	2026/2027 £'000
Pay, Increments and Pension Inflation	1,698	1,727	1,757	1,787	1,817
General Inflation –					
Third party Expenditure	1,242	1,267	1,292	1,318	1,344
Fees & Charges	(322)	(328)	(335)	(341)	(348)
Council Tax Reduction Scheme	396	412	428	445	463
Capital Charges	1,981	0	0	0	0
TOTAL	4,995	3,078	3,142	3,209	3,276

4.8 New and Emerging Cost Pressures

4.9 New and emerging Cost Pressures and Growth items have been assumed at £2m per annum for 2023/2024 onwards based on cost pressures awarded over the last few years. As more detail emerges on potential cost pressures during this period, the detail will be included on the cost pressures Appendix.

4.10 In identifying the Cost Pressures and Growth items for 2022/2023, consideration have been given to:

- Covid-19 and the potential additional / increased costs arising from the response to the pandemic as the Council and the economy recovers
- Cost pressures identified as part of the 2021/2022 financial reporting within overspending portfolios
- Changes in demand for services
- New services/ responsibilities
- Changes in legislation/policy

4.11 Covid-19 Pandemic

4.12 The Council has received significant financial support during 2020/21 and 2021/2022 to fund the additional costs and loss of income incurred in responding to the pandemic.

4.13 As the Council continues to respond and recover from the pandemic and services return to “business as usual”, it is anticipated that the additional costs being incurred will diminish and funding for ongoing costs will need to be absorbed into the Council’s budget, as there is no guarantee that WG will continue to fund these cost pressures past

March 2022 into 2022/2023. These costs have been included on Appendix 1 - Cost Pressures & Growth.

- 4.14 The impact the pandemic has had on the economic environment, resulted in an increase of 5.3% in new applications for council tax support between March and July 2021. However, as restrictions have been lifted, there has been a decline in the number of claimants:

Table 4: Analysis of Claimants for Council Tax Support

As at	No. of Claimants	% Increase (compared to 28/02/2020)
28/02/2020	8,883	
31/3/2020	8,907	0.3%
20/07/2020	9,356 (peak)	5.3%
06/04/2021	9,268	4.3%
20/09/2021	8,958	0.8%

- 4.15 The current forecast is an underspend on the Council Tax Reduction Budget (based on Quarter 2 2021/2022), however this will need to be monitored to assess the impact that the end of the job retention scheme, on 30 September 2021, will have on unemployment within the borough and the number of claimants eligible for CTRS.
- 4.16 The longer term impact of Covid-19 and exiting the EU upon the wider economy of Blaenau Gwent, Wales and the UK remains uncertain. Unemployment in Wales increased to 4.6% (as at September 2020) from 2.7% before the pandemic hit. There has been a decline in the rate of unemployment as restrictions have been eased to 4.1% (as at June 2021). However, as mentioned above, the end of the Job Retention Scheme in September 2021 may result in a further potential increase in unemployment.
- 4.17 **2021/2022 Cost Pressures**
- 4.18 Current in year cost pressures have been reviewed to assess the likely continuation into 2022/2023. An assessment has also been undertaken to evaluate the portfolios ability to mitigate cost pressures from within existing budgets e.g. budget realignment.

- 4.19 **Service Demand**
- 4.20 **Education** – The pupil population data is collected at the end of September. Any increase will require an increase in funding to the Individual School Budget. As identified in Table 1 – Key Planning Assumptions, pupil population has increased significantly between September 2020 and September 2021 and the current forecast is that the pupil population will continue to increase over the medium term.
- 4.21 This increase is as a result of positive parental choice in placing their children in Blaenau Gwent schools, as well as the impact of the Growth Strategy and increased house building within the borough attracting new families.
- 4.22 This will have an impact on school funding and the revenue support grant received from Welsh Government in future years.
- 4.23 **Social Services (Adults)** – Payments made to Community Care commissioned services, decreased by 1% (£0.2m) between 2019/2020 and 2020/2021, (this comparison excludes the additional financial support funded from the Welsh Government Hardship Fund) and in-house provision decreased by 4% (£0.3m). This can be attributed to the impact of the pandemic on social care, and a reduction in the number of service users, however demand for services are already increasing following the easing of restrictions.
- 4.24 Historically, Blaenau Gwent has not seen an increase in the demand for clients accessing social care services. Between 2016/2017 and 2018/2019, the impact of the Council’s strategy of prevention and early intervention is that the total clients receiving services reduced by 261 (9.9%). However, the fragility of the social care market, including the recruitment and retention of staff, as it recovers from the pandemic, and the loss of financial support from the Welsh Government Hardship fund, could lead to increased costs for the Council to ensure that there is sufficient capacity within the sector to meet demand.
- 4.25 The increase in the Social Care Grant for 2021/2022 and the Social Care Recovery Grant are assisting with the management of increased costs within existing budgets. There is no indication that these grants will continue into 2022/23, therefore, the financial impact in future years will need to be continually reviewed.

- 4.26 **Social Services Children's** – The number of Children Looked After continues to decline with an overall reduction of 23 children between April 2019 (218) June 2021 (195), and the number of children in residential care has reduced from 17 to 11 (as at September 2021), this is as a result of the preventative services established over the last few years including the Supporting Change Team and the My Support Team.
- 4.27 The most significant cost pressure currently within Children's Services is the cost of legal fees, expenditure was £1.1m in 2020/2021 and it is forecast to remain at this level for 2021/2022. A cost pressure was awarded during the budget setting process for 2021/2022 of £350,000, however, this remains a cost pressure with a forecast overspend of £363,000.
- 4.28 These costs are currently being managed within the overall budget for the Social Services Portfolio and the Council is exploring alternatives to mitigate these costs in the longer term.
- 4.29 **Environment – Waste and Recycling Services** – Waste Services is a reactive service and has overspent against budget for the last few years due to increasing costs and volatility in the market for the sale of recyclate.
- 4.30 To achieve future WG targets for recycling (70% by 2024/25) will require the service to increase / expand Waste and recyclate collected. This will potentially impact upon budgets and will need to be monitored carefully.
- 4.31 **Changes in Legislation/Policy**
- 4.32 National insurance contributions paid by both employees and employers will increase by 1.25% from April 2022 and is designed to fund the Health & Social Care crisis following the pandemic. The potential additional cost relating to Council staff, schools and commissioned services within Social Care have been included on the Cost Pressure list. There may also be a knock on impact on other services commissioned by the Council.
- 4.33 The Minimum Living Wage is currently £8.91 per hour (age 23 & over), in his 2021 Budget the Chancellor of the Exchequer announced that from April 2022 this would increase to £9.50 (5.7%). This will result in

increased costs particularly for commissioned services, and a potential pressure for the service.

- 4.34 The cost pressures identified for 2021/2022 is attached at Appendix 1 with £5.4m being built into the MTFs for 2022/2023. The table below shows the impact the cost pressures have on the funding gap.

Table 4: Assessed Budget Gap including Cost Pressures

	Medium Term Budget Gap				
	2022/2023 £'000	2023/2024 £'000	2024/2025 £'000	2025/2026 £'000	2026/2027 £'000
Funding Gap	(2,458)	(1,546)	(1,551)	(1,555)	(1,556)
Cost Pressures	4,235	2,000	2,000	2,000	2,000
Growth					
Adjusted Funding Gap	(6,693)	(3,546)	(3,551)	(3,555)	(3,556)

- 4.35 The potential funding gap increases to £21m over the next 5 years with the inclusion of cost pressures.
- 4.36 Cost pressures will be reviewed and updated to reflect new /emerging information for example the financial impact of Policy decisions and cost pressures emerging during the current financial year.
- 4.37 **Sensitivity Analysis**
- 4.38 The funding gap identified in table 4 (after allowing for cost pressures), is an indication of the financial challenge facing the Council. The assumptions used in the financial modelling are uncertain and may change over time.
- 4.39 Given the uncertainty with the assumptions applied, a range of different scenarios have been modelled over the life of the Medium Term Financial Strategy and these are shown in the table below.

Table 5: Sensitivity Analysis

Pay	ISB	Council Tax	AEF Change	2022/2023	2023/2023	2024/2025	2025/2026	2026/2027	Total
MTFS Assumptions				Funding Gap					
				£'000	£'000	£'000	£'000	£'000	£'000
2%	0%	4%	0%	(6,693)	(3,546)	(3,551)	(3,555)	(3,556)	(20,901)
	+/- 1% £'000								
472	466	368	1,204						
1.75%	1%	3.5%	+1%	(6,021)	(2,874)	(2,879)	(2,883)	(2,884)	(17,541)
1.50%	2%	3.0%	+2%	(5,349)	(2,202)	(2,207)	(2,211)	(2,212)	(14,181)
1.50%	3%	2.5%	+3%	(4,795)	(1,648)	(1,653)	(1,657)	(1,658)	(11,411)
2.00%	3%	2.0%	+3%	(5,215)	(2,068)	(2,073)	(2,077)	(2,078)	(13,511)
2.00%	0%	2.0%	-1%	(8,633)	(5,486)	(5,491)	(5,495)	(5,496)	(30,601)
2.00%	0%	2.5%	-2%	(9,653)	(6,506)	(6,511)	(6,515)	(6,516)	(35,701)
2.00%	0%	3.0%	-3%	(10,673)	(7,526)	(7,531)	(7,535)	(7,536)	(40,801)

5. BRIDGING THE GAP PROGRAMME

5.1 In recognising the challenges that the Council faces in the short, medium and long term, a programme of Strategic Business Reviews has been developed to deal with potential gaps between anticipated funding and expenditure that aims to build financial resilience. Based on strategic themes our Bridging the Gap programme identifies savings opportunities, potential cost avoidance and new revenue streams. Designed to support a balanced budget it is also focussed on creating the conditions of a commercially minded council. This includes seeking new revenue streams and ensuring resources are aligned to the strategic imperatives of the council. The approach has a particular emphasis on:

- Maximising the potential of income generation by taking a commercial approach where it is appropriate to do so; this will include exploring opportunities for investment;
- Effective commissioning, procurement & contract management arrangements;

- Exploiting the opportunity that digital and service transformation can provide for customers;
- Making best use of our assets and property;
- Considering the action we can take to influence and reduce demand through our early intervention & prevention approaches;
- Exploiting the opportunities to strengthen financial resilience by supporting growth in the borough
- We will continue to ensure we have secured all efficiencies and are practicing robust “housekeeping” throughout;
- We will also continue to explore the potential to work differently through partnership and collaboration and look for opportunities to support residents to do more for themselves;

- 5.2 In setting the budget for 2021/2022, £0.76m was identified through the strategic business reviews. This resulted in a surplus budget of £1m which and this was set aside in a specific reserve to support medium term financial planning.
- 5.3 Appendix 2 provides a summary of the current Strategic Business Reviews, and the latest assessment of the estimated financial achievement for 2022/2023 to 2025/2026.
- 5.4 The Council’s income generation ability has been impacted by the Covid-19 pandemic. The current assessment of the savings that could be delivered between 2022/2023 and 2026/2027 is £6.8m and the impact on the funding gap (after allowing for cost pressures) is shown in the table below.

Table 9: Assessed Budget Gap and the Impact of Bridging the Gap

	Medium Term Budget Gap				
	2022/2023 £'000	2023/2024 £'000	2024/2025 £'000	2025/2026 £'000	2026/2027 £'000
Adjusted Funding Gap (with Cost pressures)	(6,693)	(3,546)	(3,551)	(3,555)	(3,556)
Estimated Achievement - BtG	2,688	1,180	1,262	846	846
<i>Adjusted Funding Gap</i>	(4,005)	(2,366)	(2,289)	(2,709)	(2,710)

5.5 As future opportunities are identified through these strategic business reviews the MTFS will be updated to reflect the impact on each financial year. Some of the reviews will inevitable take longer to have an impact but will potentially yield higher returns in the latter years of this MTFS.

6. **MTFS – SCHOOLS**

6.1 The assumption within the MTFS is that the increase in the Individual Schools Budget is linked to the increase in AEF.

6.2 For 2021/2022, the Individual Schools Budget received an uplift of 3.3%, and this reflected a gross uplift of 3.6%, in line with the Council's increase in AEF, adjusted for a reduction in demographics.

6.3 The table below highlights the potential cost increases in relation to school expenditure, compared to assumed funding increases over the next 5 years, based on the assumptions identified in table 1 above.

Table 10: Potential Cost Increases for Schools

	2022/2023 £'000	2023/2024 £'000	2024/2025 £'000	2025/2026 £'000	2026/2027 £'000
Expenditure					
Pay increases	863	880	898	916	934
Pension Increase – APT&C	127	129	132	134	137
Inflation – non pay	203	207	211	215	219
Inflation – Utilities	21	21	22	22	23
Total Expenditure Increase	1,214	1,237	1,263	1,287	1,313

6.4 The table indicates that schools are potentially facing financial cost increases of £1.2m per annum over the next 5 years based on the assumptions within the MTFs. A number of cost pressures have also been identified on the Cost Pressure appendix, including:

- Increase in Pupil Demographics – £0.6m
- Increase in energy Costs - £0.3m
- Impact of an increase in NI contributions - £0.4m

6.5 School Balances have been increasing over the last few years, with an overall increase of £2.35m when compared to 2019/2020 and £3.4m increase when compared to 2017/2018. An analysis across sectors is shown in the table below:

Table 11 – Actual School Balances (Surplus/ (Deficit))

Phase	2017/2018 £'000	2018/2019 £'000	2019/2020 £'000	2020/2021 £'000 (Provisional)
Secondary	189	285	336	810
All Through	(847)	(762)	(829)	(260)
Primary	857	1,285	1,604	2,744
Special	81	246	214	387
TOTAL	280	1,055	1,325	3,681

7. Reserves Strategy

7.1 Financial resilience is a Council priority and this includes ensuring that reserves are adequate to be able to respond to unexpected events, emerging need or unforeseen budget pressures.

- 7.2 General reserves are unallocated amounts that enable the Council to meet non-specific and/or unforeseen financial liabilities.
- 7.3 The Council's agreed protocol for the management of general reserves specifies a target level for general reserves of 4% of the last reported actual net revenue expenditure (as included in the Revenue Outturn return).
- 7.4 The provisional level of the general reserve at 31 March 2021 is £7.8m, an in-year increase during the year of £1.42m. This outturn position represents 5.78% of net revenue expenditure as reported for 2020/21, exceeding the target by 1.78%.
- 7.5 Earmarked reserves are held by the Council to meet potential future expenditure on specifically identified risks, liabilities and commitments.
- 7.6 The Council has an agreed protocol for the establishment, retention, management, review and reporting of earmarked reserves. In addition to the statutory requirements to consider the adequacy of reserves when setting the budget and the extensive disclosures made in the Statement of Accounts, member scrutiny has been enhanced by the preparation of detailed quarterly monitoring reports. The Chief Officer Resources also holds regular meetings during the year to consider the ongoing requirement and value of earmarked reserves held.
- 7.7 The provisional level of earmarked reserves has increased from £8.27m at 1 April 2020 to £20.78m at 31 March 2021 (an increase of £12.51m).
- 7.8 Significant elements of these earmarked sums relate to grant funding held in respect of specific projects or services that will be utilised in delivering the relevant service outcomes.
- 7.9 A number of factors have contributed to this exceptional increase, including:
- Service underspends resulting from reduced expenditure due to closure of facilities, reduced service provision, delays in filling vacant posts
 - Receipt of additional specific grants and un-hypothecated grants which have offset in year core costs

- Increase in school balances of £2.3m.
- 7.10 The positive 2020/2021 provisional outturn has enabled the Council to establish a number of new reserves and strengthen its financial resilience and to assist with the ongoing response to Covid-19 and these include:
- An increase of £1m to the Financial Resilience Reserve
 - Establishment of Covid-19 reserve of £2m.
- 7.11 In setting the 2021/2022 budget, a planned increase in reserves has been agreed with a £200,000 contribution to general reserves and a further increase of £1.05m to the financial resilience reserve to continue to support medium term financial planning.
- 7.12 It is the Council's intention to maintain the general reserves at a minimum level of 4% and increase the overall level of reserves over time to support the Council's financial resilience.
- 7.13 Given the current level of the General Reserve, it is not planned to utilise any of this reserve to balance the annual budget. The continuation of the inclusion of a budget contingency within the annual budget setting process is proposed of £200,000 per annum, to allow the replenishment of the Council's useable reserves.
- 7.14 This would result in an increase to reserves of £1m over the period of the MTFS.
- 7.15 It is anticipated that earmarked reserves will reduce during the current financial year. Many of these reserves are short term in nature and will be utilised to deliver the intended outcome.

8. **Capital Programme**

- 8.1 The 5 year Capital Programme (2019/2020 to 2025/2026) was agreed by full Council in October 2019, with a further update being agreed in March 2021, to reflect the additional capital investment approvals agreed since October 2019, along with the annual Capital Strategy.
- 8.2 The capital strategy identifies capital funding of:
- 2021/22 - £28.7m
 - 2022/23 - £31m

- 2023/24 – 22.4m.

8.3 A contingency of £1m has been built into the Programme to mitigate cost increases and to enable the Council to react to new / changes in priorities.

8.4 The Capital Programme is attached at Appendix 2.

9. **RISKS**

9.1 The Corporate Plan, MTFS and the Bridging the Gap programme are designed to complement each other. They provide the narrative that describes the outcomes we plan to deliver, the financial envelope we intend to work within, and our approach to deliver a balance budget in 2022/2023 and beyond whilst creating the conditions for improved financial resilience.

9.2 The risks identified with the Medium Term Financial Strategy are:

9.2.1 Covid-19 Pandemic

- Loss of Funding - Welsh Government have indicated that funding to support Local Authorities with additional costs in responding to and recovering from the pandemic will end on 31 March 2022. There is a risk that additional costs will continue into 2022/2023.
- Staff Retention & Recruitment – Recruitment and retention of staff within Health and Social Care are having an impact on the delivery of services and meeting demand within the community and supporting our vulnerable people as well as managing the challenge of delivering business as usual.
- Covid-19 Sickness within Schools – There is currently a shortage of supply staff within the sector coupled with increased levels of sickness within schools could result in school closures/blended learning.
- Further national lockdowns imposed which will lead to further pressures on businesses and households and additional costs to the Council in providing support.

9.2.2 Other Economic Risks:

- Increase in Inflation – Over the last year, inflation rose from just under 2% to 3.2% and it is anticipated that it could increase to

4% by December 2021. This will have a financial impact on the cost of goods and services procured by the council, local businesses and on the disposable income of the residents of Blaenau Gwent including food supplies, transport costs and utilities.

- Businesses – significant financial support was provided to businesses across all sectors during covid restrictions and lock down, including business grants, rate relief and furlough. As businesses reopen, they are facing increased costs, staff shortages and an end to financial support, which could impact on the sustainability of the business and result in downsizing/closure, increasing unemployment.

9.2.3 A Covid-19 earmarked reserve has been established for £2m to provide financial resilience in the short to medium term.

9.2.4 Uncertainty around future WG Funding levels

The absence of any future year guidance on levels of likely settlement from WG makes financial planning into the medium term more difficult.

9.2.5 MTFS Assumptions

The budget gap is based on a number of assumptions and any changes may have a significant impact on the funding gap.

The assumptions are reviewed and any potential changes monitored. Section 4.28 to 4.37 above models the impact on the funding gap for a range of scenarios.

9.2.6 Achievement of Bridging the Gap proposals

The achievement of planned savings is monitored as part of the budget monitoring & reporting process. Corrective action is taken where adverse variances are identified.

9.2.7 Grant Funding

The MTFS assumes that grant funding remains constant. Any decrease in funding or the termination of grant programmes could have a significant impact for the Council, particularly for those grants

that are supporting service provision such as Families First, Flying Start, and ICF etc.

The Society of Welsh Treasurers works closely with the WLGA and Welsh Government to ensure that grants are maintained or transferred into the settlement.

Where grants are reduced, Services will need to ensure that expenditure is reduced in line with the grant.

9.2.8 Volume of Demand

Increased demand for services poses significant risks to planning and this will be monitored.

Document History			
Author	Version		Date
G. Taylor	Draft v1	CLT	14 October 2021
G. Taylor	Draft v2	CLT	28 October 2021
G. Taylor	Draft v3	Corporate Overview	

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Medium Term Financial Strategy 2022/23 to 2026/27**COST PRESSURES & GROWTH (Assessment as at October 2021)**

Portfolio	Service	Description	2022/2023 £'000	2023/2024 £'000	2024/2025 £'000	2025/2026 £'000	2026/2027 £'000
<u>Covid -19</u>							
Environment	Homelessness	Temp B&B	200	0	0	0	0
		Security	240	0	0	0	0
Education	ICT	Digitally Excluded Pupils	50	0	0	0	0
Sub Total - COVID-19			490	-	-	-	-
<u>2021/2022 Cost pressures</u>							
Environment	Waste		445	0	0	0	0
Education	Independent School Fees		0	150	0	0	0
Sub Total - 2021/22 Cost Pressures			445	150	0	0	0
<u>Service Demand</u>							
Education	ISB	Increase/(Decrease) in Pupil Population	545	-83	507	-138	-53
		Increase in SEN Categories - PenyCwm Growth	95	93	93	93	0
Sub Total - Service Demands			640	10	600	-45	-53
<u>Changes in Policy / Legislation</u>							
Cross cutting	Increase in NI contributions	Council Staff	600	0	0	0	0
Social Services	Community Care Uplift	Social Care	1,700	0	0	0	0
Sub Total - Policy/Legislation			2,300	0	0	0	0
<u>Other</u>							
	Crematoria Income	Impact of new cremetoriums on Income	0	70	0	0	0
Cross Cutting	Energy	Corporate Landlord / Streetlighting & MSCPs	265	0	0	0	0
Leisure	Management Fees	Increase by CPI (3.1%)	30	0	0	0	0
Planning	Review of LDP		65	0	0	0	0
Sub Total - Other			360	70	-	-	-
TOTAL			4,235	230	600	45	53
Included in The MTFS Funding Gap			4,235	2,000	2,000	2,000	2,000

Cost Pressures & Growth - Schools

Cleaning	Additional Cleaning in Schools	470	0	0	0	0
Increase in NI contributions		380	0	0	0	0
Energy		320	0	0	0	0
TOTAL - SCHOOLS		1,170	-	-	-	-
		5,405	230	600 -	45 -	53

Bridging The Gap - Current Programme

Portfolio	Strategic Business Review	2022/2023 £'000	2023/2024 £'000	2024/2025 £'000	2025/2026 £'000
Economy	Industrial Units	100	-	50	50
Environment	Trade Waste	-	64	96	96
	Assets & Property	50	-	-	-
	Growth Strategy	300	100	100	100
	Commercial Activity & Investment	-	50	50	50
Financial Management	Income Recovery	-	-	-	-
	Review of MRP	1,335	-	-	-
Social Services	Prevention & Early Intervention	153	416	416	-
Cross Cutting	Fees & Charges	100	100	100	100
	Third Party Spend	250	250	250	250
	Low Carbon	-	200	200	200
	Future Place & Service Delivery	400	-	-	-
	TOTAL	2,688	1,180	1,262	846

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	2020/21 £	2021/22 £	2022/23 £	2023/24 £	2024/25 £	2025/26 £
Social Services						
Community Equipment & Adaptations	279,000	279,000	285,000	285,000	285,000	285,000
Minor Works/Health & Safety						
	279,000	279,000	285,000	285,000	285,000	285,000
Environment						
Disabled Facilities Grants & Living Independently HRG	420,000	469,000	200,000	200,000	200,000	200,000
Corporate Landlord/ Minor Works /DDA	320,000	320,000	280,000	280,000	300,000	300,000
Data Centre Move	152,000					
Constrained Units/ Industrial Units Improvement Programme	0	0			300,000	300,000
Big Arch	640,000					
Cemeteries	250,000	250,000	300,000	0		
	1,782,000	1,039,000	780,000	480,000	800,000	800,000
Education						
Band B Welsh Medium Remodelling						
Band B Secondary School Remodelling		70,000	280,000	1,510,000	750,000	750,000
New 420 place primary in Ebbw Fawr valley	2,100,000	945,000	105,000	0		
Band B Welsh Medium Seedling Provision	350,000	0	0	0		
Total 21st Century Schools	2,450,000	1,015,000	385,000	1,510,000	750,000	750,000
Other						
Equipment Replacement		0	61,000	61,000	61,000	61,000
Civic Centre Demolition	650,000				0	0
General Offices and Community Hubs	180,000					
ICT Investment		161,000	161,000	161,000	161,000	161,000
Highways Investment		912,000	0	0		
City Deal Commitments	194,000	1,220,900	2,441,800	0	0	0
Staff Support Recharges	524,000	524,000	524,000	474,000	400,000	400,000

	2020/21 £	2021/22 £	2022/23 £	2023/24 £	2024/25 £	2025/26 £
-						
TOTAL	6,059,000	5,150,900	4,637,800	2,971,000	2,457,000	2,457,000
FUNDING						
Capital Programme Funding						
USB	-1,932,000	-1,905,000	-1,905,000	-1,905,000	-1,905,000	-1,905,000
General Capital Grant	-1,938,000	-1,911,000	-1,201,000	-1,201,000	-1,200,000	-1,200,000
Digital Transformation Funding		-161,000	-161,000	-161,000	-84,452	0
Highways Capital & Revenue Maintenance Funding		-603,000				
Useable Capital Receipts Capital Programme	-650,000	0	0	0	-327,000	-327,000
Useable Capital Receipts - Separate Projects						
Total Funding	-4,520,000	-4,580,000	-3,267,000	-3,267,000	-3,516,452	-3,432,000
Excess expenditure / (Surplus funding) in year	1,539,000	570,900	1,370,800	-296,000	-1,059,452	-975,000
Excess expenditure / (Surplus funding) including brought fwd	-557,767	13,133	1,383,933	1,087,933	28,481	-946,519

Agenda Item 29

Executive Committee and Council only

Date signed off by the Monitoring Officer: 05.11.2021

Date signed off by the Section 151 Officer: 09.11.2021

Committee: **Council**

Date of Meeting: **25th November, 2021**

Report Subject: **Draft Report of the Independent Remuneration Panel for Wales 2022/23**

Portfolio Holder: **Councillor N. Daniels – Leader/Executive Member Corporate Services**

Report Submitted by: **Andrea J Prosser
Head of Organisational Development**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
20/10/21	21/10/21			08/11/21			25/11/21	

1.0 **Purpose of the Report**

1.1 To inform Members of the proposals contained within the draft report of the Independent Remuneration Panel for Wales for 2022/23.

2.0 **Scope and Background**

2.0.1 The report considers the main proposals included within the 2022/23 draft report of the Independent Remuneration Panel for Wales (the Panel) as they relate to Blaenau Gwent County Borough Council.

2.0.2 The Local Government (Wales) Measure 2011 requires the Panel's Annual Report to take effect from 1 April. In most years, this is in line with financial and administrative arrangements of all authorities. However, when new councils are elected some of the Panel's determinations are to be effective for the new municipal term.

On 9 May 2022, new municipal arrangements will come into effect following local government elections. This Annual Report therefore has two different effective dates as set out below:

- For the period 1 April 2022 to 8 May 2022, all of the Determinations contained in the Independent Remuneration Panel for Wales' Annual Report 2021/2022 will continue to apply in respect of principal councils and community and town councils.
- With effect from 9 May 2022, (the new municipal year) the determinations set out in this Report in Sections 3 and 13 will apply to principal councils and community and town councils.

2.0.3 On an annual basis the Panel publish a report on Members remuneration. The draft annual report for 2022/23 (attached at Appendix 1, point 7.2 – published October 2021) details the determinations for the upcoming year and a summary of the new and updated determinations is within Appendix 2.

2.1 **Basic & Senior Salaries**

2.1.1 In 2009 the Panel decided the average work commitment of an elected councillor of a principal council was three working days. The maximum basic salary was set at £13,868. This reflected three fifths of the then median gross earnings of full-time male employees' resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE) published by the Office of National Statistics. At the introduction of austerity measures, the basic salary was reduced to £13,175 and the link to ASHE was broken.

2.1.2 Since 2009, the Panel has met its duty to take account of affordability and acceptability and set amounts for the basic salary that varied but have not kept pace with measures of inflation or other comparators.

When making determinations for this Annual Report, the Panel considered the progression of the variety of benchmark figures for the period from 2013 to 2021.

2.1.3 The Panel believes that local elections in May 2022 provide an opportune time to rectify the imbalance between the basic salary of councillors and the average salaries of their constituents.

The basic salary of councillors of principal councils elected in the May 2022 local elections will be reset to align with the 2020 ASHE. This will be £16,800

2.2 **Executive**

2.2.1 Many Councils operate with a cabinet (Executive) of 10 (the statutory maximum) others choose to have a smaller cabinet and the range of individual portfolios is much greater. The Panel's previous determinations contained flexibility for each council to decide the appropriate range of portfolios to meet local needs and to adjust payments within the Executive to reflect responsibility.

2.2.2 The Panel continues to take the view that Executive members should be considered as working the equivalent of full time (around 40 hours per week) but not necessarily nine to five. Continued discussions with members and officers in recent years have reinforced this conclusion.

2.3 **Chairs of Committee**

2.3.1 There is a significant difference in the responsibilities and functions of chairing different committees. Councils do not have to pay chairs of committees and it is a matter for each council to decide which, if any, are remunerated. This allows councils to take account of differing levels of responsibility.

2.3.2 The Panel has considered the role element of the chair’s salary. The move to a single level of chair payment in 2019 reduced the differentials with other senior payments. To reset this, the Panel has decided not to change the role element at the 2021 figure of £8,793 for 2022-2023. The basic salary increase will apply.

2.3.3 Payment of basic & senior salaries for 2022/23 are therefore:-

	2021/22 £	2022/2023 £
Basic Salary	14,368	16,800
Senior Salaries		
Leader	44,921	53,550
Deputy Leader	31,783	37,485
Executive Members	27,741	32,130
Committee Chairs	23,161	25,593
Leader of Largest Opposition Group	23,161	25,593
Leader of other political groups	18,108	20,540

2.4 Leader of Largest Opposition Group

2.4.1 The Panel remains of the view that a council must make a senior salary available to the leader of the largest opposition group and has determined that this role should be remunerated at £25,593

2.5 Civic Heads and Deputies

2.5.1 Civic heads are senior posts within councils which are distinct from political or executive leadership and a council may decide not to pay any civic salary to the posts of civic head and or deputy civic head.

If paid, civic heads must be remunerated at Band 3 level and deputy civic heads at Band 5.

In the case of civic salaries, if paid, the payment for Band 3 is set at £25,593 for a civic head and at the Band 5 salary of £20,540 for a deputy civic head.

2.6 Presiding Member

2.6.1 Councils are reminded that if a presiding member is appointed they do not have to be remunerated. If they are remunerated the post will count towards the cap and be paid at a Band 3 senior salary.

2.7 Specific or additional senior salaries

2.7.1 Councils can apply for specific or additional salaries that do not fall within the current Remuneration Framework or which could not be accommodated within the maximum number of senior salaries.

2.8 Job Share Arrangements

2.8.1 Section 58 of the Local Government and Elections Act (Wales) 2021

established new arrangements for job sharing for executive leaders and executive members. The Act makes provision:

- a) requiring local authorities to include in their executive arrangements provision for enabling two or more councillors to share an office on an executive, including the office of executive leader
- b) changing the maximum number of members of an executive when members of the executive share an office and
- c) about voting and quorum where members of an executive share office.

For members of an executive: Each job sharer will be paid an appropriate proportion of the salary group as set out in Table 3.

The statutory maximum, as set out in the Act, for cabinets cannot be exceeded so each job sharer will count toward the maximum.

Under the Measure, it is the number of persons in receipt of a senior salary, not the number of senior salary posts that count towards the cap. Therefore, for all job share arrangements the senior salary cap will be increased subject to the statutory maximum of 50% of the council's membership. Where the arrangements would mean that the statutory maximum would be exceeded the Panel would need to seek the approval of Welsh Ministers.

2.9 **Supporting the Work of Elected members**

2.9.1 The Panel expects support provided should take account of the specific needs of individual members. Democratic Services Committees are required to periodically review the level of support provided to members to carry out their duties. The Panel would expect these committees to carry this out and bring forward proposals to the full council as to what is required.

2.9.2 The Panel considers it is necessary for each elected member to have ready use of email services, and electronic access to appropriate information via an internet connection. The Panel does not consider it appropriate that elected members should be required to pay for internet related services to enable them to discharge their council duties.

Access to electronic communications is essential for a member to be in proper contact with council services and to maintain contact with those they represent.

Councils are committed to paperless working and without electronic access members would be significantly limited in their ability to discharge their duties. It is inappropriate for facilities required by members only to be available within council offices within office hours.

2.9.3 The responsibility of each council, through its Democratic Services Committee, to provide support should be based on an assessment of the needs of its members. When members' additional needs or matters of disability apply, or there are specific training requirements indicated, each authority will need to assess any particular requirements of individual members.

2.10 Key Factors underpinning the Panel's determinations

2.10.1 The basic salary, paid to all elected members, is remuneration for the responsibility of community representation and participation in the scrutiny, regulatory and related functions of local governance. It is based on a full time equivalent of three days a week

2.10.2 The prescribed salary and expenses must be paid in full to each member unless an individual has independently and voluntarily opted in writing to the authority's proper officer to decline all or any element of the payment. It is fundamental there is transparency in this process so any possible suggestion that members are put under pressure to decline salaries is avoided.

2.10.3 The following must be applied:
Determination 7:

- a) An elected member must not be remunerated for more than one senior post within their authority.
- b) An elected member must not be paid a senior salary and a civic salary.
- c) All senior and civic salaries are paid inclusive of basic salary.
- d) If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.

Determination 8: Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA or FRA to which they have been appointed. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the NPA or FRA.

Determination 9: Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a community or town council of which they are a member. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the community or town council. Where this situation applies, it is the responsibility of the individual member to comply.

2.11 Reimbursement of Mileage, Other Travel & Subsistence Costs

2.11.1 The Panel has determined there will be no change to mileage rates which members are entitled to claim. All authorities may only reimburse travel costs for their members undertaking official business within and or outside the authority's boundaries at the current HM Revenue and Customs (HMRC) rates which are:-

45p per mile	Up to 10,000 miles in a year by car
25p per mile	Over 10,000 miles in a year by car

5p per mile	Per passenger carried
24p per mile	Motor cycles
20p per mile	Bicycles

2.11.2 The Subsistence rates will be as follows, these rates are in line with Welsh Government Rates:-

£28 per day	Day allowance for meals, including breakfast, where not provided in the overnight charge
£200 per night	London
£95 per night	Elsewhere
£30 per night	Stay with friends / family

2.11.3 Recommended practice is that overnight accommodation should usually be reserved and paid for on behalf of members by the Authority, in which case the authority may set its own reasonable limits. – we would not normally divert from these levels.

2.12 **Contribution towards costs of care and personal assistance (CPA)**

2.12.1 The purpose of this section is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel believes that additional costs of care required to carry out approved duties should not deter any individual from becoming and remaining a member of an authority or limit their ability to carry out the role. The Panel has adopted specific principles related to support for the costs of care which were the subject of a Supplementary Report published in February 2020.

2.12.2 The Panel reviewed the arrangements for this financial support and has made the following changes:

- As payments are taxable under the current HMRC rules, full reimbursement is not possible so for clarity this is retitled to “contribution towards the costs of care and personal assistance”. It will still require receipts to accompany claims.
- Claims can be made in respect of a dependant under 16 years of age, or a minor or adult who normally lives with the member as part of their family and who cannot be left unsupervised.
- Reimbursement may be claimed for member’s own care or support needs where the support and/or cost of any additional needs are not available or are not met directly by the authority such as Access to Work, Personal Independence Payments, insurance. These could arise when the needs are recent and or temporary.

2.12.3 Members, including co-opted members are entitled to claim towards the costs of care and personal assistance, for activities that the individual council has designated official business or an approved duty which might include appropriate and reasonable preparation and travelling time. It is a matter for individual authorities to determine specific arrangements to

implement this. Each authority must ensure that any payments made are appropriately linked to official business or approved duty.

2.12.4 The Panel has reviewed the maximum monthly payment in recognition that this has not changed for several years. Information indicates that monthly costs and claims vary considerably. These can depend on the number of dependants, their ages and other factors. Therefore, the monthly cap will be replaced with the following arrangements:

- Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.
- Informal (unregistered) care costs to be paid up to a maximum rate equivalent to hourly rates as defined by the Living Wage Foundation at the time the costs are incurred.

For clarification, care costs cannot be paid to someone who is a part of a member's household.

2.13 **Entitlement to Family Absence**

2.13.1 An elected member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.

2.13.2 When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.

2.13.3 It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.

If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution.

2.13.4 When a Council agrees a paid substitution for family absence the Panel must be informed within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.

2.14 **Sickness Absence for Senior Salary Holders**

2.14.1 The Family Absence Regulations (approved by the National Assembly in 2014) are very specific relating to entitlement and only available for elected members of principal councils.

2.14.2 Instances have been raised with the Panel of senior salary holders on long term sickness and the perceived unfairness in comparison with the arrangements for family absence. In consequence, councils are faced with the dilemma of:

- operating without the individual member but still paying them the

- senior salary.
- replacing the member who therefore loses the senior salary (but retains the basic salary).

2.14.3 The Panel's Framework provides specific arrangements for long term sickness as set out below:

- Long term sickness is defined as certified absences in excess of 4 weeks.
- The maximum length of sickness absence within these proposals is 26 weeks or until the individual's term of office ends, whichever is sooner (but if reappointed any remaining balance of the 26 weeks will be included).
- Within these parameters a senior salary holder on long term sickness can, if the authority decides, continue to receive remuneration for the post held.
- It is a decision of the authority whether to make a substitute appointment, but the substitute will be eligible to be paid the senior salary appropriate to the post.
- If the paid substitution results in the authority exceeding the maximum number of senior salaries payable for that authority, as set out in the Annual Report, an addition will be allowed for the duration of the substitution. It would not apply in respect of a council executive member if it would result in the cabinet exceeding 10 posts - the statutory maximum.
- When an authority agrees a paid substitution, the Panel must be informed within 14 days of the decision of the details including the specific post and the estimated length of the substitution. The authorities' Schedule of Remuneration must be amended accordingly.
- It does not apply to elected members of principal councils who are not senior post holders as they continue to receive basic salary for at least six months irrespective of attendance and any extension beyond this timescale is a matter for the authority.

2.15 **Payments to Co-opted Members**

2.15.1 The Panel has determined that a daily/half daily fee remains appropriate remuneration for the role undertaken by co-opted members of the Council as follows:-

Chairs of Standards and Audit Committees	£268 (4 hours & over) £134 (up to 4 hours)
Ordinary members of standards committees who also chair standards committees for community & town councils	£238 (4 hours & over) £119 (up to 4 hours)
Ordinary members of standards committees, education scrutiny committee, crime & disorder scrutiny committee and audit committee	£210 (4 hours & over) £105 (up to 4 hours)

- 2.15.2 Reasonable time for pre-meeting preparation is eligible to be included in claims made by co-opted members, the extent of which can be determined by the appropriate officer in advance of the meeting.
- 2.15.3 Travelling time to and from the place of the meeting can be included in the claims for payments made by the co-opted member (up to the daily rate).
- 2.15.4 The appropriate officer within the authority can determine in advance whether the meeting is programmed for a full day and the meeting will be paid on this basis even if the meeting finishes before four hours has elapsed.
- 2.15.5 Meetings eligible for the payment of fees include other committees and working groups (including task & finish groups), pre meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.

