



T: 01495 355001

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

Our Ref./Ein Cyf.
Your Ref./Eich Cyf.
Contact:/Cysylltwch â: Democratic Services

THIS IS A MEETING WHICH THE PUBLIC ARE ENTITLED TO ATTEND

18th January 2024

Dear Sir/Madam

ORDINARY MEETING OF THE COUNCIL

A meeting of the Ordinary Meeting of the Council will be held in Remotely via Microsoft Teams on Thursday, 25th January, 2024 at 10.00 am.

Yours faithfully

Damien McCann
Interim Chief Executive

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

To receive.

3. DECLARATIONS OF INTEREST AND

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn cyfathrebu gyda chi yn eich dewis iaith, dim ond i chi rhoi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

The Council welcomes correspondence in Welsh and English and we will communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to any delay.

DISPENSATIONS

To consider any declarations of interest and dispensations made.

4. PRESIDING MEMBER'S ANNOUNCEMENTS

To receive.

5. ORDINARY MEETING OF THE COUNCIL 7 - 16

To consider and if thought fit, approve the decisions of the meeting held on 23rd November, 2023.

6. CABINET 17 - 26

To confirm the decisions of Cabinet held on 29th November, 2023.

7. CABINET 27 - 30

To confirm the decisions of Cabinet held on 10th January, 2024.

8. GOVERNANCE & AUDIT COMMITTEE 31 - 36

To confirm the decisions of the Governance & Audit Committee held on 1st December, 2023.

9. PLANNING COMMITTEE 37 - 40

To confirm the decisions of the Planning Committee held on 11th January, 2024.

10. CORPORATE AND PERFORMANCE SCRUTINY COMMITTEE 41 - 44

To confirm the decisions of the Corporate and Performance Scrutiny Committee held on 12th October, 2023.

11. PLACE SCRUTINY COMMITTEE 45 - 48

To confirm the decisions of the Place Scrutiny Committee held on 17th October, 2023.

12. PEOPLE SCRUTINY COMMITTEE 49 - 52

To confirm the decisions of the People Scrutiny Committee held on 13th November, 2023.

13. PARTNERSHIPS SCRUTINY COMMITTEE 53 - 56

To confirm the decisions of the Partnerships Scrutiny Committee held on 16th November, 2023.

14. PLACE SCRUTINY COMMITTEE 57 - 60

To confirm the decisions of the Place Scrutiny Committee held on 5th December, 2023.

15. CORPORATE AND PERFORMANCE SCRUTINY COMMITTEE 61 - 62

To confirm the decisions of the Corporate and Performance Scrutiny Committee held on 6th December, 2023.

16. MEMBERS QUESTIONS

To receive questions, if any, from Members.

17. PUBLIC QUESTIONS

To receive questions, if any, from the public.

18. COUNCIL MOTION - VIOLENCE AT WORK 63 - 64

To consider the attached Motion.

19. MEMBERSHIPS REPORT 65 - 66

To consider attached report.

20. TREASURY MANAGEMENT QUARTERLY UPDATE REPORT - JUNE 2023 67 - 90

To consider the report of the Chief Officer Resources.

21. GOVERNANCE & AUDIT COMMITTEE ANNUAL REPORT 2022/2023 91 - 102

To consider the report of the Data Protection and Governance Officer submitted on behalf of the Governance and Audit Committee.

22. **RECRUITMENT AND SELECTION POLICY** 103 - 132
- To consider the report of the Head of Organisational Development.
23. **PRESIDING MEMBERS FUND - PROPOSALS FOR USE** 133 - 136
- To consider the report of the Chief Officer Resources.
24. **THE FUTURE OF SILENT VALLEY WASTE SERVICES LTD FOLLOWING THE TRANSFER OF SERVICES (AND EMPLOYEES) BACK TO THE COUNCIL** 137 - 142
- To consider report of the Chief Officer Resources.
25. **ELECTED MEMBER MATERNITY, PATERNITY, NEWBORN ADOPTION, PARENTAL AND ADOPTION LEAVE (FAMILY ABSENCE POLICY)** 143 - 156
- To consider report of the Service Manager Performance & Democratic.
26. **APPLICATION TO LEASE CLUB AND PREMISES AT EUGENE CROSS PARK, EBBW VALE** 157 - 186
- To consider report of the Team Manager Estates & Strategic Asset Management.
27. **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 reason for the decisions for the exemption is available on a schedule maintained by the proper officer).
28. **ANVIL COURT, ABERTILLERY** 187 - 228
- To consider the report of the Corporate Director of Regeneration and Community Services.

To consider the report of meeting held on 28th November, 2023.

To: Councillor C. Smith (Presiding Member)
Councillor P. Baldwin
Councillor S. Behr
Councillor D. Bevan
Councillor K. Chaplin
Councillor M. Cross
Councillor H. Cunningham
Councillor D. Davies
Councillor G. A. Davies
Councillor M. Day
Councillor S. Edmunds
Councillor J. Gardner
Councillor J. Hill
Councillor W. Hodgins
Councillor J. Holt
Councillor G. Humphreys
Councillor R. Leadbeater
Councillor E. Jones
Councillor J. Morgan, J.P.
Councillor J. C. Morgan
Councillor J. P. Morgan
Councillor L. Parsons
Councillor D. Rowberry
Councillor T. Smith
Councillor G. Thomas
Councillor J. Thomas
Councillor S. Thomas
Councillor H. Trollope
Councillor J. Wilkins
Councillor L. Winnett
Councillor D. Woods

All other Members (for information)
Interim Chief Executive
Chief Officers

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO:	<u>THE PRESIDING MEMBER AND MEMBERS OF THE COUNCIL</u>
SUBJECT:	<u>ORDINARY MEETING OF THE COUNCIL – 23RD NOVEMBER, 2023</u>
REPORT OF:	<u>DEMOCRATIC OFFICER</u>

PRESENT: COUNCILLOR C. SMITH (PRESIDING MEMBER, CHAIRING)

Councillors P. Baldwin
S. Behr
D. Bevan
M. Cross
H. Cunningham
D. Davies
G. A. Davies
S. Edmunds
J. Gardner
W. Hodgins
G. Humphreys
E. Jones
R. Leadbeater
J. C. Morgan
J. P. Morgan
L. Parsons
D. Rowberry
T. Smith
G. Thomas
J. Thomas
S. Thomas
H. Trollope
D. Wilkshire
L. Winnett
D. Woods

AND: Interim Chief Executive
 Corporate Director of Regeneration & Community Services
 Interim Corporate Director of Social Services
 Interim Corporate Director of Education
 Chief Officer Commercial & Customer
 Head of Legal & Corporate Compliance
 Head of Democratic Services, Governance & Partnerships
 Service Manager – Accountancy
 Service Manager – Policy and Partnerships
 Communications & Marketing Manager
 Service Manager - Registration, Elections & Corporate Complaints
 Policy Officer

WITH: Phil Diamond – Head of Regional Partnership Team, Torfaen CBC
 Natasha Harris - Service Manager, Partnerships and Development, Torfaen CBC

<u>ITEM</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. Chaplin, M. Day, J. Hill, J. Holt, J. Morgan, J.P., J. Wilkins, and the Chief Officer Resources.</p>	
3.	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>The following declaration of interest was reported:</p>	

Item No. 22: Council Motion – Animal Welfare

- Councillor W. Hodgins

Upon the advice of the Head of Legal and Corporate Compliance/Monitoring Officer, the Member remained in the meeting whilst the item of business was considered but took no part in the discussion.

4.

PRESIDING MEMBER’S ANNOUNCEMENTS

Condolences

Condolences were expressed to:

- Councillor Lisa Winnett on the sad passing of her father.
- Councillor Malcolm Cross on the sad passing of his sister.

Members and officers paid their respects with one minute’s silence.

Condolence letters had been sent to the families.

Councillor Carl Bainton – Resignation

The Leader of the Council made the following statement:

It was with regret that he had to announce the resignation of Carl Bainton who had served the Ebbw Vale South Ward since being elected in May 2022. This situation had developed because the Council at the request of Welsh Government, had been asked to transfer Gwent Association of Voluntary Organisations (GAVO) staff employed on the Communities for Work Plus Programme into the Council in order to align with the model adopted by the other 21 local authorities across Wales. As a result, Carl had transferred under TUPE regulations into the Council and had, therefore, had to resign as a Member of the

Council. This was a unique situation, however, the provisions of the Local Government and Elections Act 2021 applied and regrettably Carl was unable to remain both a Councillor and employee. Carl had sought advice and clarity throughout the TUPE transfer process and although an unprecedented situation, confirmation had substantiated that the Act applied in this situation.

During his tenure Carl had demonstrated an unwavering commitment to the betterment of the community and citizens of Blaenau Gwent by working tirelessly to address the needs and concerns of residents. His efforts in areas such as his role of Cost of Living Champion had left a lasting impact, so much so, that the Leader had recently discussed making him Chair of the Cost of Living Cross Party Working Group, such was his dedication and commitment to the work.

The Leader concluded by stating that all were grateful for Carl's outstanding service and dedication and wished him all the best for the future. Inevitably this resignation would trigger a by-election in the Ebbw Vale South Ward in the New Year.

The Leader then proceeded to read out a letter received from Carl:

"Dear fellow elected members,

Many would know when I started my term of office as a Councillor for Blaenau Gwent that I was employed by GAVO in the Communities for Work Plus Team. At the request of Welsh Government, GAVO recently transferred the team including myself to the Council under TUPE regulations. It was initially believed in these unique circumstances that I may be able to undertake a dual role. Unfortunately, it had since been clarified that the legislation does not permit me to continue in both roles. Therefore, I have no alternative but other than to disqualify myself from being a Councillor with immediate effect.

	<p>At this juncture, I would like to thank all Councillors for their comradery and support shown during my tenure and to hardworking staff of the Council whose efforts sometimes goes unnoticed and a massive sincere thanks to all my constituents in Ebbw Vale South who had supported me to the hilt during both good and challenging times. I hope that they are happy with my efforts as a first time Councillor during the past 18 months.</p> <p>Also, it would be remiss of me not to mention and recognise the huge contribution of the Leader, Deputy Leader and Labour Group who mentored, educated and supported me as a first time councillor, helping me through at first a complex bureaucracy and later having faith in me to become the Cost of Living Champion for the Council.</p> <p>My time as a councillor has been immensely rewarding and it has been an honour to serve the community and it is with great sadness that I find myself in this position but will sign off by saying ‘Hasta las vista’ and see you at the next election when my circumstances may be different. Best wishes and good luck to you all. Carl.”</p> <p>Members reiterated that these were unprecedented circumstances and that it had been a pleasure working with Carl and he would be sorely missed. All Members expressed their best wishes to Carl for the future and to him in his current role as a Blaenau Gwent officer.</p>	
<p>5. – 19.</p>	<p><u>DECISION BOOK – MARCH – NOVEMBER 2023</u></p> <p>The Decision Book for the period March – November 2023 was submitted for consideration.</p> <p>It was unanimously,</p> <p>RESOLVED that the decisions be approved and confirmed as a true record of proceedings.</p>	

20.	<p><u>MEMBERS QUESTIONS</u></p> <p>There were no questions submitted by Members.</p>	
21.	<p><u>PUBLIC QUESTIONS</u></p> <p>There were no questions submitted by members of the public.</p>	
22.	<p><u>COUNCIL MOTION – ANIMAL WELFARE</u></p> <p>Councillor W. Hodgins declared an interest in this item and remained in the meeting whilst it was considered but took no part in the discussion.</p> <p>Consideration was given to the Motion submitted regarding Animal Welfare.</p> <p>It was unanimously,</p> <p>RESOLVED that the Motion be supported and the Council agreed to:</p> <ul style="list-style-type: none"> (i) Ban outright the giving of live animals as prizes, in any form, on Blaenau Gwent County Borough Council land. (ii) Write to Welsh Government urging an outright ban on giving of live animals as prizes on both public and private land in Wales. 	
23.	<p><u>SINGLE TRANSFERABLE VOTE</u></p> <p>Councillor Jules Gardner joined the meeting at this juncture.</p>	

	<p>Members considered the report of the Head of Legal and Corporate Compliance.</p> <p>Following a lengthy debate, a Member proposed that Option 1 i.e., to retain the current First Past The Post voting for local elections be endorsed. This proposal was seconded.</p> <p>Another Member proposed that Option 2 i.e., to carry out a consultation exercise before bringing a report back to Council to consider changing the voting system which, would require a two thirds majority of Council before the voting system could be changed, be endorsed. This proposal was also seconded.</p> <p>A recorded vote was, thereupon, requested for the public record.</p> <p>In Favour of Option 1 – Councillors D. Bevan, M. Cross, D. Davies, W. Hodgins, G. Humphreys, J. C. Morgan, J. P. Morgan, L. Parsons, D. Rowberry, C. Smith, T. Smith, G. Thomas, S. Thomas, H. Trollope, D. Wilkshire, L. Winnett, D. Woods.</p> <p>In Favour of Option 2 – Councillors P. Baldwin, S. Behr, H. Cunningham, G. A. Davies, S. Edmunds, J. Gardner, R. Leadbeater, E. Jones, J. Thomas.</p> <p>The vote on Option 1 was, therefore, <u>carried</u>.</p> <p>RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the current First Past The Post voting system for local elections be retained.</p>	
<p>24.</p>	<p><u>PROPOSED AMENDMENT TO THE CONSTITUTION</u></p> <p>Consideration was given to the report of the Head of Legal and Corporate Compliance/Monitoring Officer.</p>	

	<p>It was unanimously,</p> <p>RESOLVED that the report be accepted and Option 1 be endorsed, namely that the suggested amendment below be approved and incorporated into the existing Constitution:</p> <p>11.10.3 Appointment of Chief Executive</p> <p>“The Full Council will interview and appoint the Chief Executive. A shortlisting exercise will first be undertaken by a Committee or Sub-Committee of the Council, and the Committee or Sub-Committee must include at least one Member of the Cabinet. There will then be a suitable candidate assessment process to determine candidates to be interviewed by Full Council.”</p>	
<p>25.</p>	<p><u>COMMITTING TO THE ARMED FORCES COVENANT</u></p> <p>The report of the Head of Democratic Services, Governance & Partnerships was submitted for consideration.</p> <p>It was unanimously,</p> <p>RESOLVED that the report be accepted and Council commits to the Armed Forces Covenant which would be signed by Councillor Derrick Bevan, Armed Forces Champion.</p>	
<p>26.</p>	<p><u>GWENT REGIONAL PARTNERSHIP BOARD (RPB) AREA PLAN AND RPB ANNUAL REPORT 2022/2023</u></p> <p>Members considered the report of the Head of the Regional Partnership Board.</p> <p>It was unanimously,</p> <p>RESOLVED that the report be accepted and the joint regional commitments as outlined in the Area Plan and the</p>	

	<p>Regional Partnership Board Annual Report including progress made against the objects be approved.</p>	
<p>27.</p>	<p><u>MEMBERSHIPS REPORT</u></p> <p><u>Advisory Panel for Local Authority Governors</u></p> <p>The following recommendations were made by the Panel on 15th November, 2023 to appoint in principle:</p> <p>Beaufort Hill Primary School – Belinda Tolman Georgetown Primary School – Jacqueline Thomas Bryn Bach Primary School – Nyree Davies-Jones</p> <p>It was, thereupon, unanimously,</p> <p>RESOLVED that the above appointments be endorsed.</p> <p><u>GOVERNANCE & AUDIT COMMITTEE LAY MEMBER APPOINTMENT</u></p> <p>RESOLVED that Mrs Cheryl Hucker be appointed as a Lay Member on the Governance & Audit Committee.</p> <p><u>ETHICS & STANDARDS COMMITTEE TOWN COUNCILLOR APPOINTMENT</u></p> <p>The following appointment was verbally reported:</p> <p>RESOLVED that the appointment of Councillor Joshua Rawcliffe from Abertillery & Llanhilleth Community Councillor to the Town Councillor vacancy on the Ethics & Standards Committee be noted.</p>	

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE LEADER AND MEMBERS OF THE CABINET

SUBJECT: CABINET – 29TH NOVEMBER, 2023

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

**PRESENT: Leader/
Cabinet Member - Corporate Overview & Performance
Councillor S. Thomas**

**Deputy Leader/Cabinet Member – Place & Environment
Councillor H. Cunningham**

**Cabinet Member – Place and Regeneration
Councillor J.C. Morgan**

**Cabinet Member – People & Social Services
Councillor H. Trollope**

**Cabinet Member – People & Education
Councillor S. Edmunds**

WITH: Interim Chief Executive
Chief Officer Resources
Chief Officer Customer & Commercial
Corporate Director Regeneration & Community Services
Interim Corporate Director Social Services
Head of Organisational Development
Head of Legal & Corporate Compliance
Head of Democratic Services, Governance & Partnerships
Service Manager Young People & Partnerships
Service Manager Customer Experience & Transformation
Press & Public Relations Officer

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</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 reported for the Interim Corporate Director of Education.</p>
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest or dispensations were reported.</p>
	<p><u>DECISIONS</u></p>
No. 4	<p><u>CABINET</u></p> <p>Consideration was given to the decisions of the Cabinet Meeting held on 4th October, 2023.</p> <p>RESOLVED that the decisions be received as a true record of proceedings.</p>
	<p><u>CORPORATE AND PERFORMANCE PORTFOLIO</u></p>
No. 5	<p><u>FORWARD WORK PROGRAMME – 10TH JANUARY 2024</u></p> <p>Consideration was given to report of the Scrutiny & Democratic Officer.</p> <p>It was reported that the date on the report should be amended to read 10th January, 2024.</p>

	<p>RESOVLED, subject to the foregoing, that the Forward Work Programme for the meeting on the 10th January, 2024 be accepted. (Option 1)</p>																																	
<p>No. 6</p>	<p><u>GRANTS TO ORGANISATIONS</u></p> <p>Consideration was given the report of the Chief Officer Resources.</p> <p>The following grants were received following publication of the report:-</p> <p><u>ABERTILLERY</u></p> <p><u>Abertillery & Six Bells Ward - Councillor K. Chaplin</u></p> <table data-bbox="343 840 1436 974"> <tr> <td>1.</td> <td>Abertillery Ladies Choir</td> <td>£90</td> </tr> <tr> <td>2.</td> <td>Ebbw Fach Choir</td> <td>£90</td> </tr> <tr> <td>3.</td> <td>K Style</td> <td>£90</td> </tr> </table> <p><u>Abertillery & Six Bells Ward - Councillor R. Leadbetter</u></p> <table data-bbox="343 1086 1436 1265"> <tr> <td>1.</td> <td>K Style</td> <td>£100</td> </tr> <tr> <td>2.</td> <td>Abertillery Piranhas</td> <td>£100</td> </tr> <tr> <td>3.</td> <td>Abertillery & District Museum Society</td> <td>£100</td> </tr> <tr> <td>4.</td> <td>Abertillery Town Band</td> <td>£100</td> </tr> </table> <p><u>Cwmtillery Ward – Councillors M. Day & J. Wilkins</u></p> <table data-bbox="343 1377 1436 1422"> <tr> <td>1.</td> <td>K Style</td> <td>£100</td> </tr> </table> <p><u>Llanhilleth Ward - Councillor N. Parsons</u></p> <table data-bbox="343 1545 1436 1635"> <tr> <td>1.</td> <td>K Style</td> <td>£100</td> </tr> <tr> <td>2.</td> <td>St Illtyd’s Primary School Fund</td> <td>£200</td> </tr> </table> <p><u>EBBW VALE</u></p> <p><u>Cwm Ward – Councillors D. Bevan & G. Humphreys</u></p> <table data-bbox="343 1792 1436 1836"> <tr> <td>1.</td> <td>Baby Padfield</td> <td>£300</td> </tr> </table>	1.	Abertillery Ladies Choir	£90	2.	Ebbw Fach Choir	£90	3.	K Style	£90	1.	K Style	£100	2.	Abertillery Piranhas	£100	3.	Abertillery & District Museum Society	£100	4.	Abertillery Town Band	£100	1.	K Style	£100	1.	K Style	£100	2.	St Illtyd’s Primary School Fund	£200	1.	Baby Padfield	£300
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NANTYGLO & BLAINA**Nantyglo Ward – Councillor P. Baldwin**

1.	Friends of Coed Cae Community House	£300
2.	Hermon Cemetery Trust	£390
3.	Trevor Rowson Wildlife / Nantyglo Action Group	£200
4.	Piranhas Swimming Club	£150
5.	Winchestown OAP Association	£200
6.	Nantyglo OAP Association	£200
7.	Nantyglo Community Shop	£200
8.	BGfm	£400
9.	Nantyglo RFC	£250
10.	Friends of Parc Nant y Waun	£100
11.	Needles & Pins	£200
12.	Wesleyan Methodist Church	£100
13.	St. Annes Church	£100

Nantyglo Ward – Councillor S. Behr

1.	Friends of Coed Cae Community House	£300
2.	Hermon Cemetery Trust	£150
3.	Trevor Rowson Wildlife / Nantyglo Action Group	£300
4.	Piranhas Swimming Club	£150
5.	Winchestown OAP Association	£200
6.	Nantyglo OAP Association	£200
7.	Nantyglo Community Shop	£200
8.	BGfm	£200
9.	Nantyglo RFC	£100
10.	Friends of Parc Nant y Waun	£100
11.	Needles & Pins	£100
12.	Wesleyan Methodist Church	£100
13.	St. Annes Church	£100

TREDEGAR**Sirhowy Ward – Councillors M. Cross T. Smith & D. Rowberry**

1.	Tredegar Orpheus Male Voice Choir	£100
2.	2167 Squadron Air Training Corps	£100
3.	Tredegar Angling Club	£100
4.	Trefil Junior RFC	£100
5.	Gwent Area Ass. Welsh Cob & Pony Society	£100
6.	Tredegar Ironsides RFC	£200

	7.	Sirhowy Valley Woodlands	£100
	8.	Sirhowy Community Centre	£250
	9.	Ystrad Deri Community Centre	£250
	10.	Horeb Chapel	£50
	11.	Sardis Chapel	£50
	12.	Ebenezer Welsh Congregational Church	£100
	13.	St Georges Church	£100
	14.	Immaculate Conception Church	£100
	15.	Valleys Life After Stroke	£100
	16.	Silurian Boxing Club	£100
	17.	Tredegar Junior Netball Club	£100
	18.	Tredegar Women's Institute	£100
	19.	Oak Football Club	£100
	20.	Tredegar Operatic Society	£100
	21.	Tredegar Twinning Association	£100
	22.	Brynbach Running Club	£100
	23.	Bedwellty Park Bowls	£100
	24.	Siloam Chapel	£100
	25.	Tredegar Mayors Appeal	£100
	26.	Moose International Lodge	£100
	27.	Tredegar AFC	£100
	28.	Tredegar Business Forum	£100
	29.	Sirhowy Angling Club	£100
	30.	Waundeg & Nantybawch Community Association	£250

RESOLVED accordingly.

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

No. 7	<p><u>GRANTS WORKING GROUP – 25TH OCTOBER, 2023</u></p> <p>The report of the meeting held on 25th October, 2023 was submitted.</p> <p>RESOLVED that the report be noted.</p>
No. 8	<p><u>CAPITAL BUDGET MONITORING, FORECAST FOR 2023/2024 FINANCIAL YEAR (AS AT 30 SEPTEMBER 2023)</u></p> <p>Consideration was given to the report of the Chief Officer Resources.</p>

	<p>RESOLVED that the report be accepted and Cabinet provided the appropriate challenge to the financial outcomes in the report; continued to support appropriate financial control procedures agreed by Council and noted the budgetary control and monitoring procedures in place within the Capital Team, to safeguard Authority funding (Option 1).</p>
No. 9	<p><u>REVENUE BUDGET MONITORING 2023/2024 FORECAST OUTTURN TO 31 MARCH 2024 (AS AT 30 SEPTEMBER 2023)</u></p> <p>Consideration was given to the report of the Chief Officer Resources.</p> <p>RESOLVED that the report be accepted and Cabinet provided the appropriate challenge to the financial outcomes in the report; noted the application of Reserves; considered and challenged the Action Plans attached at Appendix 2; and approved the budget virements detailed in paragraphs 5.1.18. (Option 1)</p>
No. 10	<p><u>THE CALCULATION OF THE COUNCIL TAX BASE FOR THE YEAR 2024/25</u></p> <p>Consideration was given to report of the Chief Officer Resources.</p> <p>RESOLVED that the report be accepted and Cabinet approved the Council Tax base calculation for 2024/25 as detailed in Appendix 1, tables 1 to 6, and that the Council Tax Base for tax setting purposes be 20,936.36.</p>
No. 11	<p><u>SICKNESS ABSENCE PERFORMANCE 2022/23</u></p> <p>Consideration was given to report of the Head of Organisational Development.</p> <p>RESOLVED that the report be accepted and Cabinet approve the report and the ongoing actions to support improvement in attendance. (Option 2)</p>
No. 12	<p><u>POSITION STATEMENT OF PERFORMANCE AGAINST THE SERVICE LEVEL AGREEMENT WITH THE SHARED</u></p>

	<p><u>RESOURCE SERVICE (SRS) FOR THE PERIOD 1ST APRIL 2022 TO 31ST MARCH 2023</u></p> <p>Consideration was given to report of the Chief Officer Commercial & Customer.</p> <p>RESOLVED that the report be accepted and Cabinet considered the position statement on performance for the period 1st April 2022 to 31st March 2023 against the SLA in place with SRS; and agreed to receive annual updates as part of the ongoing partnership with SRS. (Option 1)</p>
<p>No. 13</p>	<p><u>THE ANNUAL LETTER OF THE PUBLIC SERVICES OMBUDSMAN FOR WALES 2022/2023</u></p> <p>Consideration was given to report of the Head of Legal & Corporate Compliance.</p> <p>RESOLVED that the report be accepted and Cabinet was informed of the Council's performance with regard to complaints made to the Public Services Ombudsman for Wales. (The report has been considered by the Governance and Audit Committee with assurance that the process for the monitoring of complaints is robust and the performance information provided reflects these practices). (Option 1)</p>
	<p><u>PLACE AND ENVIRONMENT PORTFOLIO</u></p>
<p>No. 14</p>	<p><u>WASTE AND RECYCLING ANNUAL PERFORMANCE 2022-23</u></p> <p>Consideration was given to report of the Service Manager Neighbourhood Services.</p> <p>RESOLVED that the information contained in the report be accepted. (Option 1)</p>
	<p><u>PLACE AND REGENERATION PORTFOLIO</u></p>
<p>No. 15</p>	<p><u>CLIMATE CHANGE, NET ZERO ANNUAL REPORT 2022/23</u></p>

	<p>Consideration was given to report of the Interim Chief Executive.</p> <p>RESOLVED that the report be accepted and Cabinet support the progress made. (Option 1)</p>
No. 16	<p><u>ABERTILLERY PLACEMAKING PLAN</u></p> <p>Consideration was given to report of the Corporate Director Regeneration & Community Services.</p> <p>RESOLVED that the report be accepted and Cabinet endorse the Abertillery Placemaking Plan, its vision and core ambitions for the future. This will enable us to finalise the draft of the delivery plan and take steps towards the implementation of the projects that will be contained within it. (Option 2)</p>
	<p><u>PEOPLE AND EDUCATION PORTFOLIO</u></p>
No. 17	<p><u>IMPROVING SCHOOLS PROGRAMME</u></p> <p>Consideration was given to report of the Interim Corporate Director of Education.</p> <p>RESOLVED that the report be accepted as provided. (Option 2)</p>
No. 18	<p><u>ANEURIN LEISURE TRUST PERFORMANCE AND MONITORING</u></p> <p>Consideration was given to report of the Service Manager Young People & Partnerships.</p> <p>RESOLVED that the report be accepted and Cabinet considered the governance arrangements, annual performance and agreed the contents therein. (Option 1)</p>
No. 19	<p><u>WELSH PUBLIC LIBRARY STANDARDS (WPLS) ANNUAL RETURN 2021/22</u></p> <p>Consideration was given to report of the Service Manager Young People & Partnerships.</p>

	RESOLVED that the report be accepted and the information contained therein be noted. (Option 1)
No. 20	<p><u>UPDATE ON PROGRESS AGAINST ESTYN RECOMMENDATIONS</u></p> <p>Consideration was given to report of the Interim Corporate Director of Education.</p> <p>RESOLVED that the report be accepted as provided. (Option 2)</p>
	<u>PEOPLE AND SOCIAL SERVICES PORTFOLIO</u>
No. 21	<p><u>PROGRESS REPORT: CHILDREN'S RESIDENTIAL HOMES</u></p> <p>Consideration was given to report of the Interim Corporate Director of Social Services.</p> <p>RESOLVED that the report be accepted and Cabinet support the report as an accurate representation of the progress to date in respect of the development of Blaenau Gwent's residential children's homes. (Option 1)</p>

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE LEADER AND MEMBERS OF THE CABINET
SUBJECT: CABINET – 10TH JANUARY, 2024
REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: Leader/
Cabinet Member - Corporate Overview & Performance
 Councillor S. Thomas

Cabinet Member – Place and Regeneration
 Councillor J.C. Morgan

Cabinet Member – People & Social Services
 Councillor H. Trollope

Cabinet Member – People & Education
 Councillor S. Edmunds

WITH: Interim Chief Executive
 Chief Officer Resources
 Chief Officer Customer & Commercial
 Corporate Director Regeneration & Community Services
 Interim Corporate Director Social Services
 Head of Legal & Corporate Compliance
 Head of Democratic Services, Governance & Partnerships
 Press & Public Relations Officer

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</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 Councillor H. Cunningham, Deputy Leader/Cabinet Member Place & Environment, and the Interim Corporate Director of Education.</p>
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest or dispensations were reported.</p>
	<p><u>DECISIONS</u></p>
No. 4	<p><u>CABINET</u></p> <p>Consideration was given to the decisions of the Cabinet Meeting held on 29th November, 2023.</p> <p>RESOLVED that the decisions be received as a true record of proceedings.</p>
	<p><u>CORPORATE AND PERFORMANCE PORTFOLIO</u></p>
No. 5	<p><u>FORWARD WORK PROGRAMME – 21ST FEBRUARY, 2024</u></p> <p>Consideration was given to report of the Scrutiny & Democratic Officer.</p> <p>It was reported that the Forward Work Programme for the meeting on the 21st February, 2024 would be revised to take account of the budget report, and arrangements would be made for a Special Cabinet if required.</p> <p>RESOVLED accordingly.</p>
	<p><u>PLACE AND ENVIRONMENT PORTFOLIO</u></p>

