

25th November 2014

Dear Councillor

CABINET

You are requested to attend a **Cabinet** meeting to be held at **The Council Chamber, County Hall, Rhadyr, Usk, NP15 1GA on Wednesday, 3rd December 2014, at 2.00 p.m.**

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Special Strong Communities Minutes 24th November 2014 – Call-in of ‘Building the establishment and capacity for enterprise’ (copy attached).
4. To consider the following reports (copies attached):
 - (i) **TARGET SETTING AT A TIME OF CONTRACTING BUDGETS**
Division/Wards Affected: All
Purpose: 1. To seek approval to mid-year revisions to a number of targets contained in the Council’s Improvement Plan and Outcome Agreement with Welsh Government and to re-state existing targets to ensure absolute clarity on expected performance and 2. To remind members of past performance against key performance indicators and ensure that members consider the likely impact of budget decisions the trajectory of future performance.
Author: Policy and Performance Team
Contact Details: matthewgatehouse@monmouthshire.gov.uk
 - (ii) **FRIENDSHIP AGREEMENT WITH XIANGSHAN COUNTY, CHINA**
Division/Wards Affected: All
Purpose: To propose the development of an international relationship with Xiangshan Local Government in China, which includes the signing of a ‘Friendship Agreement’ to share best practice and inform opportunities around culture, tourism and economic development.
Author: Kellie Beirne – Chief Officer, Enterprise
Contact Details: kelliebeirne@monmouthshire.gov.uk

iii) **REVENUE & CAPITAL BUDGET MONITORING 2014/15 MONTH 6 OUTTURN FORECAST STATEMENT**

Division/Wards Affected: Countywide

Purpose: 1.To provide Members with information on the forecast outturn position of the Authority at the end of month 6 for the 2014/15 financial year. 2. It also seeks to provide summary performance indicator information alongside financial data to allow Members a better opportunity to consider how services are provided and whether resources are being utilised efficiently.

Author: Mark Howcroft - Assistant Head of Finance

Contact Details: markhowcroft@monmouthshire.gov.uk

(iv) **COUNCIL TAX BASE 2016/18 AND ASSOCIATED MATTERS**

Division/Wards Affected: Chief Executives - Finance

Purpose: To agree the Council Tax base figure for submission to Welsh Government, together with the collection rate to be applied for 2015/16 and to make other necessary related statutory decisions.

Authors: Joy Robson – Head of Finance / Sue Deacy – Systems and Performance Manager, Revenue Section

Contact Details: joyrobson@monmouthshire.gov.uk / suedeacy@monmouthshire.gov.uk

(v) **MONMOUTHSHIRE LOCAL DEVELOPMENT PLAN AFFORDABLE HOUSING SUPPLEMENTARY PLANNING GUIDANCE**

Division/Wards Affected: All

Purpose: The purpose of this report is to seek Cabinet's endorsement of Draft Supplementary Planning Guidance (SPG) on Affordable Housing to support the policies of the Monmouthshire Local Development Plan (LDP), with a view to issuing for consultation purposes and to recommend to Council accordingly.

Author: Martin Davies – Development Plans Manager

Contact Details: martindavies@monmouthshire.gov.uk

(vi) **RECYCLING REVIEW**

Division/Wards Affected: All

Purpose: To seek Cabinet agreement on the proposed way forward for the Recycling Review including the decision on the future of recycling collections in Monmouthshire to align with the revised Waste Framework Directive (rWFD) requirements for separate collections (subject to conditions) by January 2015.

Authors: Rachel Jowitt – Head of Waste and Street Services / Amy Bowen – Senior Policy and Performance Officer

Contact Details: racheljowitt@monmouthshire.gov.uk / amybowen@monmouthshire.gov.uk

(vii) **ANAEROBIC DIGESTION, MEMORANDUM OF UNDERSTANDING**

Division/Wards Affected: All

Purpose: To seek approval for:

a) the Head of Waste & Street Services to conclude negotiations for MCC to enter into a Memorandum of Understanding with the Heads of the Valleys Partnership to progress the development of an Outline Business Case for the delivery of appropriate food waste treatment (via Anaerobic Digestion) in the region;

b) the Cabinet Members for County Operations (Cllr Bryan Jones) and Finance (Phil Murphy) be appointed to the Joint Committee.

Author: Rachel Jowitt – Head of Waste and Street Services

Contact Details: racheljowitt@monmouthshire.gov.uk

(viii) **USE OF 2013-14 EDUCATION ACHIEVEMENT SERVICE UNDERSPEND**

Division/Wards Affected: All

Purpose: 1. To provide members with an update on the proposed use of the 2013-14 underspend from the Education Achievement Service (EAS).
2. To seek approval to transfer the £69,000 underspend back to the EAS for the uses detailed in this report. 3. The total underspend for the EAS was £534,528 the MCC share of this was £69,000.

Author: Nikki Wellington – CYP Finance Manager

Contact Details: nicolawellington@monmouthshire.gov.uk

(ix) **MANAGEMENT OF COMMERCIAL OBSTRUCTIONS ON THE HIGHWAY**

Division/Wards Affected: All

Purpose: To seek approval for the adoption of a policy titled 'Provision of a Management of Commercial Obstruction on the Highway'. The Policy will cover various occasions when a business wants to use the Public Highway for reason of benefit to that company. It will bring a consistency to the policy, both within MCC processes and the wider Local Authority community by using a specific licensing and charging mechanism for any organisation seeking to make use of the public highway.

Author: Steve Lane, Operations Manager, County Highways

Contact Details: stevelane@monmouthshire.gov.uk

(x) **WELSH CHURCH FUND WORKING GROUP**

Division/Wards Affected: All

Purpose: The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications for 2014/15 meeting 4 held on the 13th November 2014.

Author: David Jarrett – Central Finance Management Accountant

Contact Details: davejarrett@monmouthshire.gov.uk

Yours sincerely,

Paul Matthews
Chief Executive

CABINET PORTFOLIOS 2014

County Councillor	Area of Responsibility	Partnership and External Working	Ward
P.A. Fox (Leader)	Organisational Development Whole Council Performance, Whole Council Strategy Development, Corporate Services, Democracy.	WLGA Council WLGA Coordinating Board Local Service Board	Portskewett
R.J.W. Greenland (Deputy Leader)	Innovation, Enterprise & Leisure Innovation Agenda, Economic Development, Tourism, Social Enterprise, Leisure, Libraries & Culture, Information Technology, Information Systems.	WLGA Council Capital Region Tourism	Devauden
P.A.D. Hobson (Deputy Leader)	Community Development Community Planning/Total Place, Equalities, Area Working, Citizen Engagement, Public Relations, Sustainability, Parks & Open Spaces, Community Safety.	Community Safety Partnership Equalities and Diversity Group	Larkfield
E.J. Hackett Pain	Schools and Learning School Improvement, Pre-School Learning, Additional Learning Needs, Children's Disabilities, Families First, Youth Service, Adult Education.	Joint Education Group (EAS) WJEC	Wyesham
G. Howard	Environment, Public Services & Housing Development Control, Building Control, Housing Service, Trading Standards, Public Protection, Environment & Countryside.	SEWTA SEWSPG	Llanelly Hill
G. Burrows	Social Care & Health Adult Social Services including Integrated services, Learning disabilities, Mental Health. Children's Services including Safeguarding, Looked after Children, Youth Offending, Health and Wellbeing.	Gwent Frailty Board Older Persons Strategy Partnership Group	Mitchel Troy
P. Murphy	Resources Accountancy, Internal Audit, Estates & Property Services, Procurement, Human Resources & Training, Health & Safety.	Prosiect Gwrydd Wales Purchasing Consortium	Caerwent
S.B. Jones	County Operations Highways, Transport, Traffic & Network Management, Waste & Recycling, Engineering, Landscapes, Flood Risk.	SEWTA Prosiect Gwrydd	Goytre Fawr

Sustainable and Resilient Communities

Outcomes we are working towards

Nobody Is Left Behind

- Older people are able to live their good life
- People have access to appropriate and affordable housing
- People have good access and mobility

People Are Confident, Capable and Involved

- People's lives are not affected by alcohol and drug misuse
- Families are supported
- People feel safe

Our County Thrives

- Business and enterprise
- People have access to practical and flexible learning
- People protect and enhance the environment

Our priorities

- Schools
- Protection of vulnerable people
- Supporting Business and Job Creation

Our Values

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

**Minutes of the Special Meeting of the Strong Communities Select Committee
held at County Hall, Usk on
Monday 24th November 2014 at 10.00 a.m.**

PRESENT: County Councillor S.G.M. Howarth (Chairman)

County Councillors: A. Easson, D. Dovey, R. Edwards, P. Jordan, M. Powell, V.E. Smith, S. White and K. Williams

County Councillors P. Farley, R. Harris, P. Murphy and P. Hobson attended the meeting by invitation of the Chairman.

OFFICERS IN ATTENDANCE:

Ms. K. Beirne	- Chief Officer, Enterprise
Ms. D. Hill-Howells	- Head of Community Delivery
Mr. I. Saunders	- Head of Leisure, Tourism and Heritage
Mr. P. Davies	- Head of Commercial and People Development
Mrs. T. Harry	- Head of Democracy and Regulatory Services
Miss H. Ilett	- Scrutiny Manager
Mrs. N. Perry	- Democratic Services Officer

APOLOGIES FOR ABSENCE

1. Apologies for absence were received from County Councillors S. Jones.

DECLARATIONS OF INTEREST

2. There were no declarations of interest.

CALL-IN OF CABINET DECISION REGARDING 'BUILDING THE ESTABLISHMENT AND CAPACITY FOR ENTERPRISE'

3. The Chairman advised that the Strong Communities Select Committee meeting had been arranged in order to consider a call in request in respect of the decision taken by Cabinet on 5th November 2014 regarding the 'To Support Building the Establishment and Capacity for Enterprise'.

The purpose of the meeting was to consider the appropriateness of the decision that had already been taken by the Council's Executive.

The reasons for the call in were noted, as follows:

- Reasons for the restructure were flawed. No or little emphasis had been made to retain or improve front line resource, opposed to a heavy reliance on creating a top level management structure.

**Minutes of the Special Meeting of the Strong Communities Select Committee
held at County Hall, Usk on
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The Chairman invited the members who had called in the Cabinet decision to provide reasons for doing so.

The Chairman invited officers to address the Select Committee and the Members who had called in the Cabinet decision. Members were informed of the following:

- The report dealt with more than just the libraries and One Stop Shops.
- Resources were needed in the necessary places to ensure that the required savings could be made.
- The aim was to develop a different service delivery, and creating the capacity.
- Talks were held with the Town Team to develop the best solution.
- Managers were the front line staff, each manager was operational.

The Chairman invited Members of the Committee to ask questions. We noted the following:

- Members felt ill-informed regarding the decisions in the report. Over the course of the past year Strong Communities had a sub group for libraries until the officer had left the Authority.
- The Chair suggested that a separate discussion was needed to clarify the situation with the libraries and One Stop Shops.
- The One Stop Shop in Abergavenny had presented a paper on alternative ways of working, to be taken into consideration.
- A Member felt that combining libraries and One Stop Shops would be a difficult process resulting in the loss of experienced staff.

The Chairman invited Cabinet Members to address the committee, we heard the following:

- The Cabinet Member for Resources explained that the current structure was too expensive and if the process was delayed it would result in more closures. It was stressed that we needed to consider the proposals in terms of survival or closure of the services.
- The Cabinet Member for Community Development agreed that in the financial climate services needed to be reconfigured to make savings. If the services of libraries and One Stop Shops did not combine it was feared that the service would suffer. By agreeing to a hub system there would be a better chance of saving as many jobs as possible.

We heard from the Head of Community Delivery who explained that the structure would not be implemented until the budget mandate had been scrutinised. The items were included in the report to provide a likely scenario. We were told that a strong team of staff were capable of providing the services of libraries and one stop shops.

**Minutes of the Special Meeting of the Strong Communities Select Committee
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It was stressed that even though the concept of hub systems were new to Monmouthshire they were working effectively in other authorities and businesses.

Further clarity was requested in regards to the details of increasing and decreasing numbers of posts

The Chairman informed Select Committee Members that in terms of the call in procedure, three options were available:

1. Accept the Cabinet's Decision.
2. Refer the matter back to Cabinet for re-consideration (with reasons).
3. Refer the matter to Council for consideration.

It was therefore proposed to remove (f) and (g) of the report from this decision, the Committee would then agree the report. Items (f) and (g) should be subject to a separate report when the options for Libraries and One Stop Shops had been through the Budget Mandate and Consultation processes.

Upon being put to the vote the following votes were recorded:

For the proposal	-	7
Against the proposal	-	1
Abstentions	-	0

The proposition was carried.

The Committee were asked to receive a report deferred from the meeting of Strong Communities on Thursday 20th November 2014.

**QUARTER 2 PERFORMANCE REPORT: IMPROVEMNET OBJECTIVE AND
OUTCOME AGREEMENT**

The purpose of the report was to present the quarter 2 performance data for the Improvement Objective and Outcome Agreement Objectives which were under the remit of Strong Communities Select Committee. It was recommended that Members scrutinise the performance achieved and the impact made, and to assess progress and performance against the objectives

We noted the following:

- Page 12 of the report: the percentage of municipal waste sent to landfill – the figure would be adjusted regarding Project Gwyrdd.
- Integration with businesses within the communities was a developing and emerging piece of work.

**Minutes of the Special Meeting of the Strong Communities Select Committee
held at County Hall, Usk on
Monday 24th November 2014 at 10.00 a.m.**

- Members required further information on an ongoing basis with regards to the sale of assets.
- The number of days to issue a Disabled Facilities Grant was thought to be a high figure but was said to be in the top quartile in Wales.
- Members requested that a new staff directory should be issued. This would be followed up with the Democratic Services Committee.

The meeting terminated at 12.00 noon.



**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 5th NOVEMBER 2014

DECISION WILL COME INTO EFFECT ON: 14th NOVEMBER 2014
(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: BUILDING THE ESTABLISHMENT AND CAPACITY FOR ENTERPRISE

DIVISION//WARD AFFECTED: ALL

PURPOSE:

To build the establishment and capacity for the Enterprise directorate, both in terms of the management structure and where appropriate the relevant services' staffing structures.

DECISION:

To agree to the establishment of the proposed management and staff structures for the Enterprise directorate, recognising that ongoing service reviews will result in further reports needing to be subsequently brought forward.

To agree to the creation and deletion of posts contained within 3.5 of this report.

To agree that any amendments to the structure that may arise through the consultation exercise (currently underway) be approved by the Chief Officer for Enterprise in consultation with the relevant cabinet members subject to any alternations continuing to provide the savings required in the approved budgets.

REASONS:

This is not a restructure report. This report allows for the Enterprise directorate to ensure that it has the management and leadership capacity in place to allow the directorate to move forward and manage the significant challenges ahead. In order to successfully navigate the next few years the directorate needs to ensure that it has the optimum capacity to deliver the required savings, as well as enabling its three customers: staff, communities and businesses, to successfully navigate the challenges ahead.

The management structures that have been inherited following the creation of the Enterprise directorate are not fit for purpose in allowing for effective and effective decision making. This report will allow Heads of Service to be able to more effectively manage and lead their service portfolios through a rationalised leadership and management structure.

RESOURCE IMPLICATIONS:

The proposed structure for Community Led delivery will result in a combined saving of £303,404, necessary to deliver savings required from budget mandates being considered separately by Cabinet on this agenda. The proposals include the creation of a one-year fixed term Project Manager post to oversee a pilot property development. It is intended that this post will be funded through capital as a result of an anticipated enhanced capital value.

The proposed structure for Tourism, Leisure and Culture will result in a combined cost of £40,418. These costs will be met by savings generated from within the Museum, Leisure and Countryside budgets, and that are separate to savings to be achieved in 2014/15 and being proposed within budget mandates for 2015/16.

The proposed structure for Commercial and People Development will result in a net cost of £169,935. The proposals include the deletion of a Senior Innovation Officer that is currently being funded from earmarked reserves (£44,000). These proposals remove the need to draw on such reserve funding. The net cost of £169,935 is being met by savings resulting from a fundamental overhaul of departmental non-pay budgets (£144,935), combined with targeted savings from a pending review of Human Resources (£25,000).

Costs associated with redundancies are reliant upon the implementation of the Council's employment protection policy. To the extent that any costs associated with redundancy cannot be managed within existing revenue budgets, a further report will be brought back to Cabinet to secure the necessary reserve funding.

It is anticipated further to this report, and adjacent to developing budget proposals for 2015/16 to 2018/19, that a case will need to be put forward for any specific skills and expertise that will need to be secured to ensure that budget mandates are delivered successfully, on time and to budget. Any request for further funding for additional posts will be subsequently considered alongside the developing budget proposals.

CONSULTEES:

Cabinet
Senior Leadership Team
People Development Manager
Head of Legal Services

CABINET MEMBERS PRESENT:

County Councillors G.C. Burrows, P.A. Fox, R.J.W. Greenland, E.J. Hacket Pain, G. Howard and P. Murphy

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni, R. Harris and M. Powell.

INTEREST DECLARED:

None

AUTHORS:

Debra Hill Howells – Head of Community Led Delivery

Ian Saunders – Head of Tourism, Leisure and Culture

Peter Davies – Head of Commercial and People Development

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Ian Saunders

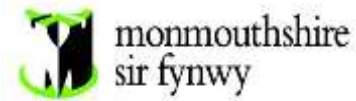
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**SUBJECT: BUILDING THE ESTABLISHMENT AND CAPACITY FOR ENTERPRISE****MEETING: Cabinet****DATE: 5TH November 2014****DIVISION/WARDS AFFECTED: Countywide****1. PURPOSE:**

- 1.1 To build the establishment and capacity for the Enterprise directorate, both in terms of the management structure and where appropriate the relevant services' staffing structures.

2. RECOMMENDATIONS:

- 2.1 Cabinet agree to the establishment of the proposed management and staff structures for the Enterprise directorate, recognising that ongoing service reviews will result in further reports needing to be subsequently brought forward.
- 2.2 Cabinet agree to the creation and deletion of posts contained within 3.5 of this report.
- 2.3 That any amendments to the structure that may arise through the consultation exercise (currently underway) be approved by the Chief Officer for Enterprise in consultation with the relevant cabinet members subject to any alternations continuing to provide the savings required in the approved budgets.

3. KEY ISSUES:

- 3.1 Following the report of the Chief Officer for Enterprise to Cabinet on [19th March 2014](#) which established the top-line leadership structure of the Enterprise Directorate and saw the creation of four Head of Service posts covering:
 - Community Led Delivery

- Tourism, Leisure and Culture
- Commercial and People Development
- Development Planning

- 3.2 The services that comprise Enterprise are mainly non-statutory and 'discretionary' and are therefore some of the most vulnerable and potentially, contentious functions we operate. However, these services hold the key in enabling our workforce and our communities to face the challenges ahead. We need to begin to shift these services away from a dependency on public funding to more self-sustaining formats; in-building resilience and resourcefulness.
- 3.3 The proposals contained in this report allow the Enterprise directorate to consolidate its management and relevant staffing structures such as to build the capacity to deliver the significant challenges faced. Based on the draft budget proposals separately considered on this agenda, the Enterprise directorate will potentially need to generate savings amounting to 20% of its existing budget, in addition to the significant savings that the directorate is committed to delivering in 2014/15. It is critical that the Directorate both consolidates and rationalises its leadership capacity to allow there to be a managed strategic reduction in services.
- 3.4 This report also brings forward more detailed staffing structure proposals for the Estates and Place teams, the latter including the realignment of the library and one stop shop services. These proposals will align the services to the key delivery themes and enable the services to more effectively manage the necessary changes to service delivery models required to meet the financial challenges ahead.
- 3.5 In order to achieve a management and staffing structure which is considered fit for future purpose it will be necessary to delete a number of posts that exist within the existing structures and to create new posts that provide the necessary capacity to deliver going forward. It is proposed that there are 12 new posts created and 24.5 posts deleted, as listed below:
- a) The creation of a Place Manager and Estates Manager post;
 - b) The creation of a one year fixed term Project Manager post, funded from capital resources
 - c) The creation a Sports, Community Development and Events Manager post, a Business Manager (Tourism, Leisure & Culture) post and a Green Infrastructure and Countryside Manager post;
 - d) The creation of a Museums Manager post, subject to the outcome of the Museums review;
 - e) The creation of a Business Insight Manager post, a Business Enterprise Manager post, a Digital Project Delivery post, a Human Resources Manager post and an Organisational Development Manager post;
 - f) A reduction of 13 FTEs resulting from the integration of the library and one stop shop service;
 - g) A reduction in the libraries management team from 4 FTE's to 2.5 FTE's and a reduction in 1 FTE support staff post;

- h) The deletion of a Technical Assistant post and a Cleaner post
- i) The deletion of a Sports Development Manager post and Assistant Manager Business Development post;
- j) The deletion of 2 museum curator posts, subject to the outcome of the Museums review;
- k) The deletion of the Existing Business Manager post and Information Management Officer post; and
- l) The deletion of the reserve funded Senior Innovation Officer post

- 3.5 Further information on the proposed structures, together with existing and proposed structures and costings are provided in appendices 1 and 2 to this report.
- 3.6 It should be noted that a number of service areas remain subject to service reviews, and upon their conclusion it is anticipated that further staffing changes will be subsequently brought forward alongside their respective budget proposals and mandates.
- 3.7 Staff are being advised of the proposed structures and consultation is underway with the unions. It is quite possible that the structures will remain unchanged. However the implementation of such extensive changes might require some amendment to the structures but rather than return to cabinet for further approval of any amendment to the detail of the structures the Chief Officer for Enterprise can implement such changes subject to the necessary savings being achieved (the authority's constitution allows for this).

4. REASONS:

- 4.1 This is not a restructure report. This report allows for the Enterprise directorate to ensure that it has the management and leadership capacity in place to allow the directorate to move forward and manage the significant challenges ahead. In order to successfully navigate the next few years the directorate needs to ensure that it has the optimum capacity to deliver the required savings, as well as enabling its three customers: staff, communities and businesses, to successfully navigate the challenges ahead.
- 4.2 The management structures that have been inherited following the creation of the Enterprise directorate are not fit for purpose in allowing for effective and effective decision making. This report will allow Heads of Service to be able to more effectively manage and lead their service portfolios through a rationalised leadership and management structure.

5. RESOURCE IMPLICATIONS:

- 5.1 The proposed structure for Community Led delivery will result in a combined saving of £303,404, necessary to deliver savings required from budget mandates being considered separately by Cabinet on this agenda. The proposals include the creation of a

one-year fixed term Project Manager post to oversee a pilot property development. It is intended that this post will be funded through capital as a result of an anticipated enhanced capital value.

- 5.2 The proposed structure for Tourism, Leisure and Culture will result in a combined cost of £40,418. These costs will be met by savings generated from within the Museum, Leisure and Countryside budgets, and that are separate to savings to be achieved in 2014/15 and being proposed within budget mandates for 2015/16.
- 5.3 The proposed structure for Commercial and People Development will result in a net cost of £169,935. The proposals include the deletion of a Senior Innovation Officer that is currently being funded from earmarked reserves (£44,000). These proposals remove the need to draw on such reserve funding. The net cost of £169,935 is being met by savings resulting from a fundamental overhaul of departmental non-pay budgets (£144,935), combined with targeted savings from a pending review of Human Resources (£25,000).
- 5.4 Costs associated with redundancies are reliant upon the implementation of the Council's employment protection policy. To the extent that any costs associated with redundancy cannot be managed within existing revenue budgets, a further report will be brought back to Cabinet to secure the necessary reserve funding.
- 5.5 It is anticipated further to this report, and adjacent to developing budget proposals for 2015/16 to 2018/19, that a case will need to be put forward for any specific skills and expertise that will need to be secured to ensure that budget mandates are delivered successfully, on time and to budget. Any request for further funding for additional posts will be subsequently considered alongside the developing budget proposals.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

- 6.1 There are potential negative equality impacts resulting from the reduced / changed opening hours within the community hubs and that may result in reduced service provision. If this impact materialised then mitigation steps include working with colleagues to offer satellite services from other locations and customers being encouraged to access Council services through other mediums of communication.
- 6.2 All other equality impacts were identified as either positive or neutral and the sustainability challenges identify only positive impacts. The equality impact and sustainability challenge is attached (appendix 3).

7. CONSULTEES:

Cabinet
Senior Leadership Team
People Development Manager
Head of Legal Services
Union representatives

8. BACKGROUND PAPERS:

Appendix 1 – Structure reports
Appendix 2 – Existing and proposed costing and structures
Appendix 3 – Equality Impact Assessment & Sustainability Challenge

9. AUTHORS:

Debra Hill Howells – Head of Community Led Delivery
Ian Saunders – Head of Tourism, Leisure and Culture
Peter Davies – Head of Commercial and People Development

10. CONTACT DETAILS:

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Appendix 1a – Community Delivery Structure

- 1.1 The Community Delivery Service was created as a result of a Chief Officer report, “Establishing the New Enterprise Directorate” to Cabinet in March of this year.
- 1.2 The Service is varied covering Housing, Libraries, Community Learning, Estates, Whole Place, Markets and Cemeteries. This report proposes the implementation of a new structure that will achieve £355,000 savings as identified in the approved 14/15 budget and proposed savings for 15/16.
- 1.3 The Service will see a new management structure made up as follows:

Community Learning Manager

Housing Manager

Estates Manager

Place Manager

Both the Place and Estates Managers are new roles which are being funded through the service re-designs as outlined in the detail in Appendix 2.

- 1.4 The management structure of the Community Learning Team has been subject to a separate Individual Cabinet report in [August](#) of this year, which is currently in the process of implementation.
- 1.5 The Housing Service is currently in the process of undertaking a collaboration agreement with Torfaen which will result in a change to the team structure as approved by Cabinet in [October](#) this year. The alterations are necessary to support an approved budget mandate that identifies additional savings / income to the authority amounting to £55,000 in 15/16. The proposed budget mandate identifies the deletion of the Senior Housing Officer Options Post and the creation of a Housing Support post and a fixed term part time post to add additional capacity to the Shared Housing and Lodging scheme generating a net saving / income of £19,856.
- 1.6 The role of Cemeteries and Markets will transfer to the Estates team and a new structure has been developed as illustrated in Appendix 2. The team are not required to generate any staffing savings within the approved and proposed budget mandates however they will be required to generate £100,000 of savings through the property rationalisation mandate, £34,000 additional sustainability income and £50,000 of increased income from the markets. The Estates Manager role will be achieved through staff savings.

- 1.7 Cemeteries are currently managed through the one stop shops, Whole Place Officers and a job share post in Abergavenny. It is proposed to centralise this service through the creation of one designated post to ensure a consistent approach, albeit that initial bookings will continue to be taken through either the hub or contact centre.
- 1.8 A new role of project manager has been created to oversee a pilot property development. This will involve developing / refurbishing a Council owned property asset and realising an enhanced capital value. It is intended that this will be a fixed term post funded through capital to test the concept. If it proves successful the post will be made permanent following a twelve month review, subject to it funding itself and being cost neutral to the authority.
- 1.9 The approved 14/15 Budget contains a mandate for the integration of the library and one stop service. There is a further mandate proposed for 15/16 that seeks to make £300,000 worth of staff savings as a result of this integration. The structure proposed in Appendix 2, identifies how the re-alignment of these services will result in a continuation of both the libraries and one stop shop services, albeit that there may be a reduction in the offer and opening hours. It is intended that the communities will be asked to support the hubs through volunteers and that the services provided through the hub can be where possible provided through other Council building e.g. leisure centres. There will be the loss of 13 FTE to generate this saving.
- 1.10 The creation of the Place Manager post will be funded through the wider management and supporting staff re-structures.
- 1.11 It is intended to reduce the libraries management team from 4 FTE's to 2.5 FTE's and the support staff will be reduced by 1. This is in line with the removal of buildings and line management responsibilities to enable the librarians to concentrate on strategy and resources (books and digital media).
- 1.12 The delivery of Whole Place will be formalised through the creation of a team of 4 officers responsible for delivery within our communities. Two of these posts are funded, the remaining costs are met through the savings identified elsewhere within the re-alignment of the staffing structure within the Community Delivery Service.
- 1.13 The proposed structure will result in a combined saving of £303,404 (excluding Housing and Community Learning teams that have been reported separately). The proposed structure will align the Service to the key delivery themes and enable the Service to more effectively manage the necessary changes to service delivery models required to meet the financial challenges ahead.

Appendix 1b – Tourism Leisure & Culture Management Structure

- 1.1 The Tourism Leisure & Culture Service was created as a result of a Chief Officer report, “Establishing the New Enterprise Directorate” to Cabinet in March of this year.
- 1.2 The Service is varied covering Tourism, Leisure, Sports Development, Outdoor Education, Countryside and Play. This report proposes the implementation of a new structure that will realign the management of the services and enable the services to be ready and prepared to deliver existing savings for 14/15 and proposed savings of £610k for 15/16. The total cost of implementing the new structure will be £40,418. Services, such as Countryside, have already identified savings to ensure this new structure is met within existing resources so cost neutral to the authority. Each service area has also put forward mandates to make savings for 2015/16 which the new managers will embrace. It will also be the responsibility of each manager to bring forward revised structures as the second phase of this realignment to ensure delivery of the savings identified within the MTFP for 15/16 onwards. For example the Leisure Services business mandate currently identifies total savings of £420k with staffing savings totalling £180,983.
- 1.3 The Head of Tourism Leisure and Culture currently has 17 Officers reporting directly to him under the existing structure and this is not sustainable to be effective and efficient in managing performance and driving business. As a result of the proposed new structure (shown on chart) the number of officers reporting directly to the Head of Service are reduced and a structure fit for purpose will be in place whilst other reviews within the structure continue.
- 1.4 The Service will see a new management structure made up as follows:
 - Business Manager (Tourism Leisure & Culture)
 - Sport, Community Development and Events Manager
 - Gwent Outdoor Education Manager (existing post)
 - Museums Manager
 - Tourism Manager (existing post)
 - Green Infrastructure & Countryside Manager

To achieve this structure and achieve future savings, jobs in the existing structure will be deleted – the main jobs impacted are listed below as they will be deleted from the structure permanently. Officers in these posts will either be successful in gaining one of the new posts or follow the appropriate HR procedures for redeployment.

- 1 X Sports Development Manager Post SCP 37-41
- 1 X Assistant Manager Business Development SCP 37-41
- 2 X Museum Curators SCP 37-41 & SCP 41-45

- 1.5 Cultural Services and Outdoor Education are currently under review so this structure is an interim arrangement. There will also be an expectation for the newly appointed posts to review their own service needs and also work to help the review process move forward at pace.
- 1.6 As the Enterprise Directorate further establishes itself with this realignment there will be a further review of posts across other Directorates/Services to ensure they are not duplicating or conflicting ongoing work.

Business Manager Grade L SCP 49-53

This new post will head up the business development and performance of the Tourism Leisure & Cultural offer ensuring a stronger commercial drive and ensuring the offer is coordinated. The main responsibilities being managing the Leisure Centres, marketing Tourism Leisure Culture and delivering the efficiency savings for Leisure inside the MTFP. The post will manage the Leisure Centre Managers and other posts such as Assistant Manager Fitness and Assistant Manager Marketing. In the interim period the attraction managers from Shire Hall, Old Station Tintern and Caldicot Castle will report to this post until future plans for the review of Cultural Service is complete.

The Leisure Service savings plan for 2015/16 includes savings of £180,983 in a remodelling exercise. This will see the deletion of leisure management posts. There will also be further efficiencies in clerical and finance posts which will carry redundancy costs if the displaced staff are not redeployed.

Countryside & Green Infrastructure Manager Grade L SCP 49-53

This new post will be responsible for managing the green infrastructure plans including biodiversity and landscaping, active play & recreation and environment and landscape partnerships. The post will also manage Countryside access including Rights Of Way, Countryside Sites, Wales Coastal Path, Volunteering and Community Engagement. The post will be responsible for the Wye Valley AONB (joint unit) and involving management planning, implementation and projects. The post will deliver a further structural change of existing posts and efficiencies will be made to fund the post and ensure budgets are met.

Sport, Community Development and Events Manager Grade L SCP 49-53

The current post of Sports Development Manager will be deleted and replaced with the new post focused on wider aspects of sports development and managing the Development Team helping to deliver the local plan for sport including physical literacy, positive futures and workforce development. The post will also be responsible for the delivery of the Exercise Referral Scheme, the Aquatic Plan and play a key role in supporting the events team. The role will coordinate Community Chest & Section 106 in conjunction with National Governing Bodies', Sport Wales and key partners. The Swimming Development Officer, Sport & Fitness Officer and Community Infrastructure Manager will report to this post.

Gwent Outdoor Education Manager

The service is under review however existing responsibilities for the post holder include management of Gilwern, Hilston Park and Talybont sites, planning and delivering the outdoor education activities for Gwent. The service also has responsibilities for trips and visits advice and training. The review will include discussion with neighbouring authorities and also developing a sustainable delivery model for service. Expectations for 2015/16 are to make savings of £25k and mandates for these savings are in place.

Tourism Manager Grade I SCP 37-41

The role will manage a comprehensive range of Tourism services, including visitor information with the aim of strengthening the county's economy. Priorities include revising the destination plan in conjunction with partners. The post will ensure savings are in line with MTFP especially with a remit for remodelling of TIC's into community hubs where possible. There is a demand to continue to grow and coordinate

the ambassador programme across MCC, improve the digital tourism offer, and work with community hubs whilst developing stronger networks with key partners. The role will sit on the South East Wales Destination Managers group and similar partnership forum/ meetings and will report directly to Head of Tourism Leisure & Culture.

Museum Manager Grade J SCP 41-45

The two current posts of curators at Abergavenny & Chesptow/Monmouth will be deleted replaced by a Museum Manager who will work across the service to ensure the current review of cultural service moves forward whilst delivering the service and savings plans consistently across MCC. This post will report directly to the Head of Tourism, Leisure & Culture whilst the review continues.

Appendix 1c – Commercial and People Development Management Structure

1. Background and Context

1.1 The Commercial and People Development was created as a result of a Chief Officer report, “Establishing the New Enterprise Directorate” to Cabinet in [March](#) of this year.

1.2 The service portfolio is varied covering:

- Monmouthshire Business and Enterprise, the Authority’s economic development function
- Management and delivery of the Rural Development Programme
- Strategic responsibility for ICT
- Strategic responsibility for CMC2
- Human resources and payroll
- Corporate training
- Organisational development

1.3 This is not a restructure report. This report allows for the Enterprise directorate to ensure that it has the management and leadership capacity in place to allow Commercial and People Development to move forward and manage the significant challenges ahead. In order to successfully navigate the next few years the directorate needs to ensure that it has the optimum capacity to deliver, as well as enabling its three customers: staff, communities and businesses, to successfully navigate the challenges ahead.

1.4 The management structure that had been inherited following the creation of the Enterprise directorate is not fit for purpose in allowing for effective and effective management and decision making. This report will allow the Chief Officer for Enterprise and the Head of Commercial and People Development to be able to more effectively manage and lead their service portfolios through a rationalised leadership and management structure.

1.5 The division will see a new management structure made up as follows:

- Business Growth & Enterprise Manager
- Digital & Technology Manager
- People & Organisational Development Manager

2. Business Growth and Enterprise

- 2.1 The Economy and Enterprise Manager post has more appropriately been named the Business Growth and Enterprise Manager. This post will be responsible for orchestrating delivery of:
- Business Growth and Enterprise Strategy – final strategy being presented to the Special Cabinet on 19th November 2014. The draft strategy was released for consultation via Individual Cabinet Member decision on [23rd July 2014](#).
 - Vale of Usk Local Development Strategy – draft strategy submitted to WG and subsequently considered by Cabinet on [15th October 2015](#).
- 2.2 One of Monmouthshire County Council's three core strategic priorities is 'Supporting Enterprise, Entrepreneurship and Job Creation'. It has been recognised that there is a need to ensure that there is a lean but appropriate staff complement in place to deliver on this strategic commitment.
- 2.3 It is proposed that the management team is increased from 2 FTE to 3 FTE, with the post of Existing Business Manager deleted and replaced by a Business Insight Manager and a Business Enterprise Manager. These posts will also be responsible for managing the Rural Development Programme (RDP) team that will be re-established when the final Vale of Usk Local Development Strategy is brought back to Cabinet in the New Year.
- 2.4 This results in a net increase in salary costs of £50,216.

3. Digital and Technology

- 3.1 The Programme Manager post, which has to date been responsible for delivery of agile working and ICT, has been more appropriately named the Digital & Technology Manager.
- 3.2 This post will be responsible for orchestrating delivery of the iCounty Strategy that was presented to Cabinet on [17th June 2014](#). Whilst it is accepted that other departments will be responsible for delivering specific outcomes (e.g. Digital Inclusion being overseen by Adult Education) this role will be responsible for orchestrating delivery and there hold strategic oversight of progress.

- 3.3 The post is key in that it acts as both a relationship manager and account manager role for the Authority's two key ICT delivery partners, the Shared Resource Service (SRS) and CMC2.
- 3.4 The proposals will also see the deletion of the Information Manager post, replaced with a Digital Project Delivery Manager post. The Digital Project Delivery Manager post holds a wider remit for project and programme management, ensuring that staff have the right tools to do their jobs, that data is secure and systems are effective and robust.
- 3.5 Business cases will be brought through Digital Board and Cabinet to secure additional resources as necessary where projects cannot be delivered from within the limited capacity of the team.
- 3.6 The proposals for this team result in a net increase in salary costs of £9,441.

4. People and Commercial Development

- 4.1 The existing People Development Manager post has been more appropriately named the People and Organisational Development Manager. This post has an extensive brief and is responsible for orchestrating delivery of the People and Organisational Development Strategy. The draft strategy was released for consultation via Cabinet on [15th October 2015](#).
- 4.2 The People and Organisational Development Manager will hold a portfolio of services that includes Human Resources, Payroll and Systems, Training (People Development) and Organisational Development. These services provide some of the most important business support functions and ensures that the Authority has a high performing workforce.
- 4.3 The proposals see the deletion of the Senior Innovation Officer post, which is currently being funded from earmarked reserves.
- 4.4 Two new posts are being created:
- Organisational Development Manager post – this post will lead on organisational development and provide ongoing support to the wider team as well as across the Authority and beyond.
 - Human Resources Manager post – it is recognised that the current structure of the team is not fit for purpose. This post, together with the People and

Organisational Development Manager, will be responsible for undertaking a review of the HR team and subsequently bringing forward proposals.

4.5 The proposals for this team result in a net increase in salary costs of £110,278.

5. Conclusion

5.1 The proposals see a net increase in 2 FTE posts, with 3 posts being deleted and 5 posts being created. The net cost of the proposals amount to £169,935.

5.2 The proposals include the deletion of a Senior Innovation Officer that is currently being funded from earmarked reserves (£44,000). These proposals remove the need to draw on such future reserve funding.

5.3 The net cost of £169,935 is being met by savings resulting from a fundamental overhaul of departmental non-pay budgets (£144,935), combined with targeted savings from a pending review of Human Resources (£25,000).

6. Next steps

6.1 Subsequent to these proposals being approved staff and union consultation will be concluded, after which the staff structure will be swiftly implemented.

6.2 The Business Growth and Enterprise Manager, Digital Technology Manager and People & Organisational Development Manager will each be tasked with reviewing their respective staffing structures. Of specific note:

- A service review will be undertaken of HR;
- The staffing structure for the Rural Development Programme will be confirmed when the final Vale of Usk Local Development Strategy is brought back to Cabinet in the New Year.

Appendix 2a - Existing & Proposed Community Delivery Structure, (where defined)

Estates & Sustainability	Grade	Salary		Grade	Salary
Principal Valuer	J	38,422	Estates Manager	L	45,627
Sustainability Surveyor	J	38,422	Principal Valuer	J	38,422
Management Surveyor	I	34,894	Estates Officer	I	34,894
Management Surveyor	I	34,894	Estates Officer	I	34,894
Graduate Surveyor	F	24,892	Estates Officer	I	34,894
Energy Officer	H	31,160	Graduate Surveyor	G	28,127
Sustainability Project Officer	F	24,892	Energy Officer	H	31,160
Community Officer - 60%	G	16,876	Community Development (60%)	G	16,876
Community Officer - 40%	G	11,251	Cemeteries Officer	G	28,127
Technical Assistant	D	19,317	Estates Technician	E	21,734
Estates Support Officer	E	21,734	Support Officer	D	19,317
Admin Post	C	16,998	Project Officer (capital funded)	J	38,422
Markets & Facilities					
Markets Supervisor	E	21,734	Markets & Facilities Supervisor	G	28,127
Assistant Market Officer	D	19,317	Market Assistant	D	19,317
Assistant Market Officer (41%)	D	7,289	Market Assistant (41%)	D	7,289
Assistant Market Officer (43%)	D	8,353	Market Assistant (43%)	D	8,353
			Facilities Assistant (73%)	D	14,101
Facilities Assistant (73%)	D	14,101	Facilities Assistant (73%)	D	14,101
Facilities Assistant (73%)	D	14,101	Facilities Assistant (73%)	D	14,101
Cleaner (73%)	D	14,101	Shopmobility Co-ordinator (68%)	D	13,316
Facilities Assistant (73%)	D	14,101			
Facilities Officer (51%)	G	14,345	Community Officer (40%) to be transferred to Policy Team	G	11,251

Facilities Officer (49%)	G	13,782
Shopmobility Coordinator (68%)	D	13,136

Subtotal		468,112
On costs @ 30%		140,434

Sub total	502,450
On costs @30%	150,735
Less: capital funding	(49,949)

Total Employers Salary Costs (Existing) 608,543

Total Employers Salary Costs (Proposed) 603,236

Strategic Library Management

Abergavenny Library Manager	I	34,894
Caldicot Library Manager	I	34,894
Chepstow LM (J/S)	I	34,894
Monmouth LM (J/S)	I	34,894
Prisons Librarian	H	23,581
Libraries ICT support officer	E	21,734
SLA - resources mgt	F	24,892
Admin & Support Officer	F	24,892
Home Delivery Officer	D	19,317

Sub Total		253,992
On costs @ 30%		76,198

Total Employers Salary Costs (Existing) 330,190

Place Manager	L	45,627
Lead Librarian	J	38,422
Librarian	I	34,894
Librarian (P/T)	I	17,447
Prisons Librarian	H	23,581
Digital Support Officer	E	21,734
Resources Support Officer	F	24,892
Home Delivery Officer	D	19,317

Sub Total	225,914
On costs @ 30%	67,774

Total Employers Salary Costs (Proposed) 293,688

Hubs Model

Abergavenny One Stop Shop

Customer Services Team Leader J/S	H	18,949
Customer Service Advisor	E	21,734
Customer Service Advisor	E	21,734
Customer Service Advisor (P/T)	E	10,867
Customer Service Advisor (P/T)	E	10,867
Customer Service Advisor	E	19,817
Customer Service Advisor	E	21,734
Receptionist	D	19,317
Administrative Officer	D	19,317

Caldicot One Stop Shop

Team Leader J/S	H	12,211
Customer Service Advisor	E	21,734
Customer Service Advisor (P/T)	E	10,720
Customer Service Advisor (P/T)	E	19,678
Customer Service Advisor	E	21,734
Customer Service Advisor (P/T)	E	12,629
Customer Service Advisor	E	19,817
Administrative Officer	D	19,317

Chepstow One Stop Shop

Team Manager	H	15,580
Customer Service Advisor	E	21,734
Customer Service Advisor	E	21,734
Customer Service Advisor (P/T)	E	13,040
Customer Service Advisor	E	21,734
Customer Service Advisor (P/T)	E	17,387
Customer Service Advisor (P/T)	E	13,070

Abergavenny Community Hub

Hub Manager	H	31,160
Information Officer (Library Lead)	F	24892
Information Assistant	E	21734
Information Assistant	E	21734
Information Assistant	E	21734
Information Assistant (P/T)	E	10867
Information Assistant (P/T)	E	10867

Chepstow Community Hub

Hub Manager	H	31,160
Information Officer (Library Lead)	F	24892
Information Assistant	E	21734
Information Assistant	E	21734
Information Assistant	E	21734
Information Assistant (P/T)	E	10867
Information Assistant (P/T)	E	10867

Caldicot Community Hub

Hub Manager	H	31,160
Information Officer (Library Lead)	F	24892
Information Assistant	E	21734
Information Assistant	E	21734
Information Assistant (P/T)	E	10867
Information Assistant (P/T)	E	10867

Customer Service Advisor (P/T)	E	11,890
Caldicot One Stop Shop		
Team Manager	H	15,580
Customer Service Advisor	E	21,734
Customer Service Advisor	E	21,734
Customer Service Advisor	E	21,734
Customer Service Advisor	E	20,400
Administrative Officer	D	19,317
Abergavenny Library (exc Manager)		
Library & Information Assistant (95%)	D	18,273
Library & Information Assistant (P/T)	D	11,486
Library Assistant (P/T)	D	9,136
Library Assistant (P/T)	D	9,136
Library & Information Assistant (95%)	D	18,273
Senior Library Assistant	F	24,892
Caldicot Library (exc Manager)		
Senior Library Assistant	F	24,892
Library & Information Assistant (P/T)	D	9,233
Library & Information Assistant (P/T)	D	10,964
Library Assistant (P/T)	D	10,442
Library Assistant (P/T)	D	15,401
Library Assistant (P/T)	D	8,563
Chepstow Library (exc Manager)		
Library & Information Assistant (95%)	D	18,273
Senior Library Assistant	F	24,892

Monmouth Community Hub

Hub Manager	H	31,160
Information Officer (Library Lead)	F	24892
Information Assistant	E	21734
Information Assistant	E	21734
Information Assistant	E	10867
Information Assistant	E	10867

Usk Community Hub

Information Officer (Library Lead)	F	24892
Information Assistant (P/T)	E	21734

Gilwern

Information Officer (Library Lead)	D	9,920
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Library & Information Assistant (95%)	D	18,273
Library & Information Assistant(P/T)	D	13,052
Library & Information Assistant (P/T)	D	10,964
Library & Information Assistant (P/T)	D	6,787
Library & Information Assistant (P/T)	D	5,743
Monmouth Library (exc Manager)		
Library & Information Assistant (95%)	D	18,273
Library & Information Assistant (95%)	D	18,273
Library & Information Assistant (P/T)	D	8,504
Library & Information Assistant (P/T)	D	9,136
Library Assistant (P/T)	D	9,136
Senior Library Assistant	F	24,892
Usk Library		
Library & Information Assistant (P/T)	D	2,088
Senior Library & Infor Assistant	F	24,892
Library Assistant (P/T)	D	13,121
Gilwern Library		
Library Assistant (P/T)	D	9,920

Subtotal 965,754
 On costs @ 30% 289,726

Subtotal 585,030
 On costs @ 30% 175,509
 Transfer of 8 staff to contact centre) 200,000

Total Employers Salary Costs (Existing) 1,255,480

Total Employers Salary Costs (Proposed) 960,538

Whole Place

Whole Place Officer	J	38,422
Whole Place Officer	J	38,422
Special Projects Manager	I	34,894
Place Officer (secondment)	E	21,734

Whole Place Manager	K	42,032
Whole Place Officer	J	38,422
Whole Place Officer	j	38,422
Whole Place Officer	J	38,422