2.16.0 **Assistants to the Executive**

- 2.16.1 The Local Government and Elections Act also provides for principal councils to be able to appoint elected members to assist the executive in discharging its functions.

Such appointments are made by the leader of the council and can include:

- the number of assistants that may be appointed
- the term of office of the assistants
- the responsibility of the assistants

There are exclusions to the appointments as set out in the legislation and assistants are not members of the cabinet.

- 2.16.2 The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.

3. **Options for Recommendation**

- 3.1 Council to note the proposed determinations in the draft IRPW Annual Report for 2022/2023.

Democratic Services Committee previously discussed the draft IRPW report on 8th November, 2021 and any comments will be reported verbally to Council.

Option 1:

To note the determinations set out in the draft IRPW report in Appendix 1 for 2022/2023

Option 2:

Consider each of the determinations contained in the draft IRPW report for 2022/2023 and give comments for submission to the IRPW as part of the consultation process that ends on 26th November 2021.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

5. **Implications Against Each Option**

5.1 **Impact on Budget (short and long term impact)**

It is anticipated that the proposal within the IRPW will be within the current budget due to the overall reduction of elected members from the May 2022 election.

5.2 **Risk including Mitigating Actions**

Failure to comply with the Panel's determinations will result in reputational damage for the Council. This is mitigated by Democratic Services Committee and Council considering and agreeing the determinations.

5.3 **Legal**

The report outlines the plans of the IRPW in terms of elected member remuneration which will become regulation.

It is also the responsibility of the Council to establish our position on how to respond to any Freedom of Information requests we receive in relation to reimbursement of costs of care. The IRPW states within annex 4 of appendix 1, that it is not the intention to disclose details of individual's claims.

5.4 **Personnel**

There are no direct staffing implications from this report.

6. **Supporting Evidence**

Independent Remuneration Panel for Wales Draft Report 2022/23
<https://gov.wales/sites/default/files/publications/2021-09/annual-report.docx>

6.1 **Performance Information and Data**

Not applicable to this report

6.2 **Expected outcome for the public**

Not applicable to this report

6.3 **Involvement (consultation, engagement, participation)**

Not applicable to this report

6.4 **Thinking for the Long term (forward planning)**

Not applicable to this report

6.5 **Preventative focus**

Not applicable to this report

6.6 **Collaboration / partnership working**

Not applicable to this report

6.7 **Integration (across service areas)**

Not applicable to this report

6.8 ***Decarbonisation and Reducing Carbon Emissions***

Not applicable to this report

6.9a ***Socio Economic Duty Impact Assessment***

Not applicable to this report

6.9b ***Equality Impact Assessment***

Not applicable to this report

7. **Monitoring Arrangements**

7.1 *State how the work will be monitored e.g. through scrutiny or directorate performance management arrangements*

7.2 **Background Documents /Electronic Links**

Appendix 1

- *The Draft Independent Remuneration Panel for Wales Report 2022/2023*

<https://gov.wales/sites/default/files/publications/2021-09/annual-report.docx>

Appendix 2

- *Summary of new and updated determinations contained within the draft report 2022/2023*



Summary of new
and updated detern

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Independent Remuneration Panel for Wales

Annual Report

DRAFT

February 2022

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

ANNUAL REPORT 2022/2023

FOREWORD

The Covid pandemic continues to impact on the work of the Panel in that we have been unable to meet with authorities and their representative organisations face to face. However, we have continued to meet regularly and have meaningful discussions to meet our statutory obligations via Microsoft Teams or Zoom.

It has been a difficult time for the public sector but local authorities in Wales have demonstrated their resilience and capabilities over the past 18 months. 2022 is an election year for local government and the new five year term provides the opportunity to reset the basic salaries of elected members to align with the average earnings in Wales. This has been eroded in successive years, primarily as a result of austerity measures. We consider that it is important that the payments to elected members of principal councils be fair and at a level that is not a disincentive to potential candidates for election.

We have undertaken a major consultation exercise in respect of the Remuneration Framework for community and town councils and the outcome is contained in [Section 13](#) of this draft Report. I would like to express my appreciation to all the councils and individual members and officers for their involvement in the exercise.

There have been changes to the membership of the Panel. Ruth Glazzard joined the Panel in April and Helen Wilkinson replaced Claire Sharp in July. My personal thanks to Claire for her contribution to the work of the Panel.

The consultation period for this draft Report ends on **26 November 2021**. The Panel would appreciate comments which will be considered prior to the production of the final Report.

John Bader
Chair

Panel Membership
John Bader, Chair
Saz Willey, Vice Chair
Joe Stockley
Ruth Glazzard
Helen Wilkinson

Detailed information about the members can be found on the website: [Panel website](#)

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Timescale for Implementation of the Panel's Determinations

The Local Government (Wales) Measure 2011 requires the Panel's Annual Report to take effect from 1 April. In most years, this is in line with financial and administrative arrangements of all authorities. However, when new councils are elected some of the Panel's determinations are to be effective for the new municipal term.

On 9 May 2022, new municipal arrangements will come into effect following local government elections. This Annual Report therefore has two different effective dates as set out below:

1. For the period 1 April 2022 to 8 May 2022, all of the Determinations contained in the Independent Remuneration Panel for Wales' [Annual Report 2021/2022](#) will continue to apply in respect of principal councils and community and town councils.
2. For national park authorities and Welsh fire and rescue authorities the determinations in Sections [7](#) and [8](#) of this Report will apply from the new financial year, 1 April 2022.
3. With effect from 9 May 2022, (the new municipal year) the determinations set out in this Report in Sections [3](#) and [13](#) will apply to principal councils and community and town councils.

Executive Summary

This is the fourteenth Annual Report of the Independent Remuneration Panel for Wales (the Panel), published under the requirements of the Local Government (Wales) Measure 2011 (as amended).

1. As Wales emerges from the Covid pandemic, local democracy and public services will have a vital role to play in strengthening the resilience of our local communities and economies. 2022 is a milestone year because of this overarching context.
2. As a Panel our firm belief is that this is a reset moment for Welsh democracy and for valuing our public services; an important opportunity to future proof our democracy and public services. We have therefore taken time to engage with stakeholders, pause and reflect on the impact of the decisions we take and the messages we are communicating in making this year's determinations.
3. From inception, the Panel has consistently and vigorously expressed that local democracy and the governance of public services are not cost free and need to be valued if we are to enable everyone to participate. Levels of remuneration need to be set at a level sufficient to encourage a diversity of willing and able people to undertake local governance through elected, appointed or co-opted roles. It is important to promote a culture which encourages take up of remuneration to ensure that people from all walks of life can participate confidently in our democracy. However, the Local Government (Wales) Measure 2011 requires the Panel to have regard to the financial implication of its decisions. We have discussed the issue of affordability with representatives of the WLGA and the general consensus is that in the context of a council's income and expenditure the Panel's determinations do not have a significant impact. We consider that the proposals set out in this draft Report meet the legislative requirement.
4. Since 2009, remuneration of elected members of local government in Wales has not kept pace with measures of inflation or other possible comparators. These include Retail Prices Index, Consumer Prices Index, NJC (public sector employees), National Living Wage (NLW), [the Living Wage Foundation's Living Wage \(LWF\) rates](#), Members of Senedd Cymru, and MPs and also the Annual Survey of Hourly Earnings (ASHE). This is the result of austerity and pressure on public finances. This has the potential to perpetuate socio-economic disadvantage, adding to perceptions of a democratic deficit.

Yearly percentage increases to basic salary, benchmarks and alternative measures 2013 to 2021

Annual Report Year	2013	2014	2015	2016	2017	2018	2019	2020	2021
IRPW Basic	0.00	0.00	0.95	0.00	0.00	0.75	3.49	2.52	1.06
ASHE*	4.00	0.60	1.00	2.70	1.00	2.10	5.10	0.60	Oct-21
NLW	1.90	3.00	3.10	7.50	4.20	4.40	4.90	6.20	2.18
LWF	3.47	2.68	2.61	5.10	2.42	3.55	2.86	3.33	2.15

5. During this period, decision-making and local governance has increased in complexity with increased responsibilities flowing from legal, social, economic, cultural and technological changes. People’s lifestyles (and expectations) have also changed in the last decade with increased requirements and expectations for a flexible approach to support people with family and care pressures to participate and contribute at work and in public life, through job sharing, flexibility and family leave. The diversity in democracy agenda has gained traction, underpinned by the Equality Act with an increased expectation that people with protected characteristics should be encouraged and empowered to participate. Future proofing our democracy and governance also means that young people, those in work and those who are socially and economically disadvantaged are positively encouraged and empowered to participate as it is clear that our public services should be accountable to and delivered by people who reflect the communities they serve. There is evidence that greater diversity will ensure decision-making takes account of a wide variety of perspectives.

6. The Covid pandemic has put unprecedented pressure on our politicians and public servants. It has also highlighted the importance of our local and community infrastructure in developing rapid and innovative solutions. As Wales emerges from the pandemic, there is increased awareness that our nation needs to draw on a diverse talent pool to meet the scale of the ongoing challenges facing the nation. Local governance needs to engage lived experience and knowledge of local people.

7. As noted in this report, payments for councillors in the 22 principal councils in Wales have not kept pace with comparators such as ASHE. Financial constraints on the public sector and particularly on local authorities over many years meant that the link with average Welsh earnings could not be maintained. The Panel considers that this has undervalued the worth of elected members and that it is now time to restore this link as the most appropriate comparator. Members in these 22 principal councils will receive, proportionately, the same as the overall average amount that a Welsh constituent received in 2020. We believe this puts a fair value on the contribution made by local politicians. We hope that over time this will encourage greater diversity and enable potential candidates to consider putting themselves forward for election.

8. Local elections in Wales will take place on 5 May 2022 for a new municipal term and potentially many new local politicians. The 9 May 2022 is therefore the best date in our view to enact this ‘significant reset’ and invest in local democracy in

Wales. Our proposed increase in remuneration levels will therefore come into effect on this date. Further details can be found in [Section 3](#).

9. As a Panel, we are concerned that payment information provided by relevant authorities shows that very few members are utilising the provision in the framework for financial support in respect of care. We believe it is vital that Democratic Services Committees continue to encourage and facilitate greater use of this element of the Remuneration Framework so that members are not financially disadvantaged.
10. We also believe that encouraging take up of this financial support for members with caring responsibilities will send a positive signal that members with these responsibilities are welcome and valued. We hope that it will encourage others with caring responsibilities to consider standing for election.
11. Payments for members of national park authorities and Welsh fire and rescue authorities will increase as a result of the uplift proposed for elected members of principal councils. As indicated above these increases will be effective from 1 April 2022, the new financial year. The Panel considered the alternative for implementation following the annual meeting of each authority, but this could mean a significant delay in individuals receiving the new payments. This would not be equitable.
12. Early in 2021 the Panel commenced a major review of the Remuneration Framework in respect of community and town councils and undertook a comprehensive consultation exercise with the sector. We appreciated the level of engagement from individual councils and their representative organisations. The Covid pandemic limited the Panel's opportunities for face to face engagement in 2020/2021. However, the Panel's digital engagement was considerable. The Panel recognises a wide variation in geography, scope and scale across the 735 community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities. Our recommendations for reform and the proposed new framework are set out in [Section 13](#).
13. In reaching our conclusions we have also taken account of:
 - the overarching framework of the [Wellbeing of Future Generations Act](#);
 - the ethos and principle of the [socio-economic duty](#), implemented in Wales in 2020;
 - Welsh Government's ongoing commitment to [equality](#) and [diversity in democracy](#);

2022-2023 Determinations

14. The table below summarises the new and updated determinations in this year's Annual Report informed by our belief and rationale for investing in local democracy and public services and by the principles outlined above.

[Annex 1](#) outlines all of the Panel's determinations for 2022/23.

Summary of new and updated determinations contained in this report
Principal Councils
Determination 1: The basic salary in 2022/23 for elected members of principal councils shall be £16,800.
Determination 2: Senior salary levels in 2022/23 for members of principal councils shall be as set out in Table 4.
Determination 3: Where paid, a civic head must be paid a Band 3 salary of £25,593 in accordance with Table 4.
Determination 4: Where paid, a deputy civic head must be paid a Band 5 salary of £20,540 in accordance with Table 4.
Determination 5: Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.
Assistants to the Executive
Determination 13: The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.
National Park Authorities
Determination 23: The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
Determination 24: The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.
Determination 25: A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.
Determination 26: Committee chairs or other senior posts can be paid. This shall be paid at £8,478.
Fire and Rescue Authorities
Determination 30: The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
Determination 31: The senior salary of the chair of a FRA shall be £11,162 with effect from 1 April 2022.
Determination 32: A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.
Determination 33: Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.
Community and Town Councils
Determination 48: Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30. A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event. Councils that intend to introduce a system of attendance allowances must set out the details of the scheme and publish on their website.

1. The Panel's Framework: Principles of Members' Remuneration

Upholding trust and confidence

- 1.1 Citizens rightly expect that all those who choose to serve in local authorities uphold the public trust by embracing the values and ethics implicit in such public service. These principles underpin the contribution that the work of the Panel and its Framework make towards upholding public trust and confidence.

Simplicity

- 1.2 The Framework is clear and understandable. This is essential for the Panel to be able to communicate its Determinations effectively to all those who are affected by, or who have an interest in its work.

Remuneration

- 1.3 The Framework provides for payment to members of authorities who carry a responsibility for serving their communities. The level of payment should not act as a barrier to taking up or continuing in post. There should be no requirement that resources necessary to enable the discharge of duties are funded from the payment. The Framework provides additional payments for those who are given greater levels of responsibility.

Diversity

- 1.4 Democracy is strengthened when the membership of authorities adequately reflects the demographic and cultural make-up of the communities such authorities serve. The Panel will always take in to account the contribution its Framework can make in encouraging the participation of those who are significantly under-represented at local authority level.

Accountability

- 1.5 Taxpayers and citizens have the right to receive value for money from public funds committed to the remuneration of those who are elected, appointed or co-opted to serve in the public interest. The Panel expects all authorities to make information readily and appropriately available about the activities and remuneration of their members.

Fairness

- 1.6 The Framework will be capable of being applied consistently to members of all authorities within the Panel's remit as a means of ensuring that levels of remuneration are fair, affordable and generally acceptable.

Quality

- 1.7 The Panel recognises that the complex mix of governance, scrutiny and regulatory duties incumbent upon members requires them to engage with a process of continuous quality improvement. The Panel expects members to undertake such training and personal development opportunities as required to properly discharge the duties for which they are remunerated.

Transparency

- 1.8 Transparency of members' remuneration is in the public interest. Some members receive additional levels of remuneration by virtue of being elected or appointed to more than one public body. The Framework serves to ensure that knowledge of all members' remuneration is made easily available to the public.

Remuneration of Heads of Paid Service

- 1.9 The Panel applies these principles of fairness, accountability and transparency in all its determinations in relation to remuneration of members of all the authorities that fall within its remit. The same principles also apply when the Panel is required to make recommendations in relation to the remuneration of the heads of paid service of these authorities.

2. Annual Report Summary Page

Type of Payment	Type of Authority			
	Principal Councils	National Park Authorities	Fire and Rescue Authorities	Community and Town Councils
Basic Salary	page 13	page 28	page 32	N/A ²
Senior Roles	page 16	page 28	page 32	page 45
Committee Chairs	page 14	page 28	page 32	N/A
Opposition Groups	page 16	N/A	N/A	N/A
Civic Heads and Deputies	page 17	N/A	N/A	page 47
Presiding Members	page 18	N/A	N/A	N/A
Mileage	page 41	page 41	page 41	page 46
Other Travel Costs	page 41	page 41	page 41	page 46
Subsistence Costs	page 42	page 42	page 42	page 46
Contribution towards Costs of Care and Personal Assistance	page 35	page 35	page 35	page 35
Family Absence	page 26	N/A	N/A	N/A
Sickness Absence	page 39	page 39	page 39	N/A
Joint Overview and Scrutiny Committees	page 24	N/A	N/A	N/A
Pension	page 25	N/A	N/A	N/A
Co-optees	page 33	page 33	page 33	N/A
Specific or Additional Allowances	page 20	N/A	N/A	N/A
Payments to Community and Town Councillors	N/A	N/A	N/A	page 43
Compensation for Financial Loss	N/A	N/A	N/A	page 46
Statement of Payments	page 78	page 78	page 78	page 78
Schedule of Remuneration	Page 76	Page 76	Page 76	N/A
Salaries of Head of Paid Services	Page 53	N/A	Page 53	N/A

² Not Applicable

3. Payments to Elected Members of Principal Councils: Basic, Senior and Civic Salaries

Basic salary for elected members of principal councils

- 3.1 In 2009 the Panel decided the average work commitment of an elected councillor of a principal council was three working days. The maximum basic salary was set at £13,868. This reflected three fifths of the then median gross earnings of full-time male employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE) published by the Office of National Statistics. The Panel considered it was appropriate to use this figure, as it was comparable with constituents' pay, adjusted for the part-time nature of the work of a member with no senior responsibilities. At the introduction of austerity measures, the basic salary was reduced to £13,175 and the link to ASHE was broken. Since then, there has been no connection between councillor and constituent pay. In 2019, the Panel took steps to stop the gap widening and reviewed options to move towards reinstating the link with ASHE or another suitable benchmark. A detailed explanatory paper setting out the historical context and analysis is available on the Panel's [website](#). The key issues are:
- 3.1.1 Since 2009, the Panel has met its duty to take account of affordability and acceptability and set amounts for the basic salary that varied but have not kept pace with measures of inflation or other comparators. Table 1 shows the percentage increases to the basic salary and a selection of alternative benchmarks from 2013 to 2021.
- 3.1.2 From 2013 to 2020 the basic salary of other Welsh elected members increased by 9% (£13,175 to £14,368). A Senedd Cymru member's salary increased by 28.6% (£53,852 to £69,272) and an MP's salary increased by 23.4% (£66,396 to £81,932). MS salaries were realigned in 2017 and MPs in 2015.
- 3.1.3 Examining other parts of the United Kingdom, councillors in Scotland receive £18,604 a year and in 2018 councillors in Northern Ireland received £15,486. Comparison with England is more difficult as the structure of local government is different, although there are examples where members are paid significantly more than their Welsh counterparts.
- 3.1.4 Table 1 shows the basic salary of backbench councillors has fallen significantly behind the Welsh average (median) salary and public sector pay.

Table 1 – Yearly percentage increases to basic salary, benchmarks and alternative measures 2013 to 2021

Annual Report Year	2013	2014	2015	2016	2017	2018	2019	2020	2021
IRPW Basic	0.00	0.00	0.95	0.00	0.00	0.75	3.49	2.52	1.06
ASHE*	4.00	0.60	1.00	2.70	1.00	2.10	5.10	0.60	Oct-21
NJC **	1.00	0.43	2.05	1.00	1.00	2.00	2.60	2.75	1.75
MS	0.00	0.00	0.00	1.00	17.70	2.10	3.50	0.00	2.40
MP	1.00	1.00	10.30	1.30	1.40	1.80	2.70	3.10	0.00
RPI***	3.00	2.40	1.00	1.80	3.60	3.30	2.60	1.50	3.80
CPI ****	2.60	1.50	0.00	0.70	2.70	2.50	1.80	0.90	2.00
NLW	1.90	3.00	3.10	7.50	4.20	4.40	4.90	6.20	2.18
LWF	3.47	2.68	2.61	5.10	2.42	3.55	2.86	3.33	2.15

** NJC final employers offer July 2021; *** RPI and CPI**** are for July 2021.

Wales Median Average (median) gross weekly earnings by Welsh local areas and year (£) (gov.wales)

MS [Remuneration Board](#)

MP [Independent Parliamentary Standards Authority](#)

RPI all items [Retail Price Index](#)

CPI [Consumer Price Inflation](#)

NLW [National Living Wage](#)

LWF [Living Wage Foundation](#)

Table 2 - Basic yearly salary and actual full time and 3 day (60%) equivalents of Welsh national average pay 2013 to 2021

Year	IRPW basic salary	Wales Median ASHE	
		full time	3 day
2013	13,175	24,499	14,699
2014	13,175	24,655	14,793
2015	13,300	24,915	14,949
2016	13,300	25,643	15,386
2017	13,300	25,904	15,542
2018	13,400	26,476	15,886
2019	13,868	27,828	16,697
2020	14,218	27,974	16,784
2021	14,368	October 2021	October 2021

- 3.2 When making determinations for this Annual Report, the Panel considered the progression of the variety of benchmark figures outlined above for the period from 2013 to 2021 and the increases.
- 3.3 As outlined in the Executive Summary, the Panel believes that local elections in May 2022 provide an opportune time to rectify the imbalance between the basic salary of councillors and the average salaries of their constituents. The basic salary of councillors of principal councils elected in the May 2022 local elections will be reset to align with the 2020 ASHE. This will be £16,800.

Determination 1: The Basic Salary in 2022/23 for elected members of principal councils shall be £16,800.

Senior Salaries

Senior salaries are payments to members who are executive, chairs of committees and the leader of the opposition.

Number of Senior Salaries

- 3.4 The limit on the number of senior salaries payable (“the cap”) will remain in place and remains unchanged. In 2022-2023 the maximum number of senior salaries payable within each council will be as set out in Table 3.

Senior Salary Payments

- 3.5 All senior salaries include the basic salary payment.
- 3.6 The Panel recognises that years of no or low increases has meant the pay of senior salary holders is significantly and increasingly lower than many relevant comparators.

Leaders

- 3.7 It is widely recognised that the role of leader of a principal council is highly complex and carries a large and increasing level of responsibility. Leaders’ pay is at the lower end of sector market comparators.
- 3.8 The Panel has heard arguments that a leader’s pay should be at or above a backbench MS or a Health Board Chair. The Panel has considered these arguments, but has concluded that although the roles have some similarities, there are significant and crucial differences which are not helpful in making comparisons.
- 3.9 The Panel is very concerned that the current payment levels are often financially

unattractive and are seen as a barrier to participation. For many willing and well-qualified people, a senior salary might necessitate a significant reduction in earnings. This is not in the spirit of diversity, inclusion, or democracy, or efficient for the effective running of principal councils. To start to address this, the Panel has re-set all senior salary payments for 2022-2023. The salary of a leader of the largest (Group A) council will be £63,000. All other payments have been decided in reference to this and are set out in Table 4.

Executive

- 3.10 The Panel continues to take the view that executive members should be considered to be working the equivalent of full time (around 40 hours per week) but flexibly, and not necessarily nine to five. Continued discussions with members and officers in recent years have reinforced this conclusion.

Chairs of Committees

- 3.11 The Panel recognises that there is a significant variance in the responsibilities and functions of chairing different committees. Councils do not have to pay chairs of committees. Each council can decide which, if any, chairs of committees they pay. This allows councils to take account of differing levels of responsibility.
- 3.12 The Panel has considered the role element of the chair's salary. The move to a single level of chair payment in 2019 reduced the differentials with other senior payments. To reset this, the Panel has decided not to change the role element at the 2021 figure of £8,793 for 2022-2023. The basic salary increase will apply.

Determination 2: Senior salary levels in 2022/23 for members of principal councils shall be as set out in Table 4.

Table 3: Maximum numbers of council membership eligible for payment of a senior salary

Council	Number of councillors	Number of senior salaries
Group A (populations over 200,000)		
Cardiff	75	19
Rhondda Cynon Taf	75	19
Swansea	72	19
Group B (populations of 100,000 to 200,000)		
Bridgend	54	18
Caerphilly	73	18
Carmarthenshire	74	18
Conwy	59	18
Flintshire	70	18
Gwynedd	75	18
Neath Port Talbot	64	18
Newport	50	18
Pembrokeshire	60	18
Powys	73	18
Vale of Glamorgan	47	18
Wrexham	52	18
Group C (populations of up to 100,000)		
Blaenau Gwent	42	17
Ceredigion	42	17
Denbighshire	47	17
Isle of Anglesey	30	16
Merthyr Tydfil	33	16
Monmouthshire	43	17
Torfaen	44	17

Table 4: Salaries payable to Basic, Senior, Civic and Presiding Members of Principal Councils:

Basic salary (payable to all elected members) £16,800			
	Group A Cardiff, Rhondda Cynon Taf, Swansea	Group B Bridgend, Caerphilly, Carmarthenshire, Conwy, Flintshire, Gwynedd, Newport, Neath Port Talbot, Pembrokeshire, Powys, Vale of Glamorgan, Wrexham	Group C Blaenau Gwent, Ceredigion, Denbighshire, Merthyr Tydfil, Monmouthshire, Torfaen, Isle of Anglesey
Senior salaries (inclusive of basic salary)			
Band 1 Leader	£63,000	£56,700	£53,550
Deputy Leader	£44,100	£39,690	£37,485
Band 2 Executive Members	£37,800	£34,020	£32,130
Band 3 Committee Chairs (if remunerated):		£25,593	
Band 4 Leader of Largest Opposition Group ³		£25,593	
Band 5 Leader of Other Political Groups		£20,540	

³ Leader of largest opposition group. See IRPW Regulations, Annex 2, Part 1(2) for a definition of “largest opposition group” and “other political group”.

Table 4 notes:

- a. The Panel considers that leadership and executive roles (Band 1 and 2 salaries respectively) carry the greatest individual accountability. A deputy leader salary is set at 70% of their leader and an executive member at 60% of their leader.
- b. The Panel considered arguments for and against changing council groupings. Options included removing or increasing the number of groups

and changing the banding levels. The Panel concluded that 'size of population' remains a major factor in influencing levels of responsibility and has retained the three population groups (A, B and C). For information: Group A Population 200,000 and above; Group B Population 100,001 to 199,999; Group C Population up to 100,000.

- c. Salaries for B group councils will be at 90% of Group A salaries. Salaries for C group councils have been set at around 80% of Group A. Although Group C councils have significantly smaller populations and budgets they face similar duties and challenges as Group A and B councils and they do so with fewer resources. The Panel has therefore decided to reduce the Group differentials. In 2022/2023 salaries for Group C will be at 85% of Group A salaries. The salaries are set out in Table 4.
- d. Committee chairs will be paid at Band 3. A council can decide which, if any, chairs of committees are remunerated. This allows councils to take account of differing levels of responsibility.
- e. The stipulation that an opposition group leader or any other group leader must represent at least 10% of the council membership before qualifying for a senior salary remains unchanged.
- f. The Panel has determined that a council must make a senior salary available to the leader of the largest opposition group.
- g. The Panel has determined that, if remunerated, a Band 5 senior salary must be paid to leaders of other political groups.

Payments to Civic Heads and Deputies (Civic Salaries)

- 3.13 A council may decide not to pay any civic salary to the posts of civic head and or deputy civic head. If paid, civic heads must be remunerated at Band 3 level and deputy civic heads at Band 5. (Determinations 5, 6, 7 and 8).
- 3.14 The posts of civic head and deputy civic head are not included in the cap (with the exception of Isle of Anglesey and Merthyr Tydfil Councils).
- 3.15 Civic heads are senior posts within councils which are distinct from political or executive leadership. In addition to chairing major meetings the civic head is the authorities' 'first citizen' and 'ambassador' representing the council to a wide variety of institutions and organisations. The Panel's requirement that members should not have to pay for the cost of the support (see **Determination 10**) needed to carry out their duties applies also in respect of deputy civic heads.

Determination 3: Where paid, a Civic Head must be paid a Band 3 salary of £25,593 in accordance with Table 4.

Determination 4: Where paid, a Deputy Civic Head must be paid a Band 5 salary of £20,540 in accordance with Table 4.

- 3.16 In many instances civic heads receive secretarial support and are provided with transport for official duties and can access a separate hospitality budget which is managed and controlled by council officers.
- 3.17 The Panel recognises the wide range of provision made for civic heads in respect of transport, secretarial support, charitable giving and official clothing. Funding decisions in relation to levels of such additional support are not matters of personal remuneration, but of the funding required to carry out the tasks and duties. These matters remain entirely a decision for individual councils. Councils remain free to invest in support at whatever levels they deem appropriate for the levels of civic leadership they have in place.
- 3.18 The Local Government (Democracy) (Wales) Act 2013 allows councils to appoint a presiding member whose role is to chair meetings of the whole council. Where appointed, there would be a consequential reduction in the responsibilities of the respective civic head.

Presiding Members

- 3.19 Councils are reminded that, if a presiding member is appointed, they do not have to be remunerated. If they are remunerated the post will count towards the cap and be paid at a Band 3 senior salary.

Determination 5: Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.

Determination 6: The post of deputy presiding member will not be remunerated.

Key factors underpinning the Panel's determinations:

- 3.20 The basic salary, paid to all elected members, is remuneration for the responsibility of community representation and participation in the scrutiny, regulatory and related functions of local governance. It is based on a full time equivalent of three days a week.
- 3.21 The prescribed salary and expenses must be paid in full to each member unless an individual has independently and voluntarily opted in writing to the authority's proper officer to decline all or any element of the payment. It is fundamental there is transparency in this process so any possible suggestion that members are put under pressure to decline salaries is avoided.

The following must be applied:

Determination 7:

- a) **An elected member must not be remunerated for more than one senior post within their authority.**
- b) **An elected member must not be paid a senior salary and a civic salary.**
- c) **All senior and civic salaries are paid inclusive of basic salary.**
- d) **If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.**

Determination 8: Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA or FRA to which they have been appointed. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the NPA or FRA.

Determination 9: Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a community or town council of which they are a member. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the community or town council. Where this situation applies, it is the responsibility of the individual member to comply.

Supporting the work of local authority elected members

- 3.22 The Panel expects support provided should take account of the specific needs of individual members. Democratic Services Committees are required to periodically review the level of support provided to members to carry out their duties. The Panel would expect these committees to carry this out and bring forward proposals to the full council as to what is required. Any proposals should be made with due regard to Determinations 10 and 11 below. For example, the Panel does not consider it appropriate that elected members should be required to pay for any telephone usage to enable them to discharge their council duties.
- 3.23 The Panel considers it is necessary for each elected member to have ready use of email services, and electronic access to appropriate information via an internet connection. The Panel does not consider it appropriate that elected members should be required to pay for internet related services to enable them to discharge their council duties. Access to electronic communications is

essential for a member to be in proper contact with council services and to maintain contact with those they represent. Councils are committed to paperless working and without electronic access members would be significantly limited in their ability to discharge their duties. It is inappropriate for facilities required by members only to be available within council offices within office hours.

- 3.24 The responsibility of each council, through its Democratic Services Committee, to provide support should be based on an assessment of the needs of its members. When members' additional needs or matters of disability apply, or there are specific training requirements indicated, each authority will need to assess any particular requirements of individual members.
- 3.25 As a result of their role as a councillor an elected member's personal security may become adversely affected. It is the duty of Democratic Services Committees to fund or provide support necessary to enable a councillor to discharge their role reasonably and safely. This may require funding appropriate security measures to protect councillors from personal risk or significant threat. Risk assessment and liaison with relevant bodies such as the police and security services would normally inform the selection of required provision.
- 3.26 For co-opted members the support requirements are set out in [Section 9](#) and Determination 42.

Determination 10: Each authority, through its Democratic Services Committee, must ensure that all its elected members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone, email and internet facilities giving electronic access to appropriate information.

Determination 11: Such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.

Specific or additional senior salaries

- 3.27 The Panel has allowed for greater flexibility which allows for authorities to apply for specific or additional senior salaries that do not fall within the current remuneration framework, or which could not be accommodated within the maximum number of senior salaries relating to the authority. If the proposed addition is approved and results in the council exceeding its cap, this will be included in the approval (with exception of Merthyr Tydfil and the Isle of Anglesey Councils – see footnote 4). Some councils have raised the possibility of operating some senior salary posts on a job share arrangement. The Panel is supportive of this principle, on the basis that it supports diversity and

inclusion, and the process is set out in Paragraph 3.29.

Determination 12: Principal councils can apply for specific or additional senior salaries that do not fall within the current Framework.

- 3.28 Guidance to local authorities on the application process was issued in April 2014 and incorporated the following principles:
- a. The total number of senior salaries cannot exceed fifty percent⁴ of the membership.
 - b. Applications will have to be approved by the authority as a whole (unless this has been delegated within Standing Orders) prior to submission to the Panel.
 - c. There must be clear evidence that the post or posts have additional responsibility demonstrated by a description of the role, function and duration.
 - d. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

⁴Local Government (Wales) Measure 2011 Section 142 (5). The proportion fixed by the Panel in accordance with subsection (4) may not exceed fifty percent unless the consent of the Welsh Minister has been obtained.

3.29 Job Sharing Arrangements

Section 58 of the Local Government and Elections Act (Wales) 2021 established new arrangements for job sharing for executive leaders and executive members. The Act makes provision:

- a) requiring local authorities to include in their executive arrangements provision for enabling two or more councillors to share an office on an executive, including the office of executive leader
- b) changing the maximum number of members of an executive when members of the executive share an office and
- c) about voting and quorum where members of an executive share office.

For members of an executive: Each job sharer will be paid an appropriate proportion of the salary group as set out in Table 3.

The statutory maximum, as set out in the Act, for cabinets cannot be exceeded so each job sharer will count toward the maximum.

Under the Measure, it is the number of persons in receipt of a senior salary, not the number of senior salary posts that count towards the cap. Therefore, for all job share arrangements the senior salary cap will be increased subject to the statutory maximum of 50% of the council's membership. Where the arrangements would mean that the statutory maximum would be exceeded the Panel would need to seek the approval of Welsh Ministers.

3.30 Assistants to the Executive

The Local Government and Elections Act also provides for principal councils to be able to appoint elected members to assist the executive in discharging its functions.

Such appointments are made by the leader of the council and can include:

- the number of assistants that may be appointed
- the term of office of the assistants
- the responsibility of the assistants

There are exclusions to the appointments as set out in the legislation and assistants are not members of the cabinet.

The Panel has given initial consideration to matters of remuneration for members appointed as assistants to the executive but has concluded that until there is more information in respect of the responsibilities attached to the posts it is not possible to decide on additional payments, if any. It is therefore

proposed that this will be further considered when a council decides to make appointments and details of the specific responsibility is available.

To give effect to this without the requirement for a further formal report the following determination will apply.

Determination 13: The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.

Note: If a senior salary payment is made, each will count towards the cap, however, the cap will be increased by the number of assistants receiving payments subject the statutory maximum of 50 per cent of the council's membership.

4. Joint Overview and Scrutiny Committees (JOSC)

- 4.1 Little use has been made of the arrangements for JOSCs. Therefore, the Panel has decided to delete the payment from the Framework. If, in future, a JOSC is formed by an individual council and it wishes to remunerate, it can apply using the arrangements contained in paragraphs 3.27 and 3.28. The current JOSCs in operation will continue without need for further confirmation. The applicable salaries are set out in the following determinations.

Determination 14: The salary level for a chair of a Joint Overview and Scrutiny Committee shall be £8,793.

Determination 15: The salary level for a vice chair of a Joint Overview and Scrutiny Committee shall be £4,396.

5. Pension Provision for Elected Members of Principal Councils

- 5.1 The Local Government (Wales) Measure 2011 provides a power to the Panel to make determinations on pension entitlement for elected members of principal councils.

Determination 16: The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.

6. Entitlement to Family Absence

This section applies to elected members of principal authorities.

- 6.1 The Regulations relating to Family Absence for elected members of principal councils were approved by the National Assembly for Wales in November 2013⁵ and cover maternity, new-born, adoption and parental absences from official business.
- 6.2 The Panel considered the implications for the remuneration of such members who are given absence under the terms of the Welsh Government Regulations and the Panel's determinations are set out below.

Determination 17: An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.

Determination 18: When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.

Determination 19: It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.

Determination 20: If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.

Determination 21: When a Council agrees a paid substitution for family absence the Panel must be informed within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.

Determination 22: The Council's schedule of remuneration must be amended to reflect the implication of the family absence.

⁵[The Family Absence for Members of Local Authorities \(Wales\) Regulations 2013](#)

7. Payments to Members of National Park Authorities (NPAs)

Structure of National Park Authorities

- 7.1 The three national parks in Wales - Brecon Beacons, Pembrokeshire Coast and Snowdonia were formed to protect spectacular landscapes and provide recreation opportunities for the public. The Environment Act 1995 led to the creation of a National Park Authority (NPA) for each park.
- 7.2 National park authorities comprise members who are either elected members nominated by the principal councils within the national park area or are members appointed by the Welsh Government through the Public Appointments process. Welsh Government appointed and council nominated members are treated equally in relation to remuneration.
- 7.3 The structure of the members' committee at each of the three national parks is set out in Table 5.

Table 5: Membership of Welsh National Park Authorities

National Park Authority	Total Membership	Principal Council Members	Welsh Government appointed Members
Brecon Beacons	18	12: Blaenau Gwent County Borough Council – 1 Carmarthenshire County Council – 1 Merthyr Tydfil County Borough Council – 1 Monmouthshire County Council – 1 Powys County Council – 6 Rhondda Cynon Taf County Borough Council - 1 Torfaen County Borough Council – 1	6
Pembrokeshire Coast	18	12: Pembrokeshire County Council – 12	6
Snowdonia	18	12: Conwy County Borough Council – 3 Gwynedd Council – 9	6

- 7.4 Standards Committees of NPAs also have independent co-opted members whose remuneration is included in the Framework as set out in [Section 9](#).
- 7.5 The Panel has based its determinations on the following key points:
- NPAs manage their work via formal authority meetings, committees and task and finish groups. Each has a Development, Management and or Planning Committee, and other committees include Performance and

Resources and Audit and Scrutiny. Ordinary NPA members are members of at least one committee as well as being involved in site visits and inspection panels.

- There is an expectation that members will participate in training and development.
- The chair of an NPA has a leadership and influencing role in the authority, a representational role similar in some respects to that of a civic head and a high level of accountability. The chair is not only the leader of the authority but is also the public face of the particular national park and is the link with the Minister and MS' with whom they have regular meetings. The role requires a high level of commitment and time.

Basic and senior salaries

- 7.6 The time commitment on which the remuneration of members is based is 44 days. The salary for members of NPAs will increase to £4,738.
- 7.7 The Panel has determined that the remuneration of a NPA chair should be aligned to that part of a Band 3 senior salary received by a committee chair of a principal council. This salary will increase to £13,531.
- 7.8 NPAs can determine the number of senior posts it requires as appropriate to its governance arrangements.
- 7.9 The Panel has made the following determinations:

Determination 23: The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.

Determination 24: The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.

Determination 25: A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.

Determination 26: Committee chairs or other senior posts can be paid. This shall be paid at £8,478.

Determination 27: Members must not receive more than one NPA senior salary.

Determination 28: A NPA senior salary is paid inclusive of the NPA basic salary.

Determination 29: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed. Where this situation applies, it is the responsibility of the individual member to comply.

Note: Family absence does not apply to Welsh Government appointed members and local authority nominees are covered by their principal council so NPAs are not required to make any arrangements in this respect.

8. Payments to Members of Welsh Fire and Rescue Authorities (FRAs)

Structure of Fire and Rescue Authorities

- 8.1 The three fire and rescue services (FRAs) in Wales: Mid and West Wales, North Wales and South Wales were formed as part of Local Government re-organisation in 1996.
- 8.2 FRAs comprise elected members who are nominated by the Principal Councils within each fire and rescue service area.
- 8.3 The structure of the each of the three FRAs is set out in Table 6.