No. 6	<p><u>ADOPTION OF LITTER & DOG BIN POLICY</u></p> <p>Consideration was given to report of the Corporate Director Regeneration & Community Services.</p> <p>RESOLVED that the report be accepted, and the proposed Litter Bin Policy be agreed as attached at Appendix 1 (Option 1).</p>
No. 7	<p><u>DISABLED FACILITIES ADAPTATIONS (DFG'S) – QUARTER 2 – BUDGET AND PERFORMANCE MONITORING REPORT</u></p> <p>Consideration was given to report of the Corporate Director Regeneration & Community Services.</p> <p>RESOLVED that the report be accepted. (Option 1)</p>
	<p><u>JOINT PORTFOLIO - PLACE AND ENVIRONMENT AND PLACE AND REGENERATION & ECONOMIC DEVELOPMENT</u></p>
No. 8	<p><u>MYNYDD BEDWELLTE WIND FARM DEVELOPMENT</u></p> <p>Consideration was given to report of the Corporate Director Regeneration & Community Services.</p> <p>It was proposed that the following be added to Option 1 of the report:</p> <p>‘a further report be submitted to Cabinet for formal decision on the option.’</p> <p>RESOLVED accordingly.</p> <p>FURTHER RESOLVED, subject to the foregoing, that the report be accepted;</p> <ul style="list-style-type: none"> • and the Council enters into an Option Agreement on terms to be agreed with EDPR for rights of access over Bryn Bach Parc to facilitate a wind farm development. This option will only be triggered if planning consent for the wind farm is granted;

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- | | |
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| | <ul style="list-style-type: none">• and a further report be submitted to Cabinet for formal decision on the option. (Option 1) |
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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE PRESIDING MEMBER AND MEMBERS OF THE COUNCIL

**SUBJECT: GOVERNANCE & AUDIT COMMITTEE
1ST DECEMBER, 2023**

REPORT OF: DEMOCRATIC OFFICER

PRESENT: JOANNE ABSALOM (CHAIR)

Councillors S. Behr
K. Chaplin
W. Hodgins
C. Smith
J. Wilkins

Martin Veale

WITH: Interim Chief Executive
Chief Officer Resources
Service Manager Commercial and Business Opportunities
Audit and Risk Manager
Data Protection & Governance Officer
Professional Lead – Risk and Insurance
Service Manager – Adult Services

AND: Representing Audit Wales
Ms. Charlotte Owen

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 from:</p> <p>Councillor Derrick Bevan, Mrs. Cheryl Hucker, Interim Corporate Director of Social Services, Chief Officer Commercial and Customer, Head of Democratic Services, Governance & Partnerships, Head of Legal and Corporate Compliance, Professional Lead – Internal Audit, Senior Business Partner – Capital & Corporate Accounting and Deborah Woods, Mike Jones – Audit Wales.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interests or dispensations reported.</p>	
No. 4	<p><u>GOVERNANCE & AUDIT COMMITTEE</u></p> <p>The decisions of the Governance & Audit Committee held on 18th October, 2023 were submitted, whereupon:</p> <p><u>Item No. 11 – Public Interest Report – Assurance Review Findings</u></p> <p>It was noted that the job title detailed in the first sentence should be amended to read Head of Democratic Services, Governance & Partnerships.</p> <p>It was unanimously,</p>	

	<p>RESOLVED, subject to the foregoing correction, that the decisions be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET – 18TH OCTOBER, 2023</u></p> <p>The Action Sheet arising from the meeting held on 18th October, 2023 was submitted.</p> <p>It was unanimously,</p> <p>RESOLVED that the Action Sheet be noted.</p>	
No. 6	<p><u>FORWARD WORK PROGRAMME 2023/2024</u></p> <p>Consideration was given to report of the proposed Forward Work Programme 2023/2024.</p> <p>It was noted as there were no items of business scheduled to be considered at the Committee on 20th December, 2023 this meeting would be cancelled.</p> <p>It was unanimously,</p> <p>RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the Forward Work Programme be accepted.</p>	
No. 7	<p><u>GOVERNANCE AND AUDIT COMMITTEE ANNUAL REPORT 2022/2023</u></p> <p>Consideration was given to the report of the Data Protection and Governance Officer.</p> <p>In reply to a question, the Data Protection and Governance Officer advised that whilst there was no formal requirement for the report to be considered by Council, in the interests of good practice, the report would be submitted to a future meeting of Council for information purposes.</p> <p>It was unanimously,</p>	

	<p>RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the information be accepted which was given as assurance that appropriate oversight and monitoring was taking place and any shortfalls had appropriate controls in place to make the necessary improvements.</p>	
<p>No. 8</p>	<p><u>AUDIT WALES – WELLBEING OBJECTIVE SETTING EXAMINATION – BLAENAU GWENT COUNTY BOROUGH COUNCIL</u></p> <p>Members considered the report of the Interim Chief Executive.</p> <p>Following a discussion, it was requested at the appropriate time, regular updates against the delivery requirements be provided to the Committee. The Committee also broadly emphasised the importance of engagement and in doing so supported that the Council embark on engagement with the public in terms of the objectives.</p> <p>It was unanimously,</p> <p>RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the Committee was assured that the Council’s Management Response, identified in Appendix 2, would appropriately respond to the Audit Wales recommendations.</p>	
<p>No. 9</p>	<p><u>ANNUAL UPDATE REPORT – USE OF POWERS UNDER THE REGULATION OF INVESTIGATORY POWERS ACT (RIPA) 2000</u></p> <p>Consideration was given to the Head of Legal & Corporate Compliance.</p> <p>It was unanimously,</p> <p>RESOLVED that the report be accepted and Option 1 be endorsed, namely that the information in the report was accepted which was given as assurance that appropriate</p>	

	oversight and monitoring was taking place.	
No. 10	<p><u>INTERNAL AUDIT PROGRESS 2023/2024</u></p> <p>The report of the Professional Lead – Internal Audit was submitted for consideration.</p> <p>It was unanimously,</p> <p>RESOLVED that the report be accepted and the progress on activities for the period 1st July to 30th September, 2023 be noted.</p>	
No. 11	<p><u>CORPORATE RISK REGISTER – QUARTER 2 2023-2024</u></p> <p>Members considered the report of the Chief Officer Resources, whereupon:</p> <p>Mr. Martin Veale joined the meeting at this juncture.</p> <p><u>CRR14 – Failure to improve staff attendance rates within the Council will lead to an unacceptable impact on the ability of the Council to deliver services effectively and financially</u></p> <p>At the appropriate time, the Risk Owner provide an update to Committee in respect of the above risk.</p> <p>Members were advised that Absence Management was the subject of a current internal audit which was due to conclude in the near future and the findings of this audit together with progress would be presented to Committee in due course.</p> <p>It was unanimously,</p> <p>RESOLVED, subject to the foregoing, that the report be accepted and the Committee was assured that procedures were in place to monitor the management of significant risks.</p>	

No. 12	<u>DRAFT STATEMENT OF ACCOUNTS 2022/2023</u> The report of the Chief Officer Resources was submitted for consideration. It was unanimously, RESOLVED that the report be accepted and the Draft 2022/2023 Statement of Accounts be received for information, prior to consideration for approval on completion of the financial audit.	
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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE PRESIDING MEMBER AND MEMBERS OF THE COUNCIL

SUBJECT PLANNING COMMITTEE – 11TH JANUARY, 2024

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR LISA WINNETT (Chair)

Councillors P. Baldwin (Vice-Chair)

- J. Holt
- L. Parsons
- D. Rowberry
- C. Smith
- M. Day
- W. Hodgins
- G. Humphreys
- J. Thomas
- D. Wilkshire

WITH: Team Manager Development Management
 Team Leader Development Management
 Team Leader Built Environment
 Planning Officer
 Compliance Officer
 Head of Legal & Corporate Compliance
 Corporate Communications - Marketing & Customer Access Manager

AND: **Public Speaker**
 Matthew Gray (Agent) Application No. C/2023/0232

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</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>Apologies for absence were received from:-</p> <p>Councillor E. Jones Steve Smith, Service Manager Development & Estates</p>
<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest and dispensations reported.</p>
<p>No. 4</p>	<p><u>PLANNING APPLICATIONS REPORT</u></p> <p>Consideration was given to the report of the Team Manager Development Management, whereupon:-</p> <p><u>Application No. C/2023/0225</u> <u>Former Abertillery Indoor Bowls Club, Vivian Street.</u> <u>Abertillery, NP13 2LB</u> <u>Residential development, including the erection of 22no. homes, access, engineering and associated works</u></p> <p>Upon a vote being taken, it was unanimously</p> <p>RESOLVED that Planning permission be <u>GRANTED</u> subject to conditions and Section 106 Agreement detailed in the report.</p> <p>Councillor J. Holt did not take part in the vote.</p> <p><u>Application No. C/2023/0232</u> <u>Land adjacent to KFC, Waun-Y-Pound Road, Ebbw Vale,</u> <u>NP23 6LE</u> <u>Erection of a drive thru bakery (Class A1/A3 use) and associated development</u></p> <p>Following discussion with the Agent, it was</p> <p>RESOLVED that this application be <u>DEFERRED</u> to the next meeting of the Planning Committee.</p>
<p>No. 5</p>	<p><u>APPEALS, CONSULTATIONS AND DNS UPDATE:</u> <u>DECEMBER 2023</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>
No. 6	<p><u>REVISED PRACTICE ADVICE NOTE (PANS)</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 Planning Committee adopted the revised PAN appended to this report (Option 2).</p>
No. 7	<p><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 26TH OCTOBER 2023 AND 17TH DECEMBER 2023</u></p> <p>Consideration was given to the report of the Business Support Officer.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>
No. 8	<p><u>AREAS FOR MEMBER BRIEFINGS AND TRAINING</u></p> <p>It was reported that a Members Briefing Session on Material Planning Considerations be arranged for 1st February 2024.</p>
No. 9	<p><u>ENFORCEMENT CLOSED CASES BETWEEN OCTOBER 2023 AND 15TH DECEMBER 2023</u></p> <p>Councillor Diane Rowberry joined the meeting at this juncture.</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>

RESOLVED that the report which contained information relating to a particular individual be accepted and the information contained therein be noted.
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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE PRESIDING MEMBER AND MEMBERS OF THE COUNCIL

SUBJECT: CORPORATE AND PERFORMANCE SCRUTINY COMMITTEE – 12TH OCTOBER, 2023

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR J. WILKINS (CHAIR)

Councillors J. Thomas
 C. Bainton
 J. Hill
 J. Holt
 E. Jones
 R. Leadbeater
 C. Smith
 T. Smith

WITH: Interim Chief Executive
 Chief Officer Resources
 Interim Corporate Director Social Services
 Corporate Director Regeneration & Community Services
 Head of Organisational Development
 Head of Democratic Services, Governance and
 Service Manager Customer Experience & Transformation
 Press and Communications Officer
 Democratic and Scrutiny Officer

<u>ITEM</u>	<u>SUBJECT</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> An apology for absence was received from the Chief Officer Customer and Commercial.
No. 3	<u>DECLARATIONS OF INTERESTS AND DISPENSATIONS</u>

	No declarations of interest or dispensations were reported.
No. 4	<p><u>CORPORATE AND PERFORMANCE SCRUTINY COMMITTEE</u></p> <p>Consideration was given to the decisions of the meeting held on 14th September, 2023.</p> <p>The Committee AGREED that the decisions be accepted as a true record of proceedings.</p>
No. 5	<p><u>ACTION SHEET</u></p> <p>Consideration was given to the Action Sheet.</p> <p>The Committee AGREED that the report be accepted and the information therein be noted.</p>
No. 6	<p><u>BLAENAU GWENT COUNCIL SELF-ASSESSMENT 2022/23</u></p> <p>Consideration was given to the report of the Interim Chief Executive.</p> <p>The Committee AGREED that the report be accepted and recommended that Council approve the Council's Self-Assessment 2022/23 for publication on the Council's website and shared with key partners as outlined in paragraph 2.42 of the statutory guidance (Option 1).</p>
No. 7	<p><u>SICKNESS ABSENCE PERFORMANCE 2022/23</u></p> <p>Consideration was given to the report of the Head of Organisational Development.</p> <p>The Committee AGREED that the report be accepted and Committee endorsed the report and the ongoing actions to support improvement in attendance (Option 2).</p>
No. 8	<u>FORWARD WORK PROGRAMME – 6TH DECEMBER, 2023</u>

<p>Consideration was given to the report of the Scrutiny and Democratic Officer</p>

<p>The Committee AGREED that the report be accepted and Committee agreed the Forward Programme for the meeting 6th December 2023, as presented (Option 1).</p>
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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE PRESIDING MEMBER AND MEMBERS OF THE COUNCIL

SUBJECT: PLACE SCRUTINY COMMITTEE – 17TH OCTOBER, 2023

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR M. CROSS (CHAIR)

Councillors R. Leadbeater
 S. Behr
 K. Chaplin
 G. Davies
 J. Gardener
 J. Holt (Sub: L. Parsons)
 W. Hodgins

WITH: Interim Chief Executive
 Corporate Director Regeneration & Community Services
 Chief Officer Resources
 Head of Community Services
 Service Manager Neighbourhood Services
 Service Manager Business Regeneration
 Team Manager Regeneration Opportunities
 Team Leader (IFS) Waste Compliance & Development
 Team Leader (IFS) Waste Operations
 Team Manager Frontline Enforcement
 Policy Officer Policy, Partnerships & Engagement
 Communications and Marketing Officer
 Scrutiny and Democratic Officer

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

No. 2	<p><u>APOLOGIES</u></p> <p>An apology for absence was received from Councillor L. Parsons.</p>
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>The following declaration of interest was raised:-</p> <p><u>No. 8 – Abertillery Placemaking Plan</u> Councillor J. Holt, Trustee of Abertillery Institute</p>
No. 4	<p><u>PLACE SCRUTINY COMMITTEE</u></p> <p>Consideration was given to the decisions of the meeting held on 4th September, 2023.</p> <p>The Committee AGREED that the decisions be accepted as a true record of proceedings.</p>
No. 5	<p><u>ACTION SHEET</u></p> <p>Consideration was given to the action sheet.</p> <p>The Committee AGREED that the report be accepted and the action sheet be noted.</p>
No. 6	<p><u>CLIMATE CHANGE, NET ZERO ANNUAL REPORT 2022/23</u></p> <p>Consideration was given to the report of the Interim Chief Executive.</p> <p>The Committee AGREED that the report be accepted and the Committee considered the progress made and supported the report. (Option 1).</p>
No. 7	<p><u>WASTE AND RECYCLING ANNUAL PERFORMANCE 2022-23</u></p> <p>Consideration was given to the report of the Service Manager Neighbourhood Services.</p> <p>The Committee AGREED that the report be accepted and the information provided be noted (Option 1).</p>

No. 8	<u>ABERTILLERY PLACEMAKING PLAN</u>
	<p>Consideration be given to the report of the Team Manager Regeneration Opportunities.</p>
	<p>The Committee AGREED that the report be accepted and endorsed the Abertillery Placemaking Plan, its vision and core ambitions for the future. This would enable us to finalise the draft of the delivery plan and take steps towards the implementation of the projects that will be contained within it. (Option 2).</p>
No. 9	<u>FORWARD WORK PROGRAMME: 5TH DECEMBER 2023</u>
	<p>Consideration was given to the report.</p>
	<p>The Committee AGREED that the report be accepted and the Scrutiny Committee agreed the Forward Programme for the meeting 5th December 2023, as presented. (Option 1).</p>

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: **THE CHAIR AND MEMBERS OF THE PEOPLE SCRUTINY COMMITTEE**

SUBJECT: **PEOPLE SCRUTINY COMMITTEE – 13TH NOVEMBER, 2023**

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

PRESENT: Councillor T. Smith (Chair)

Councillors C. Bainton
 D. Bevan
 G. Thomas
 G. Humphreys

WITH: Interim Corporate Director of Education
 Interim Head of School Improvement and Inclusion
 Head of Democratic Services, Governance & Partnerships
 Head of Children’s Services
 Head of Adult Services
 Service Manger Young People & Partnerships
 Service Manager Children’s Services
 Scrutiny & Democratic Officer

AND: Councillor S. Edmunds, Cabinet Member for People & Education (Item No. 6)

<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>	

	Apologies for absence were received from Councillor Jen Morgan, J.P. and D. Wilkshire.	
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>PEOPLE SCRUTINY COMMITTEE</u></p> <p>The decisions of the People Scrutiny Committee held on 19th September, 2023 were submitted.</p> <p>The Committee AGREED that the decisions be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET</u></p> <p>The Action Sheet arising from the meeting held on 19th September, 2023 was submitted.</p> <p>The Committee AGREED that the Action Sheet be noted.</p>	
No. 6	<p><u>CABINET DECISION - INCLUSION AND ALN STRATEGY / POLICIES / GUIDANCE (REVIEW AND AMENDMENTS)</u></p> <p>The Interim Corporate Director of Education said there was a firm commitment to work with Headteachers and Senior Leaders on any new policies when ASOS allowed.</p> <p>At the invitation of the Chair, the Cabinet Member for People & Education said she recognised the importance of Scrutiny and thanked Members for their examination of the report when presented to Committee.</p> <p>The Cabinet Member said she wanted to provide comment on advising against Option 2 when presented, and stressed that it she was in no way trying to undermine the work of Scrutiny, but felt that there was a number of issues surrounding the consultation that had not been communicated to the Scrutiny Committee and led to misunderstanding which would impact on the Education Directorate's ability to perform its statutory duties.</p>	

Firstly, issues of ASOS procedures had, and still was having a detrimental effect on Primary Schools and Headteachers refusing to engage in the consultation that was offered due to ASOS, and the Cabinet Member outlined the level of engagement offered.

Secondly, we needed to make changes to our Inclusion Strategy to ensure it was in line with policy changes coming from Welsh Government. As part of the consultation process, a Teams Channel was established with the policies uploaded and Headteachers asked to email their views rather than meet, in order to provide an opportunity to engage without going against ASOS, however, no responses were received.

Finally, there was a full formal consultation which took place in between April and June, and as a result Statutory Notice was issued and closed on 26th July, 2023 with no objections to the proposals.

The Cabinet Member said further efforts had been made to engage with Headteachers despite continuing ASOS, but she said it was imperative that the statutory responsibility of the Authority, and its responsibility to children with additional needs was not hindered by industrial action.

The Cabinet Member concluded that there was a series of events that could have been communicated better to Scrutiny, which she felt would have resulted in the report being more positively received. She would endeavour to ensure those lines of communication with Scrutiny are better performed and more robust moving forward and hoped that the explanation provided gave Members a better understanding of why she asked Cabinet to support Option 1, against the recommendation of Scrutiny.

The Chair thanked the Cabinet Member for attending and providing an explanation. He also thanked her for the opportunity to attend Cabinet on behalf of the Committee, and said he was pleased that communication would be improved moving forward.

<p>No. 7</p>	<p><u>PROGRESS REPORT: CHILDREN'S RESIDENTIAL HOMES</u></p> <p>Consideration was given to the report of the Service Manager, Children's Services.</p> <p>The Committee AGREED to recommend that the report be accepted as an accurate representation of the progress to date in respect of the development of Blaenau Gwent's residential children's homes. (Option 1)</p>	
<p>No. 8</p>	<p><u>UPDATE ON PROGRESS AGAINST ESTYN RECOMMENDATIONS</u></p> <p>Consideration was given to the report of the Interim Corporate Director of Education.</p> <p>The Committee AGREED to recommend that the report be accepted as provided. (Option 2)</p>	
<p>No. 9</p>	<p><u>IMPROVING SCHOOLS PROGRAMME</u></p> <p>Consideration was given to the report of the Interim Corporate Director of Education.</p> <p>The Committee AGREED to recommend that the report be accepted as provided. (Option 2)</p>	
<p>No. 10</p>	<p><u>FORWARD WORK PROGRAMME: 19TH DECEMBER 2023</u></p> <p>Consideration was given to report of the Scrutiny and Democratic Officer.</p> <ul style="list-style-type: none"> • ICT Strategy to be moved to February/March meeting. <p>The Committee AGREED, subject to the foregoing, that the FWP for the 19th December, 2023 be accepted.</p>	

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: **THE CHAIR AND MEMBERS OF THE PARTNERSHIPS SCRUTINY COMMITTEE**

SUBJECT: **PARTNERSHIPS SCRUTINY COMMITTEE – 16TH NOVEMBER, 2023**

REPORT OF: **DEMOCRATIC OFFICER**

PRESENT: Councillor W. Hodgins (CHAIR)

Councillors D. Bevan
 P. Baldwin
 D. Davies
 M. Day
 E Jones
 C. Smith
 L. Winnett
 D. Woods

WITH: Chief Officer Commercial & Customer
 Corporate Director Regeneration & Community Services
 Interim Corporate Director of Education
 Interim Head of School Improvement and Inclusion
 Head of Democratic Services, Governance & Partnerships
 Service Manager, Young People and Partnerships
 Service Manager, Customer Experience & Transformation
 Internal Communications Officer
 Scrutiny and Democratic Officer

AND: Matt Lewis, Shared Resource Service
 Kathryn Beavan Seymour, Shared Resource Service
 Phillip Sykes, Aneurin Leisure Trust

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

	simultaneous translation service.
No. 2	<p><u>APOLOGIES</u></p> <p>No apologies for absence were reported.</p>
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>Councillor W. Hodgins declared an interest in the following:</p> <p>Item No. 8 Position Statement of Performance Against the Service Level Agreement with the Shared Resource Service (SRS) for the period 1st April 2022 to 31st March 2023.</p>
No. 4	<p><u>PARTNERSHIPS SCRUTINY COMMITTEE</u></p> <p>The decisions of the Special Partnerships Scrutiny Committee held on 19th October, 2023 were submitted.</p> <p>The Committee unanimously AGREED that the decisions be accepted as a true recording of proceedings.</p>
No. 5	<p><u>ACTION SHEET</u></p> <p>The Action Sheet arising from the Special meeting held on 19th October, 2023 was submitted.</p> <p>The Committee AGREED that the action sheet be noted.</p>
----	<p><u>CHANGE IN AGENDA ORDER</u></p> <p>The Chair reported that Item No. 8 would be considered first on the agenda.</p>
No. 8	<p><u>POSITION STATEMENT OF PERFORMANCE AGAINST THE SERVICE LEVEL AGREEMENT WITH THE SHARED RESOURCE SERVICE (SRS) FOR THE PERIOD 1ST APRIL 2022 TO 31ST MARCH 2023</u></p> <p>Consideration was given to report of the Chief Officer</p>

	<p>Commercial & Customer.</p> <p>The Committee AGREED to recommend that Option 1 be accepted, namely:</p> <ul style="list-style-type: none"> • That the Committee considered the position statement on performance for the period 1st April, 2022 to 31st March, 2023 against the SLA in place with SRS, prior to submission to Cabinet; and • Receive annual updates as part of the ongoing partnership with SRS.
No. 7	<p><u>WELSH PUBLIC LIBRARY STANDARDS (WPLS) ANNUAL RETURN 2021/22</u></p> <p>Consideration was given to report of the Service Manager, Young People & Partnerships.</p> <p>The Committee AGREED to recommend that the information detailed in the report be accepted (Option 1).</p>
No. 6	<p><u>ANEURIN LEISURE TRUST PERFORMANCE AND MONITORING</u></p> <p>Consideration was given to report of the Service Manager, Young People & Partnerships.</p> <p>The Committee AGREED to recommend that the report be accepted; and to support the Trust in making energy savings, the Committee recommended that the Council look at works that needed to be undertaken to utilise the energy centre on the Steelworks Site. (Option 2)</p>
No. 9	<p><u>FORWARD WORK PROGRAMME: 22ND FEBRUARY 2024</u></p> <p>Consideration was given to report of the Scrutiny & Democratic Officer.</p> <p>The Welsh Libraries Report would be submitted to a future meeting of the Committee.</p>

<p>The Committee AGREED, subject to the foregoing, that the report be accepted and the FWP for the meeting on 22nd February, 2024 be accepted (Option 1).</p>
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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE PRESIDING MEMBER AND MEMBERS OF THE COUNCIL

SUBJECT: PLACE SCRUTINY COMMITTEE – 5TH DECEMBER, 2023

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR M. CROSS (CHAIR)

Councillors R. Leadbeater
 S. Behr
 K. Chaplin
 G.A. Davies
 J. Gardener
 W. Hodgins
 L. Parsons
 D. Rowberry

WITH: Corporate Director Regeneration & Community Services
 Head of Community Services
 Service Manager Public Protection
 Team Manager Housing Solutions
 Team Manager Development & Estates
 Team Manager Frontline Enforcement
 Team Manager Neighbourhood Services
 Team Manager Streetecene
 Team Leader Grounds and Bereavement
 Communications & Marketing Officer
 Scrutiny and Democratic Officer

<u>ITEM</u>	<u>SUBJECT</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>No apologies for absence were received.</p>
<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>The following declaration was raised:-</p> <p><u>Item No. 7 – Disabled Facilities Adaptations (DFG’s) – Quarter 2 – Budget and Performance Monitoring Report</u></p> <p>Councillor S. Behr, Member of Care & Repair Board</p>
<p>No. 4</p>	<p><u>PLACE SCRUTINY COMMITTEE</u></p> <p>Consideration was given to the decisions of the meeting held on 17th October, 2023.</p> <p>The Committee AGREED that the decisions be accepted as a true record of proceedings.</p>
<p>No. 5</p>	<p><u>ACTION SHEET</u></p> <p>Consideration was given to the action sheet.</p> <p>The Committee AGREED that the report be accepted and the action sheet be noted.</p>
<p>No. 6</p>	<p><u>ADOPTION OF LITTER & DOG BIN POLICY</u></p> <p>Consideration was given to the report of the Team Manager Streetscene.</p> <p>The Committee AGREED that the report be accepted and supported the adoption of the proposed Litter Bin policy as attached at appendix 1 (Option 1)</p>

<p>No. 7</p>	<p><u>DISABLED FACILITIES ADAPTATIONS (DFG'S) – QUARTER 2 – BUDGET AND PERFORMANCE MONITORING REPORT</u></p> <p>Consideration was given to the report of the Team Manager Housing Solutions.</p> <p>The Committee AGREED that the report be accepted and information contained therein be noted. (Option 1)</p>
<p>No. 8</p>	<p><u>FORWARD WORK PROGRAMME: 16TH JANUARY, 2024</u></p> <p>Consideration was given to the report.</p> <p>The Committee AGREED that the report be accepted and the Scrutiny Committee agreed the Forward Programme for the meeting 16th January, 2024, as presented. (Option 1).</p>

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COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE PRESIDING MEMBER AND MEMBERS OF THE COUNCIL

SUBJECT: CORPORATE AND PERFORMANCE SCRUTINY COMMITTEE – 6TH DECEMBER, 2023

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR J. WILKINS (CHAIR)

Councillors J. Thomas (Vice-Chair)

- J. Holt
- J. Hill
- E. Jones
- R. Leadbeater
- C. Smith
- T. Smith

WITH: Chief Officer Resources
Interim Corporate Director Social Services
Democratic and Scrutiny Officer

<u>ITEM</u>	<u>SUBJECT</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 the Interim Chief Executive.</p>
No. 3	<p><u>DECLARATIONS OF INTERESTS AND DISPENSATIONS</u></p> <p>No declarations of interest or dispensations were reported.</p>
No. 4	<p><u>CORPORATE AND PERFORMANCE</u></p>

	<p><u>SCRUTINY COMMITTEE</u></p> <p>Consideration was given to the decisions of the meeting held on 12th October, 2023.</p> <p>The Committee AGREED that the decisions be accepted as a true record of proceedings.</p>
<p>No. 5</p>	<p><u>ACTION SHEET</u></p> <p>Consideration was given to the Action Sheet.</p> <p>The Committee AGREED that the report be accepted and the information therein be noted.</p>
<p>No. 6</p>	<p><u>TREASURY MANAGEMENT QUARTERLY UPDATE REPORT – JUNE 2023</u></p> <p>Consideration was given to the report of the Chief Officer Resources.</p> <p>The Committee AGREED that the report be accepted and scrutinise the treasury management activity undertaken during the first 3 months of 2023/24 and do not consider any amendments to the previously agreed Treasury strategies and performance indicators (Option 1).</p>
<p>No. 7</p>	<p><u>FORWARD WORK PROGRAMME – 18TH JANUARY, 2024</u></p> <p>Consideration was given to the report of the Scrutiny and Democratic Officer</p> <p>The Committee AGREED that the report be accepted and Committee agreed the Forward Programme for the meeting 18th January, 204, as presented (Option 1).</p>

Motion to Council – Violence at Work

Violence and aggression at work in the Local Government Sector is a serious problem. It is consistently raised by UNISON members as one of their greatest concerns at work.

Surveys show almost half the members in the sector have experienced an incident of violence or aggression at work in the previous two years. Upsettingly, school support staff believe they are more than ever exposed to violence and aggression in their workplace.

Incidents include staff being punched, bitten, pushed and kicked while carrying out their jobs. Concerningly, lower level violence and verbal abuse is seen by some staff as a routine part of their working lives.

Employers already have a legal duty to protect their staff. UNISON's Violence at Work Charter aims to raise awareness and encourage best practice in tackling violence at work. It should not be seen as either a routine or normal part of the job.

This Council believes:

- Staff should come to work feeling safe, and not in fear of being abused, threatened or harmed.
- Staff should feel supported by their employer.
- Without the dedication and professionalism of our staff, the council services our residents rely on would not be deliverable.

This Council resolves to:

- Reaffirm its commitment to Social Partnership and to consult and work collaboratively with trades unions.
- Adopt Unison's Violence at Work Charter.
- Encourage all schools to adopt the Charter.
- Encourage, Aneurin Leisure Trust to adopt the Charter.

Unison [Violence at Work Charter](#)

The Charter is a list of 10 basic actions that employers can take to improve safety at work for their staff. They include appropriate training, support for the victims of violence and monitoring of incidents.

The Violence at Work Charter Standards

To qualify For the Unison Violence at Work Charter Mark, employers must meet the following standards:

1. The employer has a written violence and aggression at work policy, which is available to all staff. The policy should also cover lone working.

2. Responsibility for implementing these policies lies with a senior manager.
3. Measures are taken to reduce staff working in isolated buildings, offices or other work areas to a minimum.
4. Staff are encouraged to report all violent incidents on a regular and ongoing basis.
5. The employer collects and monitors data on violent incidents on a regular and ongoing basis.
6. Where they are in place, union safety reps are able to access this data and are consulted on solutions to issues relating to violence in the workplace.
7. Thorough risk assessments are conducted for staff placed in vulnerable situations.
8. The employer has support pathways in place for staff who are victims of violence at work, so that they know where to turn for advice and support.
9. Training to ensure staff are aware of the appropriate way to deal with threatening situations.
10. Where appropriate, independent counselling services are available to staff who are the victims of violence at work.