133,472

157,298

On costs @30% 40,042

On costs @ 30% 47,189

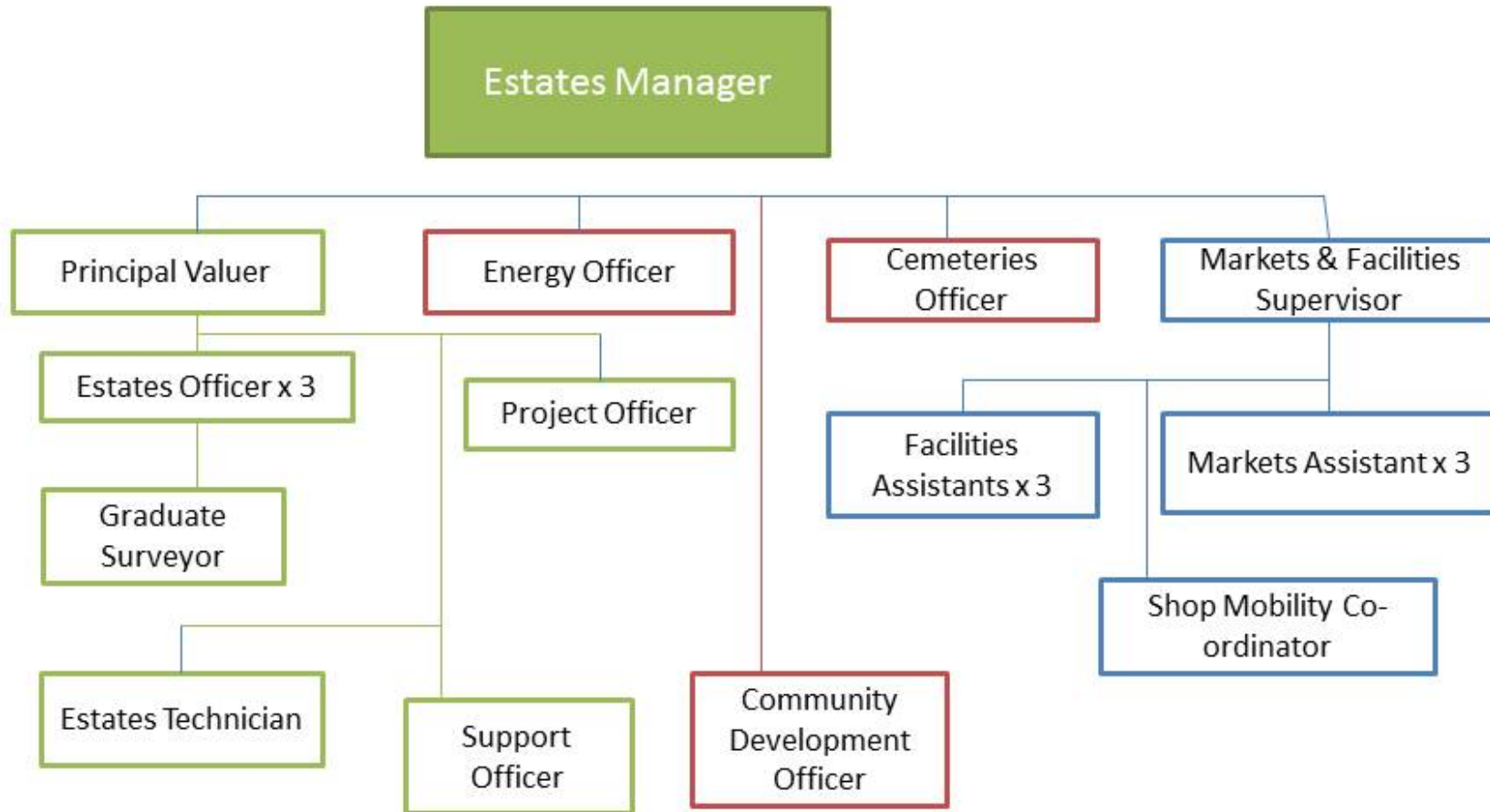
Total Employers Salary Costs (Existing) 173,514

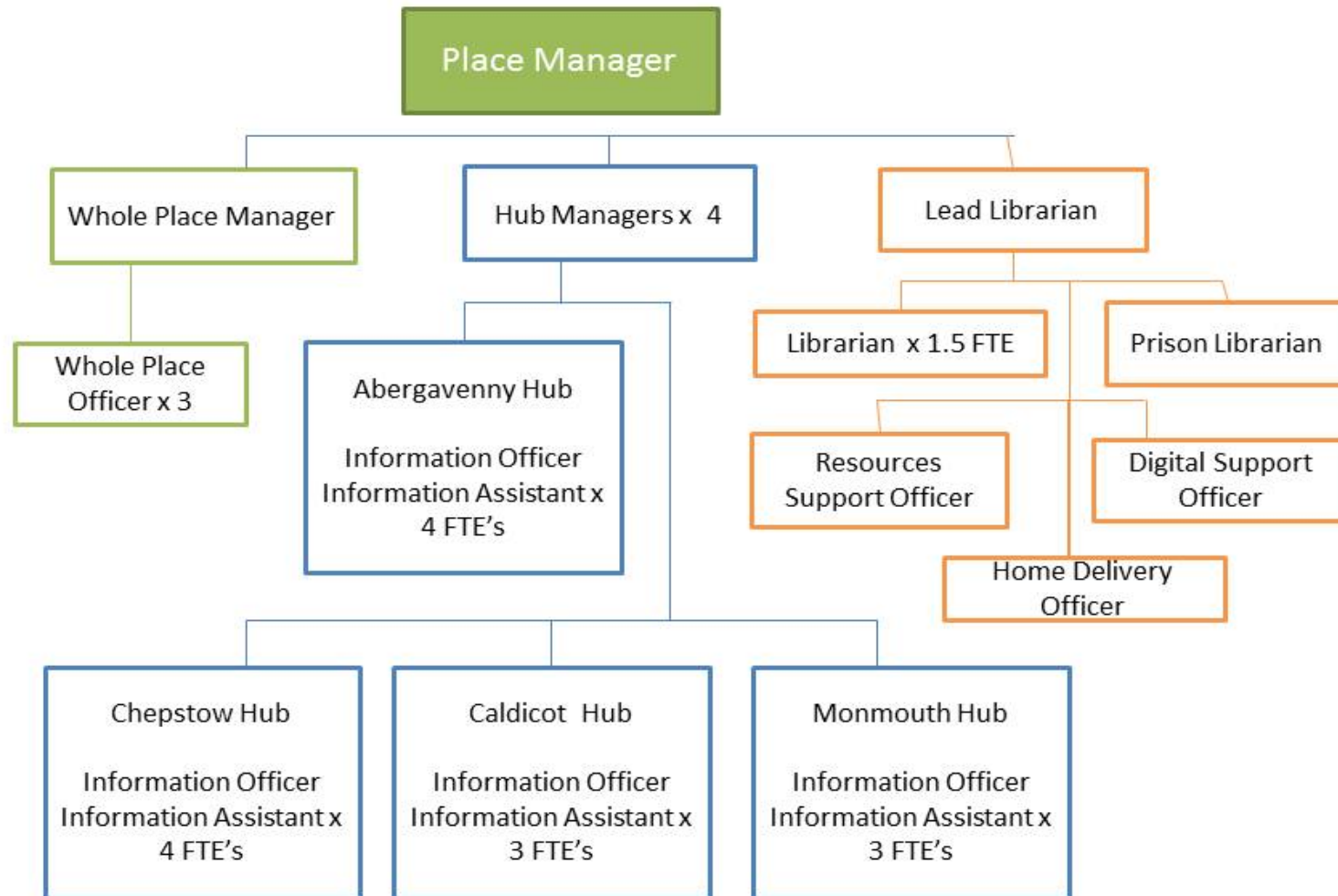
Total Employers Salary Costs (Proposed) 204,487

Total Employers Salary Costs (Existing)	2,367,729	Total Employers Salary Costs Proposed	2,061,950
	Proposed	2,061,950	
	Savings	305,778	
	Restructure Mandate Savings 15/16		
	Community Hub Savings	300,000	
	Savings Remaining	5,778	

Proposed Management Structure







Appendix 2b**Tourism, Leisure & Culture Proposed Management Structure****Current Structure for impacted posts**

Job Title	Grade	Top of Grade	Incl Oncosts
Assistant Manager Business Development	Band I	34894	44664
Sports Development Manager	Band I	34894	44664
Curator - Abergavenny Museum	Band I	34894	45463
Curator/Deputy Museums Officer - Chepstow	Band J	38422	45119
Countryside Manager – Post deleted		0	0
	Soulbury		
Head of Gwent Outdoor Centres	SCP14	47742	61110
Food & Tourism Strategic Manager	Band I	34894	44664
Total		225740	£285,684

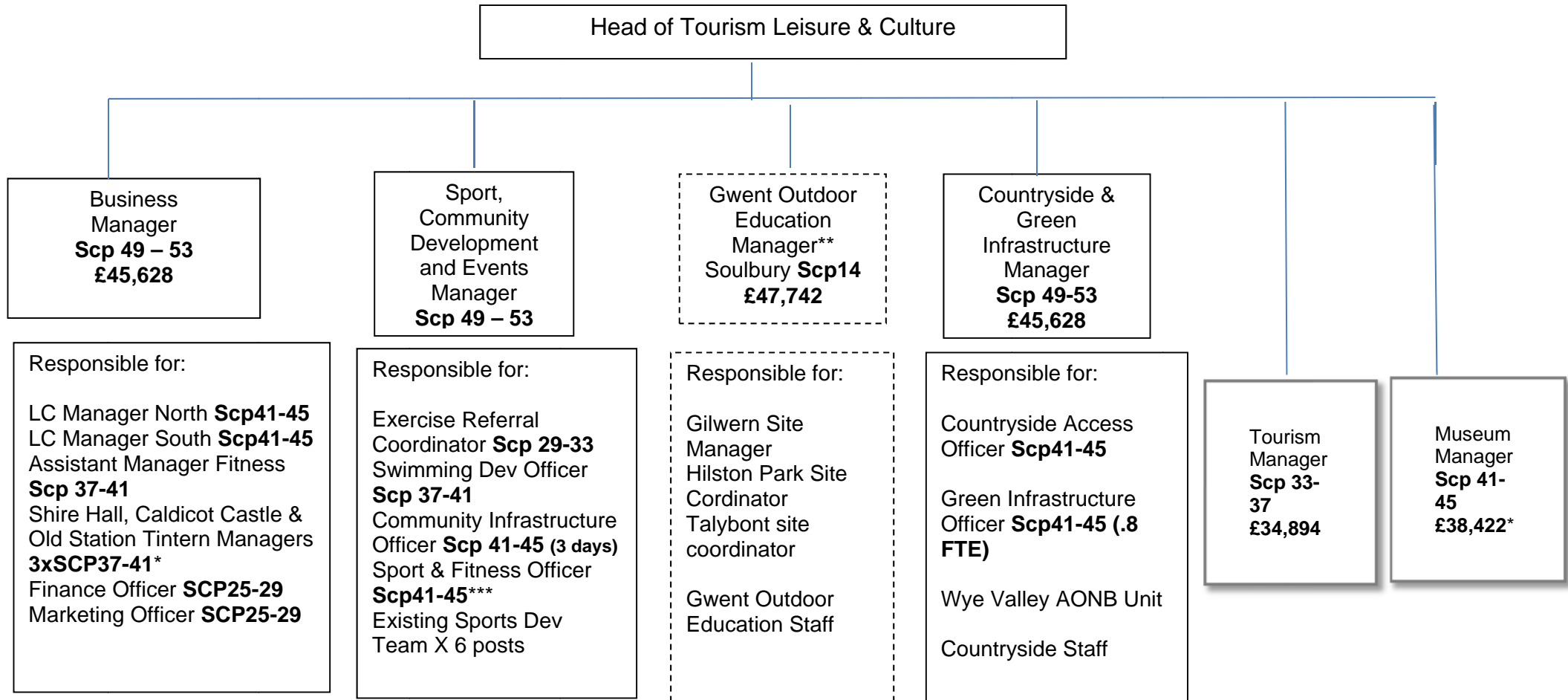
New Structure - Subject to Job Evaluation

Job Title	Grade	Top of Grade	Incl Oncosts
Business Manager	Band L	45627	58403
Countryside & Green Infrastructure Manager	Band L	45627	58403
Museums Manager (under review)	Band J	38422	45119
Sport, Community Development and Events Manager	Band L	45627	58403
Gwent Outdoor Education Manager (under review)	Soulbury SCP1	47742	61110
Tourism Manager	Band I	34894	44664
Total		£257,939	£326,102

Total Additional Cost:**-£40,418**

The cost of £40,418 will be met by Museum, Leisure and Countryside budgets on top of the expected savings for 2015/16. These savings have been identified.

Proposed Structure



*The Cultural Services components of the realignment consisting of Museums, Shire Hall, Caldicot Castle and Old Tintern Station are currently under review so aspects of service maybe reconfigured further.
 **Outdoor Education Service is currently under review so aspects of service maybe reconfigured further

Appendix 2c - Existing & Proposed Commercial and People Development Structure

Existing Structure				Proposed Structure			
Post Title	FTE	Grade	Salary	Post Title	FTE	Grade	Salary
<u>Business Growth and Enterprise</u>							
Economy and Enterprise Manager	1.00	Band M (SCP 53-57)	49,525	Business Growth and Enterprise Manager	1.00	Band M (SCP 53-57)	49,525
Existing Business Manager	1.00	Band H (SCP 33-37)	31,160	Business Insight Manager	1.00	Band I (SCP 37-41)	34,894
				Business Enterprise Manager	1.00	Band I (SCP 37-41)	34,894
		Subtotal	80,685			Subtotal	119,313
		On costs @ 30%	24,206			On costs @ 30%	35,794
Total Employers Salary Costs (Existing)			<u>104,891</u>	Total Employers Salary Costs (Proposed)			<u>155,107</u>
				Net cost/(saving)			50,216
<u>Digital and Technology</u>							
Programme Manager	1.00	Band M (SCP 53-57)	49,525	Digital and Technology Manager	1.00	Band M (SCP 53-57)	49,525
Information Management Officer	1.00	Band H (SCP 33-37)	31,160	Digital Project Delivery Manager	1.00	Band J (SCP 41-45)	38,422
		Subtotal	80,685			Subtotal	87,947
		On costs @ 30%	24,206			On costs @ 30%	26,384
Total Employers Salary Costs (Existing)			<u>104,891</u>	Total Employers Salary Costs (Proposed)			<u>114,331</u>
				Net cost/(saving)			9,441
<u>People and Organisational Development</u>							
People Development Manager	1.00	Band M (SCP 53-57)	49,525	People and Organisational Development Manager	1.00	Band M (SCP 53-57)	49,525
System and Support Lead	1.00	Band J (SCP 41-45)	38,422	Human Resources Manager	1.00	Band L (SCP 49-53)	45,627
Training Lead	1.00	Band K (SCP 45-49)	42,032	Payroll and Systems Manager	1.00	Band J (SCP 41-45)	38,422
				People Development Manager	1.00	Band K (SCP 45-49)	42,032

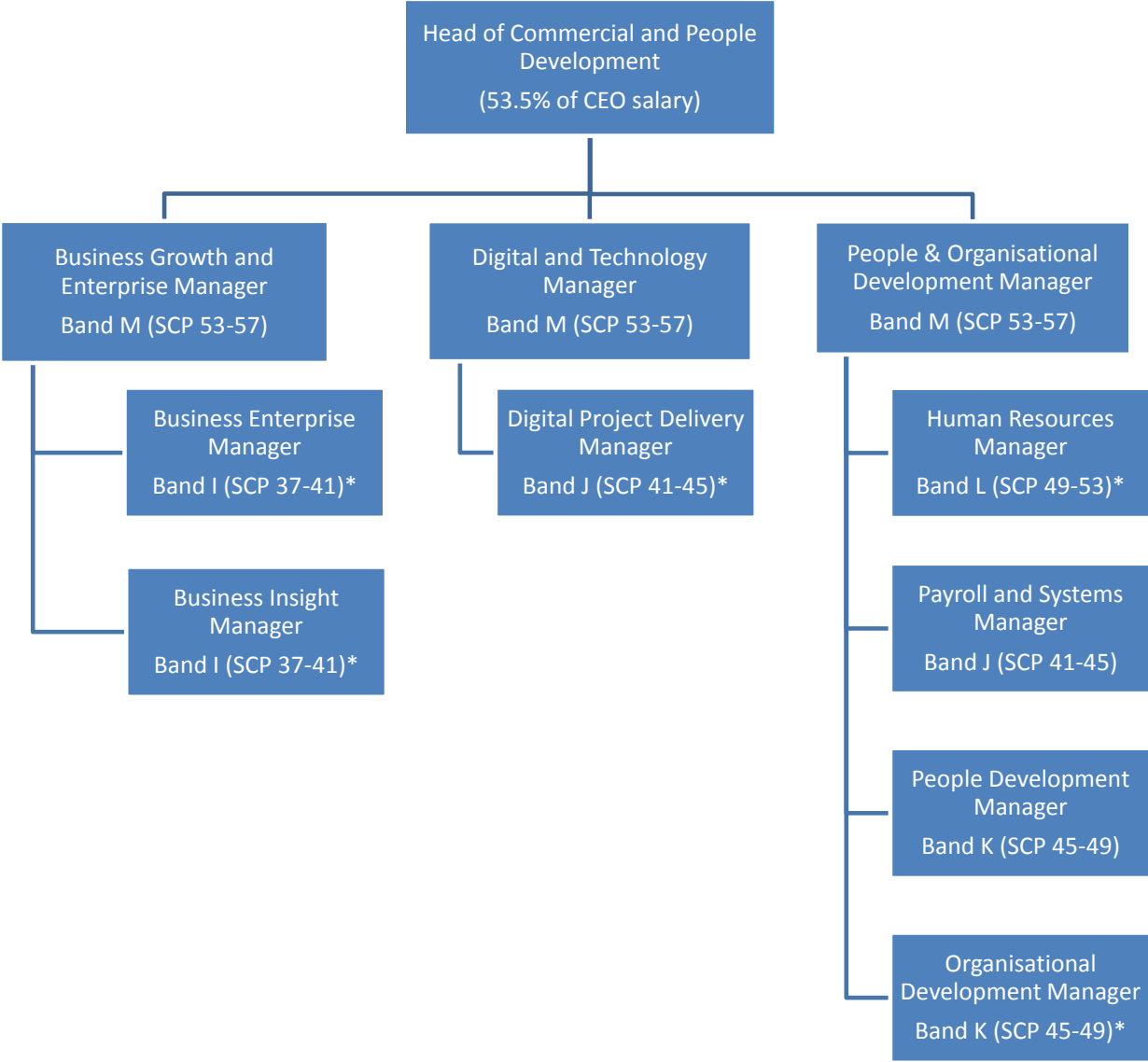
Agenda Item 3

Senior Innovation Officer	1.00	Fixed point (SCP 43)	36,676			Organisational Development Manager	1.00	Band K (SCP 45-49)	42,032	
			Subtotal	166,655					Subtotal	217,638
			On costs @ 30%	49,997					On costs @ 30%	65,291
Reserve funded post			-44,000							
Total Employers Salary Costs (Existing)				172,652		Total Employers Salary Costs (Proposed)				282,929
									Net cost/(saving)	110,278
									Total net cost/ (saving)	169,935
									Savings:	
									CEDs budget (N717)	-20,663
									Special projects (N164)	-3,427
									RDP saving (new programme)	-9,095
									Corporate training (S216)	-25,000
									Information Management	-35,270
									HR & payroll review	-25,000
									Other supplies and services	-51,480
										-169,935

Notes

1. Salary taken at top of grade.
2. All new posts subject to job evaluation

Appendix 2c - Proposed Commercial and People Development Structure



* Posts subject to job evaluation

Appendix B

The “Equality Challenge” (Screening document)

Name of the Officer completing “the Equality challenge” Debra Hill-Howells		Please give a brief description of the aims proposed policy or service reconfiguration Proposed re-alignment of the Community Delivery Service to achieve budget mandate savings and achieve a continuation of the services provided albeit through a reduced staff base which may result in reduced opening hours or activities	
Name of the Division or service area Community Learning		Date “Challenge” form completed 21.10.14	
0Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age	Reduced / changed opening hours within the hubs may result in reduced service provision		
Disability	Reduced / changed opening hours within the hubs may result in reduced service provision		
Marriage + Civil Partnership	Reduced / changed opening hours within the hubs may result in reduced service provision		
Pregnancy and maternity	Reduced / changed opening hours within the hubs may result in reduced service provision		
Race	Reduced / changed opening hours within the hubs may result		

	in reduced service provision		
Religion or Belief	Reduced / changed opening hours within the hubs may result in reduced service provision		
Sex (was Gender)	Reduced / changed opening hours within the hubs may result in reduced service provision		
Sexual Orientation	Reduced / changed opening hours within the hubs may result in reduced service provision		
Transgender	Reduced / changed opening hours within the hubs may result in reduced service provision		
Welsh Language			

What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤ <i>The development of the hub model may result in reduced operating hours which may impact on access to library and one stop services</i>	➤ Opening hours of the proposed hubs are not yet determined however we will seek to minimize any impact on service delivery by developing a volunteer programme and identifying opportunities for opportunities to access services from other locations e.g. leisure centres.
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

We will work with colleagues to offer satellite services from other locations e.g. Leisure Centres when the hub model is implemented. Customers will also be encouraged to access Council services through other mediums e.g. telephone or digital services.

Signed

Designation

Dated



Appendix C

Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Proposed re-alignment of the Community Delivery Service	Enterprise	Community Delivery
Policy author / service lead	Name of assessor	Date of assessment:
Debra Hill-Howells	Debra Hill-Howells	21.10.14

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

Yes

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

The proposed re-design of the Community Delivery Service will enable us to maintain service provision against reducing budgets over the medium term. The re-alignment of team structures will allow colleagues to focus on income generation and service efficiencies whilst maintaining service provision for Monmouthshire communities.

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age	x	Race	x
Disability	x	Religion or Belief	x
Gender reassignment	x	Sex	x
Marriage or civil partnership	x	Sexual Orientation	x
Pregnancy and maternity	x	Welsh Language	x

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

To date the community hub concept has only been developed in Usk. A community consultation exercise was undertaken which involved open days and a questionnaire to explain the rationale behind the changes.

If the structure is adopted and the budget mandate is agreed by Cabinet (300k saving for the implementation of community hubs) local engagement will be undertaken within the localities to advise them of the proposed changes and how to access Council services in different ways.

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

Financial data

Usk Community Hub consultation survey responses

6. As a result did you take any actions to mitigate your proposal? Please give details below.

We have a local community group working with MCC on the development of the Usk hub proposal. The group remain concerned that the space available will result in a reduced library provision. The local offer will be enhanced through the introduction of one stop services as colleagues are up skilled. Internal configuration and space management will be crucial in the success of this project.

If the hub concept is agreed by members each community will be given the opportunity to feed in and inform the process.

7. Final stage – What was decided?

•No change made to proposal/s – please give details

•Slight changes made to proposal/s – please give details

• Major changes made to the proposal/s to mitigate any significant negative impact – please give details

The proposal to relocate the Usk library and community learning services will be re-located into the hub. The original mandate (14/15) proposed the closure of the libraries in Usk and Gilwern. The Usk library will continue with the potential introduction of one stop services. The building that Gilwern library is situated in is in the process of being transferred to the local community council so that they can continue the facility and the Council has committed to retain the existing library provision for a period of 5 years.

Signed.....Designation.....Dated.....

Appendix A The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Debra Hill-Howells		Please give a brief description of the aims proposed policy or service reconfiguration Proposed re-alignment of the Community Delivery Service to reducing budgets and evolving service delivery models.	
Name of the Division or service area Community Delivery Service		Date “Challenge” form completed 21.10.14	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		The proposed Service re-alignment will have a neutral impact	
Improve housing quality and provision			The proposed appointment of a fixed term officer to increase capacity within the Shared Housing & Lodging Scheme will increase the availability of shared accommodation within Monmouthshire.
Reduce ill health and improve healthcare provision		As above	
Promote independence		The service will continue to support community members with	

		independent living.	
Encourage community participation/action and voluntary work			A volunteer scheme is developed to encourage community members to help deliver library and sign posting services within the hub.
Targets socially excluded		As above	
Help reduce crime and fear of crime		As above	
Improve access to education and training		As above	
Have a positive impact on people and places in other countries		The proposal will not impact in this area	
PLANET			
Reduce, reuse and recycle waste and water		No impact either way	
Reduce carbon dioxide emissions			The proposal should result in a reduced property stock that will reduce the Councils energy consumption.
Prevent or reduce pollution of the air, land and water		No impact either way	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		No impact either way	

Protect or enhance visual appearance of environment		No impact either way	
PROFIT			
Protect local shops and services		The community hub proposal will result in the continuation of local services, albeit that they will be delivered through a different model	
Link local production with local consumption		No impact either way	
Improve environmental awareness of local businesses		No impact either way	
Increase employment for local people	The proposed re-alignment of the service and changing models of service delivery will result in a reduced staff base.		
Preserve and enhance local identity and culture		No impact either way	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		No impact either way	
Increase and improve access to leisure, recreation or cultural facilities	Services will continue to be provided albeit that there may be a reduction in opening hours to meet reducing budgets		

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ The proposed re-alignment of the service and changing models of service delivery will result in a reduced staff base.	➤ Given the reducing revenue budget we will be unable to retain the existing staffing structure.
➤ Services will continue to be provided albeit that there may be a reduction in opening hours to meet reducing budgets	➤ A volunteer scheme will be developed to maximize service provision. Customers will be encouraged to access services through other channels e.g. telephones and digital media. Opportunities for service to be provided through other buildings and providers will be explored
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

We will work with colleagues to offer satellite services from other locations e.g. Leisure Centres when the hub model is implemented. Customers will also be encouraged to access Council services through other mediums e.g. telephone or digital services. A volunteer scheme will be developed to enhance to services.

Signed

Dated

If you would like to discuss the completion of this form or any issues arising out of its completion please contact:

Name: Hazel Clatworthy, Sustainability Community Officer, Tel: 01633 644843

Contact Email: hazelclatworthy@monmouthshire.gov.uk

Appendix B

The “Equality Challenge” (Screening document)

Name of the Officer completing “the Equality challenge” Ian Saunders		Please give a brief description of the aims proposed policy or service reconfiguration Proposed re-alignment of the Tourism Leisure & Culture Service to ensure the service has necessary structure and management capacity to deliver future budget mandate savings and continue to deliver services and outcomes as highlighted in service plans.	
Name of the Division or service area Tourism Leisure & Culture		Date “Challenge” form completed 21.10.14	
0Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age		X	
Disability		X	
Marriage + Civil Partnership		X	
Pregnancy and maternity		X	
Race		X	
Religion or Belief		X	
Sex (was Gender)		X	
Sexual Orientation		X	
Transgender		X	

Welsh Language		X	
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What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed

Designation

Dated

Agenda Item 3



Appendix C

Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Proposed re-alignment of the Tourism Leisure & Culture Service	Enterprise	Tourism Leisure & Culture
Policy author / service lead	Name of assessor	Date of assessment:
Ian Saunders	Ian Saunders	21.10.14

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

Yes

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

The proposed realignment of the senior management structure will improve capacity to monitor and manage performance across the service and promote better working throughout the department. The structure will also ensure that the service is ready to deliver the savings which are expected over the future years. The re-alignment of team structures will allow colleagues to focus on a more commercial approach, better coordination of key resources and assets.

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age	x	Race	x
Disability	x	Religion or Belief	x
Gender reassignment	x	Sex	x
Marriage or civil partnership	x	Sexual Orientation	x
Pregnancy and maternity	x	Welsh Language	x

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

The alignment has been discussed in team meetings especially at departmental management meetings. Budget situation have been discussed with staff involved. As two services namely Cultural Services and Outdoor Education are currently starting a review the staff will have opportunity to further shape their services

If the structure is agreed future budget mandate will be produced and additional consultation through the process will be organized.

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

Financial data

Current MCC budgets and structure documents.

6. As a result did you take any actions to mitigate your proposal? Please give details below.

At first after reviewing available budgets a slightly different structure was considered however that was updated to ensure the structure was achievable inside financial parametres

7. Final stage – What was decided?

•No change made to proposal/s – please give details

•Slight changes made to proposal/s – please give details

One post was slightly changed to ensure the final structure was within resources available

• Major changes made to the proposal/s to mitigate any significant negative impact – please give details

Signed...Ian Saunders Designation...Head of Tourism Leisure & Culture.....Dated...21.10.14.....

Appendix A The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Ian Saunders		Please give a brief description of the aims proposed policy or service reconfiguration Proposed re-alignment of the Tourism Leisure & Culture Service to reducing budgets and evolving service delivery models.	
Name of the Division or service area Tourism Leisure & Culture		Date “Challenge” form completed 21.10.14	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		The proposed Service re-alignment will have a neutral impact	
Improve housing quality and provision			
Reduce ill health and improve healthcare provision		As above	It is hoped that the new structure will be more efficient in marketing leisure and activities – more people, more active more often improving health of communities
Promote independence			Many of the schemes and outcomes of TLC encourage independent lifestyles and independence
Encourage community participation/action and			Many of the schemes and outcomes of TLC encourage community

voluntary work			participation and cohesion eg leisure centre clubs and societies A volunteer schemes are developed through all TLC services. These will be driven by the new management structure
Targets socially excluded			As above
Help reduce crime and fear of crime			As above
Improve access to education and training			As above
Have a positive impact on people and places in other countries		The proposal will not impact in this area	
PLANET			
Reduce, reuse and recycle waste and water		No impact either way	
Reduce carbon dioxide emissions		No impact either way	
Prevent or reduce pollution of the air, land and water			The proposed new post of Green Infrastructure manager should have a positive impact on some aspects of protecting the countryside
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)			As above

Protect or enhance visual appearance of environment		No impact either way	
PROFIT			
Protect local shops and services			Tourism manager post will endeavor to help local economies through increased tourism
Link local production with local consumption		No impact either way	
Improve environmental awareness of local businesses		No impact either way	
Increase employment for local people	The proposed re-alignment of the service and changing models of service delivery will result in a reduced staff base.		
Preserve and enhance local identity and culture		No impact either way	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		No impact either way	
Increase and improve access to leisure, recreation or cultural facilities			Should see increased participation in Leisure & Culture via driving better use of facilities and more activities and better publicity

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ The proposed re-alignment of the service and changing models of service delivery will result in a reduced staff base.	➤ Given the reducing revenue budget we will be unable to retain the existing staffing structures so need to build in efficiencies
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed Ian Saunders

Dated 21.10.14

If you would like to discuss the completion of this form or any issues arising out of its completion please contact:

Name: Hazel Clatworthy, Sustainability Community Officer, Tel: 01633 644843

Contact Email: hazelclatworthy@monmouthshire.gov.uk

The “Equality Initial Challenge”

Name: Peter Davies Service area: Commercial & People Development, Enterprise Directorate Date completed: 21st October 2014		Please give a brief description of what you are aiming to do. Creation of the staff establishment and capacity for the Commercial and People Development division of the Enterprise Directorate	
Protected characteristic	Potential Negative impact Please give details	Potential Neutral impact Please give details	Potential Positive Impact Please give details
Age			The increased capacity in the Business Growth and Enterprise team is likely to have a positive impact as resources target entrepreneurs from all ages, encourages mentors from the older age group whilst also encouraging young entrepreneurs.
Disability			The increased capacity in the Business Growth and Enterprise team will have a positive impact for those with this protected characteristic who wish to start their own businesses.
Marriage + Civil Partnership		No impact	
Pregnancy and maternity		No impact	
Race			The increased capacity in the Business Growth and Enterprise team will have a positive impact for those with this protected

			characteristic who wish to start their own businesses.
Religion or Belief		No impact	The increased capacity in the Business Growth and Enterprise team will have a positive impact for those with this protected characteristic who wish to start their own businesses.
Sex (was Gender)		No impact	The increased capacity in the Business Growth and Enterprise team will have a positive impact for those with this protected characteristic who wish to start their own businesses.
Sexual Orientation		No impact	The increased capacity in the Business Growth and Enterprise team will have a positive impact for those with this protected characteristic who wish to start their own businesses.
Transgender		No impact	The increased capacity in the Business Growth and Enterprise team will have a positive impact for those with this protected characteristic who wish to start their own businesses.
Welsh Language		No impact	

Please give details about any potential negative Impacts .	How do you propose to MITIGATE these negative impacts
➤	➤
➤	➤
➤	➤
➤	➤

Signed: Peter W Davies

Designation: Head of Commercial and People Development

Dated: 21st October 2014

EQUALITY IMPACT ASSESSMENT FORM

What are you impact assessing	Service area
Creation of the staff establishment and capacity for the Commercial and People Development division of the Enterprise Directorate	Commercial & People Development, Enterprise Directorate
Policy author / service lead	Name of assessor and date
Peter Davies	Kellie Beirne, Chief Officer

1. What are you proposing to do?

Create the staff establishment and capacity for the Commercial and People Development division of the Enterprise Directorate.

2. Are your proposals going to affect any people or groups of people with protected characteristics in a **negative** way? If **YES** please tick appropriate boxes below.

Age	No	Race	No
Disability	No	Religion or Belief	No
Gender reassignment	No	Sex	No
Marriage or civil partnership	No	Sexual Orientation	No
Pregnancy and maternity	No	Welsh Language	No

3. Please give details of the negative impact

N/A

4. Did you take any actions to mitigate your proposal? Please give details below including any consultation or engagement.

N/A

5. Please list the data that has been used to develop this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc..

Reference to staff personnel data.

Signed: Peter W Davies
Designation: Head of Commercial and People Development
Dated: 21st October 2014

The “Sustainability Challenge”

Name of the Officer: Peter Davies		Please give a brief description of the aims proposed policy or service reconfiguration: Creation of the establishment and capacity for the Commercial and People Development division of the Enterprise Directorate	
Name of the Division or service area: Commercial and People Development, Enterprise Directorate		Date “Challenge” form completed: 22 nd October 2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		No impact	
Improve housing quality and provision		No impact	
Reduce ill health and improve healthcare provision			Aiming to positively support staff and effectively manage sickness absence, through increased HR leadership capacity
Promote independence		No impact	
Encourage community			Increased organizational development capacity will include

participation/action and voluntary work			focus on volunteering and staff and community engagement
Targets socially excluded		No impact	
Help reduce crime and fear of crime		No impact	
Improve access to education and training			Capacity around people and organizational development and business growth and enterprise allows for focus on training and people development for communities and businesses
Have a positive impact on people and places in other countries		No impact	
PLANET			
Reduce, reuse and recycle waste and water		No impact	
Reduce carbon dioxide emissions		No impact	
Prevent or reduce pollution of the air, land and water		No impact	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		No impact	
Protect or enhance visual		No impact	

appearance of environment			
PROFIT			
Protect local shops and services		No impact	
Link local production with local consumption		No impact	
Improve environmental awareness of local businesses		No impact	
Increase employment for local people			Capacity introduced will allow for enhanced support provided to existing businesses, entrepreneurs and start-ups as well as the introduction of formal work experience and apprenticeship programmes.
Preserve and enhance local identity and culture		No impact	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		No impact	
Increase and improve access to leisure, recreation or cultural facilities		No impact	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤	➤
➤	➤
➤	➤
➤	➤

The next steps

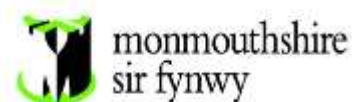
- If you have assessed the proposal/s as having a **positive impact please give full details** below

Details provided above.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed: Peter W Davies

Dated: 22nd October 2014



SUBJECT: TARGET SETTING AT A TIME OF CONTRACTING BUDGETS

MEETING: Cabinet

DATE: 3 December 2014

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

- 1.1 To seek approval to mid-year revisions to a number of targets contained in the Council's Improvement Plan and Outcome Agreement with Welsh Government and to re-state existing targets to ensure absolute clarity on expected performance.
- 1.2 To remind members of past performance against key performance indicators and ensure that members consider the likely impact of budget decisions the trajectory of future performance.

2. RECOMMENDATIONS:

- 2.1 That Cabinet approve the changes to targets specified in this report.
- 2.2 That Cabinet use this target matrix as their baseline when considering the likely impact of future budget decisions on key areas of performance, set targets accordingly and ensure that these targets are communicated clearly to citizens.

3. KEY ISSUES:

- 3.1 The Council is delivering a wide-range of services with a reducing budget. At the second quarter of the year over 70% of performance indicators are showing improvement. It will be increasingly challenging to maintain this performance against a backdrop of budget reductions of 4.3% for 2015/16. The Council remains committed to an ambitious programme that will meet needs in new and

sustainable ways rather than cutting services. It will become increasingly important to understand in practical terms what 'securing continual improvement' means in a context where it faces year-on-year budget reductions.

- 3.2 The Local Government Wales Measure 2009 places a duty on local authorities to “make arrangements to secure continuous improvement in the exercise of [their] functions.”
- 3.3 Improvement can be demonstrated by using fewer resources to deliver a similar outcome. Increasingly we may need to set targets which do not show improvement in absolute terms but which may be about maintaining a minimum level below which standards will not fall. It can also be shown that the authority is exercising its duty if it makes changes that will not deliver improvement in the current year but which are likely to lead to improvement in subsequent years.
- 3.4 There will be areas of work where Cabinet will have to accept a flat-lining or even reductions in performance. These areas will need to be explicitly identified when new versions of the Improvement Plan and medium term financial plan are produced as part of the budget setting process for 2015/16. We will have to become more sophisticated in our interpretation of data as we start to see planned and managed reductions in performance in some services. It seems counter-intuitive to say that a reduction in performance is intended but that will be the reality in specified areas.
- 3.5 The past performance and future targets shown in Appendix 1 will help members reflect on the extent to which the trajectory of future performance will be influenced by resource pressures in some areas. There is an Excel file on the Hub that [shows past performance and future targets graphically](#). Business cases to deliver budget savings must be underpinned by clear and measurable targets, this is vital to demonstrate that the authority is meeting its duty to make arrangements to deliver continuous improvement and fully understands the impact of budget decisions on services.

4. REASONS:

- 4.1 To ensure that Cabinet are able to make informed decisions on the extent to which future budget proposals will impact on a range of performance measures.
- 4.2 To ensure there is clarity on performance targets that have been agreed and to amend a number of targets provide Cabinet with timely information to ensure that the authority is well-run and able to maximise its contribution to achieving the vision of sustainable and resilient communities.

5. RESOURCE IMPLICATIONS:

If the authority is unable to sustain performance in line with the targets and milestones set in its Outcome Agreement with Welsh Government then the grant of c£840,000 per annum will be placed at risk

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

This report does not propose a change of policy or service delivery. However it will be important to assess any targeted future reductions in performance to ensure that they do not impact disproportionately on any protected characteristics.

7. CONSULTEES:

Senior Leadership Team
Cabinet

8. BACKGROUND PAPERS:

None

9. AUTHORS:

Policy and Performance Team

10. CONTACT DETAILS:

Tel: 01633 644397
E-mail: matthewgatehouse@monmouthshire.gov.uk

Target Data

Key to acronyms

Department: CEO = Chief Executive's, SCH = Social Care and Health, ENT = Enterprise, CYP = Children and Young People, OPS = Operations, D&R = Democratic and Regulatory Services.

Plans: IP13-16 = Improvement Plan 2013-16; IP14-17 – Improvement Plan 2014-17; OA = Outcome Agreement; CO = Chief Officer Report

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
% of all pupils in local authority schools, aged 15, that leave compulsory education, training or work based learning without an approved external qualification	0.12	0.1	0.4	0	0	0	EDU/002i	National	IP13-16; IP14-17; OA	CYP	
% of pupils in local authority care, and in local schools, aged 15, that leave compulsory education, training or work based learning without an approved external qualification	0	0	0	0	0	0	EDU/002ii	National	IP13-16; IP14-17; OA	CYP	
% of pupils achieving the Foundation Phase Indicator (FPI) – All Pupils		86.8	89.5	91	92.6	92.5 92			IP13-16; IP14-17; OA	CYP	2014/15 Target was 92.6% in IP 14-17 However, target in OA was originally set at 92% and revised to 91%. 2015/16 target also revised within OA.
% of pupils achieving the Foundation Phase Indicator (FPI) – FSM Pupils		72.9	74.6	79	87.5	76			IP13-16; IP14-17; OA	CYP	However, 2013/14 Target had originally been set at 74.6% in the OA. Also the 2014/15 target was as 75% within OA.
% of pupils assessed at the	82.5	86.3	89.3	89	91	92.5	EDU/	National	IP13-16;	CYP	2015/16 targets revised

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
end of Key stage 2, in schools maintained by the local authority achieving the Core Subject Indicator, as determined by Teacher Assessment – All Pupils						90	003		IP14-17; OA		within the OA.
% of pupils assessed at the end of Key stage 2, in schools maintained by the local authority achieving the Core Subject Indicator, as determined by Teacher Assessment – FSM Pupils	58.2	62.3	75.8	76	79	78 72			IP13-16; IP14-17; OA	CYP	2013/14 and 2014-15 targets in the outcome agreement were originally set at a lower level but have reverted to values set in the 2014-17 Improvement Plan agreed by members in May 2014. The 2015/16 target was revised from 78% to 72% within the OA substantiated by better, individual pupil data.
% of pupils assessed at the end of Key Stage 3, in schools maintained by the local authority, achieving the Core Subject Indicator, as determined by Teacher Assessment	71.54	77.7	80.3	82	87.6		EDU/004	National			
% of pupils assessed, in schools maintained by the local authority, receiving a Teach Assessment in Welsh (first language) at the end of Key Stage 3	0	0	0	0	0	0	EDU/006ii	National			
The average point score for pupils aged 15 at the preceding 31 August, in schools maintained by the	438	463.7	472.6	not set	not set	not set	EDU/011	National			

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
local authority											
% of final statements of special education need issued within 26 weeks including exceptions	42.86	55.6	57.1	68			EDU/015a	National			
% of final statements of special education need issued within 26 weeks excluding exceptions	93.8	100	100	100			EDU/015b	National			
% of pupil attendance in primary schools	94.4	94.7	94.4	94.9	95	95.8	EDU/016a	National	IP13-16; IP14-17; OA		
% of pupil attendance in secondary schools	92.3	93.2	93.5 93.4	93.26	94	94.5	EDU/016b	National	IP13-16; IP14-17; OA		2014/15 Target of 94% reported in IP14-17 but 93.9% in OA 13-16. We will use the rounded figure of 94%
% of pupils aged 15 at the preceding 31 August, in schools maintained by the local authority who achieved the Level 2 threshold including a GCSE grade A*-C in English or Welsh first language and mathematics – All Pupils	51.3	56.3	57.3	65	67	68	EDU/017	National	IP13-16; IP14-17; OA	CYP	2014/15 Target of 67% reported in the IP14-17. However, this target was originally set within the OA at 66% and revised to 63%. Suggest revert to original target of 67%
% of pupils aged 15 at the preceding 31 August, in schools maintained by the local authority who achieved the Level 2 threshold including a GCSE grade A*-C in English or Welsh first language and mathematics – FSM Pupils	15.1	25.7	26.7	57	36	62 35			IP13-16; IP14-17; OA	CYP	2014/15 Target of 36% reported in the IP14-17. However, target in OA for 14-15 originally stated at 60% and then revised to 30% and target in OA for 15-16 was revised from 62% to 35% by CYP,

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
% of 16 year olds who are not in education, employment or training	3.8	3.8	2.8	3.3	3.3	2.8			IP13-16; IP14-17; OA		Actual for 2013/14 reported as 3.8% in IP 14-17. However, the correct figure is 2.8%, as reported within the OA. Target for 2014/15 is reported as 3.3% in the IP14-17. However it , was originally set as 3% in the OA and revised to 3.3% for consistency with IP14-17
Percentage of schools in the 3rd quartile of the national standards framework i) foundation phase	25.8	29	19.3	9.7	9.7 19.3	6.5			IP13-16; IP14-17; OA		Targets have been revised for 2014/15 within the OA following the cyclical update of targets from the EAS in December 2013. Targets for 2015/16 can similarly be confirmed in December 2014.
Percentage of schools in the 3rd quartile of the national standards framework ii) Key Stage 2	32.3	35.5	32.3	25.8	19.4 16	9.7			IP13-16; IP14-17; OA		Targets have been revised for 2014/15 within the OA following the cyclical update of targets from the EAS in December 2013. Targets for 2015/16 can similarly be confirmed in December 2014.
Percentage of schools in the 3rd quartile of the national standards framework iii) Key Stage 3	25	50	0	25	50 0	25			IP13-16; IP14-17; OA		Targets have been revised for 2014/15 within the OA following the cyclical update of targets from the EAS in December 2013. Targets for 2015/16 can similarly be confirmed in December 2014.
Percentage of schools in the 3rd quartile of the national	25	50	0	25	0	0			IP13-16; IP14-17;		

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
standards framework iv) Key Stage 4									OA		
Percentage of schools in the 4th quartile of the national standards framework i) foundation phase	16.1	16.1	16.1	12.9	6.5 0	6.5			IP13-16; IP14-17; OA		2013/14 Target reported as 12.9% in IP13-16 However it had been revised to 16% in the OA but has now reverted to the original target of 12.9%. In addition, targets were revised for 2014/15.
Percentage of schools in the 4th quartile of the national standards framework ii) Key Stage 2	38.7	22.6	19.3	12.9	12.9 16	9.7			IP13-16; IP14-17; OA		Targets were revised for 2014/15 within the OA following the cyclical update of targets from the EAS in December 2013.
Percentage of schools in the 4th quartile of the national standards framework iii) Key Stage 3	50	25	50	0	0	0			IP13-16; IP14-17; OA		
Percentage of schools in the 4th quartile of the national standards framework iv) Key Stage 4	50	25	50	0	0	0			IP13-16; IP14-17; OA		
% of food establishments with are 'broadly compliant' with food hygiene standard	84.3	88.1	91.2	88.1	91.2		PPN/009	National	IP14-17;	D&R	
% of all potentially homeless households for whom homelessness was prevented for at least 6 months	30.4	21.4	24.2	25	35		HHA/013	National	IP14-17; CO;	ENT	

Agenda Item 4i

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
The average number of calendar days taken to deliver a Disabled Facilities Grant	311	236	186	230	230		PSR/002	National	IP14-17; CO;	ENT	
% of all additional housing units provided during the year that were affordable	31	101	31	Not set	Not set		PLA/006b	National		ENT	
% of private sector homes that has been vacant for more than 6 months that were returned to occupation during the year through direct action by the local authority	0.23	Not published	4.66	Baseline	>4.66		PSR/004	National		ENT	
The number of visits to local authority sport and leisure centres during the year per 1,000 population where the visitor will be participating in physical activity	5962	6852	8099	7060	7130 TBC	7201 To be revised	LCS/002	National	IP14-17; OA; CO;	ENT	The service is currently more focussed on the retention of existing customers which is expected to impact on visits as there are fewer short term promotions for people to use. This combined with the closure of Monmouth pool, which is expected to remove two months' worth of pool visits in 2014/15 means the target has been set based on a 3% decrease of visits. Which remains 15% above the previous highest visits achieved in 2012/13
The number of visits to public libraries during the year, per 1,000 population	7293	7279	7270	6900	7280		LCL/001b	National	IP14-17; CO;	ENT	
% of municipal waste	54.97	55.5	61	60	61		WMT	National	IP 14-	OPS	Performance in 13-14 has

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
collected by local authorities and prepared for reuse and/or recycled that are composted or treated biologically in another way			62.94		63		/009		17;OA		improved through the data audit process with Natural Resources Wales. Our target is to maintain performance level achieved in 13/14.
% of municipal waste collected by local authorities sent to landfill	43.29	42.81	35 34.23	36.7	<37% <35		WMT / 004	National	OA	OPS	Performance in 13-14 has improved through the data audit process with Natural Resources Wales. Our target is to maintain performance level achieved in 13/14.
% of highways and relevant land inspected of a high or acceptable standard of cleanliness	95.71	98.4	99.38	98.5	99		STS/005b	National		OPS	
% of reported fly tipping incidents cleared within 5 working days	81.09	82.12	95.98	82.1	96		STS/006	National	IP14-17;	OPS	
% of adults aged 60 or over who hold a concessionary bus pass	77.9	76.6	77.5	Not set	Not set		THS/007	National		OPS	
% of principal (A) roads, non-principal (B) roads and non-principal (C) roads that are in overall poor condition	9.4	7.8	9.8	3% A roads 8% B&C Roads	11% (A)- 3, (B) -5, (C)-15		THS/012	National	IP14-17;	OPS	
The rate of delayed transfers of care for social care reasons per 1,000 population aged 75 or over	2.42	1.77	1.83	3.88	3.55 2.26	3.23 2.15	SCA/001	National	OA IP14-17	SCH	We have previously maintained an attainable national target (c.36 per year) nationally and a more stretching local target (c.21 per year). From this point forward just use the local target

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
The rate of older people supported in the community per 1,000 population aged 65 or over on last day of the period	67.3	60.28	56.56	58.80	56.59		SCA/002a	National		SCH	
Number of people (18+) in receipt of traditional care packages to keep them at home (monthly)		1668	1620	1693	1667	1664		local	OA	SCH	This target will be made more stretching following review of the mid-year position. This will be done by the Chief Officer and responsible Cabinet member
Number of older people in local authority funded nursing or residential care	239	254	227	270	230 227			Local	IP14-17		Target made more stretching for 2014-15. To achieve at least performance in previous year
The rate of older people whom the authority supports in care homes per 1,000 population aged 65 or over at 31 March	12.9	13.21	11.33	13.52	11.33		SCA/002b	National		SCH	
% of clients with a care plan at 31 March whose care plans should have been reviewed that were reviewed during the year	65.33	54.4	82.1	80	82		SCA/007	National			
% of carers of adults who were offered an assessment or review of their needs in their own right during the year	23	74.2	97.3	>95	100		SCA/018a	National	IP14-17; CO;		
% of adult protection referrals completed where the risk has been managed	77.86	80.37	81.2	>90	92		SCA/019	National			

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
% of adult clients who are supported in the community during the year	87.55	86.85	86.34	Not set	Not Set	Not Set	SCA/020	National			We do not set targets against this metric.
Percentage of people using adult social care services who report that they are happy with the service they receive	93	96	90	90	90			Local	IP14-17		
Percentage of people who believe that the service they get meets their needs	85	88	82	80	82			Local	IP14-17		
Percentage of people who are fully independent following a period of reablement	-	54.4	53.5	50-55	50-55			Local	IP14-17		
Cost avoidance against forecast expenditure associated with an ageing population	n/a	n/a	new	£22k - £44K	£123K - £246K	£380k - £760K					Note for clarity – The target is set as a range between the two given values in each year
% of first placements of looked after children during the year that began with a care plan in place	100	Not published	83	100	100		SCC/001a	National			
% of children looked after who have experienced one or more changes of school while being looked after	10.5	10.2	11	10	10		SCC/002	National			
% of children looked after on 31 March who have had three or more placements during the year	9.43	2.7	10.7	10	9.4		SCC/004	National			
% of initial assessments that were completed during the year where there is evidence	97.2	85.6	95.7	90	95		SCC/011a	National			

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
that the child has been seen by the social worker											
% of initial assessment that were completed during the year where there is evidence that the child has been seen alone by the social worker	5.2	22.38	33.21	37.5	37.5 48		SCC/011b	National			
% of statutory visits to looked after children due in the year that look place in accordance with regulations	84.69	66.9	65.3	80	90.6		SCC/025	National			
% of young carers known to social services who were assessed	85.71	100	54.5	Not set	100		SCC/030a	National			
% of young people formerly looked after with whom the authority is in contact at the age of 19	88.9	88.9	92.3	100	100		SCC/033d	National	IP14-17;		
% of young people formerly looked after who are known to be in suitable, non-emergency accommodation at the age of 19	93.8	100	91.7	80	88.9		SCC/033e	National	IP14-17;		
% of young people formerly looked after who are known to be engaged in education, training or employment at the age of 19	62.5	25	58.3	60	66.7		SCC/033f	National	IP14-17;		
The average external qualifications point score for 16 year old looked after children in any local authority maintained learning setting	139	269	222	Not set	165		SCC/037	National			
% of eligible, relevant and	Not	68.4	73.3	70	98		SCC/	National			

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
former relevant children that have pathway plans as required	produced						041a				
% of reviews of looked after children, children on the CPR and children in need carried out in line with the statutory timetable	61.49	59.5	86.1	80	94		SCC/045	National			
% of reviews of children on the child protection register that were carried out on time	99.1	90.5	93.5	100	100		SCC/034	National (SID)	IP14-17		
Number of children benefitting from Flying Start nursery provision ⁱ		82	119	79	130	150			OA	CYP	
Percentage of children on the flying start scheme reaching, exceeding or within one age band below the developmental norm at 24 months		85%	80%	86%	86%	86%			OA	CYP	
Percentage of Acorn Project parents who report improved parenting skills		79% ⁱⁱ	88%	88%	82%	85%			OA	CYP	
Percentage of Acorn project parents who report improved confidence in supporting their children % parents report improvement in confidence as a parent		79% ⁱⁱⁱ	83%	79%	81%	83%			OA	CYP	
Percentage of children on the flying start scheme aged 23-25 months who were more		63%	71%	64%	64% 75%	64%			OA	CYP	Waiting for Flying Start team to confirm more stretching target of 75% as in Service Plan.