Table 6: Membership of Fire and Rescue Authorities

Name of Fire and Rescue Authority	Number of Local Authority Members
Mid and West Wales	25: Carmarthenshire County Council – 5 Ceredigion County Council – 2 Neath Port Talbot County Borough Council – 4 Pembrokeshire County Council – 3 Powys County Council – 4 Swansea City and County Council – 7
North Wales	28: Conwy County Borough Council – 5 Denbighshire County Council – 4 Flintshire County Council – 6 Gwynedd Council – 5 Isle of Anglesey County Council – 3 Wrexham County Borough Council – 5
South Wales	24: Bridgend County Borough Council – 2 Blaenau Gwent County Borough Council – 1 Caerphilly County Borough Council – 3 Cardiff City Council – 5 Merthyr Tydfil County Borough Council – 1 Monmouthshire County Council – 2 Newport City Council - 2 Rhondda Cynon Taf County Borough Council - 4 Torfaen County Borough Council – 2 Vale of Glamorgan Council -2

- 8.4 In addition, Standards Committees of FRAs have independent co-opted members whose remuneration is included in the Framework as set out in [Section 9](#).

8.5 In considering remuneration of members of FRAs, the Panel has based its determinations on the following key points:

- The Chair has a leadership and influencing role in the authority, and a high level of accountability especially when controversial issues relating to the emergency service arise. In addition to fire authority meetings, all FRAs have committees that include in different combinations: audit, performance management, scrutiny, human resources, resource management as well as task and finish groups and disciplinary Panels. As well as attending formal meetings of the authority and committees, members are encouraged to take on a community engagement role, including visiting fire stations.
- There is a strong training ethos in FRAs. Members are expected to participate in training and development. Induction programmes are available as well as specialist training for appeals and disciplinary hearings.
- Training sessions often follow on from authority meetings to make the training accessible.

Basic and Senior Salaries

8.6 The time commitment on which remuneration is based is 22 days. The salary for members of FRAs will increase to £2,369.

8.7 The Panel determined that the remuneration of a FRA chair should be aligned to that part of a Band 3 senior salary received by a committee chair of a principal council. This salary will increase to £11,162.

8.8 The Panel determined that the remuneration of a FRA deputy chair will be aligned with the Band 5 senior salary for principal councils. This will increase to £6,109 and must be paid if the authority appoints a deputy chair.

8.9 FRAs determine the number of senior posts it requires as appropriate to its governance arrangements. Committee chairs and any other senior post if remunerated will be aligned with Band 5. This will increase to £6,109.

Local Pension Boards

8.10 The Panel has considered requests from FRAs to allow them to pay salaries to chairs of local pension boards established under the Firefighters' Pension Scheme (Wales) Regulations 2015. Those Regulations already give FRAs the power to decide how local pension boards are to work and to pay the chair and members if they wish. Therefore, it is not appropriate for the Panel to make a determination empowering FRAs to pay salaries to local pension board chairs. The senior salaries in Determination 31 or 32 cannot be used exclusively for this role.

8.11 The Panel has made the following determinations:

Determination 30: The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.

Determination 31: The senior salary of the chair of an FRA shall be £11,162 with effect from 1 April 2022.

Determination 32: A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.

Determination 33: Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.

Determination 34: Members must not receive more than one FRA senior salary.

Determination 35: A FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.

Determination 36: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated. Where this situation applies, it is the responsibility of the individual member to comply

9. Payments to Co-opted Members of Principal Councils, National Park Authorities and Fire & Rescue Authorities⁶

- 9.1 The Panel has determined that a daily or half daily fee is appropriate remuneration for the important role undertaken by co-opted members of authorities with voting rights.
- 9.2 The number of days in any one year for which co-opted members may be paid varies and reflects the specific work discharged by the relevant committee. This context for payment therefore differs from that for elected members of principal councils which provides a monthly payment. Many elected members of principal councils report that they rely on this as part of a core income without which they would be unable to continue in the role.
- 9.3 In dialogue with the Panel, co-opted members acknowledge the importance of fees they receive but do not identify these payments as an income for living upon which they depend. Panel determinations in relation to co-opted member fees occur in this context and any uplifts are therefore not comparable with the changes to salaries of elected members.
- 9.4 Recognising the important role that co-opted members discharge, payment must be made for travel and preparation time; committee and other types of meetings as well as other activities, including training, as set out in Determinations 38 to 41.
- 9.5 The determinations are set out below. Principal councils, NPAs and FRAs must tell co-opted members the name of the appropriate officer who will provide them with the information required for their claims; and make the appropriate officer aware of the range of payments that should be made.

Determination 37: Principal Councils, NPAs and FRAs must pay the following fees to co-opted members who have voting rights (Table 7).

Table 7: Fees for co-opted members (with voting rights)

Chairs of standards, and audit committees	£268 (4 hours and over) £134 (up to 4 hours)
Ordinary Members of Standards Committees who also chair Standards Committees for Community and Town Councils	£238 daily fee (4 hours and over) £119 (up to 4 hours)
Ordinary Members of Standards Committees; Education Scrutiny Committee; Crime and Disorder Scrutiny Committee and Audit Committee	£210 (4 hours and over) £105 (up to 4 hours)
Community and Town Councillors sitting on Principal Council Standards Committees	£210 (4 hours and over) £105 (up to 4 hours)

Determination 38: Reasonable time for pre-meeting preparation is to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.

Determination 39: Travelling time to and from the place of the meeting is to be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).

Determination 40: The appropriate officer within the authority must determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.

Determination 41: Fees must be paid for meetings and other activities including other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.

Support for co-opted members

Determination 42: Each authority, through its Democratic Services Committee or other appropriate committee, must ensure that all voting co-opted members are given as much support as is necessary to enable them to fulfil their duties effectively. Such support should be without cost to the individual member.

⁶This section does not apply to co-opted members to community and town councils.

10. Contribution towards Costs of Care and Personal Assistance (CPA)

- 10.1 This section applies to all members of principal councils, NPAs, FRAs and to co-opted members of these authorities. The same provision applies to community and town councils.
- 10.2 The purpose of this section is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel believes that additional costs of care required to carry out approved duties should not deter any individual from becoming and remaining a member of an authority or limit their ability to carry out the role. The Panel has adopted specific principles related to support for the costs of care which were the subject of a [Supplementary Report](#) published in February 2020. These principles are set out in Table 8.
- 10.3 The Panel reviewed the arrangements for this financial support and has made the following changes:
- a) As payments are taxable under the current HMRC rules, full reimbursement is not possible so for clarity this is retitled to “contribution towards the costs of care and personal assistance”. It will still require receipts to accompany claims.
 - b) Claims can be made in respect of a dependant under 16 years of age, or a minor or adult who normally lives with the member as part of their family and who cannot be left unsupervised.
 - c) Reimbursement may be claimed for member’s own care or support needs where the support and/or cost of any additional needs are not available or are not met directly by the authority such as Access to Work, Personal Independence Payments, insurance. These could arise when the needs are recent and or temporary.
- 10.4 Members, including co-opted members are entitled to claim towards the costs of care and personal assistance, for activities that the individual council has designated official business or an approved duty which might include appropriate and reasonable preparation and travelling time. It is a matter for individual authorities to determine specific arrangements to implement this. Each authority must ensure that any payments made are appropriately linked to official business or approved duty.
- 10.5 The Panel reviewed the maximum monthly payment in recognition that this has not changed for several years. Information indicates that monthly costs and claims vary considerably. These can depend on the number of dependants, their ages and other factors. Therefore the monthly cap will be replaced with the following arrangements:
- Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.

- Informal (unregistered) care costs to be paid up to a maximum rate equivalent to [hourly rates as defined by the Living Wage Foundation](#) at the time the costs are incurred.

For clarification, care costs cannot be paid to someone who is a part of a member's household.

10.6 The Panel continues to recognise the issues relating to the publication of this legitimate expense and has retained the requirements for publication set out in [Annex 4](#). To support current members and to encourage diversity the Panel urges authorities to promote and encourage greater take-up of the contribution towards costs of care and personal assistance.

Table 8

The Panel's principles relating to Care and Personal Assistance (CPA)

The Minimum Authorities should do		How this could be done
Be clear who it is for	<p>Members with primary caring responsibilities for a child or adult and/or personal support needs where these are not covered by statutory or other provision.</p> <p>Claims for personal support might also include a short term or recent condition not covered by the Equality Act 2010, access to work, Personal Payments, insurance or other provision.</p>	A confidential review of the needs of individual members annually and when circumstances change
Raise Awareness	Ensure potential candidates, candidates and current members are aware that financial support is available to them should their current or future circumstances require.	Ensure clear and easily accessible information is available on website and in election and appointment materials, at Shadowing and at induction and in the members' "handbook". Remind serving members via email and or training. Signpost to Panel's Payments to Councillors leaflets.
Promote a Positive Culture	Ensure all members understand the reason for CPA and support and encourage others to claim where needed.	Encouragement within and across all parties of relevant authorities to support members to claim.

The Minimum Authorities should do		How this could be done
		Agree not to advertise or make public individual decisions not to claim.
Set out the approved duties for which CPA can be claimed	<p>Meetings – formal (those called by the authority) and those necessary to members’ work (to deal with constituency but not party issues) and personal development (training, and appraisals.)</p> <p>Travel – in connection with meetings.</p> <p>Preparation – reading and administration are part of a member’s role. Some meetings and committees require large amounts of reading, analysis or drafting before or after a meeting.</p> <p>Senior salary holders with additional duties may have higher costs.</p>	<p>Approved duties are usually a matter of fact. Interpretation of the Panel’s Regulations are set out in the Annual Report.</p> <p>“Any other duty approved by the authority, or any duty of class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees.”</p>
Be as enabling as possible about the types of care that can be claimed	<p>Members should not be out of pocket subject to the limit set in the Annual Report.</p> <p>Models of care and needs vary. Members may use a combination of several care options.</p> <p>Patterns of care may alter over the civic and academic year.</p> <p>Not all care is based on hourly (or part hourly) rates.</p> <p>Where a whole session must be paid for, this must be reimbursed even where the care need is only for part of a session.</p> <p>Members may need to:</p> <ul style="list-style-type: none"> • book and pay for sessions in advance • commit to a block contract: week, month or term • pay for sessions cancelled at short notice <p>Where care need straddles two sessions both should be reimbursed.</p>	

The Minimum Authorities should do		How this could be done
Have a simple and effective claim process	<p>Members should know how to claim.</p> <p>The claim process should be clear, proportionate and auditable.</p>	<p>Check members understand how to claim and that it is easy to do so.</p> <p>Flexibility to accept paperless invoices</p> <p>Online form</p> <p>Same or similar form to travel costs claim</p>
Comply with Panel's Publication rules	<p>The Panel's Framework states:</p> <p>"In respect of the publication of the reimbursement of the costs of care, the Panel has decided that relevant authorities should only publish the total amount reimbursed during the year. It is a matter for each authority to determine its response to any Freedom of Information requests it receives. However, it is not intended that details of individual claims should be disclosed."</p>	

Determination 43: All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:

- **Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.**
- **Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the [hourly rates as defined by the Living Wage Foundation](#) at the time the costs are incurred.**

This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.

11. Sickness Absence for Senior Salary Holders

11.1 The Family Absence Regulations (approved by the National Assembly in 2014) are very specific relating to entitlement and only available for elected members of principal councils. Absence for reasons of ill-health is not included.

11.2 Instances have been raised with the Panel of senior salary holders on long term sickness and the perceived unfairness in comparison with the arrangements for family absence. In consequence, councils are faced with the dilemma of:

- operating without the individual member but still paying them the senior salary.
- replacing the member who therefore loses the senior salary (but retains the basic salary).

11.3 The Panel's Framework provides specific arrangements for long term sickness as set out below:

- a) Long term sickness is defined as certified absences in excess of 4 weeks.
- b) The maximum length of sickness absence within these proposals is 26 weeks or until the individual's term of office ends, whichever is sooner (but if reappointed any remaining balance of the 26 weeks will be included).
- c) Within these parameters a senior salary holder on long term sickness can, if the authority decides, continue to receive remuneration for the post held.
- d) It is a decision of the authority whether to make a substitute appointment, but the substitute will be eligible to be paid the senior salary appropriate to the post.
- e) If the paid substitution results in the authority exceeding the maximum number of senior salaries payable for that authority, as set out in the Annual Report, an addition will be allowed for the duration of the substitution. (However, this would not apply to Merthyr Tydfil or the Isle of Anglesey councils if it would result in more than 50% of the membership receiving a senior salary. It would also not apply in respect of a council executive member if it would result in the cabinet exceeding 10 posts - the statutory maximum).
- f) When an authority agrees a paid substitution, the Panel must be informed within 14 days of the decision of the details including the specific post and the estimated length of the substitution. The authorities' Schedule of Remuneration must be amended accordingly.
- g) It does not apply to elected members of principal councils who are not senior post holders as they continue to receive basic salary for at least

six months irrespective of attendance and any extension beyond this timescale is a matter for the authority.

- 11.4 This arrangement applies to members of principal councils, NPAs and FRAs who are senior salary holders, including Welsh Government appointed members, but does not apply to co-opted members.

Note:

The Family Absence Regulations apply to elected members in cases of maternity, new-born, adoption and parental absences from official business. They do not apply to Welsh Government appointed members of NPAs.

12. Reimbursement of Travel and Subsistence Costs when on Official Business

- 12.1 This section applies to members of principal councils, NPAs, FRAs and to co-opted members of these authorities. (Similar provision for community and town councils is contained in Section 13 as there is a different approach to such members, principally that the provision is permissive.)
- 12.2 Members may claim reimbursement for travel and subsistence (meals and accommodation) costs where these have arisen as a result of undertaking official business or approved duties.
- 12.3 Expenses reimbursed to members of principal councils, by their principal council are exempt from Income Tax and employee NICs. Members of NPAs and FR As may be subject to other arrangements as determined by HMRC.
- 12.4 The Panel is aware that in some instances members with disabilities have been reluctant to claim legitimate travel expenses because of an adverse response following the publication of their travel costs. As an alternative, travel arrangements could be made directly by the authority in such circumstances.
- 12.5 The Panel has determined there will be no change to mileage rates which members are entitled to claim. All authorities may only reimburse travel costs for their members undertaking official business within and or outside the authority's boundaries at the current HM Revenue and Customs (HMRC) rates which are:

Reimbursement of mileage costs

45p per mile	Up to 10,000 miles in a year by car
25p per mile	Over 10,000 miles in a year by car
5p per mile	Per passenger carried on authority business
24p per mile	Motorcycles
20p per mile	Bicycles

- 12.6 Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

Reimbursement of other travel costs

- 12.7 All other claims for travel, including travel by taxi if this is the only, or most appropriate, method of transport, must only be reimbursed on production

of receipts showing the actual cost and will be subject to any requirement or further limitation that an authority may determine. Members should always be mindful of choosing the most cost-effective method of travel.

Reimbursement of subsistence costs

£28 per day	Day allowance for meals, including breakfast, where not provided in the overnight charge
£200 per night	London
£95 per night	Elsewhere
£30 per night	Staying with friends and or family

- 12.8 These rates are in line with Welsh Government rates. Recommended practice is that overnight accommodation should usually be reserved and paid for on behalf of members by the relevant authority, in which case an authority may set its own reasonable limits and the limits which apply when an individual member claims in arrears for overnight accommodation costs do not then apply.
- 12.9 All authorities must continue to reimburse subsistence expenses for their members up to the maximum rates set out above on the basis of receipted claims except for occasions when members stay with friends and or family.
- 12.10 There may be instances where an authority has determined that travel costs within its boundaries are payable and require a journey to be repeated on consecutive days. Where it is reasonable and cost effective to reimburse overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.
- 12.11 It is not necessary to allocate the maximum daily rate (£28 per day) between different meals as the maximum daily rate reimbursable covers a 24-hour period and can be claimed for any meal if relevant, provided such a claim is accompanied by receipts.

Car Parking for Members

Several councils have specific arrangements for their members in respect of car parking. The Panel considers that it is a matter for individual councils to determine arrangements including payments to and from members providing that it is a decision made formally by the council.

13. Payments to Members of Community and Town Councils

- 13.1 The Panel recognises a wide variation in geography, scope and scale across the 735 community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities. This and the fact that not all electoral areas have councils, has made establishing remuneration arrangements more difficult to achieve than for other relevant authorities. For this reason, the Panel decided to undertake a fundamental review ready for implementation effective from the elections on 5 May 2022.
- 13.2 The Panel decided that in carrying out the review it was vital to engage comprehensively with community and town councils and representative organisations together with a commitment to consult on the proposals emanating from the review. The result of this consultation was a significant degree of support for the new proposals and therefore the Panel has decided to introduce the new Framework as set out in this section.
- 13.3 In order to act and carry out duties as a member of a community or town council all persons are required to make a formal declaration of acceptance of office. Following this declaration, members of community or town councils are then holders of elected office and occupy a role that is part of the Welsh local government structure. It is important to note that a person who follows this path is in a different position to those in other forms of activity, for example such as volunteering or charitable work, typically governed by the Charity Commission for England and Wales.
- 13.4 Under the Local Government (Wales) Measure 2011, community and town councils are relevant authorities for the purpose of remuneration.
- 13.5 Consequently, individuals who have accepted office as a member of a community or town council are entitled to receive payments as determined by the Independent Remuneration Panel for Wales. It is the duty of the proper officer of a council (usually the Council Clerk) to arrange for correct payments to be made to all individuals entitled to receive them.
- 13.6 Members should receive monies to which they are properly entitled as a matter of course.
- 13.7 An individual may decline to receive part, or all, of the payments if they so wish. This must be done in writing and is an individual matter. A community or town council member wishing to decline payments must themselves write to their proper officer to do so.
- 13.8 The Panel considers that any member who has personal support needs or caring responsibilities should be enabled to fulfil their role. Therefore, the Panel continues to make the contribution towards costs of care and personal allowance mandatory for all members of community and town councils as set

out in Determination 43.

- 13.9 Each community and town council must ensure that it does not create a climate which prevents persons accessing any monies to which they are entitled that may support them to participate in local democracy. Payments should be made efficiently and promptly.
- 13.10 Members in receipt of a Band 1 or Band 2 senior salary from a principal council cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance. However, this does not preclude them from holding a senior role (Leader, Deputy Leader) without payment.
- 13.11 Table 12 sets out the actions that community and town councils must take annually in respect of each determination that follows.

Table 9: Community and Town Council Groupings

The current groups are:

Community and Town Council Group	Income or Expenditure in 2020-2021 of:
A	£200,000 and above
B	£30,000 - £199,999
C	Below £30,000

- 13.12 These are based solely on finance. We acknowledge the view of many respondents that this was restrictive and limiting. Therefore 5 Groups will be established based on the size of the council's electorate.

Table 10

Group number	Size of Electorate
Group 1	Electorate in excess of 14,000
Group 2	10,000 to 13,999
Group 3	5,000 to 9,999
Group 4	1,000 to 4,999
Group 5	Under 1,000

- 13.13 In addition, there will be a second factor for determining which group the council will be placed. Where income or expenditure exceeds £200,000 a year, it will be moved upwards to the next group.

Payments towards costs and expenses

- 13.14 The Panel continues to mandate a payment of £150, except for councils in

Group 5 where it will be optional, as a contribution to costs and expenses for members of community and town councils.

13.15 Receipts are not required for these payments.

Determination 44: Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses, with the exception of those councils in Group 5 where the payment is optional.

Taxation

13.16 The issue of the taxation of the £150 payment has been raised on many occasions and included in the responses to the recent consultation. As has been made clear the Panel has no remit in respect of matters of taxation but has been kept informed of the discussions between the Welsh Government and HMRC to establish a possible exemption applying to all community and town councils. If there is a positive outcome, it will not be within the timescale of this draft Report. However, if it is achieved before the publication of the final Report the Panel will take the opportunity to restructure the arrangements for this payment and if appropriate adjust by determination the amount to be paid.

Senior roles

13.17 The Panel recognises that specific member roles especially within the larger community and town councils, for example a committee chair, will involve greater responsibility. It is also likely that larger councils will have a greater number of committees, reflecting its level of activity. The Panel has therefore set out the determinations for senior role in table 11 below.

13.18 In all cases, a councillor can only have one payment of £500 regardless of how many senior roles they hold within their Council.

13.19 Where a person is a member of more than one community or town council, they are eligible to receive the £150 and, if appropriate, £500 from each council of which they are a member.

Contribution towards costs of Care and Personal Assistance

13.20 The purpose of this is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel's determinations in [Section 10](#) apply to Community and Town Councils.

Reimbursement of travel costs and subsistence costs

13.21 The Panel recognises there can be significant travel and subsistence costs associated with the work of community and town council members, especially

where the council area is geographically large and/or when engaging in duties outside this area. Each council has an option to pay travel and subsistence costs including travel by taxi if this is the only, or most appropriate, method of transport. Where a council does opt to pay travel and subsistence costs, the following determinations apply.

Determination 45: Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties.⁷ Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:

- 45p per mile up to 10,000 miles in the year.
- 25p per mile over 10,000 miles.
- 5p per mile per passenger carried on authority business.
- 24p per mile for private motor cycles.
- 20p per mile for bicycles.

Determination 46: If a community or town Council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:

- £28 per 24-hour period allowance for meals, including breakfast where not provided.
- £200 – London overnight.
- £95 – elsewhere overnight.
- £30 – staying with friends and/or family overnight.

Compensation for financial loss

13.22 The Panel has retained the facility which councils may pay as compensation to their members where they incur financial loss when attending approved duties. Members must be able to demonstrate that the financial loss has been incurred. Each council has an option to pay compensation for financial loss and where it does the following determination applies.

Determination 47: Community and town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows:

- Up to £55.50 for each period not exceeding 4 hours
- Up to £110.00 for each period exceeding 4 hours but not exceeding 24 hours

⁷ Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that

authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

Attendance Allowance

- 13.23 One of the points raised in the responses to the consultation should be the inclusion of an attendance allowance. The Panel acknowledges that in some cases this might be a valuable addition to support the work of a council. It is therefore included as an option for all councils.

Determination 48: Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30. A member in receipt of financial loss compensation will not be entitled to claim attendance allowance for the same event.

Councils that intend to introduce an attendance allowance must set out the details of the scheme and publish them on their website.

Civic Head and Deputy Civic Head

- 13.24 Civic heads are senior posts within community and town councils. In addition to chairing major meetings the civic head is the ambassador representing the council to a variety of institutions and organisations. The Panel requires that members should not have to pay themselves for any cost associated with carrying out these duties. This requirement also applies in respect of deputy civic heads.
- 13.25 The Panel recognises the wide range of provision made for civic heads in respect of transport, secretarial support, charitable giving and official clothing – we consider these to be the council's civic budgets.
- 13.26 Funding decisions in relation to these civic budgets are not matters of personal remuneration for the post holder but relate to the funding required for the tasks and duties to be carried out. Councils remain free to set civic budgets at whatever levels they deem appropriate for the levels of civic leadership they have in place.
- 13.27 For the avoidance of doubt, costs in respect of, for example, transport (physical transport or mileage costs), secretarial support, charitable giving (purchasing tickets, making donations or buying raffle tickets) and official clothing are not matters of personal remuneration for the individual holding the senior post. These should be covered by the civic budget.
- 13.28 Recognising that some mayors and chairs of community and town councils and their deputies are very active during their year of office, the Panel has determined that community and town councils can make a payment to the individuals holding these roles.
- 13.29 This is a personal payment to the individual and is entirely separate from covering the costs set out above.
- 13.30 The Panel has determined that the maximum payment to a chair or mayor of

a community or town council is £1,500. The maximum payment to a deputy mayor or chair is £500.

Determination 49: Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.

Determination 50: Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.

Determination 51: The application of the Remuneration Framework by relevant Group.

Table 11

Type of payment	Requirement
Group 1	(Electorate over 14,000)
Basic Payment	Mandatory for all Members
Senior Role Payment	Mandatory for 1 member; optional for up to 7
Attendance Allowance	Optional
Financial Loss	Mandatory
Travel and Subsistence	Optional
Costs of Care	Mandatory
Group 2	(Electorate 10,000 to 13,999)
Basic Payment	Mandatory for all members
Senior Role Payment	Mandatory for 1 member; optional up to 5
Attendance Allowance	Optional
Financial Loss	Mandatory
Travel and Subsistence	Optional
Cost of Care	Mandatory
Group 3	(Electorate 5,000 to 9,999)
Basic Payment	Mandatory for all members
Senior Role Payment	Optional up to 3 members
Attendance Allowance	Optional
Financial Loss	Mandatory
Travel and Subsistence	Optional
Cost of Care	Mandatory
Group 4	(Electorate 1,000 to 4,999)
Basic Payment	Mandatory for all members
Senior Role Payment	Optional up to 3 members
Attendance Allowance	Optional
Financial Loss	Mandatory

Type of payment	Requirement
Travel and Subsistence	Optional
Cost of Care	Mandatory
Group 5	(Electorate less than 1,000)
Basic Payment	Optional
Senior Role Payment	Optional
Attendance Allowance	Optional
Financial Loss	Mandatory
Travel and Subs	Optional
Cost of Care	Mandatory

Making Payments to Members

- 13.31 Table 12 sets out each of the above determinations and if a decision is required by the council in respect of each one.
- 13.32 In respect of the mandated payments where no decision is required by a council, members should receive monies to which they are properly entitled as a matter of course.
- 13.33 Where a decision is required by the council, this should be done at the first meeting following receipt of the Annual Report.
- 13.34 A council can adopt any, or all, of the non-mandated determinations but if it does make such a decision, it must apply to all its members.
- 13.35 When payments take effect from is set out in paragraphs 13.37 to 13.39 below.
- 13.36 On receipt of the draft Annual Report the previous autumn, councils should consider the determinations for the next financial year and use this to inform budget plans.

Table 12

Determination Number	Is a decision required by council?
44 Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses, with the exception of those councils in Group 5 where the payment is optional.	No - the payment of £150 is mandated for every member unless they advise the appropriate officer that they do not want to take it in writing. This does not apply to councils in Group 5. The council must decide whether to adopt the payment and if so, it must be available for all members.
45 Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties.	Yes – the payment of travel costs is optional.

Determination Number	Is a decision required by council?
<p>46 If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members.</p>	<p>Yes – the payment of overnight subsistence expenses is optional.</p>
<p>47 Community and town councils can pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties.</p>	<p>Yes – the payment of financial loss compensation is mandatory if claimed</p>
<p>48 Determination 47: Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30.</p> <p>A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.</p> <p>Councils that intend to introduce a system of attendance allowances must set out the details of the scheme and publish on their website.</p>	<p>Yes – the payment of attendance allowance is optional.</p>
<p>49 Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500.</p>	<p>Yes – the payment to a civic head is optional.</p>
<p>50 Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum amount of £500.</p>	<p>Yes – the payment to a deputy civic head is optional.</p>
<p>51 The application of the Remuneration Framework by relevant Group</p>	
<p>52 Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is leader, deputy leader or executive member) cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.</p>	<p>No - Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is leader, deputy leader or executive member) can only receive travel and subsistence expenses and contribution towards costs of care and personal assistance; if they are eligible to claim, and wish to do so.</p>

13.37 All members are eligible to be paid the £150 as set out in Determination 44 and Table 11 from the start of the financial year; unless they are elected later in the financial year, in which case they are eligible for a proportionate payment from that date.

13.38 Other amounts payable to members in recognition of specific responsibilities or as a civic head or deputy civic head as set out in Determinations 49 and 50 are payable from the date when the member takes up the role during the financial year.

13.39 It is a matter for each council to make, and record, a policy decision in respect of:

- when the payment is actually made to the member;
- how many payments the total amount payable is broken down into;
- and whether and how to recover any payments made to a member who leaves or changes their role during the financial year.

13.40 Payments in respect of Determinations 45, 46, 47 and 48 are payable when the activity they relate to has taken place.

13.41 As stated in paragraph 13.7 any individual member may make a personal decision to elect to forgo part or all of the entitlement to any of these payments by giving notice in writing to the proper officer of the council.

Determination 52: Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is Leader, Deputy Leader or Executive Member) cannot receive any payment from any community or town Council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.

Publicity requirements

13.42 There is a requirement on community and town councils to publish details of all payments made to individual members in an annual Statement of Payments for each financial year. This information must be published on council noticeboards and or websites (with easy access) and provided to the Panel by email or by post no later than 30 September following the end of the previous financial year. The Panel draws attention to the requirements stipulated at [Annex 4](#). The Panel is concerned that a significant number of councils are still in breach of this requirement.

14. Compliance with Panel Requirements

The Panel's remit under the Measure

- 14.1 Section 153 of the Measure empowers the Panel to require a relevant authority⁸ to comply with the requirements imposed on it by an Annual Report of the Panel and further enables the Panel to monitor the compliance of relevant authorities with the Panel's determinations.
- 14.2 A relevant authority must implement the Panel's determinations in this report from the date of its annual meeting or a date specified within the Annual Report.

Monitoring compliance

- 14.3 The Panel will monitor compliance with the determinations in this Annual Report by relevant authorities against the following requirements:
- (i) A relevant authority must maintain an annual **Schedule of Member Remuneration** (IRPW Regulations 4 and 5). Guidance at Annex 3 sets out the content which must be included in the Schedule.
 - (ii) A relevant authority must make arrangements for the Schedule's publication within the authority area (IRPW Regulation 46) and send the Schedule to the Panel as soon as practicable and not later than 31 July in the year to which it applies. Annex 4 provides further details of the publicity requirements.
 - (iii) Any amendments to the Schedule made during the year must be notified to the Panel as soon as possible after the amendment is made.

Note: The above requirements do not apply to Community and Town Councils at this time.

The following applies to all authorities including Community and Town Councils.

- (iv) A relevant authority must make arrangements for publication within the authority area of the total sum paid by it in the previous financial year to each member and co-opted member in respect of salary (basic, senior and civic), allowances, fees and reimbursements in a Statement of Payments (in accordance with Annex 4 that sets out the content that must be included in the Publicity Requirements). This must be published as soon as practicable and no later than 30 September following the end of the previous financial year- **and must also be submitted to the Panel no later than that date.**

⁸ Interpretation of "Relevant Authority" provided in the Independent Remuneration Panel for Wales (IRPW) Regulations, Part 1, 'Interpretation'.

15. Salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities and Chief Officers of Principal Councils

- 15.1 Section 63 of the Local Government (Democracy) (Wales) Act 2013 amended the Local Government (Wales) Measure 2011 by inserting section 143A. This enables the Panel to take a view on anything in the Pay Policy Statements of these authorities that relates to the salary of the head of paid service (normally the Head of Paid Service or chief fire officer). Section 39 of the Local Government (Wales) Act 2015 further amended the Measure extending this function to include Chief Officers of Principal Councils. However, this function ceased on 31 March 2020.
- 15.2 The Welsh Government issued amended guidance to the Panel which can be found at [Amended Guidance to the Independent Remuneration Panel for Wales under Section 143A of the Local Government \(Wales\) Measure 2011 and Section 39 of the Local Government \(Wales\) Act 2015](#). This sets the basis on which the Panel will carry out the function contained in the legislation.
- 15.3 The functions of the Panel and the requirements on authorities established by the legislation and the subsequent guidance are:
- a) If a principal council intends to change the salary of the head of paid service, or if a fire and rescue authority intends to change the salary of its head of paid service it must consult the Panel unless the change is in keeping with changes applied to other officers of that authority (whether the change is an increase or decrease). 'Salary' includes payments under a contract for services as well as payments of salary under an employment contract.
 - b) The authority must have regard to the recommendation(s) of the Panel when reaching its decision.
 - c) The Panel may seek any information that it considers necessary to reach a conclusion and produce a recommendation. The authority is obliged to provide the information sought by the Panel.
 - d) The Panel may publish any recommendation that it makes as long as these comply with any guidance issued by the Welsh Government. It is the intention that, in the interests of transparency, it will normally do so.
 - e) The Panel's recommendation(s) could indicate:
 - approval of the authority's proposal
 - express concerns about the proposal
 - recommend variations to the proposal
- 15.4 The Panel also has a general power to review the Pay Policy Statements of

authorities so far as they relate to the heads of paid service.

15.5 It is important to note the Panel will not decide the amount an individual head of paid service will receive.

15.6 The Panel is very aware that this function is significantly different from its statutory responsibilities in relation to members' remuneration. However, it undertakes this role with clarity and openness, taking into account all the relevant factors in respect of specific individual cases. Authorities are encouraged to consult the Panel at an early stage in their decision-making on such matters. This will enable the Panel to respond in a timely manner.

Pay Policy Statements

Paragraph 3.7 of the guidance to the Panel from the Welsh Government states that "The legislation does not restrict the Panel to a reactive role". It allows the Panel to use its power to make recommendations relating to provisions within local authorities' Pay Policy Statements.

Changes to the salaries of chief executives of principal councils – Panel decisions 2021

Letters issued to the Local Authorities notifying them of the Panel decision can be found on the [Panel website](#).

Name of Local Authority	Proposal	Panel decision
Wrexham County Borough Council	Chief Executive pay proposal	Approved
Ceredigion County Council	Review of Chief Executive salary	Approved

Annex 1: The Panel's Determinations for 2022/23

Principal Councils	
1.	The Basic Salary in 2022/23 for elected members of principal councils shall be £16,800.
2.	Senior salary levels in 2022/23 for members of principal councils shall be as set out in Table 4.
3.	Where paid, a civic head must be paid a Band 3 salary of £25,593 in accordance with Table 4.
4.	Where paid, a deputy civic head must be paid a Band 5 salary of £20,540 in accordance with Table 4.
5.	Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.
6.	The post of deputy presiding member will not be remunerated.
7.	<p>a) An elected member must not be remunerated for more than one senior post within their authority.</p> <p>b) An elected member must not be paid a senior salary and a civic salary.</p> <p>c) All senior and civic salaries are paid inclusive of basic salary.</p> <p>d) If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.</p>
8.	Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA or FRA to which they have been appointed. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the NPA or FRA.
9.	Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a community or town council of which they are a member. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the community or town council. Where this situation applies, it is the responsibility of the individual member to comply.
10.	Each authority, through its Democratic Services Committee, must ensure that all its elected members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone, email and internet facilities giving electronic access to appropriate information.

11.	Such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.
Specific or Additional Senior Salaries	
12.	Principal councils can apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.
Assistants to the Executive	
13.	The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.
Joint Overview and Scrutiny Committees (JOSC)	
14.	The salary level for a chair of a JOSC shall be £8,793.
15.	The salary level for a vice chair of a JOSC shall be £4,396.
Local Government Pension Scheme	
16.	The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.
Family Absence	
17.	An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.
18.	When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.
19.	It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.
20.	If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.
21.	When a Council agrees a paid substitution for family absence the Panel must be informed within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.

22.	The Council's schedule of remuneration must be amended to reflect the implication of the family absence.
National Park Authorities	
23.	The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
24.	The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.
25.	A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.
26.	Committee chairs or other senior posts can be paid. This shall be paid at £8,478.
27.	Members must not receive more than one NPA senior salary.
28.	A NPA senior salary is paid inclusive of the NPA basic salary.
29.	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed. Where this situation applies, it is the responsibility of the individual member to comply.
Fire and Rescue Authorities	
30.	The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
31.	The senior salary of the chair of a FRA shall be £11,162 with effect from 1 April 2022.
32.	A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.
33.	Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.
34.	Members must not receive more than one FRA senior salary.
35.	A FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.
36.	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated. Where this situation applies, it is the responsibility of the individual member to comply.
Co-opted Members	
37.	Principal councils, NPAs and FRAs must pay the fees to co-opted members (who have voting rights) as set out in Table 7.

38.	Reasonable time for pre meeting preparation is to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.
39.	Travelling time to and from the place of the meeting is to be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).
40.	The appropriate officer within the authority must determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
41.	Fees must be paid for meetings and other activities including other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.
42.	Each authority, through its Democratic Services Committee or other appropriate committee, must ensure that all voting co-opted members are given as much support as is necessary to enable them to fulfil their duties effectively. Such support should be without cost to the individual member.
Contribution towards costs of Care and Personal Assistance	
43.	<p>All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:</p> <ul style="list-style-type: none"> • Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced. • Informal (unregistered) care costs to be paid up to a maximum rate equivalent to hourly rates as defined by the Living Wage Foundation at the time the costs are incurred. <p>This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.</p>
Community and Town Councils	
44.	Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses, with the exception of those councils in Group 5 where the payment is optional.

45.	<p>Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties. ⁹ Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:</p> <ul style="list-style-type: none"> • 45p per mile up to 10,000 miles in the year. • 25p per mile over 10,000 miles. • 5p per mile per passenger carried on authority business. • 24p per mile for private motor cycles. • 20p per mile for bicycles.
46.	<p>If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:</p> <ul style="list-style-type: none"> • £28 per 24-hour period allowance for meals, including breakfast where not provided. • £200 – London overnight. • £95 – elsewhere overnight. • £30 – staying with friends and or family overnight.
47.	<p>Community and town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows:</p> <ul style="list-style-type: none"> • Up to £55.50 for each period not exceeding 4 hours. • Up to £110.00 for each period exceeding 4 hours but not exceeding 24 hours.
48.	<p>Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30. A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.</p> <p>Councils that intend to introduce a system of attendance allowances must set out the details of the scheme and publish on their website.</p>
49.	<p>Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>
50.	<p>Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>
51.	<p>The application of the Remuneration Framework by relevant Group.</p>

52.	Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is leader, deputy leader or executive member) cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.
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⁹ Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

Annex 2: Independent Remuneration Panel for Wales (IRPW) Regulations:

- a) For the remuneration of members and co-opted members of relevant authorities**
- b) For functions relating to the salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities**

Introduction

Part 8 (sections 141 to 160) and schedules 2 and 3 of the Local Government (Wales) Measure 2011 (*the Measure*) set out the arrangements for the payments and pensions for members of relevant authorities and the functions and responsibilities of the Independent Remuneration Panel for Wales (the Panel).

Sections 62 to 67 of the Local Government (Democracy) (Wales) Act 2013 amends sections 142, 143, 144, 147, 148 and 151 of the Measure and confers additional powers on the Panel.

The powers contained in part 8 and schedules 2 and 3 of the Measure (as amended) have replaced the following Statutory Instruments:

- The Local Authorities (Allowances for Members of County and County Borough Councils and National Park Authorities) (Wales) Regulations 2002 (No. 1895 (W.196)).
- The Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 (No. 2555 (W.227)).
- The Local Authorities (Allowances for Members) (Wales) Regulations 2007 (No.1086 (W.115)).

The Measure also has replaced the sections of the Local Government Act 1972, the Local Government and Housing Act 1989 and the Local Government Act 2000 relating to payments to councillors in Wales.

Payments for members of community and town councils are set out in Part 5 of these Regulations. The Local Authorities (Allowances for Members of Community Councils) (Wales) Regulations 2003 (No. 895(W.115)) were revoked from 1 April 2013.

Part 1

General

1. a. The short title of these Regulations is: "IRPW Regulations".
b. These IRPW Regulations came into force on 1 April 2021 and replace

those in force from 1 April 2012. The implementation date for each of the relevant authorities is set out in the Annual Report or Supplementary Report of the Panel.

- c. Authorities are required to produce a schedule of payments to members and co-opted members no later than the 31 July each year, for submission to the Panel and publication (see paragraph 46).