Signed:

Cllr Helen Cunningham
Cllr Lisa Winnett
Cllr Jacqueline Thomas
Cllr Tommy Smith
Cllr Derrick Bevan
Cllr John C Morgan
Cllr Haydn Trollope
Cllr Sonia Behr
Cllr Sue Edmunds
Cllr Keith Chaplin
Cllr Chris Smith
Cllr Ellen Jones

Agenda Item 19

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 January, 2024**

Report Subject: **Memberships Report**

Portfolio Holder: **Councillor S. Thomas – Leader/
Cabinet Member – Corporate Overview
& Performance**

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	Cabinet	Council	Other (please state)
							25/01/24	

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 ADVISORY PANEL FOR LOCAL AUTHORITY GOVERNORS

To ratify the following appointments made at the panel meeting held on 17th January, 2024:

Abertillery Learning Community – Michael Lyn Davies
The River Centre 3-16 Learning Community – Julie Sambrook

To ratify the following additional appointment made at the panel meeting held on 15th November, 2023:

Glyncoed Primary School – Ms. Vikki Curtis

2.2 PEOPLE SCRUTINY COMMITTEE – CO-OPTED YOUTH FORUM REPRESENTATIVE

To ratify the appointment of Miss Chloe Lines as the Co-opted Youth Forum Representative on the People Scrutiny Committee (appointment commenced on 21st September, 2023).

3. **Options for Recommendation**

To consider the above.

Agenda Item 20

Cabinet and Council only

Date signed off by the Monitoring Officer: 15.01.24

Date signed off by the Section 151 Officer: 10.01.2024

Committee: **Council**

Date of Meeting: **25th January, 2024**

Report Subject: **Treasury Management Quarterly Update Report – June 2023**

Portfolio Holder: **Councillor Stephen Thomas, Leader/Cabinet Member - Corporate Overview & Performance**

Report Submitted by: **Rhian Hayden, Chief Officer Resources**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
					06/12/2023		27/01/24	

1. Purpose of the Report

- 1.1 The purpose of this report is to provide members with an update of Treasury Management activities during the first quarter of 2023/2024 and the Council's performance against approved Prudential and Treasury Indicators.

2. Scope and Background

- 2.1 The CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management 2021 recommends that members be updated on treasury management activities at least quarterly. This report, therefore, ensures this Council is implementing best practice in accordance with the Code. The update report is attached as Appendix 1.
- 2.2 This report will provide information on the Council's Borrowing and Investment activity, Economic updates and Interest Rate forecasts, as well as the Council's performance against approved performance indicators.
- 2.3 These quarterly reports will be provided to the Corporate Overview and Performance Scrutiny Committee to be adequately scrutinised. There is no requirement for these update reports to be reported to Council unless any changes to the Council's Treasury Management Strategy Statement, Capital Strategy, Investment Strategy or Performance Indicators are required.

3. **Options for Recommendation**

3.1 **Option 1 (Preferred Option)**

Members consider the treasury management activity undertaken during the first 3 months of 2023/24 and do not make any amendments to the previously agreed Treasury strategies and performance indicators.

Option 2

3.2 Members consider the treasury management activity undertaken during the first 3 months of 2023/24 and make amendments to the previously agreed Treasury strategies and performance indicators.

Corporate Overview and Performance Scrutiny Committee considered this report on 6 December 2023, no proposals for amendments were made (option 1 agreed).

4. **Evidence of how 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 topic also supports the Corporate Plan Priority of being an ambitious and innovative council delivering the quality services at the right time and in the right place.

5. **Implications Against Each Option**

5.1 **Impact on Budget (short and long-term impact)**

5.1.1 The Authority has complied with the CIPFA Treasury Management in the Public Services: Code of Practice 2021, and in doing so has strived for effective risk management and control, whilst at the same time pursuing best value as far as possible.

5.1.2 The Authority has effectively managed credit risk throughout the period, so ensuring that it has not been subjected to any financial loss.

5.1.3 The Authority has maximised investment returns as far as is possible whilst managing the associated risk and minimised borrowing costs throughout the period.

5.2 Risk including Mitigating Actions

5.2.1 The main risk in relation to Treasury Management is that of credit risk and protecting the Authority's cash. This is effectively managed through the Authority's risk averse Treasury Management policy that seeks to protect the capital sum rather than maximise investment returns.

5.2.2 Following the increases in the Bank of England base rate beginning in December 2021, the base rate has risen from 4.25% to 5.00% in the first quarter of the year. The Bank of England further increased this rate to 5.25% in August 2023 and has maintained this level to date. The Authority has benefitted from only entering into short-term borrowing and taking advantage of lower interest rates in the first quarter of the year. However, the increase in market rates will have a significant impact on borrowing costs during the remainder of 2023/24 and into 2024/25.

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. Staff directly involved with Treasury Management activities will continue to monitor the credit situation on a daily basis and will notify the Chief Officer Resources accordingly. Any consequential changes required to be made to the borrowings or investment strategy as a result will be reported to the Council.

6. Supporting Evidence

6.1 Performance Information and Data

6.1.1 The Performance information is contained within Appendix 1

6.2 Expected outcome for the public

6.2.1 The Council's Treasury Management activities support delivery of services to the public.

6.3 Involvement (consultation, engagement, participation)

6.3.1 Members of the Corporate Overview and Performance Scrutiny Committee and full Council are involved in developing and monitoring compliance with the Council's Treasury Management Strategy.

6.4 **Thinking for the Long term (forward planning)**

6.4.1 The Treasury Management Strategy Statement sets out policies to ensure that any decisions in relation to Treasury Management Activity are affordable and proportionate, and risk is managed as much as possible, over both the short and long-term.

6.5 **Preventative focus**

6.5.1 The Authority's Treasury Management policy prioritises protecting the capital sum rather than achieving higher interest returns.

6.6 **Collaboration / partnership working**

6.6.1 N/A

6.7 **Integration (across service areas)**

6.7.1 N/A.

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. The Capital Programme currently contains schemes which promote the reduction of carbon emissions such as ReFIT, Electric Vehicle Charge Points and Carbon reduction schemes. New Council buildings should be designed to the latest energy efficiency standards.

6.8.2 The Authority also considers Environmental, Social and Corporate Governance (ESG) factors when setting up any investment arrangements. For example, we would avoid investing in companies linked with fossil fuels.

6.9 **Integrated Impact Assessment**

See above

7. **Monitoring Arrangements**

7.1 As the nominated scrutiny Committee, Corporate & Performance Scrutiny will receive a minimum of five reports in every annual cycle: -

- A Treasury Management Policy report prior to the start of every financial year
- A quarterly report on performance against set Prudential Indicators
- A mid-year progress report on Treasury Management activity
- An end of year out turn report on Treasury Management activity.

8. **Background Documents / Electronic Links**

- Appendix 1 – Update Report
- Appendix 2 – Prudential Indicators
- Appendix A – Temporary Loans
- Appendix B – Temporary Investments

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Treasury Management Update – Quarterly Report 30 June 2023

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Treasury Management Update

Quarter Ended 30th June 2023

The CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management 2021 recommends that members be updated on treasury management activities at least quarterly. This report, therefore, ensures this Council is implementing best practice in accordance with the Code.

1. Economics update

The following information has been received from our Treasury Management advisors.

- The first quarter of 2023/24 saw:
 - CPI inflation falling from 10.1% to 8.7% in April, before remaining at 8.7% in May. This was the highest reading in the G7.
 - Core CPI inflation rise in both April and May, reaching a new 31-year high of 7.1%.
 - Interest rates rise by a further 75bps over the quarter, taking Bank Rate from 4.25% to 5.00%.
- The economy has weathered the drag from higher inflation better than was widely expected and will further raise hopes that the economy will escape a recession this year.
- The recent resilience of the economy has been due to a confluence of factors including the continued rebound in activity after the pandemic, households spending some of their pandemic savings, and the tight labour market and government handouts both supporting household incomes. That said, as government support fades, real household incomes are unlikely to grow rapidly.
- Our Treasury Management advisor's central assumption is that inflation will drop to the 2.0% target only if the Bank of England (the Bank) triggers a recession by raising rates from 5.00% now to at least 5.5% and keeps rates there until at least mid-2024.
- The labour market became tighter over the quarter and wage growth reaccelerated. Labour demand was stronger than the consensus had expected.
- This suggests the Bank may have more work to do than the Federal Reserve (Fed) or European Central Bank (ECB). Indeed, the Bank of England

Treasury Management Update – Quarterly Report 30 June 2023

sounded somewhat hawkish in the June meeting. This came through most in the Monetary Policy Committee's (MPC) decision to step up the pace of hiking from the 25bps at the previous two meetings. The 7-2 vote, with only two members voting to leave rates unchanged at 4.50%, revealed support for stepping up the fight against high inflation.

MPC meetings 11th May and 22nd June 2023

- On 11th May, the Bank of England's Monetary Policy Committee (MPC) increased Bank Rate by 25 basis points to 4.50%, and on 22nd June moved rates up a further 50 basis points to 5.00%. Both increases reflected a split vote – seven members voting for an increase and two for none.
- Nonetheless, with UK inflation significantly higher than in other G7 countries, the MPC will have a difficult task in convincing investors that they will be able to dampen inflation pressures anytime soon.
- Outside of the first quarter, on 3rd August, the MPC increased bank rates further to 5.25%. However, on the 21st September the MPC decided to hold rates at 5.25%, the first time rates have been held since December 2021.

2. Interest rate forecasts

The Council has appointed Link Group as its treasury advisors and part of their service is to assist the Council to formulate a view on interest rates. The Public Works Loan Board (PWLB) rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities since 1st November 2012.

The latest forecast, made on 26th June, sets out a view that both short and long-dated interest rates will be elevated for some little while, as the Bank of England seeks to squeeze inflation out of the economy, against a backdrop of a stubbornly robust economy and a tight labour market.

You will note that Link Group's forecasts have steadily increased during the quarter as the data continued to spring upside surprises, and the Bank of England continued to under-estimate how prevalent inflation is, and how tight the labour market is. The Government has also noted that despite immigration increasing markedly, high levels of ill-health amongst the workforce has led to wage demands remaining strong until such time as there is a loosening in demand for business services.

The current PWLB rate forecast below is based on the Certainty Rate.

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Link Group Interest Rate View	26.06.23												
	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26
BANK RATE	5.00	5.50	5.50	5.50	5.25	4.75	4.25	3.75	3.25	2.75	2.75	2.50	2.50
3 month ave earnings	5.30	5.60	5.50	5.30	5.00	4.50	4.00	3.50	3.00	2.70	2.60	2.50	2.50
6 month ave earnings	5.80	5.90	5.70	5.50	5.10	4.60	4.00	3.50	3.00	2.70	2.60	2.60	2.60
12 month ave earnings	6.30	6.20	6.00	5.70	5.30	4.80	4.10	3.60	3.10	2.80	2.70	2.70	2.70
5 yr PWLB	5.50	5.60	5.30	5.10	4.80	4.50	4.20	3.90	3.60	3.40	3.30	3.30	3.20
10 yr PWLB	5.10	5.20	5.00	4.90	4.70	4.40	4.20	3.90	3.70	3.50	3.50	3.50	3.40
25 yr PWLB	5.30	5.40	5.20	5.10	4.90	4.70	4.50	4.20	4.00	3.90	3.80	3.80	3.70
50 yr PWLB	5.00	5.10	5.00	4.90	4.70	4.50	4.30	4.00	3.80	3.60	3.60	3.50	3.50

- LIBOR and LIBID rates ceased at the end of 2021. In a continuation of previous views, money market yield forecasts are based on expected average earnings by local authorities for 3 to 12 months.
- The Link forecast for earnings are averages, actual rates offered by individual banks may differ significantly from these averages, reflecting their different needs for borrowing short-term cash at any one point in time.

A Summary Overview of the Future Path of Bank Rate

- Link's central forecast for interest rates was previously updated on 25th May and reflected a view that the MPC would be keen to further demonstrate its anti-inflation credentials by delivering a succession of rate increases. This has happened to a degree, especially as it moved to a more aggressive 0.5% hike in June but, with inflation remaining elevated, it is anticipated that Bank Rate will need to increase to at least 5.5%, if not higher, to sufficiently slow the UK economy and loosen the labour market.
- Moreover, it is still anticipated that the Bank of England will be keen to loosen monetary policy when the worst of the inflationary pressures are behind us – but timing on this will remain one of fine judgment: cut too soon, and inflationary pressures may well build up further; cut too late and any downturn or recession may be prolonged. Link's current judgment is that rates will have to increase and stay at their peak until the second quarter of 2024 as a minimum.
- In the upcoming months, the forecasts will be guided not only by economic data releases and clarifications from the MPC over its monetary policies and the Government over its fiscal policies, but also international factors such as policy development in the US and Europe, the provision of fresh support packages to support the faltering recovery in China as well as the on-going conflict between Russia and Ukraine and whether there are any further implications for Russia itself following the recent aborted mutiny by the Wagner group.
- On the positive side, consumers are still estimated to be sitting on excess savings left over from the pandemic, which could cushion some of the impact of the above challenges and may be the reason why the economy is performing somewhat better at this stage of the economic cycle than may

Treasury Management Update – Quarterly Report 30 June 2023

have been expected. However, most of those excess savings are held by more affluent people whereas lower income families already spend nearly all their income on essentials such as food, energy, and rent/mortgage payments.

PWLB Rates

- Gilt yield curve movements have shifted upwards, especially at the shorter end of the yield curve since our previous forecast but remain relatively volatile. PWLB 5 to 50 years Certainty Rates are, generally, in the range of 4.90% to 5.60%.
- We view the markets as having built in, already, nearly all the effects on gilt yields of the likely increases in Bank Rate and the elevated inflation outlook.

The balance of risks to the UK economy: -

- The overall balance of risks to economic growth in the UK is to the downside.

Downside risks to current forecasts for UK gilt yields and PWLB rates include:

- Labour and supply shortages prove more enduring and disruptive and depress economic activity (accepting that in the near-term this is also an upside risk to inflation and, thus, the rising gilt yields we have seen of late).
- The Bank of England increases Bank Rate too fast and too far over the coming months, and subsequently brings about a deeper and longer UK recession than we currently anticipate.
- UK / EU trade arrangements – if there was a major impact on trade flows and financial services due to complications or lack of co-operation in sorting out significant remaining issues.
- Geopolitical risks, for example in Ukraine/Russia, China/Taiwan/US, Iran, North Korea and Middle Eastern countries, which could lead to increasing safe-haven flows.
- A broadening of banking sector fragilities, which have been successfully addressed in the near-term by central banks and the market generally, but which may require further intervention if short-term interest rates stay elevated for longer than is anticipated.

Upside risks to current forecasts for UK gilt yields and PWLB rates:

- Despite the recent tightening by 0.5%, the Bank of England proves too timid in its pace and strength of increases in Bank Rate and, therefore, allows

Treasury Management Update – Quarterly Report 30 June 2023

inflationary pressures to remain elevated for a longer period within the UK economy, which then necessitates Bank Rate staying higher for longer than we currently project.

- The pound weakens because of a lack of confidence in the UK Government's fiscal policies, resulting in investors pricing in a risk premium for holding UK sovereign debt.
- Longer-term US treasury yields rise strongly if inflation remains more stubborn than the market currently anticipates, pulling gilt yields up higher consequently.
- Projected gilt issuance, inclusive of natural maturities and Quantitative Tightening (QT), could be too much for the markets to comfortably digest without higher yields compensating.

3. Annual Investment Strategy

The Treasury Management Strategy Statement (TMSS) for 2023/24, which includes the Annual Investment Strategy, was approved by the Council on 30 March 2023. In accordance with the CIPFA Treasury Management Code of Practice, it sets out the Council's investment priorities as being:

- Security of capital
- Liquidity
- Yield

The Council will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity, aligned with the Council's risk appetite. In the current economic climate, over and above keeping investments short-term to cover cash flow needs, there is a benefit to seek out value available in periods up to 12 months with high credit rated financial institutions, using the Link suggested creditworthiness approach, including a minimum sovereign credit rating and Credit Default Swap (CDS) overlay information.

As shown by the interest rate forecasts in section 2, investment rates have improved dramatically during the first quarter of 2023/24 and are expected to improve further as Bank Rate continues to increase over the next few months.

Creditworthiness

There have been few changes to credit ratings over the quarter under review. However, officers continue to closely monitor these, and other measures of creditworthiness to ensure that only appropriate counterparties are considered for investment purposes.

Investment counterparty criteria

The current investment counterparty criteria selection approved in the TMSS is meeting the requirement of the treasury management function.

Treasury Management Update – Quarterly Report 30 June 2023

CDS prices

For UK banks, these have retreated from the spikes caused by the Truss / Kwarteng policy approach in September 2022. Prices are not misaligned with other creditworthiness indicators, such as credit ratings. Nevertheless, it remains important to undertake continual monitoring of all aspects of risk and return in the current circumstances.

Investment balances

The Council has been able to invest a total of £122.5m during the first quarter of 2023/24, with an average investment value of £4m. These funds were available on a temporary basis, and the level of funds available was mainly dependent on the timing of the Council's payments, receipt of grants and progress on the capital programme.

The following table displays a selection of interest rates prevailing as of 1 April 2023 and 30 June 2023.

	01/04/2023	30/06/2023
Bank Base Rate	4.25%	5.00%
1 Month SONIA	4.17%	4.94%
PWLB 10 year Maturity	4.50%	5.45%
PWLB 15 year maturity	4.74%	5.51%
PWLB 25 year maturity	4.86%	5.53%

Appendix A gives details of the investments made during the year, and the following table gives a summary, which shows the Council's average rate of return was below the benchmark. This is in line with the Authority's risk averse policy whereby the security of the capital sum is the number one priority at the expense of more competitive investment returns.

	Total Value of Investments	Average Investment	Investment Returns	Average Rate of Return	Benchmark Return *
Internally Managed	£122.5m	£4.0m	£650k	3.49%	4.46%

* Benchmark = 1 month SONIA uncompounded 4.46%

The above investment returns include £285,000 of interest received in relation to the ongoing investment of the funds received from the Welsh Government in respect of the Rail Infrastructure Loan. There is a condition of the funding approval that states any interest earned from holding the loan must be added to the works programme. Therefore, this income will be placed into a reserve until such time it is used to fund

Treasury Management Update – Quarterly Report 30 June 2023

works or can be transferred to the Authority. The remaining £365,000 investment returns relates to interest due from the investment of the Council's own funds.

As illustrated, the Council underperformed the benchmark by 97 bps. The Council's budgeted investment return for 2023/24 is £320,500. Due to the availability of funds to invest and the continued increases in bank rates above previous forecasts, the Council has exceeded this estimate.

Approved limits

Officers can confirm that the approved limits within the Annual Investment Strategy were not breached during the quarter ended 30th June 2023.

4. Borrowing

No new long-term borrowing has been undertaken during this financial year. The Authority has repaid £6m of market loans during the quarter ended 30 June 2023, however these have not been replaced with long term borrowing.

Due to the current elevated level of interest rates, the Council is not planning to undertake any long-term borrowing but will instead borrow in the short-term for re-financing of long-term debt or for cash flow purposes, due to the expectation that interest rates will begin to fall during 2024.

This situation will be monitored closely by the Treasury Management section, who will plan the future borrowing requirement of the Council in line with forecast interest rates.

PWLB maturity Certainty Rates 1st April to 30th June 2023

Gilt yields and PWLB rates were on a rising trend between 1st April and 30th June.

The 50-year PWLB Certainty Rate target for new long-term borrowing started 2023/24 at 3.30% before increasing to a peak of 3.80% in June. As can be seen, with rates elevated across the whole of the curve, it is advised to not borrow long-term unless the Authority wants certainty of rate and judges the cost to be affordable.

Temporary Loans

Appendix B lists the short-term loan activity during the year and shows that over the period a total of £48.365 million loans were brought forward from the previous year and £16 million of new short-term loans were raised. A total of £36 million of these loans have been repaid during the year (including the brought forward loans), leaving a balance outstanding as at 30 June 2023 of £28.4 million. The decrease in short-term loans can be attributed to the running down of our own investments in order to reduce the requirement of the need to borrow to fund short term cash flow deficits.

Treasury Management Update – Quarterly Report 30 June 2023

The following table gives a summary which shows that the average rate of interest paid was well within the benchmark. However, this is due to the Council entering into short-term borrowing when interest rates were low. With the current high level of interest rates, further borrowing will exceed the benchmark rate. This is still seen as the preferred option of borrowing, instead of entering into long-term borrowing now when rates are expected to fall during 2024.

	Total Value of Loans during the period	Average Loan	Interest paid during the period	Average Interest Rate	Benchmark Interest Rate *
Short Term borrowing	£64.4m	£4.0m	£193,900	3.01%	4.50%

* Benchmark = budgeted interest rate for new borrowings 4.50%

As shown in section 3, the Council has exceeded its investment returns target for the financial year. It is anticipated that any additional investment interest received will offset the increased cost of borrowing anticipated throughout the remainder of the financial year, due to the current and forecast interest rates above the benchmark rate.

5. Debt rescheduling

Debt rescheduling opportunities have increased significantly in the current quarter where gilt yields, which underpin PWLB rates and market loans, have risen materially. Members will be advised if there is value to be had by rescheduling or repaying a part of the debt portfolio.

No debt rescheduling has been undertaken during the financial year.

6. Compliance with Treasury and Prudential Limits

The prudential and treasury Indicators are shown in Appendix 2.

It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the quarter ended 30th June 2023, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2023/24. The Chief Officer Resources reports that no difficulties are envisaged for the current or future years in complying with these indicators.

All treasury management operations have also been conducted in full compliance with the Council's Treasury Management Practices.

Please note that the outturn figures for 2022/23 are unaudited at this stage, so may be subject to change.

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Treasury and Prudential Indicators – Quarterly Report 30 June 2023

Treasury Indicators	2023/24 £'000	31.03.23 Actual £'000
Authorised limit for external debt	248,383	260,753
Operational boundary for external debt	225,803	237,048
Gross external debt	217,884	217,482
Investments	2,000	66,000
Net borrowing	219,884	151,482

Maturity structure of fixed rate borrowing - upper and lower limits		
Under 12 months	Upper Limit 20% Lower Limit 0%	5.18%
12 months to 2 years	Upper Limit 20% Lower Limit 0%	9.14%
2 years to 5 years	Upper Limit 50% Lower Limit 0%	20.06%
5 years to 10 years	Upper Limit 75% Lower Limit 0%	14.16%
10 years and above	Upper Limit 95% Lower Limit 25%	51.46%

Prudential Indicators	2023/24 £'000	31.03.23 Actual £'000
Capital expenditure	74,300	47,849
Capital Financing Requirement (CFR)	208,824	172,058
Annual change in CFR	34,892	2,136
In year borrowing requirement	36,230	3,880
Ratio of financing costs to net revenue stream	4.06%	3.44%

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INVESTMENTS 2023/2024

APPENDIX A

DATE	BORROWER	VALUE	RATE	REPAYMENT DATE	DURATION OF INVESTMENT	INTEREST DUE	INVESTMENTS REPAID	PRINCIPAL O/S
			%		DAYS IN 2023/24	TO 30/06/2023		AS AT 30/06/2023
B/FWD	01/04/2023							
06/10/2022	NATIONAL BANK OF KUWAIT	2,000,000	4.100	06/07/2023	91	20,443.84	0	2,000,000
01/12/2022	AL RAYAN BANK PLC	5,000,000	4.200	01/06/2023	61	35,095.89	5,000,000	0
30/01/2023	NATIONAL BANK OF CANADA, LONDON	4,000,000	4.200	30/06/2023	90	41,424.66	4,000,000	0
15/03/2023	LLOYDS CALL ACCOUNT	4,000,000	Variable	-	91	43,548.18	0	4,000,000
14/04/2022	NATIONAL BANK OF KUWAIT (INTERNATIONAL)	4,000,000	2.030	13/04/2023	12	2,669.59	4,000,000	0
01/07/2022	THURROCK BOROUGH COUNCIL	4,000,000	1.800	03/04/2023	2	394.52	4,000,000	0
08/09/2022	UTTLESFORD DISTRICT COUNCIL - ROLL OF TI2193	5,000,000	3.000	07/09/2023	91	37,397.26	0	5,000,000
05/12/2022	RUSHMOOR BOROUGH COUNCIL	5,000,000	3.350	05/05/2023	34	15,602.74	5,000,000	0
05/12/2022	CORNWALL COUNCIL - ROLL OF TI2196	5,000,000	3.250	05/04/2023	4	1,780.82	5,000,000	0
19/12/2022	NORTH LANARKSHIRE COUNCIL - MOTHERWELL	5,000,000	3.400	19/07/2023	91	42,383.56	0	5,000,000
30/03/2023	POLICE AND CRIME COMMISSIONER FOR HERTFORDSHIRE	3,000,000	4.550	06/04/2023	5	1,869.86	3,000,000	0
31/03/2023	WEST MERCA POLICE AND CRIME COMMISSIONER	5,000,000	4.450	10/05/2023	39	23,773.97	5,000,000	0
31/03/2023	CENTRAL BEDFORDSHIRE COUNCIL	5,000,000	4.300	28/04/2023	27	15,904.11	5,000,000	0
11/01/2023	PUBLIC SECTOR DEPOSIT FUND	5,000,000	Variable	28/06/2023	88	52,567.96	5,000,000	0
06/03/2023	PUBLIC SECTOR DEPOSIT FUND	5,000,000	Variable	30/06/2023	90	53,876.28	5,000,000	0
B/F Raised in previous years still outstanding		66,000,000				388,733.24	50,000,000	16,000,000
NEW INVESTMENTS 2023/24								
05/04/2023	NATIONAL BANK OF CANADA, LONDON	2,000,000	4.300	05/06/2023	61	14,372.60	2,000,000	0
13/04/2023	NATIONAL BANK OF KUWAIT	4,000,000	5.100	11/04/2024	79	44,153.42	0	4,000,000
04/05/2023	AL RAYAN BANK	1,000,000	4.850	06/11/2023	58	7,706.85	0	1,000,000
15/05/2023	DEBT MANAGEMENT OFFICE	3,000,000	4.380	26/05/2023	11	3,960.00	3,000,000	0
18/05/2023	DEBT MANAGEMENT OFFICE	2,500,000	4.380	26/05/2023	8	2,400.00	2,500,000	0
05/04/2023	CORNWALL COUCIL - ROLLOVER RI0160	5,000,000	4.100	05/05/2023	30	16,849.32	5,000,000	0
14/04/2023	DEBT MANAGEMENT OFFICE	3,000,000	4.060	21/04/2023	7	2,335.89	3,000,000	0
17/04/2023	EASTLEIGH BOROUGH COUNCIL	2,000,000	4.150	17/05/2023	30	6,821.92	2,000,000	0
04/05/2023	DEBT MANAGEMENT OFFICE	9,000,000	4.210	22/05/2023	18	18,685.48	9,000,000	0
04/05/2023	HELEBA	6,000,000	4.350	05/06/2023	32	22,882.19	6,000,000	0
05/05/2023	CORNWALL COUNCIL - ROLLOVER OF RI0167	5,000,000	4.320	05/07/2023	57	33,731.51	0	5,000,000
17/05/2023	DEBT MANAGEMENT OFFICE	2,000,000	4.380	26/05/2023	9	2,160.00	2,000,000	0
05/06/2023	HERTFORDSHIRE COUNTY COUNCIL	5,000,000	4.600	05/07/2023	26	16,383.56	0	5,000,000
05/06/2023	NATIONAL BANK OF CANADA - ROLL OF TI2226	2,000,000	4.650	07/08/2023	26	6,624.66	0	2,000,000
05/06/2023	HELEBA - ROLL OF RI0171	5,000,000	4.560	05/07/2023	26	16,241.10	0	5,000,000
01/04/2023	BARCLAYS SAVINGS ACCOUNT		-	30/06/2023	91	45,780.80		
Total Raised During the Period		56,500,000				261,089.29	34,500,000	22,000,000
Total Value of Investments		122,500,000				649,822.54	84,500,000	38,000,000
Average Investments		3,951,613						
Interest Received		649,823						
Average Interest Rate %		3.49%						

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List of Temporary Lenders 2023/2024

APPENDIX A

DATE	LENDER	NEW LOAN VALUE	RATE	REPAY DATE	DURATION OF LOAN	INTEREST DUE TO 30/06/23	PRINCIPAL REPAYED 2023/24	PRINCIPAL OUTSTANDING AS AT 30/06/2023
			%		DAYS IN 2023/24			
B/F	01/04/2023							
03/11/2021	BG & CAERPHILLYCARE AND REPAIR	400,000	-	CALL	91	2,347.50		400,000
27/05/2022	WEST OF ENGLAND COMBINED AUTHORITY	6,000,000	0.10	26/05/23	55	904.11	6,000,000	-
27/05/2022	CRAWLEY BOROUGH COUNCIL	3,000,000	0.28	26/05/23	55	1,265.75	3,000,000	-
27/05/2022	BRIDGEND COUNTY BOROUGH COUNCIL	2,000,000	0.28	26/05/23	55	843.84	2,000,000	-
08/04/2022	SOUTH OXFORDSHIRE DISTRICT COUNCIL	3,000,000	0.28	06/04/23	5	115.07	3,000,000	-
08/04/2022	CRAWLEY BOROUGH COUNCIL	2,000,000	0.28	06/04/23	5	76.71	2,000,000	-
27/06/2022	SOUTH OXFORDSHIRE DISTRICT COUNCIL	5,000,000	0.50	26/06/23	86	5,690.41	5,000,000	-
13/07/2022	POLICE AND CRIME COMMISSIONER OF WEST YORKSHIRE	5,000,000	0.80	12/07/23	91	9,972.60		5,000,000
26/08/2022	CARMARTHENSHIRE COUNTY COUNCIL	5,000,000	1.30	26/05/23	55	9,794.52	5,000,000	-
01/12/2022	BARNESLEY METROPOLITAN BOROUGH COUNCIL	5,000,000	2.20	01/06/23	61	18,383.56	5,000,000	-
30/12/2022	WEST MIDLANDS COMBINED AUTHORITY	5,000,000	2.35	30/06/23	91	29,294.52	5,000,000	-
27/01/2023	TYNE AND WEAR PASSENGER TRANSPORT EX	5,000,000	3.80	27/10/23	91	47,369.86		5,000,000
13/02/2023	HYNDBURN BOROUGH COUNCIL	2,000,000	3.95	12/02/24	91	19,695.89		2,000,000
	B/F Raised in previous years still outstanding	48,400,000				145,954.34	36,000,000	12,400,000
	NEW LOANS 2023/24							
26/05/2023	WEST OF ENGLAND COMBINED AUTHORITY	6,000,000	4.00	05/01/2024	36	23,671.23		6,000,000
26/05/2023	CRAWLEY BOROUGH COUNCIL	5,000,000	4.30	27/11/2023	36	21,205.48		5,000,000
26/06/2023	BLACKBURN WITH DARWEN BOROUGH COUNCIL	5,000,000	4.48	26/10/2023	5	3,068.49		5,000,000
	Total Raised During the Period	16,000,000				47,945.20	0	16,000,000
	Total Value of Loans	64,400,000				193,899.54	36,000,000	28,400,000
	Average Loan	4,025,000						
	Interest Paid	193,900						
	Average Interest Rate	3.01%						