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
than one age interval below the developmental norm who show an improvement at 35 – 37 months											
Number of additional affordable housing units built	78	63	48	Not set	96			Local	CO	ENT	
Mean period from planning application being received to determined	66.8	104	105.5	90	90			Local	CO	D&R	
The percentage of applications for development determined during the year that were approved	93.6%	93.7%	93.7%	93%	93%		PLA/002	National (SID)	CO	D&R	
Housing land supply years ^{iv}	5.0	4.4	3.6	5	5			Local	IO 14-17; CO;	ENT	
Total installed capacity of renewable energy.		425 kW	796 kW	750 kW	875 kW	1000 kW		Local	OA	ENT	
Amount of energy generated from renewable sources	169,924 kWh	292,174 kWh	509,649 KWH	500,000 kWh	625,000 KWH	750,000 kWh		Local	OA; CO	ENT	
% of children & young people who participate in physical activity 5 x 60	N/A	39% 40%	40% 41%	40%	41%	42%		Local	CO	ENT	2012/13 & 2013/14 data revised from 40%. Data is for academic year e.g. 2013/14 is exams set in summer 2013
Number of new business start-ups where assistance was provided by Monmouthshire Enterprise and Partners	57	60	104 103	75	70			Local	OA; IO 14-17; CO	ENT	2013/14 data revised as part of audit process. 104 originally reported in Stage 1 improvement plan 2014/17 which was prior to completion of audit.
Number of new jobs created	185	331	124	260	200			Local	IO 14-	ENT	

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
where assistance was provided by Mon Enterprise and partners									17; CO		
Number of inward investment projects delivered as a direct result of Monmouthshire Enterprise support	Not recorded	5	2	5	5			Local	IO 14-17; CO	ENT	
Total number of tourists per year ^v	2,102,500	2,015,300	2,052,500	Not set	>2,052,500			Local	IO 14-17; CO	ENT	
The number of library materials issued, during the year, per 1,000 population	6180	5985	5828	6000	6000		LCL/004	National (SID)	CO	ENT	
Number of working days/shifts per full-time equivalent (FTE) local authority employee lost due to sickness absence	13.3	11.9	11.0	<11.9	<11.0		CHR/002	National	IO 14-17 CO	All	
Percentage unemployment among the economically active ^{vi}	4.9%	5.8%	5.3%	Not set	<5.3%			Local	CO	ENT	
Percentage of working residents who work within Monmouthshire ^{vii}	57.9%	56.5%	58.6%	Not set	>58.6%			Local	CO	ENT	
Total income generated from tourism per year ^{viii}	£163.5 million	£158.4 million £163.3 million	£165.08 million	Not set	>£165.08 million			Local	IO 14 - 17; CO	ENT	
Percentage reduction in Carbon dioxide emissions ^{ix} i) Absolute ii) Adjusting for seasonal conditions like cold winters	i) 7% ii) 2%	i) 1% ii) 11%	i) 5% ii) +2%	3%	3%	3%		Local	IO 14-17; OA; CO	ENT	
Percentage of people with a feeling of belonging to local area ^x	Not produced	82%	84%	Not set	>84%			Local	IO 14-17; CO	All	

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
Percentage of people who agree they can influence decisions affecting local area ^{xi}	Not produced	22%	26%	Not set	>26%			Local	IO 14-17; CO	All	
Average wage levels in the county (gross weekly pay by workplace) ^{xii}	£452	£443 £438	£427	£454	£465	£475		Local	IO 14-17; OA; CO	ENT	Data for 2012 has been revised downwards since publication of the Outcome Agreement. This has made subsequent targets more stretching.
Total tonnes of overall residual waste collected ^{xiii}	20,096	20,045	16,774	17,500	<17,000			Local	IO 14-17	OPS	
Net revenue spend of the local authority (£000's)		139,700	145,463	N/A	138,532 N/A			Local	IO 14-17	All	Target has been set as not applicable, as the revenue budget is revised quarterly it would not be applicable to target this indicator, instead it provides an indicator of the actual spend for the net cost of services
Revenue outturn expenditure against budget (£000's) and percentage over/underspend	4,000 2.7% underspend	419 0.3% underspend	1,227 0.8% underspend	Within budget	Within budget			Local	IO 14-17	All	The target should be stated to deliver the net cost of services within budget as set in 2013/14
Percentage of council tax due in the financial year received	97.3%	97.5%	97.9%	97.7%	98%			Local	IO 14-17	other	
Percentage of national performance indicators that are improving or at maximum ^{xiv}	63%	63%	70% 64%	Not set	>70%			Local	IO 14-17	All	2013/14 data revised following publication of full National Performance indicator data set.
Percentage of people who agree the local authority provides high quality	Not produced	53%	63%	Not set	>63%			Local	IO 14/17	All	

Indicator	2011/12	2012/13	2013/14	2013/14	2014/15	2015/16	Ref	National or Local PI	Plans it features in	Dept	Reason for target change
	Actual	Actual	Actual	Target	Target	Target					
services. ^{xv}											
Percentage of people who agree the local authority is good at letting them know how we are performing ^{xvi}	Not produced	41%	47%	Not set	>47%			Local	IO 14/17	All	
Proportion of children living in low income families	Not Produced	12.5% (2011 data)	Not published	12.4%	12.3%	12.2%		Local	OA	All	
Percentage of electricity consumed that is generated from renewable sources ^{xvii}	Not produced	1.25%	2.41%	1.5%	1.75% 2.75%	2.0% 3.25%		Local	OA	ENT	Revised targets in Outcome Agreement based on 2013/14 performance
Number of young people aged 11- 25 who are young ambassadors for sport	Pre start date	29	71	70	71	71		Local	OA	ENT	
Number of community sports clubs achieving insport accreditation	Pre start date	12	14	14 (2 further clubs)	16 (2 further clubs)	18 (2 further clubs)		Local	OA	ENT	
Number of volunteer hours delivered by young ambassadors for sport	Pre start date	410	1010 960	940	1040	1040		Local	OA	ENT	2013/14 data revised as part of audit process.
Percentage of children swimming 25 metres at Key Stage 2	Not produced	72%	76%	75%	78%	78%		Local	OA	ENT	
Percentage of children who are physically active (hooked on sport for life)	Not produced	Baseline set in 2013/14	42% Wales Av 40%	Baseline	Completed bi-annually	Above Wales average		Local	OA	ENT	
Percentage of new housing benefit claims decided within 14 days	83	87	94		95						

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- ⁱ Number of children is based on the number of two year olds receiving flying start nursery provision in each year. In 2014/15 and 2015/16 the number of children will increase in line with expansion plans. However, until work commences in these areas an accurate number of predicted two year olds will not be available. Therefore, targets for 2014/15 and 2015/16 will be updated and existing targets are based on current provision.
- ⁱⁱ this is only reflective of part of the whole project and is the percentage of parents completing parenting programmes only for baseline and target for 2013/14
- ⁱⁱⁱ this is only reflective of part of the whole project and is the percentage of parents completing parenting programmes only for baseline and target for 2013/14
- ^{iv} Data is produced each year by Monmouthshire County Council Joint Housing Land Availability Study. The land supply is dated at 1st April each year and looks at activity in the previous year, for example as at 1 April 2014 data relates to activity in 2013/14 and the target for 2014/15 relates to the land supply situation at 1 April 2014, a figure that will not be formally established until September 2014 or, if subject to objection, until an inspector's report is provided in March 2015. Local planning authorities are required by Planning Policy Wales to ensure that sufficient land is available, or will become available, for a five-year supply of land for housing.
- ^v Based on annual calendar year data produced by STEAM
- ^{vi} NOMIS Official labour market statistics, obtained from NOMIS Local authority profile at <https://www.nomisweb.co.uk>, All people - Economically active - Unemployed (Model Based) for Monmouthshire
- ^{vii} Stats Wales Report 004893 Commuting patterns in Wales by Welsh local authority
- ^{viii} Based on annual calendar year data produced by STEAM.
- ^{ix} Calculated from all stationary sources, for example buildings and street lighting. Absolute and weather adjusted figures have been included to provide a more standardised and comprehensive comparison as emissions are dependent on energy consumption used for heating which will be influenced by periods of cold weather.
- ^x Welsh Government [National Survey for Wales](#)
- ^{xi} Welsh Government [National Survey for Wales](#)
- ^{xii} ONS, Annual Survey of hours and earnings - based on 2012 & 2013 data respectively. Median earnings in pounds for employees who work in Monmouthshire. This based on place of employment not place of residence; therefore this is likely to include a mix of people who live outside as well as inside Monmouthshire. NOMIS Official labour market statistics - www.nomisweb.co.uk +
- ^{xiii} (This includes all black bag waste, kerbside & CA sites, street sweepings, fly tipping & trade waste)
- ^{xiv} National performance indicators from the National Strategic Indicators and Public accountability measures set. Only indicators that can be directly compared to the previous year and were published in the year by the Council are included.
- ^{xv} Welsh Government [National Survey for Wales](#)
- ^{xvi} Welsh Government [National Survey for Wales](#)
- ^{xvii} Calculated from total electricity generated from renewable sources expressed as a percentage of total electricity consumption.



REPORT

SUBJECT:	FRIENDSHIP AGREEMENT WITH XIANGSHAN COUNTY, CHINA
MEETING:	Cabinet
DATE:	December 2014
DIVISION/WARDS AFFECTED:	ALL

1. PURPOSE:

- 1.1 To propose the development of an international relationship with Xiangshan Local Government in China, which includes the signing of a 'Friendship Agreement' to share best practice and inform opportunities around culture, tourism and economic development.

2. RECOMMENDATIONS:

- 2.1 To agree the development of a long-term strategic relationship with Xiangshan Local Government, to focus specifically on progressing issues and opportunities of common interest such as tourism, culture and economic growth.
- 2.2 To symbolize this intent through the signing of a Friendship Agreement.

3. KEY ISSUES:

- 3.1 In June 2014, Northern Automotive Systems (NAS), based in Gilwern, sponsored the prestigious National Road Race Championships, staged in the county and hosted by the Council. This involved senior representatives from NAS' parent company, the Huaxiang Group, China visiting Monmouthshire for the duration of the event to perform the role of sponsorship ambassadors.
- 3.2 During this short period, excellent relationships were established with Huaxiang and colleagues at NAS. Given the scale and pace of changes in the global automotive industry, developing a meaningful connection was felt to be especially important, since 462 numbers of high order jobs are supported by the company at the £30m Gilwern plant and future potential exists for further international investment.
- 3.3 In view of the scale of economic investment Huaxiang's interest in Gilwern represents for Monmouthshire and Wales as a whole, cementing relationships is clearly crucial. With this in mind, Huaxiang executives suggested that an alliance be built with local government counterparts in their home county of Xiangshan.
- 3.4 Xiangshan County is located in the south Yangtze River Delta on the South-East coast of China, below the Bay of Shanghai (Xiangshan Harbour and Sanmen Bay). The county covers an area of 1,382 sq km and has a population of some 230,000 mainly in inland rural communities. The jurisdiction of Xiangshan comprises ten towns, five townships and three main sub-districts. It is ranked no. 63 in the Top 100 National Strongest Economic Counties. For four consecutive years it has also been awarded as the National Model County, the best Marine Leisure Tourism and the County of Advanced Culture. In 2013, its GDP reached RMB 36.38 billion with the average income of urban inhabitants of 40,175 yuan.
- 3.5 The Huaxiang Group is the leading enterprise, with a global presence and companies and off-shoots in the UK, US, Germany and the Czech Republic, providing automobile parts and services for BMW, Benz, Volkswagen, Audi and others. Huaxiang is a heavy weight in the European and American automotive markets and its investment profile is increasing.
- 3.6 Following introductions facilitated by the Huaxiang Group, delegates from the Xiangshan Local Government visited Wales in October 2014. On Friday 24th October, the Chairman of Monmouthshire County Council hosted a meeting with delegates and the NAS General Manager, at County Hall, Usk. The purpose of this meeting was to share information about Monmouthshire and

Xiangshan; establish areas of common interest around which good practice could be exchanged; compare issues and challenges and talk about potential opportunities to build a network spanning China and Wales. To signify the importance of establishing this early relationship, a simple 'Friendship Agreement' was signed by the Chairman of Monmouthshire County Council and the Leader of Xiangshan County. This is appended for information.

- 3.7 The visit concluded with an excursion around Monmouthshire and delegates particularly enjoyed partaking in a guided tour of Caldicot Castle.
- 3.8 The visit was discussed with, and endorsed by senior officials within the department of Business, Enterprise, Technology and Science (BETS) within Welsh Government. The Minister, Mrs Hart was also briefed about the visit given previous support shown by Welsh Government to safeguard investment at NAS, Gilwern. We remain in discussion with WG as to how best to develop the relationship with Xiangshan and Huaxiang and how benefits might be leveraged for Monmouthshire and Wales. This will be an important feature of our continuing work.
- 3.9 Initial feedback from the visit has conveyed Xiangshan colleagues felt extremely positive about their visit to Monmouthshire and NAS and the prospect of developing relationships and this has been shared with the Huaxiang Group.

4. REASONS

- 4.1 Developing a strategic relationship with Xiangshan County is important because:
- The relationship with Xiangshan County and its main enterprise, Huaxiang Group, is critical to continuing investment in high order jobs at NAS in Gilwern;
 - Given the global growth profile of Huaxiang, the potential for future investment exists and we must work hard to build relationships that ensure Monmouthshire and Wales do not get overlooked when such decisions may come to be made;
 - Given the strong similarities and differences that exist between Monmouthshire and Xiangshan, significant opportunities exist to share information, knowledge and opportunities around tourism, cultural and economic growth and development
 - Welsh Government supports the development and we will continue to work with them to grow the relationship and optimise benefits to Monmouthshire and Wales

5. RESOURCE IMPLICATIONS

5.1 There are no resource implications connected with this report.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

6.1 Developing the economy contributes to our core purpose of sustainable and resilient communities and ensuring enterprise benefits are felt by everyone.

7. CONSULTEES:

All Cabinet Members
Leadership Team
Chairman of Monmouthshire County Council
Enterprise Leadership Team
Economy and Enterprise Team
General Manager, NAS, Gilwern
BETS, Welsh Government

8. BACKGROUND PAPERS:

Friendship Agreement between Monmouthshire County Council and Xiangshan Local Government.

9. AUTHORS:

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MCC Equality Impact Assessment process guidance document

1. When do you carry out an Equality Impact Assessment (EQIA)

The Equality Act 2010 specifies in its **general duties** that when exercising its functions the Council must have due regard to:

- **eliminate** unlawful discrimination, harassment and victimisation and any other conduct that is prohibited by the Act;
- **advance** equality of opportunity between people who share a relevant protected characteristic and those who do not;
- **foster** good relations between people who share a protected characteristic and those who do not;

It also requires public bodies to carry out an equality impact assessment (EQIA) if they propose to do any of the following:

- **developing** or reviewing policies strategies and services.
- **assessing** the impact of a new project or proposal.
- **procuring** products or services.
- **preparing** service delivery plans.
- **scoring** or assessing grant applications.
- **considering** making financial savings (annual financial savings proposal process).

2. The Protected Characteristics in Monmouthshire

The EQIA process enables organisations such as this Council to gather and consider data and other evidence to assess whether what is proposed could have a negative or positive impact on the people or groups of people from Monmouthshire from one or more of the protected characteristics (below). (The process should also look for opportunities to promote equality of opportunity and foster good relations).

- Age – (50-64) **19,726**, (65-84) **16,602**, (85-89) **1,701**, (90+) **925**.
- Race – **3,541** from black minority ethnic backgrounds.
- Disability – **8,820** have considerable day to day activity limitations and **8,325** have some day to day activity limitations.
- Sex - Males **44,922** Females **46,401**.
- Religion and belief – **62.5%** Christian, **1.4%** other, No religion or belief **28.5%**, Not stated **7.6%**.
- Sexual orientation - (No figures collected in the 2011 Census).
- Pregnancy and maternity – **812** births in 2012.
- Transgender status - (No figures collected in the 2011 Census).
- Marriage and civil partnership - **450** marriages and **12** civil partnerships over the last 12 months.
- Welsh Language (covered under the Welsh Language Act 1993) – **8,780** or **9.9%** of population on the County are Welsh speakers according to the Census of 2011.

3. The EQIA process

All officers who are proposing to do any of the actions listed in section 1 above are required to complete the **Equality Challenge form** (appendices A and B) at the earliest possible stage and this will enable them to assess whether the proposal/s will have a potential negative or positive impact on one or more of the above protected characteristics. Carrying out this assessment at this point in the process will allow time for officers to gather data, and to consider possible mitigations or changes to be made to the proposals to try and lessen or remove any assessed negative impact.

If ultimately it is assessed that there is still going to be a **significant negative impact** on one or more of the protected characteristics then there is a legal requirement under the Equality Act 2010 to carry out an **engagement exercise** with interested parties (**details in 4 below**).

It is important to remember that the EQIA process does not prevent organisations from making difficult decisions and indeed decisions can be made despite an assessment of negative impact. The EQIA process requires them to evidence and demonstrate that they are making these difficult decisions in a fair, transparent and accountable way taking into consideration the different needs and requirements of their communities. It is recommended that any options or mitigations that have been considered in forming the proposal are recorded in detail.

4. Engagement for Equality Impact Assessments

Who do we need to engage with?

This very much depends on what outcomes you need and what issue you are engaging on. It can be a countywide initiative or something very local. Decide on what outcomes you want and then decide who your target audience needs to be. The community like to know that they can help influence decisions but you must always be honest with them and tell them whether you are engaging just to share information, give advice or to gain their views before making a decision. In terms of the equality impact assessment

process, you may already know certain groups of people or communities that are more likely to be affected by the proposed policy or decision and wish to engage in a more targeted way.

How do we engage?

There are many ways of engaging with our communities (communities include local citizens, tourist and partners) and it is vital that you are aware of your audience and ensure that the list of options below are all accessible.

The list below defines some of the ways and is not exhaustive but you can do many things as long as you can obtain the outcomes you want:

- Poster campaign
- Leaflet drop
- Displays in Council buildings
- Information stall
- Newsletter
- Radio
- Council Website
- Facebook
- Twitter
- E mail
- Newspaper
- Booklet
- Programmed meetings
- Area forums
- Focus groups
- User panels
- Public meetings
- Workshops

For more information on **engagement** please contact Alan Burkitt at alanburkitt@monmouthshire.gov.uk for a copy of the MCC Engagement Toolkit.

When you are looking to Engage:

- **Don't think you are alone**; there are so many people out there with expertise in this field who are engaging on a day to day basis.
- The **Partnership and Engagement team** can help signpost you to engagements that have taken place before and departments to ask. There may already be a relevant engagement event arranged that you may be able to join in with. Using existing events is far cheaper and you already have a footfall of people going to the event. This works well for wider engagement issues. There is a health warning with using event. Make sure you know who the event is attracting. It needs to be the right audience or the information you require may be flawed. (Bridget Barnet 01633 644883 or Rhian Cook on 01633 644364).
- **Local knowledge** about the area, the diverse make up of our communities and an understanding of how local groups if they are to be used is essential. Local contacts will also be aware of any conflict which will help you prepare answers if needed for your engagement.

5. Presentation of proposal to Cabinet

Once an engagement has been carried out you should have gathered the information that will allow you to either justify going ahead as proposed, amend the original proposals, or develop mitigations to lessen or eradicate any negative impact. As a result of the completion of this process you should be in a very strong and informed position and will be able to take the proposal through the Cabinet process for formal approval thereby demonstrating fully that you have paid due regard.

When taking a policy or proposal to Cabinet an **EQIA form and Sustainable Development Checklist** (Appendix C) will need to be completed to accompany the Cabinet report that will detail the process so far, thus enabling Cabinet to make a decision informed with the aid of a very strong evidence base.

6. Conclusion

It is vitally important that officers adhere to the process laid down in this guidance note as case law has quite clearly shown that when EQIA's are either not done, or not done with enough rigor, organisations that do not demonstrate “**due regard**” are being challenged in the courts. As well as suffering financial penalties they also suffer reputational damage.

For examples of case law please click on the links below:

<http://www.ecu.ac.uk/inclusive-practice/equality-impact-assessment>

<http://www.equalityhumanrights.com/relevant-case-law/>

<http://www.thompsons.law.co.uk/lttext/127-case-law-public-sector-equality-duty.htm>

<http://publicsector.practicallaw.com/blog/publicsector/plc/?p=386>

Appendix A “Equality Challenge” – guidance notes

The following are a list of the challenges/thought processes that have been evident in producing equality challenges to date. The list is not meant to be exhaustive, just indicative of the approach:

<p>Is there any form of Discrimination?</p> <p>Direct</p> <p>Indirect</p> <p>Association:</p> <p>Positive Action:</p>	<p>Discrimination directly related to the protected characteristic/s.</p> <p>Where an action has, for other reasons, an impact eg: actions involving increased costs to service users could affect those with disabilities more than others as they are 3 times more likely to live in a family where no one is employed.</p> <p>People, such as carers, who are associated with people with a protected characteristic have the right to be given the same due regard.</p> <p>Positive action can be an action that addresses a pre-existing disadvantage or can be action that adversely affects one characteristic for the benefit of others – ie a saving in one area that protects the interests/services of others</p>
<p>Where the proposal concerns one protected characteristic, does it unintentionally disadvantage any sub-groups?</p>	<p>For example, a proposal for a cross-authority partnership to address Adult Learning Disability service users might be seen to disadvantage younger people if similar arrangements were not put in place for them.</p>
<p>The ‘significance’ of impacts will need to be assessed. What constitutes ‘significant’?</p>	<p>There are a number of elements – the number of service users affected; the degree of impact, the financial implications, health, access to key services, impact on employment, human rights etc.</p>

<p>Is the proposal creating a post code lottery within the County?</p>	<p>Do we as a result of certain proposals create a disadvantage for people from different regions of Monmouthshire.</p>
<p>Have positive impacts been optimized?</p>	<p>The Equality Act 2010 is as strong on ensuring that effort is put into maximising positive benefits as it does into mitigating negative impacts.</p>
<p>Have all reasonable steps been taken to mitigate negative impacts (including making reasonable adjustments)?</p>	<p>Note: some decisions (normally financial) have to be made even though they have obvious negative impacts – this is lawful. However, how the impacts can be minimised has to have been thought through very carefully and mitigations need to be considered.</p>
<p>Does the proposal evidence an understanding of the current (baseline) situation with respect to the protected characteristics?</p>	<p>You can't assess impact without knowing where you are starting from!</p> <p>You need to know your service users – gathering relevant data! Where possible consider future changes and also future service users prevented from accessing services. If you lack data on specific on particular groups then you need to consider other ways of gathering information through engagement eg focus groups, face to face meetings etc.</p>
<p>Is this proposal associated with any others – is there a cumulative impact to be assessed?</p>	<p>Individual proposals can be appropriate and well considered, but when cumulative impacts are considered a protected characteristic can be affected disproportionately.</p>

Appendix B

The “Equality Challenge” (Screening document)

Name of the Officer completing “the Equality challenge” Kellie Beirne		Please give a brief description of the aims proposed policy or service reconfiguration To propose the establishment of a strategic relationship with Xiangshan county, China.	
Name of the Division or service area Enterprise		Date “Challenge” form completed 25 November 2014	
0Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age		Will not impact specific groups at this formative stage.	However all of these categories should see an indirect positive impact if economic benefits can be achieved.
Disability		As above	
Marriage + Civil Partnership		As above	
Pregnancy and maternity		As above	
Race		As above	
Religion or Belief		As above	
Sex (was Gender)		As above	
Sexual Orientation		As above	

Transgender		As above	
Welsh Language		As above	

What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤ <i>At this initial stage, no negative impacts are anticipated.</i>	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

Developing and strengthening relationships with the county and Huixang Group are necessary in order to safeguard and protect investment made in existing jobs at NAS Gilwern. In addition, should future investment opportunities present, we want to ensure that Monmouthshire is a location that might be considered.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed Kellie Beirne
Dated 25. 11. 2014

Designation Chief Officer Enterprise



monmouthshire
sir fynwy

Appendix C

Equality Impact Assessment Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Developing a strategic relationship with Xiangshan County	Enterprise	Enterprise
Policy author / service lead	Name of assessor	Date of assessment:
Kellie Beirne	Kellie Beirne	25 November 2014

1. Have you completed the Equality Challenge form? **Yes / No.** If **No** please explain why

Yes

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

To develop a strategic alliance with colleagues in Xiangshan County that helps safeguard investment and local jobs.

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

N/A

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

Economic Data – Xiangshan province

6. As a result did you take any actions to mitigate your proposal? Please give details below.

N/A

7. Final stage – What was decided?

•No change made to proposal/s – please give details

N/A

•Slight changes made to proposal/s – please give details

N/A

• Major changes made to the proposal/s to mitigate any significant negative impact – please give details

N/A

Signed.....Kellie Beirne.....Designation...Chief
Executive.....Dated.....25 November 2014.....

Forthcoming document consideration

We always welcome any feedback or contributions anyone has to this document and our work towards equality. A database of completed equality impact assessments and the schedule of assessments by directorate and department will be available to review on our website.

If you would like to discuss the completion of this form or any issues arising out of its completion please contact:

Name: Alan Burkitt Tel: 01633 644010.

Contact Email: Equality@monmouthshire.gov.uk or alanburkitt@monmouthshire.gov.uk

Post: Democracy and Performance, Monmouthshire County Council, County Hall, Y Rhadyr, Usk, NP15 1XJ



MCC Sustainability Challenge guidance document

7. When do you carry out a Sustainability Challenge?

The forthcoming Future Generations Bill will require all public bodies, including local authorities, to make sustainable development their central organizing principle. This means that we will have to demonstrate that every significant decision we make has taken sustainable development into account. One way that we can do this is to make sure that all decisions that go to committee, Cabinet, Council or Single Member decision have been through the Sustainability Challenge.

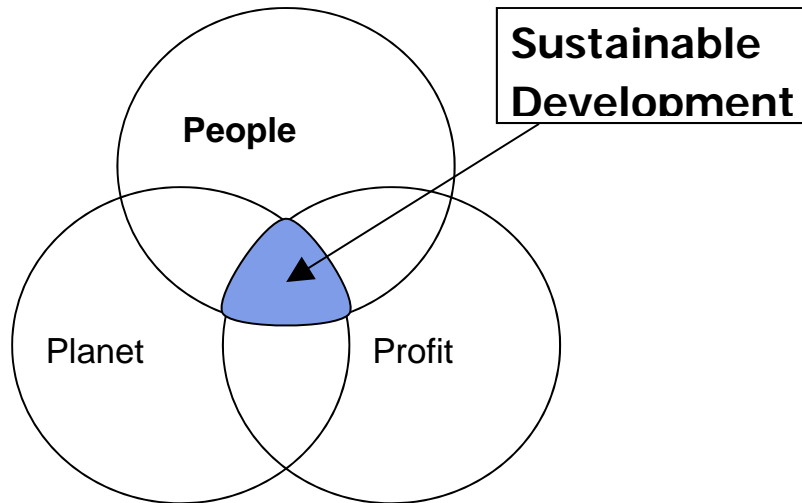
The Sustainability Challenge would also be useful when doing any of the following:

- **developing** or reviewing policies strategies and services
- **assessing** the impact of a new project or proposal
- **procuring** products or services
- **preparing** service delivery plans
- **scoring** or assessing grant applications
- **considering** making financial savings (annual financial savings proposal process)

The best time to use the Sustainable Development Checklist is at the development stage of a project, so that sustainability can be built in and considered from the very beginning. However, it can also be used once a project is underway.

8. What is Sustainability?

Sustainability or Sustainable development is about making sure that what we do today isn't at the expense of the world which we pass on to our children and grandchildren. Another way of describing this is the "triple context" or the 3 Ps where People, Planet and Profits are all in balance. This could look like this:



9. The Sustainability Challenge process

All officers who are proposing to do any of the actions listed in section 1 above are required to complete the **Sustainability Challenge Form** (appendix A) at the earliest possible stage and this will enable them to assess whether the proposal/s will have a potential negative or positive impact on one or more aspects of sustainability. Carrying out this assessment at this point in the process will allow time for officers to consider possible mitigations or changes to be made to the proposals to try and lessen or remove any assessed negative impact.

It is important to remember that the Sustainability Challenge process does not prevent organisations from making difficult decisions and indeed decisions can be made despite an assessment of negative impact. The Sustainability Challenge process requires them to evidence and demonstrate that they are making these decisions in a fair, transparent and accountable way and will provide evidence that Sustainability has been considered as part of the decision making process.

Once the Sustainability Challenge has been completed, any mitigations or changes to the proposal that need to be carried out to reduce the negative impact should be documented on the form.

10. Presentation of proposal to Cabinet, Council, Committee or Single Member Decision

Once the Sustainability Challenge has been carried out you should have enough information that will allow you to either justify going ahead as proposed, amend the original proposals, or develop mitigations to lessen or eradicate any negative impact. As a result of the completion of this process you should be in a very strong and informed position and will be able to take the proposal through the Committee process for formal approval thereby demonstrating fully that you have paid due regard to sustainable development. When taking a policy or proposal to Cabinet an **EQIA form and Sustainable Development Checklist** will need to be completed to accompany the committee report that will detail the process so far, thus enabling Elected Members to make an informed decision.

The main positive and negative impacts will need to be summarized in the “Sustainability and Equalities Implications” paragraph on the report.

Appendix A The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Kellie Beirne		Please give a brief description of the aims proposed policy or service reconfiguration Strategic framework for regional development in SEW	
Name of the Division or service area Enterprise		Date “Challenge” form completed 25/11/14	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE		Y	
Ensure that more people have access to healthy food		Y	
Improve housing quality and provision		Y	
Reduce ill health and improve healthcare provision		Y	
Promote independence		Y	
Encourage community		Y	

participation/action and voluntary work			
Targets socially excluded		Y	
Help reduce crime and fear of crime		Y	
Improve access to education and training		Y	
Have a positive impact on people and places in other countries		Y	
PLANET		Y	
Reduce, reuse and recycle waste and water		Y	
Reduce carbon dioxide emissions		Y	
Prevent or reduce pollution of the air, land and water		Y	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		Y	
Protect or enhance visual appearance of environment		Y	
PROFIT		Y	
Protect local shops and		Y	

services			
Link local production with local consumption		Y	
Improve environmental awareness of local businesses		Y	
Increase employment for local people		Y	
Preserve and enhance local identity and culture		Y	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		Y	
Increase and improve access to leisure, recreation or cultural facilities		Y	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤	➤
➤	➤
➤	➤

➤	➤
---	---

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed

Kellie Beirne

Dated 25 November 2014

If you would like to discuss the completion of this form or any issues arising out of its completion please contact:

Name: Hazel Clatworthy, Sustainability Community Officer, Tel: 01633 644843

Contact Email: hazelclatworthy@monmouthshire.gov.uk



The County of Monmouthshire

*At a Meeting of Monmouthshire County Council held
At County Hall, Uck on Friday 24th October 2014*

Dear Ye. Jianming

Friendship

Thank you for your letter of 24 September 2014 inviting Monmouthshire County Council to form a friendship with The People's Government of Xiangshan County. I was delighted to receive your letter on behalf of my Council. We have enjoyed developing good relationships with colleagues from the Xiangshan Company who have told us much about your County, your history, your people, your local economy and your beautiful environment. We will be delighted to meet with a delegation of officials from your organisation at our Headquarters in Uck on Friday 24 October 2014.

I attach for your information some background materials on Monmouthshire that I hope you will find interesting. I will be asking my Council to agree to develop a relationship with Xiangshan County to enable us to share cultural, economic and tourism opportunities in the next few weeks. I will write to you again to confirm when this has been agreed.

With sincere best wishes

Peter Fox
政治领导

Paul Matthews
行政长官

亲爱的 Ye. Jianming

友谊

感谢您于 2014 年 9 月 24

日来信邀请蒙茅斯郡郡议会与象山县人民政府共建深厚友谊。我谨代表本郡议会很高兴收到您的来信。我们与来自华翔公司的同事相交甚欢，了解了很多关于象山县历史、人文、当地经济和美景的信息。我们很期待于 2014 年 10 月 24

日（星期五）在阿斯克总部与来自贵组织的官员代表会晤。

附件为有关蒙茅斯郡的背景材料，供您参考，希望对您有价值。我会向本郡议会提出与象山县发展友好城市的建议，从而在未来数周内共享文化、经济和旅游机遇。一旦本郡议会通过此建议，我会再次致信让您知悉。

此致

Paul Matthews

励志纲
副县长
象山县人民政府
中国



Leader / Yr. Anwesend

Chief Executive / Yr. Prof. Wehrer



REPORT

SUBJECT	REVENUE & CAPITAL BUDGET MONITORING 2014/15 MONTH 6 OUTTURN FORECAST STATEMENT
DIRECTORATE	Chief Executive's Unit
MEETING	Cabinet
DATE	3rd December 2014
DIVISIONS/WARD AFFECTED	All Authority

1. PURPOSE

- 1.1 The purpose of this report is to provide Members with information on the forecast outturn position of the Authority at the end of month 6 for the 2014/15 financial year.
- 1.2 It also seeks to provide summary performance indicator information alongside financial data to allow Members a better opportunity to consider how services are provided and whether resources are being utilised efficiently.

2. RECOMMENDATION

- 2.1 That Members consider the position concerning 2nd quarter revenue monitoring and seek assurance of the action Chief Officers are taking to address the over spends in their service areas.
- 2.2 That Members approve the decommitment of specific reserve funded expenditure in current year evidenced in para 3.1.4, and re-introduction in 2015-16.
- 2.3 That Members consider the position concerning school balances and note the potential for in year withdrawal of school improvement grant by Welsh Government.

- 2.4 That Members approve a revision in school governor practice to require any governing body that anticipates a deficit reserve position to submit a recovery plan prior to the Council agreeing to the school moving into a deficit reserve position, rather than in arrears of the decision reached by the governing body as currently. The change would have the effect of withdrawing the automatic right of any governing body to incur a deficit reserve position without prior consultation and agreement of the Council.
- 2.5 Members note the variances in approach and progress concerning the mandates identified in para 3.3.3, and endorse the alternate savings and virements proposed by Directors to replace original proposals where it is unlikely that savings will be manifest during 2014-15 as per para 3.3.4..
- 2.6 That Members consider the position concerning 2nd quarter capital monitoring and concerns over the limited actual expenditure incurred to date, and note the slippage identified, and net underspends forecast by managers.
- 2.7 That Cabinet approves the change in approach advocated in para 3.5.3 that the balance of LCHO capital receipts should be made available to fund the additional costs (arising from differences in equity from purchase to resale) in relation to Castlewood and Home Finder schemes as and when they come up.
- 2.8 That Members reflect upon the comparative information included alongside traditional financial data to consider whether it assists them in providing a better link between inputs and outputs and allows them to better consider whether resources are being economically and efficiently utilised.

3. MONITORING ANALYSIS

3.1 Revenue Position

3.1.1 Revenue budget monitoring information for each directorate’s directly managed budgets is provided together with information on corporate areas.

3.1.2 Responsible Financial Officer’s Summary of Overall Position

Summary Position	Appendix	Annual Forecast	Annual Budget	Virements and Revisions since month 3	Annual Budget	Forecast Over/(Under) Spend @	Comparative Forecast Over/(Under) Spend @
		@ Month 6	@ Month 3		@ Month 6	Month 6	Month 3
		£'000	£'000		£'000	£'000	£'000
Social Care & Health	4&5	37,401	36,604		36,604	797	613
Children & Young People	5	52,347	52,302		52,302	45	26
Enterprise	3	10,340	10,252	33	10,285	55	232
Operations	2	18,089	17,849	8	17,857	232	385

Chief Executives Unit	2	7,168	7,425	(49)	7,376	(208)	(133)
Corporate Costs & Levies	2	17,825	17,941		17,941	(116)	(94)
Net Cost of Services		143,170	142,373	(8)	142,365	805	1,029
Attributable Costs – Fixed Asset Disposal	2	177	224		224	(47)	1
Interest & Investment Income	2	(87)	(29)		(29)	(58)	(48)
Interest Payable & Similar Charges	2	3,538	3,769	4	3,773	(235)	(231)
Charges Required Under Regulation	2	5,575	5,606	4	5,610	(35)	(35)
Capital Expenditure Financed from Revenue	2	16	16		16	0	0
Contributions to Reserves	2	72	70		70	2	5
Contributions from Reserves	2	(2,318)	(2,700)		(2,700)	382	0
Amounts to be met from Government Grants and Local Taxation		150,143	149,329	0	149,329	814	721
General Government Grants	2	(69,340)	(69,340)		(69,340)	0	0
Non-Domestic Rates	2	(28,984)	(28,984)		(28,984)	0	0
Council Tax	2	(57,195)	(56,780)		(56,780)	(415)	(348)
Council Tax Benefits Support	2	5,838	6,071		6,071	(233)	(154)
Council Fund (Surplus)/Deficit		462	296	0	296	166	219
Budgeted contribution from Council Fund		(296)	(296)		(296)	0	0
		166	0	0	0	166	219

3.1.3 The bottom line situation, a £166,000 potential overspend, has been mitigated significantly by anticipated Council Tax receipts. The net cost of services pressure of £805,000, simplistically indicates an improvement of £224,000 since month 3, however this masks a budgeted use of reserves totalling £382,000 which is not anticipated to be progressed this year, so the accurate position concerning net cost of services is actually an additional pressure of £158,000 since month 3.

3.1.4 Consequently it is proposed that the following priority investment budgeted reserve funding is decommitted from net cost of services budgets in 2014-15 and reinstated in 2015-16, to aid transparency and avoid the need to report comparable over and underspends for the remainder of the year.

Scheme	£'000	Reason
Raising Education Standards	256	Review of the approach's effectiveness being considered, alongside consideration of revised EAS funding prior to re-comittment
Local Development Plan expenditure	100	Profile of expenditure changed from originally presumed
Total	356	

3.1.5 There are costs, such as redundancy payments, that aren't generally a budgeted expense. Such expenses will, during quarterly monitoring, appear as an overspend in comparison to the annual budget. This is a little different in schools where a budget of £300,000 has been provided against current costs of £378,000. The traditional expectation is that services bear such costs, that they are mitigated where possible through the year, and for any net balance to be considered and borne through a use of reserves during the outturn process.

3.1.6 Currently (excluding schools) the financial ledger indicates £196,000 costs incurred to date and forecast commentaries indicate a full year estimate of redundancy costs pressures to be circa £327,000, which are included in the £166,000 adverse balance above.

Directorate	Forecast	Service
Children & Young People	98,000	School library service – mix of redundancy and winding up costs
Chief Executive office	71,000	Policy & partnership
Enterprise	23,000	Tourism Life and Culture
Operations	135,000	Waste & Streetscene
Social Care & Health	0	
Total	327,000	

3.1.7 Since month 6 the national pay award for local government officers has been agreed. This arrangement does not affect teachers' costs. The effect of this agreement will be worked through in more detail for month 9 despite not being manifest until the last quarter of the financial year but the likely upshot is the original budgets allowed for 1% increase in rates where as the agreed award will be 2.2% starting in January 15. So for 2014-15 there

is anticipated to be a beneficial effect, being the difference between a 1% increase in costs for 12 months in favour of a 2.2% increase over 3 month period. Conversely there will be a greater pressure in 2015-16 and beyond.

Indicatively this annual saving against budget is anticipated to be of the order of £290,000.

3.1.8 Given the financial challenges that will continue to face the Authority for the foreseeable future, Chief Officers are tasked with ensuring that services live within the budgets and savings targets set for the current financial year. Monitoring reports will seek to contain the information on what is being done to manage the overspends identified and the positive action that is required to ensure that the budget is not breached.

3.1.9 Summary pressures and underspends within the net cost of services include:

Service area	Indicative Forecast Position exclusive of savings not yet achieved Red=Adverse Green = Favourable £'000	2014-15 savings not yet made £'000	Forecast Position <u>net</u> of savings not achieved Red=Adverse Green = Favourable £'000	Headline Cause
Social Care & Health (SCH)				
Children's Services	714	32	746 (worsening of 163)	Looked after children activity and additional team and conveyance of client costs
Adult Services	-70	121	51 (worsening of 21)	Most notably historic Monnow Vale partnership cost apportionments and residential care costs exceeding recovery due to means testing considerations
Sub Total	644	153	797	
Children and Young People (CYP)				
Standards	250	0	250 (worsening of 212)	Reduced income expectation – Mounton House placements,

				Breakfast club income presumption, and the cost of Schools library service closure
Individual schools budget	-225	0	-225	Predominantly reflective of reserve funded initiatives of Raising Education Standards not progressing as budgetted. This underspend in balanced against equivalent overspend on contribution from reserves.
Resources and Performance	-8	53	45 (worsening of 57)	Net effect of unbudgetted transport costs and recovery board costs plus additional support costs to schools
Youth Services	-25	0	-25 (improvement of 25)	Additional income and reduced transport costs
Sub Total	-8	53	45	
Enterprise (ENT)				
Community Led Delivery	-190	260	70 (improvement of 37)	Net effect of restructure changes not fully implemented within Libraries and new agreement between Community Education and Coleg Gwent not according with budget
Commercial & People Development	-66	50	-16 (improvement of 95)	Reduced shortfall in savings target presumed on SRS, in house reduced IT costs, reduced HR and training costs
Tourism, Life & Culture	69	31	100 (worsening of 54)	Redundancy costs at Caldicot Castle, reduced income anticipation, employee cost pressures at Old Station, and

				reduced rental following Brecon Beacons National Park moving to tithe barn, additional costs from Cycling event falling on the leisure budget,
Development Plans	-100	0	-100	Reflective of reserve funded initiative not progressing as budgetted. This underspend in balanced against equivalent overspend on contribution from reserves.
Sub Total	-287	341	54	
Operations (OPS)				
Highways	-431	131	-300	Extra agency income
Property	-92	169	77 (improvement of 31)	Schools meals service transfer from CYP with significant pressure, main improvement in schools cleaning area caused by removing unbudgetted contract consultancy costs
Home to school transport	191	80	271 (improvement of 83)	Past budget saving reviews of home to school and SEN haven't taken place. Overspends are in Council provided transport in employee and transport maintenance costs. ,External transport provider costs tenders are anticipated to provide net savings to compensate for Council's SEN transport overspend. A bad debt assumption has been made in respect of historic debts of £50,000

Transport	129		129 (worsening of 41)	Car parking income deficit
Waste	80	25	105 (improvement of 130)	Net effect of redundancy costs anticipated from restructure of the service. Improvement since mth3 are reflective of MRF contract concerns not materialising and savings in supplies and services costs
Raglan training	50		50 (worsening of 50)	Mixture of redundancy costs, additional training costs and reduced income anticipated
Grounds	-100		-100	Additional income
Sub Total	-173	405	232	
Regulation & Central Support Services				
Chief Executives Office (CEO)	-208	0	-208 (improvement of 75)	Staff savings and increased income predictions in democratic services. Savings in audit and revenues team costs and housing benefit activity below budget levels
Corporate (CORP)	-115		-115 (improvement of 21)	Predominantly an underspend on external audit fees and small saving in precepts exhibited at mth 3, plus the saving effect from minor revisions in insurance cover
Sub Total	-323	0	-323	
Total	-147	952	805	Net overspend position is £805,000 on net cost of services

3.1.10 More detailed monitoring information together with a narrative of more significant variance over £25,000 is provided in the Select Appendices 2 to 5.