Interpretation

2. In the IRPW Regulations:

- “The 1972 Act” means the Local Government Act 1972.
- “The 2000 Act” means the Local Government Act 2000.
- “The 2013 Act” means the Local Government (Democracy) (Wales) Act 2013.
- “Payment” means the actual or maximum amount which may be paid to members and co-opted members of a relevant authority for expenses necessarily incurred when carrying out the official business of the relevant authority.
- “Annual Report” means a report produced by the Panel in accordance with section 145 of the Measure.
- “Approved duty” in relation to community and town councils has the meaning as set out in Part 5 of these Regulations.
- “Authority” means a relevant authority in Wales as defined in Section 144(2) of the Measure and includes a principal council (county or county borough council), a national park authority and a Welsh fire and rescue authority, a community or town council.
- “Basic Salary” has the same meaning as set out in paragraph 6 of these Regulations, and may be qualified as “LA Basic Salary” to refer to the basic salary of a member of a principal council; “NPA Basic Salary” to refer to the basic salary of a member of a national park authority; and “FRA Basic Salary” to refer to the basic salary of a member of a Welsh fire and rescue authority.
- “Chief Officer” of a principal council has the meaning as defined in the Localism Act 2011.
- “Civic Head” is the person elected by the council to carry out the functions of the chair of that council and is designated as mayor or chair.
- “Committee” includes a sub-committee.
- “Community or town council” means in relation to Part 8 of the Measure, a community council as defined in section 33 of the Local Government Act 1972 or a town council in accord with section 245B of the same Act.

- “Consultation draft” means the draft of an Annual or Supplementary report under Section 146 (7) or 147(8) of the Measure. The Panel must take account of these representations.
- “Constituent authority” – for national park authorities this is a principal council falling within the area of a national park authority; for Welsh fire and rescue authorities it is a principal council falling within the area of a fire and rescue authority.
- “Contribution to Costs of Care and Personal Assistance” has the same meaning as set out in paragraph 21 of these Regulations.
- “Controlling group” means a political group in a principal council where any of its members form part of the executive.
- “Co-opted Member” has the meaning contained in section 144 (5) of the Measure, that is those with the right to vote on matters within the remit of the committee on which they serve.
- “Co-opted Member payment” has the same meaning as set out in paragraph 19 of these Regulations.
- “Democratic Services Committee” means the principal council committee established under section 11 of the Measure.
- “Deputy Civic Head” is a person elected by the council to deputise for the mayor or chair of that council.
- “Executive” means the executive of an authority in a form as specified in sections 11(2) to (5) of the 2000 Act, as amended by section 34 of the Measure.
- “Executive arrangements” has the meaning given by section 10(1) of the 2000 Act.
- “Family absence” as defined in Section 142 (2) (b) of the Measure has the meaning given to it by Part 2 of the Measure, and the related Regulations
- “Financial Loss Allowance in relation to community or town councils has the meaning as set out in Part 5 of the Regulations.
- “Fire and rescue authority” means an authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.
- “Head of paid service” means as designated under section 4(1) of the Local Government and Housing Act 1989.
- Joint Overview and Scrutiny Committee means a committee or subcommittee set up by two or more principal councils under the Local Authority (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013.
- “Largest opposition group” means a political group other than a controlling group which has a greater number of members than any other political group in the authority.

- “Member” means a person who serves on an authority.
 - For a principal council or a community or town council a “Member” may be:
 - An “Elected Member” which means a person who has been elected to serve as a councillor for that authority. It is possible for a person to hold an elected office if, further to the completion of an election, no candidate has presented and a person holds that office subject to proper process.
 - A “Co-opted Member” which means a person who has been placed into membership of a council committee or to discharge a function subject to proper process.
 - For a national park authority, a “Member” means a person appointed by a constituent authority and a person appointed by Welsh Ministers.
 - For Welsh fire and rescue authorities a “Member” means a person appointed by a constituent authority.

- “National Park Authority” means a national park authority established under section 63 of the Environment Act 1995.

- “Official business” has the meaning contained in Section 142 (10) of the Measure in relation to the reimbursement of care, travel and subsistence costs necessarily incurred by members and co-opted members of a relevant authority (excluding community and town councils) when:
 - a. Attending a meeting of the authority or any committee of the authority or any other body to which the authority makes appointments or nominations or of any committee of such a body.
 - b. Attending a meeting of any association of authorities of which the authority is a member.
 - c. Attending a meeting the holding of which is authorised by the authority or by a committee of the authority or by a joint committee of the authority and one or more other authorities.
 - d. Attending any training or development event approved by the authority or its executive.
 - e. A duty undertaken for the purpose of or in connection with the discharge of the functions of an executive within the meaning of Part 2 of the 2000 Act, as amended.
 - f. A duty undertaken in pursuance of a standing order which requires a member or members to be present when tender documents are opened.
 - g. A duty undertaken in connection with the discharge of any function of the authority to inspect or authorise the inspection of premises.
 - h. A duty undertaken by members of principal councils in connection with constituency or ward responsibilities which arise from the discharge of principal council functions.

- i. Any other duty approved by the authority, or any duty of class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees.
- “Other political group” means a political group other than a controlling group or the largest opposition group (if any) which comprises not less than ten per cent of the members of that authority.
- “Overview and Scrutiny Committee” means a committee of the authority which has the powers set out in sections 21(2) and (3) of the 2000 Act, as amended by Part 6 of the Measure.
- “Panel” means the Independent Remuneration Panel for Wales as set out in section 141(1) and schedule 2 of the Measure.
- “Pay policy statement” means a statement produced by a relevant authority under section 38 of the Localism Act 2011.
- ‘Political group’ may be formed from members of a recognised political party or be a group of independent members unaffiliated to any recognised political party. “Presiding Member” means a member of a principal council who has been designated by that council to carry out functions in relation to the chairing of its meetings and proceedings.
- “Principal Council” is as defined by the 1972 Act and means a county or county borough council.
- “Proper officer” has the same meaning as in section 270(3) of the 1972 Act In community and town councils, the ‘Proper Officer’ may be the clerk or other official appointed for that purpose. “Public body” means a body as defined in section 67(b) of the 2013 Act.
- “Qualifying provision” means a provision that makes a variation to a previous decision of the Panel. (Section 65 (c) of the 2013 Act).
- “Qualifying relevant authority” is an authority within the meaning of section 63 of the 2013 Act, required to produce a pay policy statement.
- “Relevant authority” is set out in Section 144(2) of the Measure (as amended) and in section 64 of the 2013 Act and, for the purposes of these Regulations, includes a principal council, a community or town council, a national park authority and a Welsh fire and rescue authority.
- “Relevant matters” are as defined in Section 142(2) of the Measure.
- “Schedule” means a list setting out the authority’s decisions in respect of payments to be made during the year (as relating to that authority) to all members and co-opted members of that authority.
- “Senior Salary” has the same meaning as set out in paragraph 11 of these Regulations and may be qualified as “Principal council Senior Salary” to refer to the senior salary of a member of a principal council; “National Park Senior Salary” to refer to the senior salary of a member of a national park authority; or “Fire and Rescue authority Senior Salary” to refer to the senior salary of a member of a Fire and Rescue authority.
- “Sickness absence” means the arrangements as set out in the Annual Report.

- “Supplementary report” has the meaning contained in section 146(4 to 8) of the Measure.
- “Travelling and subsistence payment” has the same meaning as set out in paragraph 25 of these Regulations.
- “Year” has the following meanings:
 - “financial year” – the period of twelve months ending 31 March;
 - “calendar year” – the period of twelve months ending 31 December;
 - “municipal year” – the year commencing on the date of the annual meeting of the authority and ending the day before the annual meeting of the following year; for national park authorities and Welsh fire and rescue authorities it is the period of up to twelve months following the annual meeting of the authority.

Part 2: Schedule of member or co-opted member payments

Commencement of term of office

3. The term of office of:
 - An elected member of a principal council or community or town council begins 4 days following the election subject to making the declaration of acceptance of that office under section 83(1) of the 1972 Act.
 - A councillor member of a national park authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of a Welsh Government appointed member begins on the date of that appointment. The term of office of the chair and deputy chair of the national park authority begins on their acceptance of that office further to being either elected or appointed as a chair or deputy chair of a national park authority.
 - A councillor member of a Welsh fire and rescue authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of the chair and deputy chair of the fire and rescue authority begins on the date of election by that authority to that office.
 - A co-opted member of a relevant authority begins on the date of appointment by the relevant authority.

Schedule of payments to members (the Schedule) (does not apply to community or town councils – see Part 5)

4. An authority must produce annually, a schedule of payments it intends to make to its members and co-opted members. The amount of those payments must accord with the Panel’s determinations made for that year in its Annual or Supplementary Reports. The Schedule must be produced no later than four weeks following the annual meeting of the authority.

Amendment to the Schedule

5. An authority may amend the Schedule at any time during the year (as relating to the authority) provided that such amendments accord with the Panel's determinations for that year.

Basic salary

6. An authority must provide for the payment of a basic salary, as determined by the Panel in its Annual or Supplementary Reports, to each of its members. The amount of the salary must be the same for each member. For principal councils only, this salary remains payable during a period of family absence.
7. A member may not receive more than one basic salary from a relevant authority, but a member of one relevant authority may receive a further basic salary by being appointed as a member of another relevant authority (except in the case as indicated in paragraph 16).
8. The amount of the basic salary will be set in accordance with Section 142(3) of the Measure and will be one of the following:
 - The amount the authority must pay to a member of the authority.
 - The maximum amount that the authority may pay to a member of the authority.
9. Where the term of office of a member begins or ends other than at the beginning or end of the year (as relating to the authority), the entitlement of that member is to such proportion of the basic salary as the number of days during which the member's term of office subsists during that year bears to the number of days in that year.
10. Where a member is suspended or partially suspended from being a member of an authority (Part 3 of the 2000 Act refers) the part of the basic salary payable to that member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers (Section 155(1) of the Measure).

Senior salary

11. Subject to paragraphs 12 to 18 an authority can make payments of a senior salary to members that it has given specific responsibilities. Such payments must accord with the Panel's determination for the year (as relating to the authority) that the payments are made and must be set out in the Schedule of that authority. For principal councils only, a senior salary will remain payable during the family absence of the office holder.
12. The Panel will prescribe in its Annual or Supplementary Reports the following:
 - The categories of members eligible for the payment of a senior salary

which may not be the same for all authorities or categories of authorities.

- The discretion available to authorities in relation to the payment of senior salaries which may not be the same for all authorities or categories of authorities.
13. The amount of the senior salaries payable will be in accordance with section 142(3) of the Measure and specify:
- The amount that a relevant authority must pay to a member of the authority.
 - The maximum amount that a relevant authority may pay to a member of the authority.
14. The Senior Salary will comprise an amalgam of the basic salary and an additional amount for the relevant specific responsibility determined by the Panel in its Annual or Supplementary Reports. This may not be the same for all authorities or categories of authorities.
15. The Panel in its Annual or Supplementary Reports will determine either the maximum proportion of its membership or the total number of members that an authority can pay as senior salaries. The percentage may not exceed fifty percent without the express approval of Welsh Ministers (Section 142(5) of the Measure). For principal councils only, the maximum proportion or number may be exceeded to include payment of a senior salary to an additional member who is appointed to provide temporary cover for the family absence of a senior salary office holder (subject to the 50% limit).
- 15(a). For, Fire and Rescue Authorities and National Park Authorities the maximum proportion or number may be exceeded to include the payment of a senior salary to an additional member who is appointed to provide temporary cover for the sickness absence of a senior salary holder as determined in the Annual Report or a Supplementary Report.
- 15(b). Payments to chairs of Joint Overview and Scrutiny Committees or Sub Committees are additional to the maximum proportion of its membership that an authority can pay as senior salaries subject to the overall maximum of fifty percent as contained in Section 142(5) of the Measure. The Panel will determine the amounts of such payments in an Annual or Supplementary Report.
16. An authority must not pay more than one senior salary to any member. A principal council member in receipt of a senior salary as leader or executive member of an authority (determined as full-time by the Panel) may not receive a second salary as a member appointed to serve on a national park authority or a Welsh fire and rescue authority.
- 16(a). Paragraph 16 does not apply to payments made to a chair of a Joint Overview and Scrutiny Committee or Sub Committee who is in receipt of a senior salary for a role that is not classified as full time equivalent. It continues to apply to leaders or members of the executive.

17. Where a member does not have, throughout the year specific responsibilities that allow entitlement to a senior salary, that member's payment is to be such proportion of the salary as the number of days during which that member has such special responsibility bears to the number of days in that year.
18. Where a member is suspended or partially suspended from being a member of the authority (Part 3 of the 2000 Act refers) the authority must not make payments of the member's senior salary for the duration of the suspension (Section 155(1) of the Measure). If the partial suspension relates only to the specific responsibility element of the payment, the member may retain the basic salary. Payment must also be withheld if directed by the Welsh Ministers.

Co-opted member payment

19. A relevant authority must provide for payments to a co-opted member as determined by the Panel in its Annual or Supplementary Reports. In relation to this regulation 'co-opted member' means a member as determined in Section 144(5) of the Measure and set out in paragraph 2 of these Regulations.
20. Where a co-opted member is suspended or partially suspended from an authority (Part 3 of the 2000 Act refers) the authority must not make payment of a co-opted member fee for the duration of the suspension (Section 155(1) of the Measure).

Payments Contribution to Costs of Care and Personal Assistance

21. Authorities must provide for the payment to members and co-opted members of an authority the reimbursement in respect of such expenses of arranging the care of children or dependants or for the individual member as are necessarily incurred in carrying out official business as a member or co-opted member of that authority. Payments under this paragraph must not be made:
 - In respect of any child over the age of fifteen years or dependant unless the member or co-opted member satisfies the authority that the child or dependant required supervision which has caused the member to incur expenses that were necessary in respect of the care of that child or dependant in the carrying out of the duties of a member or co-opted member.
 - To more than one member or co-opted member of the authority in relation to the care of the same child or dependant for the same episode of care.
 - Of more than one reimbursement for care to a member or co-opted member of the authority who is unable to demonstrate to the satisfaction of the authority that the member or co-opted member has to make separate arrangements for the care of different children or dependants.

22. The arrangements in respect of the contribution to cost of care and personal assistance payable by an authority is to be determined by the Panel in its Annual or Supplementary Reports.
23. Where a member or co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers) the part of the contribution to the cost of care and personal assistance payable to that member or co-opted member in receipt of the responsibilities or duties from which that member or co-opted member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers for reasons other than suspension (Section 155(1) of the Measure).
24. An authority's Schedule must stipulate the arrangements regarding the contribution towards costs of care and personal assistance payable and its arrangements for making claims, taking full account of the Panel's determinations in this respect.

Travel and subsistence payments

25. Subject to paragraphs 26 and 27 below a member or co-opted member is entitled to receive payments from the authority by way of travelling and subsistence payments at rates determined by the Panel in its Annual or Supplementary Reports. Such payments are in respect of expenditure incurred by a member or co-opted member in the performance of the official business within or outside the boundary of the authority.

(Paragraphs 26 & 27 apply only to principal councils)

26. Payment of a subsistence payment to a principal council member for the performance of official business within the boundaries of a county or county borough where they are a member should only be made when the authority is satisfied that it can be justified on economic grounds. This does not apply in respect of co-opted members of a council who live outside that authority.
27. A principal council may make provision, subject to any limitations it thinks fit, for members to claim mileage expenses for official business in connection with constituency or ward responsibilities where they arise out of the discharge of the functions of the county or county borough.
28. Where a member or co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers), travelling and subsistence payments payable to that member or co-opted member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers for reasons other than suspension (Section 155(1) of the Measure).

Part 3: Further provisions

Pensions

29. Under Section 143 of the Measure, the Panel may make determinations in respect of pension arrangements for principal council members in its Annual or Supplementary Reports. Such determinations may:
- Define which members for whom the principal council will be required to pay a pension.
 - Describe the relevant matters in respect of which a local authority will be required to pay a pension.
 - Make different decisions for different principal councils.

Payments to support the function of an authority member

30. An authority must provide for the requirements of a member to undertake their role and responsibilities more effectively. The way in which this support should be provided is determined by the Panel in its Annual or Supplementary Reports.

Arrangements in relation to family absence

31. Part 2 of the Measure sets out the rights of principal council members in relation to family absence. The Panel will set out its determinations and the administrative arrangements in relation to these payments in its Annual or Supplementary Reports.

Sickness Absence

32. Arrangements for long-term sickness absence of senior salary holders of principal councils, Fire and Rescue Authorities and National Park Authorities will be as set out in the Panel's Annual Report or Supplementary Report.

Part 4: Payments

Repayment of payments

33. An authority can require that such part of a payment be repaid where payment has already been made in respect of any period during which the member or co-opted member concerned:
- a. is suspended or partially suspended from that member's or co-opted member's duties or responsibilities in accordance with Part 3 of the 2000 Act or Regulations made under that Act.
 - b. ceases to be a member or co-opted member of the authority.

- c. or in any way is not entitled to receive a salary, allowance or fee in respect of that period.

Forgoing payments

34. Under Section 154 of the Measure, any member or co-opted member may by notice in writing to the proper officer of the authority elect to forgo any part of their entitlement to a payment under the determination of the Panel for that particular year (as relating to the authority).

Part 5: Specific provisions relating to community and town councils (“the council”)

Interpretation

35. For the purposes of this Part the term member means both an elected member and a co-opted member.

Payments

36. Payments
 - a) The Annual Report or a Supplementary Report determines the arrangements and amount of an annual payment to members in respect of costs incurred in carrying out the role of a member and if appropriate take account of the variation in size or financial circumstances of different councils.
 - b) The council may make payments to members in respect of costs of travel for attending approved duties within or outside the area of the council. The amounts claimable will be set out in the Annual or Supplementary Report of the Panel.
 - c) The council may reimburse subsistence costs to its members when attending approved duties within or outside the area of the council. The arrangements for reimbursement will be set out in the Annual or Supplementary Report of the Panel.
 - d) The council may pay compensation for Financial Loss to its members where such loss has occurred for attending approved duties within or outside the area of the council. The payments will be set out in the Annual or Supplementary Report of the Panel.
 - e) The council may make a payment to the chair or mayor and deputy chair or mayor of the council for the purposes of undertaking the role of that office. The payment will be set out in the Annual or Supplementary Report of the Panel.
 - f) The Annual Report or a Supplementary Report determines the arrangements for payments to members of a council who undertake senior roles and if appropriate take account of the variation in size or financial circumstances of different councils.

- g) The council must reimburse the contribution to costs of care and personal assistance to a member if claimed, as determined in the Annual Report of the Panel.
37. A member may elect to forgo any part of an entitlement to payment under these Regulations by giving notice in writing to the proper officer of the council.
38. A member making a claim for compensation for Financial Loss must sign a statement that the member has not made and will not make any other claim in respect of the matter to which the claim relates.
39. “Approved Duty” under this Part means
- i. Attendance at a meeting of the council or of any committee or sub-committee of the council or of any other body to which the council makes appointments or nominations or of any committee or sub-committee of such a body.
 - ii. Attendance at any other meeting the holding of which is authorised by the council or a committee or sub-committee of the council, or a joint committee of the council and one or more councils, or a sub-committee of such a joint committee provided that at least two members of the council have been invited and where the council is divided into political groupings at least two such groups have been invited.
 - iii. Attendance at a meeting of any association of councils of which the council is a member.
 - iv. Attendance at any training or development event approved by the council.
 - v. Any other duty approved by the council or duty of a class approved by the council for the discharge of its functions or any of its committees or sub-committees.

Part 6: Miscellaneous

Arrangements for payments

40. The Schedule of an authority must set out the arrangements for payment to all members and co-opted members of that authority. Such payments may be made at such times and at such intervals as determined by the authority.

Claims

41. An authority must specify a time limit from the date on which an entitlement to travelling or subsistence payments arise during which a claim for must be made by the person to whom they are payable. However, this does not prevent an authority from making a payment where the allowance is not claimed within the period specified.

42. Any claim for payment of travelling, subsistence or care costs in accordance with these Regulations (excluding claims for travel by private vehicle or bicycle) shall be accompanied by appropriate receipts proving actual cost.

Avoidance of duplication

43. A claim for a payment of travelling, subsistence or care costs must include, or be accompanied by, a statement signed by the member or co-opted member that the member or co-opted member has not made and will not make any other claim in respect of the matter to which the claim relates.

Records of payments

44. An authority must keep a record of the payments made in accordance with these Regulations as set out in an Annual or Supplementary Report.

Publicity requirements

(The required content of publicity requirements is contained in an annex to the Annual Report)

45. An authority must, as soon as practicable after determining its Schedule of Remuneration for the year under these Regulations and any Report of the Panel and not later than 31 July of the year to which the Schedule refers, arrange for the Schedule's publication within the authority's area and to notify the Panel. **(This section does not apply to community and town councils).**
46. As soon as practicable and no later than 30 September following the end of the financial year **all relevant authorities** must publicise within the authority's area and notify the Panel:
- the total sum paid by it to each member or co-opted member in respect of basic salary, senior salary, co-opted member fee, travel and subsistence payments.
 - the total expenditure on contribution towards costs of care and personal assistance.
47. In the same timescale and in the same manner, an authority must publicise any further remuneration received by a member nominated or appointed to another relevant authority. **(This section applies only to principal councils).**

Publicising the reports of the Panel

48. Under Section 146(7) (a) and (b) of the Measure, the Panel will send a consultation draft of its Annual Report or Supplementary Report to all relevant authorities for circulation to authority members and co-opted members, so that representations can be made by members and co-opted members to the Panel, normally in a period of eight weeks.
49. The Panel will determine in its Annual or Supplementary Reports the arrangements publicising its Reports in accordance with Section 151 and 152 of the Measure.

Monitoring compliance with the Panel's determinations

50. Section 153 of the Measure determines that relevant authorities must comply with the requirements imposed by the Panel in its Annual Reports. It also empowers the Panel to monitor the payments made by relevant authorities and for it to require the provision of information that it specifies. The requirements under this section will be set out in the Annual Report of the Panel.

Annex 3: Schedule of Member Remuneration

1. Principal councils, national park authorities (NPAs) and Welsh fire and rescue authorities (FRAs) (but not community and town councils) must maintain an annual Schedule of Member Remuneration (the 'Schedule') which is in accord with the Panel's determinations on member salary and co-opted member payments and which must contain the following information:

In respect of a principal council:

- a. Named members who are to receive only the basic salary and the amount to be paid.
- b. Named members who are to receive a Band 1 and Band 2 senior salary, the office and portfolio held and the amount to be paid.
- c. Named members who are to receive a Band 3, Band 4 and Band 5 senior salary, the office and portfolio held and the amount to be paid.
- d. Named members who are to receive a civic salary and the amount to be paid.
- e. Named members who are to receive the co-opted member fee and whether chair or ordinary member and the amount to be paid.
- f. Named members who are to receive a senior salary as a chair of a Joint Overview and Scrutiny Committee or Sub Committee and the amount to be paid.
- g. Named members in receipt of a specific or additional senior salary approved by the Panel and the amount to be paid.

In respect of National Park and Fire and Rescue Authorities:

- a. Named members who are to receive a basic salary and the amount to be paid.
 - b. Named member who is to receive a senior salary as a chair of the authority and the amount to be paid.
 - c. Named members who are to receive a senior salary as deputy chair of the authority or a committee chair and the amount to be paid.
 - d. Named members who are to receive the co-opted member fee and whether a chair or ordinary member and the amounts to be paid.
2. Amendments made to the Schedule during the municipal year must be communicated to the Panel as soon as it is practicable.
 3. Principal councils must confirm in their annual Schedule that the maximum limit of senior salaries set for the council has not been exceeded.

4. Principal councils, NPAs and FRAs must include a statement of allowable expenses and the duties for which they may be claimed for care, travel and subsistence in their annual Schedule which is in accord with the Panel's determinations.
5. The Schedule must set out the arrangements for the payment of salaries, allowances and fees to all members and co-opted members of the relevant authority (IRPW Regulation 35); arrangements for making claims for care and personal assistance, travel and subsistence expenses (IRPW Regulations 24 and 36-37); arrangements for the avoidance of duplication (IRPW Regulation 38) and arrangements for re-payment of salaries, allowances and fees (IRPW Regulation 33). This schedule must also include the duties for which members and co-opted members are able to claim reimbursement towards travel, subsistence and care and personal assistance costs.
6. Principal councils must declare in the Schedule whether:
 - A statement of the basic responsibility of a councillor is in place.
 - Role descriptors of senior salary office holders are in place.
 - Records are kept of councillor attendance.
7. Principal councils, NPAs and FRAs must make arrangements for the publication of the Schedule of Member Remuneration as soon as practicable after its determination and no later than 31 July of the year to which it applies. The Schedule should be published in a manner that provides ready access for members of the public.
8. The **Schedule** must also be sent to the Panel Secretariat to be received by 31 July.
9. Any changes to the schedule during the year must be promptly publicised in the above manner and all changes notified to Panel Secretariat promptly.
10. Retention. The time limit for the schedule to be retained should be consistent with the council's policy on document retention.

Annex 4: Publication of Remuneration – the Panel’s Requirements

In accordance with Section 151 of the Wales (Local Government) Measure 2011 the Panel requires that:

1. Relevant authorities must publish a Statement of Payments made to its members for each financial year. This information must be published in a form and location that is easily accessible to members of the public no later than 30 September following the end of the previous financial year and in the same timescale also provided to the Panel. The following information must be provided:
 - a. The amount of basic salary, senior salary, civic salary and co-opted member fee paid to each named member or co-opted member of the relevant authority, including where the member had chosen to forego all or part of the salary, or fee for the municipal year in question. Where a senior salary has been paid, the title of the senior office held is to be provided.
 - b. The payments made by community and town councils to named members as:
 - Payments in respect of telephone usage, information technology, consumables etc.
 - Responsibility payments
 - Allowances made to a mayor or chair and deputy mayor or deputy chair
 - Compensation for Financial Loss
 - Costs incurred in respect of travel and subsistence
 - c. All travel and subsistence expenses and other payments received by each named member and co-opted member of the relevant authority, with each category identified separately.
 - d. The amount of any further payments received by any named member nominated to, or appointed by, another relevant authority or other public body as defined by Section 67 of the Local Government (Democracy) (Wales) Act 2013, namely:
 - a local health board
 - a police and crime panel
 - a relevant authority
 - a body designated as a public body in an order made by the Welsh Ministers.
 - e. Names of members who did not receive basic or senior salary because they were suspended for all or part of the annual period to which the Schedule applies.
 - f. In respect of the publication of the contribution towards costs of care and personal assistance, relevant authorities are only required to

publish the total amount reimbursed during the year. It is a matter for each authority to determine its response to any Freedom of Information requests it receives. However, it is not intended that details of individual claims should be disclosed.

2. **Nil returns** are required to be published and provided to the Panel by 30 September.
3. Retention. The time limit for the publications to be retained should be consistent with the council's policy on document retention.

Annex 5: Summary of new and updated determinations contained in this report

The numbers of most of the determinations contained within this report have changed from previous reports.

To assist authorities, this table sets out the determinations in this report which are entirely new or have been updated.

Summary of new and updated determinations contained in this report
Principal Councils
Determination 1: The basic salary in 2022/23 for elected members of principal councils shall be £16,800.
Determination 2: Senior salary levels in 2022/23 for members of principal councils shall be as set out in Table 4.
Determination 3: Where paid, a civic head must be paid a Band 3 salary of £25,593 in accordance with Table 4.
Determination 4: Where paid, a Deputy Civic Head must be paid a Band 5 salary of £20,540 in accordance with Table 4.
Determination 5: Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.
Assistants to the Executive
Determination 13: The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for Assistants to the Executive.
National Park Authorities
Determination 22: The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
Determination 23: The senior salary of the Chair of a NPA shall be £13,531 with effect from 1 April 2022.
Determination 24: A NPA senior salary of £8,478 must be paid to a Deputy Chair where appointed.
Determination 25: Committee Chairs or other senior posts can be paid. This shall be paid at £8,478.
Fire and Rescue Authorities
Determination 29: The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
Determination 30: The senior salary of the Chair of a FRA shall be £11,162 with effect from 1 April 2022.
Determination 31: A FRA senior salary of £6,109 must be paid to the Deputy Chair where appointed.
Determination 32: Chairs of Committees or other senior posts can be paid. This shall be paid at £6,109.
Community and Town Councils
Determination 47:

Summary of new and updated determinations contained in this report

Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30.

A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.

Councils that intend to introduce a system of Attendance Allowances must set out the details of the scheme and publish on their website.

Determination 51:

The application of the Remuneration Framework by relevant Group.

Independent Remuneration Panel for Wales

Room N.03

First Floor

Crown Buildings

Cathays Park

Cardiff

CF10 3NQ

Telephone: 0300 0253038

E-mail irpmailbox@gov.wales

The Report and other information about the Panel and its work are available on our website at:

[Independent Remuneration Panel for Wales](#)

Summary of new and updated determinations contained within the draft report

Principal Councils
Determination 1: The basic salary in 2022/23 for elected members of principal councils shall be £16,800.
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Determination 5: Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.
Assistants to the Executive
Determination 13: The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.
National Park Authorities
Determination 23: The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
Determination 24: The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.
Determination 25: A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.
Determination 26: Committee chairs or other senior posts can be paid. This shall be paid at £8,478.
Fire and Rescue Authorities
Determination 30: The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
Determination 31: The senior salary of the chair of a FRA shall be £11,162 with effect from 1 April 2022.
Determination 32: A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.
Determination 33: Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.
Community and Town Councils
Determination 48: Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30. A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event. Councils that intend to introduce a system of attendance allowances must set out the details of the scheme and publish on their website.

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Agenda Item 30

Executive Committee and Council only

Date signed off by the Monitoring Officer: 05.11.2021

Date signed off by the Section 151 Officer: 16.11.2021

Committee: **Council**

Date of Meeting: **25th November, 2021**

Report Subject: **Planning, Administration and Cost of Local Elections – 5th May, 2022**

Portfolio Holder: **Councillor N. Daniels – Leader/Executive Member for Corporate Services**

Report Submitted by: **Managing Director, Michelle Morris (in the role of Returning Officer for Local Government Elections)**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	28/10/21						25/11/21	

1. Purpose of the Report

The purpose of the report is to outline and seek approval for the resourcing and funding requirements in respect of the forthcoming local elections in May 2022, seek approval for payments to staff, and explain the main accountabilities in the administration of efficient local elections.

2. Scope and Background

Local Elections are a statutory responsibility for the Council and are due to be held on 5th May, 2022. As a result of the Local Boundary Review, Blaenau Gwent will reduce from 42 to 33 seats for the whole of the Council. There will also be a reduction in the number of Electoral Divisions from 16 to 14.

In addition, elections will take place in respect of town/community council seats in Tredegar, Brynmawr, Nantyglo & Blaina and Abertillery & Llanhilleth. The local Returning Officer (the Managing Director) must ensure compliance with a wide variety of election and electoral legislation, which includes a number of electoral acts and the Electoral Commission Standards for Returning Officers. The main function of the role is to ensure that the election is administered effectively and that, as a result, the experience of voters and those standing for election is a positive one. The Returning Officer has personal responsibility for elections outside her role for the Council and separate fees for the discharge of these duties are usually paid by way of remuneration.

Local elections are particularly challenging. The level of preparatory work undertaken ahead of the elections is extensive and will need to reflect assumptions such as the likely number of contested elections (all County Borough seats are usually contested but the number of town/community contests vary), the number of candidates, number of postal voters, and voter turnout. There may be a significant number of new or less experienced

political parties, candidates and agents who are unfamiliar with the practices and processes of an election and who will need more assistance to be able to participate in the democratic process effectively.

For information, the main heads for election administration in brief are:-

- Candidates & Agents briefings
- Publishing Notice of Election
- The provision of polling stations
- Accepting and checking nominations during the allotted period in the election timetable.
- Appointing and training Polling Station Staff including the appointment of polling station inspectors
- Publishing the Notice of Poll, Statement of Persons Nominated and Notice of Situation of Polling Stations
- Printing ballot papers
- Managing the postal voting process
- Certifying and counting the votes
- Declaring the Results
- Acceptance of candidates' financial returns.

With the reference to the Count and Declaration of results, it should be noted that in common with most other Welsh Councils, this will take place on the day after the Poll i.e. on Friday, 6th May, 2022.

The Notice of Election will be published on 18th March, 2022 and thereafter formal Council business will cease during the pre-election period i.e. no council or committee meetings will be held, unless there is urgent business that needs to be attended to. The Council Diary will be amended accordingly.

3. **Options for Recommendation**

- 3.1 a. (Preferred option) Council notes the information provided and agrees to resource and fund the Election and associated costs as set out in the report.
b. Council does not agree all or part of the resourcing and funding proposal and provides comments/suggestions on alternative arrangements.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

Councils have a statutory duty to hold Local Elections, usually every 5 years.

5. **Implications Against Each Option**

5.1.1 ***Impact on Budget (short and long term impact)***

The Council must fund the local election as the cost will not be met by central or Welsh Government, as is the case with other elections.

The cost to the Council of delivering the Local Election in 2017 was £109,131. Taking into consideration inflationary uplift and other cost increases it is estimated that the cost of the 2022 election will be approximately £140,000.

5.1.2 The Council is currently forecasting a favourable variance against its in year budget as a result it is proposed that £140,000 of this underspend be allocated to the Election Earmarked Reserve to be utilised during 2022 to fund the costs of the election.

5.2 ***Risk including Mitigating Actions***

Elections are managed by a few key officers, and if one of the officers were ill or otherwise unavailable at election time there is a risk to the delivery plan. The risk is minimised by having effective election project plans and risk assessments in place which are reviewed regularly and by the appointment of Deputy Returning Officers who would be authorised to run the election in the absence of the Returning Officer.

As with all elections, there are many potential areas of challenge and the Council provides insurance indemnity for elections and also to cover the risk that an election petition be called, which could be within 21 days after the elections. It is the Returning Officer (and not the Council) who is personally at risk of challenge and they must file a response to any election petition received, and defend any allegations.

5.3 ***Legal***

The conduct of Elections is largely governed by statute and guidance issued by the Electoral Commission.

5.4 ***Human Resources***

The Returning Officer has personal legal responsibility for the conduct of the election and is delivering a service to the Council outside their substantive paid role. For this reason, all Councils in Wales remunerate the RO, DROs and their staff in terms of Election duties. Staff receive an hourly payment for hours worked outside the “normal” working day, and a fixed fee for certain other duties.

The schedule attached to this report indicate the level of fees payable (these may be subject to change as a result of any increase in the Foundation Living Wage level from April 2022). It should be noted that additional external staff are also employed to assist with tasks such postal vote openings, election station staffing and the count itself.

It is anticipated that to run an effective and safe election the Returning Officer will require 163 staff on polling day and 93 staff on at the count. These will mainly be Council staff who will be released from their normal duties to deliver the election.

6. ***Supporting Evidence***

6.1 ***Performance Information and Data***

The Electoral Commission has issued Performance Standards for Returning Officers and will monitor delivery of local elections against these standards.

- 6.2 ***Expected outcome for the public***
A key aspect of the requirements placed on the Returning Officer is to ensure that voter is able to access information and participate in the democratic process of the election.
- 6.3 ***Involvement (consultation, engagement, participation)***
The Welsh Government has made additional funding available to councils to support an Engagement Officer in the period running up to the election. This officer will work across the Council and in particular with Coleg Gwent and Secondary Schools to ensure first time voters are fully aware of their right to vote in next years' local election.
- 6.4 ***Thinking for the Long term (forward planning)***
n/a
- 6.5 ***Preventative focus***
n/a
- 6.6 ***Collaboration / partnership working***
The Council will work with partners, as appropriate, to ensure the safe and efficient management of the local election. This will include Coleg Gwent and schools to ensure engagement of first time voters.
- 6.7 ***Integration (across service areas)***
n/a
- 6.8 ***Decarbonisation and Reducing Carbon Emissions***
n/a
- 6.9a ***Socio Economic Duty Impact Assessment***
n/a
- 6.9b. ***Equality Impact Assessment***
Copy attached.

BLAENAU GWENT COUNTY BOROUGH COUNCIL
COUNTY BOROUGH AND COMMUNITY ELECTION FEES
5 MAY 2022

RETURNING OFFICER'S FEES

Uncontested Elections

For each Electoral Division within the County Borough or Ward within the Community £ 90.00

Contested Elections

For each Electoral Division within the County Borough or Ward within the Community. £205.00

ADJUDICATION OF NOMINATION PAPERS

For each Electoral Division within the County Borough or Ward within the Community £ 36.00

NB. The figures above are based upon historical fee orders which have been adjusted year on year to take into account of inflation.

OTHER FEES

Clerical fees – Deputy Returning Officer fees are paid for all duties in connection with preparation and administration of the election outside of normal working hours paid at an hourly rate. Exact costs are unknown until after the election.

Presiding Officer £210.00
Combined Election - increase by 20% £252.00
Travel £ 12.00

Poll Clerk £142.50
(This may increase to reflect the 2022 Living Wage)
Combined Election - increase by 20% £156.00
(This may increase to reflect the 2022 Living Wage)
Travel £ 8.00

Polling Station Inspector £210.00
Travel – Actual Mileage – 45p per mile

Training - Presiding Officers, Poll Clerks and Inspectors £ 40.00

Chief Counting Officer £350.00
Senior Collation Officer £200.00

Senior Verification/Counting Assistant (1 Division or Ward) £120.00
Senior Verification/Counter Training £ 10.00
Additional hourly payment if count over 6 hours £ 20.00

Recount	£ 30.00
Travel – Actual Mileage – 45p per mile	
Verification/Counting Assistant	£ 90.00
Additional hourly payment if count over 6 hours	£ 15.00
Travel – Actual Mileage – 45p per mile	
Postal Voter Issue (Weekend) - £16 per hour	
Postal Vote Opening - £11.00 per hour	
Admin support - £11.00 per hour	
Printing and necessary equipment	Actual and Necessary Cost
Hire and fitting up of Polling Stations and Count Centre	Actual and Necessary Cost

STAFFING REQUIREMENTS:

Polling day:

74 Presiding Officers

83 Poll Clerks (This number may increase if Covid restrictions are still in place)

6 Polling Station Inspectors

Total of 163 staff for polls

Postal Issue

16 staff

Scanning and Postal Openings

8 staff

Preparing Ballot Boxes

6 staff

Count

4 Chief Counting Officers

2 Senior Collation Officers

14 Senior Counting Assistants (Additional staff if Community election)

56 Counting Assistants

6 Postal Vote Opening

6 Packing staff

2 Security Officers for Count

1 IT Officer

1 or 2 Communications Officer

Total of 93 for count

Integrated Impact Screening Template

The purpose of undertaking an Integrated Impact Assessment (IIA) is to consider the impact of proposed strategies, policies, or service reviews and developments against the full range of our statutory obligations:

- Equality Act (2010)
- Well-being of Future Generations Act (2015)
- Welsh Language Act

IAs are an important tool that can be used to improve equality and diversity; sustainable development and the use of the Welsh language by ensuring impacts are considered collectively and not in isolation.

IAs need to be completed as early as possible during any policy development or service review process. The IIA screening template has been designed to help you consider whether a policy, for example, has a positive or negative impact on specific groups of people. It also aims to help assess whether there are any negative impacts and whether their significance is low or high. If negative impacts with a high significance are identified, then a full Integrated Impact Assessment is required to identify how these impacts can be minimised by introducing any mitigating measures or options.

The IIA Screening Template consists of 2 parts:

- Part I: Screening exercise to identify positive or negative impacts
- Part II: Integrated Impact Assessment required – Guidance note

Finally, the outcome of your IIA Screening Exercise needs to be briefly noted in Section 6.9b of the Corporate Report template and attached as an appendix to your report. Similarly, if a full IIA is undertaken then the key findings need to be summarised in section 6.9b of the Corporate Report template, along with the outcome of the assessment, and the full IIA needs to be attached as an appendix to your report.