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List of Temporary Lenders 2023/2024

APPENDIX A

DATE	LENDER	NEW LOAN VALUE	RATE	REPAY DATE	DURATION OF LOAN	INTEREST DUE TO 30/06/23	PRINCIPAL REPAYED	PRINCIPAL OUTSTANDING
			%		DAYS IN 2023/24		2023/24	AS AT 30/06/2023
B/F	01/04/2023							
03/11/2021	BG & CAERPHILLYCARE AND REPAIR	400,000	-	CALL	365	2,347.50		400,000
27/05/2022	WEST OF ENGLAND COMBINED AUTHORITY	6,000,000	0.10	26/05/23	147	904.11	6,000,000	-
27/05/2022	CRAWLEY BOROUGH COUNCIL	3,000,000	0.28	26/05/23	147	1,265.75	3,000,000	-
27/05/2022	BRIDGEND COUNTY BOROUGH COUNCIL	2,000,000	0.28	26/05/23	87	843.84	2,000,000	-
08/04/2022	SOUTH OXFORDSHIRE DISTRICT COUNCIL	3,000,000	0.28	06/04/23	87	115.07	3,000,000	-
08/04/2022	CRAWLEY BOROUGH COUNCIL	2,000,000	0.28	06/04/23	109	76.71	2,000,000	-
27/06/2022	SOUTH OXFORDSHIRE DISTRICT COUNCIL	5,000,000	0.50	26/06/23	25	5,890.41	5,000,000	-
13/07/2022	POLICE AND CRIME COMMISSIONER OF WEST YORKSHIRE	5,000,000	0.80	12/07/23	109	9,972.60		5,000,000
26/08/2022	CARMARTHENSHIRE COUNTY COUNCIL	5,000,000	1.30	26/05/23	7	9,794.52	5,000,000	-
01/12/2022	BARNESLEY METROPOLITAN BOROUGH COUNCIL	5,000,000	2.20	01/06/23	56	18,383.56	5,000,000	-
30/12/2022	WEST MIDLANDS COMBINED AUTHORITY	5,000,000	2.35	30/06/23	56	29,294.52	5,000,000	-
27/01/2023	TYNE AND WEAR PASSENGER TRANSPORT EX	5,000,000	3.80	27/10/23	238	47,369.86		5,000,000
13/02/2023	HYNDBURN BOROUGH COUNCIL	2,000,000	3.95	12/02/24	277	19,695.89		2,000,000
	B/F Raised in previous years still outstanding	48,400,000				145,954.34	36,000,000	12,400,000
	NEW LOANS 2023/24							
26/05/2023	WEST OF ENGLAND COMBINED AUTHORITY	6,000,000	4.00	05/01/2024	309	23,671.23		6,000,000
26/05/2023	CRAWLEY BOROUGH COUNCIL	5,000,000	4.30	27/11/2023	309	21,205.48		5,000,000
26/06/2023	BLACKBURN WITH DARWEN BOROUGH COUNCIL	5,000,000	4.48	26/10/2023	358	3,068.49		5,000,000
	Total Raised During the Period	16,000,000				47,945.20	0	16,000,000
	Total Value of Loans	64,400,000				193,899.54	36,000,000	28,400,000
	Average Loan	4,025,000						
	Interest Paid	193,900						
	Average Interest Rate	4.09%						

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Agenda Item 21

Cabinet and Council only

Date signed off by the Monitoring Officer: 02.01.2024

Date signed off by the Section 151 Officer: 03.01.2024

Committee: **Council**

Date of Meeting: **25th January, 2024**

Report Subject: **Governance and Audit Committee Annual Report 2022/2023**

Portfolio Holder: **Councillor S. Thomas – Leader/Cabinet Member
Corporate Overview & Performance**

Report Submitted by: **Steve Berry – Data Protection and Governance Officer
on behalf of the Governance & Audit Committee**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
	Nov 2023	Oct 2023	01/12/2023				25/01/2024	

1. Purpose of the Report

The purpose of the report is to provide the Council with the Annual Report for the Governance and Audit Committee for the 2022/2023 period.

2. Scope and Background

- 2.1 In accordance with CIPFA's best practice there is a requirement for the Governance and Audit Committee to be held to account by the Council for the work they undertake. To support this the Governance and Audit Committee now prepare a yearly report to the Council on its achievements and demonstrate its accountability.

The Governance and Audit Committee's Annual Report for 2022/23 (Appendix 1) provides the Council with the necessary information to demonstrate that it is meeting this requirement.

3. Options for Recommendation

3.1 Option 1

That the Council considers and accepts the information within the report which is given by the Governance & Audit Committee as assurance that appropriate oversight and monitoring is taking place and any shortfalls have appropriate controls in place to make the necessary improvements.

Option 2

That the Council considers the information contained and provides specific comment.

4. **Evidence of how this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**
This topic relates to statutory regulation and compliance and also links to the Council's objective of an efficient Council within the Corporate Plan.
5. **Implications Against Each Option**
 - 5.1 ***Impact on Budget (short and long term impact)***
The budget implications for this area relate to staff and committee member time in order to complete this work.
 - 5.2 ***Risk including Mitigating Actions***
Failure to ensure that the Council is meeting its obligations under legislation can lead to significant problems.
 - 5.3 ***Legal***
Much of the work undertaken by the Committee is to provide oversight on legal obligations on the Council.
 - 5.4 ***Human Resources***
No direct implications.
 - 5.5 ***Health and Safety***
No direct implications.
6. **Supporting Evidence**
 - 6.1 ***Performance Information and Data***
Appendix 1 provides the relevant performance information.
 - 6.2 ***Expected outcome for the public***
To provide assurance to the public of the Council's commitment and performance in these areas.
 - 6.3 ***Involvement (consultation, engagement, participation)***
This is not an area in which public consultation or engagement is appropriate. Internal engagement on the operation of the Regulations and Policies is an ongoing process.
 - 6.4 ***Thinking for the Long term (forward planning)***
The handling of requests and how the Council handles its obligations under the relevant legislation is under constant review in order to implement improvements when identified.
 - 6.5 ***Preventative focus***
See above
 - 6.6 ***Collaboration / partnership working***
All public bodies must adhere to the same legislation and are responsible for their own obligations.

6.7 ***Integration (across service areas)***

All service areas are subject to this legislation.

6.8 ***Decarbonisation and Reducing Carbon Emissions***

Not relevant to this topic

6.9 ***Integrated Impact Assessment (IIA)***

Not applicable

7. **Monitoring Arrangements**

7.1 Performance in this area will continue to be monitored by the relevant team and periodical reports provided to the Committee for oversight.

Background Documents /Electronic Links

- *Appendix 1 – BG GA Annual Report 2023*

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Blaenau Gwent County Borough Council

Annual Report of the Governance and Audit Committee 2022/2023

1. Foreword by Joanne Absalom, Chair of the Governance and Audit Committee

On behalf of all members of the Governance and Audit Committee, I am pleased to introduce the Committee's Annual Report for 2022/23. The report has been produced by Officers of the Authority and details work undertaken by the Committee during 2022/23.

The Governance and Audit Committee is a key component of the Council's governance framework and provides independent assurance on the effectiveness of its governance, risk, financial management, and internal control arrangements.

Throughout 2022/23 the Committee has been well supported by senior officers of the Authority, including the Chief Officer Resources, Head of Democratic Services, Governance and Partnerships, Chief Officer Commercial and Customer, Audit and Risk Manager, Professional Lead – Internal Audit and the Data Protection and Governance Officer. At various times throughout the year, where appropriate, the Committee has been able to discuss the findings of Internal Audit reports with a wide range of the Authority's officers. On each occasion the Committee has been reassured by the responses and follow up action outlined by Officers.

In September 2022 the Committee adopted its Terms of Reference which are set out as an Appendix to this report. As a Committee we are broadly satisfied that we have been able to fulfil our range of responsibilities, subject to a few exceptions:

- The draft Statement of Accounts for 2021/22 was presented to the Committee in November 2022. We were unable to formally adopt the Accounts during 2022/23 due to delays in the final external audit of the accounts. The delay with the external audit occurred as a result of the need to undertake an asset revaluation exercise following the implementation of a new Asset Register and the subsequent changes that needed to be made to the draft accounts. The 2021/22 accounts are now complete and work has continued into 2023/24 to finalise the Audit Statement.
- The Committee's work programme for 2022/23 included the regular review of updates of the Corporate Risk Register. These were delayed due to ongoing development of the Register and redevelopment of the Finance and Performance Report within the Authority. The Committee did receive training in Risk Management and its Work Programme for 2023/24 includes regular updates against the Authority's Corporate Risk Register (the first update being considered in September 2023).

- The Committee's responsibility to approve the Council's formal policies for combating fraud and anti-corruption will be discharged as part of its Work Programme for 2023/24. The Action Plan arising from the External Quality Assessment of Blaenau Gwent Internal Audit Services states that a Fraud Risk Register will be developed as part of the ongoing development of the Fraud Strategy (March 2024).

As Chair I would like to thank all Committee members for the productive and constructive way in which all discussions have been held over the last year, and for their valued contributions, thus ensuring that the Committee fulfils its role in an effective way.

Joanne Absalom

Chair Governance and Audit Committee

2. Introduction

- 2.1. The Chartered Institute of Public Finance and Accountancy (CIPFA) define an Audit Committee as a 'Key component of an authority's governance framework. Its function is to provide an independent and high level of resource to support good governance and strong public financial management.'
- 2.2. CIPFA state that an "audit committee should be able to provide an overall view on the adequacy of assurance arrangements and the outcome of assurances received. If the committee is not effective councillors, leaders and senior officers cannot place reliance on its work."
- 2.3. The Blaenau Gwent County Borough Council Governance and Audit Committee is a key part in the Council's Governance Framework. It provides independent governance assurance over the adequacy of the Council's governance and risk management frameworks, the internal control environment, and the integrity of the financial reporting. By overseeing internal and external audit and other regulators, the Committee makes an important contribution by ensuring effective assurance arrangements are in place.
- 2.4. The Audit Committee's role is also to increase public confidence in the objectivity and fairness of financial affairs and other matters of the Authority. The Governance and Audit Committee has a responsibility for ensuring there are adequate mechanisms in place to provide the Authority as a whole with independent assurance over the governance, risk management and internal control processes.
- 2.5. The Local Government (Wales) Measure 2011 (as amended by the Local Government and Elections (Wales) Act 2021) states that a Local Authority must appoint an Audit Committee to fulfil specific functions set out in the legislation. These are detailed in the Governance and Audit Committee's Terms of Reference outlined in the Council's Constitution (Sept 2022). It states the Committee's role and functions will be to:
 - 2.5.1. Review, scrutinise and issue reports and recommendations in relation to the Authority's financial affairs;
 - 2.5.2. Provide independent assurance of the adequacy of the risk management framework and the associated control environment;

- 2.5.3. Provide independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment;
 - 2.5.4. Oversee the financial reporting process.
 - 2.5.5. Oversee the effectiveness of the Council's complaints process (service complaints).
- 2.6. The full details of the Committee's Terms of Reference are held in Appendix A.
- 2.7. In supporting the Governance and Audit Committee deliver its terms of reference, there is a strong contribution from the independent members, the external advisors and regulators and the Internal Audit Team.

3. Work of the Governance & Audit Committee

Through the course of the year the Committee received a range of reports. These are detailed as follows:

Internal Audit Assurance

3.1.1 The Internal Audit Plan 2022-2027 detailing the 5 year strategic Audit Plan for the Council was presented to the Committee in July 2022. This was accepted by the Committee deeming it to provide sufficient coverage upon which the Audit and Risk Manager can provide an Annual Audit Opinion and enable the Governance and Audit Committee to fulfil its assurance role.

3.1.2 The Internal Audit Outturn Report 2021-2022 in July 2022 was presented detailing the Council's overall achievement against the Audit Plan for the 2021-22 period. This was accepted by the Committee.

3.1.3 In July 2022 the Committee received the Annual Report of the Audit and Risk Manager. This report was accepted and the annual opinion of the Audit and Risk Manager was noted as 'Based on the findings of the audit work undertaken during 2021/22, in my opinion, Blaenau Gwent County Borough Council's system of internal control during the financial year 2021/22 operates to a level which gives Reasonable Assurance on the overall adequacy and effectiveness of the organisation's framework of governance, risk management and control.'

3.1.4 Also in July 2022 the Committee received the report of the Governance and Audit Committee Forward Work Programme 2022-2023. This report detailed the intended topics of consideration by the Committee for the 2022-2023 period. This was accepted by the Committee. Updates to this Forward Work Plan were also received during the period and accepted by the Committee.

3.1.5 The Public Sector Internal Audit Standards (PSIAS) require the Authority to have an Internal Audit Charter that sets out the service's purpose, authority and responsibility. A report detailing this titled "Internal Audit Charter" was presented by the Audit and Risk Manager in July 2022 and approved by the Committee.

3.1.6 Throughout the course of the 2022-2023 period a number of Internal Audit Progress Reports have been presented to the Committee. These reports highlight the work undertaken by the Internal Audit Service and how they comply with the Public Sector Internal Audit Standards (PSIAS). These reports were all accepted by the Committee and the finding noted.

3.1.7 A report on the Quality Assurance Improvement Programme was presented and accepted by the Committee in line with good practice and the requirements of the Public Sector Internal Audit Standards (PSIAS).

Annual/Routine Reports

3.2.1 The Chief Officer Resources and Section 151 Officer along with the Senior Business Partner presented the Statement of Accounts 2016/2017 through to 2020/2021 for the Council in April 2022. For each year the Statement of Accounts had previously been submitted but due to ongoing work had been unable to be completed. However this issue had now been overcome and the Auditor General been able to certify the audit for each year as complete. These reports were accepted by the Committee under the delegated authority of the Council.

The Statement of Accounts for the 2021/2022 were unable to be accepted at this time but are expected to be signed off in the near future.

3.2.2 In addition to the Statement of Accounts the Audit of Accounts Reports for the years 2016/2017 to 2020/2021 was also presented to the Committee in April 2022. These were presented alongside the Statement of Accounts for the same years (see 3.2.1) and accepted by the Committee.

Officers answered a number of queries raised by members of the Committee. The draft Statement of Accounts 2022/2023 is due to be presented to the Committee in due course.

As above, the Statement of Accounts for 2021/2022 remained outstanding but are expected to be progressed in the near future.

3.2.3 In September 2022 the Committee received a report from the Data Protection and Governance officer for the Governance and Audit Committee Terms of Reference. Following a review of the Committee's Terms of Reference the new terms were put forward to the Committee and accepted for use.

3.2.4 The Annual Governance Statement was received by the Committee in September 2022. This report assessed the effectiveness of the Authority's governance arrangements and was accepted by the Committee.

3.2.5 The Council's Self Assessment 2021-2022 report was received in October 2022 and accepted by the Committee who were assured that the report was an accurate account of the effectiveness and performance arrangements at the Council.

3.2.6 In November 2022 the Committee received a report presented by the Data Protection and Governance Officer on behalf of the Head of Legal and Corporate Compliance regarding the Use of Powers Under the Regulation of Investigatory Powers Act (RIPA) 2000. The report detailed how these powers had been utilised by the Council during the period and was accepted by the Committee with comments.

3.2.7 The Committee also received a report from the Head of Legal and Corporate Compliance detailing the corporate complaints received by the Council during the relevant quarters. Consideration was given to the report and it was accepted whilst seeking clarification on some areas and highlighting areas that they would like to consider for future monitoring.

3.2.8 In March 2023 the Committee received a report from the Chief Officer Commercial and Customer detailing a position statement against the objectives set out in the Business Case on the Shared Resource Service (SRS) Wales provision of ICT services for Blaenau Gwent. The report was accepted by the Committee.

External Audit Assurance and External Bodies

3.3.1 In July 2022 the Committee received a report from the Head of Democratic Services titled “Blaenau Gwent County Borough Council – Annual Audit Summary”. This report presented the Audit Wales Annual Audit Summary for the Council and showed the work completed since the last Audit Summary presented in April 2021. This report was accepted by the Committee and its findings noted.

3.3.2 The Committee also received in July 2022 the Audit Wales 2022 Audit Plan for Blaenau Gwent which detailed the work planned relating to the Council by the Auditor General for Wales when discharging his statutory responsibilities for the 2022-2023 period. This report was also accepted and noted by the Committee.

3.3.3 The Annual Letter of the The Public Services Ombudsman for Wales 2021/2022 was received in September 2022 and presented by the Head of Legal and Corporate Compliance. Consideration was given to the report and resolved that it be accepted with the Committee assured that the process for monitoring complaints was robust and that the performance information reflected these practices.

3.3.4 A report was received by the Committee in January 2023 detailing the External Quality Assessment of Blaenau Gwent’s Internal Audit Services. This report was accepted and the Committee agreed that it reflected their understanding of the Internal Audit Service and that the proposed action plan be agreed.

3.3.5 In January and March 2023 the Committee also received a number of reports from Audit Wales as follows:

- Corporate Safeguarding Follow Up
- “A missed opportunity” – Social Enterprises
- Learning from Cyber Attacks
- Assurance and Risk Assessment Review
- Springing Forward – Blaenau Gwent County Borough Council
- “Time for Change” – Poverty in Wales
- “Together we can” Community Resilience and Self-Reliance

These reports were all given consideration by the Committee, accepted and approved.

3.3.6 In March 2023 the Committee received the report from the Corporate Director of Education detailing the Blaenau Gwent Estyn Local Government Education Services (LGES) Inspection Outcome. This report detailed the outcome of the recent inspection of the authority’s Education Service and was accepted by the Committee with a request that further assurances around the process for measuring success be provided to the Committee in future monitoring and reporting.

4. Committee Membership

4.1 The Council is required by Section 81 of the Local Government (Wales) Measure 2011 (as amended by the Local Government and Elections (Wales) Act 2021) to have a Governance and Audit Committee with its roles and terms of reference set out.

4.2 There is no provision in the Local Government (Wales) Measure 2011 to allow the Governance and Audit Committee to form a sub-committee.

4.3 The rules of the membership of the Governance and Audit Committee state that it shall be appointed by Full Council subject to the following rules:

- a) At least two thirds of the members of the Governance and Audit Committee shall be elected members of the Council
- b) At least one third of the members of the Governance and Audit Committee shall be a voting lay member
- c) No more than one of the members of the Governance and Audit Committee shall be a member of the Council's executive
- d) The Senior Member of the Council's executive is not a member of the Governance and Audit Committee

4.4 The Governance and Audit Committee must also appoint a member as its Chair and Vice Chair. The member appointed as the Chair must be a lay person. The member appointed as the Vice Chair must not be a member of the executive or an assistant to the executive.

4.5 The Committee is serviced by Council Officers, principally the Chief Officer Resources, Head of Internal Audit, Senior Auditor, Data Protection and Governance Officer and Democratic Services. Representatives from Audit Wales also attend Committee meetings.

4.6 During 2022/2023 a structured workplan has been followed by the Committee which covered all areas of the relevant responsibilities with the aim of obtaining assurance over the areas included in its terms of reference. The Committee has received reports covering these responsibilities during this time with the exception of the Statement of Accounts for 2021/2022 which has unfortunately been delayed and expected to be progressed shortly.

The Committee includes space for 3 lay members although 1 of these is currently a vacancy.

4.7 Following the resignation of a lay member in late 2022 an unsuccessful recruitment exercise was run in early 2023. This has been repeated more recently and some dates for interview are currently being proposed with the expectation of filling the vacancy.

4.8 The Governance and Audit Committee met on 8 occasions during the period of 2022/2023 on the following dates:

- 14th April 2022
- 11th July 2022
- 27th July 2022
- 21st September 2022
- 20th October 2022
- 16th November 2022
- 30th January 2023
- 9th March 2023

4.9 Committee Membership in 2022/2023 consisted as follows:

- Mrs Joanne Absalom (Lay Member) (Chair)
- Cllr Sonia Behr (Vice Chair)
- Mr Martin Veale (Lay Member)
- Mr Terry Edwards (Lay Member) (resigned from post November 2022)
- Cllr Jules Gardner
- Cllr Wayne Hodgins
- Cllr Chris Smith
- Cllr Tommy Smith
- Cllr Joanna Wilkins

5. Forward Plans

5.1 In order to support the Committee in performing effectively and ensure it fulfils its purpose, CIPFAs view on the role and functions of an Audit Committee as detailed in their Practical Guidance for Local Authorities and Police 2022 edition identifies that a regular self-assessment and the development of a knowledge and skills training program can be used to support the planning of the work programme and training plans. The intention is now to follow recommended practices to help to achieve a good standard of performance in developing an effective Governance and Audit Committee and questionnaires will be distributed to Committee members in due course.

5.2 The Governance and Audit Committee's Annual Report will be produced each year to ensure the programme of work continues to be aligned with the Committee's Terms of Reference and that the contribution made is beneficial in demonstrating the effectiveness of the Committee.

Appendix A – Terms of Reference of the Blaenau Gwent County Borough Council Governance and Audit Committee



The Governance and
Audit Committee 2022

Committee: **Council**

Date of meeting: **25th January 2024**

Report Subject: **Recruitment and Selection Policy**

Portfolio Holder: **Councillor Stephen Thomas, Leader of the Council / Cabinet Member Corporate Overview & Performance**

Report Submitted by: **Andrea Prosser, Head of Organisational Development**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
	14.12.23				18.01.24		25.01.24	

1. Purpose of the Report

1.1 The purpose of this report is to seek Council approval of the revised Recruitment and Selection Policy, (“the Policy”) (Appendix 1).

2 Scope and Background

2.1 The Organisational Development (OD) Service has reviewed the Council’s recruitment and selection processes contained in the Council’s current Recruitment Charter. This review was delayed as a result of competing priorities to include the Covid pandemic, staff capacity, increasing demand and complexity and alignment to developments with the Council’s integrated HR/Payroll system, iTrent.

2.2 The Policy sets out the Council’s approach to recruitment and selection and reflects current legislation, best practice, organisational priorities and strategy. The Policy applies to the recruitment and selection of all permanent, temporary and fixed term employees with the exception of school-based employees under the delegated powers of the Governing Body who are subject to a separate policy.

2.3 The key aims of the Policy are to:

- support the achievement of the Council’s Workforce Strategy and wider corporate objectives;
- ensure recruitment and selection is fair, objective and transparent.
- recruit and retain individuals with the right experience, knowledge and competencies in a timely manner;
- recruit openly, ensuring opportunities are available to all and to attract from a diverse pool of talent;
- ensure safer recruitment is central to the safeguarding of children, young people and adults at risk;
- have in place a modern, efficient and cost-effective process which offers a positive experience.

2.4 The Policy has undergone a review however the revisions to policy do not fundamentally change the recruitment and selection processes. Detailed below are the key features of the Policy:

- Jobs will be advertised internally and externally concurrently, in order to facilitate a wider and more diverse pool of candidates from which to select the best candidate(s). An additional caveat has been included in the Policy which states that a role can be advertised internally only where there is a clear business case to do so. Internal recruitment will be applicable to all those currently engaged via a contract of employment with the Council.
- OD will usually only participate in the appointment process for positions graded 10 and above.
- Wherever possible recruitment panels will reflect the diversity of the workforce and to ensure consistency the same officers will normally be involved throughout the process.
- The guaranteed interview schemes, Disability Confident and the Defence Employer Recognition Scheme continue to apply.
- Safer recruitment and practice and re-emphasising the need to ensure that all pre-employment checks are completed prior to an individual commencing employment with the Council.
- The Policy is now applicable for senior officer recruitment.
- The inclusion of the principles of 'Positive Action' taking specific steps to improve equality in the workplace by working to increase the number from under-represented groups in the workforce.
- Flexibility for recruiting managers to design the selection process to suit the requirements of the role to include the option to facilitate recruitment days or to use executive search as a means to identify suitable candidates in cases of hard to fill or senior positions.
- During times of national or 'Gold command' emergency situations, or any other significant local event the Corporate Leadership Team may seek to suspend aspects of the policy in order to appropriately respond to a critical situation.
- The secondment and market supplement policies have been incorporated into the Policy. Combining these allows for ease of reference and reduces the number of individual policies.
- Clarity has also been provided in relation to the appointment of former employees as detailed in the Council's Pay Policy.
- The complaints section is updated, to include a first and second stage complaints process.
- A definition of workers has been added as an appendix to the Policy.

3. Options for Recommendation

This report and policy is being considered at the Corporate Overview and Performance Scrutiny Committee on the 18th January 2024. Feedback from the Committee will be provided verbally at Council.

- 3.1 **Option 1:** (preferred option) That Council approve the Recruitment and Selection Policy for implementation.
- 3.2 **Option 2:** That Council suggest amendments to the Recruitment and Selection Policy Concerns and Complaints Policy prior to adoption.

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

The Recruitment and Selection Policy supports the achievement of the Council's Workforce Strategy and Council's objectives set out in the Council's Corporate Plan.

5. **Implications Against Each Option**

5.1 **Impact on Budget (*short- and long-term impact*)**

There are no direct financial implications relating to the approval of the Policy.

5.2 **Risk including Mitigating Actions**

The risk of not implementing the proposed policy would mean that the policy is not reflective of current best practice. There are no risks associated with implementing the Policy.

5.3 **Legal**

The Policy has been reviewed in line with employment legislation, to ensure Blaenau Gwent is compliant with relevant legislation.

5.4 **Human Resources**

The human resources implications are set out in the body of the report.

5.5 **Health and Safety**

There are no Health and Safety implications relating to the approval of the Policy.

6. **Supporting Evidence**

6.1 **Performance Information and Data**

N/A

6.2 **Expected outcome for the public**

It is anticipated that the proposed changes to the recruitment policy, and modernisation of our systems will make it more streamlined and easier for external applicants to apply for roles with Blaenau Gwent.

6.3 **Involvement (consultation, engagement, participation)**

The Corporate Leadership Team (CLT) considered this report on the 14th December 2023 and support the proposed policy.

Consultation, engagement and participation regarding the amended policy has been internal to the Council, along with the Trade Unions. The feedback from the trade union consultation requested that the policy be amended that all recruitment in the first instance is internal. CLT considered that the policy provided the flexibility for posts to be advertised internally if there was a business case to do so.

6.4 **Thinking for the Long term (forward planning)**

The Policy is intended to support Blaenau Gwent to recruit the right people into the right roles, and in turn support with retention of staff in the longer term to ensure services can be delivered to the residents of Blaenau Gwent.

6.5 **Preventative focus**

N/A

6.6 **Collaboration / partnership working**

N/A

6.8 ***Decarbonisation and Reducing Carbon Emissions***

N/A

6.9 ***Integrated Impact Assessment (IIA)***

Integrated Impact Assessment completed – no adverse impact.

7. **Monitoring Arrangements**

7.1 All policies and procedures are monitored by OD in line with the Policy Schedule. The proposed policies and procedures will be reviewed in line with the OD policy review timetable or if there are any legal or best practice changes that may arise in the meantime.

Background Documents /Electronic Links

Appendix 1 - Recruitment and Selection Policy



Recruitment and
Selection Policy - Decr

Recruitment & Selection Policy



ORGANISATIONAL DEVELOPMENT DIVISION

Issued: xx Review: xx

Version Control

This document is intended for:

- Council employees only School-based employees only Council & School-based employees

Version	Key Changes	Approved By

This document may be reviewed and amended at any time and without consultation in response to legal requirements, in line with best practice or in response to an organisational requirement and where the changes do not affect the spirit or intent of the document.

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DRAFT

1. Policy Statement

- 1.1 The Council recognises that its employees are crucial in delivering the highest standards of service and achieving its priorities as an organisation. The Council also understands the need to attract the best talent and ensure that fair and effective recruitment and selection procedures are adopted, complying with relevant employment legislation. This will ensure that the Council recruits and retains the right people with the necessary skills, attributes, and commitment to deliver high quality services to the community.
- 1.2 It is essential that the approach to recruitment and selection responds to an increasingly competitive market and fits with the overall needs of the organisation, through a carefully planned and systematic approach to workforce planning, alongside consideration of service delivery, and new ways of working which could prove more effective.
- 1.3 The aims of this policy are, but not limited to:
- Attracting and retaining talented individuals with the appropriate skills, experience and competencies;
 - Promoting the Council as an Employer of Choice, and showcasing the organisational brand and values; ensuring all candidates have a positive experience;
 - Supporting the achievement of the Council's Workforce Strategy;
 - Safer recruitment being central to the safeguarding of children, young people and adults at risk;
 - Recruiting openly, ensuring opportunities are available to all and to attract from a diverse pool of talent;
 - Making selection decisions which are non-discriminatory and based on objective and justifiable criteria that are impartial and applied consistently;
 - Demonstrating commitment to the responsibilities within the Public Sector Equality Duty, as highlighted within the Equality Act 2010;
 - Appointing in accordance with Welsh language guidance;
 - Ensuring an efficient and cost-effective recruitment and selection process;
 - Understanding why employees are leaving the Council and aim to address the issues by informing strategies to reduce turnover and improve employee retention.
- 1.4 The Council is committed to being an Employer of Choice, and operates the following schemes in respect of recruitment:
- Disability Confident – under this scheme, where candidates with a disability, defined under the Equalities Act 2010, meet the essential criteria for a job the Council guarantees an interview.
 - Defence Employer Recognition Scheme - under this scheme, the Council guarantees an interview to the Armed Forces Community (those currently serving, have previously served, reservists and their partner / spouse) if they meet the essential requirements for the job.