3.2 **Schools**

3.2.1 Each of the Authority’s Schools is directly governed by a Board of Governors, which is responsible for managing the school’s finances. However, the Authority also holds a key responsibility for monitoring the overall financial performance of schools. Below is a table showing the forecast Schools’ balances position for the year-end at month 6.

Draft Council Fund
Outturn 2014/15 –
Summary
Forecast Year-end
School Balances
Position at Month
6

	Opening Reserves (Surplus)/ Deficit 14-15	In year forecast at Month 3 (Surplus)/ Deficit	Difference reported from Month 6 to Month 3 (Surplus)/ Deficit	In year forecast at Month 6 (Surplus)/ Deficit	Anticipated Reserves to be carried forward to 2015-16 (Surplus)/ Deficit
	£'000	£'000	£'000	£'000	£'000
Clusters					
Abergavenny	(285)	226	24	249	(35)
Caldicot	(242)	76	27	103	(139)
Chepstow	(14)	214	52	266	252
Monmouth	(394)	70	2	72	(322)
Special	(54)	27	(16)	11	(43)
	(988)	612	88	700	(288)

3.2.2 School balances at the beginning of the financial year amounted to £988,000 credit. The budgeted draw on balances has been identified as being £734,000 resulting in closing school balances budgeted to be £254,000 credit.

3.2.3 At month 6, the current forecast suggests that the contribution required from school balances will be £700,000, a decrease from budget of £34,000, and would result in closing school balances of £288,000 credit. This is an improvement on month 3 and is despite schools picking up the net overspend on their schools based redundancies of combined £78,000.

3.2.4 Within these summary figures, of particular note, is the deficit reserve position experienced in the Chepstow cluster, caused by a significantly worsening position at Chepstow comprehensive school, whose deficit is anticipated to be £373,000 by the end of year, up by £21,000 on the position reported at month 3. The school has prepared a recovery plan which has been approved by Governors, but has been asked to re-look at it,

as it doesn't adequately address the costs over that period or indicate the resourcing for priority appointments at the moment. This level of deficit balance remains a risk to the Council going forward in the interim.

- 3.2.5 6 schools exhibited a deficit position at the start of 2014/15, and alongside Chepstow Comprehensive, Llandogo is predicted to exhibit a worsening position. However Deri View, Llanvihangel Crocorney, Castle Park are all forecast to improve their deficit balance position by the end of the year. Ysgol Gymraeg Y Ffin is predicting to come out of deficit by the end of the year
- 3.2.6. Of concern, King Henry Comprehensive and Llanfair Kilgeddin are anticipated to move into deficit by the end of year.

3.2.7 Schools balances exhibit a reducing trend, and by definition can only be used once

Year	Net level of school balances
2011-12	(965)
2012-13	(1,240)
2013-14	(988)
2014-15 forecast	(288)

3.2.8 There has been a significant reliance on reserve balances to supplement school spending plans in the last 2 years, and no indication of significant replenishment evident. This isn't a sustainable prospect. As a rough guide, prior to 2010, Welsh Government advocated that school balance levels equated to 5% of budget share. Using 2014/15 delegated budget levels, this would equate to £2.2 million. Members may wish to seek a comfort that balances aren't being used to subsidise and sustain core costs such as staffing.

3.2.9 Since month 3, the Council has received confirmation from Welsh Government that they do need to adjust downwards the level of grants paid to schools by £4.3 million across the Principality within the current year. The effect to Gwent based EAS will be of the order of £823,000, with MCC indicative effect being circa £80,000, before EAS seeks to mitigate the effect on schools improvement. This will necessitate schools reviewing and revising their improvement programmes and may introduce a further pressure to schools balances as schools accommodate the change.

3.2.10 The Fair Funding policy adopted by the Council in 2003 precludes any school from planning for a deficit. However recent examples indicates that schools governors are able to significantly adversely affect Council balances by utilising more reserves than the school has, in favour of producing a subsequent recovery plan that can take up to 4 years to recover from, which again is not consistent with Fair Funding policy. The application of the policy would seem to exhibit weaknesses, and the policy itself would have reflected a time of more beneficial financial settlements to the public sector. Collective school balances are at a level that won't sustain the same level of additional annual spending as presently incurred

It is understood that the Fair Funding policy is due review. It is advocated that an interim condition be adopted to amend the recovery plan practice to require that such documents must be submitted and agreed with the Council prior to the Council agreeing for schools to move into an interim deficit reserve position.

3.2.11 Further information on Schools is provided in Children & Young People Select appendix 5.

3.3 **2014/15 Savings Progress**

3.3.1 The monitoring above reflects the progress in achieving necessary savings agreed as part of the 2014/15 budget process. Appendix 1 provides details of specific savings initiatives and progress made in delivering them in full by the end of 2014/15 financial year.

In summary they are as follows,

DIRECTORATE	Saving included in 2014/15 Budget	Savings achieved month 3	Savings achieved month 6	% progress in achieving savings	Delayed savings	Savings not achievable
	£'000	£'000	£'000		£'000	£'000
Children & Young People	722	639	669	93%	0	53
Social Care & Health	1,030	877	877	85%	0	153
Enterprise	1,366	1,126	1,025	75%	177	164
Operations	1,412	990	1,007	71%	156	249
Chief Executive's	923	923	923	100%	0	0
Total Budgeted Service Savings 2014-15	5,453	4,555	4,501		333	619

3.3.2 Overall there has been very little change between month 3 and month 6 in the savings that have demonstrably been delivered (a worsening of £54,000).

3.3.3 The savings appendix also indicates a risk score as to whether savings are likely to be achieved or otherwise. The following savings mandates are reported to be high or medium risk.

Operations (OPS)

- School meals -increase price, market and expand service – none of saving anticipated has materialised (£69,000).
- Street scene and pest control - £25,000 short of requirement relating to work with Town & Community Councils
- Facilities - transfer functions to other providers – none of the work with Town & Community Councils likely to realise £100,000 saving
- Transport review and fleet rationalisation, £40,000 short of mandate requirements

Enterprise (ENT)

- Sustainable energy initiatives – a worsening shortfall of £68,000 against mandate requirements.
- Museums, Shirehall & Castles and Tourism – net additional salary costs evident in Countryside of £31,000
- Strategic Property Review (phase 2) - shortfall in savings of £15,000 caused predominantly by move of SCH Children’s services into 2nd floor of Magor. Original intention was to rent this space out.
- Additionally the Adult Education mandate (£90,000) is unlikely to be delivered in the way originally expected, and requires a more fundamental consideration of sustainability of service due to the extent of funding withdrawal (from £607,000 to £400,000) by Coleg Gwent for courses run from September 2014.

Children and Young People (CYP)

- School library service – shortfall of £30,000 against target. Cabinet has subsequently received and agreed a report pertaining to cessation of this service, and so this saving has moved from savings not achievable to made but in a different fashion than originally intended.
- Grants to micro finance and rationalise numerous grants to single organisations – none of savings required have materialised (£37,000)

Social Care & Health (SCH)

- Community meals increase take-up – meal numbers are 200 below the 1,450 target introducing a £26,000 shortfall
- SCH children's staff restructuring – Innovation facilitated work has proposed re-introduction of post volunteered by the service for deletion introducing a £32,000 shortfall on savings target

All

- Review of additional payments – Social Care and Health exhibit challenges in meeting any of their saving requirements of £95,000, CYP report making £16,000 of £31,000 requirement, CEO and Operations report intention to make their £163,000 in other ways but haven't specified how, ENT report having made their £48,000 in full.

3.3.4 It is a common aspect of annual budget setting that there will always be some savings that are more challenging to achieve in the timescale originally required such that Directorates will attempt to make alternate savings elsewhere. Previously such actions have been reported as compensatory over and underspends throughout the year. Given the shift in budget management reporting and to aid that transparency, Directors have been encouraged to formalise these underspends where practical as budget virements and replace the budget savings that exhibit higher risk of not being achieved. Consequently the following virements are intended.

Original Saving proposal	Saving amount not achievable £'000	Alternative proposal
Transfer functions to other providers	100	Additional income generated from Grounds Maintenance works
Highways – various	15	Additional income generated from Highways agency
Street scene and pest control	25	Additional income generated from Highways agency
Transport review	40	Additional income generated from Highways agency
Sustainable energy	68	Other compensatory underspends in Estates and Sustainability of £33k reduce

		this to £35k
Strategic Property review	15	Additional income from Cemeteries
Total	263	

3.3.5 It is stressed that these adjustments will not alter the bottom line pressure being reported, but instead simplifies reporting, to allow a better focus on highlighting those challenging areas for resolution.

3.4 **Capital Position**

3.4.1 The summary Capital position as at month 6 is as follows

Select Portfolio	Annual Forecast	Slippage B/F plus Budget 14-15	Budget Virements & Revisions since last quarter	Total Approved Budget	Provisional Budget Slippage C/F to 2015-16	Revised Budget 2014-15	Annual Overspend / (Underspend) Month 6	Annual Overspend / (Underspend) Month 3
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Children and Young people	8,246	7,112	5,972	13,084	4,782	8,301	(55)	(68)
Adult	288	59	200	259		259	29	35
Economy & Development	723	732	82	814		814	(92)	82
Stronger Communities	9,897	14,199	127	14,327	4,289	10,037	(140)	(14)
Grand Total	19,154	22,102	6,381	28,483	9,072	19,412	(258)	35

3.4.2 Revisions to the capital programme since the last quarter reporting reflect the inclusion of 21c schools initiative in the 14-15 capital programme (£5.95million), funding the overspends identified at month 3 in respect of overspends to Abergavenny regeneration (£82,000), Caldicot 3g pitch (£53,000) and saving in respect of County Farms maintenance (£100,000), temporary capital funding of Swift IT system within Social Services (£200,000 to be repaid in first instance from revenue IT licence savings), and additions to development schemes initiatives (£195,000), a mixture of photovoltaic schemes, skate park (predominantly grant funded) and town team funding. There have also been £21,000 virements within property maintenance schemes between Children and Young People and Stronger Communities schemes.

3.4.3 Expenditure on capital schemes in the first 3 months of the year was reported as not being significantly higher than the provisions for work carried forward from 2013/14. That trend continues at month 6; with only £4.3million of an estimated £19.4 million having been incurred by the end of month 6 i.e. circa 22% of intended spend. This profile wouldn't normally be one associated with a full spend by the end of financial year, as earmarking capital expenditure to the winter months generally increases the risk that inclement weather could adversely affect progress.

3.4.4 However managers remain confident that projects are on track and indicate an outturn forecast spend consistent with the revised budget. Reported slippage to 2015-16 has increased by £4,887,000, in addition to 21c schools feasibility and Abergavenny library reported at month 3, and predominantly reflects the slippage in the newly created 21c schools budget together with £146,000 on fixed asset disposal costs due to receipt reprofiling, £200,000 access for all, £92,000 CRM IT scheme, £30,000 slippage in respect of infrastructure projects and £469,000 in respect of various section106 schemes.

3.4.5 The capital programme for 2014-15 evidences a forecast underspend of £258,000, largely the consequence of,

Children and Young People – **underspend** in Property Maintenance costs (£55,000)

Adult – **overspend** in Property Maintenance cost at Mardy Park (£29,000)

Economy & Development – **underspend** in development schemes (£92,000)

Stronger Communities – **underspend** of a grant based highways scheme (£215,000), and minor net underspends (£2,000), compensating for an **overspend** in Property maintenance costs (£27,000) and “old” County Hall costs (£50,000). The latter being 50:50 funded with Torfaen County Borough Council.

Whilst there are forecast over and underspends in respect of Property maintenance across Select areas, traditionally property maintenance have been viewed collectively and overall exhibits a largely balanced position.

3.5 Capital Financing and Receipts

3.5.1 Given the anticipated capital spending profile reported in para 3.4.1, the following financing mechanisms are expected to be utilised.

Financing Stream	Annual Forecast Financing	Approved Slippage B/F	Original Budget	Budget Revisions & Virements	Total Approved Budget	Provisional Budget Slippage C/F to 2015-16	Revised Budget 2014-15	Increased / (Reduced) Financing
Supported Borrowing	2,420	0	2,420	0	2,420	0	2,420	0
General Capital Grant	1,473	0	1,473	0	1,473	0	1,473	0
Grants and Contributions	3,477	53	1,246	4,315	5,614	1,950	3,664	-187
S106 Contributions	510	556	0	396	952	442	510	0
Unsupported borrowing	6,134	6,710	3,492	116	10,319	4,185	6,134	0
Earmarked reserve & Revenue Funding	781	656	0	230	886	92	794	-13
Capital Receipts	4,299	2,956	1,707	2,096	6,759	2,402	4,357	-58
Low cost home ownership receipts	60	60	0	0	60	0	60	0
Grand Total	19,154	10,991	10,338	7,153	28,483	9,071	19,412	-258

- 3.5.2 The effect of slippage and underspends identified above are anticipated to predominantly delay the need to access unsupported borrowing and capital receipts.
- 3.5.3 The low cost home ownership/homefinder capital receipts reserve is ring-fenced to contain receipts from the redemption of capital loans on these properties and will continue to receive new receipts as properties are sold and loans returned to the Council. The reserve balance is currently circa £216,000. As part of the 2014-15 capital programme this reserve funds a budget of £60,000 to afford any new low cost home ownership loans and any potential differences in equity share of these LCHO properties.

It is proposed that Cabinet extends the current delegation to Council's Head of Finance such that the balance of LCHO receipts can be used more holistically to also fund the additional costs (arising from differences in equity from purchase to resale) in relation to Castlewood and Home Finder schemes as and when they come up.

Useable Capital Receipts Available

3.5.4 In table 2 below, the effect of the changes to the forecast capital receipts on the useable capital receipts balances available to meet future capital commitments is shown. This is also compared to the balances forecast within the 2014/18 MTFP capital budget proposals.

Table 2: Movement in Available Useable Capital Receipts Forecast

GENERAL RECEIPTS	2014/15	2015/16	2016/17	2017/18
	£000	£000	£000	£000
Balance b/f 1 st April	7,854	14,614	11,252	19,695
Receipts forecast to be received in year as 2014/18 MTFP	21,165	13,556	4,000	2,000
Increase / (decrease) in forecast receipts forecast at month 3	(10,109)	(3,431)	21,220	150
Deferred Capital Receipts	4	4	4	4
Less: Set aside Capital Receipts	0	0	(11,452)	0
Less: Receipts to be applied	(4,299)	(1,100)	(76)	(538)
Less :21C Schools programme		(12,391)	(5,252)	(11,207)
TOTAL Actual / Estimated balance c/f 31st March	14,614	11,252	19,695	10,104
TOTAL Estimated balance reported in 2014/18 MTFP Capital Budget proposals	14,062	26,923	30,851	32,317
Increase / (Decrease) compared to MTFP Capital Receipts Forecast	552	(15,671)	(11,155)	(22,213)

3.5.5. Since the month 3 report, it appears more likely that a receipt will be generated in respect of old County Hall site sale during the current MTFP window. This has been factored into 2016-17 predictions, alongside an equivalent set aside for the repayment of debt.

3.5.6 Also the Council has agreed to the inclusion of 21c schools initiative within the capital programme. This relies on utilising £29 million receipts during this next 4 year MTFP window, and a further £600,000 in 2018-19. Consequently the balance of capital receipts available at the end of 2014/15 has reduced compared to the original 2014/18 MTFP predictions due to the anticipated resourcing of the 21st Century Schools programme.

3.5.7 Despite changes in the timing of individual receipts, which remains a risk to the Council to ensure it has sufficient receipts to fund its expenditure aspirations in the years necessary and avoid temporary borrowing costs, the balance of capital receipts available to fund capital expenditure, at the end of this next MTFP window has been revised to circa £10 million, as a consequence of additional receipts predominantly LDP related.

4 REASONS

4.1 To improve budget monitoring and forecasting information being provided to Senior Officers and Members.

5 RESOURCE IMPLICATIONS

5.1 As contained in the report.

6 EQUALITY AND SUSTAINABLE DEVELOPMENT IMPLICATIONS

6.1 The decisions highlighted in this report have no implications, the budgets are being vired for the purpose they were agreed.

7 CONSULTEES

Strategic Leadership Team
All Cabinet Members
All Select Committee Chairman
Head of Legal Services
Head of Finance

8 BACKGROUND PAPERS

8.1 Month 6 monitoring reports, as per the hyperlinks provided in the Select Appendices

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Appendices

Appendix 1 Savings Summary
Appendix 2 Strong Communities Select Committee portfolio position statement
Appendix 3 Economy and Development Select Committee portfolio position statement
Appendix 4 Adult Select Committee portfolio position statement
Appendix 5 Children and Young People Select Committee portfolio position statement

Savings Summary

Appendix
1

2014/15 Budgeted Service Savings Mandates Progress at Month 6

DIRECTORATE	Saving included in 2014/15 Budget £'000	Savings achieved month 3 £'000	Savings achieved month 6 £'000	% progress in achieving savings	Delayed savings £'000	Savings not achievable £'000
Children & Young People	722	639	669	93%	0	53
Social Care & Health	1,030	877	877	85%	0	153
Enterprise	1,366	1,126	1,025	75%	177	164
Operations	1,412	990	1,007	71%	156	249
Chief Executive's	923	923	923	100%	0	0
Total Budgeted Service Savings 2014-15	5,453	4,555	4,501		333	619

2014/15 Budgeted Service Savings Mandates Progress at Month 6

CHILDREN & YOUNG PEOPLE

Budget proposals 2014/15	Narrative	Saving included in 2014/15 Budget £'000	Value of Saving Forecast at Month 6 £'000	Delayed savings £000s	Savings not achievable £000s	Assessment of progress as at Month 6	Risk of current forecast saving NOT being achieved (High / Medium / Low)
Schools delegated budgets	Proposal is about finding opportunities to reduce costs in schools. Schools budgets will be protected at cash limit, this means no pay inflation and or non pay inflation is provided for in funding,	434	434	0	0	Fully Achieved	Low
Review ISB - ALN contingency	Currently a contingency budget is held centrally, proposals to reduce this budget by £75k and reduce staffing in the service by £65,000	140	140	0	0	On Target	Medium
Grants to micro finance and rationalise numerous grants to single organisations	Reducing the amount of grants paid annually to third sector bodies. Options will include reduction, micro-finance and introducing business plans. SCH mandate for £100k in 2014/15, R & C/CEO target of £100k. Further £300k in 2015/16 is not now considered feasible	37	0	0	37	These savings cannot be found from the grant areas as our grants cover a statutory provision.	High
School library service - combine with general library service	£50k is MCCs contribution to full year running costs of school library service, changes to service needs to be considered with TCBC	30	30	0	0	MCC savings have been achieved. Torfaen alongside MCC schools have now decided to withdraw from service, which will introduce additional severance costs (unquantified at present). These together with assets and deficit reserve balance of £100k, will need to be apportioned between MCC and TCBC	High

2014/15 Budgeted Service Savings Mandates Progress at Month 6							
CHILDREN & YOUNG PEOPLE							
Budget proposals 2014/15	Narrative	Saving included in 2014/15 Budget £'000	Value of Saving Forecast at Month 6 £'000	Delayed savings £000s	Savings not achievable £000s	Assessment of progress as at Month 6	Risk of current forecast saving NOT being achieved (High / Medium / Low)
School Music service - reduction in subsidy	Total MCC contribution to schools music service is £260k, exploration of alternative models to reduce the subsidy required	50	50		0	Saving achieved, working with the service to achieve future savings identified within the budget mandate.	Low
Review of additional payments	Target a 10% reduction in additional payments made eg overtime, standby etc	31	15	0	16	Working with cost centre managers to identify savings	Medium
		722	669	0	53		

2014/15 Budgeted Service Savings Mandates Progress at Month 6							
SOCIAL CARE & HEALTH							
Budget proposals 2014/15	Narrative	Saving included in 2014/15 Budget £'000	Value of Saving Forecast at Month 6 £'000	Delayed savings £000s	Savings not achievable £000s	Assessment of progress as at Month 6	Risk of current forecast saving NOT being achieved (High / Medium / Low)
ADULT SELECT							
Community meals increase take-up	Mainly about increasing customer base	30	4	0	26	Weekly sales are 1,250, 200 below target	High
Grants to micro finance and rationalise numerous grants to single organisations	Reducing the amount of grants paid annually to third sector bodies. Options will include reduction, micro-finance and introducing business plans. SCH mandate for £100k in 2014/15, R & C/CEO target of £100k. Further £300k in 2015/16 is not now considered feasible	100	100	0	0		Low
Redesign day provision in line with My Day/My Life	Reconfiguring day provision for people with Learning disability	160	160	0	0		Low
SCH restructuring: Direct care (£89k), Children's/Adults teams (£50k), Commissioning team (£31k)	Staffing efficiencies	163	163	0	0		Low
SCH Transition project staff transfer to Bright New Futures	Combining our initiative with Bright new futures to establish a shared service model	14	14	0	0		Low
Review of additional payments	Target a 10% reduction in additional payments made eg overtime, standby etc	95	0	0	95	Mechanisms not put in place to realise savings	High

2014/15 Budgeted Service Savings Mandates Progress at Month 6							
SOCIAL CARE & HEALTH							
Budget proposals 2014/15	Narrative	Saving included in 2014/15 Budget £'000	Value of Saving Forecast at Month 6 £'000	Delayed savings £000s	Savings not achievable £000s	Assessment of progress as at Month 6	Risk of current forecast saving NOT being achieved (High / Medium / Low)
ADULT SELECT							
Sustaining Independent Lives in the community	Cabinet report and business case presented on 2nd Oct 2013, aim is to divert people from needing statutory services through Local Area Co-ordination and small local enterprises	123	123	0	0		Low
Practice change - reduction in flexible budget/contingency	Working with individuals, families and communities to find sustainable solutions	277	277	0	0		Low
TOTAL ADULTS SELECT		962	841	0	121		
CHILDREN & YOUNG PEOPLE SELECT							
SCH children's staff restructuring	Rationalising service delivery within children's services	68	36	0	32	Due to external consultants work with the Directorate one of the two posts was reinstated.	High
		1,030	877	0	153		

2014/15 Budgeted Service Savings Mandates Progress at Month 6							
ENTERPRISE							
Budget proposals 2014/15	Narrative	Saving included in 2014/15 Budget £'000	Value of Saving Forecast at Month 6 £'000	Delayed savings £000s	Savings not achievable £000s	Assessment of progress as at Month 6	Risk of current forecast saving NOT being achieved (High / Medium / Low)
DEVELOPMENT OF LEISURE SERVICES	Income maximisation and staff review, developing the cycling offer, broaden leisure offer and explore new service provision options and models in the context of 'whole place'	125	125			Savings forecast to be achievable	Low
Collaboration on housing services and development of careline services	Commercialisation of careline service, one housing solutions service with TCBC focussed on enabling wider access to housing options and providing greater scope for increasing the resources with which to address housing need and homelessness	30	30			Savings forecast to be achievable	Low
Sustainable energy initiatives	Investing in biomass boilers, solar farms and reduction in Carbon Reduction Commitment budget	133	65		68	Saving partly made. Reduction from month 3 due to the inability to achieve savings from some projects as previously projected, income forecasts needs to be monitored closely. Still awaiting planning approval for solar farm not achievable during this financial year	Medium
Museums, Shirehall & Castles and Tourism	Consolidation of tourism and culture offer throughout the County through considering shared services models; making attractions self-sustainable and income generation. This relates to the museum business plan and explores roll-out of some community ownership models. Member consultation has indicated that the aspect of merging of museums and TIC (£150,000 in 2014/15) was not a preferable model, and will necessitate driving even further savings on other aspects of this mandate	245	214		31	Museums are on target to make the full 78k savings at M6. Shirehall are on target to achieve their 33,500 savings. TIC's 90k savings forecast. Countryside 36,500 - Castle savings of 24k will not be met. 12,500 within countryside looks as though it will be met, but current underspends are offsetting overspends within the Castle and Old Station. The forecast overspend at M6 for Countryside is 94k.	Museums - Medium Shirehall - Low TIC's medium

2014/15 Budgeted Service Savings Mandates Progress at Month 6							
ENTERPRISE							
Budget proposals 2014/15	Narrative	Saving included in 2014/15 Budget £'000	Value of Saving Forecast at Month 6 £'000	Delayed savings £000s	Savings not achievable £000s	Assessment of progress as at Month 6	Risk of current forecast saving NOT being achieved (High / Medium / Low)
Grants to micro finance and rationalise numerous grants to single organisations	Reducing the amount of grants paid annually to third sector bodies. Options will include reduction, micro-finance and introducing business plans. SCH mandate for £100k in 2014/15, R & C/CEO target of £100k. Further £300k in 2015/16 is not now considered feasible	50	50			Third sector bodies have already been made aware that their grant will be less this year and this was reflected in the budget.	Low
Strategic Property Review (phase 2)	Target to be achieved by the Accommodation working group and reduction in office accommodation, consolidate in Usk	75	60		15	Savings achieved through closure of Coed Glas and other methods, inability to make full saving due to still needing to pay Rates on Coed Glas to sale of property along with loss of rental income due to change in accommodation strategy at Magor Innovation House	Low
R & C Staffing restructures	Senior management restructure to include new service groupings and alignments and green space concept	70	70			Achieved	Low
R&C - OSS and libraries - 10% reduction in staff budget	The aim is to have one access point for customer service in each of the 4 towns and create efficiencies through a management restructure	116	29	87		Delay in implementing staffing restructure, part year saving realistic.	Medium
Additional Libraries and communications saving	Libraries driver redundancy and media position deleted	80	80			Achieved	Low
Review of additional payments	Target a 10% reduction in additional payments made eg overtime, standby etc	48	48			Achieved	Low
ICT	Staffing efficiencies, integrate enterprise agreement, reduce supplies and services budget	300	250	0	50	No plans to close Ty Cyd 3 means that savings will not be achieved. Additional CCTV income used in year 1 to purchase additional equipment. Its likely that staff vacancies will cover the additional shortfall in year.	Medium

2014/15 Budgeted Service Savings Mandates Progress at Month 6							
ENTERPRISE							
Budget proposals 2014/15	Narrative	Saving included in 2014/15 Budget £'000	Value of Saving Forecast at Month 6 £'000	Delayed savings £000s	Savings not achievable £000s	Assessment of progress as at Month 6	Risk of current forecast saving NOT being achieved (High / Medium / Low)
Adult Education	Cost reduction through reducing overheads and premises costs	90	0	90	0	High	High
Planning, place and enterprise	Increase in income from development plans (part of combined £32k savings)	4	4	0	0	Achieved	Low
		1,366	1,025	177	164		

2014/15 Budgeted Service Savings Mandates Progress at Month 6								
CHIEF EXECUTIVE'S UNIT & OPERATIONS								
Budget proposals 2014/15	Savings Proposal Narrative	Saving included in 2014/15 Budget £'000	Value of Saving Forecast at Month 6 £'000	Delayed savings £000s	Savings not achievable £000s	Assessment of progress as at Month 6	Assessment of progress as at Month 6	Risk of current forecast saving NOT being achieved (High / Medium / Low)
OPERATIONS								
School meals -increase price, market and expand service	Increase in school meal to £2.00, currently £1.65 infants and £1.80 junior based on an estimated 397,058 meals	69	0		69	Saving based on increased sales is unlikely in first 12 months due to A4L menu compliance, reduced take up due to price increase and increased cost of providing meals. In addition any additional saving will be offset against cost of running a client/contractor joint service provision to the standards required to achieve WG compliance status	Saving based on increased sales is unlikely in first 12 months due to A4L menu compliance, reduced take up due to price increase and increased cost of providing meals. In addition any additional saving will be offset against cost of running a client/contractor joint service provision to the standards required to achieve WG compliance status	High
Grants to micro finance and rationalise numerous grants to single organisations	Reducing the amount of grants paid annually to third sector bodies. Options will include reduction, micro-finance and introducing business plans. SCH mandate for £100k in 2014/15, R & C/CEO target of £100k. Further £300k in 2015/16 is not now considered feasible	13	13	0	0	Achieved	Achieved	Low
Highways - review of management arrangements, gritting schedules, verge maintenance, use of sub contractors	Reduction in management team and operate from 2 depots, reducing stand by payments and gritting frequencies. Reduce sub contractors and biodiversity policy on verges	405	274	116	15	Restructure of R&C will not allow whole year savings. Pressure from community groups are delaying savings in 2014/15. Some whole year savings predicted for 15/16 as mandate. Simpson review may not permit savings for MCC in Duty Officer mandate. Other offsetting savings will be made within Highways to meet the unachievable savings and the delayed savings.	Restructure of R&C will not allow whole year savings. Pressure from community groups are delaying savings in 2014/15. Some whole year savings predicted for 15/16 as mandate. Simpson review may not permit savings for MCC in Duty Officer mandate. Other offsetting savings will be made within Highways to meet the unachievable savings and the delayed savings.	Low
Street Light savings	Review of turning off street lights at designated times	180	180			Achievable	Achievable	Low

2014/15 Budgeted Service Savings Mandates Progress at Month 6							
CHIEF EXECUTIVE'S UNIT & OPERATIONS							
Budget proposals 2014/15	Savings Proposal Narrative	Saving included in 2014/15 Budget £'000	Value of Saving Forecast at Month 6 £'000	Delayed savings £000s	Savings not achievable £000s	Assessment of progress as at Month 6	Assessment of progress as at Month 6
OPERATIONS							
Street scene and pest control	Reduction in sweepers and number of cleaning rounds, opportunity for Town & Community Councils to contribute to service and full withdrawal of subsidy for pest control.	195	170		25	£25k is not being delivered from the Street Scene budget saving mandate due to lack of funding support from Town and Community Councils and therefore delays in implementing the reduction in manual sweeping capacity.	£25k is not being delivered from the Street Scene budget saving mandate due to lack of funding support from Town and Community Councils and therefore delays in implementing the reduction in manual sweeping capacity.
Home to School Transport - fundamental review of policy	Fundamental policy change - £420k - based around nearest school policy. Withdrawal of subsidy for post 16 transport.	47	47			These savings should be achievable as no travel grants will be issued to new applicants from sept 14	These savings should be achievable as no travel grants will be issued to new applicants from sept 14
Facilities - transfer functions to other providers	Engaging with town and community councils, friends clubs to take on service related costs - Linda Vista, Bailey Park, Public Conveniences	100	0	0	100	Although some engagement has taken place the take up from Tc's and CC's not forthcoming hence the saving is unlikely to be achieved.	Although some engagement has taken place the take up from Tc's and CC's not forthcoming hence the saving is unlikely to be achieved.
Transport review and fleet rationalisation	Increased income from private hire (Passenger Transport Unit), management and staff reduction	105	25	40	40	Budget problems within the PTU will require fundamental review of budget.	Budget problems within the PTU will require fundamental review of budget.
Property services and procurement	Staff efficiencies, systems review and procurement savings	115	115	0	0	Saving Realised.	Saving Realised.
Cost neutral waste service	Route optimisation, green waste charges up from £8 to £10 and reduce spend on	60	60	0	0	Saving Realised	Saving Realised

2014/15 Budgeted Service Savings Mandates Progress at Month 6								
CHIEF EXECUTIVE'S UNIT & OPERATIONS								
Budget proposals 2014/15	Savings Proposal Narrative	Saving included in 2014/15 Budget £'000	Value of Saving Forecast at Month 6 £'000	Delayed savings £000s	Savings not achievable £000s	Assessment of progress as at Month 6	Assessment of progress as at Month 6	Risk of current forecast saving NOT being achieved (High / Medium / Low)
OPERATIONS								
Review of additional payments	Target a 10% reduction in additional payments made eg overtime, standby etc	123	123	0	0	£24k will be made in accordance with the mandate. In general managers have seen this saving as just a straight cut in budget and have reorganised spend patterns accordingly. E.g. £41k Highways/Swtra – by reducing service or increasing income. £9k Grounds – by reducing service or increasing income. £32k Waste – reductions in other manpower budgets.	£24k will be made in accordance with the mandate. In general managers have seen this saving as just a straight cut in budget and have reorganised spend patterns accordingly. E.g. £41k Highways/Swtra – by reducing service or increasing income. £9k Grounds – by reducing service or increasing income. £32k Waste – reductions in other manpower budgets. All these savings are now forecast	Medium
TOTAL		1,412	1,007	156	249			

2014/15 Budgeted Service Savings Mandates Progress at Month 6								
CHIEF EXECUTIVE'S UNIT								
Budget proposals 2014/15	Savings Proposal Narrative	Saving included in 2014/15 Budget £'000	Value of Saving Forecast at Month 3 £'000	Value of Saving Forecast at Month 6 £'000	Delayed savings £000s	Savings not achievable £000s	Assessment of progress as at Month 6	Risk of current forecast saving NOT being achieved (High / Medium / Low)
CEO Staffing restructures	Senior management restructure to include new service groupings and alignments and green space concept	70	70	70	0	0	Achieved	Low
CEO - efficiencies, including on line services, staffing structures	Staffing efficiencies and improving on line services, reduction in democratic services will mean that only decision making committees can be serviced, merging of roles supporting area work	595	595	595	0	0	Achieved	Low
CEO - Restructure (Customer Access) - 10% reduction in staff budget	The aim is to have one access point for customer service in each of the 4 towns and create efficiencies through a management restructure	64	64	64	0	0	Achieved	Low
Review of additional payments	Target a 10% reduction in additional payments made eg overtime, standby etc	40	40	40	0	0	Achieved. In general managers have seen this saving as just a straight cut in budget and have reorganised spend patterns accordingly.	Low
Public protection	Service Reductions in Public Protection Division	89	89	89	0	0	Achieved	Low
Legal	Reduction in Legal Services employee hours and Commons and Village Green Inquiries – Inspectors' fees	37	37	37	0	0	Split £30k Legal & Land Charges, £7k Emergency Planning	Low

2014/15 Budgeted Service Savings Mandates Progress at Month 6								
CHIEF EXECUTIVE'S UNIT								
Budget proposals 2014/15	Savings Proposal Narrative	Saving included in 2014/15 Budget £'000	Value of Saving Forecast at Month 3 £'000	Value of Saving Forecast at Month 6 £'000	Delayed savings £000s	Savings not achievable £000s	Assessment of progress as at Month 6	Risk of current forecast saving NOT being achieved (High / Medium / Low)
Planning, place and enterprise	Increase in income from building control & development control (part of combined £32k savings)	28	28	28	0	0	Achieved	Low
TOTAL		923	923	923	0	0		

1. Revenue Outturn Forecast

1.1 The combined budget and outturn forecast for this portfolio is,

Service Area	Budget Mth 3	Virements	Budget Mth 6	Forecast Outturn	Variance Mth 6	Variance Mth 3
	£'000	£'000	£'000	£'000		£'000
Chief Executive's office	7,425	(50)	7,375	7,168	(207)	(133)
Operations	17,849	8	17,857	18,089	232	385
Corporate	17,941		17,941	17,825	(116)	(94)
Appropriations	6,956	8	6,964	6,972	8	(307)
Financing	(149,032)		(149,032)	(149,680)	(648)	(502)
Total	(98,861)	(34)	(98,895)	(99,626)	(731)	(651)

1.2 The more significant over and underspends are,

	Overspend predicted £'000	Underspend predicted £'000	Cause
Chief Executives Office		208 (75 improvement)	Policy Division net overspend of £28,000 compensated in extra income and reduced cost in Democracy Division (£87,000) and £148,000 savings in Finance division's, through reduced salary costs and reduced housing benefit (£57,000) activity below budget levels
Operations – Highways		300	Extra agency income
Operations – Property	77 (31 improvement)		Pressures from schools meals (£99,000), cleaning mainly conveniences (£34,000), additional call charges (£20,000) compensated in part by procurement team savings (£42,000) and accom costs (£33,000)
Operations – Home to school transport	271 (83 improvement)		Overspends in employee costs £133,000, fuel and repair £36,000 and reduction in income £67,000. Whilst past budget saving reviews of home to school and SEN haven't taken place, the rolling tender of external transporter costs exhibit a compensatory saving.
Operations – Transport	129 (41 worsening)		Predominantly car parking income deficit
Operations – Waste	105 (130 improvement)		Predominantly redundancy costs. The improvement on month 3 is caused by a greater degree of certainty around the recycling contract renewal in Jan 15
Training Unit	50 (50 worsening)		Mixture of redundancy costs, increasing costs and reduced income predictions
Operations – Grounds		100	Additional income

Corporate		115 (22 improvement)	Predominantly saving in external audit fees
Appropriations	9 (317 worsening)		Reduced budgeted draw from reserves compensated by anticipated savings in interest payable, combined with improved interest receivable, and reduction in charges due to 2013-14 capital slippage
Financing		648 (146 improvement)	Predicted extra Council tax receipts and reduced CT benefits
Total		730	

2. 2014-15 Savings Progress

2.1 The savings required by 2014-15 budget process, identified in appendix 1, are not fully secured.

- Of Operations savings totalling £1,412,000, £1,007,000 (an increase of only £17,000 against that reported at month 3) are anticipated to be made, £156,000 deferred to 2015-16 (no change on month 3) and £249,000 not achievable.
- As at month 6, Operations Directorate are anticipating an adverse outturn £232,000, as deferred and not achievable savings total £405,000, the service is making adhoc savings of £173,000 to compensate in part for the level of savings that it has reported but has yet to make.
- Of Chief Executives savings totalling £923,000, £923,000 continues to be reported as delivered.

3. Capital Outturn Forecast

3.1 The capital budget for the year is £10,037,000. This was made up of £6,235,000 2014-15 allocation, £7,192,000 slippage from 2013-14 (although £3,433,000 relates to the new library provision and is anticipated to slip into 2015-16 consequently to further consultation and engagement). The budget has been increased between July and September by a further £127,000 on the previous revisions reported of £772,000. These latest revisions comprise

	£'000
Net virements approved by Cabinet – month 3 report	(47)
Town Team (to be funded from receipt)	10
Skatepark (net funding from grant)	69
Energy efficiency schemes	116
Reduction in property maintenance	(21)
Total	127

3.2 At the start of 2014-15 the Council accrued for £890,000 worth of work completed but not invoiced, as at the end of month 6 it had incurred only £3,054,000. This wouldn't normally be a profile that would indicate full spending by the end of the year but project officers are confident to predict a forecast outturn that only exhibits an underspend of £140,000 and the main cause of this is Transport grant expenditure (£212,000) that cannot be progressed or recycled to other schemes.

3.3 Slippage is proposed to increase by £856,000, to £4,289,000 and comprises

	£'000
Abergavenny Library	3,433
Fixed asset disposal	146
Access for all scheme	120
Infrastructure repairs	30
Customer relationship management IT system	92
Section 106 schemes	468
Total	4,289

3.4 The outturn forecast exhibits an underspend of £140,000, due to the net effect of a transport grant scheme not progressing, which masks an overspend of £50,000 in relation to old County Hall costs (to be shared with TCBC) and £25,000 in relation to Property maintenance overspend. The Property maintenance costs are managed holistically and will be funded by an equivalent underspend with CYP property maintenance schemes.

4. **Benchmarking**

4.1 The purpose of this section is to explore whether activity data, and comparison with other authorities provides members with an improved perspective of whether resources are being utilised in an efficient and effective fashion.

4.2 A condition of using Wales's datasets in a public document has been a need to anonymise particular Council data. Comparison has been sought with Councils of a similar demographic and rural nature, together with neighbours.

4.3 The nature of the services provided as part of Stronger Communities Select portfolio is very diverse. Consequently the focus for analysis where possible has been those areas identifying a financial challenge as part of financial monitoring process.

4.4 **Waste services**

The first table seeks to ascertain whether there is anything particularly unusual about MCC activity that disproportionately influences costs incurred.

	Key Performance Indicator Information			The tonnage of local authority collected municipal waste prepared for reuse, recycled and/or collected as source segregated biowastes and composted or treated biologically in another way by the local authority	Proportion recycled of total collected	The total number of fly tipping incidents recorded by the authority during the year	The number of reported fly tipping incidents cleared within 5 working days	Proportion cleared within 5 days
	The tonnage of municipal waste collected by the local authority	The tonnage of local authority collected municipal waste sent to landfill by the local authority	Proportion sent to landfill of total collected					
A (Semi Rural)	33,828	10,706	32%	19,742	58%	317	310	98%
B (Semi Rural)	42,561	11,593	27%	26,901	63%	2,206	2,093	95%
C (City)	70,334	31,709	45%	36,361	52%	1,575	1,552	99%
D (Neighbour)	43,353	4,592	11%	22,665	52%	408	396	97%
E (Semi Rural)	61,527	26,569	43%	33,698	55%	1,331	1,068	80%
MCC	45,962	15,735	34%	28,927	63%	423	406	96%

It tends to exhibit a similar profile with comparator semi-rural authorities, and it is to be expected "City" profile exhibits a differing trend.

The second table considers the costs involved in provision for 2013-14.

Benchmarking Wales - Measuring Up data						
	Net cost of waste collection and disposal	Net Cost per tonnage collected	Cost of waste collection per household	Street Cleansing	Road Network	Street Cleansing Cost per Km
	£'000	£	£	£'000	Km	£
A (Semi Rural)	5998	177.31	63.96	800	2146	373
B (Semi Rural)	8072	189.66	63.78	1392	1415	984
C (City)	7546	107.29	41.69	1688	650	2,597
D (Neighbour)	8425	194.34	75.92	1332	430	3,098
E (Semi Rural)	8420	136.85	48.74	2813	1030	2,731
MCC	5770	125.54	49.99	2216	1481	1,496

The analysis indicates as expected that you get economies of in provision a “City” environment making that a more economic unit cost of than that of semi-rural Councils, but against those semi-rural comparators MCC compares favourably with most.

In terms of overall street cleansing costs, MCC cost of provision looks towards the top end of comparators but when the extent of road network is considered exhibits a far more economic unit cost of provision. It is perhaps “too simple” an analysis to draw any long term conclusions as it is anticipated that the rural network is likely to require less attention than those around sizeable residential and retail areas, but unfortunately that breakdown of network cost is not available.

4.5 Transport services

Unfortunately there is limited benchmarking information available on passenger transport considerations across Wales and particularly the split between concessionary fares and home to school transport provision as an example to draw any meaningful conclusions.

There is a perception that our Transport costs would be greater than that of others by virtue of MCC having to facilitate the likes of grass routes service and home to school provision that wouldn't be common features of urban Councils.

Given that context it was interesting to note for interest that the proportion of eligible customers to hold a concessionary pass appears about average against similar semi-rural comparators, but it should also be noted that the indicative net cost of transport provision per network km appears the lowest against those tested, including the “City” profile, which is particularly surprising, and bears closer subsequent analysis.

	The total number of adults aged 60+ who hold a concessionary bus pass	The total population aged 60+	Proportion of eligible population holding a concessionary pass	Road network (Km)	Gross Exp	Income	Net Cost	Cost per Network Km
					£'000	£'000	£'000	£'000
A (Semi Rural)	16269	21650	75%	2,146	3,408	- 1,153	2,255	1.05
B (Semi Rural)	22124	27396	81%	1,415	4,367	- 1,710	2,657	1.88
C (City)	28847	32595	89%	650	5,740	- 1,040	4,700	7.23
D (Neighbour)	22043	22779	97%	430	4,313	- 9	4,304	10.01
E (Semi Rural)	25950	32282	80%	1,030	4,289	- 955	3,334	3.24
MCC	20671	26682	77%	1,481	2,697	- 1,416	1,281	0.86

4.6 Highways & Road Planning & Maintenance

Financially this service has always assisted in meeting the wider challenges of the Directorate through its extra income generation.

		Transport planning, policy and strategy	Highways & roads	Total	Road Network (Kms)			Cost per Km
					Principal	Other	Total	
A (Semi Rural)	Ceredigion	128	9430	9558	158	1988	2146	4,454
B (Semi Rural)	Denbighshire	438	6416	6854	140	1275	1415	4,844
C (City)	Newport	82	5798	5880	51	599	650	9,046
D (Neighbour)	Torfaen	0	5509	5509	26	404	430	12,812
E (Semi Rural)	Vale	523	6350	6873	74	956	1030	6,673
MCC		581	4881	5462	59	1422	1481	3,688

The analysis indicates a very favourable economic unit cost of provision when compared to the road network. Although it is interesting to note that MCC planning, policy and strategy costs appears significantly different than others, and further analysis will be required to better understand what each authority chose to treat as such cost before any conclusion should be drawn concerning it.

4.7 Property management

The financial challenges facing property services stem mainly from managing services (e.g. school meals) which wouldn't traditionally be defined as "property services". So there is little comparable information on which to base an informed opinion.

In terms of analysis, given Council strategy towards office accommodation, it is little surprise that useable office accommodation per employee exhibits such economic provision of space. Equally the cost per square metre seems competitive against most comparators, what however is a little surprising is the reported cost of property management per useable metre squared. Whilst the inclusion of school meals provision to Property may adversely affect MCC's unit costs, I'm a little suspicious that such low unit costs reported by others suggests we are not comparing a like for like service, I intend to take further analysis in this area to confirm that the situations reported are comparable.

		Useable office accom per employee (m2)	Cost per m2	Cost of property mngt per useable m2
A (Semi Rural)	Ceredigion	8.5	208	0.41
B (Semi Rural)	Denbighshire	14.2	213	2.32
C (City)	Newport	No data	No data	No data
D (Neighbour)	Torfaen	8.8	134	No data
E (Semi Rural)	Vale	9.9	241	1.57
MCC		5.9	186	6.14

4.8 Corporate and Central Services

Corporate and central costs tend to be those that the electorate often have a perception are overinflated or provide limited value for money when considering the savings challenges facing local authorities.

Councils' corporate and democratic core (CDC) spending covers a number of activities and costs that contribute to good governance and public accountability, including:

- councillors' allowances and expenses;
- staff support to councillors, for example, to assist them in their committee roles;
- the functions of the head of paid service;
- statutory functions, such as financial reporting and maintaining a register of councillors' interests;
- costs related to external audit and inspection; and
- treasury management.

Councils' non distributable costs commonly has a restrictive definition to reflect the following,

- past service costs relating to retirement benefits
- the costs associated with unused shares of IT facilities
- the cost of shares of other long-term unused but unrealisable assets

In providing services to their local communities, councils do incur costs related to the management and governance of their organisations. Some of these, such as the costs of corporate and financial management, or of statutory reporting, arise in any large, multi-functional organisation with a multi-million pound budget. Others, such as the cost of support for democratically elected councillors, are unique to councils. These costs are unavoidable if councils are to operate effectively and within the law. It is essential, however, that councils carry out these activities as cost-effectively as possible. In the current period of public spending restraint, controlling spending on these management activities will maximise the resources councils have available to spend on frontline services.

	Corporate & democratic core costs	Non distributable costs	Other central services to public	Total	Operating Expenditure (Revenue outturn 2013-14)	Central costs as a proportion of Operating expenditure
	£'000	£'000	£'000	£'000	£'000	£'000
A (Semi Rural)	2,919	1,238	225	4,382	172,321	2.54%
B (Semi Rural)	4,548	2,400	369	7,317	238,749	3.06%
C (City)	4,579	138	887	5,604	337,643	1.66%
D (Neighbour)	4,626	-	525	5,151	231,719	2.22%
E (Semi Rural)	3,432	432	649	4,513	279,627	1.61%
Welsh Average	5,463	1,463	819	7,745	326,499	2.37%
MCC	2,169	798	702	3,669	183,254	2.00%

MCC costs are consistent with the comparator authorities, despite being one of the smaller authorities and not deriving the same economies of scale in provision that larger Councils do. Reassuringly it is below the indicative Welsh average for such costs.

5 **Director's Commentary (Head of Operations – Roger Hoggins)**

In broad terms the reduction in projected overspend from month 3 (£385k) to month 6 (£232k) is welcome and demonstrates a focus amongst the Operations services to work towards a balanced the budget overall. With reference to the major overspends further work needs to be done to improve custom for school meals. Production costs are cost effective given the size and geographical spread of primary schools so emphasis must be placed upon custom levels to improve the budget position overall.

The Home to School transport position has improved following the recent tender exercise although the benefits are only now becoming apparent as contractors 'hand back' contracts they are unable to service. Overspends in employee costs are improving as some one off costs associated with maternity leave and sickness absence come under control but the figure will always vary according to hire contracts and overtime that are service driven. Bus hire income is demand led but so far is disappointing.