PART 1: SCREENING EXERCISE TO IDENTIFY POSITIVE OR NEGATIVE IMPACTS

Description of Assessment *(Briefly provide details of the policy development or service review being assessed and the option being presented)*

Planning, Administration and Cost of Local Elections – 5 May 2022

Responsible Directorate *(Please specify)*

Corporate Services

Responsible Officer *(Please specify)*

Michelle Morris

Assessment Date *(Please specify)*

15.11.21

Staff Involved in Assessment *(Please specify)*

Andrea Jones

Audra Williams

<p>Does this 'Option' have a <u>positive or a negative impact</u> on any of the following protected characteristics?</p> <p><i>Please complete as applicable</i></p>		<p>Please describe what the impact will be?</p>	<p>What is the significance of the impact?</p> <p><i>For example, a 'high' negative impact would have a significant disproportionate impact on a specific group</i></p>	<p>Negative impacts identified</p> <p><i>If 'low' please explain the reason for this significance rating.</i></p> <p><i>If 'high' please state 'Integrated Impact Assessment' required and refer to Part II</i></p>	
<p>Race <i>(people from black, Asian and minority ethnic communities and different racial backgrounds)</i></p>	<p>Positive X</p> <p>Negative <input type="checkbox"/></p>	<p>→</p>	<p><u>Positive</u> Fees updated in line with inflation and cost increases</p> <p><u>Negative</u></p>	<p><input type="checkbox"/>High X Low</p> <p><input type="checkbox"/>High <input type="checkbox"/>Low</p>	
<p>Disability <i>(people with disabilities/ long term conditions)</i></p>	<p>Positive X</p> <p>Negative <input type="checkbox"/></p>	<p>→</p>	<p><u>Positive</u> Fees updated in line with inflation and cost increases</p> <p><u>Negative</u></p>	<p><input type="checkbox"/>High X Low</p> <p><input type="checkbox"/>High <input type="checkbox"/>Low</p>	
<p>Sex <i>(women and men, girls and boys and those who self-identify their gender)</i></p>	<p>Positive X</p> <p>Negative <input type="checkbox"/></p>	<p>→</p>	<p><u>Positive</u> Fees updated in line with inflation and cost increases</p> <p><u>Negative</u></p>	<p><input type="checkbox"/>High X Low</p> <p><input type="checkbox"/>High <input type="checkbox"/>Low</p>	

Does this 'Option' have a <u>positive or a negative impact</u> on any of the following protected characteristics? <i>Please complete as applicable</i>			Please describe what the impact will be?	What is the significance of the impact? <i>For example, a 'high' negative impact would have a significant disproportionate impact on a specific group</i>	Negative impacts identified <i>If 'low' please explain the reason for this significance rating. If 'high' please state 'Integrated Impact Assessment' required and refer to Part II</i>
Age <i>(people of all ages)</i>	Positive X Negative <input type="checkbox"/>	→	<u>Positive</u> Fees updated in line with inflation and cost increases <u>Negative</u>	<input type="checkbox"/> High X Low <input type="checkbox"/> High <input type="checkbox"/> Low	
Sexual Orientation <i>(lesbian, gay, bisexual, heterosexual, other)</i>	Positive X Negative <input type="checkbox"/>	→	<u>Positive</u> Fees updated in line with inflation and cost increases <u>Negative</u>	<input type="checkbox"/> High X Low <input type="checkbox"/> High <input type="checkbox"/> Low	
Religion and Belief <i>(people with different religions and beliefs including people with no beliefs)</i>	Positive X Negative <input type="checkbox"/>	→	<u>Positive</u> Fees updated in line with inflation and cost increases <u>Negative</u>	<input type="checkbox"/> High X Low <input type="checkbox"/> High <input type="checkbox"/> Low	

Does this 'Option' have a <u>positive or a negative impact</u> on any of the following protected characteristics? <i>Please complete as applicable</i>			Please describe what the impact will be?	What is the significance of the impact? <i>For example, a 'high' negative impact would have a significant disproportionate impact on a specific group</i>	Negative impacts identified <i>If 'low' please explain the reason for this significance rating. If 'high' please state 'Integrated Impact Assessment' required and refer to Part II</i>
Gender <i>(anybody who's gender identity or gender expression is different to the sex they were assigned at birth)</i>	Positive X Negative <input type="checkbox"/>	→	<u>Positive</u> Fees updated in line with inflation and cost increases <u>Negative</u>	<input type="checkbox"/> High X Low <input type="checkbox"/> High <input type="checkbox"/> Low	
Marriage and Civil Partnership <i>(people who are married or in a civil partnership)</i>	Positive X Negative <input type="checkbox"/>	→	<u>Positive</u> Fees updated in line with inflation and cost increases <u>Negative</u>	<input type="checkbox"/> High X Low <input type="checkbox"/> High <input type="checkbox"/> Low	
Pregnancy and Maternity <i>(women who are pregnant and/or on maternity leave)</i>	Positive X Negative <input type="checkbox"/>	→	<u>Positive</u> Fees updated in line with inflation and cost increases <u>Negative</u>	<input type="checkbox"/> High X Low <input type="checkbox"/> High <input type="checkbox"/> Low	

Welsh Language

The Welsh Language Act 1993 places a legal duty on public authorities to promote the use of the Welsh Language and to treat the Welsh and English languages equally. It offers the public the right to choose which language to use in their dealings with the Council. It recognises that Members of the public can express their views and needs better in their preferred language. It recognises that enabling the public to use their preferred language is a matter of good practice, not a concession. It sets out how the Council will implement that principle in the provision of bilingual services to the public in Wales, taking account of the developing linguistic nature of the County Borough.

<p>Does this 'Option' have a <u>positive or a negative impact</u> ?</p> <p><i>Please complete as applicable</i></p>		<p>Please describe what the impact will be?</p>	<p>What is the significance of the impact?</p> <p><i>For example, a 'high' negative impact would have a significant disproportionate impact on a specific group</i></p>	<p>Negative impacts identified</p> <p><i>If 'low' please explain the reason for this significance rating.</i></p> <p><i>If 'high' please state 'Integrated Impact Assessment' required and refer to Part II</i></p>
<p>Welsh Language <i>The Welsh Language Measure 2011 and the Welsh Language Standards require the Council to have 'due regard' for any positive or negative impacts that proposal may have on opportunities to use the Welsh language.</i></p>	<p>Positive Negative</p> <p>X <input type="checkbox"/></p>	<p>→</p> <p><u>Positive</u> Fees updated in line with inflation and cost increases</p> <p><u>Negative</u></p>	<p><input type="checkbox"/> High X Low</p> <p><input type="checkbox"/> High <input type="checkbox"/> Low</p>	

Socio-economic Duty (Strategic Decisions Only)

The [Socio-economic Duty](#) provides a framework in order to ensure tackling inequality is at the forefront of decision making. The duty requires the Council, when making strategic decisions, to consider how decisions can help reduce inequality of outcomes.

The duty defines **socio-economic disadvantage** as “living in less favourable social and economic circumstances than others living in the same society”.

The duty generally defines **strategic decisions** as “decisions which effect how the Council fulfils its intended statutory purpose over a significant period of time and not routine day-to-day decisions”. Examples of strategic decisions includes those which are statutory; happen over a significant time; not routine; have strategic intent; strategies or the setting of strategic objectives; service delivery and improvement plans; medium to long-term plans etc.

Does this ‘Option’ have a <u>positive or a negative impact</u> on any of the following themes? <i>Please complete as applicable</i>			Please describe what the impact will be?	What is the significance of the impact? <i>For example, a ‘high’ negative impact would have a significant disproportionate impact on a specific group</i>	Negative impacts identified <i>If ‘low’ please explain the reason for this significance rating. If ‘high’ please state ‘Integrated Impact Assessment’ required and refer to Part II</i>
SED-Education The capability to be knowledgeable	Positive <input checked="" type="checkbox"/> X Negative <input type="checkbox"/> □	→	<u>Positive</u> Fees updated in line with inflation and cost increases <u>Negative</u>	<input type="checkbox"/> High <input checked="" type="checkbox"/> Low <input type="checkbox"/> High <input type="checkbox"/> Low	

Does this 'Option' have a <u>positive or a negative impact</u> on any of the following themes? <i>Please complete as applicable</i>			Please describe what the impact will be?	What is the significance of the impact? <i>For example, a 'high' negative impact would have a significant disproportionate impact on a specific group</i>	Negative impacts identified <i>If 'low' please explain the reason for this significance rating. If 'high' please state 'Integrated Impact Assessment' required and refer to Part II</i>
SED-Work The capability to work in just and favourable conditions	Positive X	Negative <input type="checkbox"/>	→ <u>Positive</u> Fees updated in line with inflation and cost increases <u>Negative</u>	<input type="checkbox"/> High X Low <input type="checkbox"/> High <input type="checkbox"/> Low	
SED-Living Standards The capability to enjoy a comfortable standard of living	Positive X	Negative <input type="checkbox"/>	→ <u>Positive</u> Fees updated in line with inflation and cost increases <u>Negative</u>	<input type="checkbox"/> High X Low <input type="checkbox"/> High <input type="checkbox"/> Low	
SED-Health The capability to be healthy, physically, and mentally	Positive X	Negative <input type="checkbox"/>	→ <u>Positive</u> Fees updated in line with inflation and cost increases <u>Negative</u>	<input type="checkbox"/> High X Low <input type="checkbox"/> High <input type="checkbox"/> Low	
SED-Justice & Security The capability to avoid premature mortality	Positive X	Negative <input type="checkbox"/>	→ <u>Positive</u> Fees updated in line with inflation and cost increases <u>Negative</u>	<input type="checkbox"/> High X Low <input type="checkbox"/> High <input type="checkbox"/> Low	

<p>Does this 'Option' have a <u>positive or a negative impact</u> on any of the following themes?</p> <p><i>Please complete as applicable</i></p>		<p>Please describe what the impact will be?</p>	<p>What is the significance of the impact?</p> <p><i>For example, a 'high' negative impact would have a significant disproportionate impact on a specific group</i></p>	<p>Negative impacts identified</p> <p><i>If 'low' please explain the reason for this significance rating.</i></p> <p><i>If 'high' please state 'Integrated Impact Assessment' required and refer to Part II</i></p>	
<p>SED-Participation The capability to participate in decision making and in communities, accessing services</p>	<p>Positive Negative</p> <p>X <input type="checkbox"/></p>	<p>→</p>	<p><u>Positive</u> Fees updated in line with inflation and cost increases</p> <p><u>Negative</u></p>	<p><input type="checkbox"/> High X Low</p> <p><input type="checkbox"/> High <input type="checkbox"/> Low</p>	

Children’s Rights Approach - [The Right Way](#)

The Children’s Rights Approach – The Right Way is a framework for working with children, grounded in the UN Convention on the Rights of the Child (UNCRC). It places the UNCRC at the core of planning and service delivery and integrates children’s rights into every aspect of decision-making, policy and practice. The Right Way focuses on three main them Participation, Provision and Protection.

<p>Does this ‘Option’ have a <u>positive</u> or a <u>negative</u> impact on children & people’s participation, provision or protection.</p> <p><i>Please complete as applicable</i></p>			<p>Please describe what the impact will be?</p>	<p>What is the significance of the impact?</p> <p><i>For example, a ‘high’ negative impact would have a significant disproportionate impact on a specific group</i></p>	<p>Negative impacts identified</p> <p><i>If ‘low’ please explain the reason for this significance rating.</i></p> <p><i>If ‘high’ please state ‘Integrated Impact Assessment’ required and refer to Part II</i></p>
<p>Participation (child or young person as someone who actively contributes to society as a citizen)</p>	<p>Positive X</p> <p>Negative <input type="checkbox"/></p>	→	<p><u>Positive</u> Fees updated in line with inflation and cost increases</p> <p><u>Negative</u></p>	<p><input type="checkbox"/>High X Low</p> <p><input type="checkbox"/>High <input type="checkbox"/>Low</p>	
<p>Provision (the basic rights of children and young people to survive and develop)</p>	<p>Positive X</p> <p>Negative <input type="checkbox"/></p>	→	<p><u>Positive</u> Fees updated in line with inflation and cost increases</p> <p><u>Negative</u></p>	<p><input type="checkbox"/>High X Low</p> <p><input type="checkbox"/>High <input type="checkbox"/>Low</p>	
<p>Protection (children and young people are protected against exploitation, abuse or discrimination)</p>	<p>Positive X</p> <p>Negative <input type="checkbox"/></p>	→	<p><u>Positive</u> Fees updated in line with inflation and cost increases</p> <p><u>Negative</u></p>	<p><input type="checkbox"/>High X Low</p> <p><input type="checkbox"/>High <input type="checkbox"/>Low</p>	

PART2: INTEGRATED IMPACT ASSESSMENT REQUIRED – GUIDANCE NOTE

Where any negative impacts of ‘high’ significance have been identified as part of the screening exercise then an IIA needs to be undertaken. The IIA consists of 7 sections and a series of questions to help further understand the impacts in more depth through a thorough examination of evidence and available research which will help you to identify how any detrimental impacts can be mitigated:

Section 1 – Protected Characteristics

Section 2 – Welsh Language

Section 3 – Socio-economic Duty (Strategic Decisions Only)

Section 4 - Children’s Rights Approach – The Right Way

Section 5 – Data

Section 6 – Consultation

Section 7 - Decision

You are only required to complete Section 1, 2, 3 or 4, if relevant, and it is appropriate to do so.

You must complete sections 5,6 & 7 as they are mandatory.

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Agenda Item 31

Executive Committee and Council only

Date signed off by the Monitoring Officer: 08.11.2021

Date signed off by the Section 151 Officer: 09.11.2021

Committee: **Council**

Date of Meeting: **25th November, 2021**

Report Subject: **Annual Report of the Director of Social Services 2020/2021**

Portfolio Holder: **Councillor John Mason – Executive Member Social Services**

Report Submitted by: **Damien McCann, Corporate Director of Social Services**

Report Written by: **Damien McCann, Corporate Director of Social Services**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
16.09.2021	17.09.2021				07.10.2021		25.11.21	

1. Purpose of the Report

The purpose of this report is to provide Council with the Annual Report of the Director of Social Services 2020/21 (Appendix 1) for approval.

2. Scope and Background

- 2.1 The performance of the department is monitored throughout the financial year from April to March, with quarterly reports presented to Social Services Committee. At the end of the year a comprehensive self-evaluation of performance is undertaken to inform the Annual Report of the Director of Social Services
- 2.2 The Social Services and Well-being (Wales) Act 2014 places a statutory duty on all local authorities to produce an annual report on the discharge of its social services functions.

3. Options for Recommendation

Option 1

Members are asked to consider the detail contained in the Annual Report of the Director of Social Services 2020/21 and approve the report to be submitted to the Care Inspectorate Wales.

Option 2

Do not accept the report as provided and make recommendations for any changes required.

The Annual Report has been considered by the Corporate Leadership Team.

Social Services Scrutiny Committee agreed the report at its meeting held on 7th October, 2021.

4. Evidence of how does this topic support the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan

It is a statutory responsibility of the Director of Social Services to assess the effectiveness of the delivery of Social Services and produce an Annual Report. The Annual Report contributes and forms part of the Annual Council Reporting Framework (ACRF).

5. Implications Against Each Option

5.1 *Impact on Budget (short and long term impact)*

The Director's Annual Report identifies the pressures and budgetary implications for 2020/2021.

5.2 *Risk including Mitigating Actions*

Social Services maintain a directorate risk register which is aligned to both service level and corporate risk. The risk register is reviewed as part of the business planning process and included within the performance reporting of the director of Social Services.

5.3 Legal

There are no legal implications with this report

5.4 Human Resources

There are no staffing implications related in this report

6. Supporting Evidence

6.1 *Performance Information and Data*

Detail is provided within the Director's Annual Report 2020/2021.

Headline updates:

Across Children's and Adult Services, we have maintained the majority of our services throughout the pandemic and prioritised home visits to safeguarding investigations, children on the Child Protection Register, Children Looked After, care leavers, those children on the 'edge of care' and have continued to discharge patients from hospital (including those recovering from COVID-19) and any emergency assessments. However, Adult Services at the outset of the pandemic had to close our day services and respite care facility to ensure the safety of our most vulnerable people and to maintain social distancing, it also allowed us to ensure resources were concentrated at caring for people in their own homes and

care homes. We have successfully redeployed staff from community options and Flying Start to our care homes and home care teams to provide cover when staff became sick with Covid-19 or more residents required 1:1 support due to isolation.

Children's and Adult Services have been able to continue working throughout the pandemic outbreak to meet the needs of our children and families, in Adult Services we moved to 7 days a week to ensure we could react appropriately to the issues being faced i.e. getting recovering COVID-19 patients home, ensuring our care homes and domiciliary care agencies were being supported and provided with PPE and reacting and supporting our NHS colleagues to maintain bed capacity within the hospital system. This has meant our Adult Services staff working on the wards at our community and acute hospitals including on COVID wards.

Our Early Year's Child Care and Play Team have played a crucial role during the crisis. They have worked closely with colleagues in Education to ensure school/child care provision was available for keyworker staff and the most vulnerable children in the borough. The Early Years and Child Care Team have provided significant support to child care providers during COVID-19 which has played a large part in 64% of providers remaining open throughout the crisis. Three of our Flying Start children's hubs remained open for children of keyworkers throughout the pandemic.

We also supported the community hubs set up for those shielding and vulnerable in our communities, our community connectors and supporting people staff have been instrumental with corporate colleagues in delivering this service to vulnerable people in our communities.

6.2 ***Expected outcome for the public***

The key theme of the Social Services and Well-being Act is to promote the well-being of people who need care and support. Within the annual report it is highlighted where the Directorate has worked closely with the public to improve service delivery and user outcomes. Reporting provides the public with the opportunity to view progress of the Directorate and ensure accountability.

6.3 ***Involvement (consultation, engagement, participation)***

The Social Services and Well-being (Wales) Act 2014 looks to build and strengthen on existing arrangements by involving service users, carers and other key partners where possible in helping shape and influence future design of services.

6.4 ***Thinking for the Long term (forward planning)***

The Annual report enables the department to plan for the future as spend, risk and performance is continuously reported on and provides a baseline of where the department is currently and where it needs to be in the future.

6.5 ***Preventative focus***

The work undertaken by the department looks to promote a preventative approach to practice through early identification and intervention. Having an active rather than re active approach to service planning can also help with planning resources and not spending as much on services in the future.

6.6 **Collaboration / partnership working**

Social Services work collaboratively across boundaries to benefit citizens requiring health and social care services across Gwent.

6.7 **Integration (across service areas)**

The purpose of the SSWBA is to foster integration between Health and Social Services.

6.8 **Decarbonisation and Reducing Carbon Emissions**

The workforce who deliver the functions of the SSWBA have adopted the agile working policy of the council which will have a positive impact on car emissions as staff are now able to work from home to undertake paperwork and do not have to travel to the office.

6.9a **Socio Economic Duty Impact Assessment** *(complete an impact assessment to consider how the decision might help to reduce the inequalities of outcome associated with socio-economic disadvantage).*

All service provision and functions that sit under social services are subject to socio economic disadvantages for example, low income, material and area deprivation. All programmes work towards addressing these disadvantages.

6.9b **Equality Impact Assessment** *(screening and identifying if full impact assessment is needed)*

The overarching vision is to support the needs of the most vulnerable children and adults in our communities through a range of early intervention, prevention and support mechanisms. With the aim of building resilient individuals, resilient families and resilient communities.

7. **Monitoring Arrangements**

7.1 The Annual Report for 2020/2021 will be monitored via quarterly monitoring reports to the Social Services Scrutiny Committee.

Background Documents /Electronic Links Appendix 1 – Annual Report of the Director of Social Services

Social Services Annual Report 2020/21



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Introduction

Welcome to the Blaenau Gwent County Borough Council Social Services Annual Report 2020/2021
Over the past few years the Department has been developing this annual report to highlight the key areas of improvements and challenges that have been faced.

This report has been developed in line with the Social Services and Well-being (Wales) Act 2014, referred to as 'the Act' throughout this document. The Act aims to provide the most radical change to the way in which Social Services is provided since 1948. It focuses on improving the well-being of people who come to Social Services for support. It is person centred and focuses on prevention and reducing the need for care and support. It recognises that responsibility lies not only within Social Services Departments, but also within the wider Local Authority and with partners (particularly Health and the Third Sector).

The Act shares similar principles with a number of key national/regional strategies that are being implemented throughout the Council, in particular the Well-being of Future Generations (Wales) Act 2015.

The Director of Social Services has a statutory requirement to publish an annual report in relation to the delivery of its functions, to evaluate its performance and also include lessons learned. A key aspect of the report is showing how the six Quality Standards have been implemented in relation to well-being outcomes.

This report provides a strategic overview of the work undertaken throughout 2020/2021 and what plans are in place to move forward. Further supporting information can be found from page 21 of the report.

The report includes evidence of where Social Services have worked collaboratively with partners.

Experiences and learning from service users has been considered as part of the development of the report. Care Inspectorate Wales (CIW) findings, Audit Wales (AW) findings, case studies, complaints and compliments and quarterly reporting have all been considered as part of the development of this report and evidence from these has been used to inform future learning.

The annual report is used to demonstrate accountability to citizens and service users. As part of this process, the report will be presented to full Council for ratification before it is published on the Council's website and will then be sent to Welsh Ministers. The report will be available on line bilingually and will be shared with partner agencies in order to share good practice, learning and experiences.

COVID – 19 The Council's Response

In March 2020, a decision was made by the UK Government to put the UK into lockdown in order to try and curb the spread of the global pandemic COVID 19. As part of this, the Council had to act quickly and had to consider alternative methods of service delivery, ensuring that the most vulnerable in society were supported.

There has been a particular focus on continuing our services to ensure that our most vulnerable residents and children continue to get the care and support they require, both in their own homes and registered settings.

The COVID-19 pandemic has been one of the most dramatic and far reaching events to impact on everyday life. Whilst departments like Social Services are still in part in the responsive phase, there is a need for reflection on how we responded to this pandemic in order to inform and shape the recovery phase, as well as prepare for the possibility of any future outbreak. The significant input from staff and volunteers at all levels across organisations was extremely positive which enabled services to adapt to change in working conditions and was key to the response across Blaenau Gwent and the region.

The Directorate has had to work at speed to try and ensure our communities safety against contracting the virus and has sometimes had to make decisions without the consultation or engagement of the public. This has often been as a result of implementing Welsh Government and Public Health Wales guidance speedily. If at all possible we have tried to consult with providers who have delivered services to the public and there has been involvement with the children and families we work with.



Director's Summary of Performance

As the Corporate Director of Social Services in Blaenau Gwent, I am pleased to present the annual report for 2020/21 which is a requirement of the Care Inspectorate Wales (CIW) and the Social Services and Well-being (Wales) Act 2014 (the Act).

As I reflect on 2020/21 I have to say it has been a year like no other, it has been extremely challenging, difficult, exhausting and traumatic for all our staff in Social Services. It has been a roller coaster of a year with many ups and downs throughout. I have nothing but admiration and pride for our staff who in the face of the virus did not take a backward step, they were truly inspiring, courageous, focussed, committed and professional throughout as we all fought this relentless and indiscriminate virus.

At the beginning of the pandemic, the worst-case scenario was that hospitals and the wider Health and Social Care system would be unable to cope with anticipated massive numbers of patients. The first peak of the pandemic had been less intensive than had been predicted. Hospital capacity and care support in the community was able to cope. The significant input from staff and volunteers at all levels across organisations was extremely positive which enabled services to adapt to change in working conditions and was key to the response across Blaenau Gwent and the region. However, following a short period of some normality during the Summer of 2020, we saw the virus start to return again as we moved into the autumn, a second wave which was much bigger than the first wave and one which really tested our capability, capacity and resources to the full across Health and Social Care.

There have been difficulties along the way, there was a shortage of Personal Protective Equipment (PPE) at the very start of the outbreak but this was resolved and enabled us to ensure the whole social care system had sufficient and appropriate equipment. Testing initially was also problematic with a small number of social care staff being able to be tested but they needed to travel down to Cardiff to undertake the test, again this was eventually improved with more local testing facilities. Testing of patients coming out of hospital was not put in place until the 29th April 2020, so prior to this discharges were occurring without any testing which may have resulted in some of these bringing the virus into Care homes. Couple this with no or limited staff testing in Care Homes to begin with created some of the outbreaks spreading within these Homes and sadly resulted in a number of deaths related to COVID -19 across Gwent.

Across Children's and Adult Services, we have maintained the majority of our services throughout the pandemic and prioritised home visits to safeguarding investigations, children on the Child Protection Register, Children Looked After, care leavers, those children on the 'edge of care' and have continued to discharge patients from hospital (including those recovering from COVID-19) and any emergency assessments. However, Adult Services at the outset of the pandemic had to close our day services and respite care facility to ensure the safety of our most vulnerable people and to maintain social distancing, it also allowed us to ensure resources were concentrated at caring for people in their own homes and care homes. We have successfully redeployed staff from community options and Flying Start to our care homes and home care teams to provide cover when staff became sick with Covid-19 or more residents required 1:1 support due to isolation.

In Children's and Adult Services all cases were risk rated by team managers which were continually reviewed throughout the pandemic. Prior to any visits by social care staff, we adopted a triage approach which consisted of contacting the family/individual to check if they were self-isolating or presenting symptoms of COVID if they were the visits would be delayed if possible. If due to immediate safeguarding concerns the visit needed to take place staff would comply with public health advice in relation to social distancing, hygiene and PPE if required. Staff have continued to work from our main offices at Anvil Court, the Vitcc and Beaufort Road. Each team has provided a skeleton staff to work from the offices on a rota basis and also from home. We have continued to meet with partners, agencies and people virtually through a number of digital platforms included teleconferencing, SKYPE and Microsoft TEAMS.

Children's and Adult Services have been able to continue working throughout the pandemic outbreak to meet the needs of our children and families, in Adult Services we moved to 7 days a week to ensure we could react appropriately to the issues being faced i.e. getting recovering COVID-19 patients home, ensuring our care homes and domiciliary care agencies were being supported and provided with PPE and reacting and supporting our NHS colleagues to maintain bed capacity within the hospital system. This has meant our Adult Services staff working on the wards at our community and acute hospitals including on COVID wards.

Our Early Year's Child Care and Play Team have played a crucial role during the crisis. They have worked closely with colleagues in Education to ensure school/child care provision was available for keyworker staff and the most vulnerable children in the borough. The Early Years and Child Care Team have provided significant support to child care providers during COVID-19 which has played a large part in 64% of providers remaining open throughout the crisis. Three of our Flying Start children's hubs remained open for children of keyworkers throughout the pandemic.

We also supported the community hubs set up for those shielding and vulnerable in our communities, our community connectors and supporting people staff have been instrumental with corporate colleagues in delivering this service to vulnerable people in our communities.

Despite the pandemic we have still continued to improve services, the Safe Reduction of Children Looked After Strategy continues to reduce the numbers of children looked after and at the end of March 2021 it stood at 200 down from 211 the previous year (down from a high of 237). The My Support Team have continued to engage with our most complex children in residential care by providing face to face support in line with public health guidance. We have seen a decrease in the numbers of children in residential care reduce from a high of 18 down to 13.

Social Services took over the operational running of the Community Meals service from the 1st April 2020, at the point of taking the service on 4 of the 7 drivers had to be shielded. We redeployed some of our community option staff to drive the vehicles and also due to the social distance rules only one driver could go out on a round rather than 2 staff previously. Since we took over the services the hot meals have increased from 91 meals to 128 meals a day on average.

The continuation of the Integrated Care Fund was very welcome news during the year as this supports key preventative projects across both Adults and Children's Services, it also enabled us to purchase technology such as iPads and Amazon echo's to keep families and their loved ones connected during lockdowns. In addition, the Children's and Communities Grant has also sought to address the support needs of the most vulnerable children and adults in our communities through a range of early intervention and prevention mechanisms.

We have been supporting our Foster Carers during these difficult times and we sought feedback through two questionnaires during the pandemic and we received very positive feedback about the level of support the Directorate had provided our foster carers.

The vaccination programme which commenced during 2020 has moved at pace ensuring our residents within care homes and their staff have been vaccinated to reduce the risk of transmission, this has moved quickly through the priority groups with excellent take up across Blaenau Gwent. As the year progressed in early 2021 then Welsh Government has slowly gradually reduced or eased restrictions and as we look forward then we will need to carefully consider the timings of the reopening of some of our services.

Finally, I would want to say a huge 'thank you' to all staff, as they have worked immensely hard during these difficult times. Some of them have been unfortunate enough to have caught the virus particularly during this second wave whilst we have had more access to testing. Hopefully they have fully recovered or if not are well on the way to recovery. Looking forward let's hope this year is one which sees us take control of the virus and a start on the long road to recovery.



Damien McCann
Corporate Director of
Social Services



Cllr John Mason
Executive Member
Social Services

How People are shaping our Services

As part of the Act, people who use care and support services are invited to complete an annual survey in relation to the provision of care and support. Due to the COVID outbreak and available resources being redeployed to support the emergency response, questionnaires were put on hold whilst services were redirected to support the most vulnerable within our community. Welsh Government were also involved heavily in the COVID 19 response and stated that they did require any local authority to provide a questionnaire analysis.

The Social Services Directorate is committed to providing high quality services to its citizens and prior to the COVID outbreak multiple methods of engagement were implemented in order to achieve this. Due to the pandemic this high level of engagement was not possible throughout the year however some examples are detailed below.

Consultation

- Foster carers have been consulted twice via questionnaires during the pandemic and the feedback is very positive about the level of support they have received from the department.
- During the Pandemic Provider services have consulted twice via letter to those who attend Augusta, Cwrt Mytton relatives and supported living. Feedback has been positive about the level of support received.

Engagement

- Involvement with Individuals, children and families occurs on a daily basis and is recorded as part of care planning.

Complaints and Compliments

The Social Services Department is committed to providing high quality services to its users; however, despite best intentions, it is recognised that sometimes things can go wrong and the Social Services complaints procedure provides people with the opportunity to voice their concerns when they are dissatisfied with a service. The service uses learning from these complaints to improve services moving forward. The service also welcomes positive feedback and compliments and also uses this information to further improve services.

Examples of complaints received in Children's Services this year were :-

- Unhappy with communication from the department;
- Unhappy with the way staff dealt with concerns;
- Unhappy with the length of time social services took to respond to concerns raised; and
- Unhappy with being passed around departments and having to repeat the information.

In Adult Services examples of complaints were:-

- Unhappy with the service provided by in-house carers; and
- Poor communication.

In order to continue to improve services, the outcomes of complaint investigations and learning from them are undertaken to prevent the situation from occurring again. During 2020/2021 examples of learning identified and actioned include:

Adults

- Staff were reminded to be clear about their roles and responsibilities when communicating with individuals and their families;
- Staff were reminded that communication should be undertaken on agreed actions/plans with individuals and/or their families so as not to raise expectations ; and
- Staff were reminded of the importance of sharing information between teams, staff and the importance of recording conversation and actions agreed. Regular audits to be undertaken to ensure compliance

Children

- Staff were reminded of the need to engage in clear communication with families and the need to be open and honest with them Staff offered further training to improve their communication; and
- Continue to monitor case allocations and to undertake dip sample audits to further inform the local authority of current practice.



Promoting and Improving the Well-being of Those We Help

Priorities

The Corporate Plan 2020/22 is the Council’s roadmap setting out the vision, values and priorities of the Council. One key priority within the Plan is, ‘To enable people to maximise their independence, develop solutions and take an active role in their Communities’. The business plans within Social Services are aligned directly to the Corporate Plan to ensure that the priorities can be implemented over the plan period. The priorities are shown below and the Quality Standards demonstrate where improvement has been made, challenges have been addressed and where outcomes have been achieved. The Corporate Plan priorities were written to cover the four year period 2018/22, however, an annual review of the priorities and supporting actions was undertaken to ensure priorities remain fit for purpose.

Corporate Plan Social Services Priorities 2020/22 are:

- To improve accessibility, provision of information and advice to enable people to support their own wellbeing;
- To work with people to make sure they have a say in achieving what matters to them;
- To intervene early to prevent problems from becoming greater;
- To promote and facilitate new ways of delivering integrated responsive care and support with partners;
- To continue our programme of public engagement and respond in a timely and effective way to feedback;
- To build a collaborative culture between services, partners and communities working together and with people directly to shape and deliver services. i.e. (Community Asset Transfers);
- To put effective safeguarding arrangements in place to protect people from harm; and
- To develop a partnership approach to maximising income reducing the impacts of Poverty.

Children’s Services Priorities 2020/21

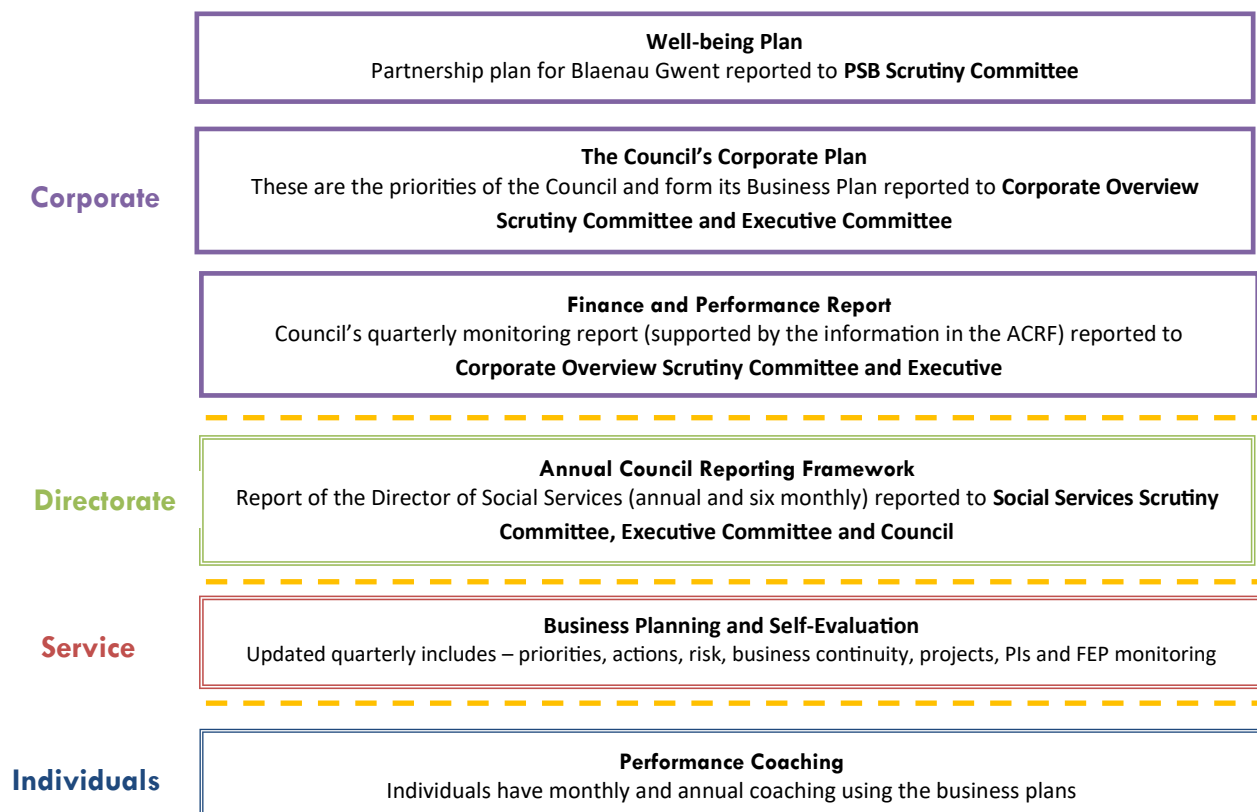
<i>Priority Title</i>	<i>BRAG</i>
Enhance screening and IAA provision (children and adults)	Amber
Support and encourage a cultural change across Children’s services by ensuring that community members have a say in what matters to them	Green
Implementation of the Prevention and Early Intervention Strategy	Green
Improve outcomes for Children Looked After by implementing the Corporate Parenting Action Plan	Green
Implement the Safe Reduction of Looked After Children Strategy 2017 –2020	Green
Ensure that all children in Blaenau Gwent have the best start in life (Early Years)	Green
To provide and commission a flexible and affordable mix of high quality placements	Green
All teams to ensure the children and young people of Blaenau Gwent are safeguarded	Green
Manage the Children’s Services budget to ensure expenditure comes within budget	Green
Children's Services contributes to meeting the Sustainable Development Principles	Green

Adults Services Priorities 2020/21

<i>Priority Title</i>	<i>BRAG</i>
Enhance screening and IAA Adult Services support at our front door - in line with recommendations within the SSWB (Wales) Act 2014	Green
Support and encourage a cultural change across Adults services by ensuring that citizens have a say in what matters to them	Green
Ensure that preventative support is available to citizens - promoting personal independence and reducing dependencies	Green
Ensure that we provide / commission modern, high quality care and support provision that meet both current and future well-being needs of our citizens	Green
To develop alternative models of support that promotes independence and supports well-being outcomes	Green
Ensure that vulnerable adults are safeguarded	Green
Develop and maximise opportunities for partnership working across Welsh Government Flexibilities Grants and Welfare reform related programmes	Green
Manage the Adults Service core budget and grant programmes to ensure that expenditure comes within budget	Green
Adult Services contributes to meeting the Sustainable Development Principles	Green

The framework below shows how reporting and monitoring works throughout the Council to create a 'golden thread'.

Planning Framework



Progress of the Quality Standards

During a comprehensive assessment of performance at the end of 2020/21, the following achievements and challenges were identified as part of the Council's Performance Management Framework.

Working with people to define and co-produce personal well-being outcomes that people wish to achieve

Children's and Adults Services have been able to continue working throughout the pandemic to meet the needs of our vulnerable adults, children and families. This included continued engagement with individuals, parents and children.

The Information, Advice and Assistance (IAA) service prioritised home visits to families and individuals in order to undertake safeguarding investigations and provide support to children on the child protection register, children looked after, care leavers and those children on the 'edge of care'. This service has continued to provide a timely response to all referrals without disruption. The IAA service have continued to enable citizens to access appropriate support including access to reablement provision that aims to promote independence and reduce dependency on traditional models of care and support. Throughout COVID 19, they have supported the Council Locality Hubs, providing support and advice to those people who were previously not known to Social Services but who required support due to a deterioration in their well-being or owing to isolation and shielding.

A successful bid for additional funding from the Welsh Government Integrated Care Fund (ICF) allowed us to purchase iPads & Amazon echo's to promote and install throughout Blaenau Gwent. This use and access of technologies has been extremely important during the past few months in not only linking our staff with their colleagues and peers but, importantly, using social media and other IT platforms to keep in contact with families, offering day to day support and supporting vulnerable citizens to remain safely at home. Where possible we have ensured that welfare and 'keep in touch' systems have been put in place using technologies such as community alarm systems, mobile phones, tablets and iPads etc as part of a loan system as part of care and support planning. These devices are popular with our Visual Impairment services as they have enabled individuals to communicate with family members via voice or video calling. They are also used to organise appointments, set reminders, order shopping and even use apps which read out letters or describe the home setting and people around them.

An extension of the Integrated Care Fund (ICF) for a further 12 months' (2021/22) has been announced. This funding supports key preventative projects across both Adult and Children's Social Care including; older people with complex needs and long term conditions including dementia; people with learning disabilities; children with complex needs due to disability or illness; and carers, including young carers.

There has been a significant cultural change in relation to adopting a strengths based approach to the work we do. This in turn has enabled the children and families we work with to have a stronger voice in saying what really matters to them. Social Care Wales have recognised the progress that has been made and, as a result, we have been asked to speak at an event promoting this approach.

The active offer of advocacy is embedded into practice and quality assurance meetings take place on a quarterly basis with NYAS our advocacy provider.