2. Scope

- 2.1 This policy is applicable to all recruitment and selection except where precluded for valid operational reasons, such as organisational restructuring, redeployment, relief appointments, or apprenticeships with the Council.
- 2.2 This policy applies to the recruitment and selection of all permanent, temporary and fixed term employees of the Council with the exception of school-based employees under the delegated powers of the Governing Body who are subject to a separate policy.
- 2.3 During times of national or 'Gold command' emergency situations, or any other significant local event the Corporate Leadership Team may seek to suspend aspects of this policy in order to appropriately respond to a critical situation.

3. Legislation and Equality

- 3.1 This policy has been developed in line with employment and equalities legislation and will be reviewed periodically in line with changes in legislation.
- 3.2 The Council cares about building a more representative and inclusive workplace, and that begins with our recruitment and selection process. In order to deliver the best service possible, diversity of perspectives and experiences, and a fair recruitment and selection process free from bias, is the first step in getting there. On this basis, the Council does not discriminate on the grounds of race, colour, ethnic origin, age, disability, sex, sexual orientation, marital status, religion or belief, responsibility for dependents, trade union or political activities; or any other reasons which cannot be justified.
- 3.3 This policy provides a clear framework within which all Council employees, managers and trade unions can work to achieve equality of opportunity, with particular regard to the protected characteristics outlined in legislation.
- 3.4 Reasonable adjustments will be made for candidates who indicate they require adjustments through the recruitment and selection process.
- 3.5 The Council welcomes applications from across the community and is committed to increase applications from those groups who are under-represented in particular areas of work, in line with the principles of "Positive Action", outlined within the Equality Act 2010. This should be discussed with Organisational Development prior to an offer of employment being made.
- 3.6 The Council will only specify gender or race as a genuine occupational qualification for a position where absolutely necessary and where lawful under the Equality Act 2010. Where a manager decides that a position should have a Genuine Occupational Qualification they will be required to present detailed information that supports their decision.

- 3.7 Employees involved in the recruitment process have a responsibility for ensuring compliance with relevant data protection legislation. This legislation regulates the use of personal data and covers some manual records as well as electronic records and is concerned with the processing of personal data. Under this legislation individuals have certain rights relating to personal data about them during the recruitment process.

4. Responsibilities

- 4.1 The Council is a large, diverse employer; and therefore, the recruitment and selection of employees will be the responsibility of individuals across the organisation to ensure maximum effectiveness of the process and decision-making.
- Senior appointments, to include the Chief Executive, Chief Officer and Deputy Chief Officer positions, are subject to separate arrangements as detailed in the Council's Constitution. Whilst there are separate arrangements in place the recruitment to these posts will normally reflect the principles detailed in this Policy.
 - Chief Officers have delegated authority to appoint to all other positions within their approved structure. They may delegate such authority to managers and must ensure that those involved in the recruitment and selection process comply with the provisions of this Policy. Employees who lead recruitment processes (otherwise referred to as 'recruiting managers') will hold responsibility for ensuring that recruitment processes are undertaken in line with this Policy.
- 4.2 Where the authority to appoint is delegated to officers it is recommended that the recruitment and selection panel will comprise of three officers. Wherever possible panels will reflect the diversity of the workforce and to ensure consistency the same officers will normally be involved throughout the process. In circumstances where there is a need to involve more than three officers or external partners on a recruitment and selection panel then this should be discussed in advance with Organisational Development. A representative from Organisational Development will participate in the appointment process for positions graded 10 and above. Involvement below this level will be in exceptional circumstances only and where required, this support should be requested at the outset of the recruitment and selection process.
- 4.3 Occasionally, it may be appropriate to run recruitment days or use Executive Search as a method of identifying suitable candidates. This should be discussed with Organisational Development.
- 4.4 Organisational Development will provide advice and guidance throughout the recruitment and selection process and the Head of Organisational Development or their representative can intervene at any point in the process where non-compliance has occurred or is likely to occur.
- 4.5 Operating outside of this policy may leave the Council vulnerable to challenge and as such all employees involved in the recruitment and selection process should be made aware of their responsibilities and undertake appropriate training to ensure the effective application of the policy. Failure to comply with this policy, may lead to action under the Councils' Disciplinary Policy.

5. Code of Conduct

- 5.1 Appointments must be made on merit and in line with the Council's Code of Conduct (Section 27 – Appointments and Other Employment Decisions). In order to avoid any possible accusation of bias, members of the recruitment and selection panel should not be involved in any stage of an appointment if they are related to a candidate or have a close personal relationship with a candidate outside work.
- 5.2 Line management of an employee by a relative is to be avoided wherever possible, in line with the Council's Code of Conduct (Section 26.7 – Line Management of Relatives), to avoid conflicts of interest or allegations of nepotism or favouritism. In a situation where a manager may be required to manage a relative, efforts will be made to relocate one of the parties.

6. Safeguarding

- 6.1 The Council's Corporate Safeguarding Policy sets out the Council's commitment to ensuring that everyone living within the County Borough is safe and protected and that the statutory responsibilities to safeguard and protect children, young people and adults at risk are effectively met. Safeguarding children and adults from abuse is everyone's responsibility, both corporately and individually, to ensure that all children and adults are treated with respect and protected from others who may abuse them.
- 6.2 Safer recruitment is central to the safeguarding of children, young people and adults at risk. This policy sets out robust recruitment and selection processes to deter, identify and prevent individuals who might abuse children and / or adults or are otherwise unsuitable for employment.

Recruiting managers need to ensure safer practice in recruitment by giving consideration to safeguarding arrangements at every step of the process which includes:

- Information provided to candidates on safeguarding responsibilities and the requirement for the successful candidate to undertake a Disclosure and Barring Service check in accordance with statutory and regulatory requirements where appropriate.
- Application forms scrutinised to ensure that they are fully and properly completed; the information is consistent and does not contain any discrepancies or any gaps in employment history.
- The selection process assesses and explores a candidate's suitability to work with children / young people / adults at risk.
- Any appointment being conditional on a series of pre-employment checks being satisfactorily completed.

7. Assessing the need to recruit

- 7.1 A vacancy can arise for a number of reasons, such as employee turnover, restructuring, or internal promotion. Where vacancies arise as a result of employee turnover, managers should read the leavers guidance in Appendix 1.
- 7.2 When a vacancy arises, there may be a need to review the position and / or structure considering both the current and future service needs ensuring that any recruitment is consistent with the workforce plan for the directorate.
- 7.3 Where there are significant changes to an existing position, or the required qualifications / experience, this must be subject to job evaluation to determine the appropriate grade prior to advertising. Where a job evaluation has already determined a grade for a position, a vacancy must be advertised using the job description / person specification that was submitted as part of the evaluation process. This is to ensure that the Council maintains the integrity of the evaluated grading structure.
- 7.4 If there are any changes to a directorate structure, or creation of a new position this must be the subject of an approved restructure report.
- 7.5 The principles and approval process to be followed to initiate recruitment is available on the Council's Intranet. These processes are subject to review and amendment in accordance with Council operational priorities.

8. Restructuring

- 8.1 There may be occasions where, due to organisational needs, there will be a requirement to operate outside of the recruitment policy, such as occasions where there is a restructure. Before operating outside of this Policy advice must be sought from Organisational Development.
- 8.2 Redeployment
- When a vacancy first arises, consideration must be given to the suitability of the position for any employees who are identified as 'at risk' and on the redeployment list. Further details can be found in the Redeployment Policy.
- 8.3 Direct Appointment / Ring-fencing
- Direct appointments are where appointments are made without subjecting it to competition and therefore, there must be valid reasons for doing so to avoid any accusations of unequal opportunity.
 - The only circumstance in which managers may directly appoint are those circumstances where following a restructure an employee's position will no longer exist or will substantially change and they may potentially become redundant or if they require redeployment for health reasons. Employees cannot be directly appointed to positions above their substantive grade, and in these circumstances a recruitment process must take place.

- Where restructuring takes place and there are a number of employees who meet the person specification, the available position will be ring-fenced, and where there is more than one suitable candidate, normal recruitment and selection procedures will take place. In the case of redundancies, please refer to the Redundancy Policy.
- In all cases of direct appointments or ring-fencing there must be prior consultation with Organisational Development and the Trade Unions, which will then be followed by consultation with the employee(s).
- Temporary employees covering a permanent position will not normally be directly appointed. The filling of that position will normally be subject to open competition via the recruitment policy.

9. Recruitment and Selection Paperwork

9.1 Recruitment and selection paperwork is crucial in a successful recruitment and selection process, as it provides the first impression of the position, directorate, and the Council to potential candidates. Recruitment provides a fantastic marketing opportunity to promote the Council as a great place to work. All recruitment and selection paperwork should be of high-quality and in line with the standardised templates which are available on the intranet.

9.2 Job Advert

- The job advert is the first opportunity to sell the Council brand and attract potential candidates to apply for a position. Adverts should follow the standard template available on the intranet; and be concise and attractive.
- All vacancies will be advertised both internally and externally concurrently. This will allow permanent employees to apply for alternative opportunities; temporary, fixed term, and relief employees to apply for permanent positions whilst advertising to a wider, more diverse talent pool external to the Council. Where there is a clear business case a decision may be taken to advertise a vacancy internally only, and in these cases, advice must be sought from Organisational Development. Internal recruitment will be applicable to all those currently engaged via a contract of employment with the Council.
- Vacancies will be advertised weekly on the Council's recruitment bulletin, website and social media, and managers may choose to use a variety of websites or publications. Open adverts will normally be advertised for a minimum of 10 working days.
- The costs for advertising will be funded by the service placing the advert. Cost effective online advertising is strongly encouraged.
- If there is a requirement to extend the closing date for any reason, the recruiting manager should discuss this with Organisational Development.

9.3 Job Description

- The job description is a crucial part of the recruitment process, and its purpose is to provide an accurate account of the main duties, responsibilities, and any special conditions applicable to the position. The job description should be clear, concise and non-discriminatory and contain the information outlined within the template job description available on the intranet.
- Certain positions in the Council are identified as politically restricted as outlined in legislation. Details of any restrictions must be outlined on the job description, as any successful candidate to a politically restricted position must comply with any restrictions during the course of their employment. Further details are available in the Council's Guide to Politically Restricted Positions.
- A Disclosure and Barring Service (DBS) check is requested after a risk assessment has indicated that one is both proportionate and relevant to the position concerned. The job description should clearly state if a DBS is required for a position and the level required. In addition, the job advert will usually contain a statement that a DBS check will be requested in the event of the candidate being offered the position.
- In line with our Agile Working Policy, all positions with the Council are designated as either; agile worker, home worker or service-based worker. The job description should clearly state the designation of the position, which must be in line with the approved designation. For newly created positions, careful consideration should be given to the requirements of the position, before selecting a designation.

9.4 Person Specification

- The person specification forms part of the job description and is an essential tool in the process of selection, ensuring that there is clear agreed information on the relevant criteria against which a candidate's suitability for the position can be assessed. This will ensure that the recruitment and selection process is transparent, fair and effective.
- The requirements within the person specification should be derived from the job description, the Council's Competency Framework and align to those set out in the job evaluation of the position. It should list the skills and abilities, knowledge, experience, qualifications, competencies, professional registration and personal attributes required. Where qualifications are required any acceptable equivalents or alternatives should be stated. Information on the Council's Competency Framework is available on the Intranet.
- When advertising a position, a decision should be taken on the most appropriate methods of selection. There are a number of methods to assess a candidate's suitability for a position, including interviewing, selection tests, and assessment centres. It is important to identify the best ways of assessing potential employees and the selection methods are vital to ensure that a candidate holds a particular skill or knowledge level. It should be clear in the person specification what methods of selection will be used during the recruitment and selection process.

- During the course of the recruitment and selection process, consideration should be given to Welsh language guidance. The Welsh language requirements of the position must be clearly indicated in the person specification.
- The person specification must describe the person sought for the job in terms of essential and desirable qualities. The essential criteria must be justifiable, measurable and essential for the effective performance of the job and the desirable criteria will enable a person to perform more effectively.
- The person specification should be clear, concise and non-discriminatory. It should not create any barriers for potential candidates as a result of any protected characteristics covered by the Equalities Act 2010.

9.5 Recruitment Authorisation

- In order to initiate the advertising process, it is the recruiting managers responsibility to obtain authorisation to recruit. Once the authorisation has been sought, the Recruitment Authorisation Proforma should be forwarded to Organisational Development along with the following organisational branded documents, including Welsh translations:
 - Job Description and Person Specification
 - Advert
 - Recruitment pack (where required)
 - Report / Recruitment Authorisation Proforma

9.6 Applications

- The Council operates an on-line recruitment system and all vacancies will be advertised on the Council's website. Candidates should apply for the relevant position online by completing the Council's application form. Curriculum Vitae's will not normally be accepted. However, if candidates covered by the Equality Act 2010 experience difficulties applying online, they are able to request an alternative format from Organisational Development.
- Application forms must be submitted by the specified closing date and will be acknowledged via email. Late applications will only be accepted in exceptional circumstances agreed by the recruiting manager in conjunction with Organisational Development. No late applications will be considered once the shortlisting process has commenced and no application forms will be issued after the closing date.

10. Longlisting / Shortlisting

- 10.1 Following the closing date, the longlisting / shortlisting of candidates should take place in a timely manner and all members of the recruitment and selection panel should be involved.
- 10.2 In relation to senior appointments to include the Chief Executive, Chief Officer and Deputy Chief Officer positions the shortlisting will be undertaken in line with Council's Constitution.

- 10.3 Where no applications have been received, a decision should be taken on whether or not to re-advertise or re-visit the job design and / or structure.
- 10.4 In the unlikely event that a decision is taken to delay an appointment the recruiting manager will be responsible for informing candidates, via email if possible, of the situation as soon as possible after the decision has been taken.
- 10.5 Shortlisting should be determined by considering the information within a candidate's application form, against the requirements of the position as detailed within the person specification. The criteria will be applied equally and consistently to all candidates and no additional criteria may be introduced at the shortlisting stage, nor can the original criteria be applied at a more advanced or exacting level. Only those who meet the criteria within the person specification should be shortlisted.
- 10.6 Where high volumes of candidates meet the essential criteria for a vacancy, the desirable criteria should be used to assess the long list of candidate's suitability for the position, and a short list of candidates should be selected to move forward in the process.
- 10.7 The recruiting manager will be responsible for completing the Shortlisting Assessment Proforma, which provides a record of the assessment of candidates and must be returned to Organisational Development to be kept on the recruitment file.
- 10.8 When shortlisting, managers should follow the principles of the Guaranteed Interview Schemes, as outlined in the policy statement, and candidates who fall within the eligible categories should be offered an interview if they meet the essential criteria of the advert, even where shortlisting comes down to the desirable criteria. These schemes do not guarantee a job offer, and the appointment must come down to the candidate(s) that is most suited for the position.
- 10.9 No appointments must be made direct at this stage in the process. All appointments must be confirmed following an interview/selection process, even in the situation where there is only one shortlisted candidate.

11. Selection

- 11.1 The main objective of the selection process is to obtain as much relevant information about each short-listed candidate as possible in order that the panel may make an objective and informed decision in terms of which candidate is the most suitable for the position. There is flexibility in which assessments can be used to assess candidates.
- 11.2 The recruiting manager will be responsible for the selection process. A member of Organisational Development will only be involved if additional support or coaching is requested or considered necessary in discussion with the manager, or for positions graded 10 and above.

- 11.3 Panel members should not take part in the recruitment and selection process, if they are related to, or a close friend of a candidate. Panel members should not normally take part in the recruitment process if they have agreed to act as a referee for a candidate except where the appointment may be internal and the situation cannot be avoided. In this situation the referee must inform the other members of the panel before the process begins.
- 11.4 Candidates who have been successful at shortlisting and invited to the next stage of the recruitment and selection process, will be formally notified by email, using the approved templates in the online recruitment system.
- 11.5 In relation to senior appointments to include the Chief Executive, Chief Officer and Deputy Chief Officer positions the selection and appointment will be undertaken in line with Council's Constitution.
- 11.6 Shortlisted candidates should be given as much notice as possible of the dates of the selection process.
- 11.7 Unsuccessful candidates will be formally notified via email.
- 11.8 It is advised, where the successful candidate is required to work with children and/or vulnerable adults that all shortlisted candidates visit the establishment/service area. This will be the responsibility of the recruiting manager to co-ordinate. It may prove valuable in offering an additional opportunity to assess the candidate's interaction with possible colleagues and / or clients. If this method is to be utilised as part of the selection process candidates must be informed.
- 11.9 It is recommended that a reserve candidate(s) is selected, and this should be the next appointable candidate ensuring that a safe appointment is made.
- 11.10 All results will be properly documented and recorded against each candidate. Feedback in relation to a candidate's participation during the recruitment and selection process will be available upon request from the recruiting manager.
- 11.11 Organisational Development can request to defer an appointment being made pending consultation with the Head of Organisational Development or their representative where they are not satisfied that standards have been met.
- 11.12 Interviews
- It is vital that interviews are carried out in a systematic, objective and professional manner to ensure that the most suitable candidate is selected.
 - Each candidate should receive a consistent experience during the interview process, and all candidates should be treated fairly.
 - Prior to the commencement of an interview, panel members should agree interview questions which focus on the requirements of the role, care should be taken to avoid questions, which could be interpreted as being discriminatory. Whilst the same core questions should be asked of all candidates, the process should also be tailored to individual candidates as necessary and supplementary questions may be asked as a means of assessing each candidate's individual skills, experience and suitability for the post.

- Following the completion of the interview, panel members must separately consider the candidate's responses provided during the interview and recorded on the Interview Record and Assessment Proforma and make an assessment of the candidates performance.
- The overall assessment of candidates should normally wait until after all the interviews have been conducted. At which stage each candidate will be assessed, and all panel members will discuss the individual scores they have awarded each candidate for each question and the evidence this is based on and arrive at a consensus and agree a score for each question.
- The agreed score for each candidate must be recorded on the Interview Candidate Assessment Proforma by the recruiting manager and the individual marks added up to give the total score for each candidate's responses at the interview. This provides an objective system for determining who should be appointed, which is usually the candidate with the highest overall total score.

11.13 Selection Tests

- Selection tests can provide objective information about a candidate, and the choice of selection tests should be matched to the criteria identified within the person specification. The content of the tests must assist the objective assessment of candidates against the person specification and should specifically relate to the position and should measure an individual's suitability to do the work. The selection method chosen must be appropriate to the level and type of position. Selection tests could include the following, but this is not an exhaustive list, and Organisational Development can advise on the use of tests:
 - Scenario / Case Study
 - Written exercises
 - Preparing a report / press release
 - Analysis of data / data entry
 - Driving Test
 - Manual Handling / COSHH exercise
- It is important that any selection test does not have a disproportionate impact on any candidates who have protected characteristics. Therefore, it is essential that all tests should be reviewed to ensure they are relevant and free from any unjustifiable bias.
- Following the completion of any selection tests, panel members must score the candidate's performance.

11.14 Presentations

- For some positions, the use of a presentation can provide critical information as part of the recruitment and selection process, particularly where this skill will be required.
- Presentations allow the panel to assess the candidate on their knowledge, skills, values and understanding of the particular position / area of work for which they are applying.

- This process needs to be as open and transparent as the interview process, and all results will be documented, and recorded as part of the selection stage.
- Where recruiting managers are considering the use of a presentation, this should be clearly outlined to the candidates who are selected for the next stage of the process, and they should be provided with sufficient time to prepare for the presentation.
- Each member of the recruitment and selection panel must score the candidate's performance.

11.15 Assessment Centres

- An assessment centre is a structured event that includes a mixture of selection tests, presentations and interview methods, usually taking place over one or two days. They are an effective means of identifying candidate behaviours, and suitability for the position. It allows the recruitment and selection panel to assess whether candidates hold particular skills, knowledge and values.
- This method of selection is not suitable for all positions within the Council however, for the Chief Executive, Chief Officer and Deputy Chief Officer positions recruitment usually involves an assessment centre. The use of an assessment centre does allow the opportunity to reduce the number of candidates that progress forward to the final stage of the process. An assessment centre may be facilitated internally by the recruitment and selection panel, or by an external provider.
- It is important that assessment centres do not have a disproportionate impact on any candidates who have protected characteristics. Therefore, it is essential that all methods of assessment should be reviewed to ensure they are relevant and free from any unjustifiable bias, and reasonable adjustments should be made if required.
- During the assessment centre the candidate's performance must be assessed.

12. Informing candidates of the outcome

- 12.1 The recruiting manager will make all verbal conditional offers of employment within a reasonable timeframe of the completion of the selection process. Such offers are legally binding and subject to the terms and conditions detailed in the formal offer letter that will follow. The salary offered will be in accordance with the Council's Pay Policy and graded structure.
- 12.2 Organisational Development will send out the formal offer letter and relevant documentation after receiving the completed Interview Candidate Assessment Proforma.
- 12.3 Unsuccessful candidates will normally be advised of the outcome of the selection process by e-mail. Where unsuccessful candidates request feedback, the recruiting manager should offer specific and constructive feedback.

- 12.4 If a decision to appoint is delayed for whatever reason the candidates must be advised accordingly.
- 12.5 The recruiting manager is responsible for completing the relevant payroll processes to commence the employee.

13. Pre-Employment Checks

- 13.1 All new and existing employees who have been appointed to a position will be subject to pre-employment checks. Any offer of employment will be conditional upon the Council being satisfied as to the satisfactory completion of the checks.
- 13.2 It is essential to safeguard all concerned and ensure that all pre-employment checks are completed **prior to** an individual commencing employment with the Council.
- 13.3 Where any issues arise as part of the pre-employment process, these will need to be discussed between the recruiting manager, Organisational Development; and where appropriate, the candidate.
- 13.4 References
- All appointments will be subject to the receipt of at least two satisfactory written references. The two references should be from the candidate's last two employers, one of which should be from their current employer. Where an appointment is made internally, a reference will be sought from the candidate's current manager. Where candidates have no previous employers they should nominate individuals that can provide a character reference such as a schoolteacher, college tutor etc. Personal references from a relative, close friend or a Council Member will not be acceptable. The Council reserves the right to contact any previous employer of the candidate in order to verify their employment history.
 - References will only be requested for the successful candidate(s), using a standard template.
 - References should be used to check important factual information. Where there is a significant issue highlighted within the reference this should be discussed with Organisational Development.
 - All information supplied by referees must be treated in confidence and must only be shared with those relevant to the recruitment process, such as the recruiting manager and Organisational Development.
 - If an organisation will not provide a reference or has gone out of business then the candidate should provide an alternative referee.
- 13.5 Right to Work in the U.K.
- The Council is legally required to ensure that all employees have the legal right to work in the United Kingdom (U.K.) in line with relevant legislation. As part of the pre-employment checks, all potential employees are required to provide evidence to demonstrate their eligibility to legally work in the U.K.

- All documentation must be sent to Organisational Development to be retained on the employee's file. All right to work checks, will be conducted in line with the latest Government guidelines.

13.6 Disclosure and Barring Checks (Recruitment of ex-offenders)

- Having a criminal record will not necessarily bar a candidate from working with the Council. This will depend on the nature of the position and the circumstances and background of the offences.
- The Council actively promotes equality of opportunity for all with the right mix of talent, skills, and potential and welcomes applications from a wide range of candidates, including those with criminal records. Candidates are selected based on their skills, qualifications, and experience.
- As an organisation using the Disclosure & Barring Service (DBS) to assess a candidate's suitability for positions of trust, the Council complies with the DBS Code of Practice and undertakes to treat all candidates for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS on the basis of a conviction or other information revealed.
- A DBS is only requested after a risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a DBS is required, the job description will clearly state if a DBS is required and the appropriate level. In addition, the job advert will usually contain a statement that a DBS check will be requested in the event of the candidate being offered the position.
- We will ensure that officers in the Council who are involved in the recruitment process are able to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- Where a DBS is to form part of the recruitment process, candidates are encouraged to provide details of their criminal record at an early stage in the application process. This information will only be seen by those who need to see it as part of the recruitment process.
- Unless the nature of the position permits the Council to ask questions about a candidate's entire criminal record the Council only asks about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.
- At interview, or in a separate discussion, the Council will ensure that an open and measured discussion takes place on the subject of any offences or other matters that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- Any matters disclosed in a DBS will be discussed with the individual seeking the position before withdrawing a conditional offer of employment.
- DBS checks are undertaken on eligible positions within the Council and are renewed every three years.

- The Council will not normally accept certificates carried out by other organisations unless the candidate is registered to use the update service.
- In circumstances where employees are externally seconded from another organisation into the Council, the above process will apply. Where employees are externally seconded from the Council into another organisation, the above process would continue to apply for their substantive position.

13.7 Other pre-employment checks include:

- Academic / professional qualifications and registration where applicable
- Work health assessment

14. Probation

- 14.1 All new employees joining the Council will be required to successfully complete a 6-month probationary period. This is the opportunity for new employees to establish themselves in the position and for the manager to assess how well they are settling in, monitor the employees' performance, and identify any development needs. Regular supervision is provided for all employees and notes from these sessions will be used to inform the successful completion of the probationary period.
- 14.2 If the manager is satisfied with performance then the probation period will be signed off and the employee's appointment in the position will be confirmed.
- 14.3 Any areas of concern in the employee's performance should be highlighted as soon as possible and the employee should be provided with the appropriate support and training necessary for them to achieve an acceptable standard of performance. Any expectations and goals should be given clearly, and in good time so that the employee has the opportunity to improve their performance. A comprehensive record should be kept of the areas that require improvement, the requirement to improve performance and how that can be achieved. In all cases the manager must show that they have acted fairly and given the employee the opportunity to improve.
- 14.4 In some cases it may be appropriate to extend the probationary period where an individual has shown progress in achieving the required standards but further time is required to assess; or take the necessary steps to terminate the employee's employment when all other options have been exhausted. Advice should be sought from Organisational Development when consideration is being given to extending a probationary period, and this should normally only be for a maximum of a further three months.
- 14.5 Upon satisfactory completion of the probationary period, the manager will forward the completed probationary paperwork to Organisational Development. The employee will then be notified in writing that they have successfully completed their probationary period.
- 14.6 In the event that the employee fails to reach the required standard then the manager, with support from Organisational Development, should hold a meeting with the employee to terminate their employment. This should be followed up in writing with the reasons for termination clearly stated in the letter.

- 14.7 In some cases where an employee within their probationary period has a significant proportion of the six-month period away from the workplace, advice should be sought from Organisational Development regarding an extension to the probationary period to take account of this period.

15. Induction

- 15.1 After a successful recruitment and selection process, supporting a new employee through a robust induction programme is the best way to help a new employee settle into the organisation and is the first part of a successful retention programme. All new employees who commence with the Council, whether an internal or external appointee will need to receive an induction into their position and service as well as information about the broader priorities and operations of the Council.
- 15.2 Local, job-specific induction will be the responsibility of the employing directorate and managers should ensure that a programme is in place to welcome the newly appointed individual, encourage them to feel part of the organisation and to be effective in their new position. A good induction programme reinforces positive first impressions and makes the new employee feel welcome and ready to contribute fully. A manager's guide to induction and induction checklists are available on the intranet. It is every manager's responsibility to ensure that new employees are appropriately inducted and the relevant checklists (e.g., Health & Safety) are completed and retained for future reference.
- 15.3 All new employees will be provided with login details to enable them to complete the Council's online Corporate Induction, which should be completed within one month of starting. Employees without IT access should be supported by their manager to complete the online induction.

16. Record Keeping

- 16.1 Recruiting managers should forward all recruitment paperwork through to Organisational Development, where it will be retained for a specified period from the date of the interview and then destroyed in line with the Record Retention and Disposal Policy. For the successful candidate, all appropriate recruitment paperwork will be retained on their Organisational Development personal file.

17. Appointment of Former Employees

- 17.1 As detailed in the Council's Pay Policy employees who have left the employment of the Council on the grounds of voluntary redundancy or voluntary severance which included a financial package, will not usually be re-employed or re-engaged in any way (i.e. by way of agency or consultancy). In exceptional cases only and where there has been a break of more than two years, re-engagement will be subject to Corporate Leadership Team approval on the basis of a report outlining a critical business case. In cases that concern the Chief Executive, Directors or Chief Officers, Full Council approval will be required.

18. Complaints

- 18.1 If a candidate considers that their non-appointment is on the basis of procedural irregularities or suspected unfair treatment the candidate may make a complaint.

First Stage - Complaint

The complaint should initially be raised with the recruiting manager or their manager and a written response provided to the complainant within a reasonable timescale.

Second Stage - Complaint

If after the first stage the candidate is still dissatisfied, the candidate may complain in writing to the Head of Organisational Development outlining the details of the complaint. Such complaints will be investigated by the Head of Organisational Development, their representative or an independent person, where the interview notes and all other documentation on the recruitment file may be reviewed. There may be a need to interview employees involved in the recruitment process for the purpose of ascertaining and analysing the facts. A report of the investigation will be discussed with the Corporate Director. Depending on the individual circumstances in each case, substantiation of the complaint could lead to the application of the Council's Disciplinary Policy.

19. Review

- 19.1 This Policy will be reviewed periodically in light of developments in recruitment and selection practice and legal requirements to ensure that best practice is maintained.

20. Training

- 20.1 Training for officers involved in the recruitment and selection process is mandatory to ensure that they recruit in a fair and consistent manner and that they are aware of their legal responsibilities and is available through our online learning platform.

21. Collaborative Working

- 21.1 Increasingly as an organisation the Council is working with partner organisations. This may have implications on the recruitment and selection of employees, for instance in the following areas:
- Development of joint advertisements.
 - Involvement of representatives from several organisations in the process.
 - The need to determine which organisation will manage the process e.g. paperwork and record keeping.
- 21.2 It is essential, therefore, that consideration is given to such matters when initially entering into partnerships and joint working arrangements.

22. Secondments

- 22.1 A secondment is where an employee temporarily covers the full duties of a higher graded, or alternative position within the Council for a period of at least four weeks for any other reason than the annual leave of an officer. Secondment opportunities can provide valuable opportunities for both career and personal development.
- 22.2 Secondments can offer an effective means of filling vacancies; however, it is important to recognise that secondments are only a short-term solution to a particular situation and should not be used as a substitute for permanent, or for long term temporary appointments. It is recommended that a secondment, in normal circumstances should be no longer than one years duration and should be subject to regular review.
- 22.3 Managers will exercise their discretion to decide whether a vacancy is a suitable secondment opportunity with advice from Organisational Development.
- 22.4 Selection will be based solely on merit and the candidate's ability to perform the duties and responsibilities of the position and will be subject to the normal selection process.
- 22.5 An employee interested in applying for a secondment opportunity must obtain the consent of their manager before making an application. The manager should make the decision based on the exigencies of the services and in the case where a request is denied then the employee should be provided with the reasons for the refusal.
- 22.6 The manager will be responsible for ensuring that measures can be put in place to backfill the seconded employee, this could be by means of employing a temporary employee, paying an honorarium or a consequential secondment.
- 22.7 Once appointed an employee will be formally notified in writing of the terms and conditions of the secondment. The salary to be paid will be the salary that would apply were the employee promoted to the higher graded post.
- 22.8 The successful employee should be released from their substantive position at the earliest opportunity, taking account of operational considerations and no later than their normal required notice period. Seconded employees must be afforded regular contact with their service area.
- 22.9 Secondments will be expected to run for their projected period but may be terminated early by either the employee on secondment, or management subject to one month's notice. Where an employee is absent for a period of one month consideration may be given to ending the secondment.
- 22.10 An employee will return to their substantive position at the end of the secondment.
- 22.11 Where a manager has a request for a secondment external to the Council, advice should be sought from Organisational Development.