The car park income deficit is being addressed since new charges were introduced at the start of November. This will not bring the budget back to balance but will see improvement by the end of the year. The wider review of car parking requires a revised car park order and statutory consultation but this will assist in refocusing the service to suit individual towns.

Waste and recycling has improved as confidence in our contractual position has allowed us to project to the end of the year with greater confidence. Costs associated with redundancies are estimated to be £105k by the end of the year and as such make up the month 6 overspend.

The Raglan Training Unit will incur some redundancy costs (estimated at £30k) and has a projected reduction in courses which is adding to the deficit. A refreshed course programme will be developed to recover market share for the new financial year.

Improved income is helping to address the budget position overall but the Winter period has the potential to affect the budget further depending upon weather and response. Officers will continue to seek to bring the budget to balance but will seek to balance with our Winter response service that has been well received in recent years.

6 Supporting Financial Monitoring Workbooks (ctrl click to access)

[Revenue Monitoring Chief Executives Office Qtr 2](#)

[Revenue Monitoring Operations Qtr 2](#)

[Revenue Monitoring Corporate Qtr 2](#)

[Revenue Monitoring Appropriations Qtr 2](#)

[Revenue Monitoring Financing Qtr 2](#)

[Capital monitoring Qtr 2](#)

1. Revenue Outturn Forecast

- 1.1 The revenue budget for 2014-15 equates to £10,285,000 (an increase of £33,000 on month 3 levels). Net forecast outturn expenditure is predicted as £10,340,000, of which £5,573,000 had been incurred at the end of 2nd quarter, resulting in an anticipated overspend of £55,000 (£232,000 overspend at month 3).

	Overspend predicted £'000	Underspend predicted £'000	Cause
Community led delivery	70 (37 improvement)		Net effect of restructure changes not fully implemented yet within libraries (£47,000), and net cost (£81,000) to Adult Education caused by Coleg Gwent franchise changes in September, both mitigated in part by savings within Housing Services (£61,000)
Commercial & people development		16 (94 improvement)	Savings in People Services (£18,000) and Business Growth & Enterprise (£9,000) compensating for shortfall in savings target presumed on SRS
Tourism, Life & culture	101 (54 worsening)		£32,000 overspend apparent in Leisure, net effect from summer cycling events, Saving mandate introducing redundancy costs at Caldicot Castle, employee cost pressures at Old Station, and reduced rental following Brecon Beacons National Park moving to tithe barn
Development Plans		100	Reduced draw upon reserve funded expenditure in 2014-15 to be undertaken in 2015-16
Total	55		

2. 2014-15 Savings Progress

- 2.1 The savings required by 2014-15 budget process, identified in Appendix 1, are not all fully secured. Of Enterprise savings totalling £1,366,000, (an increase since month 3 to reflect Adult Education savings which were part of CYP control total at Mth 3 £1,025,000 are anticipated to be made (a reduction of £9,000 since month 3 – which is the net reduction in sustainable energy initiatives £33,000 caused by solar farm not progressing as quickly anticipated compensating by an increase in savings delivered by Shire Hall/Museums of £14,000 and SRS £10,000. £177,000 is predicted to be deferred to 2015-16 (an increase of £30,000 since month 3) and £164,000 not achievable (an increase of £70,000 – sustainable energy and SRS initiatives compensated by reduction in Shire Hall, Museums, Castles and Tourism savings felt unachievable).

3. Capital Outturn Forecast

- 3.1 The capital budget for the year is £732,000. This was made up entirely of slippage from 2013-14. £82,000 worth of revisions have been made in the last quarter due to recommendations made in quarter 1 report concerning legal costs incurred in relation abergavenny regeneration. This prediction of costs does not include any compensation should the council lose the case.
- 3.2 At the start of 2014-15 the Council accrued for £232,000 worth of work completed but not invoiced in respect of cattle market commissioning. As at the end of month 6 it had incurred only £95,000,

and only £2,000 related to the cattle market. This wouldn't normally be a profile that would indicate full spending by end of the financial year. No slippage in budget to 2015-16 is proposed, and a net £92,000 underspend is evident in relation to development scheme spending.

4. **Benchmarking**

- 4.1 The purpose of this section is to explore whether activity data, and comparison with other authorities provides members with an improved perspective of whether resources are being utilised in an efficient and effective fashion.
- 4.2 A condition of using Wales's datasets in a public document has been a need to anonymise particular Council data. Comparison has been sought with Councils of a similar demographic and rural nature, together with neighbours.
- 4.3 The nature of the services provided as part of Economy & Development Select portfolio is very diverse and service models like whole place are pretty "new" considerations with very little comparator information available at the moment. Consequently the focus for analysis where possible has been those areas of a more discretionary nature to allow Members to consider how resources utilised compare to with other entities.

4.4 **Library Services**

	Libraries					
	Net Cost of library services 2013-14 revenue outturn stats	Total population	Indicative cost per head of population	The number of visits to Public Libraries during the year	Visits per Head of Population	Indicative Cost per visit
	£'000					£
A (Semi Rural)	1,272	76,046	16.73	309,001	4.06	4.12
B (Semi Rural)	1,843	94,066	19.59	736,289	7.83	2.50
C (City)	2,371	146,106	16.23	647,572	4.43	3.66
D (Neighbour)	1,907	91,372	20.87	371,337	4.06	5.14
E (Semi Rural)	2,535	126,831	19.99	864,874	6.82	2.93
Welsh Average	2,393	139,730	17.13	817,604	5.85	2.93
MCC	1,538	91,659	16.78	666,316	7.27	2.31

The analysis indicates an average economic unit cost of provision when compared to per head of population, and favourable unit cost of provision per head of population when compared to indicative Welsh average. Visits to libraries per head of population indicate a greater use than both the Welsh average and also comparator semi-rural Councils which will tend to exhibit activity above those of more municipal environments as it is commonly regarded as a community resource and tends to serve purposes other than just traditional book lending, and so MCC's cost per library visit exhibits a favourable comparison to other Councils assessed. However unlike other services, footfall usage historically will not realise a significant income source for Councils as library

provision tends to be regarded as free in nature although there has been a recent shift in terms of internet usage and technological changes that will introduce more of an income dimension than traditionally the case.

4.5 Leisure Services

	Leisure				
	Net Cost of leisure services 2013-14 revenue outturn stats	Indicative cost per head of population	Number of visits to sport and leisure centres during the year where the visitor will be participating in physical activity	Visits per Head of Population	Indicative Cost per visit
	£'000	£			£
A (Semi Rural)	2,226	29.27	529,758	6.97	4.20
B (Semi Rural)	1,976	21.01	631,462	6.71	3.13
C (City)	4,666	31.94	1,252,526	8.57	3.73
D (Neighbour)	3,410	37.32	694,148	7.60	4.91
E (Semi Rural)	2,113	16.66	830,021	6.54	2.55
Welsh Average	4,460	31.92	1,251,088	8.95	3.57
MCC	2,642	28.82	742,368	8.10	3.56

This indicates a very similar profile to that of Libraries above, in that the service exhibits a more economic unit cost of provision per head of population than the Welsh Council average and one circa average with the specific comparators. Also similar to Libraries the service exhibits an activity throughput per head of population that is greater than the majority of comparators, but different in that throughput activity is slightly less than the Welsh average but given the unit cost of provision is less the unit cost per visit appears to correlate very closely with the Welsh average.

4.6 Heritage & Tourism Services

	Culture & heritage services							
	Net Cost of culture & heritage services 2013-14 revenue outturn stats			Number of visits pa (2013 data)	Indicative net cost per visit	Indicative net cost per visit	Indicative net cost per visit	Tourism costs as a proportion of total culture and heritage costs
	Culture & heritage services	Tourism	Total		Culture & heritage services	Tourism	Total	
	£'000	£'000	£'000			£	£	
A (Semi Rural)	987	484	1,471	2,635,000	0.37	0.18	0.56	33%
B (Semi Rural)	2,563	531	3,094	Not avail				17%
C (City)	3,467	68	3,535	Not avail				2%
D (Neighbour)	715	894	1,609	942,000	0.76	0.95	1.71	56%
E (Semi Rural)	500	774	1,274	3,193,500	0.16	0.24	0.40	61%
Welsh Average	1,943	628	2,572	Not avail				
MCC	1,518	422	1,940	2,052,500	0.74	0.21	0.95	22%

It has been a particular challenge to obtain any comparative information in this area. I was hoping for some Museum specific activity data but costs of such tend to be included in culture and heritage service more generally when reported across Wales. Heritage and culture is also an area where costs tend to be rather unique to individual Councils based on their specific portfolio of heritage assets, the history of the area and attractions, and can be highly variable, making any direct meaningful comparison more tricky.

There will be more of a correlation in costs and activities between similar semi-rural Councils than City or neighbour comparison, and in this regard our culture and heritage costs per visit appear higher than others. However our tourism unit costs per visit appear proportionate and comparable with visitor numbers elsewhere and tourism facilitation costs as a proportion of culture and heritage services costs appear proportionately less than other semi-rural authorities examined that chose to publish such data, but it is a very small sample size from which to draw any forthright judgement.

4.7 People Development

Appreciating the Human Resources function also appears with Enterprise Directorate, one final table pertinent to assessing the general economy of provision of services or otherwise involves an analysis of staffing.

	Number of FTE staff, including teachers, as at March 14	Population	No of FTE staff per head of population	Cost of agency staff 2012-13
A (Semi Rural)	2,818	76,046	0.04	29
B (Semi Rural)	3,940	94,066	0.04	1820
C (City)	4,988	146,106	0.03	4168
D (Neighbour)	3,593	91,372	0.04	989
E (Semi Rural)	3,982	126,831	0.03	5169
Welsh Average	5,682	139,730	0.04	1915
MCC	2,693	91,659	0.03	1121

The volume of staff employed in providing MCC local authority services is significantly below the Welsh average, and whilst favourably comparable with comparator Councils, this situation is further enhanced when considering the cost of agency staff incurred by Councils as an alternative to directly employing staff (unfortunately only 2012-13 comparable information is available at present).

5 **Director's Commentary (Kellie Beirne)**

'I am pleased to see progress continues with the level of overall underspend at Month 6 now brought down to £55k. Within this however, there are some fluctuations that will require some concerted focus, especially in order to maintain as far as possible, the commitments made in the budget mandates for 14/15. Community-led delivery has shown improvements on the month 3 position; issues remain as a result of the structure changes made in-year, however these will now start to shift with the next layers of the wider establishment for Enterprise, developed. Community Education and issues around the service franchise agreement present difficulties that to our best ability, we will seek to mitigate both within the service area by making compensatory adjustment and within the wider CLD budget. Great progress continues to be made in Commercial and People with a higher than anticipated under-spend generated due to keeping vacancies open and a reversal of the SRS position. Tourism Leisure and Culture as anticipated is carrying some of the cost of the summer cycling events, as well as staff costs relating to structure changes not moving at the pace expected. As above, this is now starting to move and with expected income levels in leisure and the recent round of events, also set to make a contribution, I remain confident that the end position will be a neutral one.'

In capital terms, whilst delays have continued on major programmes such as Abergavenny regeneration and library, with the commencement of consultation on 'Community Hubs', it seems clear that if the business case underpinning this is robust, a decision can be sought which will enable the programme to proceed in a clear direction.

The benchmarking analysis clearly demonstrates that the frontline service provided through Enterprise are operating at high levels of efficiency. Whilst this is good news, in the light of further budget reductions, it is clear that new ways of providing these services must be found if we are to derive new levels of effectiveness.'

6. **Supporting Financial Monitoring Workbooks (ctrl click to access)**

[Revenue Monitoring Enterprise Qtr 2](#)
[Capital monitoring Qtr 2](#)

1. Revenue Outturn Forecast

1.1 The revenue budget for 2014-15 equates to £29,648,000. The net forecast outturn expenditure is predicted as £29,699,000, of which £12,639,000 had been incurred at the end of 2nd quarter, resulting in an anticipated overspend of £50,000 (up from £30,000 overspend month 3).

	Overspend predicted £'000	Underspend predicted £'000	Cause
Social Care – Adults			
Disability Equipment (Gwices)		18 (20 worsening)	Reduced activity
Day Centres	9 (20 worsening)		
Residential care	112 (28 worsening)		Mainly Mardy Park partnership pressure
Community Meals	29 (3 worsening)		Shortfall in income
Domiciliary care	25 (8 improvement)		Increase in staff hours caused by training and reconfiguration
Transition cooperative partnership		47	Secondment cost borne by partner
Management team		14 (7 worsening)	
Monnow Vale partnership	65 (10 improvement)		Historic agreement precludes passing equitable cost to partner
Community Care		38	
Commissioning	10		
Resource and performance		83	Reduced premises and fleet cost, and net salary saving
Total	50		

2. 2014-15 Savings Progress

2.1 The savings required by 2014-15 budget process, identified in Appendix 1, are not fully secured. Of Social Care savings affecting Adults totalling £962,000, £841,000 are anticipated to be made, none deferred to 2015-16 but £121,000 not achievable. This exhibits no change in activity since month 3.

3. Capital Outturn Forecast

3.1 The capital budget for the year is £59,000. There was no slippage from 2013-14. An additional £200,000 revisions has occurred since month 3 to reflect Cabinet approval to replace SCH software ultimately funded from IT licence revenue savings within SCH.

3.2 At the start of 2014-15 the Council accrued for £3,000 worth of work completed but not invoiced. As at the end of month 6 it has incurred £88,000 costs, and forecasts an overspend of £29,000 due to the deficient standard of existing boiler plant. This is due to be funded by an underspend in Property Maintenance within the CYP Select portfolio.

4. **Benchmarking**

- 4.1 The purpose of this section is to explore whether activity data, and comparison with other authorities provides members with an improved perspective of whether resources are being utilised in an efficient and effective fashion.
- 4.2 The first table in respect of SCH Adult services seeks to ascertain whether there is anything particularly unusual about MCC presentations that influence costs incurred. It is often remarked that Monmouthshire exhibits a disproportionate elderly demographics that introduces disproportionate social care costs, particularly given a rural dimension, in comparison with other Councils. A condition of using Wales's datasets in a public document has been a need to anonymise particular Council data.

Authority	Key Performance Indicator Information										
	Total population	Total population > 75	Proportion of population > 75	Total population aged 65 or over	Proportion of population 65 and over	Number of people aged 65 or over supported in the community	Percentage of people supported in the community as a proportion of population 65 and over	Number of people aged 65 or over supported in care homes	Percentage of people supported in care homes as a proportion of population 65 and over	Number of people aged 65 or over supported	Percentage of people supported as a proportion of population 65 and over
A (Semi Rural)	76,046	7,473	10%	16,370	21.5%	862	5.3%	360	2.2%	1,222	7.5%
B (Semi Rural)	94,066	9,332	10%	20,579	21.9%	1,036	5.0%	429	2.1%	1,465	7.1%
C (City)	146,106	11,467	8%	24,575	16.8%	1,556	6.3%	398	1.6%	1,954	8.0%
D (Neighbour)	91,372	7,810	9%	16,980	18.6%	2,221	13.1%	366	2.2%	2,587	15.2%
E (Semi Rural)	126,831	11,020	9%	24,217	19.1%	1,150	4.7%	357	1.5%	1,507	6.2%
MCC	91,659	9,284	10%	20,038	21.9%	1,134	5.7%	227	1.1%	1,361	6.8%

- 4.3 MCC over 65 and over 75 demographic data doesn't appear to evidence a significantly different population mix than other Authorities. The proportion of elderly residents does seem to evidence a correlation with the semi-rural nature of MCC and comparator Councils in that there is some basis to conclude these areas can be pleasant environments to retire to.
- 4.4. MCC's strategic approach to support people where possible in communities proportionately more than through care home provision is evident, although MCC do appear to be dealing with an activity base slightly below the norm indicated above.
- 4.5 The second table indicates the costs associated with service provision of the above Councils, and has been drawn from the 2013-14 revenue outturn returns, which is the latest all wales comparator data available.

Authority	Revenue Outturn Information											
	Total Social Care spend 2013/14 £'000	Total social care cost 13-14 per head of population	Adult Spend on >65 provision	Social care Cost 13-14 per >65 population	Adult Spend on <65 provision	Adult Strategy	Proportionate spend between >65 provision against <65 provision	Sub Total Adult Services Costs	Proportion of Spend on Adult Services	Spend on Childrens & Family Services	Social care Cost 13-14 per looked after child	Proportion of Spend on Childrens & Family Services
	£'000	£'000	£'000	£'000	£'000	£'000		£'000		£'000	£'000	
A (Semi Rural)	39,568	5,295	14,901	910	14,787	39	1.01	29,728	75%	9,840	127,792	25%
B (Semi Rural)	52,131	5,586	18,528	900	21,475	196	0.86	40,199	77%	11,932	72,756	23%
C (City)	85,208	7,431	21,814	888	24,040	9,840	0.91	55,694	65%	29,514	103,558	35%
D (Neighbour)	46,268	5,924	15,835	933	13,121	829	1.21	29,785	64%	16,483	55,686	36%
E (Semi Rural)	57,679	5,234	19,575	808	19,250	611	1.02	39,436	68%	18,243	99,689	32%
MCC	42,275	4,554	14,148	706	17,584	-	0.80	31,732	75%	10,543	102,359	25%

- 4.6 MCC spends less per head of population on Social Care than comparator authorities, and the mix between how the Social Care budget is attributed between and Adult and Children's Services doesn't indicate a particular skew, and the unit cost per Adult case will always be significantly less than that for Children's services.

- 4.7 When comparing Adult unit costs between Councils, it does appear that the Your Life Your Way strategy adopted evidences the additional benefit of reducing the unit cost of provision. It may also explain why MCC evidences a greater proportionate spend for under 65s rather than the more normal spend profile, but it would be my intention to test this further to establish whether MCC is potentially incurring care costs earlier than it needs to.

5. Director's Commentary (Social Care & Health – Simon Burch)

Adults Services continue to perform well in budgetary terms and are predicting a small overspend at Month 6. The service has achieved all of the SCH Mandate savings for 2014/15 and the overspend reflects the impact of whole authority pressures in the budget that will need to be managed in year.

The big achievement for the service is to be in a break-even position despite the demographic and other demand pressures exerted on it. The new approaches are bearing fruit and the service is well placed to deliver the significant savings required in 2015/16 onwards.

6. Supporting Financial Monitoring Workbooks (ctrl click to access)

[Revenue monitoring Social Care and Health Qtr 2](#)

[Capital monitoring Qtr 2](#)

1. Revenue Outturn Forecast

1.1 The combined revenue budget for 2014-15 is made up of SCH Children's services £6,956,000 and CYP Directorate £52,302,000, totalling £59,258,000. The net forecast outturn expenditure is predicted as £60,049,000, of which £55,072,000 had been incurred by end of 2nd quarter (skewed by the effect of delegating annual budget to schools in 1st quarter), resulting in an anticipated overspend of £746,000 (£583,000 at month 3) in Social Care and £45,000 (£26,000 at month 3) in CYP, combined £791,000.

	Overspend predicted £'000	Underspend predicted £'000	Cause
Social Care – Children			
Looked after children	502 (122 worsening)		Additional case volume
Joint adoption	4 (35 improvement)		Reflective of anticipated activity
Fostering & allowances	45 (10 worsening)		Foster carers travel allowances – no budget
Disability equipment (Gwices)		23 (10 worsening)	
Therapeutic services		11 (9 worsening)	
Counsel costs	56 (10 improvement)		Anticipated in line with 2013-14 activity
Young person's accommodation		55 (17 improvement)	Reduced activity
Respite home		55 (9 improvement)	Premise closed whilst new carers identified and assessed
Team Costs	304 (80 worsening)		Staffing costs and conveyance of client pressure
Unaccompanied asylum seeking children, local safeguarding board and misc. underspends		22 (1 improvement)	
Total	745		

	Overspend predicted £'000	Underspend predicted £'000	Cause
Children and Young People			
Resources delegated to schools		225 (225 improvement)	
Standards	250 (212 worsening)		Shortfall on income targets
Resources	45 (57 worsening)		Net salary saving
Youth services		25 (25 improvement)	
Total	49		

2. 2014-15 Savings Progress

- 2.1 The savings required by 2014-15 budget process, identified in Appendix 1, are not fully secured.
- Of Social Care - Children savings totalling £68,000 £36,000 are anticipated to be made, none deferred to 2015-16 but £32,000 are regarded as not achievable. This exhibits no change since month 3.
 - This exhibits no change since month 3.
 - Of Children & Young people Directorate savings totalling £812,000, £729,000 are reported to be made none deferred but £83,000 regarded as not achievable.
 - This exhibits no change since month 3.

3. Schools reserves

- 3.1 Schools balances, as indicated in the main report from para 3.3 onwards exhibit a declining trend, such that the forecast outturn balance would not accommodate the same level of expenditure as the 2014/15 financial year.

4. Capital Outturn Forecast

- 4.1 The capital budget for the year is £12,252,000 after slipping the £751,000 21st Century feasibility underspend and part of the Access for all (£80,000) budget to 2015-16. This was made up of £4,044,000 2014/15 allocation and £3,067,000 slippage from 2013/14. Since month 3 the Council have indicatively approved the creation of 21c school main project budget, pending approval from WG concerning their share. This amounts to £5,972,000 in 2014-15.
- 4.2 At the start of 2014/15 the Council accrued for £509,000 worth of work completed but not invoiced. As at the end of month 6 it had incurred only net £2,781,000. This wouldn't normally be a profile that would indicate full spending by the end of the year but project officers are confident to predict a forecast outturn that exhibits a net £55,000 underspend caused by anticipated property maintenance costs. As is usual the Property Maintenance aspect is balanced across all Directorates and so the net underspend in school spending compensates for additional Property Maintenance pressures in the Strong Communities and Adult Select areas.

5. Benchmarking

- 5.1 The purpose of this section is to explore whether activity data, and comparison with other authorities provides members with an improved perspective of whether resources are being utilised in an efficient and effective fashion.
- 5.2 The first table in respect of Children's services seeks to ascertain whether there is anything particularly unusual about MCC presentations that influence costs incurred. A condition of using Wales's datasets in a public document has been a need to anonymise particular Council data.

Authority	Key Performance Indicator Information								
	Total population	The total number of children who were looked after at 31 March	The number of children of compulsory school age looked after at 31 March	Proportion of caseload that involves children of school age	Looked after children activity per head of population	The number of children of compulsory school age looked after at 31 March who have experienced one or more changes of school, which were not due to transitional arrangements, in the 12 months to 31 March	Proportion of looked after children experiencing more than 1 change of school per total LAC of school age	Total number of looked after children who had been looked after for more than 12 months at 31 August of the current financial year and were aged 15 at 31 August of the previous financial year	Looked after children for more than 1 year as proportion of looked after children activity
A (Semi Rural)	76046	77	48	62%	0.06%	4	8%	6	13%
B (Semi Rural)	94066	164	99	60%	0.11%	8	8%	11	11%
C (City)	146106	285	163	57%	0.11%	17	10%	26	16%
D (Neighbour)	91372	296	202	68%	0.22%	24	12%	15	7%
E (Semi Rural)	126831	183	110	60%	0.09%	18	16%	11	10%
MCC	91659	103	73	71%	0.08%	8	11%	8	11%

The volume of presentations per population in MCC doesn't appear to exhibit a material difference from similar Councils, appreciating that Authority C and D will have a differing demographic and level of social deprivation than appears common in a semi-rural authority.

Interestingly the proportion of caseload involving children of school age appears skewed in MCC even against the indicated City authority, which would indicate that 15+ caseload is proportionately lower.

There's no obvious extra volatility in terms of multiple changes to schools, and no long term looked after liabilities outside of a similar pattern to comparator Councils.

The second table indicates the costs associated with service provision of the above Councils, and has been drawn from the 2013-14 revenue outturn returns, which is the latest all wales comparator data available.

	Revenue Outturn Information						
Authority	Total Social Care spend 2013/14 £'000	Social care Cost 13-14 per head of population	Sub Total Adult Services	Proportion of Total Social Care Spend on Adult Services	Spend on Childrens & Family Services	Childrens Social care Cost 13-14 per capita looked after child	Proportion of Total Social Care Spend on Childrens & Family Services
	£'000	£'000	£'000		£'000	£'000	
A (Semi Rural)	39568	520	29728	75%	9840	127,792	25%
B (Semi Rural)	52131	554	40199	77%	11932	72,756	23%
C (City)	85208	583	55694	65%	29514	103,558	35%
D (Neighbour)	46268	506	29785	64%	16483	55,686	36%
E (Semi Rural)	57679	455	39436	68%	18243	99,689	32%
MCC	42275	461	31732	75%	10543	102,359	25%

MCC spends less per head of population on Social Care than comparators, and the mix between how the Social Care budget is attributed between and Adult and Children's Services doesn't indicate a particular skew. However, when you compare the spend against the looked after activity for each Council, acknowledging that looked after children may not be the entire customer base, but as an indication, our Children's Service costs per looked after activity would appear to evidence a unit cost indication that is greater than the norm. It would appear MCC activity is most closely aligned to Authority B, and it is proposed to understand their data in more detail to establish commonality and differences.

5.3 In respect of schools based performance this unit costing approach above has been extended to indicate a cost per pupil based on 2014 school rolls and 2014-15 gross expenditure per school. This unit cost is compared against the internal average (external unit costing being unavailable), and the resources utilised compared against attainment data which is also benchmarked against other schools in the form of a family average, which seeks to indicate the level of attainment that should be expected in a comparable school of similar size, demographics and social mix. Much of this information has been gathered using “My Schools” website which is WG data unit’s summary analysis of individual school performance across Wales.

<http://mylocalschool.wales.gov.uk/index.html?iaith=eng>

The results of that exercise are provided in the following table overleaf,

It proved an interesting study, but I’d stress it is still a very simple tool on which to be a sole basis of judgement but it did indicate a couple of trends that weren’t anticipated which are worth highlighting namely,

There was little direct correlation evident between small class size and attainment results, which would seem counter intuitive to expectation.

Neither do the resources allocated i.e. the unit cost per pupil appear to have a direct correlation with attainment, in that there are schools with above the average unit cost that struggle to meet attainment standards and ones significant below the average that are the better/best performing ones within clusters.

Similar sized schools appear to exhibit quite different pupil:teacher ratios.

MCC schools tend to exhibit better performance at interim results e.g. Foundation and key stage 3, than they do with “final” results e.g. key stage 2 and 4.

Reassuringly there do appear to be good examples across each cluster where above average economy of provision equates with above average attainment, which endorses the approach to share practice and work more cohesively within clusters.

There isn’t as direct a link as I would have perceived between resources and results. I’ve tested this conclusion with CYP colleagues who confirm that detailed studies indicate there is only a limited link, which is an interesting factor when approaching forthcoming budget considerations. So whilst resourcing has to be sufficient for the purpose, the main difference in school attainment wouldn’t appear to be a financially driven one, and would instead suggest that the cultural aspects within each school to promote learning and success to be more important in influencing improvement.

School	No of Pupils on Roll	Pupil : teacher ratio	Average MCC cost per pupil (excluding reserve usage)	Gross Expenditure Budget 14/15	Gross Expenditure Budget 14/15 (including use of reserves)	School budget per pupil (excluding reserves usage)	School budget per pupil (including reserves usage)	Average Family Benchmark (external comparator)	KS3 - pupils attaining expected level in core subjects	Data Year	Difference to benchmark	Average Family Benchmark (external comparator)	KS4 - pupils achieving A-C grade GCSE including English/Welsh & Maths	Data Year	Movement in Performance KS4 between 2013 and 2014
Secondary Schools															
E001 Caldicot Comprehensive	1285	17.4	4,873	6,178,322	6,231,323	4,808	4,849	86.7	87.8	14	1.1	65.1	64.7	13	
E004 Monmouth Comprehensive	1635	14.7	4,873	6,878,291	6,878,291	4,207	4,207	90.7	89.7	14	-1	71.9	57.1	13	
E002 Chepstow Comprehensive	909	14.8	4,873	4,495,243	4,653,327	4,945	5,119	86.7	79.4	14	-7.3	65.1	60.2	13	
E003 King Henry VIII Comprehensive	1002	14	4,873	4,817,922	5,057,537	4,808	5,047	82.9	81.4	14	-1.5	60.7	49.8	13	
	1911			9,313,165	9,710,864										
Primary Schools															
	No of Pupils on Roll	Pupil : teacher ratio	Average LA cost per pupil	Gross Expenditure Budget 14/15	Gross Expenditure Budget 14/15 (including use of reserves)	School budget per pupil (excluding reserves usage)	School budget per pupil (including reserves usage)	Average Family Benchmark	Foundation - pupils attaining expected level in core subjects	Data Year	Difference to benchmark	Average Family Benchmark	KS 2 - pupils achieving A-C grade GCSE including English/Welsh & Maths	Data Year	Movement in Performance KS2 between 2013 and 2014
Abergavenny cluster															
E073 Cantref Primary	235	25.7	3,979	860,612	881,290	3,662	3,750	90.1	96.7	14	6.6	93.6	100	14	↗
E044 Llantillio Pertholey Jnr & Inf	199	24.9	3,979	726,000	742,980	3,648	3,734	86.7	96.6	14	9.9	88.3	88.9	14	↘
E045 Llanvihangel Crocorney Jnr & Inf	54	17.4	3,979	299,983	282,000	5,555	5,222	93.1	100	14	6.9	89.6	100	14	↔
E035 Gilwern Jnr & Inf	181	15.7	3,979	730,303	746,364	4,035	4,124	90.7	96	14	5.3	91.9	100	14	↔
E093 Llanfoist Fawr	204	21.5	3,979	843,919	836,998	4,137	4,103	89.1	93.3	14	4.2	87.7	92.9	14	↗
E067 Ysgol Gymraeg Y Fenni	187	18	3,979	752,864	757,488	4,026	4,051	90.1	92.9	14	2.8	90.8	95.8	14	↗
E037 Goytre Fawr Jnr & Inf	171	22.2	3,979	682,162	669,273	3,989	3,914	91.6	91.3	14	-0.3	92.9	96.7	14	↗
E072 Deri View Primary	337	19.9	3,979	1,554,039	1,511,336	4,611	4,485	82.8	93.3	14	10.5	82.1	78.6	14	↘
E090 Our Lady and St Michael's RC Primary School	185	23.2	3,979	768,881	755,635	4,156	4,085	90.7	81.8	14	-8.9	91.9	89.7	14	↘
E041 Llanfair Kilgeddin CV Jnr & Inf	29	12.1	3,979	198,683	243,699	6,851	8,403	89.7	80	12	-9.7	92.6	83.3	11	↘
	1782														

Primary Schools (continued)	No of Pupils on Roll	Pupil : teacher ratio	Average LA cost per pupil	Gross Expenditure Budget 14/15	Gross Expenditure Budget 14/15 (including use of reserves)	School budget per pupil (excluding reserves usage)	School budget per pupil (including reserves usage)	Average Family Benchmark (external comparator)	Foundation - pupils attaining expected level in core subjects			Average Family Benchmark (external comparator)	KS 2 - pupils achieving A-C grade GCSE including English/Welsh & Maths		
Caldicot cluster															
E048 Magor Vol Aided Jnr & Inf	359	21.5	3,979	1,296,320	1,291,080	3,611	3,596	95.7	100	14	4.3	94.7	96.2	14	///
E068 Archbishop Rowan Williams Primary	193	22.4	3,979	756,448	751,500	3,919	3,894	90.7	82.1	14	-8.6	91.2	93.1	14	///
E094 Castle Park	193	24.1	3,979	759,895	723,282	3,937	3,748	91.6	81	14	-10.6	92.9	94.1	14	///
E069 Ysgol Gymraeg Y Ffin	155	18.5	3,979	649,794	614,489	4,192	3,964	89.7	91.3	14	1.6	86.7	64.7	14	///
E063 Undy Jnr & Inf	330	23.7	3,979	1,220,274	1,215,923	3,698	3,685	95.7	92.5	14	-3.2	94.7	88.6	14	///
E034 Durand Jnr & Inf	233	23.6	3,979	813,898	828,948	3,493	3,558	91.6	86.2	14	-5.4	92.9	83.3	14	///
E056 Rogiet Jnr & Inf	191	19.9	3,979	801,925	845,897	4,199	4,429	84.5	69.2	14	-15.3	89.9	85.7	14	///
E075 Dewstow Primary School	237	23.4	3,979	933,934	1,010,977	3,941	4,266	83.8	66.7	14	-17.1	87.4	82.1	14	///
	1891														
Chepstow cluster															
E057 Shirenewton Jnr & Inf	203	25.4	3,979	749,620	763,616	3,693	3,762	94.2	96.7	14	2.5	96.4	96.6	14	///
E058 St Mary's Chepstow RC Jnr & Inf	204	25.5	3,979	751,798	750,812	3,685	3,680	92	100	14	8	95.1	92.3	14	///
E060 The Dell Jnr & Inf	410	26.5	3,979	1,355,889	1,357,969	3,307	3,312	95.7	98.3	14	2.6	94.7	91.4	14	///
E061 Thornwell Jnr & Inf	256	22	3,979	1,007,860	1,036,319	3,937	4,048	90.4	84.6	14	-5.8	88.6	91.9	14	///
E091 Pembroke Primary School	275	17.6	3,979	1,302,849	1,366,839	4,738	4,970	89	87.9	14	-1.1	91	72.4	14	///
	1348														
Monmouth cluster															
E062 Trellech Jnr & Inf	160	20.4	3,979	682,946	667,100	4,268	4,169	92	95.8	14	3.8	95.1	95.5	14	///
E055 Raglan Jnr & Inf	198	24.8	3,979	783,140	786,337	3,955	3,971	94.2	86.7	14	-7.5	96.4	96.7	14	///
E074 Osbaston Church In Wales Primary	202	25.4	3,979	740,256	730,600	3,665	3,617	93.7	96.7	14	3	96.1	92.3	14	///
E039 Llandogo Jnr & Inf	86	17.2	3,979	415,729	434,457	4,834	5,052	88.1	100	14	11.9	91	87.5	14	///
E064 Usk CV Jnr & Inf	218	19.8	3,979	898,590	922,538	4,122	4,232	90.7	100	14	9.3	91.2	87	14	///
E092 Kymin View Primary School	183	20.1	3,979	785,739	794,773	4,294	4,343	91.6	95.5	14	3.9	92.9	83.3	14	///
E032 Cross Ash Jnr & Inf	186	22.6	3,979	709,487	728,613	3,814	3,917	94.2	89.7	14	-4.5	96.4	93.1	14	///
E051 Overmonnow Jnr & Inf	416	19.5	3,979	1,704,171	1,727,385	4,097	4,152	90.9	87.3	14	-3.6	88.5	80	14	///
	1649														
Primary School Sub Total	6670		3,979	26,538,008	26,776,517										

It would have been helpful if the comparable unit cost of provision was available in respect average family benchmarks to be able to assess whether the resources allocated to schools in MCC is more, less or comparable to the resources available to family benchmark schools.

As an alternative and applying a similar convention of comparing unit costs with the other Welsh authorities above, the latest position I've been able to ascertain relates to 2012-13 and includes LEA costs which are excluded from the delegated analysis above so are not directly comparable but do indicate amongst these comparable Councils that the resources available per pupil in MCC was more than average in similar Councils. The median position for all Welsh authorities was £5,682 per pupil for that year.

	Unit Cost per pupil	
A (Semi Rural)	6578	
B (Semi Rural)	5580	
C (City)	5256	
D (Neighbour)	5488	
E (Semi Rural)	5065	
MCC	5849	

6. Directors' Commentaries

6.1 Social Care & Health (Simon Burch)

The significant strain on the children's services budget continues and indeed has increased from the Month 3 position. The main issue is increased volume and complexity of cases, particularly those relating to Looked After Children in external placements. This increased work pressure also impacts on two other key areas namely Counsel costs as a result of legal proceedings and staffing costs as we strive to maintain appropriate staffing levels.

In response we now undertake detailed monthly monitoring to identify pressures and trends early on and are reviewing our complex cases on a regular (in some cases weekly) basis. We are also developing invest-to-save business cases in order to manage those pressures differently.

The recognition by Cabinet of the need for an increase to the base budget for 2015/16 is a significant help but will not fully resolve the issue or assist the position in year. Consequently we continue to improve our practice and systems to ensure we are as efficient and effective as possible whilst also analysing data to identify what is an appropriate base budget for this service.

The new benchmarking data in this report builds usefully on our existing analysis and proposes further analysis regarding our expenditure.

6.2 Children & Young People (Sarah McGuinness)

The month 6 results, while pleasing, highlight some of our more vulnerable areas of our budgets. The major variance since month 3 focuses around the Additional Learning Needs budgets where we have seen a reduction in recoupment income at Mounton House as a result of less pupils being placed from out of county and more day placement as opposed to residential. However I am pleased to note that we have started to see an increase in enquiries for out of county placements which may result in additional income. The closure of the School

Library Service has been approved by both LA partners with funding coming from reserves to support the process.

The reserve approved by cabinet to be used for raising standards is primarily being used to support training in our schools for Read, Write Inc, while this funding will be used in total to support this, the timing of the spend will result in some of the expenditure falling into 15-16.

The costs for the recovery board fall under resources and some of these costs are being offset with staffing savings.

The level of school balances are forecast to fall by £700,000 from the beginning of the financial year. The number of schools in a deficit position has also grown by 2. The majority of the schools are making good progress against their plans, and it is pleasing to see that some schools have made significant progress to address their deficits.

It remains a concern that schools are still funding some core staff from their surpluses and given the pressures going forward this will need to be reviewed.

The benchmarking data provides a useful insight to attainment and funding, and will allow better school to school comparisons.

7. Supporting Financial Monitoring Workbooks (ctrl click to access)

[Revenue monitoring Social Care and Health Qtr 2](#)

[Revenue monitoring Children & Young People Qtr 2](#)

[Capital monitoring Qtr 2](#)



REPORT

4iv

Subject: COUNCIL TAX BASE 2015/16 AND ASSOCIATED MATTERS

Directorate: Chief Executives - Finance

Meeting: Cabinet

Date: 3rd December 2014

Divisions/Wards Affected: County Wide

1. PURPOSE:

To agree the Council Tax base figure for submission to Welsh Government, together with the collection rate to be applied for 2015/16 and to make other necessary related statutory decisions.

2. RECOMMENDATIONS:

- 2.1 That in accord with the Local Authorities (Calculation of Tax Base) (Wales) Regulations 1995, the amount calculated by the Council as its Tax Base for 2015/16 shall be notified as **£44,561.34** and the Collection Rate set at **98%**.
- 2.2 That no Special Resolution declaring Drainage Rates as Special Expenses be made.
- 2.3 That any expenses incurred by the Council in performing in part of its area a function performed elsewhere in its area by a Community Council shall not be treated as a special expense for the purpose of Section 35 of the Local Govt. Finance Act 1992.

2.4 That Council Tax setting continues to be a function of full Council.

3. KEY ISSUES:

3.1 Council Tax Base

For each financial year the Council shall set its Council Tax, taking account of its own total net budget requirement and amounts receivable for redistributed Non Domestic Rates, Revenue Support Grant and any other additional grants. It will also take account of any precepts it receives from other authorities and the value of the Council Tax Base. In simple terms, the net spending not met by grant is divided by the Tax Base to give the amount of Council Tax for a dwelling in Band D. The budget requirement, grant calculations and precepts will be addressed in the final budget report.

It was agreed by Council in January 2005 that the, largely technical, matter of the Council Tax Base Resolution and tax setting should be dealt with by Executive decision. Legally, the tax setting decision could also be decided by the Executive, but has always been referred to full Council given its wide interest and importance. It is therefore recommended that this continue to be put for decision by full Council.

The ratified council tax base information must be passed to Welsh Government (WG) by 2nd January 2015 with reference to dwellings in the Valuation List as at 31st October 2014 and taking into account anticipated changes likely to occur during 2015/16. Provisional information has been provided to WG, if any changes to policy are considered which affect the tax base, revised information will need to be submitted. Significant differences may require WG to make adjustments to the RSG entitlements via an amending report. The prescribed period during which Councils would notify precepting authorities of the council tax base figure is normally 1st November to 31st December.

3.2 Collection Rate

It should be recognised that council tax is being perceived as an increasing burden on taxpayers with more arrangements outside the statutory scheme being sought, thereby increasing the time over which the debt is paid. Between 2004/5 and 2007/8 the anticipated in-year collection rate was static at 96%; this was increased to 96.5% for 2008/9 and 2009/10 and to 97% for 2010/11. From 2011/12, despite ongoing economic difficulties, it was considered reasonable to increase the rate to 98%, to reflect the results achieved in subsequent years by sustained recovery action. The rate of 98% has continued to be applied each year thereafter.

The Council Tax Reduction Scheme (CTRS) was introduced by the Welsh Government on 1st April 2013, replacing what was the Council Tax Benefit Scheme. Since its inception the Welsh Government has fully fund the scheme, pending a full review. The review was concluded this summer, with the Welsh Government announcing its intention to continue to fund the scheme for the next 2 years (2015/16 and 2016/17). Funding will remain at current levels with Local Government having to fund any additional costs arising from any Council Tax increases. From a household perspective they will not be required to make any contributions.

3.3 **Special Items and Expenses (Section 34)**

Certain items of expenditure, and precepts made upon the Council by Community Councils are applicable only to certain parts of the area and special rules exist to deal with these items. These rules apply to all of the Town and Community Council precepts in respect of each of their respective areas. They also apply to Drainage Rates which are charged only in certain parts of the East and South of the County area. The Council has always considered that the general body of taxpayers should be treated equally in this respect and such expenditure should be defrayed over the whole area rather than charged as an additional item on those who happen to be in a particular catchment area. If this view continues to prevail then no special resolution declaring these to be special expenses will be necessary.

Finally, expenses incurred by an authority in performing in part of its area a function performed elsewhere by a Community Council (concurrent functions) must be treated as a special expense unless a negative resolution is in force.

The effect of the above result is a recommendation leading to drainage rates and concurrent functions being charged equally across the County.

4. REASONS:

- 4.1 To agree the council tax base figure and the collection rate for the forthcoming financial year as required by legislation.
- 4.2 To determine whether a special resolution should be made declaring Drainage Rates a special expense
- 4.3 To determine whether or not any expenses incurred in part only of the area should be treated as special expenditure in accordance with the relevant legislation.
- 4.4 To confirm that the important matter of tax setting should continue to be a function of full council rather than be devolved for executive decision.

5. RESOURCE IMPLICATIONS:

The Council Tax base calculated for 2015/16 has risen by 0.82% compared to 2014/15. The income derived from the increase in the Council Tax Base (£391k) will be taken into account in the budget proposals report which is to be considered by Special Cabinet on 7th January 2015.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

- There are no implications for sustainable development.

- The Council Tax base itself is mainly calculated from information about the numbers of properties within the County, adjusted to an equivalent band D figure by such things such as discounts, exemptions and reliefs, and is therefore based on fact and provided for information. See Appendix 1 for an Equality Impact Assessment.

7. CONSULTEES:

Strategic Leadership Team
All Cabinet Members
Head of Legal

8. Background Papers: None

9. Authors:

Joy Robson – Head of Finance
Email: joyrobson@monmouthshire.gov.uk

Sue Deacy – Systems and Performance Manager, Revenue Section
Email: suedeacy@monmouthshire.gov.uk

The “Equality Initial Challenge”

Name: Sue Deacy Service area: Finance- Revenues Date completed: 10 th November 2014		Please give a brief description of what you are aiming to do To establish the base upon which Council Tax will be set in the coming financial year.	
Protected characteristic	Potential Negative impact Please give details	Potential Neutral impact Please give details	Potential Positive Impact Please give details
Age	None	There is no direct impact upon the citizens of Monmouthshire within this particular report. All decisions made within this budget process will consider the Equality Impact. With regard to the collection rate, there is no information held on Council Tax records which could identify any of the special characteristics to be able to perform an Equality Impact Assessment, to establish the effect of collection on those groups.	None
Disability	None		None
Marriage + Civil Partnership	None		None
Pregnancy and maternity	None		None
Race	None		None
Religion or Belief	None		None
Sex (was Gender)	None		None
Sexual Orientation	None		None
Transgender	None		None
Welsh Language	None		None

Please give details about any potential negative Impacts .	How do you propose to MITIGATE these negative impacts
➤	➤
➤	➤
➤	➤
➤	➤

Signed: Sue Deacy

Designation: Systems & Performance Manager

Dated: 10th November 2014

EQUALITY IMPACT ASSESSMENT FORM

What are you impact assessing	Service area
Calculation of the Council Tax Base	Finance -Revenues
Policy author / service lead	Name of assessor and date
Sue Deacy	Sue Deacy 11 th November 2014

1. What are you proposing to do?

Seek approval for the calculation of the Council Tax Base, upon which the Council Tax will be charged once the budget has been agreed. All decisions which may have an Equality Impact will be assessed throughout the budget process. This report is a statement of fact relating to the number of properties within the authority, their band and any discounts that apply.

2. Are your proposals going to affect any people or groups of people with protected characteristics in a **negative** way? If **YES** please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

3. Please give details of the negative impact

None

4. Did you take any actions to mitigate your proposal? Please give details below including any consultation or engagement.

None required at this stage

5. Please list the data that has been used to develop this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc..

Statistics held on the Council Tax system

Signed...S Deacy.....**Designation**...Revenue Systems & Performance Manager...**Dated**...11th November 2014.....

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Sue Deacy		Please give a brief description of the aims proposed policy or service reconfiguration To establish the base upon which Council Tax will be set in the coming financial year. The tax base is a statement of fact, a count of properties within the authority’s area taking into account all discounts and exemptions which apply in accordance with legislation. An estimate is also made of the number of properties that are likely to be added to that count throughout the financial year. The collection rate is based upon evidence from previous year’s actual collection rates.	
Name of the Division or service area Revenues-Finance		Date “Challenge” form completed 11 th November 2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE		There is no direct impact upon the citizens of Monmouthshire within this particular report. All decisions made within this budget process will consider the Sustainability Impact.	
Ensure that more people have access to healthy food			
Improve housing quality and provision			
Reduce ill health and improve healthcare provision			
Promote independence			

Encourage community participation/action and voluntary work			
Targets socially excluded			
Help reduce crime and fear of crime			
Improve access to education and training			
Have a positive impact on people and places in other countries			
PLANET			
Reduce, reuse and recycle waste and water			
Reduce carbon dioxide emissions			
Prevent or reduce pollution of the air, land and water			
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)			
Protect or enhance visual appearance of environment			
PROFIT			

Protect local shops and services			
Link local production with local consumption			
Improve environmental awareness of local businesses			
Increase employment for local people			
Preserve and enhance local identity and culture			
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc			
Increase and improve access to leisure, recreation or cultural facilities			

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤	➤
➤	➤

➤	➤
➤	➤

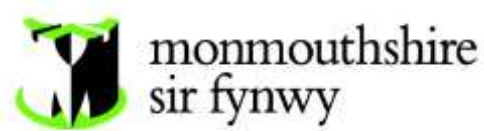
The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed S Deacy

Dated 11th November 2014



SUBJECT: MANAGEMENT OF COMMERCIAL OBSTRUCTIONS ON THE HIGHWAY

MEETING: CABINET

DATE: 3rd DECEMBER 2014

DIVISION/WARDS AFFECTED: ALL

1. PURPOSE:

1.1 To seek approval for the adoption of a policy titled 'Provision of a Management of Commercial Obstruction on the Highway'. The Policy will cover various occasions when a business wants to use the Public Highway for reason of benefit to that company. It will bring a consistency to the policy, both within MCC processes and the wider Local Authority community by using a specific licensing and charging mechanism for any organisation seeking to make use of the public highway.

2. RECOMMENDATIONS:

2.1 That Cabinet approves the adoption of the new policy 'Commercial Obstruction on the Highway' having given due consideration to its constituent parts as listed below:

2.2 (3) 'A' Board Policy,

2.3 (4) Flyposter Policy,

2.4 (5) Commercial Provision Policy,

2.5 (6) Static Advertising Policy and

2.6 (7) Community Provision Policy.