Working with people and partners to protect and promote people's physical and mental health and emotional well-being

In many cases responding to the pandemic has strengthened joint working at local, regional and national levels, with more agile and responsive decision making and action planning being enabled. Relationships with providers have been strengthened by the continual dialogue, with local authorities and others, supporting homes with the provision of advice and updates, and sharing learning. Gwent Heads of Service have also worked very closely together to ensure the work of social services, being delivered throughout the pandemic, have been consistent.

The corporate parenting board has continued to meet throughout the pandemic via Microsoft Teams. Despite the disruption caused by the pandemic, progress has continued to be made on the action plan.

The Gwent Transformation Programme has continued to make good progress, with the programmes adapting their scope and focus to ensure they are able to support the local response to COVID-19. However, due to the pandemic, some of the projects under the programme had to stop, reduce their offer to the public, or redirect services. This has delayed the time available for these models to evidence success, and for their evaluations to be completed. Transformation funding will continue for a further year in its current format until March 2022.

Winter Planning is an integral part of the Health and Social Care system responsibility and this year's plan was submitted to Welsh Government, following development with all partners within the Regional Partnership Board (RPB) who agreed to recommend a number of the activities in order to support patients within the Gwent area. The development of the plan also involved colleagues across the Health Board and partners in Social Care, third sector and Welsh Ambulance Service Trust.

Collaborative working with our health visiting colleagues and education colleagues has ensured that all vulnerable children in Blaenau Gwent were identified and supported. Due to access to GP surgeries being restricted over the past year, we enabled health visitors to use the Flying Start hubs to undertake routine health checks under the Health Child Wales Programme. Also, close work with education colleagues ensured that all vulnerable children were offered school hub placements. The numbers of social workers in Families First who are aligned to schools to support when needs have been identified and take steps to prevent them from escalating have been increased.

Work has continued with the third sector to support vulnerable families. In particular working with Phoenix Domestic Abuse Service when dealing with domestic violence, Llamau when dealing with mental health issues and GAVO who sit on our Children and Communities Grant (CCG) Steering group. This group is responsible for seeking to address the support needs of the most vulnerable children and adults in our communities through a range of early intervention, prevention and support mechanisms.

During this period, adult services have also worked closely with our Gwent Local Authority Partners and Aneurin Bevan University Health Board to implement Standard Operating Procedures (SOP) for all discharges from hospitals to care settings, including a person's own home if they are to receive a domiciliary or reablement care package. We have also devised a similar SOP for admissions to a care setting from the community in an emergency situation, for example, as a result of carer breakdown or deterioration in a person's condition.

A significant change in service delivery for our disability team has resulted from an Evaluation by Worcester University. After listening to those that use the services it has been decided to change the team to 0 – 25 which will include children and young adults with disabilities going through transition. Those over 25 will be picked up by the Long term social work teams.

Protecting and safeguarding people from abuse, neglect or harm

Service developments have continued despite the pandemic. The police restructured Public Protection Services allowing the development of local, multi-agency, all age safeguarding, early intervention and prevention hubs. These hubs were piloted in Newport and Blaenau Gwent and led to improving: early information sharing; timely decision making; improved quality of Public Protection Notice referrals; improved integrated service responses to children and families; and timeliness of referral pathways and effectiveness of support and interventions offered by the Early Intervention Projects.

Social Work Teams have continued to provide services to all vulnerable adults, children in need of care and support, children on the child protection register, children looked after, children with disabilities and care leavers. At the start of the pandemic, all Team Managers risk rated their caseloads and only those identified as red (high risk) received face to face visits. These visits were undertaken in line with the regional home visit guidance developed, which was based on advice from Public Health Wales and Welsh Government. When the initial lockdown ended, face to face visits were offered to all open cases and this has remained in place to date to prevent needs from escalating. The teams have also used social media to support and keep in contact with individuals, children and families which has worked very well for some. If a person was deemed 'at risk' then they would always be seen face to face to ensure they were safe. We have continued to see children who are on the child protection register face to face for their statutory visits and we have continued to work face to face with children and families where there is a high risk of them coming into care.

The various meetings required under the Wales Safeguarding Procedures have continued to take place but by virtual means. This has seen greater participation of partners, however some individuals, children and families initially struggled to engage with the process. The department saw this process as crucial so worked with these to engage. Child Protection Conferences, core groups and reviews have been undertaken virtually as have all Court attendances. However, contested Court Hearings and Final Hearings have been postponed. A number of digital platforms have been used to undertake these virtual meetings.

The initial Safe Children Looked After (CLA) Reduction Strategy was a 3-year strategy and is due to end this year. There has been a continual slow but steady decline in the numbers of children looked after in Blaenau Gwent during the implementation of the Strategy with the number of CLA reducing from 211 in March 2020 to 200 in March 2021. The Strategy has been independently evaluated by Worcester University which supports the strategy review. The review includes a detailed overview of the progress made under each of the 3 objectives and a refresh of the actions required to continue to deliver these. It is recognised that the refreshed strategy needs to be longer term to recognise the significant amount of work required in order to continue and maintain the downward trend in numbers of CLA. Therefore, the next strategy will be over a period of 5 years. As a department, we continue to be committed to reducing these numbers further over the lifespan of the new/refreshed strategy.

The number of children on the child protection register have remained stable over the last 12 months and much progress has been made in relation to the prevention agenda. This includes the development of the multiagency hub which sits in the IAA team.

The Regional Safeguarding Board continued to meet virtually and increased its frequency to monthly to ensure safeguarding data is regularly monitored and so that partner agencies could share intelligence on emerging safeguarding issues in the region. The board led on raising awareness of the need to report safeguarding concerns across the region and lobbied Welsh Government to take a national approach to this.

Our Early Year's Child Care and Play Team have played a crucial role during the pandemic. They have worked closely with colleagues in education to ensure school/child care provision was available for keyworker staff and the most vulnerable children in the borough with three of our Flying Start children's hubs remaining open for these children throughout the pandemic. The team have also provided significant support to child care providers during this period which has played a large part in 64% of providers remaining open throughout the period.

Some staff were redeployed during this time to ensure priority services continued to be delivered. Examples of this are: the redeployment of staff to the Supporting Change Team to support those children on the 'edge of care', as this is one of our highest priorities and seen as an even higher risk during the COVID-19 crisis; and staff being redeployed into adult domiciliary care.

All CLA have continued to be seen in line with statutory requirements. When these visits have been undertaken face to face the necessary risk assessments have been done and protective PPE measures undertaken. We have kept in contact with some of our children virtually using WhatsApp which has worked very well for all involved. All of our CLA who live in Blaenau Gwent have been offered education placements throughout the pandemic. This has been a crucial resource and supported placement stability. We also ensure that each child had access to IT equipment to make sure they could access on line learning and our education coordinators have offered individual support to those children with additional needs.

Many residents in care homes, particularly those who are living with dementia, have required additional support during periods of isolation, both in their own homes and when living in a care setting. This support has been coordinated by our social care teams and funded by the Welsh Government Hardship Grant.

The Community Meals service is currently providing meals to an average of 122 people per day, an increase of 30% since April 2020. The service is continuing to develop and, for the first time ever, our staff provided community meals on Christmas Day to those who were unable to have family support due to the pandemic.

Our Community Options Service continues to provide a wide range of day activities to vulnerable citizens aged 18 and over. As at 1st February 2020, 185 people were attending Community Options (day services) on one or more day a week. As the pandemic continued, we realised that some vulnerable adults and their families needed additional support and required access to daily sessions at both Bert Denning Centre and Lake View. We have been able to gradually and safely open both these buildings for restricted attendance and sessional support. Subsequently, our Community Options programme of support has developed further as the pandemic has progressed and a blended 3 level model of service developed:

- **Level 1 – Specialist support at Bert Denning** for those who require critical support who have complex health needs including hydrotherapy session within the pool as part of a therapy programme.
- **Level 2 – Critical outreach activities** that support citizens to achieve their outcomes either within their own home or community around their home including accompanied walks in line with social distancing and lock down regulations.
- **Level 3 – Virtual support** including regular telephone contact and sessional digital support and virtual 'teams' sessions.

Supporting people to develop safely and to maintain healthy domestic, family and personal relationships

Work has continued to review and develop our services that deliver long term care, albeit within the context of working within COVID 19 restrictions. We have supported the most vulnerable people within our communities, many of whom have been isolating or shielding as well as supporting people who were shielding and living within regulated settings where they had been unable to see families or friends.

At the outset of the pandemic, day services and respite care facilities had to be closed to ensure the safety of our most vulnerable people, maintain social distancing and ensure resources were concentrated on caring for people in their own homes and care homes. However, we have managed to have the respite facility available in case of an emergency to prevent carer breakdown. This lack of availability of care home and emergency respite support has been challenging with all 15 of our Care Homes being closed to new admissions due to COVID out breaks at some stage. The redeployment of staff to provide cover when staff became sick or to provide more support due to staff isolation has been successful.

There has been a reduction in the care families require from domiciliary care agencies, principally driven by family members providing care while they are off work and the fear that domiciliary care staff may transmit the virus into their home's. It is felt that demand will increase as more people return to work.

Blaenau Gwent and Caerphilly have established a framework of accredited and approved registered domiciliary care providers to deliver Support at Home Services for both Adults and Children. The tender was for new business only, so that existing care packages remained with the same provider thereby providing a continuity of care. The ultimate aim was to strengthen the domiciliary care market place by effectively recruiting to the local workforce sector and growing market supply.

Throughout the past 12 months we have continued to develop our Emergency Care @ Home service (DASH). This provides emergency support to avoid hospital admissions and also supports rapid discharge. During 2020/21 we secured £148,162 additional one off funding to support this provision, including supporting additional capacity across the private sector.

A partnership approach to both the revision of the Living Independently in Blaenau Gwent in the 21st Century Strategy and the Aneurin Bevan University Health Board Place Based Care Strategy is due to commence in May 2021 with a view to publishing the revised Strategy from April 2022.

Despite the Early Years Integration Transformation Pilot needing to be delivered in a different way due to the pandemic, we have still managed to successfully roll out the early transformation programme with the pilot having gone live in Cwm in September 2020 and good results being received.

The Children and Communities Grant (CCG) steering group has continued to ensure the 7 preventative programmes continued to deliver services. The 7 programmes which include flying start and families first moved to a hybrid approach of face to face and virtual service delivery, maximising virtual platforms and reaching significant numbers of children and families with support and advice during lockdown.

Just prior to the pandemic, Children's Services were given ICF grant money to deliver: Family Group Conferencing; enhance support for Special Guardians; provide support to the supporting change team to include psychological support; and enhance the Young Person's Mediation Service. All of this was delivered in 2020/21.

The work of My Support Team (MyST) and our 14 plus Team has led to a decrease in the numbers in residential care with children moving to foster care and in some cases returned home to parents.

Working with and supporting people to achieve greater economic well-being, have a social life and live in suitable accommodation that meets their needs

Throughout the pandemic the placement team has continued to support foster carers. Face to face visits have been undertaken when necessary to support vulnerable placements but a lot of support has occurred by keeping in touch via phone or WhatsApp. Regular update letters have been sent to foster carers and a regular newsletter sent out offering advice on how to manage various aspects of care during the pandemic. Foster carers have been consulted twice via questionnaires during the pandemic and the feedback has been very positive about the level of support received from the department. Fostering assessments have continued to be undertaken and foster panels have continued to meet virtually.

My Support Team (MyST) has continued to provide direct interventions to young people during lockdown, including 24 hours on call and managing risky complex situations and young people. MyST has provided 22 practice consultations to staff, 2 ongoing consultations related to children currently in residential care with very complex needs and 25 consultation sessions for foster carers.

Virtual adoption assessments have continued throughout the pandemic with final home visits being made face to face. Adoption training has moved to virtual delivery and feedback from adopters has been positive. Children have continued to be placed with adoptive parents following well-structured guidance developed by the National Adoption Service.

Despite the challenges of the pandemic, our staff have continued to work in partnership with our Housing Providers and technology developers so that we can ensure that we promote technologies as much as possible. Our dementia smart flat is currently 'under construction'. This will showcase home automation, a dementia sensory room and equipment, linked to the cooker, which can detect if there is someone near the cooker, food boiling over, switch the cooker off or alarm the monitoring centre. This initiative has been previously reported and is funded via Integrated Care Funding (ICF capital monies).

During 2020/21, we have continued to have good partnership and working arrangements between our Registered Social Landlord partners including Tai Calon, colleagues in Housing Strategy, the Supporting People Team and the Community Resource Team (CRT) ensuring that key partners are involved when allocating properties to citizens who have complex needs and mobility issues. Our Supporting People Team have supported our commissioned Housing Support providers to move to COVID secure ways of working. This has included working with the Housing Team to ensure support is provided to the homeless population and those requiring emergency accommodation by providing digital support as opposed to face to face contact. This has also meant providing support to those staff working in supported accommodation (housing projects, domestic abuse and homelessness). Despite the pressures that the staff have faced, we have remained actively involved in the development of new housing developments. The construction of additional respite units at Augusta Respite Centre have unfortunately been delayed due to COVID but we are assured that the project should be concluded by January 2022.

The creation of 10 young person flats in (Ty Parc) Tredegar is going well with 17 clients to date. Unfortunately, 1 bedroom flats are still in short supply and discussions are on-going with colleagues in Housing Strategy Team regarding the need to access and/or development more 1 bedroom flats for our care leavers. This is being fed into the Corporate Housing Strategy so it becomes a strategic consideration when bringing forward new development.

The 'Move On' panel has been a massive success with quite a lot of young people accessing and doing well in secured accommodation. A focus on preparing our children for independent living will be possible with an extension to Beaufort Road being created specifically for this focus.

How We Do What We Do

Our Workforce and How We Support their Professional Roles

The past year has been an extraordinarily challenging period for the Social Care Sector. An unimaginable experience for the workforce which they were able to deal with through resolve, dedication and commitment.

Workforce Development, as a support service, needed to contribute to the emergency response in whatever way the sector needed.

The year focused on

- maintaining the provision of essential care skills for the army of volunteers, redeployed staff, and new staff.
- utilising every method possible to enable the successful qualification of student social workers and registered care workers.
- being informed enough to know what the sector needed right then and how.
- being informed enough to help prevent what the sector definitely didn't need.

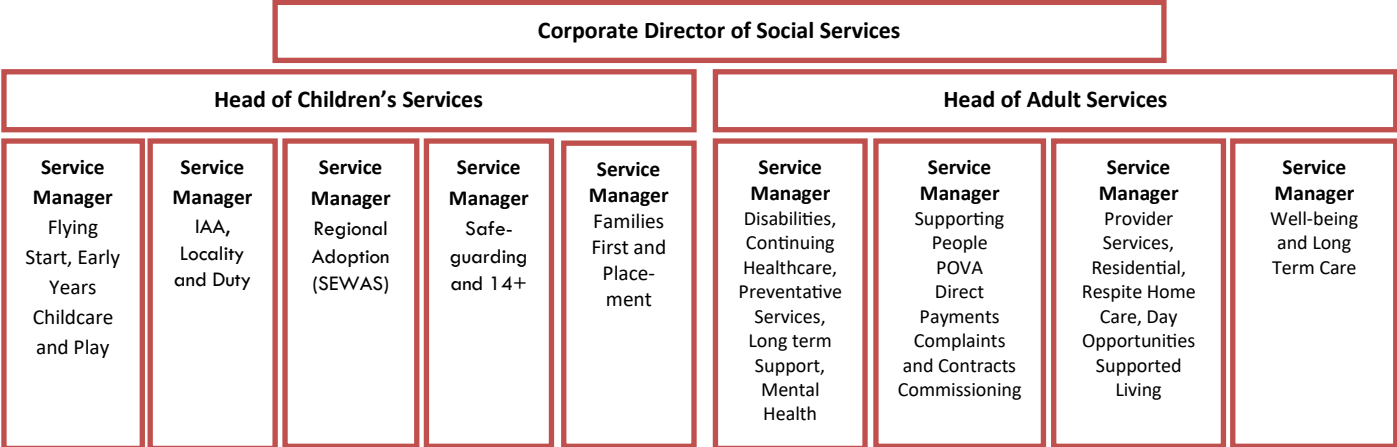
Innovative ways of delivering traditional classroom-based training were maximised. Early reaction to the need for a different model enabled the delivery of a robust digital based offering. Risk assessments, planning, and creative thinking led to a carefully measured return to the classroom for those skills just not suited to a full digital approach.

The changed preferences of the workforce have made a lasting impression on future delivery models for workforce development, models that better suit the workforce and the employer.

It was expected that end of year figures may reflect a downward trend for provision of learning. It is now known that the increase in digital alternatives balanced out the impact of cancelations and the lower participant ratio that had to be practiced. The speedy provision of easy to access essential learning far outweighed the importance of any data collection for example locally produced essential care YouTube videos had over 9,000 views. Any reportable figures do not reflect the true picture and probably only represent 50% or less of the supportive learning that actually occurred.

Benefits continue to be realised for and by the workforce through the scale of opportunity possible due to the joint workforce development service model hosted by Blaenau Gwent in partnership with Caerphilly.

Our Partnership Working, Political and Corporate Leadership, Governance and Accountability



The Corporate Director of Social Services is a member of the Council’s Corporate Leadership Team, whereby all Council Directors meet on a weekly basis to consider and make strategic and operational decisions (although some decisions need to be considered by Scrutiny and then ratified by Executive or Council).

The Directorate has one Executive Member who has Portfolio responsibility for Social Services as a whole. The Directorate is scrutinised by the Social Services Scrutiny Committee and safeguarding information is reported to the Joint Social Services and Education and Learning Scrutiny Committee. Regular liaison meetings are held with the Directorate, the Executive Member and the Chair and Vice Chair of the Scrutiny Committee.

As a whole, the Council has a clear governance and accountability framework and Performance Management Framework in place which all directorates are signed up to. These frameworks are complied with by Social Services who also have additional monitoring requirements as part of the Act.

The Social Services Directorate is subject to audit, inspection and review by the Care Inspectorate Wales (CIW). On a quarterly basis Social Services Senior Managers meet with CIW for liaison meetings. CIW also undertake an annual review and evaluation of the Directorate’s performance.

Audit and Inspection Progress

Care Inspectorate Wales (CIW) Children’s Services

In 2018 CIW reported on their inspection undertaken on Children’s Social Services in Blaenau Gwent. Despite the overall summary being positive, the CIW made recommendations for improvement which have been monitored as part of the corporate business planning process. The progress position of these recommended proposals for improvement, is as follows:-

Number of Recommended Proposals for improvement	Completed	On Track for Delivery	Ongoing Recommendations
7	4	3	<ul style="list-style-type: none"> • Finalise and Implement a number of key policies, procedures and strategies’ • Develop an overarching quality assurance framework to enable coordinated audit and monitoring activity to regularly challenge and support operational multi-agency practice. • Improve the quality of assessments to demonstrate a full consideration of need and a clear record of analysis of the child's need and wellbeing outcomes.

Care Inspectorate Wales (CIW) Fostering Services

In 2018 CIW reported on their inspection of the Fostering Service in Blaenau Gwent. Despite the overall summary being positive the CIW made recommendations for improvement which have been monitored as part of the corporate business planning process. The progress position of these recommended proposals for improvement, is as follows:-

Number of Recommended Proposals for improvement	Completed	On Track for Delivery	Ongoing Recommendations
15	14	1	<ul style="list-style-type: none">Action should be taken to increase the breadth of experience of fostering panel members'

Collaboration

Blaenau Gwent Council supports partnership and collaborative working and the Social Services Department continues to work with a wide range of partners where partnership opportunities provide better outcomes for local residents than the Council could achieve if working on its own. Social Services work in partnership with a variety of stakeholders including staff, residents and businesses. In addition, Social Services fully participates in the sharing of knowledge, good practice and information, which can result in improved services.

Regional Partnership Boards

The Social Services and Well-being Act sets out a statutory requirement for the development of Regional Partnership Boards. The Boards have been established on current local health board footprints. The Gwent Board includes ABUHB and Blaenau Gwent, Caerphilly, Monmouthshire, Newport and Torfaen local authorities. The Executive member in each local authority, with responsibility for health and social care, sits on the Regional Partnership Board. It is an advisory body which provides oversight and direction for areas of integrated working across health and social care. The main priorities of the Board for 2020/21 has been the Coronavirus outbreak across partner agencies and the effect on services. Secondly, the continuation of the Transformational Offer beyond 2021, in response to the Welsh Government's new long term plan for health and social care 'A Healthier Wales'. Thirdly, the reallocation of underspend for 2019/20 and the continuation of the Integrated Care Revenue and Capital Funds. Finally, it had considered the Integrated Winter Plan for 2020/21.

'Mwy na geiriau/ More than just words

As a department we continue to monitor compliance with our responsibilities within More Than Just Words and the Active Offer. We continue to ensure that when citizens contact both our Adult and Children Services Departments, that they are offered the opportunity to communicate in the language of their choice. Our assessment tools within our Welsh Community Care Information System (WCCIS) system specifically asks the question "Do you require this conversation / assessment to be carried out in Welsh?" The form is then attached to the person's referral.

Our commissioned providers work in partnership with us to promote the Welsh Language and this is reflected in our contracts and service level agreements.

Our Financial Resources and How We Plan For the Future

The total budget allocation for Social Services for 2020/21 was £46.30m. This is an increase from last year by £0.899m. At the end of 2020/21 Social Services had an underspend of £1,120,905 and this is due to vacant posts, Support for Families & Vulnerable Children's, ICF, Transformation and Winter Pressures Grant Funding.

The provision of regular financial forecasting reports in line with the budget monitoring and reporting framework has enabled the Social Services Senior Management Team to make informed decisions on service delivery.

In setting the 2021/22 budget, Council agreed a number of savings proposals totalling £0.155m. For 2020/21 the department achieved £643,000 of savings.

The allocated budget and outturn for 2020/21 is provided in the table below:

Service Area	Budget	Outturn	Variance (Adverse)/
Children's Services	£13,247,000	£13,193,465	54,335
Adult Services	£26,118,120	£25,781,618	1,306,792
Business Management / Staff Support	£5,986,050	£5,821,682	164,368
Other Social Services Related Costs		£400,000	(£400,000)
Total	£45,351,970	£44,231,065	£1,120,905

The budget for 2021/22 is provided in the table below and includes Financial Efficiency Project savings of £0.155m.

Social Services Budget 2021/22		£
1	Commissioning & Social Work	3,562,250
2	Children Looked After	7,313,340
3	Family Support Services	188,600
4	Youth Justice	232,920
5	Other Children's and Family Services	2,315,910
6	Older People Aged 65 and Over	6,076,370

Social Services Budget 2020/21		£
7	Adults under 65 with Physical Disabilities	41,800
8	Adults under 65 with Learning Disabilities	3,659,130
9	Adults under 65 with Mental Health Needs	596,130
10	Other Adult Services	367,890
11	Community Care	15,659,600
12	Support Service & Management Costs	1,024,130
13	Corporate Recharges	5,212,400
Grand Total		46,250,470

Conclusion

The Social Services Directorate has responded to the COVID-19 pandemic over the past 12 months, continuing to deliver services, albeit in a different way, to ensure that our most vulnerable residents and children continue to get the care and support they require.

Collaborative work with partners and as a region has ensured a consistent approach has been taken to delivering services during the outbreak, in line with Welsh Government and Public Health Wales guidance, ensuring minimised harm of COVID-19 and keeping people as safe as possible from contracting this virus whilst continuing to deliver services.

Learning from this pandemic along with the implementation of the Social Services and Well-being (Wales) Act 2014 will shape and influence future design of services going forward.

The Social Services and Well-being (Wales) Act 2014 was a response to the Welsh Government review of Social Services in 2010 (Sustainable Social Services) which recognised that without radical change to the way we worked, services would become unaffordable in the near future as a result of demographic pressures and the changing expectations of the public at a time of financial austerity.

The Act looks to build and strengthen on existing arrangements by involving service users, carers and other key partners, where possible, in helping to shape and influence future design of services. This is supported by the Directorate who look to promote a preventative approach to practice through early identification and intervention.

It is recognised that in the current financial climate there is a need to work smarter and in partnership and the report provides examples of where this is working effectively.

This Annual Report of the Director of Social Services provides a snapshot of service activity undertaken throughout 2020/21. Further supporting information can be found below:

Accessing Further Information and Key Documents

Useful Documents

Reports to Social Services Scrutiny Committee - <http://democracy.blaenau-gwent.gov.uk/ieListMeetings.aspx?CId=1157&Year=0&LLL=0>

Council Corporate Plan – https://www.blaenau-gwent.gov.uk/fileadmin/documents/Council/Policies_Strategies_Plans/Corporate_Plan_2018-22.pdf

Blaenau Gwent Council Budget Monitoring - <http://democracy.blaenau-gwent.gov.uk/ieListMeetings.aspx?CId=1148&Year=0&LLL=0>

Social Services Website – http://www.blaenau-gwent.gov.uk/en/resident/health-wellbeing-social-care/Workforce_Development - <http://socialservicesblaenau-gwent.caerphilly.gov.uk/>

Useful Websites

Social Care Wales - <https://socialcare.wales>

Care Inspectorate Wales (CIW) - <https://careinspectorate.wales/>

Data Cymru - www.data.cymru

Dewis Wales - <https://www.dewis.wales>

Gwent Safeguarding - <https://www.gwentsafeguarding.org.uk/en/Home.aspx>

Public Service Board - <http://www.blaenau-gwent.gov.uk/council/partnerships/partnership-working/>

South East Wales Safeguarding Children's Board - www.sewsc.org.uk

Providing Feedback

Social Services welcomes feedback on the Annual Report of the Director of Social Services. Your views are important to us. Please contact us if you would like to give feedback on the plan or if you require this document in a different format e.g. large print, Braille, audio version, etc.

Fersiwn Gymraeg

Yn unol â Chynllun Iaith Gymraeg y Cyngor, bydd fersiwn Gymraeg o Adroddiad Blynyddol y Cyfarwyddwr Gwasanaethau Cymdeithasol ar gael ar wefan y Cyngor.

Write to us:

Director of Social Services

Anvil Court

Church Street, Abertillery, NP13 1DB

Call us: (01495) 355 006

Email us: info@blaenau-gwent.gov.uk

Visit our website: www.blaenau-gwent.gov.uk

The Social Services Directorate is satisfied that the information given in this annual report is accurate based on the information available at the time of publication.

This annual report has been subject to an Equality Impact Assessment screening.



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Agenda Item 32

Executive Committee and Council only

Date signed off by the Monitoring Officer: 05.11.2021

Date signed off by the Section 151 Officer: 09.11.2021

Committee: **Council**

Date of meeting: **25th November 2021**

Report Subject: **Gambling Act 2005 - Review of Statement of Gambling Policy**

Portfolio Holder: **Councillor J. Wilkins – Executive Member Environment**

Report Submitted by: **David Thompson – Service Manager, Public Protection**

Report Written by: **Helen Jones – Senior Licensing Officer**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
5.10.21	7.10.21						25.11.21	Statutory Licensing Committee 28.10.21

1. Purpose of the Report

- 1.1 To approve the Gambling Act 2005 - Statement of Licensing Policy (the Policy) following its statutory review.

2. Scope and Background

- 2.1 The Gambling Act 2005 (hereafter called ‘the Act’) stipulates that each licensing authority publish a Licensing Policy which sets out the manner in which the Council will consider applications for licences in accordance with the Act. The Act also stipulates that the Council must review this policy every three years following consultation with various stakeholders and interested parties. The Council must consider any representations received, and determine if any changes are required to be made to the existing policy.
- 2.2 The current policy came into force on 31st January 2019 and therefore the new updated policy must be advertised in a local newspaper before being implemented from 31st January 2022.
- 2.3 Prior to the consultation, discussions were held between the Gwent Licensing Authorities and it was agreed that no changes were

necessary to the existing policy other than to update correspondence addresses of many Council departments and various external organisations.

- 2.4 Statutory consultation on the draft Policy was carried out between 3rd September and 1st October 2021 with six relevant licence holders under the Act, covering 12 licensed gambling premises consisting of three adult gaming centres and eight betting premises. Some licensees hold more than one licence.
- 2.5 Consultation was also carried out between Responsible Authorities, Members and other relevant groups and organisations, for example, the Gambling Commission, HMRC, Gamcare. Only one response was received during this period and this was purely administrative to amend an address of an organisation. Consequently, there are no significant changes to the reviewed Policy.
- 2.6 The Statutory Licensing Committee considered the reviewed policy at its meeting on 28th October 2021 and resolved to recommend its approval by Council as approval cannot be delegated to the Committee. A copy of the proposed final policy is attached at **Appendix 1**.

3. Options for Recommendation

3.1 Option 1 (Preferred Option)

- That the Council approves the reviewed policy in **Appendix 1**.

Option 2

- That the Council approves the policy subject to further amendments.

Option 3

- That the policy is not approved by the Council.

4. Evidence of how does this topic supports the achievement of the Corporate Plan/Statutory Responsibilities/Blaenau Gwent Well-being Plan

- 4.1 This report relates to the statutory duties and responsibilities of the Authority.
- 4.2 Links to the Corporate Plan and the Well-being Plan are covered in any reports implementing or varying any area of work delivered by the Licensing Team. This report links to the Corporate Plan 20/22 specifically in relation to 'An ambitious and innovative council delivering the quality services we know matter to our communities'.

Visit here:

<http://democracy.blaenau-gwent.gov.uk/documents/s5443/CO2007D9%20Appendix%20Refresh%20of%20Corporate%20Priorities.pdf?LLL=0>

5. Implications Against Each Option

- 5.1 This report reflects work carried out by the Licensing Team within existing resources and there are therefore no financial implications. Most gambling licence fees are set by the authority on an annual basis.
- 5.2 If the Council does not approve a Policy as required by statute, it will be at risk of legal challenge from stakeholders and licence holders for authorisations granted under the Gambling Act 2005.
- 5.3 This report relates to the statutory powers and responsibilities of the Authority. There are no significant legal implications of Option 1. This option offers the most effective proposal to provide confidence in the licensing regime and has been drafted in conjunction with the other Authorities in Gwent.
- 5.4 Option 2 would however require further legal consideration to ensure that any proposed amendments are lawful and reasonable.
- 5.5 Option 3 places the Authority at risk of legal challenge if a revised Policy is not adopted and published within the three year period (by 31st January 2022) as required by the Gambling Act 2005.

5.6 There are no staffing/workforce implications associated with this proposal.

6. **Supporting Evidence**

- Gambling Act 2005 – Statement of Licensing Policy 1st October 2021 draft version (**Appendix 1**)

7. **Monitoring Arrangements**

7.1 This Policy will be subject to statutory review as required by the Gambling Act 2005 and further reports will be made to Statutory Licensing Committee as appropriate, regarding any changes that become necessary.



GAMBLING ACT 2005
STATEMENT OF LICENSING POLICY

To be considered by Council: 25th November 2021 **
Commencement: 31st January 2022

Licensing Team
Blaenau Gwent County Borough Council
Licensing Team
The General Offices
Steelworks Road
Ebbw Vale
NP23 6AA

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1. STATEMENT OF LICENSING POLICY

1.1 Introduction

The Gambling Act 2005 requires the Council to prepare and publish a "Statement of Licensing Policy" that sets out the principles the Council proposes to apply in exercising its licensing functions when dealing with applications for premises licences, as required by the Act.

This Policy Statement takes effect on 31st January 2022. This Licensing Authority will update and publish a new Licensing Policy whenever necessary but in any case within 3 years of the date of this policy, and will fully consult with partners, trade associations and residents groups as appropriate at that time, any representations received will be considered at that time.

However where updates are required due to changes in national legislation, statutory guidance or contact details the Council reserves the right to amend this policy without consultation where it is necessary to ensure the policy reflects national legislation or statutory guidance.

In producing the final Policy Statement, the Council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, any codes of practice and any responses from those consulted on the Policy Statement.

The Council has a legal obligation to comply with all legislation that promotes equality it has a policy in place to promote equality to all. Licensing of persons and premises under the Gambling Act 2005 will actively promote equality of service and enforcement to all members of the community.

The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with such a right.

The Council will have regard to the Human Rights Act when considering any licensing issues, and particularly in respect of the way in which applications are considered and enforcement activities are carried out.

The Council acknowledges that it may need to depart from this Policy and from the guidance issued under the Act in individual and exceptional circumstances, and where the case merits such a decision in the interests of the promotion of the licensing objectives. Any such decision will be taken in consultation with the appropriate legal advisors for the Licensing Authority, and the reasons for any such departure will be fully recorded.

NOTE: In this Policy, the following definitions are included to provide an explanation to certain terms included in the Act and, therefore, in the Statement of Licensing Policy. In some cases they are an abbreviation of what is stated in the Gambling Act 2005 or an interpretation of those terms. For a full definition of the terms used, the reader must refer to the Gambling Act 2005.

'The Council' means Blaenau Gwent County Borough Council, acting as the Licensing Authority as defined by the Gambling Act 2005.

'The Act' means the Gambling Act 2005.

'The County Borough' means the county borough of Blaenau Gwent.

'The Licensing Authority' the authority in whose area the premises is wholly/partly situated. The Licensing Authority (as in the issuing authority) is also a responsible authority.

'The Gambling Commission' a body set up by the Government as the unified regulator for gambling, replacing the Gaming Board.

'Responsible Authority' means a public body that must be notified of certain applications for premises licences and permits, and are entitled to make representations on any of the licensing objectives.

'Children' means individuals who are less than 16 years old.

'Young person' means individuals who are aged less than 18 years old and 16 years and over.

'Mandatory Conditions' means a specified condition provided by regulations to be attached to premises licences.

'Default Conditions' means a specified condition provided for by regulations to be attached to a licence unless excluded by the Council.

'Premises' means any place, including a vessel or moveable structure.

1.2 Profile of Blaenau Gwent County Borough

The County of Borough of Blaenau Gwent is mainly rural in nature, covers 10,876 hectares and has a population of approximately 68,900. Despite the fact that the area has traditionally been thought of as an industrial area, mainly for coal mining and steel production, its land use is now predominantly rural with over 77% of the land area given over to farmland, commons and open spaces and 23% is defined urban land.

Blaenau Gwent comprises of three valleys, Sirhowy, Ebbw Fawr, and Ebbw Fach. There are six main towns of Abertillery, Brynmawr, Ebbw Vale, Nantyglo, Blaina, and Tredegar.

1.3 Objectives

In exercising most of its functions under the Gambling Act 2005 the Council, as the Licensing Authority, must have regard to the following licensing objectives:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way;
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

The Council is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling insofar as it thinks fit:

- In accordance with any relevant code of practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives;
- In accordance with the Council's Statement of Licensing Policy.

1.4 The Licensing Authority Functions

The Council is required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences;
- Issue Provisional Statements;
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
- Issue Club Machine Permits to Commercial Clubs;
- Grant permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres;
- Receive notification from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines;
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Register small society lotteries below prescribed thresholds;
- Issue Prize Gaming Permits;
- Receive and endorse Temporary Use Notices;
- Receive Occasional Use Notices;
- Provide information to the Gambling Commission regarding details of licences issued (see section below on information exchange);
- Maintain registers of the permits and licences that are issued under these functions.

It should be noted that local licensing authorities are not involved in licensing remote gambling at all, which is regulated by the Gambling Commission via Operator Licences.

The Council recognises that the licensing function is only one means of promoting delivery of the three objectives and should not therefore be seen as a means for solving all problems within the community. The Council will therefore continue to work in partnership with neighbouring authorities, Heddlu Gwent Police, the Safer Blaenau Gwent Community Safety Partnership, Public Health Wales, local businesses, local people and those involved in child protection to promote the licensing objectives as outlined. In addition, the Council recognises its duty under Section 17 of the Crime and Disorder Act 1998, with regard to the prevention of crime and disorder.

1.5 Consultation

The Council has consulted widely upon this Statement before finalising and publishing. A list of those persons consulted is provided below, in line with the Act and the Gambling Commission's Guidance. Further details, together with a list of comments made and the consideration by the Council of those comments is available on request.

- The Chief Officer of Police;
- The Fire Authority;
- Representatives of the holders of various licences for premises within the County Borough who will be affected by this Policy;
- Bodies representing businesses and residents in the County Borough;
- Departments (including Responsible Authorities) within the Council with an interest in the licensing of gambling;
- BGCBC Children's Services Manager;
- Community and Town Councils;
- Other organisations as appear to be affected by licensing matters covered by this Statement;
- H.M. Revenue and Customs;
- Public Health Wales/local health board;
- South East Wales Safeguarding Children Board;
- Gwent Wide Adult Safeguarding Board.

Consultation took place between 3rd September 2021 and 1st October 2021 and, as far as practicable, the Council followed the Consultation Principles issued by the government which is available at <https://www.gov.uk/government/publications/consultation-principles-guidance>

This policy was approved at a meeting of the Full Council on *** and was published on 31st January 2022 as well as being available at www.blaenau-gwent.gov.uk

1.6 Responsible Authorities

In exercising the Council's powers under Section 157(h) of the Act to designate, in writing, a body that is competent to advise the Council about the protection of children from harm, the following principles have been applied:

- The need for the body to be responsible for an area covering the whole of the Council's area;
- The need for the body to include senior and responsible representatives of appropriate public bodies in the county borough area, who have as a principal duty, responsibility for the protection of children from harm

In accordance with the Gambling Commission's Guidance this Council designates the Council's children's services manager for this purpose. Details of the bodies identified under the Act that are to be treated as Responsible Authorities are available at Appendix A.

1.7 Interested Parties

Interested Parties can make representations about licence applications, or apply for a review of an existing licence based on the three licensing objectives as detailed in paragraph 1.3 of this Policy Statement.

An Interested Party is someone who:-

- (a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- (b) Has business interests that might be affected by the authorised activities; or
- (c) Represents persons in either of the two groups above.

The principles the Council will apply to determine whether a person is an Interested Party are:

Each case will be decided upon its merits. This Council will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities. It will also consider the Gambling Commission's Guidance that "business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups, medical practices and the health board.

Interested Parties can be persons who are democratically elected, such as Councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Likewise, town and community councils likely to be affected will be considered as interested parties. Other than these, however, this Council will generally require written evidence that a person, body (e.g. an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities. Correspondence from one of these persons, requesting the representation is sufficient.

If individuals wish to approach Councillors to ask them to represent their views, then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application or in any other way have a personal interest that would preclude them from participating in a hearing. If there are any doubts then please contact the Licensing Section.

It should be noted that, unlike the Licensing Act, the Gambling Act does not include as a specific licensing objective the prevention of public nuisance. There is, however, other relevant legislation, which deals with public nuisance.

1.8 Exchange of Information

The principle that the Council will apply in respect of the exchange of information between it and the Gambling Commission and those bodies listed in Schedule 6 of the Act is that it will act in accordance with the provisions of the Gambling Act 2005 which includes the provision that the Data Protection Act 1998 will not be contravened. The Council will also have regard to any guidance issued by the Gambling Commission to Local Authorities on

this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

1.9 Enforcement

The Council's principles are that it will be guided by the Gambling Commission's Guidance to local authorities, the Regulators Code and the Council's enforcement policy. It will endeavour to be:

- Proportionate - regulators should only intervene when necessary, remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable - regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent - rules and standards must be joined up and implemented fairly;
- Transparent - regulators should be open, keep regulations simple and user friendly; and
- Targeted - regulation should be focused on the problem, and minimise side effects.

As per the Gambling Commission's Guidance to Licensing Authorities, the Council will endeavour to avoid duplication with other regulatory regimes so far as possible.