23. Temporary/Fixed Term Appointments

- 23.1 Temporary appointments are only acceptable for short term unplanned temporary vacancies or to arrange temporary cover for a permanent vacancy in the short term while arrangements are being made to advertise the position. Fixed term appointments should only be made where it is deemed a position will last for a specific period, such as to cover a project, or where a position is externally funded.

24. Market Supplements

- 24.1 The Council recognises that in certain exceptional circumstances it may be necessary to apply a market supplement. Further detail on market supplements is set out in Appendix 2.

25. Agency Workers

- 25.1 The use of employment agencies to supply temporary workers must be regulated and any manager wishing to engage the services of an agency should seek the necessary approval.
- 25.2 The Council has a main preferred supplier for agency workers details can be sought from Organisational Development.
- 25.3 Prior to any agency worker starting an assignment with the Council, the recruiting manager should ensure that all relevant checks are requested from the Agency at the outset and are in place prior to any assignment starting with the Council.
- 25.4 Agency workers should not be used to fill long term vacancies and should be used as a short-term measure.

26. Apprenticeships

- 26.1 There are many benefits to apprenticeships such as developing a motivated, skilled and qualified workforce. Apprenticeships could provide opportunities to upskill existing employees, who may be interested in a new position or career development, or there may be opportunities to advertise a vacancy as an external apprenticeship opportunity.
- 26.2 It is important to note, that apprenticeships should provide the apprentice with the skills and experience to gain employment following the completion of their qualification.
- 26.3 The Council does not guarantee a role upon completion of an apprenticeship programme, however, where an apprentice has successfully completed their apprenticeship programme and there is a suitably graded post within the directorate, they may be slotted into this post as long as they meet the essential criteria of the role. The manager and Aspire Mentor will need to assess the Apprentices suitability for the role, and complete the appropriate paperwork prior to a decision being made to slot an apprentice into a vacancy with the Council.

Leavers Questionnaires and Exit Interviews

Leaver's questionnaires and interviews are voluntary but are good practice to gather valuable feedback on how well the Council is performing as an employer. They help to understand the reasons why employees are leaving and where change is necessary to improve the employment experience and assist with employee retention.

All employees voluntarily leaving the employment of the Council will be given the opportunity to provide feedback normally prior to their employment ending. The following sets out the process for leavers questionnaires and exit interviews:

- Upon receipt of a letter of resignation, the manager should acknowledge the letter in writing, and complete the termination of employment form to avoid any overpayment.
- The letter of resignation and a copy of the acknowledgement letter should be forwarded to Organisational Development to be retained.
- On receipt of the termination of employment form, Organisational Development will send the employee a leaver's questionnaire for completion with the opportunity to attend an optional leaver's discussion.
- A leavers discussion will be conducted by the employee's manager; or where requested by the leaver, an appropriate alternative manager or a representative from Organisational Development prior to termination.
- The purpose of a leaver's discussion is to allow the employee the opportunity to expand on, and discuss, the area's they have highlighted within their Leavers Questionnaire. A template for the leaver's discussion can be found on the intranet.
- If any issues arise during the course of the interview that need to be dealt with, these should be managed in accordance with Council policies, and advice sought from Organisational Development.
- Information provided during the exit process must be treated in confidence and used solely for the purpose for which it was collected.
- Leaver's discussions are voluntary, and as such if the leaver does not wish to discuss their reasons for leaving this should be respected.

Market Supplements – NJC Local Government Services

The Council recognises that it may be necessary from time to time to apply a market supplement to an assessed grade of a position. Usually this will be as a result of a skill shortage in the jobs market (local or national), or because the market rate for a particular skill set is higher than that determined by local job evaluation and the grading structure.

A market supplement is a discretionary payment which is paid in addition to the basic salary of a position(s). The payment is designed to address exceptional circumstances when the Council is experiencing or clearly identifies severe recruitment and retention difficulties, and in particular when those difficulties are as a result of offering a lower salary than that which is being offered by other employers within the market identified for that particular post. There must be clear evidence that the basic pay for a specific post determined by the Council's job evaluation process is significantly less than the relevant market rate of pay for a similar post.

The payment of a market supplement will need to be subject to objectively justified grounds i.e., that recruitment and retention difficulties exist in relation to the job(s) concerned which would result in foreseeable organisational and/or operational problems. The decision to pay a market supplement will only be taken when all other non-pay related measures to recruit and / or retain a staff member have been reasonably explored. The extent to which the various measures are explored depends entirely on each individual case.

The Council will justify a market supplement by gathering clear and detailed evidence for awarding such a payment, including information on recruitment and/or retention problems within the Council and external pay data. Types of evidence will include:

- Salary benchmark data, what is the 'going rate' for the job?
- Comparisons with the public and/or private sector depending on the nature of the post.
- Evidence of any recent (unsuccessful) recruitment processes e.g. How has the post been advertised in the past? Has the correct media been used? What is the response rate to adverts? What is the turnover rate for the post?
- The level and overall cost of the recommended supplements.
- Any alternative measures that have or could be considered e.g., could the post be remodelled to deliver the service required?
- Details of any perceived detrimental impact on service delivery including operational and/or reputational risks of failure to recruit (or retain) the right calibre of employee(s).
- Details of any potential knock-on effects and how they might be resolved e.g., maintenance of pay relativities between posts within a section or work group.

The business case for a market supplement is subject to approval of the Corporate Director in consultation with the Head of Organisational Development. In exceptional circumstances for those staff not employed under the NJC for Local Government Services it will be a matter for CLT or Council's consideration as appropriate.

The duration of the market supplement will be determined at the outset with a maximum period of 1 year. The terms of the market supplement will be clearly defined in the advertisement and contract of employment. All payments will cease at the end of the approved payment time. In exceptional circumstances where there is a need to continue the payment of a market supplement a new business case will need to be approved. Market supplements are funded by the employing directorate.

Definition of Workers

Permanent Employees

A permanent employee is a full time or part time individual who is employed by the Council on a permanent contract. The employee will have full employment rights in line with current legislation, as outlined in their statement of particulars. There is no expected end date of their employment and they will accrue continuous service.

Permanent employees will accrue all relevant entitlements and benefits in line with the Council's terms and conditions i.e. sick pay and annual leave.

Fixed Term Employees

A fixed-term contract is one that ends on a specified date or on the occurrence of a particular event such as the loss of funding or the completion of a task. A fixed term employee can be a temporary replacement for an absent employee whose contract will terminate upon the return of the regular employee. After four years' continuous service in a fixed term position the manager should refer to the Fixed Term Regulations for further guidance, as the employee will be entitled to permanent status.

Employees recruited on such a contract should be done so on the basis that there is a fixed period for which the work is expected to last and that the weekly hours are definitive e.g. to cover maternity leave or an externally funded project.

Fixed term employees will be entitled to the same benefits as a permanent worker, i.e. annual leave and sick pay.

Temporary Employees

Temporary contracts will have no expectation of permanence as the termination date or the event on which the employment will terminate is not known. An employee on a temporary contract will accrue continuous service from the start date of that contract.

Temporary employees will be entitled to sick pay, annual leave and the range of other benefits the Council offers, where applicable.

An employee should be recruited on a temporary contract if the work is expected to be of a temporary nature but the end date is not known e.g. to cover a period of sickness of a permanent employee. Contractual hours should be stipulated for the purposes of a temporary contract.

Relief Employees

Relief employees should be recruited as a way of dealing with a variable need for work i.e. short term absences. Employees of this nature should only be used on an ad hoc basis and will not work regularly and consistently.

Relief employees should only be paid at the bottom of the grade and will not move through any grade increments. A relief employee will not benefit from the range of entitlements to which other employees of the Council are entitled.

If relief employees are allowed to build up regular and consistent hours then this will become a risk to the Council.

Relief employees should be regularly monitored by managers and termination paperwork completed routinely when the employee is no longer required, to ensure there is an accurate record of all current employees.

Term-Time Employees

A term-time contract is defined by an employee working only during periods that coincide with the school terms and is not required to work during school holidays. Term-time employees will be employed based on the number of weeks they work per year and remuneration will be calculated on a pro rata basis which will be inclusive of their annual leave entitlement.

Term-time employees will not be permitted to take leave during school time but will be entitled to the same other benefits of the Council such as sick pay.

Part Time Employees

A part time employee will be defined as such if they work fewer hours than the Council's normal full time hours (37 hours per week). Part time employees will not be treated less favourably than comparable full time workers, nor will they be entitled to any benefits which exceed a full time equivalent.

Agency Workers

The Council has a contract to source all agency workers. All administration relating to annual leave and sick pay will be administered by the contractor directly. It should be understood that Agency Workers are not employees of the Council.

When recruiting, a manager should carefully consider the type of contract that would best suit the required need to ensure efficiency of the service. Due consideration should be given throughout the duration of any contract that is not permanent to ensure that it is still fit for purpose and meets the need of the service. Managers should change the nature of the contract if the situation changes e.g. a relief employee who has started to pick up regular shifts as a result of long term sickness should be terminated as a relief employee and given a temporary contract.

Agenda Item 23

Cabinet and Council only

Date signed off by the Monitoring Officer: 22.01.24

Date signed off by the Section 151 Officer: 19.01.24

Committee: **Council**

Date of meeting: **25 January 2024**

Report Subject: **Presiding Member Fund – Proposals for use**

Portfolio Holder: **Cllr S Thomas, Leader of the Council and Cabinet Member for Corporate Overview & Performance**

Report Submitted by: **Cllr C Smith, Presiding Member**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
							25/01/24	

1. **Purpose of the Report**
 - 1.1 To consider and agree how the Presiding Member Fund be allocated in support of the communities of Blaenau Gwent County Borough Council.
2. **Scope and Background**
 - 2.1 Following the local government election in May 2022 and the establishment of the current political administration at Blaenau Gwent County Borough Council, the Council agreed to set up a Presiding Member Fund.
 - 2.2 It was agreed that unused budget against Members Allowances and Expenses, that accrued as a consequence of any elected member forgoing an element of their remuneration, would be transferred to the Presiding Member Fund. This could be topped up by additional contributions / donations with the Fund being used for the benefit of the communities of Blaenau Gwent.
 - 2.3 The balance on the Fund is £11,720.38, this report makes some initial proposals for use totalling £6,594.23. Proposals for the remainder of the fund will be considered by Council in February / March 2024.
3. **Options for Recommendation**
 - 3.1 *To include Recommendation(s) / Endorsement by other groups, e.g. CLT/Committees/Other groups*

It is proposed that a total of £6,594.23 from the Fund be allocated as follows:

Amount £	Organisation / Project
1,200.00	Head for Arts / Llanhilleth Pumping Station Mural Project
540.84	St George's Church, Tredegar / to support visit to Uganda to help childrens education
1200.00	Deighton Primary School / Allotment Project
75.00	Local Places For Nature Project (Cwmcelyn) / to compliment Biodiversity works being undertaken
283.39	New Cwm Institute / Maintenance of Building
500.00	Tredegar Miners Memorial Group / Contribution for Memorial Gates
2,160.00	Community Interest Company Nantyglo* / establishment of garden / growing space around Attlee Road
75.00	Abertillery Branch of The Royal Welsh Regiment. - St David's Day Commemoration event
75.00	Llanhilleth Bowls Club - Widening participation initiative
100.00	Zion Miners Chapel - Wildflower Garden Project
75.00	Aberbeeg Community Centre - Happi Cafe project
75.00	Swffryd Community Centre - Cost of living support
75.00	Brynithel Community Centre - Cost of living support
160.00	Briery Hill Allotments / General Maintenance

**CIC not formally established currently, contribution to be released following formal incorporation*

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

4.1 The Corporate Plan priorities have been developed to support Blaenau Gwent Communities to thrive. The priorities are:-

- Maximise learning and skills for all to create a prosperous, thriving, resilient Blaenau Gwent
- Respond to the nature and climate crisis and enable connected communities
- An ambitious and innovative council delivering quality services at the right time and in the right place
- Empowering and supporting communities to be safe, independent and resilient

5. **Implications Against Each Option** 5.1 ***Impact on Budget (short and long term impact)***

5.1.1 The balance on the Presiding Member Fund as at 31 December 2023 is £11,720.38, the proposals in section 3 will result in some of the resources available being utilised.

5.2 ***Risk including Mitigating Actions***

5.2.1 Failure to agree the proposals will result in the Presiding Member Fund being unutilised and organisations within Blaenau Gwent not benefitting from available funding.
To mitigate this risk the proposals in section 3 or alternative proposals should be agreed.

5.3 ***Legal***

5.3.1 The Local Government Act 2000 provides principal authorities in Wales with the power to do anything they consider likely to achieve one or more of the following objects:-

- 5.3.2
- a) the promotion or improvement of the economic well-being of their area;
 - b) the promotion or improvement of the social well-being of their area; and
 - c) the promotion or improvement of the environmental well-being of their area.

5.4 ***Human Resources***

Not applicable

5.5 ***Health and Safety***

Not applicable

6. ***Supporting Evidence***

6.1 ***Performance Information and Data***

6.1.1 Between May 2022 and December 2023 any unused budget against Members Allowances and Expenses, that accrued as a consequence of any elected member forgoing an element of their remuneration, has been transferred to the Presiding Member Fund. There has also been a small number of additional contributions / donations to the Fund.

6.1.2 The available resources for allocation total £11,720.38.

6.2 ***Expected outcome for the public***

6.2.1 The resources will be allocated to projects and organisations supporting the communities of Blaenau Gwent.

- 6.3 ***Involvement (consultation, engagement, participation)***
- 6.3.1 The establishment of the Presiding Members Fund was agreed by Council in May 2022.
- 6.4 ***Thinking for the Long term (forward planning)***
- Not Applicable – the Presiding Member Fund will be closed.
- 6.5 ***Preventative focus***
- Not Applicable
- 6.6 ***Collaboration / partnership working***
- Not Applicable
- 6.7 ***Integration (across service areas)***
- Not applicable
- 6.8 ***Decarbonisation and Reducing Carbon Emissions***
- Not Applicable
- 6.9 ***Integrated Impact Assessment (IIA)*** *(All decisions, policy reviews or policy implementation will now require a completed Integrated Impact Assessment) To note a screening template no longer needs to be completed*
7. **Monitoring Arrangements**
- 7.1 *State how the work will be monitored e.g. through scrutiny or directorate performance management arrangements*

Background Documents /Electronic Links

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Agenda Item 24

Cabinet and Council only

Date signed off by the Monitoring Officer: 17.01.24

Date signed off by the Section 151 Officer: 16.01.24

Committee: **Council**

Date of meeting: **25 January 2024**

Report Subject: **The Future of Silent Valley Waste Services Ltd following the Transfer of Services (and employees) back to the Council**

Portfolio Holder: **Cllr S Thomas – Leader of the Council & Cabinet Member Corporate Overview & Performance**

Cllr H Cunningham – Cabinet Member Place & Environment

Report Submitted by: **Rhian Hayden – Chief Officer Resources**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
	11/01/24						25/01/24	

1. **Purpose of the Report**
 - 1.1 To consider and agree the future of Silent Valley Waste Services Ltd, a wholly owned company of Blaenau Gwent County Borough Council.
2. **Scope and Background**
 - 2.1 Silent Valley Waste Services Ltd is a wholly owned Company of Blaenau Gwent Count Borough Council. On 1 May 2023, the services and employees of the Company transferred into the Council and subsequently the Company has ceased trading.
 - 2.2 The Council, as the 100% shareholder should now consider the future of the Company and decide whether to dissolve the Company or operate as a Dormant company.
 - 2.3 To Dissolve the Company an application can be made to get the company struck of the Companies Register. A company can be struck off if the following applies:
 - Has not traded or sold off any stock in the last 3 months
 - Has not changed names in the last 3 months
 - Is not threatened with liquidation
 - Has no agreements with creditors, for example a Company Voluntary Arrangement (CVA)
 - 2.4 Alternatively a company may also be dormant if it is no longer trading and does not have any other income. The company remains registered with Companies House but is called dormant since no significant transactions are made. Dormant accounts / returns will continue to be filed annually with Companies House and HM Revenues

and Customs. There could be potential tax benefits if the Council wishes in future to operate like / similar services to those previously undertaken by Silent Valley Waste Services Ltd via the Company.

3. **Options for Recommendation**

To include Recommendation(s) / Endorsement by other groups, e.g. CLT/Committees/Other groups)

3.1 **Option 1 –Silent Valley Waste Services Ltd to be dissolved**

This will result in the Company being struck off the Companies Register.

3.2 **Option 2 – Silent Valley Waste Services Ltd to be made Dormant**

The Company will be retained for 'use' should the Council wish to operate a company providing similar services in future.

This option will require suitable governance arrangements to continue to be in place for the Company and annual accounts and returns to be submitted.

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

4.1 This report supports the Council Corporate Plan high level priority "An ambitious and innovative council delivering quality services at the right time and in the right place".

5. **Implications Against Each Option**

5.1 ***Impact on Budget (short and long term impact)***

5.1.1 **Option 1 –Silent Valley Waste Services Ltd to be dissolved**

To strike off a company from the register the cost of an online application is £8 (£10 for a paper application).

5.1.2 **Option 2 – Silent Valley Waste Services Ltd to be made Dormant**

The current annual cost of maintaining a dormant company is £13 for the Confirmation Statement (Query if there are other submission costs ?) in addition to staff time in preparing submissions for consideration by the Company & the Council.

5.1.3 There could be potential tax benefits if the Council wishes in future to operate like / similar services to those previously undertaken by Silent Valley Waste Services Ltd via the Company.

5.2 ***Risk including Mitigating Actions***

5.2.1 The main risk relating to Option 2 is the failure to submit the required returns to HMRC and Companies House in a timely manner, resulting in financial penalties for the Company and its Director(s).

This will be mitigated by being built into the work plan of the Accountancy Service and annual meetings of the Council and Board of Directors.

5.3 ***Legal***

Expert legal advice has been sought regarding the ongoing requirements of a dormant company.

5.4 **Human Resources**
N/A

6. **Supporting Evidence**

6.1 **Performance Information and Data**

6.1.1 **Option 1 –Silent Valley Waste Services Ltd to be dissolved**

Before formally applying to strike of the Company it must be closed down legally. This involves:

- Announcing these plans to interested parties and HM Revenue and Customs (HMRC)
- Making sure employees are treated according to the rules
- Dealing with the business & assets

6.1.2 If the decision is taken to dissolve the Company the final statutory accounts and the final Company Tax return will be submitted to HMRC

6.1.3 The Company currently has no employees since they transferred to the Council in May 2023.

6.1.4 The majority of the Company's assets (& liabilities) have already transferred to the Council. The remaining assets – the balance on the Company's bank account and the 1000 ordinary shares will be transferred before the Company is dissolved, any assets remaining with the Company when struck off will go to the Crown (this is likely to be nil).

6.1.5 **Option 2 – Silent Valley Waste Services Ltd to be made Dormant**

The Company would continue to have a legal 'personality' after becoming dormant, retaining its capacity to hold assets, owe liabilities, sue in its own name and be sued. As a consequence governance arrangements in relation to the Company will need to be maintained in order that it can continue to making decisions as the sole shareholder and the Company will continue to need Director(s) to ensure the Company has the ability to deal with any matters that may arise including complying with the various obligations of Directors and shareholders summarised below:-

6.1.6 **Board & Shareholder Meetings**

Dormant companies are required to comply with the Articles of Association in relation to holding Board and shareholder meetings. The Articles of Association of Silent Valley Waste Services Ltd do not require the Company to hold AGMs, Board Meetings or Shareholder meetings, as such regular meetings are unlikely to be required however as and when at certain points decisions are required meetings can be called.

6.1.7 **Annual Accounts**

As with all limited companies, dormant companies continue to have a general obligation to file their annual accounts with the Registrar of Companies (within specific timeframes).

- 6.1.8 A dormant company may however be exempt from the requirement to audit its accounts if certain criteria are satisfied.
The company will qualify for the dormant company exemption if, with regards to its accounts for the financial year in question:
- it has been dormant since the end of the previous financial year
 - it is entitled to prepare its individual accounts in accordance with the small companies regime in relation to that year;
 - it is not required to prepare group accounts for that year
 - it is not an authorised insurance company, a banking company, an e-money issuer, a MiFID investment firm or a UCITS management company, a company that carries on insurance market activity, or a traded company; and
 - during the financial year, no request for an audit has been made by 10% of its members.
- 6.1.9 Based on the above the Company would satisfy the criteria for exemption from audit.
- 6.1.10 If meeting the criteria for exemption to audit the Company can choose to file full (unaudited) accounts or to file reduced information.
- 6.1.11 Since the Company is a subsidiary undertaking of the Council, if the Company has been dormant throughout the whole year and is not a traded company, an authorised insurance company, a banking company, an e-money issuer, a MiFID investment firm, a UCITS management company or a company that carries on insurance market activity or a special register body or an employers' association, the Company may rely on a further exemption from the requirement to prepare and file individual accounts.

The Council as sole shareholder will need to agree to the exemption in respect of each financial year.

- 6.1.12 Reliance on the exemption will generate additional obligations by the Council in its capacity as parent, in particular :
- (a) give a statutory guarantee of the Company's outstanding liabilities in respect of the financial year in which the exemption is relied upon;
 - (b) include the Company in the consolidated accounts drawn up for the financial year in which the exemption is relied upon in accordance with the CA 2006 requirements or UK-adopted international accounting standards; and
 - (c) disclose in the notes to the consolidated accounts that the Company is exempt from the requirement to prepare individual accounts by virtue of section 394A and section 448A of the CA 2006.

The above is relatively straightforward.

6.1.13 It is also important to note that the exemption does not operate to release the directors of the Company from all accounting and filing requirements. Where the Company wishes to rely on the exemption, the directors are required to deliver to the Registrar of Companies within the period for filing the Company's accounts and reports for that year:-

- (a) a written notice of shareholder approval;
- (b) the statement of guarantee by the Council (as parent) referred to above;
- (c) a copy of the consolidated accounts;
- (d) a copy of the auditor's report on those accounts; and
- (e) a copy of the consolidated annual report drawn up by the Council (as parent).

Again the above is relatively straightforward.

6.1.14 **Confirmation Statements**

Submission of Confirmation Statements will continue to be required

6.2 **Expected outcome for the public**

6.2.1 *n/a*

6.3 **Involvement (consultation, engagement, participation)**

6.3.1 If the decision to retain the Company as dormant is made, Accountancy and Legal staff will support both the Council (as shareholders) and the Directors of the Company comply with the annual statutory requirements.

6.4 **Thinking for the Long term (forward planning)**

6.4.1 If the decision to retain the Company as dormant is made, the Company and the Council will be required to consider the statutory requirements and ongoing governance arrangements on at least an annual basis.

6.5 **Preventative focus**

6.5.1 If the decision to retain the Company as dormant is made, Accountancy and Legal staff will support both the Council (as shareholders) and the Directors of the Company to ensure compliance with statutory requirements and prescribed time frames and avoid financial penalties of late filing (for the Company & director(s)).

6.6 **Collaboration / partnership working**
n/a

6.7 **Integration (across service areas)**
N/A

6.8 **Decarbonisation and Reducing Carbon Emissions**
n/a

- 6.9 ***Integrated Impact Assessment*** (the screening template should be completed for any decisions to identify if a full integrated impact assessment (IIA) is needed. A full IIA will need to be completed if the decision is part of the socio-economic duty to consider how the decision might help to reduce the inequalities of outcome associated with socio-economic disadvantage).
n/a

7. **Monitoring Arrangements**

- 7.1 Ongoing requirements during Dormancy will be built into the work programme of the Accountancy Service and will be subject to reports and decisions of both the Company (Board of Directors) and the Council.

8. **Background Documents / Electronic Links**

Agenda Item 25

Cabinet and Council only

Date signed off by the Monitoring Officer: 17.01.24

Date signed off by the Section 151 Officer: 17.01.24

Committee: **Council**

Date of meeting: **25th January 2024**

Report Subject: **Elected Member Maternity, Paternity, Newborn Adoption, Parental and Adoption Leave (Family Absence Policy)**

Portfolio Holder: **Leader of the Council, Cabinet Member Corporate Overview and Performance**

Report Submitted by: **Gemma Wasley, Service Manager Performance and Democratic**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)

1. Purpose of the Report

To provide Elected Members with a Family Absence Policy which includes:

- Maternity absence;
- Newborn absence;
- Adopter's absence;
- New adoption absence; and
- Parental absence.

The policy can be found at appendix 1.

The policy has been developed using the requirements as set out under the Local Government (Wales) Measure 2011, subject to compliance with the Family Absence for Members of Local Authorities (Wales) Regulations 2013.

2. Scope and Background

The aim of the policy has been developed to enable Elected Members to take appropriate leave for family absence reasons.

The Policy outlines the arrangements required for Elected Members when taking leave for the following reasons:

- **Maternity absence** - for the mother of a child, granted up to a maximum of twenty six weeks;
- **Newborn absence** - for the parent of a child other than the mother, for a period of up to two weeks during the first 56 days after childbirth;
- **Adopter's absence** - for the adopter of a child, for a period of up to twenty six weeks;
- **New adoption absence** - for the partner of an adopter, for a period of up to two weeks; and
- **Parental absence** - for a member who becomes responsible for a child under the age of 14 (and does not meet the conditions for newborn

absence, adopter's absence or new adoption absence), for a period of up to three months.

Members are entitled to family absence as set out in legislation:

- Local Government (Wales) Measure 2011; and
- Family Absence for Members of Local Authorities (Wales) Regulations 2013.

This policy provides members with entitlements to enable members who have babies or become responsible for looking after children to be able to continue as members with recognised, legitimate, absence, in an open fashion.

Improved provision for parents and new parents should contribute towards increasing the diversity of experience, age, sex and background of local authority councillors. It should also support the retaining of councillors and making public office more accessible to people who might otherwise feel excluded from it.

3. **Options for Recommendation**

3.1 *To include Recommendation(s) / Endorsement by other groups, e.g. CLT/Committees/Other groups)*

The Policy has been considered by the Monitoring Officer, Head of Democratic Services, Head of Organisational Development and CLT.

Option 1

For Council to approve and publish the Elected Member Maternity, Paternity, Newborn Adoption, Parental and Adoption Leave (Family Absence Policy) as set out in Appendix 1.

Option 2

For Council to suggest amendment to the Elected Member Maternity, Paternity, Newborn Adoption, Parental and Adoption Leave Policy (Family Absence Policy) as set out in Appendix 1, before approval and publication, noting that there are certain requirements that must be followed by law.

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

The Policy supports arrangements for Elected Members and the Council's Corporate Plan priority, 'An ambitious and innovative council delivering quality services at the right time and in the right place'.

5. **Implications Against Each Option**

5.1 ***Impact on Budget (short and long term impact)***

The Independent Remuneration Panel for Wales outlines requirements of payments to members and this includes during family absence. There is no additional impact to budget from introducing the policy.

5.2 ***Risk including Mitigating Actions***

The policy has been developed using the requirements as set out under legislation and supports continued arrangements for Elected Members in their roles.

5.3 ***Legal***

The policy has been developed using the requirements as set out under the Local Government (Wales) Measure 2011, subject to compliance with the Family Absence for Members of Local Authorities (Wales) Regulations 2013.

5.4 ***Human Resources***

As outlined in appendix 1 the Head of Democratic Services has a role to keep a record of all notifications and periods of family absence taken and will inform the Presiding Member, the Chair of the Democratic Services Committee, and the leaders of each political group, and other recognised groups, of the authority.

5.5 ***Health and Safety***

There are no health and safety concerns with this report.

6. ***Supporting Evidence***

6.1 ***Performance Information and Data***

As outlined in appendix 1 the Head of Democratic Services has a role to keep a record of all notifications and periods of family absence taken.

6.2 ***Expected outcome for the public***

Elected Members have a duty to perform their roles and responsibilities effectively and efficiently, while also balancing their personal and family lives. A family absence policy provides the necessary support and flexibility for Elected Members to manage their personal and professional obligations.

6.3 ***Involvement (consultation, engagement, participation)***

Key Officers have also had the opportunity to participate in the development of the Strategy.

6.4 ***Thinking for the Long term (forward planning)***

The policy should support the diversity and representation of elected members from different backgrounds as part of future elections.

6.5 **Preventative focus**

The policy is intended to support the well-being and performance of elected members, and to enhance their diversity and representation. The policy also reflects the changing needs and expectations within communities and the enhancement of the Council's democratic function.

6.6 **Collaboration / partnership working**

Legislation as well as policies from other local authorities and the WLGA were considered in the development of the Blaenau Gwent Policy.

6.7 **Integration (across service areas)**

Key Officers have also had the opportunity to participate in the development of the Strategy.

6.8 **Decarbonisation and Reducing Carbon Emissions**

N/A

6.9 **Integrated Impact Assessment (IIA)** *(All decisions, policy reviews or policy implementation will now require a completed Integrated Impact Assessment)* **To note a screening template no longer needs to be completed**

The policy enables for Elected Members to take family absence supporting equalities.

7. **Monitoring Arrangements**

7.1 *State how the work will be monitored e.g. through scrutiny or directorate performance management arrangements*

The Head of Democratic Services has a role to keep a record of all notifications and periods of family absence taken and will inform the Presiding Member, the Chair of the Democratic Services Committee, and the leaders of each political group, and other recognised groups, of the authority.

Background Documents /Electronic Links

- *Appendix 1 Elected Member Maternity, Paternity, Newborn Adoption, Parental and Adoption Leave (Family Absence Policy)*



Elected Member Maternity, Paternity, Newborn Adoption, Parental and Adoption Leave (Family Absence Policy)





Introduction

The aim of the policy is to ensure that insofar as possible elected members are able to take appropriate leave at the time of the birth or adoption of a child, or for reasons of parental responsibility.