2.7 That a post be created to administer the various aspects of the policy (licensing, advertising, invoicing etc.) and that the post be funded from income generated through the scheme

3. KEY ISSUES:

3.1 Enforcement action taken by Highways Operation's Department forms a significant element of their work. This enforcement, usually against business and people, that are aware of the MCC's current policies / guidance, could be developed into a system that is more readily available, encompassing all private activity on the Public Highway. The policy will more effectively control apparatus in the highway and will recover the cost associated with enforcement.

3.2 Monmouthshire County Council has a statutory obligation to provide 'unhindered access to the Highway', while this Duty needs to be managed it currently uses valuable Council resources to provide the service of approval, of advice and of enforcement. Unfortunately this service is not consistent throughout Monmouthshire. We currently licence and charge scaffold and skip hire companies for the use of the Highway space, but not other uses such as a business who occupy the highway for commercial purposes. This policy seeks to bring consistency, safety and clarity in this area.

3.3 Commercial obstruction of the Public Highway can be defined as an obstruction created by the placement of an object on the public Highway, for the purpose of private gain, without consent. Commercial obstruction of the Public Highway can be divided into a number of categories –

- a. Flyposting. Installing, usually short time, advertising on Highway Furniture without permission.
- b. 'A' Frames, installing, usually long time, advertising on the Public Highway for adjacent Businesses without permission.
- c. Table and Chairs. Can be seasonal, short term or long term placement of furniture on the Public Highway for the benefit of adjacent Businesses without permission.
- d. Ad-hoc Furniture. Can be seasonal, short term or long term placement of plants, sale items and sale rails on the Public Highway for the benefit of adjacent Businesses without permission.
- e. Static Furniture. Usually a permanent feature such as a memorial bench or memorial tree for the benefit of the community and normally placed with permission.
- f. Sale Pitches. Usually one off daily placement of tables, tents or vehicles for the purpose of sales or advertising. They can be charity or Business users and are normally placed with permission. Planning currently have a charging system around this.
- g. Static Advertising. A new provision whereby Businesses can advertise from a static sign location, installed by Monmouthshire County Council, at commercial rates.

4. REASONS:

- 4.1 It is not unreasonable that the beneficiaries of service requests made to MCC should pay for the cost associated with those requests, especially when a failure to comply, with The Highway Act 1980, would normally lead to enforcement action being taken and possible fines and costs being charged.
- 4.2 An interest by Companies to use the public Highway as a site to benefit their business is evident throughout MCC. This benefit, usually through advertising or by the direct use of the Public Highway as a premise from which to sell goods or to supply a service, needs to be managed. However, this benefit can conflict with MCC's statutory Duty to '... assert and protect the rights of the public to the use and enjoyment of any highway...', Highway Act 1980 : Section 130, and needs to be managed effectively
- 4.3 It is the Duty of Monmouthshire County Council to control such activities. The use of licences that are free, the use of licences that have associated nominal fees and licences that have charges that reflect the market value are all used in this policy.
- 4.4 Feedback was received from Strong Community Select Committee, their concerns have been incorporated within the revised policy.
- 4.5 The use of a third party company to provide the marketing, selling and financial controls on the advertising space was considered. However to optimise income to MCC it is recommended that it is managed in house and performance reviewed in twelve months of implementation.

5. RESOURCE IMPLICATIONS:

- 5.1 Staff resources are currently engaged in guidance and enforcement. A shift to guidance and licensing will require additional resources. An additional post is recommended to provide the detailed administrative support and financial control that the scheme demands.
- 5.2 Income generated by this proposal are outlined in the Section 2 'Management of Commercial Obstruction on the Highway report' (Appendix 1 part 2). With a 55% take up and with current proposed charges a gross income of £95,000 is anticipated in a full year. This addresses the relevant 14/15 and 15/16 budget mandates (assumed financial gain of £70,000) plus the administrative support estimated at £25,000.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

- 6.1 The significant equality impacts identified in the EQIA (Attachment 1) and are summarised below for Cabinet consideration:
- 6.2 The access for all forum were consulted. The bringing together of policy that reduces and prevents uncontrolled proliferation of obstructions while providing a less cluttered environment was seen as a positive step forward.
- 6.3 The policy will provide an improving position for access and safety. The management of the unsolicited use of the Public Highway will ensure that the policy achieves an improving situation with regard Commercial Obstructions and will provide benefit to all Citizens

6.4 The actual impacts from this report's recommendations will be reviewed at year 1, every 3 years after, and criteria for monitoring and review will include:

Enquiry numbers, accident / incident numbers, insurance claims, canvassing accessibility groups, canvassing business forums

7. CONSULTEES:

- 7.1 Cabinet Members
- 7.3 Strong Community Committee
- 7.4 Town and Community Council
- 7.5 CAIR

8. BACKGROUND PAPERS:

8.1 SUPPORTING PAPERS

- 1. Commercial obstruction in the highway policy - EqIA assessment
- 2. Management of commercial activity on the public highway policy / report (2 parts)
- 3. 'A' board policy
- 4. Flyposter policy
- 5. Commercial provision policy
- 6. Static advertising policy
Static advertising report (2 parts)
- 7. Community provision policy

9. AUTHOR:

Steve Lane, Operations Manager, County Highways

- 10. CONTACT DETAILS:**
- | | |
|----------------|-------------------------------|
| Tel: | 01291 431678 / 07885 225972 |
| E-mail: | stevlane@monmouthshire.gov.uk |

The “Equality Initial Challenge”

Name: Service area: OPERATIONS Date completed:		Please give a brief description of what you are aiming to do. This report will allow obstructions in the Highway to be officially placed under a new policy and licencing regime. This will remove a degree of uncertainty about what a Citizen can expect.	
Protected characteristic	Potential Negative impact Please give details	Potential Neutral impact Please give details	Potential Positive Impact Please give details
Age			The proposal will reduce street clutter and some of the risks associated with uncontrolled Commercial Obstructions on the Highway.
Disability			
Marriage + Civil Partnership			
Pregnancy and maternity			
Race			
Religion or Belief			
Sex (was Gender)			
Sexual Orientation			
Transgender			
Welsh Language			

Please give details about any potential negative Impacts .	How do you propose to MITIGATE these negative impacts
➤ <i>There are no anticipated negative impacts only positive impacts</i>	➤ The new management procedure, this policy, will bring some certainty to the current situation, which is fragmented and does not encompass all aspects. Commercial Obstructions already exist, it is the proposal to formally agree / licence these Commercial Obstructions that will provided the positive impact
➤ Proliferation of uncontrolled obstructions	<ul style="list-style-type: none"> ➤ Review of policy after year one and then as appropriate. ➤ Routine inspections will highlight hazards. ➤ Rigorous enforcement procedures in place that are communicated to all Staff involved in the process ➤ Clear / consistent guidance given to applicants ➤ Clear display of licenses will give clarity
➤ <i>Affected parties not being engaged in new policy</i>	<ul style="list-style-type: none"> ➤ Bringing together existing guidance and policy into one place will simplify ➤ Consultation and fact finding with engagement of, Citizens, Business, other Authorities, CAIR, Legal, Planning, and front line Teams will ensure balance
➤	➤

Signed Steve Lane Designation Area Engineer

Dated September 2014

EQUALITY IMPACT ASSESSMENT FORM

What are you impact assessing	Service area
Management of Commercial Obstructions in the Highway	Operations : Highways Operations
Policy author / service lead	Name of assessor and date
Steve Lane	Steve Lane Sept 2014

1. What are you proposing to do?

To ask Council to endorse the attached Management of Commercial Obstruction in the Highway Policy as a whole and / or in its constituent parts:-

1. 'A' Board Policy
2. Fly Posting Policy
3. Community Provision Policy
4. Commercial Provision Policy
5. Static Advertising Policy

2. Are your proposals going to affect any people or groups of people with protected characteristics in a **negative** way? If **YES** please tick appropriate boxes below. **NO**

Age	No	Race	No
Disability	No	Religion or Belief	No
Gender reassignment	No	Sex	No
Marriage or civil partnership	No	Sexual Orientation	No
Pregnancy and maternity	No	Welsh Language	No

3. Please give details of the negative impact

N/a

4. Did you take any actions to mitigate your proposal? Please give details below including any consultation or engagement.

Consulted with Area Management teams. Strong Community Committee engaged. Limited engagement of Business Forums / Town and Community Council. Took internal Legal advice. Canvassed Citizen to help define need in areas of the Policy. Established Business need and so potential scale of problem.

5. Please list the data that has been used to develop this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service

user data, Staff personnel data etc..

- Site based survey of scale / numbers of obstructions
- Canvassing of small sample of Citizens
- Consultation with Cair.
- Small sample of other Council Policy in this area

Signed.....Steve Lane...**Designation**...Area Engineer : Highways Operations...**Dated**...September 2014.....

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Steve Lane		Please give a brief description of the aims proposed policy or service reconfiguration Management of Commercial Obstructions in the Highway	
Name of the Division or service area Operations : Highways Operations		Date “Challenge” form completed September 2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE		X	
Ensure that more people have access to healthy food		X	
Improve housing quality and provision		X	
Reduce ill health and improve healthcare provision		X	
Promote independence		X	
Encourage community participation/action and		X	

voluntary work			
Targets socially excluded		X	
Help reduce crime and fear of crime		X	
Improve access to education and training		X	
Have a positive impact on people and places in other countries		X	
PLANET			
Reduce, reuse and recycle waste and water		X	
Reduce carbon dioxide emissions		X	
Prevent or reduce pollution of the air, land and water		X	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		X	
Protect or enhance visual appearance of environment			Reduce proliferation of street clutter and provide clarity and consistency for Citizens, MCC and Business
PROFIT			

Protect local shops and services	Guidance and Licencing will affect business flexibility and fees will affect their budgets		The guidance and licencing will enable new opportunities for Buisness while giving certainty to citizens and protecting MCC from associated third party claims
Link local production with local consumption		X	
Improve environmental awareness of local businesses		X	
Increase employment for local people		X	
Preserve and enhance local identity and culture		X	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		X	
Increase and improve access to leisure, recreation or cultural facilities		X	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
---	---

<ul style="list-style-type: none"> ➤ Fees being set at unaffordable levels ➤ 	<ul style="list-style-type: none"> ➤ Investigation into charges made by other Authorities in this area have been made. ➤ Licence fees, to display on the highway, reflect the cost of MCC issuing where no direct financial gain is made from the display ➤ Licence fees, to use the highway, reflect a below average fee (small sample of other Authorities) where a direct financial gain is made from the use
<ul style="list-style-type: none"> ➤ 	<ul style="list-style-type: none"> ➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

Clarity for the business and the citizen will be made. Clear licence stipulations, clearly displayed and rigorously enforced will ensure Citizens will experience a Highway with reduced clutter that will help fulfill MCC Duty to assert and protect the rights of the Public to the use and enjoyment of any Highway for which they are the Highway authority.

A need for Businesses to advertise is evident, they are doing so in an uncontrolled way at present. Provision to formalise advertising opportunities has been made in the policy. This provision will promote business to the widest local catchment possible.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Fees for 'A' Business Licence have been reduced as a result of business concerns. The fee reflects the cost of its yearly renewal. It will still clarify responsibilities of the Business and give certainty to the citizen. Initially enforcement will be light touch, unless immediate hazard is clearly identified, but enforcement will have financial implications at its conclusion.

Signed

steve Lane

Dated

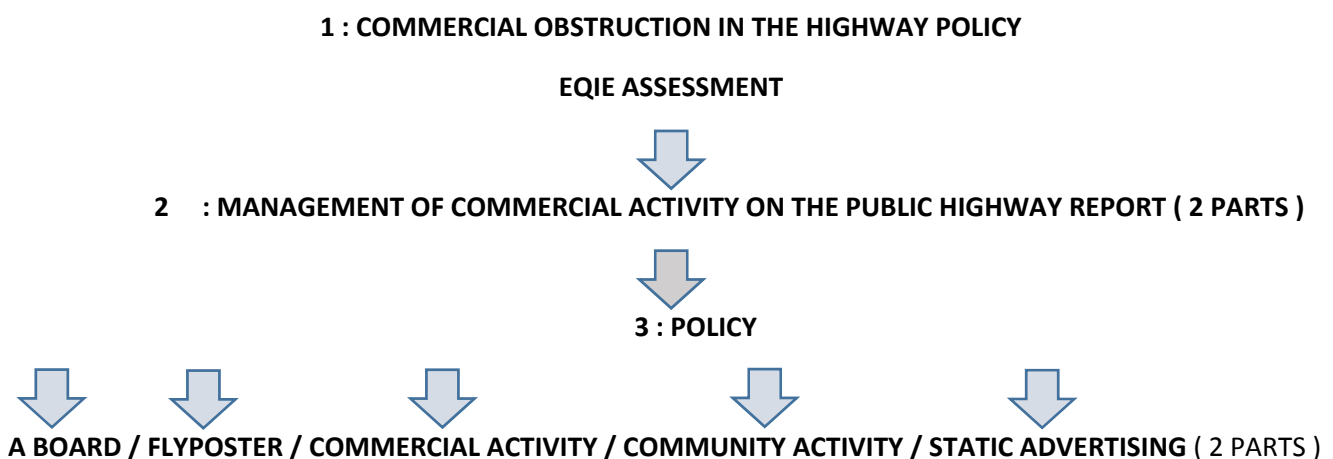
September 2014

MANAGEMENT OF COMMERCIAL OBSTRUCTION IN THE HIGHWAY POLICY

INDEX

1. COMMERCIAL OBSTRUCTION IN THE HIGHWAY POLICY
EQIE ASSESSMENT
2. MANAGEMENT OF COMMERCIAL ACTIVITY ON THE PUBLIC
HIGHWAY POLICY / REPORT (2 PARTS : Appendix 1 part 1 and 2)
3. 'A' BOARD POLICY
4. FLYPOSTER POLICY
5. COMMERCIAL PROVISION POLICY
6. STATIC ADVERTISING POLICY
STATIC ADVERTISING REPORT (2 PARTS)
7. COMMUNITY PROVISION POLICY

FLOW:-



APPENDIX 1 part 1

MONMOUTHSHIRE COUNTY COUNCIL

MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

1. Introduction

1.1 Monmouthshire County Council has a statutory obligation to provide 'unhindered access to the Highways', while this Duty needs to be managed it currently uses valuable Council resources to provide the service of approval, of advice and of enforcement. Unfortunately this service is not consistent throughout Monmouthshire. We currently licence and charge scaffold and skip hire companies for the use of the Highway space. This policy seeks to bring consistency, safety and clarity in this area.

1.2. What is Commercial obstruction of the Public Highway?

Commercial obstruction of the Public Highway can be defined as an obstruction created by the placement of an object on the public Highway, for the purpose of private gain, without consent. Commercial obstruction of the Public Highway can be divided into a number of categories –

- (i) Flyposting. Installing, usually short time, advertising on Highway Furniture without permission.
- (ii) 'A' Frames, installing, usually long time, advertising on the Public Highway for adjacent Businesses without permission.
- (iii) Table and Chairs. Can be seasonal, short term or long term placement of furniture on the Public Highway for the benefit of adjacent Businesses without permission.
- (iv) Ad-hoc Furniture. Can be seasonal, short term or long term placement of plants, sale items and sale rails on the Public Highway for the benefit of adjacent Businesses without permission.
- (v) Static Furniture. Usually a permanent feature such as a memorial bench or memorial tree for the benefit of the community and normally placed with permission.
- (vi) Sale Pitches. Usually one off daily placement of tables, tents or vehicles for the purpose of sales or advertising. They can be charity or Business users and are normally placed with permission.
- (vii) Static Advertising. A new provision whereby Businesses can advertise from a static sign location, installed by Monmouthshire County Council, for business advertising

MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

1.3 The problems associated with Commercial obstruction of the Public Highway?

Apart from being illegal, Commercial obstruction of the Public Highway is also unfair on those companies who choose to trade legitimately. It also puts an additional cost on the Authority who are required to manage the Highway.

Commercial obstruction of the Public Highway places unnecessary strain and may pose additional risk to all users of the Public Highway, especially those who may have an additional need for unhindered access.

Monmouthshire County Council may be placed at risk of third party claims of personal injury, should an incident arise and Monmouthshire County Council has not acted upon its Duty of Care. Monmouthshire have to manage a robust policy in a way that limits risk and does not become burdensome.

1.4 Legislation

- (i) Under section 130 of the Highway Act 1980 (1) it is the Duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste which forms part of the it.
- (ii) Under section 132 of the Highway Act 1980 it is an offence for any person to paint, inscribe or affix any picture, letter, or sign on the surface of a Highway, any tree, or structure without the consent of the Highway Authority.
- (iii) Under section 149 of the Highway Act 1980 (1) if anything is so deposited on a highway as to constitute a nuisance, the highway authority for the highway may by notice require the person who deposited it there to remove it forthwith.....
- (iv) Under section 149 of the Highway Act 1980 (2) if the highway authority for any highway have reasonable grounds for considering –
 - a. That anything unlawfully deposited on the highway constitutes a danger.....to the users of the highway, and
 - b. That the thing in question ought to be removed without the delay involved in giving notice.....Under this section,
the authority may remove the thing forthwith
- (v) Under section 50 of the New Roads and Street Works Act 1991.(1) The street authority may require the payment of—
 - (a) a reasonable fee in respect of legal or other expenses incurred in connection with the grant of a street works licence, and
 - (b) an annual fee of a reasonable amount for administering the licence;

and any such fee is recoverable from the licensee.

MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

2. Methods of Prevention

The Council aims to prevent infringement, and so protect legitimate Business, by enforcing the removal of any Commercial obstruction of the Public Highway that is placed without lawful authority or excuse.

Those activities listed as i to vii in section 1.2. above, will be licenced as this process and the Policy relating to them, those with no licence will be removed while following the enforcement process.

2.1 Highways activity

The Authority's Highways division has two existing policies and one guidance note that cover their activities around controlling fly posters and advertising on their property. These are –

- a. POLICY : 'Control of Goods Displayed on the Public Highway' policy, adopted and effective from 1 April 2002. This covers aspects such as displaying of goods and advertising hoardings on public footways. The intention is to ensure a consistent approach, to ensure Highways Officers are clear when endeavouring to determine whether an obstruction is acceptable or not. This policy covers issues such as obstruction, for example where 'A boards' may cause an obstacle for people with disabilities (including the visually impaired) and people with pushchairs to negotiate. There is also reference here to the Council not adopting a rigid ban on street advertising. The policy refers to 'trader's livelihoods could be damaged by the imposition of a rigid ban. Some displays are considered to add colour and vibrancy to the street scene of our towns and are an accepted component of some retail businesses'.

It should be noted the policy was agreed following extensive consultation with the Town Councils covering Abergavenny, Monmouth, Chepstow, Caldicot and Usk, their respective Chambers of Commerce and CAIR (Monmouthshire Disablement association). Each trader potentially affected by the policy received a letter and background information prior to 1 April 2002.

- b. POLICY : 'Tourism signing' policy, adopted and effective from 19 May 2006. This policy sets about making it easier for visitors to find facilities and attractions, thereby enhancing the local economy,. notably in the run up to the Ryder Cup in 2010. It encourages the removal of illegal and shabby signs, through a grant scheme to replace with better standard and legal signage. It also encourages the removal of too many signs in certain locations.

Consultees included 260 tourism businesses across the County, all Community and Town Councils, and the Monmouthshire Tourism Alliance.

- c. GUIDANCE : control of goods displayed on the Highway. A board Guidance. The Council introduced guidance to control the placement of goods and advertising hoardings on town pavements. It recognises that a limited amount of street advertising and display gives colour and vibrancy to the street scene and adds to the character and atmosphere of our towns and villages, but it also has a statutory duty under the Highways Act (section 149) to maintain the footways primarily for the unhindered passage of pedestrians. In an effort to acknowledge these conflicting interests the Council has adopted a

MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

guidance to allow traders to display goods and advertising hoardings on street footways on the understanding that they comply with stipulated criteria

Highway undertake regular, low level, enforcement against those who obstruct the public highway for Commercial benefit. This would typically be objects projecting too far into a pavement or tables and chairs obstructing the pavement, and preventing the 'the use and enjoyment of a highway'. This enforcement is carried out under the Highway Act 1980 section 149, it currently exceeds 80 occasions a year and continues to be a drain on resources.

3. Our Approach

- 3.1 This Authority recognises and supports the need and indeed the desire of Business to use the public Highway as opportunity to increase revenue through sales and advertising. However the Authority must adopt and manage a robust policy to ensure that the public and the Authority have adequate safeguards. This policy would cover the various occasions when a Business wants to use the Public Highway for reason of benefit to that company. We currently licence and charge scaffold and skip hire companies for use of the Highway space. This review seeks to bring a consistency to the policy, both within MCC processes and the wider Local Authority community.
- 3.2 The Authority will seek to licence those Business', companies, Charities or individuals who seek to take advantage of this policy by placing an object for their gain or purpose on the Public Highway. These licences will be considered in the following processes
 - a. A ' FRAMES : An advertising board displayed on a pavement outside business
 - b. FLYPOSTER : An advert displayed on highway usually away from business
 - c. STATIC ADVERTISING : Rental of advertising space made available by MCC
 - d. COMMUNITY ACTIVITIES : Memorial benches planting areas notice boards & pitch booths
 - e. COMMERCIAL ACTIVITIES : Café tables etc 'Sale rails' 'Planters' or adhoc spaces
- 3.3 This Authority recognises the need for some obstructions, for example for village fetes, charitable events, 'Give Blood', temporary road safety awareness signs, etc. but also the desire to increase the vibrancy of the street scene through 'alfresco opportunities', sales pitches, memorial provision or advertising. It does not therefore seek a 'zero tolerance' approach, recognising the difficulties this would present to businesses, charitable groups, statutory bodies and others. To provide guidance to the public, businesses, charities and other event organisers, a leaflet has been produced. A copy of the leaflet is provided as Attachment 5 at the end of this policy document.
- 3.4 Any complaints / enquires regarding Commercial Obstruction on the Highway will in the first instance be recorded at our One Stop Shops. A 'process map'

MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

outlining the procedure for dealing with Commercial Obstruction on the Highway is provided in Attachment 1. Staff at the OSS's will be updated to reflect recent changes in both legislation and personnel (notably in Highways). Highways would be the first point of reference for any Commercial Obstruction on the Highway complaints, referring to colleagues in other teams where the situation demands – as outlined in Section 2 above. The 'one point of reference' will allow the Authority to measure numbers of complaints, any trends, and our effectiveness.

- 3.5 It is the view of Officers in Highways, Planning and Environmental Health, that they deal with their elements of existing legislation, due to professional and competency issues. Thus Highway Engineers will determine compliance with the Highways Act provisions, Planning with Town & Country Planning Act etc. However, that does not preclude better joint working, with improved communication between the three teams. So, for example, Environmental Health have two Environmental Wardens who, if instructed, can remove / report infringements while out on the district. Similarly they could contact Planning for any breaches they see during their routine activities. It is the intention to provide a quicker response to infringement.
- 3.6 Businesses or organisers benefiting from unapproved Commercial Obstructions will be warned of the consequences by letter. Repeat offenders will be referred to our Legal Services Section by a Planning Enforcement officer, with a view to prosecute.

Our staged approach to action will be by way of standard letters. In appropriate circumstances, names and addresses will be traced, but it must be noted that companies are aware that it can be difficult to trace a 'responsible' person or company when they display limited information.

- 3.7 Highways staff, in the interests of clarity, will adopt the following prescribed approach:

Permitted Obstruction in the Highway -

All local businesses, organisations, national or local charities or individuals can with approval participate in this policy providing their activities :

- do not cause offence
- do not cause a traffic or pedestrian hazard or safety issue in any way
- do not damage hardware by their presence
- are of presentable quality and not excessive in number
- are present in an agreed location
- are removed by the organisations concerned when required by an Officer of this Authority, an Officer of the Emergency services or an Officer of the Statutory undertakers who requires access.
- Are licensed on all occasions and that that licence is displayed, where required at the location
- Meet the general list of criteria, as noted in licence, standard permission but may change with local conditions for the activity that they are undertaking
- All fees are paid in relation to the application and those fees are applicable to the period licenced. These fees will be in line with the actual Licence type sort and the criteria relating to each application.
- The fees are outlined in the Policy for each process.
- These fees may change from time to time, as agreed by Cabinet members, under the relevant approval process.

MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

Approved organisations, determined by the Highways Section, shall have, but not be limited to the following

Be in possession of an up to date, and applicable licence, with all monies paid, or arrangements made to pay all fees in connection with the application.

Third party public liability insurance, of a value current to time and duration of application

Applicants may be expected to demonstrate that they have no other reasonable way of undertaking their business. Regard will also be made to the purpose when determining applications, for example advertising near to the premises of a similar business may not be permitted or permission for alfresco arrangements when an adjacent business has already made arrangements and further development will, at the discretion of the Authority, cause a greater risk will not be permitted High impact events may require special consideration

The following organisations are expressly not permitted to erect signs:

Those not in possession of an up to date, and applicable licence, with all monies paid, or arrangements made to pay all fees in connection with the application.

Those without suitable third party public liability insurance of a value current to time and duration of application

Those without public liability which do not have the full support of the Authority or local council, their liability would be encompassed by the Authority

Party political organisations

- 3.8 Approved organisations who fail to observe the Council's conditions may have their permit withdrawn and may risk prosecution.

MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

4. Outcomes

- 4.1 The outcome sought is threefold :-
 - 1. to ensure the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway, by consistent licencing, engagement and enforcement.
 - 2. to protect Monmouthshire County Council and its stakeholders from the expense relating to failures to manage the unhindered access to the highway
 - 3. to ensure a quick and effective response to illegal obstructions. By consistent recording of incidents, working together better with early intervention, problems associated with Commercial Obstructions will be reduced.
- 4.2 Officers involved with the policy will ensure all relevant Officers, including One Stop Shop staff, are aware of the content of this policy and monitor compliances, to update their procedures and provide some training.
- 4.3 The policy will be reviewed every 12 months to determine whether it assists in reducing fly posting in Monmouthshire.

5. Report Contributors

Xxxxxxxxxxxxxxxxxxxxxx

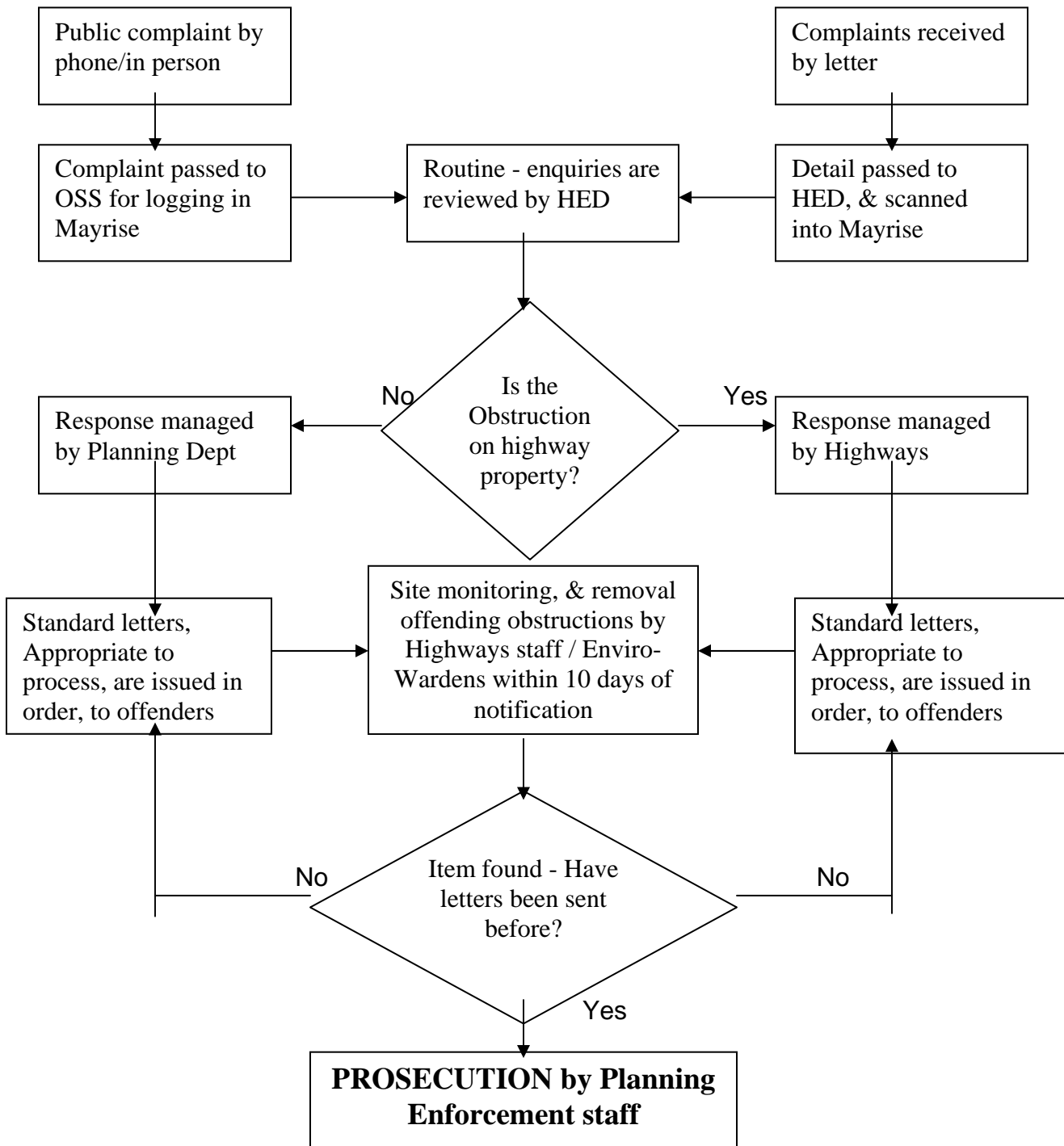
6. Report Authors –

xxxxxxxxxxxxxxxxxxxxx

MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

Attachment 1
Monmouthshire County Council
Highways Operations

Process Commercial Obstruction in the Carriageway complaints



Notes:

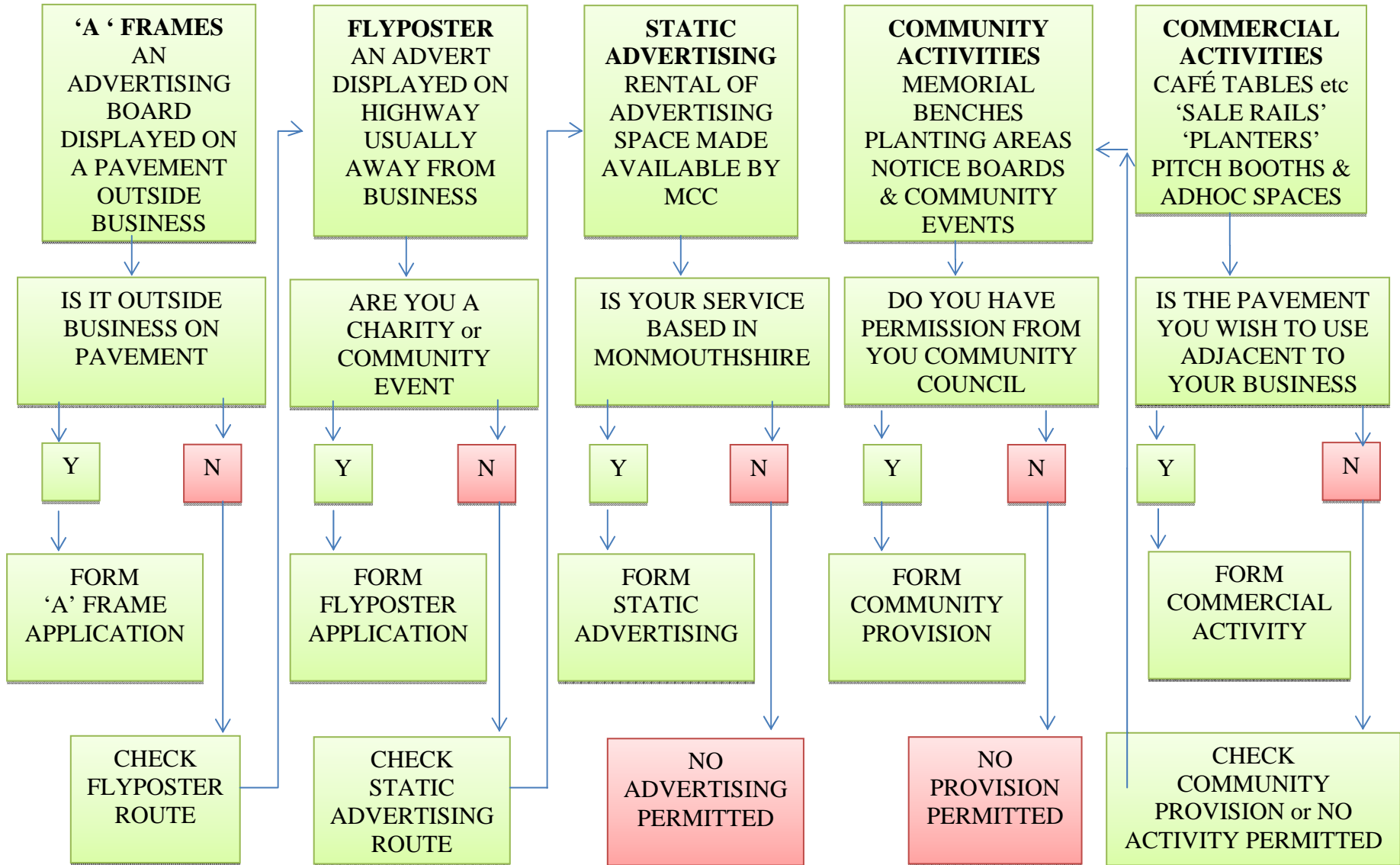
Mayrise = Highways enquiry system

HED = Highways Enquiry Desk

OSS = One Stop Shop

MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

1:1 : NEW OVERALL FLOW



MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

APPENDIX 1 part 2

1.1 OBJECTIVE :

Provision of a Management of Commercial Obstruction on the Highway Policy. This would cover the various occasions when a Business wants to use the Public Highway for reason of benefit to that company. We currently licence and charge scaffold and skip hire companies for use of the Highway space. This review seeks to bring a consistency to the policy, both within MCC processes and the wider Local Authority community.

2.1 CURRENT SITUATION

Enforcement action taken by Highways Operation's Department forms a significant element of their work. This enforcement, usually against business and people, who are aware of the MCC's current policies, could be developed into a system that is more readily available, encompassing all private activity on the Public Highway. The policy will effectively control apparatus in the highway and will recover the cost associated with enforcement.

This policy is based on the following premise :-

1. It is not unreasonable that the beneficiaries of service requests made to MCC should pay for the cost associated with those requests, especially when a failure to comply, with The Highway Act 1980, would normally lead to enforcement action being taken. (e.g. a service request highlighting the need to fill a pothole is different from one requesting the opportunity to place scaffold or advertising on the highway).
2. An interest by Companies to use the public Highway as a site to benefit their business is evident throughout MCC (e.g. 'A' boards and Coffee tables). This benefit, usually through advertising or by the direct use of the Public Highway as a premise from which to sell goods or to supply a service, needs to be expanded. However, this benefit can conflict with MCC's statutory Duty to '.... assert and protect the rights of the public to the use and enjoyment of any highway....', Highway Act 1980 : Section 130, and needs to be managed effectively

3.1 CONCLUSION :-

By managing and licencing access to the Public highway by Companies who benefit from its use MCC can help, through charges, to encourage vibrancy to the street scene in an area that is an accepted component of some retail business. Introduction of charges for requests and licences, in line with a number of other Authorities, MCC can be seen to be proactive and fair in its management of the Highway space. Consistency needs to be achieved by further consultation with business and interested forums. The proposal for fees (table 1) was derived through a small survey of other Authorities approach to this problem.

Table 1	A BOARD	SEATING / DISPLAYS	ADVERTS / BANNERS	'PITCH' one off
MCC PROPOSAL	£40 first application £40 renewal	SEATING / SALE RAILS / DISPLAYS. First application will always be £125. The annual renewal will be based on area occupied Use Sqm rates : 0 to 6 = £120 6 to 12 =£240 12 to 18 = £360 Larger areas not permitted	Continue with similar policy where by only charities are allowed to advertise and are not charged.	£75 first application £50 subsequent
Yearly rental 70% take up	288 x 70% x £40 = £8094	31 x 70% x £240 = £5208		MCC STREET TRADING POLICY DEALS WITH

4.1 INDEX

1.1	:	Objectives
2.1	:	Current Situation
3.1	:	Conclusion
4.1	:	Index
5.1	:	Background
6.1	:	Data and Evidence
7.1	:	Process for Flyposter, old and new
8.1	:	Process for 'A' Frame, old and new
9.1	:	New Overall Flow

3 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

5.1 BACKGROUND :-

The prevalence of A boards, flyposting and seating areas throughout Monmouthshire appears to exceed 544 units (70 poster applications per year / 288 A boards present in Dec 2012 / 31 seating areas at 6 seats each (guestimate)).

The 544 units suggests a need and willingness to display or use the Public Highway, by business. The potential for a financial reward, for the business is made after some initial investment in the form of :-

1. Manufacture of flyposter, banners measuring 10 feet by 3 feet on occasions
2. Manufacture of A boards, varying from simply chalk boards to aluminium frames
3. Manufacture of seating areas, tables, chairs and barriers
4. Investment in benches and trees for community and memorial reasons

It should not be considered unreasonable to formalise an approval process for each of the above installations. A one off yearly fee for each A frame / each flyposter application (up to 12 signs) / each seat (0.5metre square). A fixed charge based on cost of facilitating and enforcement could be arrived at (circa £50 to £100 per application / year). A take up rate of 70% would deliver an income of around £25k per annum. Enforcement / management currently exceeds £17k per annum and is a continual drain on the Highway resources. These costs would reasonably be expected to reduce on time and actual fines / enforcement incomes will initially rise before falling off.

Memorial tribute in the form of planting and benches etc. providing they are backed by the community will only be subject to the first year's approval charge, as would the community council.

Sources of approval that require bringing into process and flows:

1. Flyposter : Flow 7.1
2. A frames : Flow 8.1
3. Table and chairs : No flow exists
4. Adhoc furniture, plants, sale rails etc. : No flow exists
5. Community / Memorial, benches and plantings etc. : No flow exists
6. Sale pitches, outside of official markets : No flow exists
7. Static Advertising provided by MCC, report dealt with elsewhere
8. Overall Process : Flow 9.1

Interested parties. Consultation / notification required

1. Head of Operations
2. Head of Highways and Flood Management
3. Head of Public Health and Culture
4. Head of Legal Services
5. MCC income / planning
6. County Councillors
7. Community Councils
8. OSS Managers
9. Business Forums

4 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

6.1 DATA and EVIDENCE

1. OPINION

The Opinion of Stakeholders has been sort through a small survey of the Public. This was done by asking a set of questions of people through OSS, calls and street corners. The sample consisted of 121 people who wished to express their opinion. The raw date is included in point 5 below.

CANVASSING : A BOARD : SOME CONCLUSIONS

There appears to be a solid support to allow the continuation of advertising with 'A boards' ('SIGNS ENCOURAGE BUSINESS AND GIVE CONTINENTAL FEEL' – 'ONE SMALL BOARD OUTSIDE SHOP IS FINE'), a solid feeling that safety, with rules that are followed, should be implemented by MCC. MCC have a number of Duties including removal of any obstruction and assert and to protect the rights of the public to the use and enjoyment of any highway. A significant, but small number of people do feel that their needs are not being protected ('SIGNS CAN BE A DANGER TO VISUALLY IMPAIRED PEOPLE SO BETER TO PLACE THEM AGAINST' - 'CREATING OBSTACLES WHICH IS UNFAIR TO VISUALLY IMPAIRED'). There is a willingness to see a small charge, although not an overwhelming one, but it can be seen against a backdrop that a number of those who felt no fees should be made ('ENOUGH RATES PAID SHOULD NOT PAY MORE') also feel no rules should be set and not fines if the law is broken should be enforced. This is not a reasoned response and could result in proliferation of hazards ('SHOULD ONLY BE ALLOWED OUTSIDE A SHOP, IF NO RULES WE WILL HAVE SIGNS ETC EVERYWHERE').

A mandate exists to allow the continuation of 'A Board' use, but in a controlled way.

In order to protect the stakeholders rights and the Duties of MCC, given the financial pressure being imposed on the authority we are seeking support to adopt this policy in full. This would include an administration fee of £40 per year.

CANVASSING : CAFÉ AREA / DISPLAY AREA: SOME CONCLUSIONS

There appears to be a solid support to allow the continuation and expansion of Café areas ('CAFÉ SOCIETY IS GOOD', - 'THEY DO ADD VIBRANCY' – 'LOVELY TO SEE SEATS/TABLES IN CAFÉ AREAS. '), a solid feeling that safety, with rules that are followed, should be implemented by MCC. MCC have a number of Duties including removal of any obstruction and assert and to protect the rights of the public to the use and enjoyment of any highway. A significant, but small number of people do feel that their needs are not being protected ('ONLY ALLOW IF THEY DO NOT CAUSE OBSTRUCTION, - 'ENOUGH ROOM IS LEFT FOR PEDESTRIANS, PUSHCHAIRS, WHEELCHAIRS ETC' – 'SOME SECTIONS OF FOOTWAY TOO NARROW BUT GOODS ARE PLACED). There is a willingness to see a small charge, although not an overwhelming one, but it can be seen against a backdrop that a number of those who felt no fees should be made ('LEAVE SMALL BUSINESSES ALONE' – 'IS IT ANOTHER WAY TO SQUEEZE MONEY OUT OF SMALL BUSINESSES') also feel no rules should be set and no fines if the law is broken should be made. This is not a reasoned response and could result in proliferation of hazards ('IT IS A QUESTION OF DEGREE, ONLY ALLOW IF THEY DO NOT CAUSE OBSTRUCTION' – 'ONLY WHEN THEY DO NOT HINDER PEDESTRIANS').

The results suggests a mandate exists to allow the continuation of Café Areas and Display areas to continue and the expansion of the Café Society would encourage vibrancy and new business could be supported by all

In order to protect the stakeholders rights and the Duties of MCC, given the financial pressure being imposed on the authority, we are seeking support to adopt this policy in full. This would include a One Off approval fee of £125 on successful application / agreement. And an ongoing Annual licence based on the area occupied : less than 6m² = £120 or 6m² to less than 12m² = £240 or 12m² to 18m² = £360

5 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

2. ENFORCEMENT AND PERMISSION COST

ENFORCEMENT COST : first / second / third stage typical

Administration : first contact @ £10?	10
Administration : support and processing 60 mins @ £20 per hour	20
Supervisor : 3 stage communication by letter 45 mins each @ £35 per hour	26
Highway Operatives : 2 men and truck collect / store depot 60 mins @ £50 per hour	50
Operations Staff : chat + data collection for legal, 120 mins @ £30 per hour	60
	166 +legal

86 complaints in 12/13 therefore potential resources allocation worth £14,276 + legal fees (86 occs @ £146) was made. Enforcement would need to be more rigorous or faith in system would be lost.

APPLICATION COST : typical Flyposter

Administration : first contact @ £10?	10
Administration : support and processing 30 mins @ £20 per hour	10
Operation's staff : 30 mins each @ £35 per hour	17.5

82 applications in 12/13, therefore potential resource allocation worth £3,075 (82 occs @ £37.5) was made. Applications would increase and yearly renewals would need significant input.