The Council has adopted and implemented a risk-based inspection programme, based on:

- The licensing objectives;
- Relevant codes of practice;
- Guidance issued by the Gambling Commission;
- The principles set out in this Statement of Licensing Policy.
- The council's enforcement policy.

The main enforcement and compliance role for this Council in terms of the Gambling Act 2005 is to ensure compliance with the Premises Licences and other permissions, which it authorises. The Gambling Commission is the enforcement body for the Operator and Personal Licences. Concerns about manufacture, supply or repair of gaming machines are dealt with by the Council but should be notified to the Gambling Commission.

The Council will take account of the Gambling Commission's guidance 'Approach to Test Purchasing' when considering making test purchases at gambling premises. The Council will also follow its own policies and procedures regarding the use of underage test purchasers.

The Council also keeps itself informed of developments as regards the work of the Better Regulation Delivery Office in its consideration of the regulatory functions of local authorities.

1.10 Fundamental Rights

Under the terms of the Act any individual/company may apply for a variety of permissions and have their applications considered on their individual merits. Equally, any Interested Party or Responsible Authority has a right to make relevant representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.

Applicants and those making relevant representations in respect of applications to the Council have a right of appeal to the Magistrates Court against the decisions of the Council.

1.11 Integrating Strategies and Avoiding Duplication

By consulting widely prior to this Policy Statement being published, the Council will take full account of local policies covering crime prevention, culture, transport, planning and tourism as part of an integrated strategy for the Council, Police and other agencies. Many of these strategies may not be directly related to the promotion of the three licensing objectives, but may indirectly impact upon them.

When considering any application, the Council will avoid duplication with other regulatory regimes so far as possible. Therefore, the Council will not attach conditions to a licence unless they are considered necessary, reasonable and proportionate to the use of premises for gambling consistent with the licensing objectives.

1.12 Sustainable Development Community Strategy

The Local Government Act 2000 requires all local authorities to produce a community strategy within the framework of the UK Sustainable Development Strategy – “A better Quality of Life” and relevant regional strategies. The Wellbeing and Future Generations (Wales) Act 2015 requires all Welsh local authorities to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems such as poverty, health inequalities and climate change.

Community strategies provide a focal point for the identification of local issues and aspirations on social inclusion, environmental protection, employment and economic development.

Local strategic partnerships, typically involving the police, local authorities, primary care trusts, the health board and representatives from education, business and the voluntary sector organisations, are responsible for the achievement of locally set objectives.

Under the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent crime and disorder in the area. The Council will have particular regard to the likely impact of licensing on related crime and disorder in the county borough, particularly when considering the location, impact, operation and management of all proposed licence/permit applications, renewals and variations of conditions.

2. PREMISES LICENCES

2.1 General Principles

Premises Licences authorise the provision of gambling facilities on the following:-

- Casino Premises;
- Bingo Premises;
- Betting Premises (including race tracks used by betting intermediaries);
- Adult Gaming Centres (AGCs);
- Family Entertainment Centres (FECs).

Except in the case of Tracks (where the occupier may not be the person offering gambling), Premises Licences will only be granted to those issued with an Operating Licence by the Gambling Commission.

Premises Licences are subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions, which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

The Council is aware that in making decisions about Premises Licences it should aim to permit the use of premises for gambling insofar as it thinks it:-

- In accordance with any relevant code of practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with this Policy Statement.

This Council may also consider measures to meet the licensing objectives when making such decisions, for example:-

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets/helpline numbers for organisations such as Gam Care;
- Measures/training for staff on how to deal with children on the premises, for example, suspected truancy from school.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for Premises Licences" and also that unmet demand is not a criterion for a licensing authority.

The Licence Conditions and Code of Practice (LCCP) issued by the Gambling Commission places the onus on licence holders to complete a risk assessment. The Council will have regard to this code when considering applications. This is covered in detail in Section 6 of this statement.

Definition of "Premises":

Premises is defined in the Act as "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This

approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in its Guidance to Licensing Authorities that: “In most cases the expectation is that a single building/plot will be the subject of an application for a licence. But, that does not mean that a single building plot cannot be the subject of separate premises licence, e.g. the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer.

However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example, by ropes or moveable partitions, can properly be regarded as different premises.”

The Council takes particular note of the Gambling Commission’s Guidance for local authorities which states that licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, they should be aware of the following –

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating;
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensing premises or premises with a permit;
- Customers should be able to participate in the activity named on the premises licence.

The Guidance also gives a list of factors, which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- Is the Premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

2.2 Appropriate Licence Environment

The Guidance to Local Authorities and the Licence Conditions and Codes of Practice (LCCP) sets out additional matters that the Council should take into account when considering licence applications for premises licences.

The guidance prescribes restrictions on gambling activities on premises, previously known as primary gambling activity. The Council will consider any application based on the provisions in these codes and guidance.

Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls, the council will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises, and that the premises is adequately supervised at all times.

The Council will consider these and any other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission's Guidance for relevant access provisions for each premises type is reproduced in Appendix B.

2.3 Premises "ready for gambling"

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, the Council will determine applications on their merits, applying a two stage consideration process:

- First, whether the premises ought to be permitted to be used for gambling;
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found in the Guidance.

2.4 Other Considerations

Location:

The Council is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision making. As per the Gambling Commission's Guidance for local authorities, the Council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this Statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

Planning

The Gambling Commission Guidance to Licensing Authorities states:

- In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

The Council will not take into account irrelevant matters as per the above guidance. In addition, the Council notes the following excerpt from the Guidance:

- When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

2.5 Duplication with other Regulatory Regimes:

The Council seeks to avoid any duplication with other statutory/regulatory systems where possible, including planning. The Council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval in its consideration of it. It will though listen to, and consider carefully, any concerns about conditions, which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, the Council will not take into account whether those buildings have to comply with the necessary planning or building consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

2.6 Licensing Objectives:

Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the Council has considered the Gambling Commission's Guidance to licensing authorities and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:

The Council is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does, however, envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime, the Council will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The Council is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

Ensure that gambling is conducted in a fair and open way:

The Council has noted that the Gambling Commission states that it does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be addressed via operating and personal licences. There is, however, more of a role with regard to tracks, which is explained in more detail in the "tracks" section.

Protecting children and adults at risk from being harmed or exploited by gambling:

The Council has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Council will, therefore, consider, as suggested in this Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas, etc.

The Council is also aware of the Codes of Practice, which the Gambling Commission issues as regards this licensing objective, in relation to specific premises.

As regards the term "adults at risk" it is noted that the Gambling Commission does not seek to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs". The Council will consider this licensing objective on a case by case basis.

The Gambling Commission Guidance to Local Authorities sets out considerations that an operator must make in order to protect children and adults at risk from accessing gambling premises.

The Licence Conditions and Codes of Practice (LCCP) prescribe how operators must prevent children from using age restricted gaming or gambling activities, particularly where gaming machines are licensed.

In particular operators must ensure that;

- all staff are trained,
- that all customers are supervised when on gambling premises
- must have procedures for identifying customers who are at risk of gambling related harm and also where to signpost people for support (training is available from a number of sources including Newport Citizens Advice Bureau (CAB) and GambleAware).

The Council will expect all operators to have policies and procedures in place as required by the LCCP codes on social responsibility to cover all aspects of the code, in particular staff training records and self-exclusion records.

Further provisions with regard to self-exclusion and marketing are included in the social responsibility code. The council will take all conditions and codes into account when considering applications or performing enforcement activities.

See section 6 of this policy statement for further details and on the Council's requirements in relation to the LCCP.

The Council will have regard to the report of the Chief Medical Officer for Wales to support the licensing objective in order to protect children and adults at risk from being harmed or exploited by gambling. The Council will work with local partners and consider the findings from any local intelligence gathered and from national reports.

The Council would expect applicants and licence holders to carry out the necessary checks on all relevant members of staff to ensure their suitability for employment, particularly in respect of premises where children and adults at risk have access.

There are a number of safeguarding themes which can be linked to gambling which require vigilance on the part of operators and licence holders, who should take the following matters into consideration;-

- human trafficking and modern day slavery (this can manifest itself in the domination of employees, mistreatment and criminality);
- child sexual exploitation – children can be attracted to gambling machines by being given money or the promise of money which can result in them being exploited and criminalised;
- neglect due to a gambling addiction.

2.7 Bet-Watch:

The Council encourages and will support local operators to create and maintain an information sharing network to discuss issues of problem gamblers that are identified. This will also be an opportunity for operators to discuss issues with the licensing officers.

2.8 Conditions:

All Gambling Act 2005 premises licences are subject to mandatory and default conditions. Additional conditions will only be considered where there is clear evidence of a risk to one or more of the licensing objectives and in circumstances where there is a need to supplement the mandatory and default conditions.

Any conditions attached to licences will be proportionate and will be:

- Relevant to the need to make the proposed building suitable as a gambling facility;
- Directly related to the premises and the type of licence applied for;
- Fairly and reasonably related to the scale and type of premises; and
- Reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the Council will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas, etc. Specific regard will be taken to the local risk assessment for each premises when making decisions. There are also specific comments made in this regard under some of the licence types below. In addition, the Council will expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively, in conjunction with mandatory conditions specified in the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007.

Conditions the Council may impose on a licence could include:-

Security conditions

- A minimum of two members of staff after 10pm;
- The premises will have an intruder alarm and panic button;
- A monitor shall be placed inside the premises above the front door showing CCTV images of customers entering the premises.

Anti-social behaviour conditions

- The licensee shall develop and agree a protocol with the police as to incident reporting, including the type and level of incident and mode of communication, so as to enable the police to monitor any issues arising at or in relation to the premises;
- The licensee shall place and maintain a sign at the entrance which states that 'only drinks purchased on the premises may be consumed on the premises';
- The licensee shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises.

Underage controls

- Customers under 21 will have to provide ID;
- No machines in the Unlicensed Family Entertainment Centre to be sited within one metre of the Adult Gaming Centre entrance;
- Staff training records or certified copies should be available at the premises for inspection.

Player protection controls

- There shall be no cash point or ATM facilities on the premises;
- The licensee shall train staff on specific issues related to the local area and shall conduct periodic refresher training. Participation in the training shall be formally recorded and the records produced to the police or licensing authority upon request;
- Prominent Gam Care documentation will be displayed at the premises;
- The licence holder shall train all staff to be able to identify customers who are at risk from gambling.

This list is not exhaustive and merely gives an example of the type of conditions which may be imposed depending on the circumstances at each premises.

The Council will also consider specific measures, which may be required for buildings, which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance and codes of practice.

The Council will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- All such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- Only adults are admitted to the area where these machines are located;
- Access to the area where the machines are located is supervised;
- The area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- At the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises, including buildings where multiple premises licences are applicable.

The Council is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this Council will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions, which the Council cannot attach to premises licences, which are:

- Any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- Conditions relating to gaming machine categories, numbers, or method of operation;
- Conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- Conditions in relation to stakes, fees, winning or prizes.

Attached at Appendix C is a copy of the mandatory and default conditions and Blaenau Gwent County Borough Council's pool of model conditions for gambling premises licences.

2.9 Door Supervisors:

The Gambling Commission advises in its guidance to licensing authorities that if it is concerned that a premises may attract disorder, or be subject to attempts at unauthorised access (e.g. by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed as the statutory requirements for different types of premises vary.

2.10 Adult Gaming Centres

The Council will specifically have regard to the need to protect children and adults at risk from harm or being exploited by gambling and will expect the applicant to satisfy the Council that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls. The Council will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times.

2.11 (Licensed) Family Entertainment Centres

The Council will specifically have regard to the need to protect children and adults at risk from harm or being exploited by gambling and will expect the applicant to satisfy the Council, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. The applicant for a Family Entertainment Centre provide evidence that a suitable criminal record check with the Disclosure and Barring Service (DBS) has been conducted on all staff in his/her employment.

Children and young persons are permitted entry to licensed FECs but are not permitted to play Category C machines. The Council expects the applicant to ensure that there will be sufficient measures in place to prevent under 18 year olds having access to the adult only gaming machine areas. The Council will expect applicants to meet the licensing objectives and comply with all mandatory conditions and Codes of Practice issued by the Gambling Commission.

There is a requirement that there must be clear segregation between the types of machine in order that children do not have access to Category C machines. All Category C machines must be located in an area of the premises which is separate from the remainder of the premises by a physical barrier, which will prevent access other than through a designated entrance. The Council will seek to ensure that:

- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18

2.12 Casinos

The Council has not passed a “no casino” resolution under Section 166 of the Gambling Act 2005, but has the power to do so at any time. Should the Council decide in the future to pass such a resolution, this Policy Statement will be amended with details of that resolution. Any such decision will be made by the full Council.

Licence Considerations/Conditions:

The Council will attach conditions to casino premises licences according to the principles set out in the Gambling Commission’s Guidance, bearing in mind the mandatory conditions listed in the Guidance, and the Licence Conditions and Codes of Practice published by the Gambling Commission.

Betting Machines:

The Council will, as per the Gambling Commission’s Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people when considering the number/nature/circumstances of betting machines an operator wants to offer

2.13 Bingo Premises

Licensing Authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

A holder of bingo premises licences may make available for use of a number of category B gaming machines, not exceeding 20% of the total number of gaming machines, which are available for use on the premises

Children and young people are allowed into bingo premises; however, they are not permitted to participate in the bingo and if category B or C machines are made available for use, these must be separated from areas where children and young people are allowed.

Where Category C or above machines are available in the bingo premises to which children are admitted, the Council will seek to ensure that:-

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier to prevent access other than through a designated entrance;

- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff or the licence holder; and
- at the entrance to, and inside any such area, notices are prominently displayed indicating that access to the area is prohibited to persons under 18.

Where bingo is permitted in alcohol-licensed premises, this must be low turnover bingo only and applicants are expected to comply with any Codes of Practice and advice issued by the Gambling Commission. High turnover bingo will require a Bingo Operating Licence.

2.14 Betting Premises

Self Service Betting Terminals (SSBTs):

The Act provides that a machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Betting premises may make available machines that accept bets on live events, such as horseracing, as a substitute for placing a bet over the counter. These “betting machines” are not gaming machines: they merely automate the process, which can be conducted in person and, therefore, do not require regulation as a gaming machine.

However, where a machine is made available to take bets on virtual races (that is, results and/or images generated by computer to resemble races or other events) that machine **is** a gaming machine and counts towards the maximum permitted number of gaming machines, and must meet the relevant category limitations for the premises.

The Council will, as per the Gambling Commission’s Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. The premises should also display notices with contact for help organisations e.g. GamCare.

The Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact who should be a senior individual and to whom the Authority will contact first should any compliance queries or issues arise.

Gaming machines

Section 235(1) of the Gambling Act 2005 sets out the definition of a gaming machine and states that a ‘gaming machine’ means a machine which is designed or adapted for use by individuals to gamble (whether or not it can be used for other purposes). The Gambling Act 2005 provides further information in relation to exemptions.

2.15 Tracks

The Council is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission’s Guidance, the Council will especially consider the impact upon the third

licensing objective (i.e. protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

The Council will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

2.16 Gaming Machines:

There are a number of categories of gaming machine permitted at licensed and other premises and the number of such machines that may be permitted in each type of gambling premises are set out in the Act. The Council does not have the power to set different limits or further expand or restrict the categories of machine that are permitted. The exception to this is alcohol-licensed premises that hold gaming machine permits, where licensing authorities have discretion to specify the number of permitted gaming machines. In addition, limits are set separately in the Act for certain types of permit issued by licensing authorities. A table setting out gaming machine entitlement at each type of premises is attached at Appendix D.

There is a minimum age of 18 for all players for all category A, B and C machines, including category B3A gaming machines offering lottery style games. However there is no minimum age for players of category D machines. The holder of any permit or premises licence must comply with the codes of practice issued by the Commission on the location of and access to gaming machines by children and young persons, and the separation from category C and B machines where those are also located on the same premises.

Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than Category D machines) should be located in areas from which children are excluded.

2.17 Betting Machines:

The Council will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of machines by children and young persons (it is an offence for those under 18 to bet) or by adults at risk, when considering the number/nature/circumstances of betting machines an operator wants to offer.

2.18 Applications and plans:

The Gambling Act 2005 and regulations require applicants to submit plans of the premises with their application, in order to ensure that the Council has the necessary information to make an informed judgement about whether the premises are fit for gambling. They will also be used for the Council to plan future premises inspection activity.

Plans for tracks should be drawn to scale sufficiently detailed to include the information required by regulations.

Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.

In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.

The Council appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this Council can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting area subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan.

2.19 Travelling Fairs

This Council is responsible for deciding whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The Council will also consider whether the applicant falls within the statutory definition of a travelling fair contained in Section 286 of the Gambling Act 2005.

The 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Council will work with its neighbouring authorities to ensure that land, which crosses our boundaries, is monitored so that the statutory limits are not exceeded.

2.20 Provisional Statements

Developers may wish to apply to this Council for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

Section 204 of the Gambling Act 2005 provides for a person to make an application to the Council for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The Council will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage; or
- they reflect a change in the applicant's circumstances.

In addition, the Council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the Council's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Council notes that it can discuss any concerns it has with the applicant before making a decision.

3. PERMITS, TEMPORARY AND OCCASIONAL USE NOTICES

These forms of authorisations are as follows:-

- Unlicensed Family Entertainment Centres (uFEC) Permits
- Prize Gaming Permits
- Licensed Premises Gaming Machine Permits
- Club Gaming Permits
- Club Gaming Machine Permits
- Temporary Use Notices (TUNs)
- Occasional Use Notices (OUNs)

3.1 Unlicensed Family Entertainment Centre Permits

Only premises that are wholly or mainly used for making gaming machines available may hold an Unlicensed Family Entertainment Centre. As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport, motorway service station or similar. Typically, the machines will be in a designated enclosed area and clearly defined when making an application to the Council.

Where a premises does not hold a Premises Licence but wishes to provide category D gaming machines, it may apply to the Council for this permit.

It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use and would, therefore, exclude any premises primarily used for any other purposes, e.g. canteens, fast food takeaways, leisure centres, garages and petrol filling stations, taxi offices.

An application for a permit may be granted only if the Council is satisfied that the premises will be used as an unlicensed Family Entertainment Centre and the Chief Officer of Police has been consulted on the application.

The Council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises.

This Council will also expect, as per Gambling Commission Guidance, that applicants demonstrate:-

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres;
- that they have no relevant convictions (those that are set out in Schedule 7 of the Act);
- that staff are trained to have a full understanding of the maximum stakes and prizes.

It should be noted that the Council cannot attach conditions to this type of permit.

3.2 (Alcohol) Licensed Premises Gaming Machine Permits

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The Council can remove the automatic authorisation in respect of any particular premises if:

- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- Gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- The premises are mainly used for gaming; or
- An offence under the Gambling Act has been committed on the premises.

If a premises wishes to have more than 2 machines, then an application for a permit must be submitted and the Council must consider that application based upon the licensing objectives, any guidance and codes of practice issued by the Gambling Commission and “*such matters as the Council think relevant.*” The Council considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect

children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Council that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Council that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be of help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as Gam Care.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

It should be noted that the Council can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3.3 Prize Gaming Permits

The Council has the right in accordance with this 'Statement of Principles' to specify matters that this authority propose to consider in determining the suitability of the applicant for a permit.

It also specifies that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:-

- That they understand the limits to stakes and prizes that are set out in Regulations;
- And that the gaming offered is within the law;
- Clear policies that outline the steps to be taken to protect children from harm.

In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:-

- The limits on participation fees, as set out in regulations, must be complied with;
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- Participation in the gaming must not entitle the player to take part in any other gambling.

3.4 Club Gaming and Club Machine Permits

Members Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance. Members Clubs and Miners' Institutes and also Commercial Clubs may apply for a Club Machine Permit. A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

The Council has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. In doing so it will take into account a number of matters as outlined in the Gambling Commission's Guidance. These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members.

The club must be conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

The Council may only refuse an application on the grounds that:

- (a) The applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) The applicant's premises are used wholly or mainly by children and/or young persons;
- (c) An offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) A permit held by the applicant has been cancelled in the previous ten years; or
- (e) An objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold Club Premises Certificates under the Licensing Act 2003 and so cannot use the fast track procedure. As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- (a) That the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) That in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) That a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

3.5 Temporary Use Notices (TUNs)

Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

The Council can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices. The Gambling Act 2005 (Temporary Use Notices) Regulations 2007 state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

There are a number of statutory limits as regards temporary use notices. The meaning of "premises" is discussed in the Gambling Commission Guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the Council needs to look at, amongst other things, the ownership/occupation and control of the premises.

This Council expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises; as recommended by the Gambling Commission's guidance to licensing authorities.

3.6 Occasional Use Notices (OUNs)

Where there is betting on a track on 8 days or fewer in a calendar year, betting may be permitted by an occasional use notice (OUN) without the need for a full premises licence. The intention behind OUNs is to permit licensed betting operators with appropriate permission from the Commission, to use tracks for short periods for conducting betting, where the event upon which the betting is to take place is of a temporary, infrequent nature (the OUN dispenses with the need for a betting premises licence for the track in these circumstances).

Non-commercial, fundraising race nights can be run as betting events at sporting venues under the authority of an OUN, whether or not the sporting event on which the bets are taken is held at that venue. The sporting event on which the bets are or will be taken also need not be taking place at the same time as the betting under the OUN.

The Council has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Council will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

4. SMALL SOCIETY LOTTERIES

The Gambling Act 2005 sets out a definition of a lottery, detailed below, and provides that promoting or facilitating a lottery is illegal, unless it falls into one of two categories of permitted lottery, namely:

- licensed lotteries – these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the Commission and require operating licences;
- exempt lotteries – there are four types of exempt lottery that are expressly permitted under Schedule 11 of the Act, including the small society lottery.

A lottery is any arrangement that satisfies all of the criteria contained within the statutory description of either a simple lottery or a complex lottery, in accordance with section 14 of the Act.

A ‘society’ is the society, or any separate branch of such a society, on whose behalf a lottery is to be promoted, and has been established as a non-commercial organisation. Section 19 of the Act defines a society as such if it is established and conducted:

- for charitable purposes, as defined in section 2 of the Charities Act 2006;
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity;
- for any other non-commercial purpose other than that of private gain.

The society must have been established for one of the permitted purposes as set out in section 19 of the Act, and that the proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries.

Local authorities are entitled to operate their own lotteries, but may only do so if licensed by the Gambling Commission. Local authorities must commit a minimum of 20% of the proceeds from such lotteries for a purpose for which they have power to incur expenditure, and must also adhere to the other relevant provisions in the Act. They may also need to hold a remote gambling operating licence, in the event that they wish to sell lottery tickets via electronic or other remote technological methods such as over the telephone, email or via the internet.

Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and must be accompanied by a registration fee and a copy of the terms and conditions and the constitution to prove that they are a non-commercial society. Paragraphs 47 and 48 of Schedule 11 of the Act set out the grounds for licensing authorities to refuse a small society lottery registration application.

The Council will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. The Council considers that the following list, although not exclusive, could affect the risk status of the operator:

- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held);
- submission of incomplete or incorrect returns;
- breaches of the limits for small society lotteries.

Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the

proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact the Council's Licensing Team to seek further advice.

5. DECISION MAKING

5.1 Administration, Exercise and Delegation of Functions

The powers and duties of the Council under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.

It is considered that many of the functions will be largely administrative in nature with no perceived areas of contention. In the interests of efficiency and cost effectiveness these will, for the most part, be carried out by officers.

The following schedule sets out the recommended delegation of functions and decisions by guidance. The Council may, nevertheless, refer any matter to the Licensing Committee or Sub-Committee.

The schedule of delegation of licensing functions is attached at Appendix E.

5.2 Appeals Procedure

Entitlements to appeal for parties aggrieved by decisions of the Council are set out in Sections 206 to 209 of the 2005 Act. Appeals must be made to the Magistrates Court for the area in which the licensing authority, which has considered the application, is situated.

An appeal has to be commenced by giving notice of the appeal by the appellant to; The Clerk to the Justices, Gwent Magistrates Court, The Law Courts, Faulkner Road, Newport, NP20 4PR, within a period of 21 days, beginning with the day on which the appellant was notified by the Council of the decision to be appealed against.

On determining an appeal, the Court may:

- Dismiss the appeal;
- Substitute the decision appealed against with any other decision that could have been made by the licensing authority;
- Remit the case to the licensing authority to dispose of the appeal in accordance with the direction of the Court.
- Make an order about costs.

5.3 Giving Reasons for Decisions

In anticipation of such appeals, the Council will give comprehensive reasons for its decisions. The Council will address the extent to which decisions have been made with regard to any relevant codes of practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with this Policy Statement.

5.4 Implementing the Determination of the Magistrates' Court

As soon as the decision of the Magistrates' Court has been notified to all parties, the Council will not delay its implementation and necessary action will be taken forthwith unless ordered by a higher court to suspend such action (for example, as a result of an ongoing judicial review). The Act provides for no other appeal against the determination of the Magistrates' Court.

5.5 Complaints against Licensed Premises

The Council will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Council may initially arrange a conciliation meeting to address and clarify the issues of concern.

This process will not override the right of any interested party to ask that the Licensing Committee consider their valid objections, or for any licence holder to decline to participate in a conciliation meeting.

Due consideration will be given to all relevant representations unless they fit the exceptions in 5.6 below.

5.6 Reviews

Requests for a review can be made by Interested Parties or Responsible Authorities. However, it is for the Council to decide whether the review is to be carried out based upon any relevant codes of practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with this Policy Statement.

The request for the review will also be subject to the consideration by the Council as to whether it is frivolous, vexatious, or whether it will not cause this Council to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The Council can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason, which it thinks is appropriate.

Once a valid application for a review has been received by the Council, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the Council, who will publish notice of the application within 7 days of receipt.

The Council must carry out the review as soon as possible after the 28 day period for making representations has passed.

The purpose of the review will be to determine whether the Council should take any action in relation to the licence. If action is justified, the options open to the Council are:-

- add, remove or amend a licence condition imposed by the Council;
- exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- suspend the premises licence for a period not exceeding three months; and
- revoke the premises licence.

In determining what action, if any, should be taken following a review, the Council must have regard to the principles set out in Section 153 of the Act, as well as any relevant representations.

In particular, the Council may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Once the review has been completed, the Council must, as soon as possible, notify its decision to:

- the licence holder;
- the applicant for review (if any);
- the Commission;
- any person who made representations;
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs.

6. LICENSING CONDITIONS AND CODES OF PRACTICE (LCCP) including Risk Assessments

The Gambling Act 2005 requires the Gambling Commission to issue one or more codes of practice about the manner in which facilities for gambling are provided. The codes may be directed at the holders of operating or personal licences, or any other person involved in providing facilities for gambling.

The Act also requires licensing authorities to take into account when exercising their functions, any relevant code of practice issued by the Commission under section 24, in this case:-

- The Commission's *Licence conditions and codes of practice* (LCCP), which apply to holders of Gambling Commission operating or personal licences;
- Other codes - these are the Commission's code of practice for equal chance gaming and its code of practice for gaming machines in clubs and premises with an alcohol licence

The LCCP contains two types of code provision:

Social responsibility code provisions

These are provisions describing arrangements which should be made by persons providing facilities for gambling for the purpose of:-

- (a) ensuring that gambling is conducted in a fair and open way;
- (b) protecting children and other vulnerable persons from being harmed or exploited by gambling; and
- (c) making assistance available to persons who are or may be affected by problems related to gambling.

Compliance with these is a condition of operator licences; therefore any breach of them by a licensed operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution; these provisions are in shaded boxes in the remainder of this document.

Ordinary code provisions

These do not have the status of licence conditions in the case of licensed operators, but set out good practice; these code provisions are in the unshaded boxes in this document. Codes of practice are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the Commission in the exercise of its functions; any departure from code provisions by an operator may be taken into account by the Commission, for example on a licence review (but could not lead to imposition of a financial penalty).

However, the Commission has made it clear that licensed operators may adopt alternative approaches to those set out if they have actively taken account of the provision and can demonstrate that an alternative approach is reasonable in the particular circumstances; or that to take an alternative approach would be acting in a similarly effective manner.

Risk Assessments - Premises

The LCCP requires all existing licensees that provide gambling at their premises to assess the local risks to the licensing objectives and have policies, procedures and control measures to reduce those risks. Licensees must take into account any relevant matters identified in the licensing authorities (gambling) Statement of Policy when making their risk assessments.

A local risk assessment should also be undertaken or updated by a licensee, when applying for:-

- A new premises licence;
- When applying for a variation of an existing premises licence;
- To take into account any local significant changes in the local area;
- When there are significant changes within their premises that may affect the existing local risk assessment.

Operators are required to make the risk assessment available to licensing authorities when an application is submitted and a copy should be kept at the premises or otherwise on request, and this will form part of the Council's inspection regime or investigating complaints.

The code requires the Council to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this Council expects the following matters to be considered by operators when making their risk assessment:-

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may reflect benefit payments;
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends;
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall;
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities;
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

Betting Track Premises – The Gambling Commission states within its LCCP code that Operators are required to make a risk assessment. However, Betting Track Premises are not required to seek an Operator’s Licence with the Gambling Commission and as such are not required to conduct a risk assessment. However, in the interest of promoting the objectives of the Gambling Act 2005, this Council would expect a Betting Track Premises to conduct a risk assessment for their premises.

The Council expects the following matters to be considered by operators when making their risk assessment:-

Matters relating to children and young persons, including:-

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.;
- Any premises where children congregate including bus stops, café’s, shops, and any other place where children are attracted;
- Areas that are prone to issues of youths participating in anti-social behaviour, including such activities as graffiti/tagging, underage drinking, etc.;
- Recorded incidents of attempted underage gambling;
- Children’s care homes and care facilities;
- Recorded incidents of attempted underage gambling.

Matters relating to adults at risk, including:-

- Information held by the licensee regarding self-exclusions and incidences of underage gambling;
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments;
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends;
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor’s surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc. The consideration of the location of alcohol licensed premises will also be a key consideration for gambling licence applications.

Other issues that may be considered could include:-

- Matters of faith, including all religious or faith denominations including proximity to churches, mosques, temples or any other place of worship.
- the economic make-up of an area;
- the surrounding night-time economy;
- children's homes and care facilities;
- the area footfall eg. residential or commercial areas;
- banks and ATM nearby;
- known anti-social behaviour issues;
- housing facilities;
- job centres;
- hostel and support services for the homeless;
- alcohol and drug support facilities;
- pawn brokers and payday loan businesses;
- other gambling premises;
- If there is an existing cluster of gambling premises
- mental health facilities;
- community buildings;
- residential care establishments;
- transport and parking facilities eg. bus stops, taxi ranks, train stations;
- presences of rough sleepers;
- unemployment rates for area;
- types and rates of crime in the area that could impact on the premises
- areas with significant areas of children, eg parks and playgrounds.

This list is not exhaustive and other factors not in this list that are identified must be taken into consideration.

Significant changes to the premises

From time to time operators will undertake a refresh of the premises' layout and décor, which is unlikely to prompt a review of the risk assessment for that premises. However, where there is a significant change at the premises that may affect the mitigation of local risks, then an operator must review its risk assessment and if necessary update it, taking into account the change and how it may affect one or more of the licensing objectives.

It is expected that gambling operators will undertake this risk assessment process as a matter of course for any premises refit, changes to layout or internal control measures. If any changes do require a review of the risk assessments for that premises gambling operators should ensure that they have a system in place to record and action any measures identified in that review.

The gambling operator will be responsible for identifying when a significant change to the premises has occurred. In order to assist gambling operators, the Council has provided the following list of examples of what could be classified as a significant change to the premises (some of which may also require a variation to the existing premises licence).

- Any building work or premises refit where gambling facilities are relocated within the premises;

- The premises licence is transferred to a new operator who will operate the premises with its own procedures and policies which are different to those of the previous licensee;
- Any change to the operator's internal policies which as a result requires additional or changes to existing control measures; and/or staff will require retraining on those policy changes;
- The entrance or entrances to the premises are changed, for example, the door materials are changed from metal with glazing to a full glass door or doors are reallocated from egress to ingress or vice versa;
- New gambling facilities are made available on the premises which were not provided previously, for example, bet in play, handheld gaming devices for customers, Self Service Betting Terminals, or a different category of gaming machine is provided;
- The premises operator makes an application for a licence at that premises to provide an activity under a different regulatory regime, for example, to permit the sale of alcohol.

As with the examples of significant changes in local circumstances, the list above is not an exhaustive list of significant changes to premises.

The Council will not, as general practice, request a copy of the reviewed risk assessment if a significant change to the licensed premises has occurred, unless the change is one that will necessitate a variation application.

Variation of the premises licence

Variations to premises licences are only those required to be made under section 187 of the Act and will not include changes of circumstances such as a change of premises' name or a change of licensee's address, etc.

The Commissions LCCP social responsibility code provision 10.1.1 requires that gambling operators must undertake a review of the local risk assessment and update it if necessary when preparing an application to vary the premises licence. Operators submitting a variation application to the Council may consider submitting a copy of the reviewed local risk assessment when submitting the application. This will then negate the need for the Council requesting to see a copy of this risk assessment and could potentially reduce the likelihood of a representation being made to the application.

If an operator wishes to vary a converted casino premises licence from one premises to another then the gambling operator should consider producing a new risk assessment for that premises. It is advisable that a copy of that assessment is submitted to the Council with the application form.

Regular review of risk assessment

As a matter of best practice the Council recommends that operators establish a regular review regime in respect of their local risk assessments. This review programme can be carried out alongside other reviews on Health and Safety risk assessments for the premises. This review programme would ensure that, regardless of whether or not any of the trigger events set out above have occurred, these risk assessments are considered at regular intervals and updated if necessary.

It will be up to the gambling operator as to the frequency of these reviews but it is recommended that no more than three years should pass before these assessments are reviewed. Operators may wish to synchronise their reviews of the local risk assessments with the publication of the Council's Statement of Licensing Principles for Gambling. This would enable gambling operators to consider the Local Area Profile, which has been published in the Council's Statement of Licensing Principles for Gambling.

Local risks and control measures

There are two specific parts to the risk assessment process:

- the assessment of the local risks
- the determination of appropriate mitigation to reduce those risks

The risks that operators must identify relate to the potential impact a gambling premises and its operation may have on the licensing objectives. Gambling operator should identify and list all of the local risks within the assessment that they have identified. The level of such risks can range from being low to very high depending on the potential impact that the gambling operator has assessed it to have on the licensing objectives. The level of any given risk will have a direct impact on the type and extent of the control measures that the gambling operators deems as being necessary to mitigate such risk.

Operators will already be assessing locations when looking for new sites or when reviewing the performance of their premises. The design of premises is also assessed to ensure that they will meet the needs of the gambling operation, will provide protection for staff and customers; and will have facilities for recording crime. Operators will also have implemented policies and procedures for the operation of premises in line with statutory and other regulatory requirements placed upon them by the Commission and other agencies.

Operators will already be familiar with identifying risks in relation to health and safety and food hygiene legislation. Risk assessments are also used for security and crime purposes, for example for money laundering and as part of trade association best practice, such as the Safe Bet Alliance.

This local risk assessment process, although similar requires a much broader range of considerations when identifying local risk. The requirement of the Commissions LCCP social responsibility code provision 10.1.1 is that gambling operators consider the local area in which the premises are situated and the impact that the premises operation may have on the licensing objectives.

Local area risks

There are a number of factors relating to the local area that operators may consider which is independent of who the operator believes is their target market. It will be for the gambling operator to identify these risks. However, there may be occasions that the Commission or the Council will provide information on what they perceive as being a local risk. This may be specified in the Statement of Licensing Policy or in a separate guidance document, both of which will be found on the Council's website.

The local area will be different depending on the premises and the size of its operation. For example a large Bingo hall may have a wider catchment area than a neighbourhood betting shop as the Bingo hall attracts customers from further afield.

Risk Assessment

Although gambling is a legal entertainment activity it can, in some locations, have a negative impact on individuals and the wider community. The consideration of the proximity of gambling premises to locations where groups vulnerable to problematic gambling may congregate, e.g. schools, alcohol services, supported housing, will be a priority for the applicant and licensing authority.

Gambling operational risks

The gambling operation relates to how the premises will be or is run. This will include the operator's policies and procedures which have been put in place to meet the requirements of the business, the Act and/or specific code provisions within the LCCP.

Gambling operators should identify operational risks in the local area to the licensing objectives and then consider whether there are control measures in excess of those already in place that would mitigate the risk. For example, if there is a known illegal drug use in the local area the gambling operator may consider using control measures such as maglocks on the toilet doors or change the design to the toilet to deter people from using it for illegal drug use.

It is likely that the identification of risks associated with this element of the assessment will be very similar for all premises with slight variations depending on any specific factors that relate to the premises or the local area.

The control measures that operators will put in place to mitigate any risk associated with the gambling operation will be dependent on the type of gambling activities provided, how the company operates and the size of the organisation.

Premises design risks

The design of the premises is an extremely important factor when considering local risks. For example, an Adult Gaming Centre which is located within an area which has a high number of children and young people present throughout the day, may identify that the doors on either side of the premises are being used by local children as a short cut to access the adjacent street. The appropriate mitigation in this case may be that the gambling operator closes off one of the doors to prevent it being used as a short cut.

As part of the design process, the layout of the premises is a major consideration as poorly conceived design may create significant risks to one or more of the licensing objectives. Gambling operators are experienced in premises design and often these considerations are made during the planning phase. It is advisable that gambling operators ensure that there is a process in place to record these key decisions at an early stage of the planning process for the premises design so that this can be included in their risk assessment.

Interior design risks

The internal design and layout will reflect the premises operation and the type of gambling facilities that it offers. For some premises, the design will be subject to certain limitations due to mandatory conditions on the gambling premises licence, such as the distance

between gaming tables and other gambling facilities in casinos, and restrictions on the location of ATMs.

Operators should assess the risk presented by the internal layout of the premises and the location of gambling facilities within them. For example, if a gaming machine is placed within the direct line of sight of the cashier counter, then staff will be able to monitor player behaviour and undertake interventions if there is a concern over the customers' spending habits. Staff can also monitor the use of the machines and can challenge any customers who are believed to be under the age of 18, or who damage the machines, or who appear to be attempting to launder money. By a simple assessment of the optimum location for these machines, operators can significantly reduce the risk to the licensing objectives.

Exterior design risks

The exterior of premises will be a major advertisement for the gambling operator. However, the design should be assessed based on the associated risk. Operators may identify a risk associated with the design and introduce control measures based on that perceived risk. For example, if the premises have a large amount of glass frontage in an area prone to criminal damage, operators may consider the risk of damage to the standard toughened glass to be high and introduce a control measure such as roller shutters and/or external CCTV cameras.

Control measures

Depending on the nature of the risk factors, the control measures identified to mitigate the perceived risk may be a combination of systems, design and physical measure. Control measures that relate to systems may be measures that have been put in place through policies and procedures. These can either be systems that apply to all of the operator's premises or systems that have been developed specifically for particular premises to deal with a specific local risk factor. System control measures may include staff training, security policies and procedures. They may also relate to having security personnel on entrances, implementing membership criteria and/or providing support to local vulnerable groups through financial or other means.

Design control measures are measures that are built into the design of the premises. These can include the location of gambling facilities and the design and location of cashier counters within the premises, and the exterior design of premises. For example, a control measure for the interior of the premises could involve moving a cashier counter from the rear of the premises to the front of the shop next to the main entrance. An external design control measure may involve the exterior design being tailored to address local risks, for example, more open window displays to enable staff can see out of the premises or a design to avoid attracting children to the premises.