Improved provision for parents and new parents will contribute towards increasing the diversity of experience, age, sex and background of local authority councillors. It will also assist with retaining councillors – particularly women – and making public office more accessible to people who might otherwise feel excluded from it.

Legislation / Regulations

Members are entitled to family absence under the Local Government (Wales) Measure 2011, subject to compliance with the Family Absence for Members of Local Authorities (Wales) Regulations 2013 (“the Regulations”), as amended.

This policy provides members with entitlements to enable members who have babies or become responsible for looking after children to be able to continue as members with recognised, legitimate, absence, in an open fashion, rather than be potentially subject to criticism for not fulfilling their duties as members.

[The Family Absence for Members of Local Authorities \(Wales\) Regulations 2013 \(legislation.gov.uk\)](http://legislation.gov.uk)

Requirement for Member to give Written Notice

A Member intending to take family absence is required to give written notice to the Head of Democratic Services, specifying the type of family absence they intend to take and the intended start date, as well as certain other specified information, outlined in this policy, in respect of particular types of absence.

Any changes to, or cancellation of, family absence must be notified to the Head of Democratic Services.





Members should refer to the Regulations for the prescribed information which must be included in the notice, and advice is available in this respect from the Head of Democratic Services.

The Head of Democratic Services will keep a record of all notifications and periods of family absence taken and will inform the Presiding Member, the Chair of the Democratic Services Committee, and the leaders of each political group, and other recognised group, of the authority.

Types of Family Absence

Maternity absence

- for the mother of a child, granted up to a maximum of twenty six weeks;

Newborn absence

- for the parent of a child other than the mother, for a period of up to two weeks during the first 56 days after childbirth;

Adopter's absence

- for the adopter of a child, for a period of up to twenty six weeks;

New adoption absence

- for the partner of an adopter, for a period of up to two weeks; and

Parental absence

- for a member who becomes responsible for a child under the age of 14 (and does not meet the conditions for newborn absence, adopter's absence or new adoption absence), for a period of up to three months.

Types of Family Absence Covered

Maternity Leave

No later than the end of 15 weeks before the expected week of childbirth, or as soon as is reasonably practicable, the member should give written notice to the head of democratic services of:

- their pregnancy;
- the expected week of childbirth;





- the date on which the member intends the maternity absence to start; and
- the duration of the period of maternity absence the member intends to take, if less than 26 weeks.

Pregnant members will not usually be asked for evidence of pregnancy or the expected date of childbirth, however the Head of Democratic Services may request a certificate from a registered medical practitioner or a registered midwife stating the expected week of childbirth.

Where the member wishes to vary the start of their maternity leave, the member has given the Head of Democratic Services written notice of the new start date at least one week before the date, or at least one week before the new date, whichever is the earlier, or, if that is not reasonably practicable, as soon as is reasonably practicable.

Where the member wishes to vary the duration of the maternity absence, the member has given the Head of Democratic Services written notice of the new duration at least one week before the expected end of the period of absence, or at least one week before the new intended end of the period of absence, whichever is the earlier, or if that is not reasonably practicable, as soon as is reasonably practicable.

Members may take up to 26 weeks maternity leave, unless the member gives written notice that the period of maternity absence will be shorter than 26 weeks.

Maternity leave can be taken to begin during the period of either:

- beginning at the start of the eleventh week before the expected week of childbirth; and
- ending on the day after the day on which childbirth occurs.

Where, during the four week period before the start of the expected week of childbirth, a member is absent from a meeting of the authority for a reason wholly or partly attributable to pregnancy, the period of maternity absence starts on the day after the meeting from which the member is absent.

Where a member's maternity absence has not started in accordance with the date notified by a member when childbirth occurs, that member's





maternity absence starts on the day after the day on which childbirth occurs.

A member may bring a period of maternity absence to an end earlier than the end of the period by notifying the Head of Democratic Services in writing of their intention to do so at least 7 days before their return.

The circumstances in which a member may cancel a period of maternity absence are that:

- the period of maternity absence has not yet started; and
- the member has notified the head of democratic services in writing of their intention to cancel the absence.

Newborn absence

The Member is either:

- the child's father and has, or expects to have, responsibility for the upbringing of the child; or
- married to, the civil partner or the partner of the child's mother, but is not the child's father and has, or expects to have the main responsibility (apart from any responsibility of the mother) for the upbringing of the child.

The member is to give the Head of Democratic Services written notice of the date the member intends the period of newborn absence to start.

Should the child's mother die or if the child was stillborn after 24 weeks of pregnancy or has died, the member will be treated as outlined under the maternity leave section.

A member's entitlement to newborn absence is two consecutive weeks. Where more than one child is born as a result of the same pregnancy, a member is entitled to newborn absence only in respect of the first child born.

Newborn absence may only be taken during the period:

- beginning with the date of childbirth; and
- ending 56 days after that date.





Adopter's Absence

The Member is the child's adopter.

The member is to give the Head of Democratic Services written notice of the date the member intends the period of adopter's absence to start.

The entitlement arises at the physical date of placement of the child with the member for adoption. **It is the actual date of placement of the child which is important for the start of this absence, not the date of placement according to any legal document.**

No evidence of adoption is required from the member in order to be entitled to a period of adopter's absence.

Multiple children adopted at the same time would not enable a member to take multiple periods of adopter's absence.

A member cannot take adopter's and new adoption absence in relation to the same child.

If a member jointly adopts a child with another member, one member may elect to be the child's adopter for the purposes of the Regulations and would be entitled to a period of adopter's absence. The other member would not be entitled to a period of adopter's absence but would be entitled to a period of new adoption absence.

New Adoption Absence

The member is:

- is married to, the civil partner, or the partner of the child's adopter; or
- has, or expects to have, the main responsibility (apart from the responsibility of the adopter) for the upbringing of the child.

The member is to give the Head of Democratic Services written notice of the date the member intends the period of adopter's absence to start.

A member's entitlement to new adoption absence is two consecutive weeks. Where more than one child is placed with the member as part of the





same arrangement, a member is entitled to new adoption absence only in respect of the first child placed with the member for adoption.

New adoption absence may only be taken during the period:

- beginning with the date on which the child is placed with the child's adopter; and
- ending 56 days after that date.

Parental Absence

for a member who becomes responsible for a child under the age of 14 (and does not meet the conditions for newborn absence, adopter's absence or new adoption absence), for a period of up to three months.

The member must notify the Head of Democratic Services of this responsibility and the Head of Democratic Services must be satisfied that such a responsibility is real and may require supporting evidence.

It is intended that parental absence is available to members who become temporarily responsible for the care of a child in addition to members who become the subject of more permanent responsibilities. For example, a member who takes responsibility for the care of a child whilst the parent is temporarily unable to fulfil these responsibilities for reasons such as illness, would be entitled to a period of parental absence.

A member may decide to stage parental absence over various periods during the year from when the member became responsible for the child. The member must notify the Head of Democratic Services as to the staging of the periods of absence in advance, although it is not expected that a member inform the Head of Democratic Services of the start date and duration of each and every period of parental absence at the outset.

If possible, the member should seek to inform the Head of Democratic Services of the intended periods of absence. However, it is accepted that this may not always be possible and would not afford the necessary degree of flexibility. In which case, as long as the Head of Democratic Services is informed at the outset of the member's general approach to the taking of absence and the Head of Democratic Services is informed in advance of each individual period of absence, the member would be entitled to periods of parental absence.





Cancellation of Family Absence by Council

If the Head of Democratic Services reasonably suspects that a Member may not be entitled to the family absence notified, he/she shall inform the Monitoring Officer. The Monitoring Officer may cancel or end a Member's family absence if he/she is of the view that the Member is not entitled to such absence in accordance with the Regulations.

In the event of a decision to cancel family absence, the Head of Democratic Services will give written notice to the Member concerned setting out the decision to cancel or bring to an end the period of family absence, and the date from which the Member must return from family absence. If the Member then fails to resume duties, the Council may withhold the Member's remuneration and take any other appropriate action.

Performance of Duties

On receipt of permission from the Presiding Member, a member on maternity absence or parental absence may choose to:

- Attend particular meetings; or
- Perform particular duties.

Before agreeing to the request, the Presiding Member will inform the leaders of each political group of the Council.

Continuing Duties

If a Member is on family absence leave and it would be difficult to replace that Member on a temporary basis, the Presiding Member can request that Member to attend a meeting if it might otherwise be inquorate.

A Member on family absence is expected to continue to observe and comply with any duties under the Members' Code of Conduct which remain applicable, including the duty to not bring the office of Member or the Council into disrepute and the duty to not use their position or the resources of the authority improperly or for private advantage.





Members Remuneration

In accordance with the determinations of the Independent Remuneration Panel for Wales, a Member on family absence is entitled, for the duration of the absence, to retain a basic salary and any senior salary for which they are eligible.

Members' Right to Appeal against Cancellation

A Member may, within 28 days from being notified of a cancellation of family absence, complain in writing to the Head of Democratic Services regarding the cancellation.

The Head of Democratic Services will refer any complaint duly made regarding cancellation to the Presiding Member.

The Member's complaint will be considered by the Family Absence Appeals Panel, which may either confirm the decision of the Monitoring Officer, or substitute its own decision as to the Member's entitlement to family absence in accordance with the Regulations.

The decision of the Panel is final.

Family Absence Appeals Panel

The local authority must appoint a Family Absence Appeals Panel to determine a complaint.

The panel must consist of three members appointed by the local authority. Neither the chair of the local authority nor the presiding member of a local authority may be appointed to the panel.

Political Balance

It should be noted that the absence of a member for family absence reasons should not trigger any temporary reallocation of representation in accord with the rules in relation to political balance. For such calculations, the member should be treated as a full member of the council and therefore any permitted substitution should be open only to a member of the same political group.



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Agenda Item 26

Cabinet and Council only

Date signed off by the Monitoring Officer: 22.01.24

Date signed off by the Section 151 Officer: 22.01.24

Committee: **Council (acting in its capacity as Corporate Trustee)**

Date of meeting: **25th January 2024**

Report Subject: **Application to Lease Club and Premises at Eugene Cross Park, Ebbw Vale**

Portfolio Holder: **Not applicable – Council Acting in its Role as Charity Trustee**

Report Submitted by: **Louise Horner – Team Manager Estates & Strategic Asset Management**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
16 Jan 2024	19/01/24						25/01/24	

1. Purpose of the Report

- 1.1 To obtain the approval of the Council (acting as Trustees of the Ebbw Vale Recreation Grounds and Institute – Charity No. 524340) to the lease of Eugene Cross Park Clubhouse, Changing Room, Stand, Terracing and 3 no. Pitches, shown edged red on the plan attached to Appendix 1 to Eugene Cross Park Sports Limited.

2. Scope and Background

- 2.1 The Council's ownership of Ebbw Vale Recreation Grounds and Institute (EVRGI) is governed by a Conveyance dated 12th July 1948 and a Scheme of the Charity Commission made on 12th October 1987.
- 2.2 Eugene Cross Park Sports Limited (ECPSL), a company limited by guarantee and set up on 1st March 2019, is seeking to take a lease of the clubhouse, changing rooms, stand and 3 pitches based on a 35 year term. Its Articles of Association state that the purpose of the Company is "the advancement of sport and promotion of community participation in healthy recreation for the benefit of the inhabitants of Ebbw Vale and the surrounding area in particular by the provision of facilities for all genders for boxing, football, and rugby". The Articles show it to be a not-for-profit company as "all surplus income or profits of the Company are to be reinvested in the Company. No surpluses or assets will be distributed to members or third parties".
- 2.3 The property that ECPSL is seeking to lease forms part of a larger holding all of which must be used in accordance with the objects of the Charity which state that the land shall be "... recreation grounds for the use of the inhabitants of the Community of Ebbw Vale..." As such, in charitable terms the land is termed "designated land" i.e. designated for the above purposes. As the land within the proposed disposal (lease) will not be replaced, it will be necessary to make an application to the Charities Commission for consent to the lease.

2.4 A charity who wishes to dispose of an interest in land exceeding a term of 7 years must act in accordance with the Charities Act 2011. The general requirements of the Act are as follows:

- Obtain and consider a written report on the proposed disposition from a qualified surveyor instructed by the Council as trustee and acting exclusively for the relevant charity.
- the proposals are advertised on site and within local newspapers.
- a report together with any representations are submitted and agreed by Council acting as Trustees that they are satisfied, having considered the surveyor's report, that the terms on which the disposition is proposed to be made are the best that can reasonably be obtained for the charity.
- and the subsequent request to the Charity Commission to affect such disposals are approved and their consent provided.

2.5 In accordance with the Act the appropriate advice of a Royal Institution of Chartered Surveyor on the method and terms of the proposed lease was procured from the Valuation Office Agency to ascertain a market rental valuation of the land. It is the opinion of the surveyor that the land in question has a market rental value of £13,400 per annum and, taking into account the tenant's repairing liability in the proposed lease, that the value of the lease is £1 (one pound).

2.6 On 19th December 2023 the Council advertised the intention to grant a lease to ECPSL on site and in the local newspapers seeking representations to be made in writing by 22 January 2024. No representations have been made for Trustees to consider.

2.7 If the Council acting as Trustees confirm their agreement to this proposal, a further application will also need to be made to the Charity Commission under section 105 of the Charity Act 2011 seeking their consent to grant the lease on the terms agreed.

2.8 The Council has already granted ECPSL a Tenancy at Will of the land and buildings in question and it continues to be operated by the Company for sporting purposes. The Company has strengthened its Board, with its directors representing the wider community, including two directors from rugby; two from boxing; and one from the local community. This structure will ensure that the objects of the Charity are met and that the use of the property is not sport specific. We have been advised that this is a requirement of the Charity Commission if they are to approve the request to enter into a lease with ECPSL.

3. **Options for Recommendation**

Two options are suggested for consideration: -

3.1 **Option 1 (preferred option)**

The Council as Charitable Trustees decide that they are satisfied, having considered the surveyor's report, a copy of which is attached at Appendix 2, that the terms of the proposed disposition are the best that can reasonably be obtained for the Charity and agrees the

principle of the proposed lease of the area of land and buildings shown edged red on the plan attached to Appendix 1 for a term of thirty-five years subject to:

- i) ECPSL paying a one-off premium of £1.00.
- ii) Successfully obtaining the consent of the Charity Commission to the lease, which must be obtained prior to the lease being legally completed.

Option 2

3.2 The Council as Charitable Trustees do not agree to the lease of the site to ECPSL and seeks to terminate the current Tenancy at Will granted to the ECPSL, with the subject property returning to the management of Blaenau Gwent County Borough Council acting as Trustees.

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

For the purposes of this report, the Council is not acting in its “normal” role as the local authority for the area. It is acting in its role as the Trustee which requires all decisions to be in the best interests of the charity and its given role. That said, the Corporate Plan is in many ways aligned to the same outcomes and for that reason, the documents that guide the Councils business are relevant to the issue facing Members.

The proposals within this report support the achievement of the priorities contained within the Corporate Plan 2022-2027, including:

- To respond to the nature and climate crisis and enable connected communities.
- An ambitious and innovative Council delivering quality services at the right time and in the right place.
- Empowering and supporting communities to be safe, independent and resilient

The proposal aligns with the Gwent Wellbeing Plan through the protection and enhancement of the natural environment and with the Marmot Principle to create and develop healthy and sustainable places and communities. In particular it encourages residents to take more responsibility for managing their own health and wellbeing.

5. Implications Against Each Option

5.1 *Impact on Budget (short and long term impact)*

Option 1 The transfer would relieve the Council, in their capacity as Trustees, of the maintenance and running costs of maintaining the Park, whilst supporting the objects of the Charity. More importantly, it would empower ECPSL to deliver the instruments and aims of the Charity.

The 35-year lease of the land will provide ECPSL with the necessary long term security of tenure to allow them to seek external funding to operate, maintain, improve, and develop the facilities for use by the local community.

Option 2 If the Council were to retain responsibility of delivering the aims of the Charity, this raises the question of whether BGCBC is the better alternative to a bespoke organisation that exists with the sole responsibility of delivering the leisure activities at the site. A budget would need to be identified to support the day to day management of the sports facilities, the running costs, and the backlog maintenance.

5.2 Risk including Mitigating Actions

Option 1 Any objections and challenges to the lease of the land would need to be considered by the Council as Charitable Trustees and by the Charity Commissioners in seeking an Order to permit the lease. Having advertised the intention to grant a lease, to date no representations have been made.

Option 2 If the approval for the lease is not obtained, ECPSL will not have the security they require to effectively manage the sports and recreation facility and will have limited opportunity to apply for grant funding to improve the facilities as funders usually require an interest in a property of at least 21 years. The Council acting as Trustees may consider entering into a management agreement with the company to run the facilities, but this will not give them any security of tenure and the ability to apply for grant funding.

5.3 Legal

The Council's Property Solicitor has procured external legal advice to consider the implications of the Council as Charitable Trustees and land ownership and has received detailed advice around any potential Charity disposal.

Should the Council acting as Trustees be minded agreeing the principal of the lease then the regulations around Charitable Disposals will need to be followed, these are broadly set out at Option 1.

5.4 Human Resources

Option 1 - There will be staff time in dealing with the application, Charity implications, negotiating terms and dealing with the agreements if approved. Should this option proceed, given the specialist nature of the proposed use, external legal support is likely to be required given its complexity.

Option 2 – The Council, acting as Trustee, would need to allocate resources to support the day to day management of the sports facilities; grounds maintenance; and in the management of the maintenance and repair obligations.

5.5 Health and Safety

N/A

6. Supporting Evidence

The proposed area has provided a base for community use for many years and this proposal will allow those uses to continue.

6.1 Performance Information and Data

N/A

6.2 Expected outcome for the public.

Option 1 Provides continued use and community benefit of sports grounds and facilities for the local community in accordance with the objects of the Charity.

Option 2 Uncertain future use owing to the need to invest in the property.

6.3 Involvement (consultation, engagement, participation)

The proposals to lease the site has been advertised in accordance with the Charities Act 2011, any representations around the proposed transfer have been considered at 2.6 above. Notices have been placed on site and local newspapers to ensure as many people as possible in the beneficial area have had the opportunity to see the notice.

6.4 Thinking for the Long term (forward planning)

The preferred proposal supports elements of the Council's Corporate Plan and the Wellbeing Plan. ECPSL will seek to secure wider use of the facilities by individuals and other sporting organisations which is demonstrated in the strengthening of their Board.

6.5 Preventative focus

The proposal will ensure continued community use of the facilities as well as supporting the development of funding bids to widen use for other sport and community use.

6.6 Collaboration / partnership working.

The Company will continue to work with local community to encourage use of the facilities.

6.7 Integration (across service areas)

The facilities will cease to be the responsibility of the Council. Delivery of the post transfer health and safety interventions with the new management of the premises will be undertaken by Officers from the Public Protection Service. Officers within the Technical Services Department will liaise with ECPSL to ensure statutory testing compliance.

6.8 Decarbonisation and Reducing Carbon Emissions

None identified at this stage. The Company is seeking to invest in energy efficient lighting and in the longer term, to invest in new buildings. In the event of option 2 being the preferred

option by the Council as Trustees, then the responsibility for delivering decarbonisation initiatives will rest with BGCBC.

6.9 Integrated Impact Assessment (IIA)

An IAA will be incorporated into a follow up report for consideration by the Council acting as Trustees once the Charity Commission has agreed to the transfer.

7. Monitoring Arrangements

The proposed lease will reserve rights of access for the Council to inspect the property and the Council will continue to work with the Company in developing its expansion plans and to offer support and assistance.

Background Documents /Electronic Links

- Appendix 1 – Plan showing area subject to application
- Appendix 2 – Valuation Report



Valuation Office
Agency

DVS Property Specialists
for the Public Sector

Valuation Report for
Eugene Cross Park
Ebbw Vale
NP23 5AZ



Report for:
Nia Morgan
Blaenau Gwent County
Borough Council

Prepared by:
Cheryl Barlow MRICS
Senior Surveyor
RICS Registered Valuer
DVS

Tel: 03000 502017

cheryl.barlow@voa.gov.uk

Case Number: 1834047

Date: 4 January 2024

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1. Introduction

I refer to your instructions dated 17 October 2023, confirmed 23 October 2023 and my Terms of Engagement dated 31 October 2023.

I have inspected and valued the property and I am pleased to report to you as follows.

2. Valuation Parameters

2.1 Identification of Client

Blaenau-Gwent County Borough Council.

2.2 Purpose of Valuation

It is understood that you require a valuation as your Local Authority are in the process of transferring all of their sporting grounds and pavilions to third sector organisations under the Community Transfer Policy. Your Local Authority hold these sites as Trustees and therefore you need to seek Charity Commission consent to their disposal.

The report will need to be prepared for the purposes of s119 of the Charities Act 2011 which provides that where a charity wishes to dispose of an interest in land exceeding a term of seven years a report must be obtained from a 'qualified surveyor'.

The report must include a range of information, laid down in the Charities (Qualified Surveyors Report) Regulations 1992.

It was noted a previous valuations were provided to you in March 2021 (ref: 1758042) and November 2022 (ref: 1806345). This subsequent report includes two detached playing fields which were not included within the previous valuations.

2.3 Subject of the Valuation

The property to be valued is Eugene Cross Park, which consists of the clubhouse, changing room and stand, terracing and 3 no. pitches.

2.4 Date of Valuation

The date of valuation is 4 January 2024.

Please note that values change over time and that a valuation given on a particular date may not be valid on an earlier or later date.

2.5 Confirmation of Standards

The valuation has been prepared in accordance with the professional standards of the Royal Institution of Chartered Surveyors: RICS Valuation – Global Standards and RICS UK National Supplement, commonly known together as the Red Book.

Compliance with the RICS professional standards and valuation practice statements gives assurance also of compliance with the International Valuations Standards (IVS).

Measurements stated are in accordance with the RICS Professional Statement '**RICS Property Measurement' (2nd Edition)**, and where relevant, the **RICS Code of Measuring Practice (6th Edition)**.

2.6 Agreed Departures from the RICS Professional Standards

As specifically requested by you, and as captured above with explanation, certain property has been reported upon using a measurement standard other than IPMS.

2.7 Basis of Value

The basis of value adopted is Market Value which is defined at VPS 4, para 4 as:

'The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.'

2.8 Special Assumptions

The following special assumptions have been agreed and will be applied. Each valuation is assuming a transfer of the property based on a Community Asset Transfer. These terms include the following assumptions:

1. That the Property will at all times hereafter be used for the purposes of a Community Facility and associated uses only.
2. That the Transferee shall not dispose of the whole or any part of their interest in the Property unless it has first offered to sell the whole of the Property to the Transferor.
3. If the Transferor shall not serve such notice as is stated in 2 above then the Transferee shall be free to dispose of their interest in the Property (subject to the terms of the lease) on the open market but any such disposal shall then be subject to the restriction stated in 1 above.
4. If the Transferee undertakes or enters into any Acts of Insolvency at any time during the term of the lease then the Transferor shall be entitled to repurchase the interest in the property (subject to the terms of the lease) for the same consideration as is stated herein by serving notice on the Transferee.

2.9 Nature and Source of Information Relied Upon

In addition to relying upon VOA held records and information. I have assumed that all information provided by, or on behalf of you, in connection with this instruction is

correct without further verification – for example, details of tenure, tenancies, planning consents, etc.

My advice is dependent upon the accuracy of this information and should it prove to be incorrect or inadequate, the accuracy of my valuation may be affected.

- Property details
- Condition Report provided by Property Data Solutions
- Copy of the proposed Heads of Terms
- Plans

2.10 Date of Inspection

The inspection was undertaken by Cheryl Barlow on 3 November 2023.

2.11 Extent of Investigations, Survey Restrictions and Assumptions

An assumption in this context is a limitation on the extent of the investigations or enquiries undertaken by the valuer. The following agreed assumptions have been applied in respect of your instruction, reflecting restrictions to the extent of our investigations.

- Such inspection of the property and investigations as the Valuer considered professionally adequate and possible in the particular circumstance was undertaken. This comprised undertaking an external inspection only of the property.
- No detailed site survey, building survey or inspection of covered, unexposed or inaccessible parts of the property was undertaken. The Valuer has had regard to the apparent state of repair and condition and assumed that inspection of those parts not inspected would neither reveal defects nor cause material alteration to the valuation, unless aware of indication to the contrary. The building services have not been tested and it is assumed that they are in working order and free from defect. No responsibility can therefore be accepted for identification or notification of property or services' defects that would only be apparent following such a detailed survey, testing or inspection.
- It has been assumed that good title can be shown, and that the property is not subject to any unusual or onerous restrictions, encumbrances or outgoing.
- It has been assumed that the property and its value are unaffected by any statutory notice or proposal or by any matters that would be revealed by a local search and replies to the usual enquiries, and that neither the construction of the property nor its condition, use or intended use was, is or will be unlawful or in breach of any covenant.
- Valuations include that plant that is usually considered to be an integral part of the building or structure and essential for its effective use (for example building services installations) but exclude all machinery and business assets that comprise process plant, machinery and equipment unless otherwise stated and required.

- It has been assumed that no deleterious or hazardous materials or techniques were used in the construction of the property or have since been incorporated. However, where an inspection was made and obvious signs of such materials or techniques were observed, this will be drawn to your attention and captured in this report.
- With regard to Reinforced Autoclaved Aerated Concrete (RAAC), you have not advised us that you are aware of the presence of RAAC and we have assumed that none is present.
- No access audit has been undertaken to ascertain compliance with the Equality Act 2010 and it has been assumed that the premises are compliant unless stated otherwise in this report.
- No environmental assessment of the property (including its site) and neighbouring properties has been provided to or by the VOA, nor is the VOA instructed to arrange consultants to investigate any matters with regard to flooding, contamination or the presence of radon gas or other hazardous substances. No search of contaminated land registers has been made.

However, where an inspection was made and obvious signs of contamination or other adverse environmental impact were visible this will have been advised to you, further instructions requested, and the observations captured in the report. Where such signs were not evident during any inspection made, it has been assumed that the property (including its site) and neighbouring properties are not contaminated and are free of radon gas, hazardous substances and other adverse environmental impacts.

Where a risk of flooding is identified during any inspection made, or from knowledge of the locality, this will be reported to you. The absence of any such indication should not be taken as implying a guarantee that flooding can never occur.

- No allowances have been made for any rights obligations or liabilities arising from the Defective Premises Act 1972.

3. Property Information

3.1 Situation

Eugene Cross Park is home to Ebbw Vale Rugby, Cricket and Bowls Club. The site's locality consists of predominantly residential and some green space with the Ebbw Vale town centre located 0.9 miles south where a number of well-known brands and amenities are provided. The site is located 2.4 miles south from Heads of the Valley highway which provides access to neighbouring towns within the valleys.

3.2 Description

The property consists of a 2-storey property comprising of rendered elevations under a sloping cladded roof. Internal includes suspended ceilings throughout,

carpets and concrete flooring. Windows consist of casement glazed windows with UPVC. Site also contains 2x outer blocks for food and medical centre, 2 x pitches with flood lighting, 1 x pitch without flood lighting and rugby stand with changing facilities underneath. Car parking and access roads are shared with the Cricket Club,

Pitch 1 floodlighting	2.2 acres (0.6 acres shared with the cricket ground)
Pitch 2 floodlighting	3.8 acre
Pitch 3 no floodlighting	4.2 acres
Total	10.2 acres

3.3 Tenure

Leasehold basis with a 35-year term.

3.4 Easements and Restrictions

I am not aware of any easements or restrictions which may adversely affect the market value of the subject properties. However, should such information be brought to my attention I reserve the right to alter my valuation accordingly.

3.5 Site Area

The site includes buildings and associated land extending to a total of 11.4 acres.

3.6 Defects and Repair

The property is in need of repair. A condition report has been provided by Property Data Solutions with details of the condition and estimated costs of maintenance and repair works.

3.7 Services

I understand that all mains services are available within the immediate vicinity of the property.

3.8 Access and Highways

The site can be accessed via a number of different entrances. The top entrance can be found via Newchurch Road, providing access to the east stand whilst the bottom entrance via Pont-y-Gof provides access to the Rugby Club. Both Newchurch Road and Pont-y-Gof are Local Authority adopted and maintained highways.

3.9 Energy Performance Certificate

At the time of the valuation, I have not had sight of an energy performance certificate.

3.10 Planning

I have made no enquiries of the Planning Authority and no information has been received on the property's planning status and potential.

3.11 Equality Act 2010

Whilst I have had regard to the provisions of the Equality Act 2010 in making this report, I have not undertaken an access audit nor been provided with such a report. It is recommended that you commission an access audit to be undertaken by an appropriate specialist in order to determine the likely extent and cost of any alterations that might be required to be made to the premises or to your working practices in relation to the premises in order to comply with the Act.

3.12 Mineral Stability

The property is situated in an underground mining area and in view of the possibility of mine workings there is an increased risk of the stability of the property being adversely affected which would normally have been investigated by the Agency's Mineral Valuer to determine the extent of any problem.

However, this valuation has been made in accordance with the terms of the agreement dated 31 October 2023 between us, in which you have instructed the Agency to assume that:

- (1) that the property is not affected by any mining subsidence, and
- (2) that the site is stable and would not occasion any extraordinary costs with regard to Mining Subsidence.

Accordingly, the Agency has not obtained an Underground Mining Subsidence Report and the HMRC Board, for and on behalf of the Valuation Office Agency, can give no warranty, representation or assurance whatsoever as to matters which might reasonably be expected to have been disclosed by such a report.

You have agreed to waive, (and any third party seeking to rely on this valuation shall be treated as having waived), any claim which you might otherwise have had against the Board, the Agency or any of their employees for negligence or breach of contract arising from any loss or damage suffered as a result of the fact that this valuation, on your specific instructions, has taken no account of any matters which might reasonably be expected to be disclosed by an Underground Mining Subsidence Report.

3.13 Environmental Factors Observed or Identified

Asbestos may be present in the construction of the buildings. While this material remains intact and in good condition the asbestos fibres are likely to be safe, but specialist advice should be sought in the event of alteration, maintenance or demolition.

3.14 Rateable Value

With effect from 1 April 2023 the RV for Eugene Cross Park Sports is £27,500.

3.15 Minimum Energy Efficiency Standards (MEES)

In respect of non-exempt domestic and non-domestic property rental properties in England and Wales, I advise as follows.

We have not been provided with an up-to-date EPC rating for this property and, as such, our valuation is based on the assumption that the subject property will meet the minimum requirements laid down by the Energy Act 2011 and its Regulations and that there will be no adverse impact on value and marketability. It is advisable to obtain an expert's opinion regarding whether an EPC should be commissioned and if the building is likely to meet with the legislative requirements.