6 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

3. FEE COMPARISON WITH OTHER LOCAL AUTHORITIES

	A BOARD	SEATING	ADVERTS / BANNERS	'PITCH' one off
NORTH SOMERSET CC	N/A	Initial fee £56 per table Upto 5 tables £56 per yr 5 to 10 tables £112 per yr	N/A	NO EVIDENCE
GLOUCESTER CITY C	£50 per yr	NO EVIDENCE	N/A	£20-£25 per day
DEVON CC		Initial £200 £85 renewal	N/A	NO EVIDENCE
TAMWORTH BC	£95 plan fee £25 licence £50 per yr	N/A	N/A	NO EVIDENCE
TEST VALLEY BC	N/A	£199 renewable each year	N/A	N/A
AVERAGE	£85 first yr £50 renewal	Based on 3 tables, 6 chairs or 6 Sqm approx.. £189 first year £113 renewal		
MCC PROPOSAL	£40 first application £40 renewal	SEATING / SALE RAILS / MISALANEUS. Use Sqm rates : 0 to 6 = £125 / £120 6 to 12 = £125 / £240 12 to 18 = £125 / £360 Larger areas not permitted	Continue with similar policy where by only charities are allowed to advertise and are not charged.	£75 first application £50 subsequent

4. EVIDENCE OF SCALE AND LOCATION OR BUSINESS NEEDS

Table 1			
A BOARD AND FLPOSTER COMMUNICATION : 1/12/11 TO 1/12/12			
	TOTALS	APPLICATIONS	COMPLAINTS
POSTER APPLICATIONS VIA ALL SOURCES	86	86	
POSTER / A BOARD COMPLAINTS VIA LETTER & EMAIL	52		82
A BOARD COMPLAINTS VIA CALLS & WALK UPS	16		
POSTER COMPLAINTS VIA CALLS & WALK UPS	14		

Table 2				
A BOARD, FLYPOSTER, SEATING AND MISCELANIOUS ACTIVITY : DECEMBER 2012				
	A BOARDS	FLYPOSTERS	SEATING AREAS	MISC
MONMOUTH	60	3	5	10
USK	20	0	3	8
ABERGAVENNY	90	3	14	10
CHEPSTOW	88	0	6	9
CALDICOT	17	0	1	1
MAGOR	13	0	2	3
TOTAL	288	6	31	41
Misc : planters and sale rails etc				

7 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

5 CANVASSING SUMMARY

<u>CANVASSING : A BOARD SUMMARY</u>			
A Boards : A sign placed on the Public Highway, usually small triangular stands that are bright and colourful that advertise a shop / business	YES	NO	?
1. Do you find the signs helpful and informative?	88 nos 73 %	26 nos 22 %	6 nos 5 %
2. Do you find these signs a hindrance when visiting your town or village amenities?	26 nos 22 %	87 nos 73 %	6 nos 5 %
3. Have you ever, or know someone who has, tripped, bumped, knocked or had to squeeze past a sign and so be put at risk?	31 nos 26 %	85 nos 71 %	3 nos 3 %
4. MCC have a Duty to maintain unobstructed access to the Highway, do you think signs should be allowed on the public Pedestrian area or footway?	65 nos 54 %	46 nos 39 %	8 nos 7 %
5. MCC's duty to maintain unobstructed access to the Highway means that it could be liable if a claim is made against a business. Should Businesses comply with safety guidelines?	106 nos 88 %	10 nos 8 %	4 nos 4 %
6. Should businesses be fined if they continually hinder your access to the highway / footway and so break the law?	88 nos 74 %	23 nos 19 %	8 nos 7 %
7. No rates, fees or licences are paid by a business to use the Public highway for their private purpose, do you believe they should be licenced and pay a small fee to place items on the Public Highway?	69 nos 58 %	42 nos 35 %	8 nos 7 %
<p>Comments :</p> <p>SOME AREAS ARE FINE, BUT HIGHWAY SHOULD BE KEPT CLEAR AT ALL TIMES — WARNINGS SHOULD BE ISSUED BEFORE FINES — SHOULD NOT BE ALLOWED AT ALL — IF THERE IS ROOM FOR A BOARD TO BE DISPLAYED WITHOUT HINDERING PEDESTRIANS THEY ADD TO ATMOSPHERE AND VIBRANCY — IF LOCATION ALLOWS SAFELY — ENOUGH RATES PAID SHOULD NOT PAY MORE — SIGNS OKAY OF PAVEMENT IS LARGE ENOUGH WITHOUT RESTRICTING WAY — SIGNS ENCOURAGE BUSINESS AND GIVE CONTINENTAL FEEL, THEY ARE OKAY SO LONG AS THEY LEAVE SPACE — CANNOT BELIEVE THIS IS A VIABLE POINT OF DEBATE, WE ARE A NATION OF SHOPKEEPERS — SIGNS CAN BE A DANGER TO VISUALLY IMPAIRED PEOPLE SO BETER TO PLACE THEM AGAINST WALLS — 'A' BOARDS ARE ADVERTISING, THEY HAVE TO PAY TO ADVERTISE IN PAPERS ETC. SO WHY NOT PAY TO ADVERTISE ON THE STRET — SIGNS FOR SHOPS ARE FINE, SHOULD BE LICENCED BUT FEELS THEY PAY ENOUGH — ONLY ALLOWED IF THEY DO NOT CAUSE AN OBSTRUCTION — SHOULD FOLLOW RULES — DEPENDING WHERE THAY ARE PLACED CAN BE A NUISANCE — DEPENDS IF PEOPLE CAN GET AROUND — HELPFUL SO LONG AS NOT IN ANYONES WAY — NO PROBLEM SO LONG AS SPACE IS LEFT TO ALLOW PEDESTRIANS TO PASS — SHOULD ONLY BE ALLOWED OUTSIDE A SHOP, IF NO RULES WE WILL HAVE SIGNS ETC EVERYWHERE — SHOULD NOT BE ALLOWED — BOARDS HAVEMULTIPLIED IN SOME AREAS CREATING OBSTACLES WHICH IS UNFAIR TO VISUALLY IMPAIRED — ONE SMALL BOARD OUTSIDE SHOP IS FINE</p> <p style="text-align: center;">Sample size 121, some chose not to answer all questions</p>			

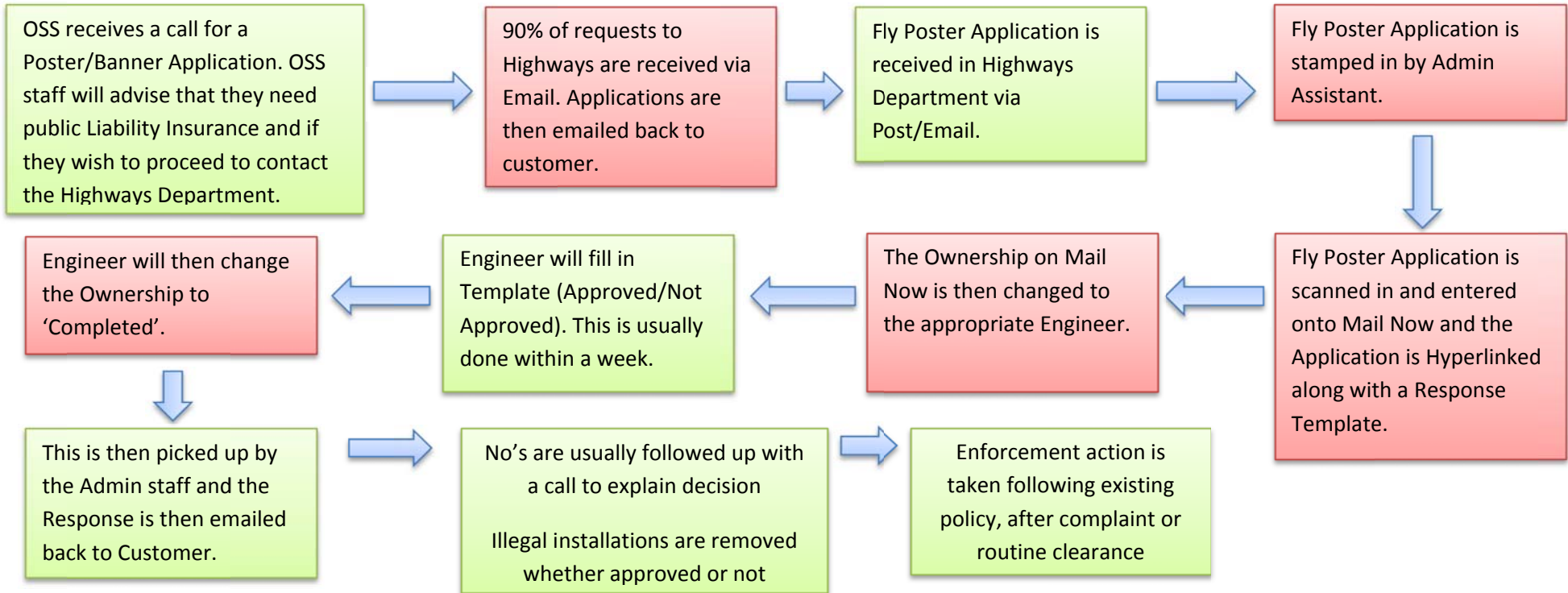
8 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

<u>CANVASSING : CAFÉ AREA / DISPLAY AREA SUMMARY</u>			
Café area / Displays : A table or chair placed on the Public Highway or shelves, boxes and items for sale placed on the Public Highway	YES	NO	?
1. Do you find these areas pleasurable when visiting your town or village amenities?	95 nos 79 %	20 nos 17 %	5 nos 4 %
2. Do you find these areas a hindrance when visiting your town or village amenities?	19 nos 16 %	94 nos 79 %	6 nos 5 %
3. Have you ever, or know someone who has, tripped, bumped, knocked or had to squeeze past these areas and so put at risk?	24 nos 20 %	93 nos 78 %	2 nos 2 %
4. MCC have a Duty to maintain unobstructed access to the Highway, do you think seating / sale areas etc. should be allowed on the public pedestrian area or footway?	70 nos 59 %	40 nos 33 %	9 nos 8 %
5. MCC's duty to maintain unobstructed access to the Highway means that it could be liable if a claim is made against a business. Should Businesses comply with national guideline?	105 nos 87 %	9 nos 8 %	6 nos 5 %
6. Should businesses be fined if they continually hinder the access to the highway and so break the law?	92 nos 77 %	16 nos 13 %	12 nos 10 %
7. No rates, fees or licences are paid for by a business to use the Public highway for their private purpose, do you believe they should be licenced and pay a small fee to place items on the Public Highway?	70 nos 58 %	44 nos 37 %	6 nos 5 %
<p>Comments:</p> <p>KEEP ACCESS CLEAR AT ALL TIMES — SHOULD HAVE MORE PUBLIC SEATING — SHOULD NOT REDUCE TO LESS THAN TWO BUGGIES OR MOBILITY SCOOTER, PEDESTRIANS SHOULD NOT BE FORCED IN TO THE ROAD — MORE SEATING FOR DISABLED — WARNING BEFORE A FINE — THEY SHOULD NOT BE ALLOWED AT ALL, FINE IF ENCROACH — AS LONG AS TABLES AND CHAIRS ARE IN A REASONABLY LARGE AREA THEY DO ADD VIBRANCY — APPROPRIATE SIGNAGE AND OUTSIDE TABLE AND CHAIRS CAN ADD TO VIBRANCY — SO LONG AS CARE IS TAKEN IN PLACING ITEMS IT SHOULD BE ALLOWED — TABLES AND CHAIRS BEEN PLACED FOR YEARS, SOME SECTIONS OF FOOTWAY TOO NARROW BUT GOODS ARE PLACED—ONLY WHEN THEY DO NOT HINDER PEDESTRIANS—CAFÉ SOCIETY IS GOOD, A SMALL LICENSE FEE COULD BE CHARGED AS ADMIN FOR COMPLIANCE — ROOM FOR BUGGY AND MOBILITY SCOOTER — GOOD TO SEE LOCAL BUSINESS FLOURISHING AND BEING MORE INVITING, DO NOT PUNISH THEM WITH MORE COSTS — CAFÉ AND PUBS ARE GENERATING BUSINESS FOR THE AREA AND WOULD REDUCE IF SEATING ETC. WERE NOT AVAILABLE — ROOM FOR PEDESTRIANS — LICENSE BUT NOT FEES — IT IS A QUESTION OF DEGREE, ONLY ALLOW IF THEY DO NOT CAUSE OBSTRUCTION — IF THEY ATTRACT BUSINESS THEN YES — IS IT ANOTHER WAY TO SQUEEZE MONEY OUT OF SMALL BUSINESSES — PUBLIC TRIP UP END OF!..., LEAVE SMALL BUSINESSES ALONE — SO LONG AS ENOUGH ROOM IS LEFT FOR PEDESTRIANS, PUSHCHAIRS, WHEELCHAIRS ETC. — IF CAUSING HINDERANCE THEN SHOULD NOT BE ALLOWED — LOVELY TO SEE SEATS/TABLES IN CAFÉ AREAS.</p> <p style="text-align: center;">Sample size 121, some chose not to answer all questions</p>			

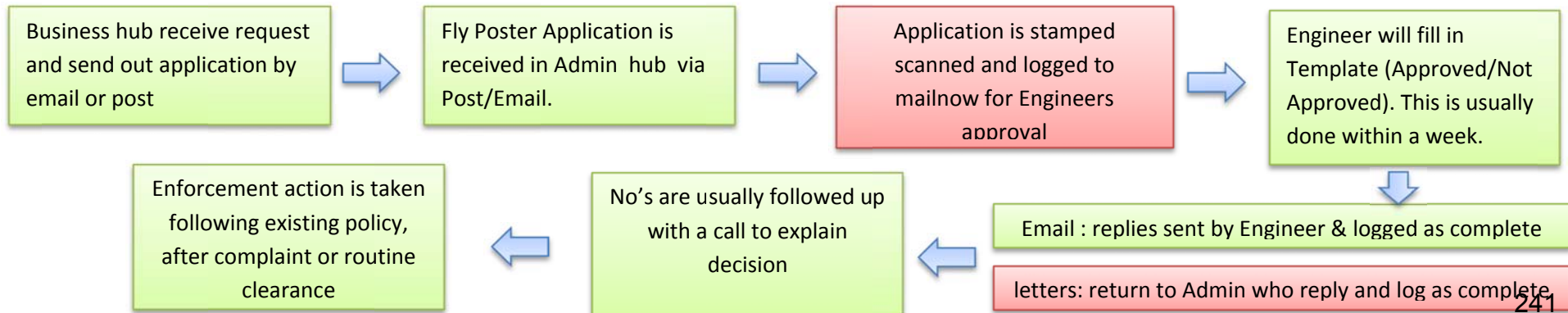
9 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

7.1 PROCESS FOR FLYPOSTER : 86 applications 12/11 to 12/13

OLD



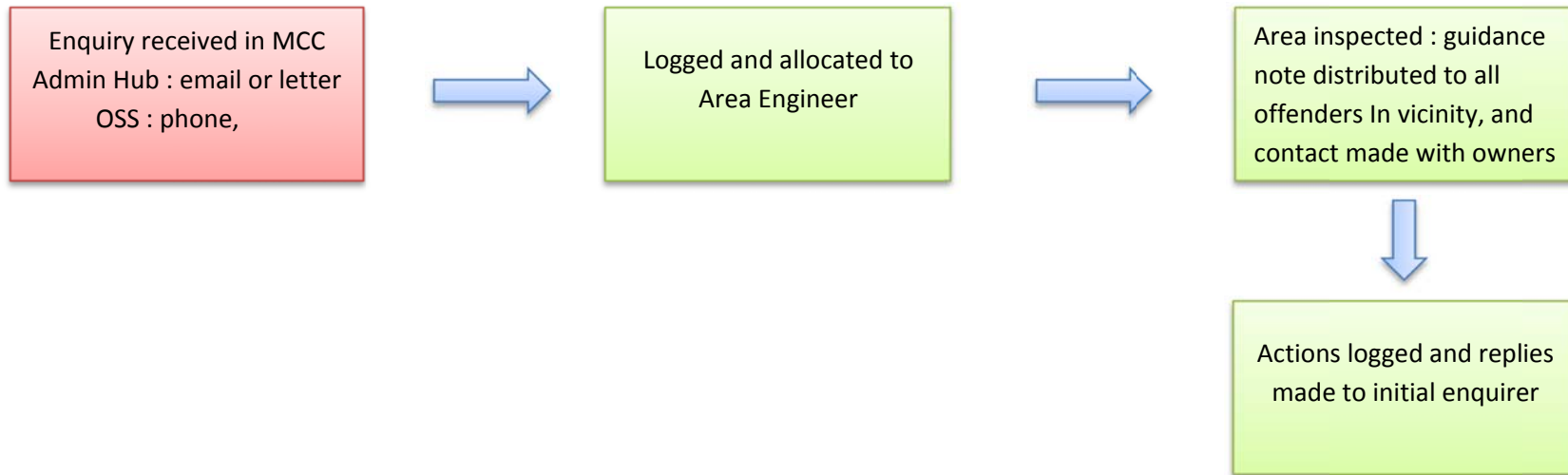
NEW



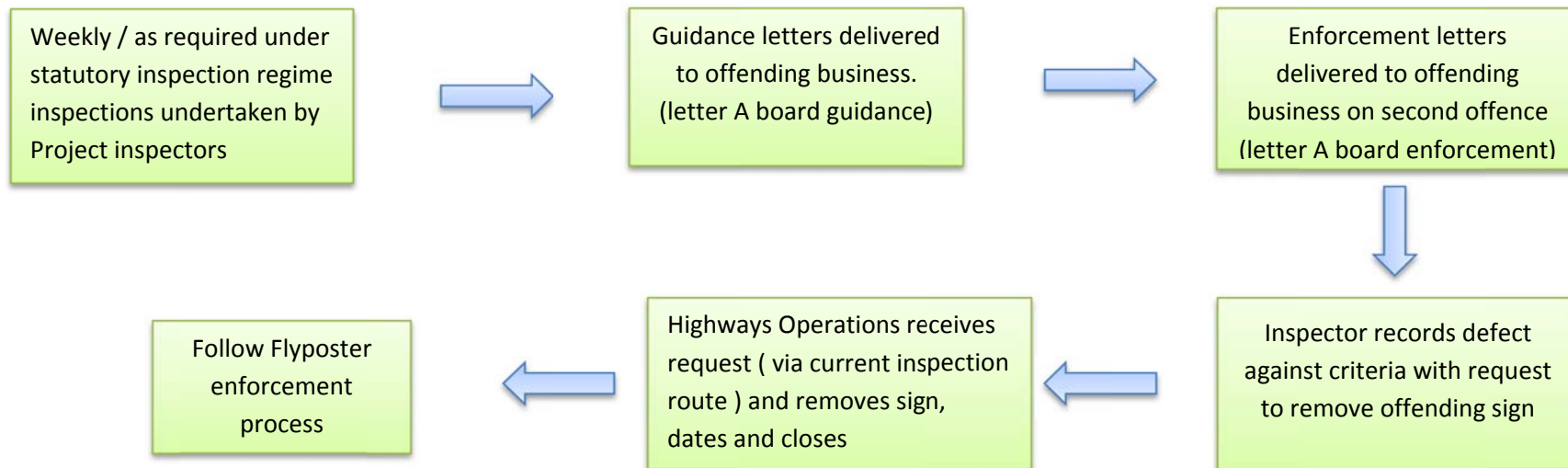
10 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

8.1 PROCESS FOR A FRAMES : circa 41 complaints 12/11 to 12/13

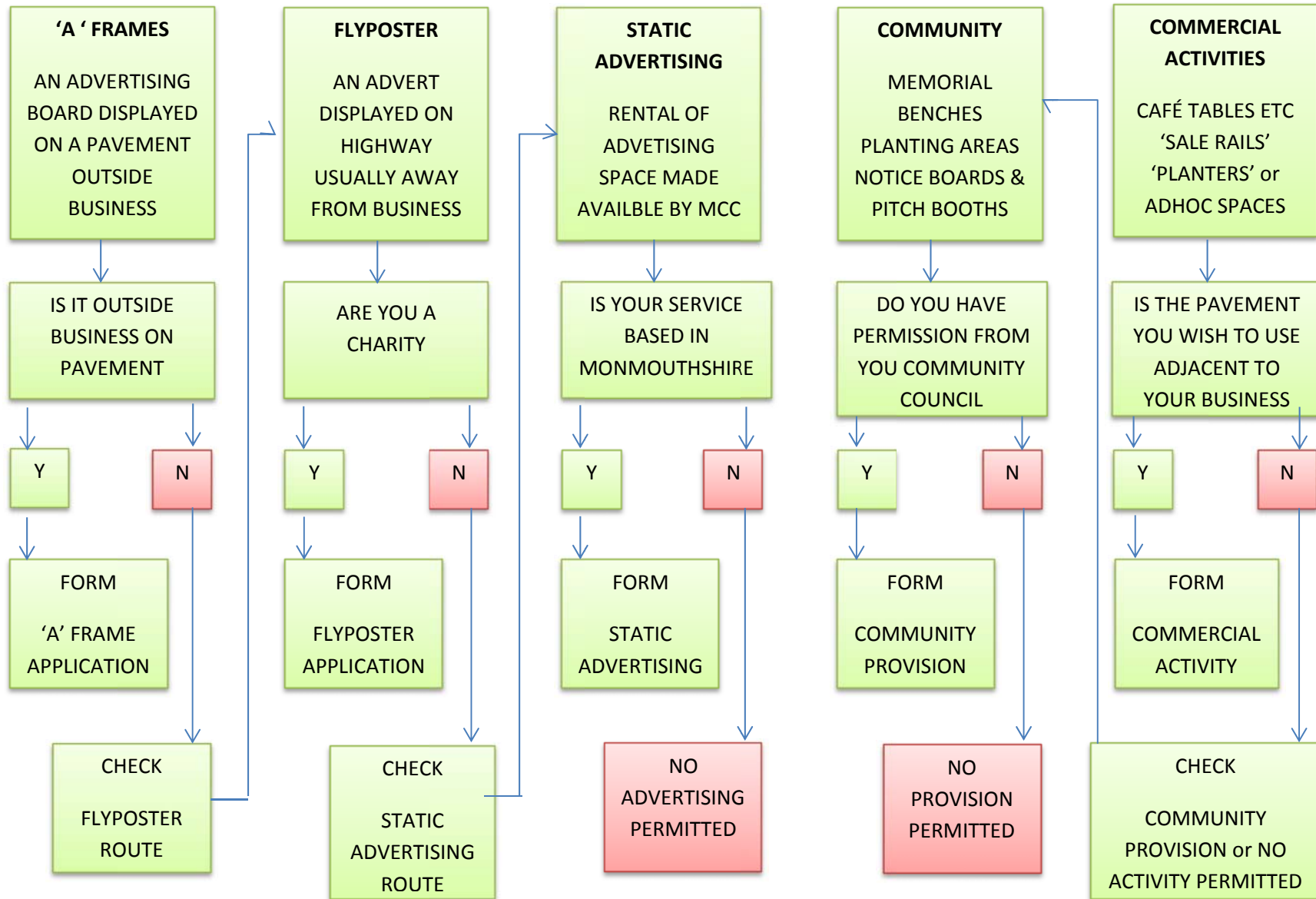
OLD



NEW



9.1 : NEW OVERALL FLOW



MONMOUTHSHIRE COUNTY COUNCIL

A BOARD POLICY - (Version 1) CHARGE

1. Introduction

1.1 'A Board' advertising, apart from being an illegal activity, can degrade the local 'street scene' and can contribute to an impression of urban decay. Monmouthshire County Council would therefore aim to reduce damaging 'A board' displays throughout the county, and to control inappropriate 'A board' displays through education and enforcement.

1.2. What is an A Board?

An A Board is defined a free standing advertising board, usually a two sided A frame located within the Public Highway. They usually advertise a business immediately adjacent.

1.3 The problems of using A Boards

Apart from being illegal, MCC have requirement to maintain a clear and unobstructed highway (Highway Act 1980, Section 132)

'A Board' Displays can have a detrimental effect on the public's use of pedestrian areas of our County. They can be the subject of third party claims, for which MCC may be the most likely defender.

1.4 Legislation

- (i) Under section 224 of the Town and Country Planning act 1990 it is an offence for any person to display an advertisement in contravention of the regulations. The relevant legislation is contained in the Town and Country Planning (Control of Advertisements) Regulations 1992. Any person contravening the legislation is liable on summary conviction to a fine, currently not exceeding £2500, recently increased under the provision of the Anti-Social Behaviour Act 2003. In the case of a continuing offence, there is £250 for each day on which the offence continues after conviction.
- (ii) Under section 132 of the Highway Act 1980 it is an offence for any person to paint, inscribe or affix any picture, letter, or sign on the surface of a Highway, any tree, or structure without the consent of the Highway Authority. If guilty of an offence the person can be liable to a fine of up to £1000, in the case of a second offence up to £2500.

2. Methods of Prevention

The Council aims to prevent 'A Board' displays through a number of methods.

2.1 Highways activity

The Authority's Highways division has an existing policy that covers their activities around controlling 'A Board' displays and advertising on their property. These are –

- a. 'Control of Goods Displayed on the Public Highway' policy, adopted and effective from 1 April 2002. This covers aspects such as displaying of goods and advertising hoardings on public footways. The intention is to ensure a consistent approach, to ensure Highways Superintendents are clear when endeavouring to determine whether an obstruction is acceptable or not. This policy covers issues such as obstruction, for example where 'A board' displays may cause an obstacle for people with disabilities (including the visually impaired) and people with pushchairs to negotiate. There is also reference here to the Council not adopting a rigid ban on street advertising. The policy refers to 'trader's livelihoods could be damaged by the imposition of a rigid ban. Some displays are considered to add colour and vibrancy to the street scene of our towns and are an accepted component of some retail businesses'.

It should be noted the policy was agreed following extensive consultation with the Town Councils covering Abergavenny, Monmouth, Chepstow, Caldicot and Usk, their respective Chambers of Commerce and CAIR (Monmouthshire Disablement association). Each trader potentially affected by the policy received a letter and background information prior to 1 April 2002.

- b. 'Tourism signing' policy, adopted and effective from 19 May 2006. This policy sets about making it easier for visitors to find facilities and attractions, thereby enhancing the local economy, notably in the run up to the Ryder Cup in 2010. It encourages the removal of illegal and shabby signs, through a grant scheme to replace with better standard and legal signage. It also encourages the removal of too many signs in certain locations.

Consultees included 260 tourism businesses across the County, all Community and Town Councils, and the Monmouthshire Tourism Alliance.

2.2 Planning activity

The Planning Enforcement team have no specific policy regarding dealing with 'A board' display, since it is usually restricted to the Public Highway.

A 'Planning Enforcement Policy' was approved by Council on 13th September, 2007 which reflects the national 'enforcement concordant principles' - see 2.4 below

2.3 Environmental Health activity

Environmental Health have no involvement with 'A Board' display, most complaints going to Highways for investigation

2.4 General

This Authority is also signed up to the 'Enforcement Concordat' which lays down national principles of good enforcement. This includes reference to being open about our approach to enforcement, being helpful, proportionate and consistent. The Authority awaits further guidance from the newly formed Local Better Regulation Office regarding a new 'compliance code' which will outline similar enforcement principles.

3. Our Approach

3.1 This Authority recognises the desire for 'A Board' display. It does not seek a 'zero tolerance' approach, recognising the difficulties this would present to local business. To provide guidance to the public, businesses, charities and other event organisers, a guidance letter has been produced. A copy of the Guidance is provided as Attachment 5 at the end of this policy document.

3.2 Any complaints regarding 'A Board' display will in the first instance be recorded at our One Stop Shops. A 'process map' outlining the procedure for dealing with 'A Board' Displays is provided in Attachment 1. Staff at the OSS's will be updated to reflect recent changes in both legislation and personnel (notably in Highways). Highways Inspectors would be the first point of reference for any 'A Board' complaints, referring to colleagues in other teams where the situation demands – as outlined in Section 2 above. The 'one point of reference' will allow the Authority to measure numbers of complaints, any trends, and our effectiveness.

3.3 It is the view of Officers in Highways, Planning and Environmental Health, that they deal with their elements of existing legislation, due to professional and competency issues. Thus Project Inspectors will determine compliance with the Highways Act provisions, Planning with Town & Country Planning Act etc. However, that does not preclude better joint working, with improved communication between the three teams. So, for example, Environmental Health have two Environmental Wardens who, if instructed, can remove fly posters on street furniture while out on the district. Similarly they could contact Planning for any breaches they see during their routine activities.

3.4 It is recognised that much of the 'A Board' advertising in Monmouthshire tends to be restricted to the main urban pedestrianised areas but not limited to. (Abergavenny, Caldicot, Chepstow, Magor, Monmouth, Usk and Tintern) . Highway Superintendents will be charged with their removal, once Projects Inspectors have identified offenders and followed process. Business' benefiting from 'A Boards' that do not comply will be warned of the consequences by letter. Repeat offenders will be referred to our Legal Services Section by a Planning Enforcement officer, with a view to prosecute.

Our staged approach to action will be by way of staged letters. These are provided in Attachments 2, 3 and 4. In appropriate circumstances, names and addresses will be traced from telephone numbers advertised on 'A Boards'.

3.5 Highways staff, in the interests of clarity, will adopt the following prescribed approach:

Permitted temporary posting -

Approved organisations are permitted to erect signs on street furniture on a temporary basis, provided the signs:

- do not cause offence
- do not cause a traffic or pedestrian hazard or safety issue in any way
- do not damage hardware by their presence
- are of presentable quality and not excessive in number
- are removed by the organisations concerned

Approved Organisations

The list of approved organisations, determined by the Highways Section, will be strictly limited. Initially it will include:

Adjacent Business'.
Blood Transfusion Service
Polling Stations

The Head of Highways may extend the list of approved organisations. Applicants will be expected to demonstrate that they have no other reasonable way of spreading their message.

The following organisations are expressly not permitted to erect signs:

Business' advertising other than their business

- 3.6 Approved organisations who fail to observe the Council's conditions may have enforcement action taken and may risk prosecution.
- 3.7 To assist organisations and businesses determine what may be acceptable, and what specifically is not, a guidance leaflet is available - Attachment 5.

4. Outcomes

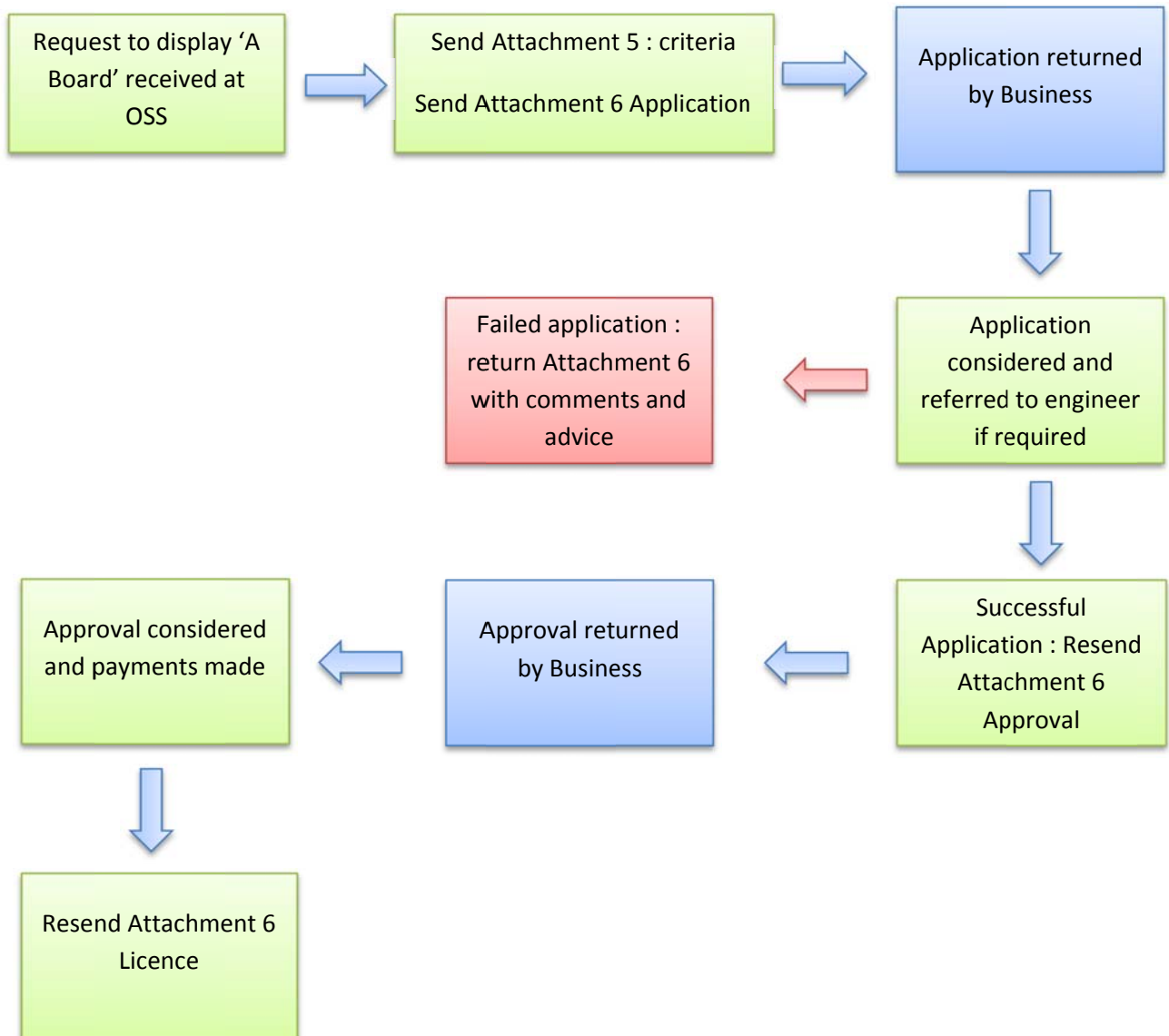
- 4.1 The outcome sought is to ensure a quick and effective response to 'A board' advertising that may be considered a risk. By consistent recording of incidents, working together better with early intervention, problems associated with fly posting will be reduced.
- 4.2 Officers involved with the policy will ensure all relevant Officers, including One Stop Shop staff, are aware of the content of this policy and monitor compliances, to update their procedures and provide some training.
- 4.3 The policy will be reviewed every 12 months to determine whether it assists in reducing non-compliance in Monmouthshire.

5. Report Contributors

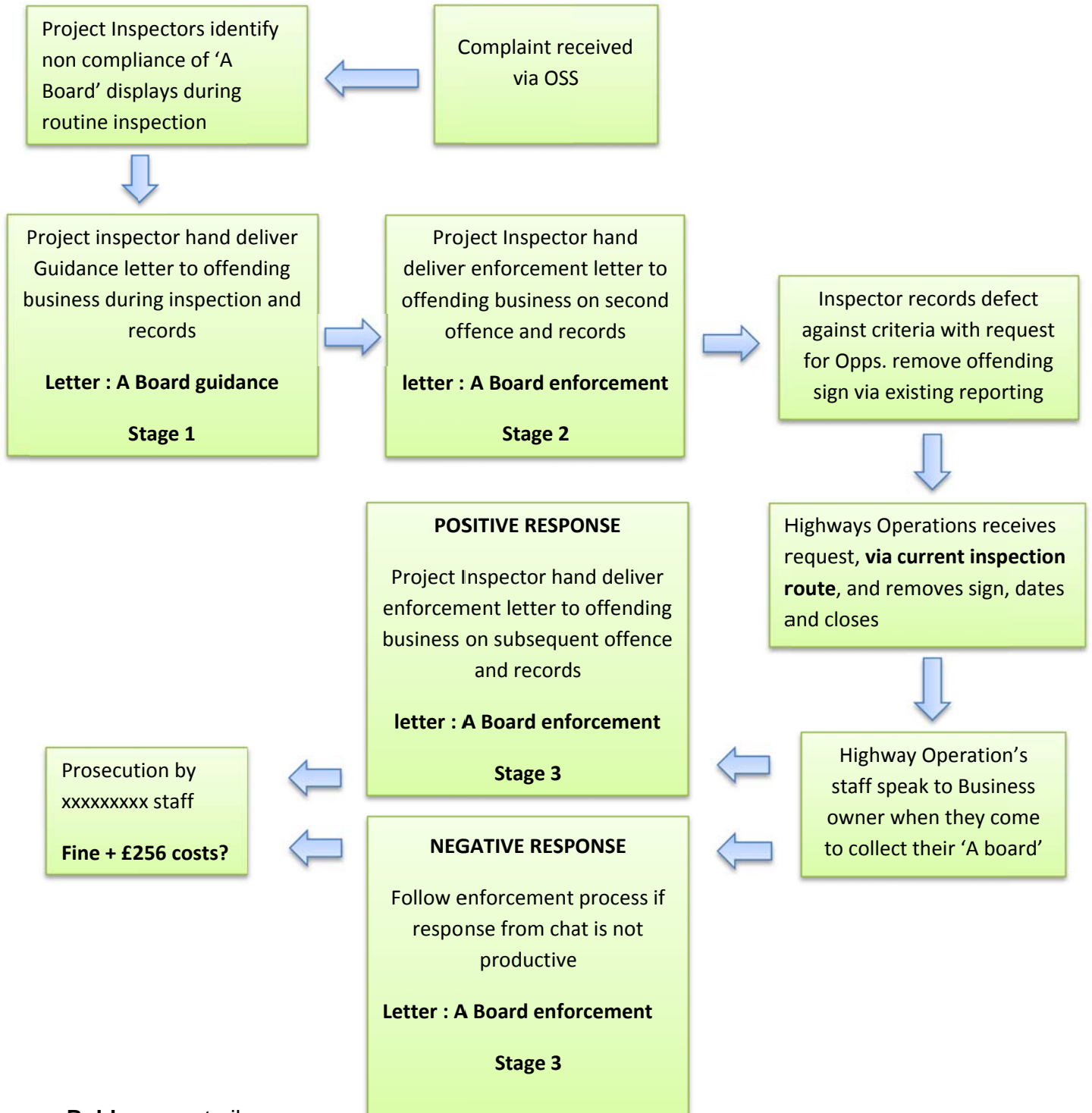
6. Report Authors –

Attachment 1

LICENCE FLOW



ENFORCEMENT FLOW



Bold = paper trail
Oss = one stop shop / call centre

Attachment 2

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Dear Sir/Madam

RE:- CONTROL OF GOODS DISPLAYED ON THE PUBLIC HIGHWAY : ‘ A BOARD’ DISPLAYS ‘A BOARD’ GUIDANCE : FIRST STAGE ENFORCEMENT

It has been recorded that an ‘A Board’ Display, identifying your business, has been positioned on the Public Highway that fails to comply with the Council Policy.

The Council has introduced guidance to control the placement of goods and advertising hoardings on town pavements. It recognises that a limited amount of street advertising and display gives colour and vibrancy to the street scene and adds to the character and atmosphere of our towns and villages, but it also has a statutory duty under the Highways Act (section 149) to maintain the footways primarily for the unhindered passage of pedestrians.

In an effort to acknowledge these conflicting interests the Council has adopted a policy to allow traders to display goods and advertising hoardings on street footways on the understanding that they comply with the following criteria, viz;

- i) The obstruction does not encroach onto the footway by more than 1 metre from the shop frontage.
- ii) That the residual unobstructed footway width is not less than 1.5 metres or the footway width, whichever is the lesser. The footway width is deemed to be measured from the back of footway to the kerb line or the dished channel, whichever is the lesser.
- iii) That ‘A’ frame boards are secured, on all four sides, so that they do not collapse if they are hit.
- iv) That all placements in the footway shall be painted white or shall have a horizontal white band at least 3 inches wide across its width in order to render them visible to visually impaired persons.
- v) Where footways have less than 1.8 metres unobstructed width no displays will be permitted.
- vi) Exceptions by agreement may be considered subject to maintaining a minimum access width in pedestrianised areas or limited vehicular access areas.
- vii) That traders provide evidence, when requested, of Public Liability Insurance cover to the minimum value of £5,000,000 indemnifying the County Council against third party claims for damage or personal injury as a result of an accident involving an obstruction in the highway.

Cont’d/2.....

The above criteria have been established following widespread consultation with the Chambers of Trade and Commerce for the main towns, CAIR (Monmouthshire Disablement Association) and the Town Councils.

Although it will be still possible for the Council to prosecute for an obstruction in the highway under powers within the Highways Act 1980 (section 149), it would not be in the spirit of the agreement to do so for an obstruction which is placed within the criteria outlined above although it would be desirable to prosecute any trader who refuses to comply.

It is hoped that this policy will require very little policing and that traders will abide by the criteria in the knowledge that every endeavour has been made to strike a fair balance between the needs of traders to advertise their wares and the rights of pedestrians to have safe and unhindered passage of the pavements.

This policy came into effect on the 1 April 2002 but if in the meantime you would like to discuss this matter or to meet a Highway Inspector to agree the location of apparatus fronting your premises then please contact the Highway Enquiry Desk on 01633 644700.

The Council wishes to pursue this matter in a spirit of co-operation, but will reserve the right to prosecute if the obstructions in the highway extend beyond the agreed limits or cause a danger or hazard to other users.

Your co-operation in complying with Council 'A Board' policy will be appreciated.

Yours faithfully

Glyn Edmunds
Highway and Waste Manager
Regeneration, Environment & Resources Directorate

Attachment 3

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Dear Sir/Madam

**RE:- CONTROL OF GOODS DISPLAYED ON THE PUBLIC HIGHWAY : ‘A BOARD’
DISPLAYS**

‘A BOARD’ GUIDANCE : SECOND STAGE ENFORCEMENT

I am writing to advise you that an ‘A Board’ Display, identifying your business, has again been positioned on the Public Highway and that it fails to comply with the Council Policy. I must remind you that it is an offence under section 149 of the Highways Act 1980 to erect such an object on the Council’s equipment without meeting the criteria outlined in the guidance. No permission has been given for this sign to be erected, so it is therefore being removed by the Council regardless of its location in the near future.

The sign will be available for collection from a nearby storage depot. Your co-operation in refraining from business advertising in this way will be appreciated, as we prefer such matters not to escalate to a prosecution. Court action is not in the interests of either party, and the courts generally favour the local authority in such cases.

You should be aware that it is the policy of the Council to prosecute people who carry out repeat ‘A Board’ displaying that is not in compliance with the policy, and no further warnings will be issued to you on this matter.

You should request the guidance and seek permission to place an ‘A Board’ through the an application procedure that is available, by calling your local One Stop Shop or calling 01633 644725 please.

Yours faithfully

Glyn Edmunds
Highway and Waste Manager
Regeneration, Environment & Resources Directorate

Attachment 4

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Dear Sir/Madam

**RE:- CONTROL OF GOODS DISPLAYED ON THE PUBLIC HIGHWAY : ‘A BOARD’
DISPLAYS**

‘A BOARD’ GUIDANCE : STAGE 3 ENFORCEMENT

I am writing to advise you that an ‘A Board’ display, identifying your business, has again been positioned on the Public Highway and that it fails to comply with the Council Policy. I have reminded you in the past that it is an offence under section 149 of the Highways Act 1980 to erect such an object on the Council’s equipment without consent. No permission has been given for this sign to be erected, so it is therefore being removed again by the Council.

The sign will be available for collection from a nearby storage depot.

I am passing the matter to the Council’s solicitors, who will now instigate legal proceedings. Our costs will be recovered through the courts.

Yours faithfully

Glyn Edmunds
Highway and Waste Manager
Regeneration, Environment & Resources Directorate

Attachment 5

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Dear Sir/Madam

RE:- CONTROL OF GOODS DISPLAYED ON THE PUBLIC HIGHWAY : ‘A BOARD’ DISPLAYS ‘A BOARD’ GUIDANCE

The Council has introduced guidance to control the placement of goods and advertising ‘A Boards’ on town pavements. It recognises that a limited amount of street advertising and display gives colour and vibrancy to the street scene and adds to the character and atmosphere of our towns and villages, but it also has a statutory duty under the Highways Act (section 149)to maintain the footways primarily for the unhindered passage of pedestrians.

In an effort to acknowledge these conflicting interests the Council has adopted a policy to allow traders to display goods and advertising hoardings on street footways on the understanding that they comply with the following criteria, viz;

- i) The obstruction does not encroach onto the footway by more than 1 metre from the shop frontage.
- ii) The dimensions of the board should not exceed H.900mm : W.450mm : D.300mm approximately
- iii) That the residual unobstructed footway width is not less than 1.5 metres or the footway width, whichever is the lesser. The footway width is deemed to be measured from the back of footway to the kerb line channel or the dished channel, whichever is the lesser.
- iv) That ‘A’ frame boards are secured, on all four sides, so that they do not collapse if they are hit.
- v) That all sign placed in the footway shall be painted white or shall have a horizontal white band at least 3 inches wide across its width in order to render them visible to visually impaired persons.
- vi) Where footways have less than 1.8 metres unobstructed width no displays will be permitted.
- vii) Exceptions by agreement may be considered subject to maintaining a minimum access width in pedestrianised areas or limited vehicular access areas.
- viii) That traders provide evidence, when requested, of Public Liability Insurance cover to the minimum value of £6,000,000 indemnifying the County Council against third party claims for damage or personal injury as a result of an accident involving an obstruction in the highway.

Cont’d/2.....

The above criteria have been established following widespread consultation with the Chambers of Trade and Commerce for the main towns, CAIR (Monmouthshire Disablement Association) and the Town Councils.

Although it will be still possible for the Council to prosecute for an obstruction in the highway under powers within the Highways Act 1980 (section 149), it would not be in the spirit of the agreement to do so for an obstruction which is placed within the criteria outlined above although it would be desirable to prosecute any trader who refuses to comply.

It is hoped that this policy will require very little policing and that traders will abide by the criteria in the knowledge that every endeavour has been made to strike a fair balance between the needs of traders to advertise their wares and the rights of pedestrians to have safe and unhindered passage of the pavements.

The Council wishes to pursue this matter in a spirit of co-operation, but will reserve the right to prosecute if the obstructions in the highway extend beyond the agreed limits or cause a danger or hazard to other users.

Your co-operation in complying with Council 'A Board' policy will be appreciated.

Yours faithfully

Glyn Edmunds
Highway and Waste Manager
Regeneration, Environment & Resources Directorate



Attachment 6

APPLICATION : COMMERCIAL OBSTRUCTION IN THE HIGHWAY LICENCE
TYPE A : 'A' FRAME ADVERTISING
Subject to section 132 of the Highway Act 1980
Section 50 of the New Roads and Street Works Act 1991 permits and Licence

Agreement by both parties, to this arrangement, will require the payment of a single approval fee & a Licence fee for up to and including 12 months, by the applicant to Monmouthshire County Council
These fees are : on successful application a £40 administration fee including a
First year Licence fee of £40 : a further £40 for each 12 month (or part of) licence extension

'A Board' organisations are reminded that permission granted is subject to the full posting policy of Monmouthshire County Council. (copies available on request.) In particular, (a) the obstruction does not encroach onto the footway by more than 1 metre from the shop frontage, (b) the residual unobstructed footway width is not less than 1.5 metres or the footway width, whichever is the lesser. The footway width is deemed to be measured from the back of footway to the kerb line channel, or the ditched channel, whichever is the lesser, (c) the 'A' frame boards are secured, on all four sides, so that they do not collapse if they are hit, (d) the sign placed in the footway shall be painted white or shall have a horizontal white band at least 3 inches wide across its width in order to render them visible to visually impaired persons, (e) Where footways have less than 1.8 metres unobstructed width no displays will be permitted, (f) exceptions by agreement may be considered subject to maintaining a minimum access width in pedestrianised areas or limited vehicular access areas, (g) cause offence, (h) cause a traffic hazard or safety issue, (i) One 'A board' is permitted per business and will only be considered for outside premises, if the criteria can be achieved.

Completed by Applicant :I wish to apply for permission to display an 'A Board' on the Highway

My organisation.....

Responsible representative :.....Signature :.....

Email Address :.....Tel No. :.....

Postal Address :.....

Public liability insurers :.....Policy expiry date :.....

Size of 'A board : A=..... W=..... B=.....

'A Board ' : Is it either white or containing a 3 inch band of white on all sides

Is the 'A Board' outside your business

Details of location :...sketch and notes...

.....
.....
.....
.....

Official use : The Permission :

Given : please refer to Attachment 5 detailing criteria : resend agreement attachment 6 & 5

Refused : please give reasons in comments send attachment 5 with comments

Referred to Area Engineer for comments :

Comments
.....
.....
.....
.....

Signed : _____ Date : _____

Completed by Applicant:To be completed by the responsible Person, of the business, on successful agreement to place an 'A Board' on the highway.

Please return, with payments, to allow the issue of a Licence. You will be contacted prior to the completion of the Licence period to renew at you request. Please note that any sign not displayed as guidance and or that is not Licenced will be removed and the Policy enforced.

Please find enclosed Payments as prescribed below. I understand that (a) I will need to ensure that I comply with the Guidance and in particular (b) I will ensure that my Public Liability Insurance is maintained and my Business will remain covered, and Monmouthshire County Council will be indemnified for the whole duration of the Licence, (c) I will ensure the 'A board' does not cause a traffic hazard or safety issue.

Please call 01633 644725 to arrange payment

£40 application and approval fee, payment per Business and or per premise

£40 Licence fee, up to and including one calendar year for subsequent years

Date Licence to commence :

I understand that this document will form the :Licence only when signed and dated below by Officer of Monmouthshire County Council.

Signed : Responsible representative : (As application above).....

Signature :Date :

Official use : The Licence :

Payments received : Licence Agreed : Licence sent

Signed : _____ Date : _____
Licence to place and display 'A Board' as above agreement until, **DATE**.....

MONMOUTHSHIRE COUNTY COUNCIL

FLY POSTING POLICY

1. Introduction

1.1 Fly posting, apart from being an illegal activity, can degrade the local 'street scene' and can contribute to an impression of urban decay. Monmouthshire County Council would therefore aim to reduce fly posting throughout the county, and to control inappropriate fly posting and advertising through education and enforcement.

1.2. What is fly posting?

Fly posting is defined as 'the display of advertising material on buildings and street furniture without the consent of the owner'. Fly posting can be divided into three categories –

- (i) Advertises primarily for local events, for example advertising bands playing in pubs, car boot sales and fairs, and personal events, typically birthdays. They appear attached to lampposts, railings and street furniture, or pasted on equipment or buildings.
- (ii) Posters advertising products of large organisations and put up by professional poster companies.
- (iii) Posters displayed by pressure groups or political bodies, put up ad hoc and sporadically.

1.3 The problems of fly posting

Apart from being illegal, fly posting is also unfair on those companies who choose to advertise legitimately. It also puts an additional cost on the Authority and other landowners, who are required to remove fly posters from their street furniture, walls, etc.

Fly posting has a detrimental effect on the local environmental quality of our County. It can lead to an increase in local residents fear of crime, and act as a disincentive to new businesses setting up.

1.4 Legislation

- (i) Under section 224 of the Town and Country Planning act 1990 it is an offence for any person to display an advertisement in contravention of the regulations. The relevant legislation is contained in the Town and Country Planning (Control of Advertisements) Regulations 1992. Any person contravening the legislation is liable on summary conviction to a fine, currently not exceeding £2500, recently increased under the provision of the Anti-Social Behaviour Act 2003. In the case of a continuing offence, there is £250 for each day on which the offence continues after conviction.
- (ii) Under section 132 of the Highway Act 1980 it is an offence for any person to paint, inscribe or affix any picture, letter, or sign on the surface of a Highway, any tree, or structure without the consent of the Highway Authority. If guilty of an offence the person can be liable to a fine of up to £1000, in the case of a second offence up to £2500.
- (iii) Sections 48 – 52 of the Anti-Social Behaviour Act 2003, as amended by the Clean Neighbourhoods and Environment Act 2005, enable the Authority to serve a 'defacement removal notice' on the owners, occupiers, operators (such as telecommunication companies) of 'relevant surfaces' whose property is defaced with graffiti and/or any fly posters.

2. Methods of Prevention

The Council aims to prevent fly posting through a number of methods.

2.1 Highways activity

The Authority's Highways division has two existing policies that cover their activities around controlling fly posters and advertising on their property. These are –

- a. 'Control of Goods Displayed on the Public Highway' policy, adopted and effective from 1 April 2002. This covers aspects such as displaying of goods and advertising hoardings on public footways. The intention is to ensure a consistent approach, to ensure Highways Superintendents are clear when endeavouring to determine whether an obstruction is acceptable or not. This policy covers issues such as obstruction, for example where 'A boards' may cause an obstacle for people with disabilities (including the visually impaired) and people with pushchairs to negotiate. There is also reference here to the Council not adopting a rigid ban on street advertising. The policy refers to 'trader's livelihoods could be damaged by the imposition of a rigid ban. Some displays are considered to add colour and vibrancy to the street scene of our towns and are an accepted component of some retail businesses'.