The final control measures relate to specific physical measure that will address an identified risk factor. These physical control measures may, for example, include alarms, CCTV cameras, doors, magnetic locks, time locks on safes, spit kits, window shutters, fogging systems, UV lights in toilets.

The control measures identified to mitigate a perceived risk may involve a combination of systems, design and physical measures. For example, to address the risk factors relating to children gaining access to an over 18 restricted gambling premises, the operator may identify the following control measures:

Systems: PASS card or age verification policies, challenge 21 scheme, staff training and door staff.

Design: Exterior design which will not attract children into the premises, the entrance layout will enable staff and security to watch those entering the premises and challenge them on the grounds of age.

Physical: Magnetic door locks and ID scans.

Step 1: Undertaking a local risk assessment

The risk assessment should be carried out through a step-by-step approach. Gambling operators may first assess the local area and identify the relevant risk factors, then assess the gambling operation, and finally assess the premises design, both internal and external. Once the risk factors have been identified, the control measures to mitigate the risks should be considered. These control measures will either already be in place or will need to be implemented.

- Assessors should start by identify the local risk factors surrounding the premises. The risk factors will differ from location to location so an understanding of the specific characteristics of the local area and the people who live, work or visit that area is important. The use Community wellbeing profile and local knowledge will assist.

Step 2: Gambling operation and physical design

In assessing the risk factors associated with a gambling operation the assessor should take into account the local risks which are commonly accepted by broader stakeholders and how that gambling operation may affect that risk.

The physical design of the premises is a key consideration as this could have a significant impact on the risk to the licensing objectives. In assessing the risk factors associated with the premises design and layout reference is needed to the local area risks factors already identified to ensure the design doesn't add to that risk. The design, both internal and external should be considered and specific risk factors identified and noted.

Step 3: Control measures

Once the risk factors have been identified, the assessor should seek to identify control measures that would mitigate the identified risks. Such control measures will relate to one of the three categories of control measures mentioned above (systems, design and physical). Some risk factors may require a combination of control measures to adequately mitigate the risk.

Step 4: Action Plan

Once the assessment has been carried out an action plan should be completed so that any identified actions are documented and a deadline for completing the required piece of work is set and agreed.

Completed assessment

The control measures must be implemented on the premises and, if applicable, staff on the premises should be trained in their use or trained on the new policy or procedure. The assessment must be retained and should be reviewed whenever a trigger occurs or as part of a regular review regime.

7. FURTHER INFORMATION

Further information about the Gambling Act 2005, this Statement of Licensing Policy or the application process can be obtained from:

Licensing Team
Blaenau Gwent County Borough Council
The General Offices
Steelworks Road
Ebbw Vale
NP23 6AA

Telephone: 01495 355485
Email: licensing@blaenau-gwent.gov.uk

The Gambling Commission
Victoria Square House
Birmingham
B2 4BP

Telephone: 0121 230 6666
Website: www.gamblingcommission.gov.uk

The Department for Culture, Media and Sport
100 Parliament Street
London
SW1A 2BQ
Telephone: 020 7211 2210
Website: www.culture.gov.uk

Appendix A - Responsible Authority Contact Details

<p>Licensing Department Blaenau Gwent County Borough Council The General Offices Steelworks Road Ebbw Vale NP23 6AA</p> <p>Tel: 01495 355485 Email: licensing@blaenau-gwent.gov.uk</p>	<p>The Gambling Commission Victoria Square House Victoria Square Birmingham B2 4BP</p> <p>Tel: 0121 230 6500 Fax: 0121 233 1096 E-mail: info@gamblingcommission.gov.uk</p>
<p>H M Revenue & Customs Excise Processing Teams BX9 1GL</p> <p>Tel: 0300 322 7072 E-mail: NRUBetting&Gaming@hmrc.gsi.gov.uk</p>	<p>Heddlu Gwent Police Ystrad Mynach Police Station Ystrad Mynach Hengoed CF82 7EP</p> <p>Tel: 01443 238058 WestLPALicensingTeam@gwent.pnn.police.uk</p>
<p>South Wales Fire and Rescue Services Fire Station Forest View Business Park Llantrisant CF72 8LX</p> <p>Tel: 01443 232713 Fax: 01443 232716 E-mail: safety-east@southwales-fire.gov.uk</p>	<p>Health and Social Services Department Blaenau Gwent County Borough Council The General Offices Steelworks Road Ebbw Vale NP23 6AA</p> <p>Tel: 01495 355283</p>
<p>Environmental Health Department Blaenau Gwent County Borough Council The General Offices Steelworks Road Ebbw Vale NP23 6AA</p> <p>Tel: 01495 357183 Email: Environmental.Health@blaenau-gwent.gov.uk</p>	<p>Planning Department Blaenau Gwent County Borough Council The General Offices Steelworks Road Ebbw Vale NP23 6AA</p> <p>Tel: 01495 355555 Email: Planning@blaenau-gwent.gov.uk</p>

Appendix B - Access to Premises

Casinos

- The principal access entrance to the premises must be from a street;
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons;
- No customer must be able to enter a casino directly from any other premises, which holds a gambling premises licence.

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises.

Betting Shops

- Access must be from a street or from another premises with a betting premises licence;
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

No customer should be able to access the premises directly from:

- a casino;
- an adult gaming centre.

Bingo Premises

No customer must be able to access the premises directly from:

- a casino;
- an adult gaming centre;
- a betting premises, other than a track.

Family Entertainment Centre

No customer must be able to access the premises directly from:

- a casino;
- an adult gaming centre;
- a betting premises, other than a track.

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

APPENDIX C - Mandatory, Default and Blaenau Gwent County Borough Council Pool of Model Conditions for Gambling Premises Licences

1. Introduction

Blaenau Gwent County Borough Council is the Licensing Authority under the Gambling Act 2005 (the Act). The Licensing Authority is responsible for considering and determining applications for premises licences which offer gambling facilities within Blaenau Gwent. The Licensing Authority also has the role of ensuring compliance with the terms and conditions of the licences.

The Act contains three licensing objectives which guide the way that the Licensing Authority performs its functions and the way that gambling operators carry on their activities. They are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- ensuring that gambling is conducted in a fair and open way;
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Act places a legal duty on the Licensing Authority to aim to permit gambling in so far as it thinks it reasonably consistent with the licensing objectives. The effect of this duty is that the Licensing Authority must approach its functions in a way that seeks to regulate gambling by using its powers, for example to attach conditions on licences, to moderate its impact on the licensing objectives rather than by starting out to prevent it altogether.

The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 impose conditions on each category of gambling premises licence under the Act. For ease of reference and to provide a concise document which contains all of the relevant conditions, the Licensing Authority has included both mandatory and default conditions.

The Licensing Authority has also developed a pool of model conditions to assist gambling operators, responsible authorities and interested parties when considering conditions to deal with specific issues and concerns. These conditions will also encourage a consistent approach to the drafting and imposition of conditions on premises licences.

Gambling operators will identify measures that mitigate the risk to harming the licensing objectives in their local risk assessment for each specific premises. The model conditions will assist prospective and existing licence holders to identify and select specific conditions that would cement these proposed measures within the regulatory framework.

Once an application has been made, responsible authorities and interested parties are encouraged to engage with the applicant if they are considering making a representation to their application. This will enable discussions about their concerns and the ability to agree specific conditions to address them.

The model conditions within this document are not an exclusive or exhaustive list of conditions which may be included on a premises licence. It does not restrict any applicant,

responsible authority, or other interested parties from proposing any alternative conditions, nor would it restrict a Licensing Sub- Committee from imposing any reasonable condition on the grant of a licence it considers appropriate so as to aim to permit gambling under section 153 of The Act.

This is the first edition of the Mandatory, Default and Blaenau Gwent Model Conditions for Gambling Premises Licences that we have produced. This document will be updated and published on the Council's website at www.blaenau-gwent.gov.uk

Mandatory Conditions

Mandatory conditions are conditions that are specified in the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (2007 Regs). The mandatory conditions for each category of premises licences are listed below as conditions with Blaenau Gwent County Borough Council's own condition reference. The specific regulation, schedule, part and paragraph where those conditions are located within the 2007 Regs, is available to the right of each of the mandatory conditions.

These mandatory conditions are applied to the relevant category of premises licence and cannot be removed or varied in anyway.

Where a mandatory condition, as specified within the 2007 Regs refers to a paragraph that is a separate condition within that part of the schedule we have replaced that paragraph number with the relevant Blaenau Gwent County Borough Council's condition reference so it is clear which condition is being referred to.

Converted Casinos

The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the 2005 Act shall be displayed in a prominent place within the premises.	Reg 3(2)
The layout of the premises shall be maintained in accordance with the plan.	Reg 3(3)
The premises shall not be used for – a) the sale of tickets in a private lottery or customer lottery, or b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited.	Reg 3(4)
The principal entrance to the premises shall be from a street.	Reg 4, Sch 1, Part 1, Para 1(1)
No entrance to the premises shall be from premises that are used wholly or mainly by children, by young persons, or by both.	Reg 4, Sch 1, Part 1, Para 1(2)
No customer shall be able to enter the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect	Reg 4, Sch 1, Part 1, Para 1(3)
A gap of at least 2 metres shall be maintained between any ordinary gaming table and any other equipment, apparatus or structure used by a person to gamble on the premises.	Reg 4, Sch 1, Part 1, Para 2
No more than 40 separate player positions may be made available for use in relation to wholly automated gaming tables at any time.	Reg 4, Sch 1, Part 1, Para 3

<p>1. The rules of each type of casino game that is available to be played on the premises shall be displayed in a prominent place within both the table gaming area and other gambling area of the premises to which customers wishing to use facilities for gambling have unrestricted access.</p> <p>2. The condition in sub-paragraph (1) may be satisfied by -</p> <p>a) displaying a clear and legible sign setting out the rules; or</p> <p>b) making available to customers leaflets or other written material containing the rules.</p>	Reg 4, Sch 1, Part 1, Para 4
Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming table, gaming machine or betting machine in order to do so.	Reg 4, Sch 1, Part 1, Para 5
A notice shall be displayed in a prominent place at every entrance to the premises stating that no person under the age of 18 years is permitted to enter the premises.	Reg 8, Sch1, Part 5, Para 1
<p>This paragraph shall apply to premises which have a gambling area the floor area of which is no less than 200 m².</p> <p>In determining the floor area of the gambling area, all areas in which facilities for gambling are provided on the premises shall be taken into account.</p> <p>The premises shall contain a non-gambling area, the floor area of which is no less than 10% of the floor area of the gambling area.</p> <p>The non-gambling area may consist of one or more areas within the premises.</p> <p>Lobby areas and toilet facilities may be taken into account in calculating the non-gambling area; but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.</p> <p>Facilities for gambling shall not be provided in the non-gambling area.</p> <p>At any time during which facilities for gambling are being provided on the premises, each separate area comprising the non-gambling area, other than the lobby areas and toilet facilities referred to in sub-paragraph (5), shall contain recreational facilities that are available for use by customers on the premises</p>	Reg 8, Sch1, Part 5, Para 2

Bingo

The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the 2005 Act shall be displayed in a prominent place within the premises.	Reg 3(2)
The layout of the premises shall be maintained in accordance with the plan.	Reg 3(3)
The premises shall not be used for -	Reg 3(4)

<p>a) the sale of tickets in a private lottery or customer lottery, or b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited.</p>	
<p>A notice stating that no person under the age of 18 years is permitted to play bingo on the premises shall be displayed in a prominent place at every entrance to the premises.</p>	<p>Reg 10, Sch2, Part 1, Para 1</p>
<p>No customer shall be able to enter the premises directly from any other premises in respect of which one of the following permissions has effect –</p> <p>a) a casino premises licence; b) an adult gaming centre premises licence; c) a betting premises licence other than a track premises licence; and</p>	<p>Reg 10, Sch2, Part 1, Para 2</p>
<p>This paragraph shall apply where children or young persons or both are permitted by the licence holder to enter the premises, and Category B or C gaming machines are made available for use on the premises.</p> <p>Any area of the premises to which category B and C gaming machines are located -</p> <p>a) shall be separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for the purpose; b) shall be supervised at all times to ensure children or young persons or both do not enter the area; and c) shall be arranged in such a way that ensures all parts of the area can be observed by the persons mentioned in sub-paragraph (3).</p> <p>The reference to supervision in this paragraph means supervision by -</p> <p>a) one or more persons whose responsibilities include ensuring children or young persons or both do not enter the area; or b) closed circuit television which is monitored by one or more persons whose responsibilities include ensuring that children or young persons or both do not enter the area.</p> <p>A notice stating that no person under the age of 18 years is permitted to enter the area shall be displayed in a prominent place at the entrance to any area of the premises in which Category B or C gaming machines are made available for use. In the case of a charge for admission to the premises, a notice of that charge shall be displayed in a prominent place at the principal entrance to the premises.</p> <p>In the case of any other charges in respect of gaming, a notice setting out the information in sub-paragraph (3) shall be displayed at the main point where payment for the charge is to be made.</p> <p>The notice in sub-paragraph (2) shall include the following information -</p>	<p>Reg 10, Sch2, Part 1, Para 3</p>

<p>a) the cost (in money) of each game card (or set of game cards) payable by an individual in respect of a game of bingo;</p> <p>b) in respect of each game card (or set of game cards) referred to in paragraph (a) the amount that will be charged by way of a participation fee for entitlement to participate in that game; and</p> <p>c) a statement to the effect that all or part of the participation fee may be waived at the discretion of the person charging it.</p> <p>The notice may be displayed in electronic form.</p> <p>A reference in this paragraph to a charge in respect of gaming does not include an amount paid for an opportunity to win one or more prizes in gaming to which section 288 of the 2005 Act (meaning of “prize gaming”) applies.</p>	
<p>The rules of each type of game that is available to be played the premises other than games played on gaming machines shall be made available to customers within the premises.</p> <p>The condition in sub-paragraph (1) may be satisfied by –</p> <p>a) displaying a sign setting out the rules,</p> <p>b) making available leaflets or other written material containing the rules, or</p> <p>c) running an audio-visual guide to the rules prior to any bingo game being commenced.</p>	Reg 10, Sch2, Part 1, Para 5
<p>Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.</p>	Reg 10, Sch2, Part 1, Para 6

Betting Tracks

<p>The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the 2005 Act shall be displayed in a prominent place within the premises.</p>	Reg 3(2)
<p>The layout of the premises shall be maintained in accordance with the plan.</p>	Reg 3(3)
<p>The premises shall not be used for –</p> <p>a) the sale of tickets in a private lottery or customer lottery, or</p> <p>b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited.</p>	Reg 3(4)
<p>No customer shall be able to access the premises directly from any other premises in respect of which one of the following premises licences has effect –</p> <p>a) a casino premises licence;</p> <p>b) an adult gaming centre premises licence.</p>	Reg 16, Sch 6, Part 1, Para 1
<p>A notice stating that no person under the age of 18 is permitted to bet on the premises shall be displayed in a prominent place at every public entrance to the premises.</p>	Reg 16, Sch 6, Part 1, Para 2

<p>The terms on which a bet may be placed must be displayed in a prominent place within the premises to which customers wishing to use facilities for betting have unrestricted access.</p>	<p>Reg 16, Sch 6, Part 1, Para 3</p>
<p>The premises licence holder shall make arrangements to ensure that betting operators who are admitted to the premises for the purpose of accepting bets –</p> <p>a) will be operating under a valid operating licence; and b) are enabled to accept such bets in accordance with -</p> <p>(i) the conditions imposed under sections 92 (general betting operating licence) or 93 (pool betting operating licence) of the 2005 Act, or (ii) an authorisation under section 94</p>	<p>Reg 16, Sch 6, Part 1, Para 4</p>
<p>The premises licence holder shall make arrangements to ensure that reasonable steps are taken to remove from the premises any person who is found to be accepting bets on the premises otherwise than in accordance with the 2005 Act.</p>	<p>Reg 16, Sch 6, Part 1, Para 5</p>
<p>Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.</p>	<p>Reg 16, Sch 6, Part 1, Para 6</p>
<p>Mandatory conditions attached to track premises licences in respect of premises that are dog racing tracks</p> <p>A totalisator on the premises shall only be operated –</p> <p>a) while the public are admitted to the premises for the purpose of attending dog races and no other sporting events are taking place on the premises; and b) for effecting with persons on the premises betting transactions on dog races taking place on the premises.</p>	<p>Reg 16, Sch 6, Part 3, Para 1</p>
<p>At any time during which the totalisator is being lawfully used on the premises -</p> <p>a) no betting operator or betting operator’s assistant shall be excluded from the premises by reason only of the fact that he proposes to accept or negotiate bets on the premises; and b) there shall be made available on the premises space for betting operators and betting operators’ assistants where they can conveniently accept and negotiate bets in connection with dog races run on the premises on that day.</p> <p>This paragraph is without prejudice to section 180 (pool betting on dog races) of the 2005 Act.</p>	<p>Reg 16, Sch 6, Part 3, Para 2</p>
<p>For the purposes of this Part, “totalisator” means the apparatus for betting known as the totalisator or pari mutuel, or any other machine or instrument of betting of a like nature, whether mechanically operated or not.</p>	<p>Reg 16, Sch 6, Part 3, Para 3</p>

Betting (Other)

The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the 2005 Act shall be displayed in a prominent place within the premises.	Reg 3(2)
The layout of the premises shall be maintained in accordance with the plan.	Reg 3(3)
The premises shall not be used for – a) the sale of tickets in a private lottery or customer lottery, or b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited.	Reg 3(4)
A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.	Reg 14, Sch 5, Part 1, Para 1
1. Access to the premises shall be from a street or from other premises with a betting premises licence. 2. Without prejudice to sub-paragraph (1), there shall be no means of direct access between the premises and other premises used for the retail sale of merchandise or services	Reg 14, Sch 5, Part 1, Para 2
Subject to anything permitted by virtue of the 2005 Act, or done in accordance with 4 conditions below, the premises shall not be used for any purpose other than for providing facilities for betting	Reg 14, Sch 5, Part 1, Para 3
Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so.	Reg 14, Sch 5, Part 1, Para 4
No apparatus for making information or other material available in the form of sounds or visual images may be used on the premises, except for apparatus used for the following purposes - a) communicating information about, or coverage of, sporting events, including - (i) information relating to betting on such an event; and (ii) any other matter or information, including an advertisement, which is incidental to such an event; b) communicating information relating to betting on any event (including the result of the event) in connection with which betting transactions may be or have been effected on the premises.	Reg 14, Sch 5, Part 1, Para 5
No publications, other than racing periodicals or specialist betting publications, may be sold or offered for sale on the premises.	Reg 14, Sch 5, Part 1, Para 6
No music, dancing or other entertainment shall be provided or permitted on the premises, save for entertainment provided in accordance with Reg 14, Sch 5, Part 1, Para 5	Reg 14, Sch 5, Part 1, Para 7
No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises. A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.	Reg 14, Sch 5, Part 1, Para 8
A notice setting out the terms on which customers are invited to bet on the premises shall be displayed in a prominent place on the premises to which customers have unrestricted access.	Reg 14, Sch 5, Part 1, Para 9

Adult Gaming Centres

The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the 2005 Act shall be displayed in a prominent place within the premises.	Reg 3(2)
The layout of the premises shall be maintained in accordance with the plan.	Reg 3(3)
The premises shall not be used for – a) the sale of tickets in a private lottery or customer lottery, or b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited.	Reg 3(4)
A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.	Reg 12, Sch 3, Para 1
No customer shall be able to access the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect	Reg 12, Sch 3, Para 2
Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.	Reg 12, Sch 3, Para 3
1. No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises. 2. A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.	Reg 12, Sch 3, Para 4

Family Entertainment Centres

The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the 2005 Act shall be displayed in a prominent place within the premises.	Reg 3(2)
The layout of the premises shall be maintained in accordance with the plan.	Reg 3(3)
The premises shall not be used for – a) the sale of tickets in a private lottery or customer lottery, or b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited.	Reg 3(4)
No customer shall be able to access the premises directly from any other premises in respect of which one of the following premises licences has effect – a) a casino premises licence; b) an adult gaming centre premises licence; c) a betting premises licence other than a track premises licence.	Reg 13, Sch 4, Para 1
Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.	Reg 13, Sch 4, Para 2

<p>Where Category C gaming machines are made available for use on the premises, any area of the premises in which those machines are located –</p> <p>a) shall be separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for the purpose;</p> <p>b) shall be supervised at all times to ensure children or young persons or both do not enter the area; and</p> <p>c) shall be arranged in such a way so as to permit all parts of the area to be observed by the persons mentioned in sub-paragraph 2.</p> <p>The reference to supervision in this paragraph means supervision by –</p> <p>a) one or more persons whose responsibilities include ensuring children or young persons or both do not enter the area; or</p> <p>b) closed circuit television which is monitored by one or more persons whose responsibilities include ensuring that children or young persons or both do not enter the area.</p> <p>A notice stating that no person under the age of 18 years is permitted to enter the area shall be displayed in a prominent place at the entrance to any area of the premises in which Category C gaming machines are made available for use.</p>	<p>Reg 13, Sch 4, Para 3</p>
<p>1. No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.</p> <p>2. A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.</p>	<p>Reg 13, Sch 4, Para 4</p>

Default Conditions

Default conditions are conditions that are specified in the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (the regulations). The default conditions for each category of premises licences are listed below as conditions with Blaenau Gwent’s own condition reference and the specific regulation, schedule, part and paragraph where those conditions are located within the regulations.

These default conditions will be applied to the relevant category of premises licence unless the applicant or licensee specifies that the default conditions are to be removed within their new or variation application.

Where a default condition, as specified within the regulation refers to a paragraph that is a separate condition within that part of the schedule we have replaced that paragraph number with the relevant Blaenau Gwent condition reference.

Converted Casinos

<p>No facilities for gambling shall be provided on the premises between the hours of 6am and noon on any day.</p>	<p>Reg 9, Sch 1, Part 6</p>
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Bingo

Subject to Below condition, no facilities for gambling shall be provided on the premises between the hours of midnight and 9am.	Reg 11, Sch 2, Part 2, Para 1
The condition above shall not apply to making gaming machines available for use.	Reg 11, Sch 2, Part 2, Para 2

Betting Tracks

Subject to condition Reg 11, Sch 2, Part 2, Para 1, no facilities for gambling shall be provided on the premises between the hours of 10pm on one day, and 7am on the next day.	Reg 17, Sch 6, Part 4, Para 1
The prohibition in condition Reg 11, Sch 2, Part 2, Para 1 does not apply on days when a sporting event is taking place on the premises, in which case gambling transactions may take place at any time during that day.	Reg 17, Sch 6, Part 4, Para 2

Betting (Other)

No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next day.	Reg 15, Sch 5, Part 2
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Model Conditions

The following model conditions can be used by the applicant of a new premises licence, provisional statement or licensees varying their licence. The applicant or licensee can select the conditions that they feel will enable them to demonstrate how they will ensure that the premises will operate so as not to impact the licensing objectives.

Gambling operators are recommended during their local risk assessment process to identify control measures, such as conditions to mitigate the impact on the licensing objectives by that premises. These model conditions can be selected to address the risk of impacts identified in these assessments.

These conditions can also be used by responsible authorities or interested parties when making representations on applications submitted to the Licensing Authority. The Licensing Sub-Committee when determining applications will have regard to these conditions and may choose to add one or more conditions or variations of them depending on the concerns raised during the determination process.

Model conditions are not intended to be used as blanket conditions applied to each premises licence. It may appear from the list that the conditions are repetitive, however there are subtle differences so gambling operators, responsible authorities and interested parties are advised to find the most appropriate condition to mitigate the identified risk.

The model conditions set out in this section are not an exhaustive list and new or amended versions of model conditions can be produced to meet the specific requirements of that application.

The model conditions have been put under general topic headings to assist in identifying particular conditions that may address specific issues raised. By the side of each condition

a reference to the relevant licensing objective that they relate is indicated. The codes used for the licensing objectives are:

CD - preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.

FO - ensuring that gambling is conducted in a fair and open way.

CV - protecting children and other vulnerable persons from being harmed or exploited by gambling.

Hours

- No facilities for gambling shall be provided on the premises between the hours of [insert time] on one day and [insert time] on the next day. CD, FO & CV
- No facilities for gambling shall be provided on the premises between the hours of [insert time] and [insert time] on any day. CD, FO & CV
- The premises shall not provide gambling facilities between the hours of [insert time] and [insert time]. CD, FO & CV
- There shall be no admittance or re-admittance to the premises after [enter time]. CD & CV

CCTV

The venue shall install and maintain a comprehensive CCTV system at the premises which should cover, as a minimum:

- all entry and exit points to and from the premises enabling frontal identification of every person entering under any light conditions
- the areas of the premises to which the public have access (excluding toilets)
- gaming machines and the counter area.
- The CCTV system shall continually record whilst the venue is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of thirty one days with date and time visible. Recordings shall be immediately arranged by a member of staff for handover to the Police or an authorised officer following their request. CD
- A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to arrange for Police to view recent data or footage with the absolute minimum of delay when requested. CD
- There shall be [insert number] external cameras which will provide live images to staff in the service counter area. CD
- Notices indicating that CCTV is in use at the premises shall be placed at or near the entrance to the premises and within the premises. CD
- The licensee shall:
 - a) provide training on the CCTV system and how to access the footage if requested to do so by the police or authorised officer as part of the staff induction training programme or when the system is changed, and
 - b) periodically provide refresher training to all of its staff working at these premises on the CCTV viewing process. Participation in this training shall be formally recorded on each member of staffs training records which, if

requested will be presented to the Police or Licensing Authority as soon as practicable. CD

Door Supervision

- At least [enter number] SIA licensed door supervisors shall be on duty at every entrance and exit to the premises at all times whilst it is operating under this licence. CD & CV
- A minimum of [insert number] SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business. CD & CV
- At least [insert number] SIA licensed door supervisors shall be on duty at every entrance and exit of the premises at all times whilst it is open for business. CD & CV
- [insert number] of SIA Licensed Door Supervisors are to be on duty at the premises during the whole of permitted hours CD & CV
- No patrons shall be admitted or re-admitted to the premises after [enter time] unless they have passed through a metal detecting search arch and, if the search arch is activated or at the discretion of staff, then physically searched, which will include a 'pat down search' and a full bag search. CD & CV
- All persons entering or re-entering the premises shall be searched by an SIA trained member of staff and monitored by the premises CCTV system. CD & CV
- All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests. CD & CV
- The licence holder shall ensure that the outside areas of the premises are monitored so as to ensure there is no public nuisance or obstruction of the highway. CD

Children and Young People

- The Licensee shall maintain a bound and paginated 'Challenge 21 or Challenge 25 Refusals' register at the premises. The register shall be produced to the police or licensing authority forthwith on request. CV
- Prominent signage and notices advertising the Challenge 21 or Challenge 25 Policy will be displayed showing the operation of such policy. CV
- Third party testing on age restricted sales systems shall be carried out on the premises a minimum of [insert frequency] a year. CV
- Third party testing on age restricted sales systems purchasing shall take at least [insert frequency] a year and the results shall be provided to the Licensing Authority upon request. CV
- The licensee shall not allow their logos or other promotional material to appear on any commercial merchandising which is designed for use by children. CV
- All tills shall automatically prompt staff to ask for age verification identification when placing a bet. CV
- A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram. CV
- The licensee will ensure, through regular checks and intervention, that customer's children are not left unsupervised outside the premises. CV
- The licensee will ensure, through regular checks and intervention, that children will not congregate outside the shop. CV
- The licence holder shall ensure that the outside areas of the premises are monitored so as to ensure there is no public nuisance or obstruction of the highway. CD

Entrances and Doors

- A magnetic locking device, commonly referred to as a Maglock will be installed and maintained on the main entrance/exit to the premises which will be operable from the ground floor cashier counter by staff. CD & CV
- An Infra-Red Beam connected to a sounder will be installed and maintained at the entrance of the premises so as to notify staff when a customer enters or exits the premises. CD&CV

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Staffing Levels

- There shall be no pre-planned single staffing at any time. CD & CV
- There shall be no pre-planned single staffing after 20:00. Should the premises be single staffed after this time the magnetic door locking system must be in constant use. CD & CV
- There will be a minimum of two members of staff after 10pm. CD & CV
- There will be a minimum of two members of staff on duty for the duration of the period in which licensable activities are taking place on the premises. CD & CV
- There will be a minimum of [enter number] staff be present at all times when the premises is open. CD & CV

Cashier Counters and Safe Havens

- The licensee shall maintain a full height polycarbonate or 11.5mm minimum thickness laminated glass security screen counter on the ground floor of the premises. CD
- A full-height security screen shall be installed at the cashiers counter. CD
- Full height security bars which are spaced at adequate intervals to prevent a person from reaching through will be installed at the cashiers counter CD
- licensee shall install a Safe Haven [add location of safe haven] which includes a secure door with peephole, CCTV Monitor, Telephone, Safe Guard system, maglock control button and any other systems deemed appropriate by the licensee. CD

Identification of Offenders or Problem Persons

- The licensee shall provide Spit Kits within the premises and provide staff training on the use of these kits. CD
- If at any time (whether before or after the opening of the premises), the police or licensing authority supply to the premises names and/or photographs of individuals which it wishes to be banned from the premises, the licensee shall use all reasonable endeavours to implement the ban through staff training. CD
- The Licensee shall implement a policy of banning any customers who engage in crime, disorder or anti-social behaviour within or outside the premises. CD
- The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs. CD, CV

Seating

- The licensee shall ensure that all seating within the premises are either secured to the floor or are weighted to prevent lifting CD

- The licensee shall ensure that all gaming machine seating within the premises are weighted to prevent lifting CD

Alarms (Premises and Personal)

- Each member of staff will be provided and required to carry on their person a personal fob alarm which will activate the alarm if pressed by the member of staff or that staff member is lying horizontal for a pre-determined period of time. CD
- The licensee shall install and maintain an intruder alarm on the premises. CD
- The premises shall install and maintain a panic button behind the cashier counter. CD
- The premises shall install and maintain a panic button behind the cashier counter that will alert the premises security once pressed. CD
- An attack alarm shall be installed and maintained behind the cashier counter which would alert [operator name] Security and the police. CD
- An attack alarm shall be installed and maintained behind the cashier counter which would alert the police. CD

Toilets

- Maglock device will be installed and maintained on the customer toilet door which will be operated by a member of staff from the cashiers counter. CD & CV
- The Licensee shall install and maintain an ultraviolet lighting system in the customer toilet. CD & CV
- The licensee will ensure that customer toilets are checked hourly/ (insert other period) for cleanliness and evidence of drug taking. CD & CV

Restrictions on Food and Beverages

- Only refreshments purchased or supplied on the premises may be consumed on the premises. CV
- hot refreshment vending machine and refreshment facilities shall be provided for customers and staff use only. CV

Signage, Promotional Material and Notices

- The licensee shall place and maintain a sign at the entrance of the premises stating that access to the premises will be excluded to the following people:
 - a) Anyone who is under the age of 18,
 - b) Anyone who appears to be under the age of 21/25 and is unable to provide proof of age that they are over the age of 18,
 - c) Only refreshments purchased or supplied on the premises may be consumed on the premises,*
 - d) Anyone who is barred from the premises, and
 - e) Anyone who has alcohol on their person or appears to be under the influence of alcohol or substances (may be better wording?) * Only to be added if above condition is proposed. CD & CV
- The licensee will place and maintain a sign at the entrance which states that 'only refreshments purchased on the premises may be consumed on the premises'.
- All public signage/documentation relating to age restrictions, gambling advice and gambling support information (e.g. GamCare or similar support service) is displayed

or provided on the premises in written English and any other language appropriate to the area and customer base. FO & CV

- Prominent GamCare documentation will be displayed at the premises. FO & CV
- The licensee shall ensure that no ethnicity specific gambling promotion is provided or advertised on the premises which is designed and/or intended to entice participation in gambling by the local community. CV
- Prominent signage indicating the permitted hours for the licensable activity shall be displayed so as to be visible before entering the premises. FO

Enticement Promotions

- The licensee shall not offer any enticement promotions, such as happy hours during which gaming machines stakes are reduced. FO & CV

Staff Training

- The licensee shall:
 - a) provide training on the specific local risks to the licensing objectives that have been identified for these premises as part of the staff induction training programme.
 - b) periodically provide refresher training to all of its staff working at these premises on the specific local risks to the licensing objectives.
- Participation in this training shall be formally recorded on each member of staffs training records which, if requested will be presented to the Licensing Authority as soon as practicable. CD, FO & CV
- The Licensee shall train staff on specific issues related to the local area and shall conduct periodic refresher training. Participation in the training shall be formally recorded and the records produced to the police or licensing authority upon request. CD, FO & CV
- New and seasonal staff must attend induction training. All existing staff must attend refresher training every six months. CD, FO & CV

Recording of Incidents and Visits

- An incident log shall be kept for the premises and made available on request to an authorised officer of the council or the Police which will record the following:
 - a) All crimes reported to the venue;
 - b) Any complaints received regarding crime and disorder;
 - c) Any incidents of disorder or antisocial behaviour;
 - d) Any faults in the CCTV system; and
 - e) Any visit by a relevant authority or emergency service.

Customer Bags and Belongings

- Customer shall not be permitted to leave bags or other belongings at the premises. CV

Homelessness and Street Drinking

- The licensee will contact the local homeless hostels/shelters and offer to provide information on problem gambling support services and how their residents can self-exclude from [operator name] premises. CV

- The licensee shall take all reasonable steps to prevent street drinking of alcohol directly outside the premises and to ban from the premises those who do so. CD & CV
- The licensee shall place a notice visible from the exterior of the premises stating that customers drinking alcohol outside the premises is not permitted and those who do so will be banned from the premises. CD & CV

Police Reporting Protocols and Crime Prevention

- The licensee shall develop and agree a protocol with the police as to incident reporting, including the type and level of incident and mode of communication, so as to enable the police to monitor any issues arising at or in relation to the premises. CD
- Prior to opening the licensee shall meet with the Crime Prevention Officer in order to discuss any additional measures to reduce crime and disorder. CD

ATMs

- There shall be no cash point or ATM facilities on the premises. CD & CV
- The ATM shall be located so that the staff behind the cashiers desk has direct line of sight to the machine and customers using it. CD & CV
- Signage shall be placed on or immediately next to the ATM to warn customers to cover the keypad when entering their PIN. CD

Gaming Machines and SSBTs

- Gaming machines shall be sited in the locations specified on the premises plans. CD & CV
- Gaming machines shall be sighted so that the cashiers from all counter positions have direct line of sight of the machines and the customers using them. CD & CV
- Gaming machines shall not be emptied whilst customers are present on the premises and the doors are unlocked. CD
- Self-service betting terminals shall not be emptied whilst customers are present on the premises and the doors are unlocked. CD
- Gaming machines and self-service betting terminals shall not be emptied whilst customers are present on the premises and the doors are unlocked. CD
- Gaming machines shall not be emptied when there is only one member of staff on the premises. CD
- Self-service betting terminals shall not be emptied when there is only one member of staff on the premises. CD
- Gaming machines and self-service betting terminals shall not be emptied when there is only one member of staff on the premises. CD
- The number of self-service betting terminals permitted on the premises is [insert number]. CV
- The over 18 area containing the category C gaming machines will be enclosed with a floor to ceiling partition wall with one point for egress and ingress. CV
- Privacy screening, known as a 'gaming machine pod' shall not enclose the customer to such a degree that would restrict the customer's peripheral vision of the premises when playing the machine in either a standing or sitting position and prevent a member of staff from observing that person. CD & CV

- No other gambling facilities shall be provided in a gaming machine enclosure so as to allow a customer the ability to play the machine and participate in other forms of gambling. CV

Multiple Storey Venues

- Access to the [floor number] floor of the premises will be controlled by members of staff and a door which can only be operated by members of staff will be positioned at the bottom of the stairs thereby restricting access to only those with staff approval. CD
- A minimum of one member of staff shall be present at all times when the [floor number] floor is being used by customers. CD & CV
- The licensee shall install and maintain an internal intercom/phone system to enable staff to communicate with one another on all floors of the premises. CD & CV
- The licensee shall install monitors within the staff cashier counter areas on all floors that will display live CCTV footage from inside and outside the premises. CD & CV
- attack alarm shall be installed and maintained behind the ground and first floor cashier counters which would alert [operator name] Security and the police. CD
- magnetic lock (Maglock) device will be installed and maintained on the customer toilet door on the [floor number] floor which will be operated by a member of staff from the cashiers counter on the [floor number] floor. CD & CV

Betwatch Scheme

- As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the Betwatch scheme. CD & CV

Documents Provided to the Licensing Authority

- The licensee shall provide the Licensing Authority with their compliance/operating manual which sets out all of the premises policies to meet the regulatory requirements under the Gambling Act 2005 and shall provide a copy of any update or revision as soon as practicable following the implementation of that change. CD, FO & CV

Appendix D - Summary of Machine Provision by Premises

Machine category							
Premises type	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)	Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)						
Small casino (machine/table ratio of 2-1 up to maximum)	Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)						
Pre-2005 Act casino (no machine/table ratio)	Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead						
Betting premises and tracks occupied by pool betting			Maximum of 4 machines categories B2 to D (except B3A machines)				
Bingo premises (1)				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Adult gaming centre (2)				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Licensed family entertainment centre (3)						No limit on category C or D machines	
Family entertainment centre (with permit)(3)							No limit on category D machines
Clubs or miners' welfare institute (with permits)(4)				Maximum of 3 machines in categories B3A or B4 to D			
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with licensed premises gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines

(1) Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight (The Gambling Act 2005 (Gaming Machines in Bingo Premises) Order 2009) category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.

(2) Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.

(3) Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FECs and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.

(4) Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

Appendix E - Schedule of Delegation of Licensing Functions and Decisions

Matters to be dealt with	Full Council	Sub Committee	Officers
Three year Gambling Policy	X		
Policy not to permit casinos	X		
Fee Setting – when appropriate			x
Application for Premises Licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representation has been received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a Premises Licence		X	
Revocation of a premises licence for failure to pay annual licence fee			X
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits		Where objections have been made and not withdrawn	Where no objections made/objections have been withdrawn
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

Agenda Item 33

Council only

Date signed off by the Monitoring Officer: N/A

Date signed off by the Section 151 Officer: N/A

Committee: **Council**

Date of Meeting: **25th November, 2021**

Report Subject: **Memberships Report**

Portfolio Holder: **Councillor N. Daniels – Leader/
Executive Member – Corporate Services**

Report Submitted by: **Democratic Services**

Report Written by: **Democratic Services**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
							25/11/21	

1. Purpose of the Report

- 1.1 To present a list of Memberships for consideration and determination by Members of the Council.

2. Scope

2.1 ANEURIN BEVAN COMMUNITY HEALTH COUNCIL

To appoint two representatives on the above.

2.2 ADVISORY PANEL FOR LOCAL AUTHORITY GOVERNORS

- (a) To ratify the following appointments made at the panel meeting held on 12th October, 2021:

Beaufort Hill Primary School – Mr. Rhion Hollister

Sofrydd Primary School – Mr. Paul Maddy

- (b) To ratify the following appointments made at the panel meeting held on 15th November, 2021:

The River Centre – Mr. Richard Barrett; Ms. Lesley Bush;
Ms. Jenna Underrey; Ms. Hannah Moncreiff

Coed-y-Garn Primary School – Mr. Raffi Abbas

Ebbw Fawr Learning Community – Councillor D. Davies

Bryn Bach Primary School – Ms. Diane Rowberry

3. **Options for Recommendation**

3.1 To consider the above.

By virtue of paragraph(s) 12, 13 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 12, 13 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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