4. Valuation

4.1 Valuation Methodology / Approach and Reasoning

Similarly, to the previous valuations, I have approached this valuation using the investment and comparable methods of valuation.

The subject site is used for community purposes, providing rugby facilities within the local community of Ebbw Vale. I have considered the site on this basis as I am of the opinion that this is the best and most appropriate use for this site given the locality. Rental evidence for this type of land use is very limited within the local area and therefore, I had conducted a search within the wider locality for sporting and community grounds.

Rental evidence collected and calculated from recent values achieves a value of between £175 and £2,564 per acre. The higher end of the scales relates to sites that include changing facilities and appear to be located within more desirable areas such as Bristol and Cardiff which typically achieve higher values compared to the locality of the subject site. The most recent transactions found were dated May 2023 and January 2022. These sites were located in Bristol and achieved values at the higher end of the scale of just over £2,000 per acre.

Overall, Blaenau Gwent is typically a lower value area compared to the remainder of the evidence where it would be expected to sit towards the lower end of the scale. These lower values range between £175 to £565 without any facilities and £1,000 to £2,500 reflecting additional buildings and changing facilities on site. However, as there are three rugby pitches associated with the buildings and changing facilities it would be appropriate to reflect the values of these elements separately and not as a combined rate.

Due to the lack of rental evidence in the immediate area I have also considered local market knowledge and previous valuations undertaken within DVS. I am of the opinion the valuation split between land and facilities/clubhouse element for the site. Floodlit land would be expected to achieve £500 per acre, whilst non-floodlit land would be expected to achieve £350 per acre. £10 per square metre for the clubhouse and £5 per metre for the rugby stand and outer buildings.

I have adopted a rent as analysed above, then capitalising by the term of the lease at 9.25%. This rate is reflecting the repairing liability and lack of demand for this use and the current economic issues the UK currently faces. This is in line with our previous report carried out by Ophelia Avent in November 2022.

I have considered the Eugene Cross Park condition survey report undertaken by Property Data Solutions in December 2023. This report has provided the forecast expenditure needed for the whole property based on the conditional survey but has not included any costs associated with the pitches. The costs are categorised by property 1 - works required within 1 year, Priority 2 - works required within 2 years and Priority 3 - works required within 3–5 years. A summary of the costs are as follows:

Type	Cost
Priority 1 (works within 1 year)	£1,896
Priority 2 (works within 2 years)	£103,303
Priority 3 (works within 3-5 years)	£958,792
Total	£1,063,991

For our previous reports in 2021 and 2022 we had been provided with a maintenance cost figure of £49,467 which we added 15% contingency to reflect uncertainty. These revised costs are significantly higher than those previously reflected within our valuations.

I have had regard to the Heads of Terms and note that the terms are onerous. The property is required to be redecorated internally in the fifth year of the term and every five years thereafter, and externally in the third year of the term and every three years thereafter. It also states that the tenant is to replace Landlord's fixture and fittings which may become beyond repair at any time during or at the expiration of the Term.

The condition report includes items such as fixed furniture and fittings which total an additional £509,537. Comments associated with this item notes that the fixed seating within the grandstand is approaching end of life, therefore has increased the costs within this condition report considerable. Due to the details noted within the Heads of Terms I am of the opinion such costs should still be deducted as part of the full maintenance costs. I do not have any information on costs associated with the three rugby pitches. Although cost doesn't equate to value, the total maintained costs here are so substantial in the sum of £1,063,991 I am mindful of the negative impact of these costs on the valuation as shown below:

Floodlit pitch	5.4 acre	£500	£2,700
Non-floodlit pitch	4.8 acre	£350	£1,680
Club House	500m2	£10	£5,000
Rugby stand and outer buildings	804m2	£5	£4,020
Total rent	£13,400/annum		
YP 35yrs @ 9.25%	£138,315		
Less maintenance	£1,063,911		
Value		-£925,596	

In my view taking into consideration the above approach the valuation of the long leasehold interest in this site is **£1**.

I have also collected comparable evidence in order to cross check values where appropriate. Evidence is limited within the immediate locality and therefore I have widened search parameters and analysed accordingly.

Sales evidence of achieved values ranges between £10,987 and £723,888 per acre, dependent on size and location. Similarly, to the rental evidence, the higher values appear to relate to sites that are in a more prominent location of Gloucester and Bristol. Although the subject site is being leased for a 35 years term, I would expect the valuation prior to the deduction of maintenance cost to be at the lower end of the rates that this evidence suggest.

Taking a holistic view of the comparable evidence and my analysis, I am of the opinion that the market value for the leasehold interest of the property, subject to the Head of Terms and Condition report provided is £1.

4.2 Comparable Evidence

Address	Type	Acres	Effective Date of Rent	Rent	£ per acre
Cricket Ground, St Mellons, Cardiff	Cricket ground	4.20	May-23	£1,350	£321
RFC, Ammanford	Sports ground and premises	3.90	May-23	£10,000	£2,564
Cricket Club Combe Park Bath	Cricket ground	3.60	Dec-22	£7,438	£2,066
Sports and Social Club, Stoke Gifford, Bristol	Sports ground and premises	5.40	Dec-22	£9,385	£1,738
Wickwar Road Chipping Sodbury Bristol	Clubhouse and tennis courts	0.70	Jun-22	£700	£1,000
Cricket Ground, Barry	Sports ground and premises	5.70	Mar-22	£1,000	£175
Playing Field & Premises Badminton	Sports ground and premises	4.25	Feb-22	£2,400	£565
Tennis club, Swan Road, Glos	Clubhouse and tennis courts	1	Jan-22	£1,143	£1,632

Address	Type	Acre	Transaction Date	Price £	Analysis / Adjustment
Cricket Club, Corntown Road, Bridgend,	Club and premises	7.30	May 2022	£125,000	Equates to £17,123 per acre. A cricket ground which appears to have parking and indoor facilities. Surrounded by woodlands and is adjacent to Corn town Road.
RFC, Cribbs Causeway, Bristol	Sports ground	3.50	Dec 2020	£250,000	Equates to £71,428 per acre. Has a current RV of £39,250. Sits within a group of playing fields along with residential areas. The large shopping mall Cribbs Causeway.
Merthyr Rugby Club	Club and Premises	0.18	July 2020	£130,300	Equates to £723,888 per acre – analysis is off scale due to the size of the premises being significantly smaller Equates to £178 per square metre.
Crown Estates, Taunton	Land	29.17	Sep 2018	£408,000	Equates to £13,987 per acre. Taunton Deane applied for a change of use tow recreation and paid for costs of brining land into use by the public. Large area therefore quantum allowance.
David Hook Way, Hemsted Meadows, Gloucester	Amenity	3.41	June 2018	£100,000	Equates to £29,325 per acre. It is my opinion that this evidence suggests a higher value as it is located within Gloucester. Land values within locations such as this are expected to be higher than South Wales due to general market conditions. Furthermore this site is located adjacent to existing sporting clubs.
Land Adjoining Taunton Racecourse, Taunton	Land	30.49 Acres	Aug 2016	£335,000	Extends to 12.34 ha / 30.49 acres thus equates to £10,987 per acre. Located opposite the racecourse and adjoining the car parking.

4.3 Opinion of Value

I am of the opinion that the Market Value of the leasehold interest in Eugene Cross Park is **£1 (One Pound)** as at 4 January 2024.

This valuation assumes a transfer of the property based on a Community Asset Transfer and has been completed with reference to the Heads of Terms and Condition Report provided. This valuation has also been prepared on the basis of the following agreed special assumptions:

1. That the Property will at all times hereafter by used for the purposes of a Community Facility and associated uses only.
2. That the Transferee shall not dispose of the whole or any part of their interest in the Property unless it has first offered to sell the whole of the Property to the Transferor.
3. If the Transferor shall not serve such notice as is stated in 2 above then the Transferee shall be free to dispose of their interest in the Property (subject to the terms of the lease) on the open market but any such disposal shall then be subject to the restriction stated in 1 above.
4. If the Transferee undertakes or enters into any Acts of Insolvency at any time during the term of the lease then the Transferor shall be entitled to repurchase the interest in the property (subject to the terms of the lease) for the same consideration as is stated herein by serving notice on the Transferee.

4.4 Currency

All prices or values are stated in pounds sterling.

4.5 VAT

I understand that VAT does not apply to this transaction and my opinion of value reflects this. In the event that my understanding is found to be inaccurate, my valuation should be referred back for reconsideration.

4.6 Costs of Sale or Acquisition and Taxation

I have assumed that each party to any proposed transaction would bear their own proper legal costs and surveyor's fees.

No allowance has been made for liability for taxation, whether actual or notional, that may arise on disposal.

5. General Information

5.1 Status of Valuer

It is confirmed that the valuation has been carried out by Cheryl Barlow MRICS, a RICS Registered Valuer, acting in the capacity of an external valuer, who has the appropriate knowledge and skills and understanding necessary to undertake the valuation competently, and is in a position to provide an objective and unbiased valuation.

Formal case review was undertaken by Nicola Hall MRICS in capacity of Principal Surveyor and DVS Wales Team Leader.

5.2 Conflict of Interest

Checks have been undertaken in accordance with the requirements of the RICS standards and have revealed no conflict of interest. As previously disclosed, DVS has had previous material involvement with the property, which has been drawn to your attention. The details are as follows: Market Value Report undertaken by Sharon Short in March 2021 (Ref: 1758042). Market Value Report undertaken by Ophelia Avent in November 2022 (Ref: 1806345). I confirm that this does not impact on my overriding obligation to act with independence and objectivity.

5.3 Restrictions on Disclosure and Publication

The client will neither make available to any third party or reproduce the whole or any part of the report, nor make reference to it, in any publication without our prior written approval of the form and context in which such disclosure may be made.

5.4 Limits or Exclusions of Liability

Our valuation is provided for your benefit alone and solely for the purposes of the instruction to which it relates. Our valuation may not, without our specific written

consent, be used or relied upon by any third party, even if that third party pays all or part of our fees, directly or indirectly, or is permitted to see a copy of our valuation report. If we do provide written consent to a third party relying on our valuation, any such third party is deemed to have accepted the terms of our engagement.

None of our employees individually has a contract with you or owes you a duty of care or personal responsibility. You agree that you will not bring any claim against any such individuals personally in connection with our services.

5.5 Validity

This report remains valid for 3 (three) months from its date unless market circumstances change or further or better information comes to light, which would cause me to revise my opinion.

6. Charities Act

6.1 Background

Where a charity wishes to dispose of an interest in land exceeding a term of seven years a report must be obtained from a 'qualified surveyor' under s119 of the *Charities Act 2011*. The report must include a range of information, laid down in the Charities (Qualified Surveyors Report) Regulations 1992. RICS Red Book UK VPGA 8 'Valuation of Charity Assets' sets out the requirements and I report as follows:

6.2 Measurement of the relevant land [UK VPGA 8.2 para 3]

The area contained in the deed of conveyance is described as approximately 11.4 acres.

6.3 Current use of the land [UK VPGA 8.2 para 3]

A sports and recreation facility with ancillary uses normally associated with the same for the community of Ebbw Vale and the neighbourhood.

6.4 Number of buildings included in the land [UK VPGA 8.2 para 3]

Clubhouse, Changing Room, Stand and two outer blocks.

6.5 Measurements of the building [UK VPGA 8.2 para 3]

According to our in-house digital mapping system, the Gross External Area as defined in RICS property measurement guidance of the footprint of the buildings are 1,304/sqm.

6.6 Length of the lease and the period of this which is outstanding [UK VPGA 8.2 para 4]

35 years

6.7 Rent payable under the lease [UK VPGA 8.2 para 4]

Market rent or premium as advised by the District Valuer acting on behalf of the Charity, to be paid on completion of the lease and each anniversary of the date of completion.

6.8 Any Service Charge payable [UK VPGA 8.2 para 4]

n/a

6.9 Provisions in the lease for any review of the rent payable under it, or any Service Charge payable [UK VPGA 8.2 para 4]

The tenant is responsible for the repairing liability.

6.10 Liability under the lease for repairs and dilapidations [UK VPGA 8.2 para 4]

To keep the Property in good and substantial repair and condition.
To replace Landlord's fixtures and fittings which may become beyond repair at any time during or at the expiration of the Term.

Not to cause the Property to become untidy or dirty but at all times to keep it free from deposits of materials and refuse and to maintain the pitches and grassed areas in a good state of repair and condition free from deposits and refuse.

Condition Report undertaken by Property Data Solutions in December 2023 forecast the expenditure needed for the whole property to be £1,063,991 within the next 5 years.

6.11 Any other provision in the lease which in the opinion of the surveyor affects the value of the relevant land [UK VPGA 8.2 para 4]

In my view reflecting the current uses of each building it would not be in the interest of the Charity to alter any of the buildings prior to disposition.

6.12 Information on whether the relevant land is subject to the burden of, or enjoys the benefit of any easement or restrictive covenant, or is subject to any annual sum charged on, except rent reserved by a lease or tenancy [UK VPGA 8.2 para 5]

n/a

6.13 Information on any buildings included in the relevant land [UK VPGA 8.2 para 6]

n/a

6.14 Advice on whether it would be in the best interests of the Charity to alter buildings included in the relevant land prior to disposition [UK VPGA 8.2 para 7]

n/a

6.15 Advice as to the manner of disposing of the relevant land [UK VPGA 8.2 para 8]

Based on the details that have been provided I am of the opinion that the disposal of the above mentioned land which is intended to transfer by way of disposal is reasonable.

The transfer of the asset from the Charities ownership requires advertising to comply with the Charities Act 2011 s 199. I see no reason as to why your usual requirements for disposal should not apply.

6.16 Opinion of the current value of the relevant land [UK VPGA 8.2 para 9]

The value of the relevant land, or what the rent under the proposed disposition would be £1 (one pound).

6.17 In Cases where it is Relevant and the Surveyors feels Competent to Do So [UK VPGA 8.2 para 10]

n/a

6.18 Where the Surveyor is of the opinion that the proposed disposition is not in the best interest of the Charity [UK VPGA 8.2 para 11]

n/a

I trust that the above report is satisfactory for your purposes. However, should you require clarification of any point do not hesitate to contact me further.

Identity and status: The valuer responsible for the valuation is Cheryl Barlow.

Report reviewed by:



Nicola Hall MRICS
Principle Surveyor
RICS Registered Valuer
DVS

Date: 4 January 2024

Signed



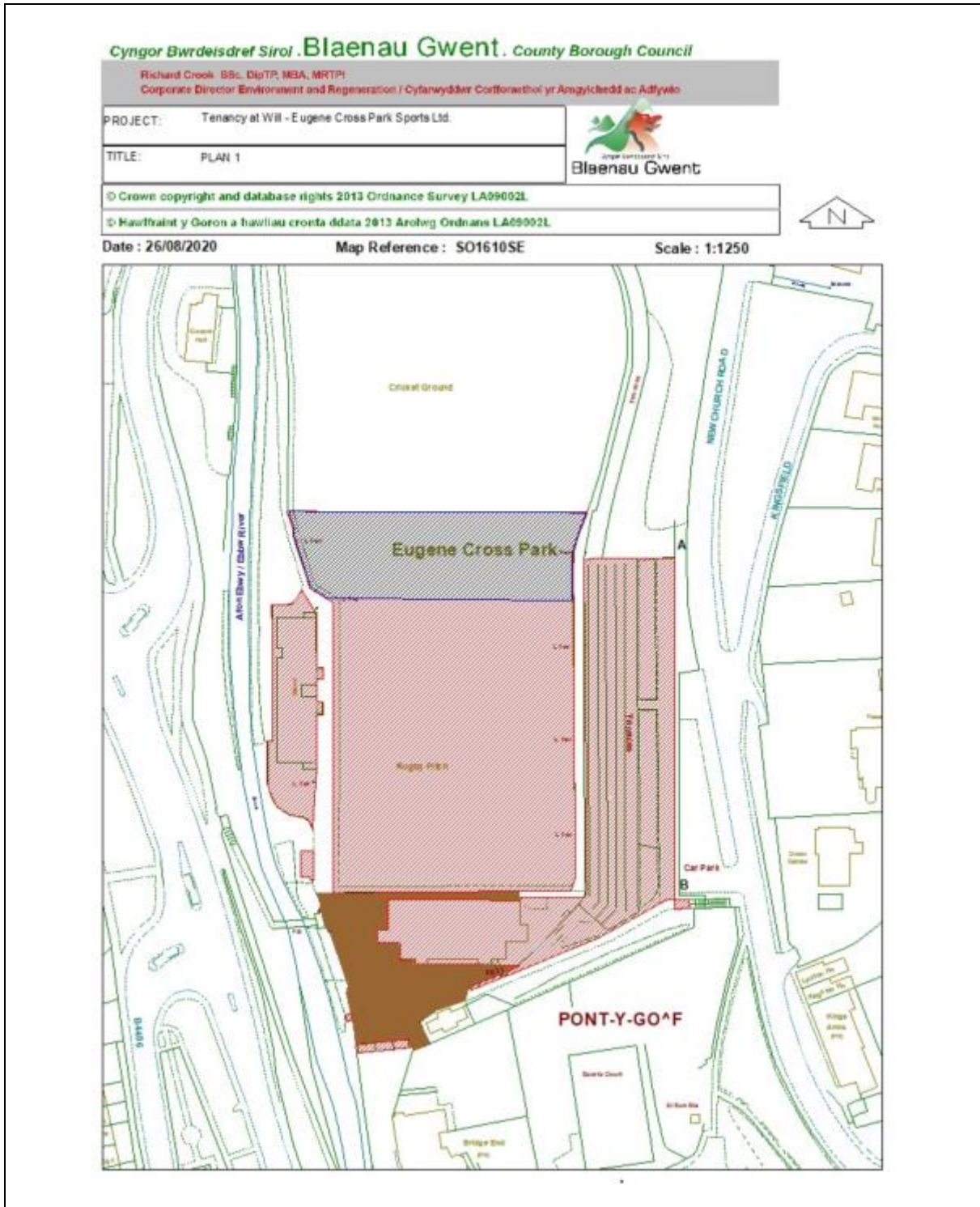
Cheryl Barlow MRICS
Senior Surveyor
RICS Registered Valuer
DVS

7. Appendices

7.1 Photographs



7.2 Plans



Cyngor Bwrdeistref Sirol Blaenau Gwent, County Borough Council

Richard Crook: BSc, DipTP, MBA, MRTPI
Corporate Director Environment and Regeneration / Cyfarwyddwr Corfforaethol yr Amgylchedd ac Adfywio

PROJECT: Tenancy at Will - Eugene Cross Park Sports Ltd.

TITLE: PLAN 2



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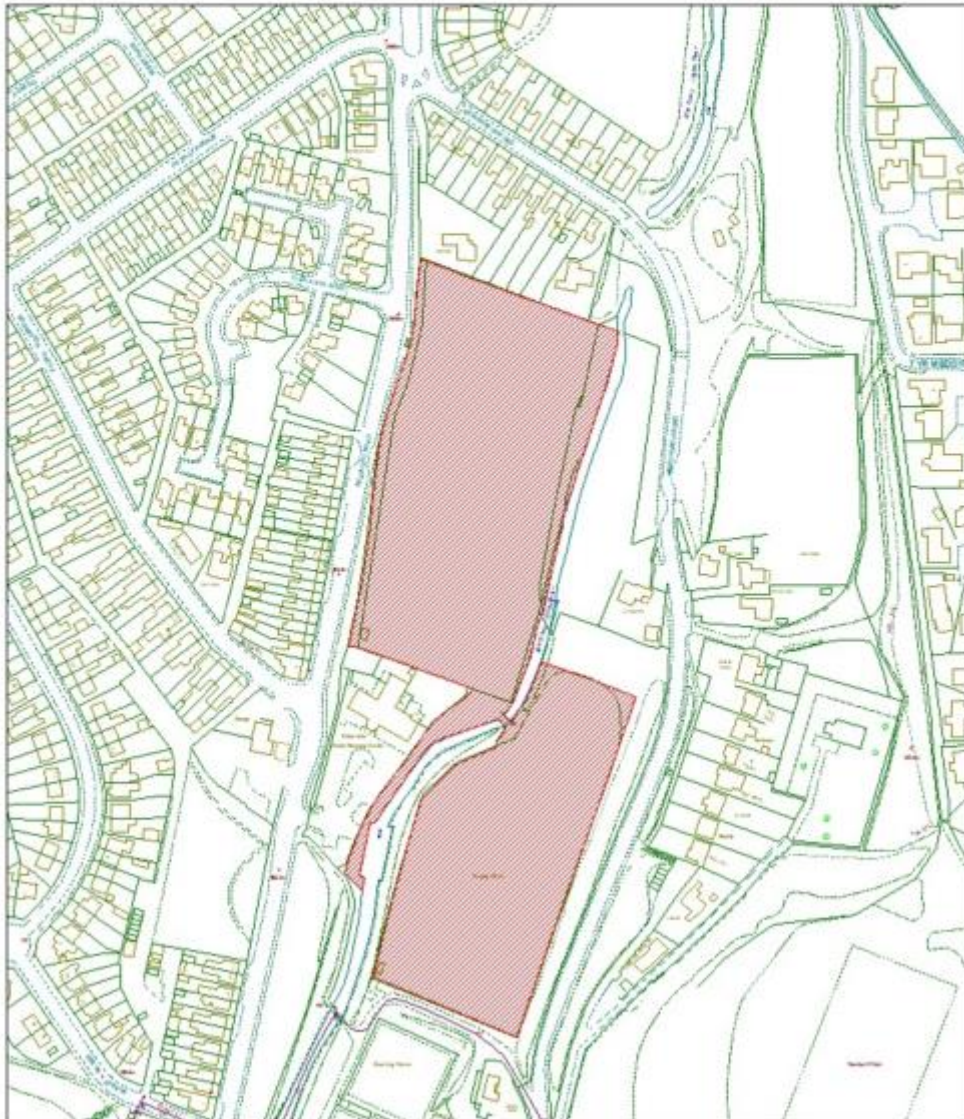
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Date : 26/08/2020

Map Reference : SO1610NE

Scale : 1:2500



8. Extract from Statutory Instrument 1992 No. 2980 Information

The Charities (Qualified Surveyors' Reports) Regulations 1992

Schedule: Information to be Contained in, and Matters to be Dealt with by, Qualified Surveyors' Reports

1. (a) A description of the relevant land and its location, to include-
 - (i) the measurements of the relevant land;
 - (ii) its current use;
 - (iii) the number of buildings (if any) included in the relevant land;
 - (iv) the measurements of any such buildings; and
 - (v) the number of rooms in any such buildings and the measurements of those rooms.
- (b) Where any information required by sub-paragraph (1) above may be clearly given by means of a plan, it may be so given and any such plan need not be drawn to scale.
2. Whether the relevant land, or any part of it, is leased by or from the charity trustees and, if it is, details of
 - (a) the length of the lease and the period of it which is outstanding;
 - (b) the rent payable under the lease;
 - (c) any service charge which is so payable;
 - (d) the provisions in the lease for any review of the rent payable under it or any service charge so payable;
 - (e) the liability under the lease for repairs and dilapidations; and
 - (f) any other provision in the lease which, in the opinion of the surveyor, affects the value of the relevant land.
3. Whether the relevant land is subject to the burden of, or enjoys the benefit of, any easement or restrictive covenant or is subject to any annual or other periodic sum charged on or issuing out of the land except rent reserved by a lease or tenancy.
4. Whether any buildings included in the relevant land are in good repair and, if not, the surveyor's advice-
 - (a) as to whether or not it would be in the best interests of the charity for repairs to be carried out prior to the proposed disposition;
 - (b) as to what those repairs, if any, should be; and
 - (c) as to the estimated cost of any repairs he advises.

5. Where, in the opinion of the surveyor, it would be in the best interests of the charity to alter any buildings included in the relevant land prior to disposition (because, for example, adaptations to the buildings for their current use are not such as to command the best market price on the proposed disposition), that opinion and an estimate of the outlay required for any alterations which he suggests.
6. Advice as to the manner of disposing of the relevant land so that the terms on which it is disposed of are the best that can reasonably be obtained for the charity, including
 - (a) where appropriate, a recommendation that the land should be divided for the purposes of the disposition;
 - (b) unless the surveyor's advice is that it would not be in the best interests of the charity to advertise the proposed disposition, the period for which and the manner in which the proposed disposition should be advertised;
 - (c) where the surveyor's advice is that it would not be in the best interests of the charity to advertise the proposed disposition, his reasons for that advice (for example, that the proposed disposition is the renewal of a lease to someone who enjoys statutory protection or that he believes someone with a special interest in acquiring the relevant land will pay considerably more than the market price for it); and
 - (d) any view the surveyor may have on the desirability or otherwise of delaying the proposed disposition and, if he believes such delay is desirable, what the period of that delay should be.
7. (a) Where the surveyor feels able to give such advice and where such advice is relevant, advice as to the chargeability or otherwise of value added tax on the proposed disposition and the effect of such advice on the valuations given under paragraph 8 below.
 - (b) Where either the surveyor does not feel able to give such advice or such advice is not in his opinion relevant, a statement to that effect.
8. The surveyor's opinion as to:-
 - (a) the current value of the relevant land having regard to its current state of repair and current circumstances (such as the presence of a tenant who enjoys statutory protection) or, where the proposed disposition is a lease, the rent which could be obtained under it having regard to such matters;
 - (b) what the value of the relevant land or what the rent under the proposed disposition would be-
 - (i) where he has given advice under paragraph 4 above, if that advice is followed; or
 - (ii) where he has expressed an opinion under paragraph 5 above, if that opinion is acted upon; or

- (iii) if both that advice is followed and that opinion is acted upon;
 - (c) where he has made a recommendation under paragraph 6(a) above, the increase in the value of the relevant land or rent in respect of it if the recommendation were followed;
 - (d) where his advice is that it would not be in the best interests of the charity to advertise the proposed disposition because he believes a higher price can be obtained by not doing so, the amount by which that price exceeds the price that could be obtained if the proposed disposition were advertised; and;
 - (e) where he has advised a delay in the proposed disposition under paragraph 6(d) above, the amount by which he believes the price which could be obtained consequent on such a delay exceeds the price that could be obtained without it.
9. Where the surveyor is of the opinion that the proposed disposition is not in the best interests of the charity because it is not a disposition that makes the best use of the relevant land, that opinion and the reasons for it, together with his advice as to the type of disposition which would constitute the best use of the land (including such advice as may be relevant as to the prospects of buying out any sitting tenant or of succeeding in an application for change of use of the land under the laws relating to town and country planning etc).

Richard Crook BSc, DipTP, MBA, MRTPI
Corporate Director Environment and Regeneration / Cyfarwyddwr Corfforaethol yr Amgylchedd ac Adfywio

PROJECT:	Tenancy at Will - Eugene Cross Park Sports Ltd.
TITLE:	PLAN 1



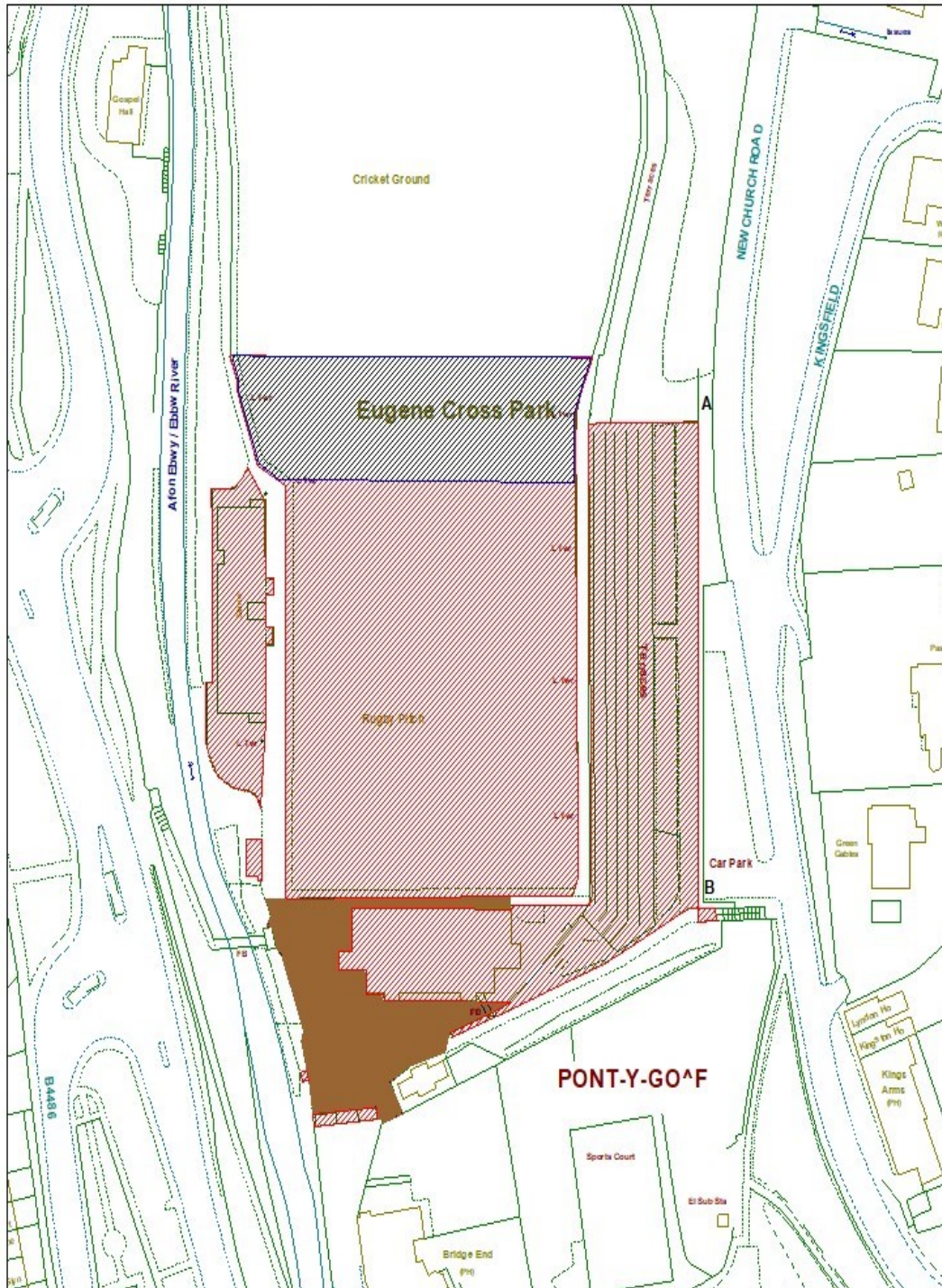
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Map Reference : SO1610SE

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