It should be noted the policy was agreed following extensive consultation with the Town Councils covering Abergavenny, Monmouth, Chepstow, Caldicot and Usk, their respective Chambers of Commerce and CAIR (Monmouthshire Disablement association). Each trader potentially affected by the policy received a letter and background information prior to 1 April 2002.

- b. 'Tourism signing' policy, adopted and effective from 19 May 2006. This policy sets about making it easier for visitors to find facilities and attractions, thereby enhancing the local economy, notably in the run up to the Ryder Cup in 2010. It encourages the removal of illegal and shabby signs, through a grant scheme to replace with better standard and legal signage. It also encourages the removal of too many signs in certain locations.

Consultees included 260 tourism businesses across the County, all Community and Town Councils, and the Monmouthshire Tourism Alliance.

2.2 Planning activity

The Planning Enforcement team have no specific policy regarding dealing with illegal advertising and fly posting, but deal with all complaints received. They report currently dealing with approximately 20 cases per year, such as trailers advertising on the side of the highway on private land, and large banners hanging off buildings. The Planning Enforcement Manager is now a member of the 'Unlawful Advertising & Fly posting Database' group which allows all Councils around the country to share information regarding successful prosecutions, which can then be used after conviction to increase persistent offenders fines.

A 'Planning Enforcement Policy' was approved by Council on 13th September, 2007 which reflects the national 'enforcement concordant principles' - see 2.4 below

2.3 Environmental Health activity

Environmental Health rarely have involvement with fly posting, most complaints going to Highways and Planning for investigation. Where there was a persistent problem, e.g. pasted advertising on telecommunication boxes, or on a privately owned building, then they could intervene to ensure the property owner or occupier removes the poster.

2.4 General

This Authority is also signed up to the 'Enforcement Concordat' which lays down national principles of good enforcement. This includes reference to being open about our approach to enforcement, being helpful, proportionate and consistent. The Authority awaits further guidance from the newly formed Local Better Regulation Office regarding a new 'compliance code' which will outline similar enforcement principles.

3. Our Approach

3.1 This Authority recognises the need for certain temporary signage, for example for village fetes, charitable events, 'Give Blood', temporary road safety awareness signs, etc. It does not therefore seek a 'zero tolerance' approach, recognising the difficulties this would present to charitable groups, statutory bodies and others. To provide guidance to the public, businesses, charities and other event organisers, a leaflet has been produced. A copy of the leaflet is provided as Attachment 5 at the end of this policy document.

3.2 Any complaints regarding fly posting will in the first instance be recorded at our One Stop Shops. A 'process map' outlining the procedure for dealing with fly posters is provided in Attachment 1. Staff at the OSS's will be updated to reflect recent changes in both legislation and personnel (notably in Highways). Highways would be the first point of reference for any fly posting complaints, referring to colleagues in other teams where the situation demands – as outlined in Section 2 above. The 'one point of reference' will allow the Authority to measure numbers of complaints, any trends, and our effectiveness.

3.3 It is the view of Officers in Highways, Planning and Environmental Health, that they deal with their elements of existing legislation, due to professional and competency issues. Thus Highway Engineers will determine compliance with the Highways Act provisions, Planning with Town & Country Planning Act etc. However, that does not preclude better joint working, with improved communication between the three teams. So, for example, Environmental Health have two Environmental Wardens who, if instructed, can remove fly posters on street furniture while out on the district. Similarly they could contact Planning for any breaches they see during their routine activities. It is the intention to provide a quicker response to illegal fly posting.

3.4 It is recognised that much of the fly posting in Monmouthshire tends to be small, often A3 or A4 size adverts on railings and lamp posts. Highway Superintendents will be charged with the removal of all but a small number of permitted signs. Businesses or organisers benefiting from unapproved fly posters will be warned of the consequences by letter. Repeat offenders will be referred to our Legal Services Section by a Planning Enforcement officer, with a view to prosecute.

Our staged approach to action will be by way of staged letters. These are provided in Attachments 2, 3 and 4. In appropriate circumstances, names and addresses will be traced from telephone numbers advertised on posters.

3.5 Highways staff, in the interests of clarity, will adopt the following prescribed approach:

Permitted temporary posting -

Approved organisations are permitted to erect signs on street furniture on a temporary basis, provided the signs:

- do not cause offence
- do not cause a traffic or pedestrian hazard or safety issue in any way
- do not damage hardware by their presence
- are of presentable quality and not excessive in number
- are present for no more than 15 days
- are removed by the organisations concerned
- are erected no further than 3 miles from the activity publicised
- general list of criteria, as attachment 5, standard permission but may change with local conditions

Approved Organisations

The list of approved organisations, determined by the Highways Section, will be strictly limited. Initially it will include:

The AA & the RAC

Blood Transfusion Service

Registered Charities, who have applied for blanket permission

Legitimate not-for-profit advertisers approved from time to time to provide public information. (*note : this could allow for the church fete or council car boot sale*)

The Head of Highways may extend the list of approved organisations, by written permit in exceptional circumstances. Applicants will be expected to demonstrate that they have no other reasonable way of spreading their message. Regard will also be made to the 'main interest' of the advert, when determining applications. High impact events may require special consideration

The following organisations are expressly not permitted to erect signs:

Advertisers for commercial benefit (*note : This could eliminate the pubs etc who legally flypost but they link event to a charity as a workaround*)

Party political organisations

3.6 Approved organisations who fail to observe the Council's conditions may have their permit withdrawn and may risk prosecution.

3.7 To assist organisations and businesses determine what may be acceptable, and what specifically is not, a guidance leaflet is available - Attachment 5.

3.8 New provisions under the Clean Neighbourhood and Environment Act 2005, that came into force in March 2007, are shared with Planning Enforcement. This covers the aspect described in section 1.4 (iii) above. If there was repeat defacement in a particular location, (for example, persistent pasted posters on end wall to a corner shop), this would then be referred to the local Community Safety Action Team, for them to consider multi-agency intervention.

3.9 In addition to our enforcement options outlined above, Monmouthshire County Council will also consider any notable practice from other Local Authorities. For example, certain city Authorities have had success with the use of 'cancelled'

stickers, deterring organisers of band performances particularly. Paragraph 2.2 above also referred to our participation in the 'Unlawful Advertising & Fly Posting database' which shares information and best practice.

4. Outcomes

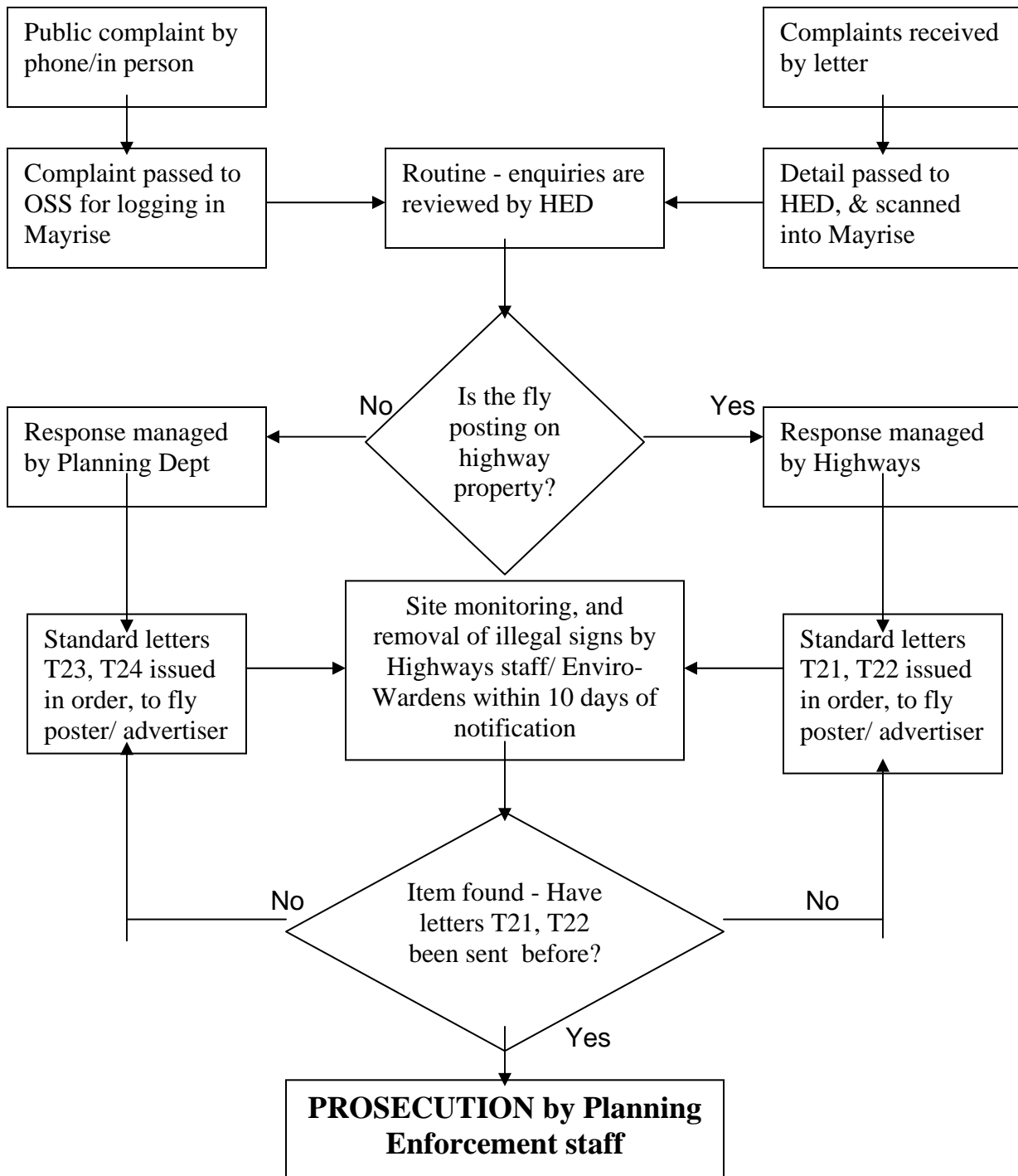
- 4.1 The outcome sought is to ensure a quick and effective response to illegal fly posters. By consistent recording of incidents, working together better with early intervention, problems associated with fly posting will be reduced.
- 4.2 Officers involved with the policy will ensure all relevant Officers, including One Stop Shop staff, are aware of the content of this policy and monitor compliances, to update their procedures and provide some training.
- 4.3 The policy will be reviewed every 12 months to determine whether it assists in reducing fly posting in Monmouthshire.

5. Report Contributors

6. Report Authors –

FLYPOSTINGPOLICY

Process Flowchart for Fly posting complaints



Notes:

Mayrise = Highways enquiry system

HED = Highways Enquiry Desk
 OSS = One Stop Shop

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Our Ref:/Ein Cyf: HED/ **T21**

Your Ref: Eich Cyf:

Date/Dyddiad :

Dear Sir/Madam

I am writing to advise you that a sign bearing your identity has been found illegally placed on street furniture in Monmouthshire. It is an offence under section 132 of the Highways Act 1980 to erect such an object on the Council's equipment. No permission has been given for this sign to be erected, so it is therefore being removed by the Council.

Your co-operation in refraining from this fly posting activity will be appreciated.

Yours faithfully

Glyn Edmunds
Highway and Waste Manager
Regeneration, Environment & Resources Directorate

The person dealing with this matter is:
Highway Enquiry Desk
Tel.No./Ffôn: 01633 644725
Fax/Ffacs: 01633 644725
Email/Ebost:
Our Ref:/Ein Cyf: HED/**T22**
Your Ref: *Eich Cyf*:
Date/Dyddiad : 25 November 2014

Dear Sir/Madam

I am writing to advise you that a sign bearing your identity has again been found illegally placed on street furniture or structures in Monmouthshire. I must remind you that it is an offence under section 132 of the Highways Act 1980 to erect such an object on the Council's equipment without consent. No permission has been given for this sign to be erected, so it is therefore being removed again by the Council.

Your co-operation in refraining from the activity will be appreciated, as we prefer such matters not to escalate to a prosecution. Court action is not in the interests of either party, and the courts generally favour the local authority in such cases.

You should be aware that it is the policy of the Council to prosecute people who carry out repeat fly posting activities, and no further warnings will be issued to you on this matter.

Yours faithfully

Glyn Edmunds
Highway and Waste Manager
Regeneration, Environment & Resources Directorate

The person dealing with this matter is:
Highway Enquiry Desk
Tel.No./Ffôn: 01633 644725
Fax/Ffacs: 01633 644725
Email/Ebost:
Our Ref:/Ein Cyf: HED/**T23**
Your Ref: Eich Cyf:
Date/Dyddiad : 25 November 2014

Dear Sir/Madam

I am writing to advise you that a sign bearing your identity has again been found illegally placed on street furniture or structures in Monmouthshire. I have reminded you in the past that it is an offence under section 132 of the Highways Act 1980 to erect such an object on the Council's equipment without consent. No permission has been given for this sign to be erected, so it is therefore being removed again by the Council.

I am passing the matter to the Council's solicitors, who will now instigate legal proceedings. Our costs will be recovered through the courts.

Yours faithfully

Glyn Edmunds
Highway and Waste Manager
Regeneration, Environment & Resources Directorate

The person dealing with this matter is:
Highway Enquiry Desk
Tel.No./Ffôn: 01633 644725
Fax/Ffacs: 01633 644725
Email/Ebost:

Our Ref:/Ein Cyf: HED/**T23**
Your Ref: Eich Cyf:
Date/Dyddiad : 25 November 2014

Dear Sir/Madam

Thank you for your recent request.

Permission to position signs at the locations described is given. The following criteria should be met:-

- Posters not to be fixed at or near junctions where they can distract drivers (shall need to be 30 metres or more from a junction)
- Posters not to be fixed at or near roundabouts where they can distract drivers (shall need to be 30 metres or more from a roundabout)
- Posters not to be fixed to pedestrian guardrails / furniture at crossing points
- Should be fixed on straight sections of road away from junctions if drivers are the target of sign.
- Can be attached to street lights or timber post and rail fence
- We cannot approve fixing to BT or Electric poles; these companies have been known to prosecute fly posting companies
- We cannot approve fixing to private fences or property.
- All posters to be removed soon after last event
- Soft fixings to be used with loose ends removed

Signs that are legal have received permission and are installed in accordance with the criteria above. All other signs are illegal, either because they were not given permission or have been erected incorrectly.



**APPLICATION : COMMERCIAL OBSTRUCTION IN THE HIGHWAY LICENCE
TYPE B : FIX A POSTER TO HIGHWAY FURNITURE**

Subject to section 132 of the Highway Act 1980

Posting organisations are reminded that permission granted is subject to the full posting policy of Monmouthshire County Council. (copies available on request.) In particular, posters and signs must not a) cause offence, b) cause a traffic hazard or safety issue, c) damage street furniture by their presence, or d) compromise safety if fixed street furniture. They must be of accepted quality and size. Poster cannot be erected more than 15 days before an event, and must be removed immediately afterwards. An event to which the application applies must occur within the boundaries of Monmouthshire.

I wish to apply for permission to erect a poster(s) fixed to highways furniture in Monmouthshire

My organisation.....

Responsible representative :.....Signature :.....

Email Address :.....Tel No. :.....

Postal Address :.....

Are you a charity :

You are not allowed to advertise, seek support of Community Council or permission refused

Charity Nos.:.....

Event(s) promoted :.....

Public liability insurers :.....Policy expiry date :.....

Size of poster(s) :.....Total number of posters :.....
.....

Event dates(s) :.....Will there be repeat events :.....

Signs to be fixed to :.....

Location(s) :.....
.....

Official use : Permission :

Given : please refer to Attachment 5 detailing criteria :

send attachment 5 with comments

Refused : please give reasons in comments :

send attachment 5 with comments

Referred to Area Engineer for comments :

Comments :.....
.....
.....

Signed :

Date :

Background

Picture

Monmouthshire County Council welcomes the promotion of voluntary activities taking place in its towns and in the countryside. This improves the range of activities on offer to citizens, and adds to the character of the area.

We need to balance the benefits with the need for a safe, clean and welcoming place for residents and visitors.

The Council has developed a fly-posting policy to reflect this balance. It shows how we manage the use of the public highway for the display of temporary posters.

This leaflet outlines the main parts of the policy and the limitations which apply to the erection of posters advertising events in Monmouthshire.

Generally, we prefer organisations not to advertise using signs on or near our roads. Such signs tend to generate a cluttered street scene and detract from highway safety, giving the impression of a neglected environment.

However, community groups, registered charities and not-for-profit organisations may be allowed to advertise on the public highway, subject to certain terms, a summary of which is found in this leaflet.

The Environment

We all want a better environment. We want it to be safe, clean, neat and well organised. That means a level of “good housekeeping” in our streets and verges. Strictly controlling the display of advertising material in public places helps to create areas we can be proud of, in which people can travel, shop and relax with comfort.

Picture of a street scene

Fly-posting

“Fly-posting” is the unauthorised display of advertising signs, posters and stickers in public places. It can make our streets look uninviting to visitors and shoppers. Old and damaged signs can cause a hazard to road users and make our environment unsightly.

Fly-posting gives an unfair advantage to those who trade from it. Clearing up after illegal fly-posting also costs money. This money is better spent on other functions.

We do not want unauthorised fly-posting on our roads, signs and structures. But we will permit a limited number of signs for a short while to help promote community events.

Action

The Council will act in the interest of its citizens. Our highway staff will act on any complaints about fly-posting. We will remove any unauthorised signs from our roads. Records are kept of these actions. Persistent offenders will be prosecuted.

The Advertisers

So, who can advertise on Monmouthshire’s roads? Applications from the following types of organisations will be considered:

- Registered charities
- Non-commercial organisations
- Public bodies

Advertisers such as developers, traders and political groups are not allowed to post notices on the public highway.

The Conditions

Posters on our roads must be:

- licensed by our Head of Highways
- of presentable quality
- erected for no longer than 15 days
- less than 3 miles from the event
- generally fewer than 20 posters per event
- removed within 24 hours of the event

Posters must not:

- Cause offence
- Cause a hazard to traffic or pedestrians
- Cause damage to street furniture

Recurring events may only advertise on the public highway. Those not meeting our terms risk losing the right to advertise, or in extreme cases, may be prosecuted.

Who to contact

Call in at the one stop shop for an application or phone one of our 4 ~~269~~ Stop-Shops, or email highways@monmouthshire.gov.uk to apply

The Law – (the small print)

It is illegal to display any advertisement without first getting the permission of the site owner, or a person who has legal powers to grant that permission. The Council has powers to grant permission.

The Highways Act 1980

Under section 132 of the Highway Act 1980 it is an offence for any person to paint, inscribe or affix any picture, letter, or sign on the surface of a Highway, any tree, or structure without the consent of the Highway Authority. If guilty of an offence the person can be liable to a fine of up to £1000, in the case of a second offence up to £2500.

Town and Country Planning Act 1990

Under section 224 of the Town and Country Planning act 1990 it is an offence for any person to display an advertisement in contravention of the regulations. The relevant legislation is contained in the Town and Country Planning (Control of Advertisements) Regulations 1992. Any person contravening the legislation is liable on summary conviction to a fine, currently not exceeding £2500, recently increased under the provision of the Anti-Social Behaviour Act 2003. In the case of a continuing offence, there is £250 added for each day on which the offence continues after conviction.

Anti-social behaviour act 2003

Sections 48 – 52 of the Anti-Social Behaviour Act 2003, as amended by the Clean Neighbourhoods and Environment Act 2005, enable the Authority to serve a ‘defacement removal notice’ on the owners, occupiers, operators (such as telecommunication companies) of ‘relevant surfaces’ whose property is defaced with graffiti and/or any fly posters.

How you can help

We want to know about illegal fly-posting. Our One-Stop-Shops located in, Monmouth, Chepstow Caldicot and Abergavenny will be pleased to hear from you. You can call in or phone these numbers:

Monmouth: 01600 - 775200

(Whitecross Street)

Chepstow: 01291 - 635700

(Steep Street)

Caldicot: 01291 - 426400

(Woodstock Way)

Abergavenny: 01873 - 735800

(Cross Street)

Or email us at:

highways@monmouthshire.gov.uk

Tell us exactly when and where you saw the problem and the name of the organisation or the event advertised, and we will do the rest.

We will treat your approach confidentially, and will aim to remove unauthorised signs quickly and safely.

If you think a sign does not meet our strict guidelines, it is probably illegal. Help us to make Monmouthshire a better place for our citizens and visitors.

Report that Fly-poster!

*A guide to using posters
in public places*

*Canllawiau ar gyfer defnyddio
posteri mewn mannau cyhoeddus*

MONMOUTHSHIRE COUNTY COUNCIL

COMMERCIAL PROVISION POLICY

1. Introduction

1.1 Commercial activities can help form part of a vibrant street scene. This policy aims to help coordinate, reduce the risks involved and provide a system that can be managed and readily understood. The policy makes provision for an annual licencing fee, and a one off licence charge to cover the administration costs.

1.2. What is a Commercial Provision?

Commercial Provisions' are defined as, for profit, business or non-charitable organisation's activities provided to improve the business and contribute to Highway Street scene. They can include the following activities, or activities of a similar nature.:-

- (i) Café Tables and chairs
- (ii) Tables and benches
- (iii) Sale rails, sale displays, furniture and items of a temporary nature
- (iv) The provision and licensing of street markets will remain with Area Services Officers who currently organise and charge market stall holders for their events

1.3 The problems of Commercial Provision

These provisions, because they are unmanaged, create unnecessary risks and hazards to highway users. A single system aimed at approving and registering these provisions will allow Monmouthshire County Council to ensure its duty to 'assert and protect the rights of the public to the use and enjoyment of any highway'. The agreement, which would include a plan and notes to confirm approval will further improve Monmouthshire County Council's management of the risk.

1.4 Legislation

- (i) Under section 130 of the Highway Act 1980 (1) it is the Duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste which forms part of the it.
- (ii) Under section 149 of the Highway Act 1980 (1) if anything is so deposited on a highway as to constitute a nuisance, the highway authority for the highway may by notice require the person who deposited it there to remove it forthwith.....
- (iii) Under section 149 of the Highway Act 1980 (2) if the highway authority for any highway have reasonable grounds for considering –
 - a. That anything unlawfully deposited on the highway constitutes a danger.....to the users of the highway, and
 - b. That the thing in question ought to be removed without the delay involved in giving notice.....
Under this section, the authority may remove the thing forthwith
- (iv) Under section 115F of the Highway Act 1980. The power to impose conditions on permissions under section 115E, a council may grant a permission under section 115E above upon such conditions as they think fit,

including conditions requiring the payment to the council of such reasonable charges as they may determine

2. Methods of Prevention

The Council aims to prevent illegal Commercial Provision at source. Applications are normally made to Monmouthshire County Council at an early stage and by guiding applicants through this process will provide the prevention method. By circulating the new policy to all businesses / business forums, either at consultation or implementation stage it will again provide a degree of prevention.

2.1 Highway activity

The Highway Operations Department have a high activity in this area. Intervention through education with written and oral guidance have only limited success.

2.2 General

This Authority is committed to helping and engaging the community when requested. No formal approach exists and applications are treated on personal experience and not through official guidance.

3. Our Approach

3.1 This Authority recognises the need, and the desire, for Local Community provision. It does not therefore seek a 'zero tolerance' approach, recognising the difficulties this would present to charitable and community groups, Business, statutory bodies and others.

3.2 Any complaints regarding commercial provision will in the first instance be recorded at our One Stop Shops. A 'process map' outlining the procedure for dealing with commercial provision is provided in Attachment 1. Staff at the OSS's will be updated to reflect recent changes in both legislation and personnel (notably in Highways). Highways would be the first point of reference for any commercial provision complaints, referring to colleagues in other teams where the situation demands – as outlined in Section 2 above. The 'one point of reference' will allow the Authority to measure numbers of complaints, any trends, and our effectiveness.

3.3 It is the view of Officers in Highways that they deal with their elements of existing legislation, because of their professional and competent approach. This policy will allow Highway Engineers to manage and determine compliance with the Highways Act provisions with more confidence. Better joint working, with improved communication, between those teams who maintain open spaces will help ensure acceptance throughout the organisation. For example, a provision request made to the Highway Department on a Public Right of Way can be relayed to Countryside directly with an understanding that they will manage any provision.

3.4 Retrospective applications will be pursued.

3.5 Highways staff, in the interests of clarity, will adopt the following prescribed approach:

Any Organisations are permitted to apply under this provision, provided they :-

- do not cause offence
- do not cause a traffic or pedestrian hazard or safety issue in any way
- do not damage hardware by their presence
- are of presentable and safe in quality
- are maintained, where stipulated in the agreement, by the organisations concerned
- adequate free passage for pedestrians and vehicles is maintained

The following organisations are expressly not permitted to erect signs:

- Party political organisations
- Companies with no fixed address
- Companies that do not comply with this policy in any way
- From time to time any company, business or organisation that may be deemed or their display may be deemed inappropriate for any reason

3.6 Approved organisations who fail to observe the Council's conditions may have their permit withdrawn and may risk prosecution.

4. Outcomes

4.1 The outcome sought is to ensure a quick and effective response to requests. By consistent recording of requests and successful applications, working together better with early intervention, resolution and enforcement of problems will limit the current confusion.

4.2 Officers involved with the policy will ensure all relevant Officers, including One Stop Shop staff, are aware of the content of this policy and monitor compliances, to update their procedures and provide some training.

4.3 The policy will be reviewed every 12 months to determine whether it assists in reducing fly posting in Monmouthshire.

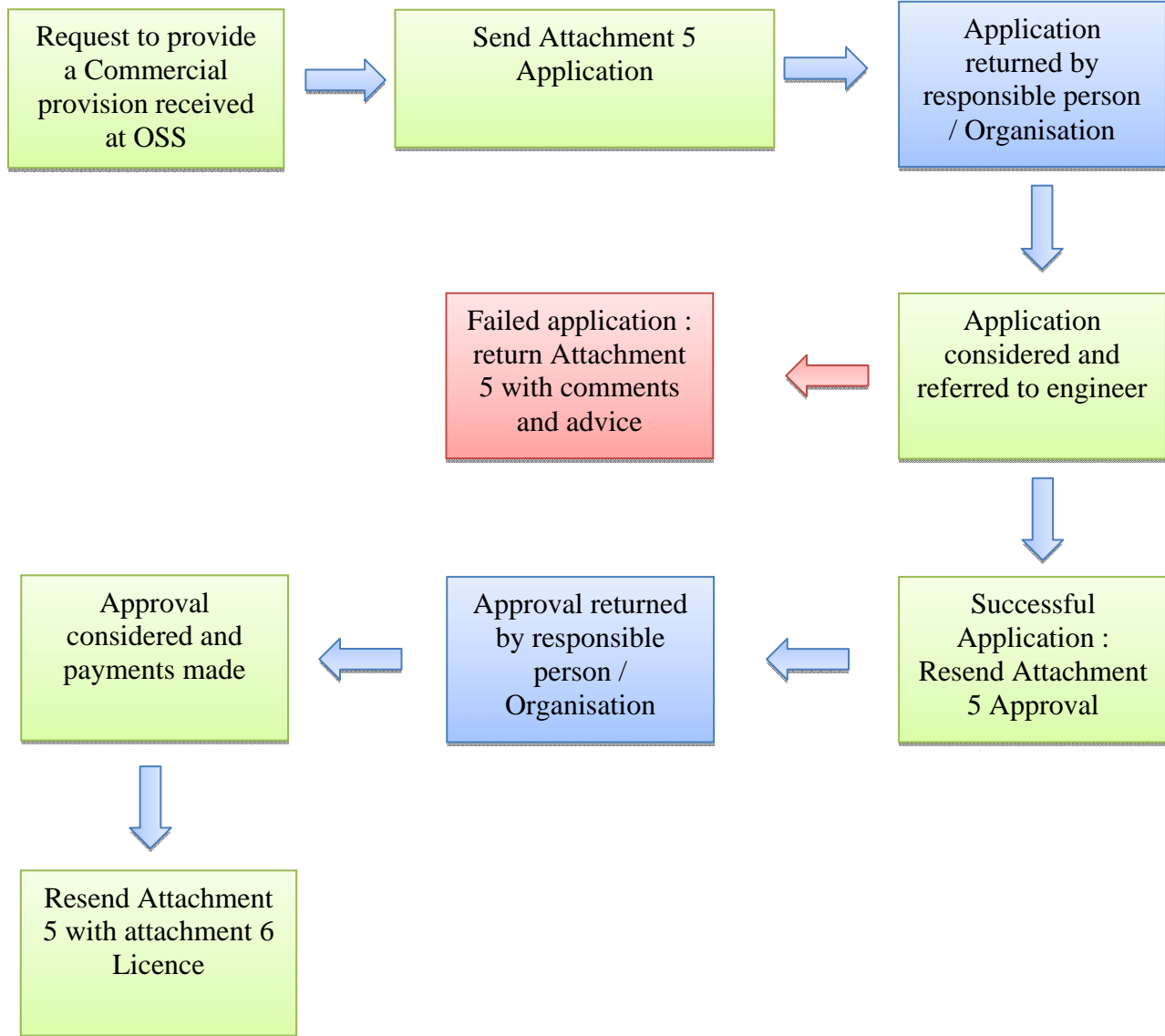
5. Report Contributors

6. Report Authors –

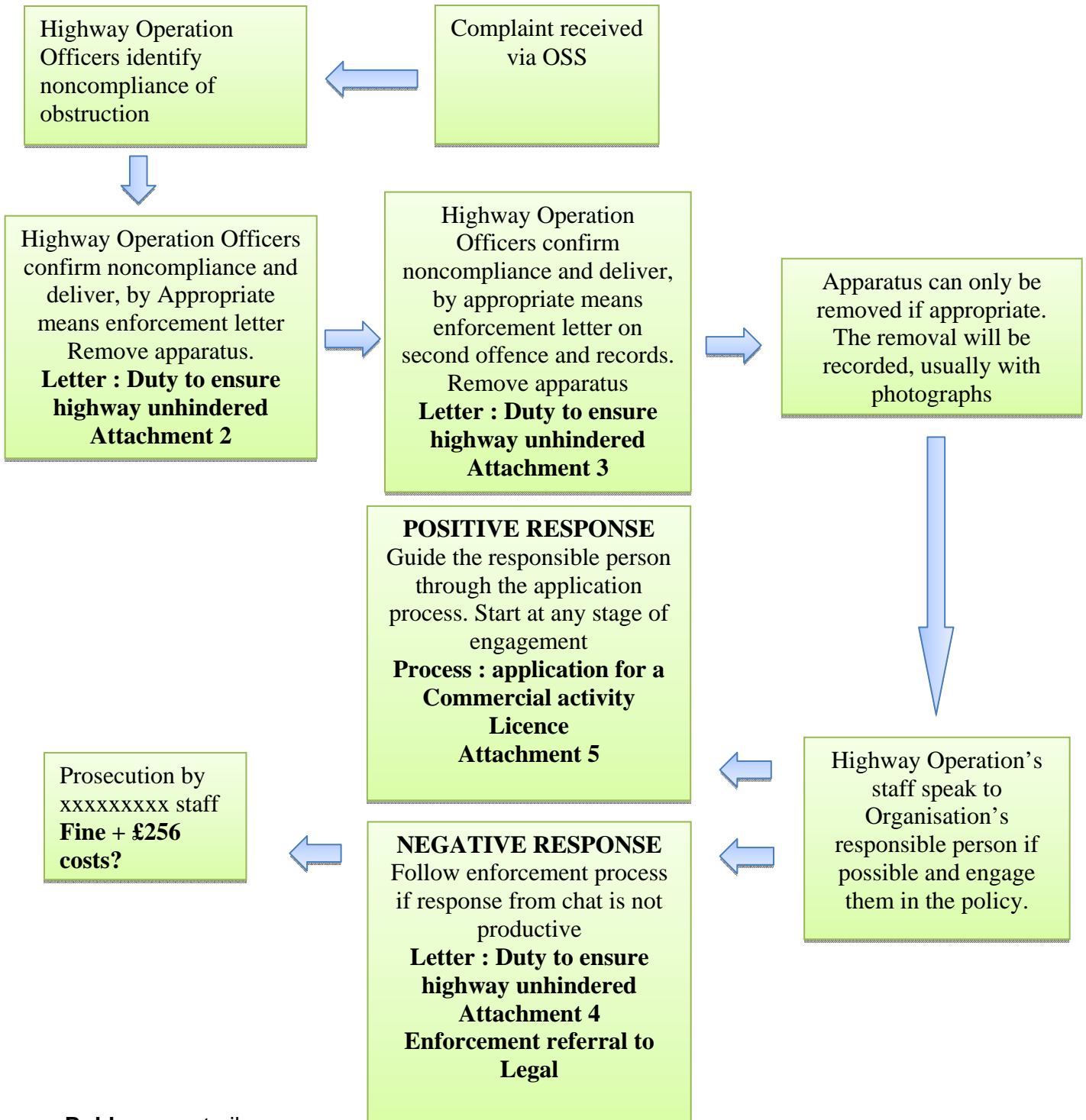
Monmouthshire County Council, Highways Operations

Attachment 1

LICENCE FLOW



ENFORCEMENT FLOW



Bold = paper trail
Oss = one stop shop / call centre

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Our Ref:/Ein Cyf: HED/ **T21**

Your Ref: *Eich Cyf*:

Date/Dyddiad :

Dear Sir/Madam

Highway Act 1980 Section 130 : Duty to ensure Highway is unhindered

I am writing to advise you that apparatus, we believe belongs to you or bears your identity has been found illegally placed on Highway in Monmouthshire. It is an offence under section 149 of the Highways Act 1980 to erect such an object on the highway. No permission has been given for this apparatus to be placed on the highway, so it is therefore being removed by the Council.

Monmouthshire County Council have a policy that allows organisations, who meet the local needs, to install apparatus in the Highway. Some fees are required to do so but should you wish to make an application please do so by contacting your local One Stop Shop or calling 01633 644725.

Yours faithfully

Glyn Edmunds
Highway and Waste Manager
Regeneration, Environment & Resources Directorate

The person dealing with this matter is:
Highway Enquiry Desk
Tel.No./Ffôn: 01633 644725
Fax/Ffacs: 01633 644725
Email/Ebost:
Our Ref:/Ein Cyf: HED/**T22**
Your Ref: *Eich Cyf*:
Date/Dyddiad : 25 November 2014

Dear Sir/Madam

Highway Act 1980 Section 130 : Duty to ensure Highway is unhindered

I am writing to advise you that apparatus, we believe belongs to you or bears your identity has been found illegally placed on Highway in Monmouthshire. I must remind you that it is an offence under section 149 of the Highways Act 1980 to erect such an object on the highway without consent. No permission has been given for this apparatus to be erected, so it is therefore being removed again by the Council.

Your co-operation in refraining from the activity will be appreciated, as we prefer such matters not to escalate to a prosecution. Court action is not in the interests of either party, and the courts generally favour the local authority in such cases.

You should be aware that it is the policy of the Council to prosecute people who repeatedly obstruct the highway. No further warnings will be issued to you on this matter.

Monmouthshire County Council have a policy that allows organisations, who meet the local needs, to install apparatus in the Highway. Some fees are required to do so. You should ensure, if you wish to persist with these obstructions, to make an application please do so by contacting your local One Stop Shop or calling 01633 644725.

Yours faithfully

Glyn Edmunds
Highway and Waste Manager
Regeneration, Environment & Resources Directorate

The person dealing with this matter is:
Highway Enquiry Desk
Tel.No./Ffôn: 01633 644725
Fax/Ffacs: 01633 644725
Email/Ebost:
Our Ref:/Ein Cyf: HED/**T23**
Your Ref: *Eich Cyf*:
Date/Dyddiad : 25 November 2014

Dear Sir/Madam

Highway Act 1980 Section 130 : Duty to ensure Highway is unhindered

I am writing to advise you that apparatus, we believe belongs to you or bears your identity has been found illegally placed on Highway in Monmouthshire. I have reminded you in the past that it is an offence under section 149 of the Highways Act 1980 to erect such an object on the highway without consent. No permission has been given for this apparatus to be erected, so it is therefore being removed again by the Council.

I am passing the matter to the Council's solicitors, who will now instigate legal proceedings. Our costs will be recovered through the courts.

Yours faithfully

Glyn Edmunds
Highway and Waste Manager
Regeneration, Environment & Resources Directorate



**APPLICATION : COMMERCIAL OBSTRUCTION IN THE HIGHWAY LICENCE
TYPE E : COMMERCIAL ACTIVITY PROVISION IN HIGHWAY**
Subject to section 115F of the Highway Act 1980

Agreement by both parties, to this arrangement, will require the payment of a one off approval fee and an annual licence fee to Monmouthshire County Council
These fees are : One Off approval fee of £125 on successful application / agreement. Annual licence : less than 6m2 = £120 or 6m2 to less than 12m2 = £240 or 12m2 to 18m2 = £360.

Organisations are reminded that permission granted is subject to the full policy of Monmouthshire County Council. (copies available on request.) In particular, all proposed activity must not a) cause offence, b) Cause a traffic hazard or safety issue, c) damage street furniture by their presence, d) compromise safety if a permanent feature. A project must be of accepted quality and be appropriate, or f) Will remove the provision immediately on the request of a Police officer, a member of the Emergency services or an Officer of Monmouthshire County Council.
I wish to apply for permission to use the Public Highway in Monmouthshire

My organisation.....

Responsible representative :.....Signature :.....

Email Address :.....Tel No. :.....

Postal Address :.....

Is the proposal adjacent to your premises : you may not be able to use the public highway, unless safe. continue with application

continue with application

Proposal : Supply detail drawings / plans / specification as required

.....
.....
.....
.....

Public liability insurers :.....Policy expiry date :.....

Duration :.....

Is this a permanent feature :.....

Location : Please supply detail plan and design as required for clarity.....

.....
.....
.....



Official use : Permission : Reference :

Given : please refer to Attachment 5 detailing criteria : Yes send attachment 5 with comments

Refused : please give reasons in comments : Yes . send attachment 5 with comments

Referred to Area Engineer for comments : Yes No

Area approved from plan	Less than 6m2 £120 annual fee	6m2 to less than 12m2 £240 annual fee	12m2 to 18m2 £360 annual fee
-------------------------	----------------------------------	--	---------------------------------

Comments / Stipulations to licence :...include drawings and specifications that will form agreement.....

Signed Engineer :	Date :
-------------------	--------

Completed by Applicant: To be completed by the responsible Person, of the business, on successful agreement to undertake the Commercial Provision.

Please return, with payments, to allow the issue of a Licence.. Please note that the comment / stipulations made above will form part of the licence. Failure to comply with the Licence will require the removal of the provision.

Please find enclosed Payments as prescribed below. I understand that (a) I will need to ensure that I comply with the Guidance, employ a suitable a management regime, and in particular (b) I will ensure that my Public Liability Insurance is maintained and my Organisation will remain covered, and Monmouthshire County Council will be indemnified for the whole duration of the Licence, (c) I will ensure the Provision does not cause a hazard or safety issue. Please call 01633 644725 to arrange payment

£125 application and approval fee, one off payment per application

£..... licence fee as detailed above and appropriate to below, e.g. :-

- (v) Café Tables and chairs
- (vi) Tables and benches
- (vii) Sale rails, sale displays, furniture and items of a temporary nature
- (viii) The provision and licensing of street markets will remain with Area Services Officers who currently organise and charge market stall holders for their events

Date Licence to commence :

I understand that this document will form the Licence only when signed and dated below by Officer of Monmouthshire County Council. The licence will be displayed in a prominent place accessible by the Public and Monmouthshire County Council Officers and within sight of the Commercial provision.

Signed : Responsible representative : (As application above).....

Signature : Date :



LICENCE FOR COMMERCIAL ACTIVITY SECTION 115F

Reference :

Official use : The Licence in force when : This document and applicable stipulation / drawings received and

Approval fees paid

Licence Agreed

PLAN

Signed : Date :
Licence to place Provision within the Area defined above and agreement until,
DATE.....

Should you wish to enquire, or have concerns, about the provision detailed in the agreement above please contact Monmouthshire County Council via your local One Stop Shop or Highways@monmouthshire.gov.uk

MONMOUTHSHIRE COUNTY COUNCIL

STATIC ADVERTISING POLICY– Rental of advertising space made available by Monmouthshire County Council

1. Introduction

1.1 Advertising on and around the Public Highway can degrade the local 'street scene' and can contribute to an impression of urban decay. There is an on-going concern regarding illegal advertising signs positioned throughout the County. There is a need to control advertising signs through education and enforcement, in a consistent and safe method in Monmouthshire.

1.2 What is Static Advertising

Static Advertising is the new provision of sites adjacent to the Carriageway that can be made available for the advertisement of Local Business. These sites would typically consist of a single or double sign face, fixed to two posts that display an advert for a company. Initially they will be located in verges along sections of straight roads that will be installed by Monmouthshire County Council.

1.3 The problems associated with Static Advertising in the form of advertising signs on the Public Highway?

Monmouthshire County Council's Flyposter Policy currently covers this area and is not suitable for purpose. It causes confusion for Business who see Charitable and Community events being allowed to install displays. These businesses want to, but cannot, find any opportunity to advertise in public areas. This policy will enable a company to advertise legitimately while maintaining a standard, and it will allow revenue to be gathered through management in a proactive way.

1.4 Legislation

- (i) Under section 130 of the Highway Act 1980 (1) it is the Duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste which forms part of the it.
- (ii) Under section 132 of the Highways Act 1980 (1) A person who, without either the consent of the highway authority for the highway in question or an authorisation given by or under enactment or reasonable excuse, paints or otherwise inscribes or affixes any picture, letter, sign or other

mark upon the surface of a highway or upon any tree, structure or works on or in a highway is guilty of an offence and liable to a fine, increasing on a second or subsequent conviction.

- (iii) Under section 149 of the Highway Act 1980 (2) if the highway authority for any highway have reasonable grounds for considering –
 - a. That anything unlawfully deposited on the highway constitutes a danger.....to the users of the highway, and
 - b. That the thing in question ought to be removed without the delay involved in giving notice..... Under this section, the authority may remove the thing forthwith.

2. Methods of Prevention

The Council aims to prevent infringement, and so protect legitimate Business, by enforcing the removal of any Commercial advert on the Public Highway that is placed without lawful authority or excuse.

2.1 Highways activity

The Authority's Highways division has an existing policy that covers their activities around controlling related advertising. Fly posters and advertising on their property.

'Control of Goods Displayed on the Public Highway' policy, adopted and effective from 1 April 2002. This covers aspects such as displaying of goods and advertising hoardings on public footways. The intention is to ensure a consistent approach, to ensure Highways Officers are clear when endeavouring to determine whether an obstruction is acceptable or not. This policy covers issues such as obstruction, for example where 'A boards' may cause an obstacle for people with disabilities (including the visually impaired) and people with pushchairs to negotiate. There is also reference here to the Council not adopting a rigid ban on street advertising. The policy refers to 'trader's livelihoods could be damaged by the imposition of a rigid ban. Some displays are considered to add colour and vibrancy to the street scene of our towns and are an accepted component of some retail businesses'.

It should be noted the policy was agreed following extensive consultation with the Town Councils covering Abergavenny, Monmouth, Chepstow, Caldicot and Usk, their respective Chambers of Commerce and CAIR (Monmouthshire Disablement association). Each trader potentially affected by the policy received a letter and background information prior to 1 April 2002.

It should be noted that this existing Fly Poster policy only allows enforcement against a business and not legitimate access to advertising opportunities.

2.2 Planning activity

The Planning Enforcement team have no specific policy regarding dealing with illegal / legal advertising and fly posting, but deal with all complaints received. Planning consent for such signs would not be sort since the signs will be 'Highway' signs in the Highway.

Advertising by companies away from the Highway or where Monmouthshire County Council makes no provision, under this policy, will dealt with under the normal Planning mechanism.

2.3 General

This Authority is also signed up to the 'Enforcement Concordat' which lays down national principles of good enforcement. This includes reference to being open about our approach to enforcement, being helpful, proportionate and consistent. The Authority awaits further guidance from the newly formed Local Better Regulation Office regarding a new 'compliance code' which will outline similar enforcement principles.

Highway undertake regular, low level, enforcement against those who obstruct the public highway for Commercial benefit. This would typically be unauthorised advertising signs erected in and around the public highway such as on verges, highway fences and street furniture. This enforcement is carried out under the Highway Act 1980 section 132 and 149, it currently exceeds 80 occasions a year and continues to be a drain on resources. This aspect will be dealt with under the 'Fly Poster' policy.

3. Our Approach

- 3.1 This Authority recognises and supports the need and indeed the desire of Business to use the public Highway as opportunity to increase revenue through sales and advertising. However the Authority must adopt and manage a robust policy to ensure that the public and the Authority have adequate safeguards. This policy would cover the various occasions when a Business wants to use the Public Highway for reason of benefit to that company, effectively controlling static advertising signs near the highway.
- 3.2 In return for the use of this opportunity a Business will pay MCC a 'Static advertising' fee. This fee will be in the form of a 12 or 24 month agreement. Attachment 3 shows typical contract
- 3.3 in order to maximise the revenue from each opportunity, to reduce MCC's resource requirement and to provide a central contact, a partnership agreement with an experienced company, that can provide the correct focus, will be sort. Attachment 2 shows process.
- 3.4 Any complaints / enquires regarding Static Advertising on the Highway will in the first instance be recorded at our One Stop Shops. Highways would be the first point of reference for any Static Advertising on the highway complaints, referring to colleagues in other teams where the situation demands – as

outlined in Section 2 above. The 'one point of reference' will allow the Authority to measure numbers of complaints, any trends, and our effectiveness.

- 3.5 Unapproved Static Advertisements will be removed by the Highways Operations Department and the business/organiser warned of the consequences by letter. Repeat offenders will be referred to our Legal Services Section by a Planning Enforcement officer, with a view to prosecute. This process is outlined under the current Fly Poster Policy. Our staged approach to action will be by way of the staged letters. Attachment 1.
- 3.6 Highways staff, in the interest of safety and clarity, will consider each site individually when determining its suitability for advertising signage. However, it is possible to set certain criterion that is relevant to all highway verge site locations, which must be followed regarding each advertising sign:
- The sign must include minimal information, and be pre-approved by MCC. Information may include company logo, name, web site, address, along with basic information regarding the business.
 - The sign must be at least 600mm from the carriageway edge, this increasing to 1200mm on high-speed roads.
 - Signs must not be installed at or near junctions where they can distract drivers (signs must be at least 30m from a junction)
 - Signs must not be installed at or near roundabouts where they can distract drivers (signs must be at least 30m from a roundabout)
 - Signs must be installed on straight sections of road, away from bends and where visibility sight lines are required height restrictions allow a maximum sign height of 1050mm above the carriageway
 - Signs must be installed on Monmouthshire County Council Highway adopted and maintainable land
 - Signs must be installed by MCC Highways trained operatives to ensure compliance with all Health and Safety requirements (sign face alterations maybe carried out by an approved company business or sign manufacturer subject to MCC approval)
 - If on installation, a sign becomes continually damaged (by any means such as vandalism, vehicle damage etc), then the site may be deemed inappropriate and the contract discontinued
 - MCC operatives will carry out any routine maintenance of the signs such as cleaning.

- Sign post sites must only contain 2 signs (one sign facing in each direction), this will ensure only small amounts of information are available to road users, so as not to cause a distraction.

3.7 Approved Advertising

We will not accept advertising of a racial, religious or political nature or any advertising which may be construed as offering services of a sexual nature. We will not accept advertisements from gambling organisations, manufacturers of tobacco or alcohol products. We will not permit advertising which we may reasonably consider to be objectionable. All advertisements will strictly adhere to the British Code of Advertising Standards Authority or any code of advertising practice that may supersede the same. Where advertisers are unsure or in doubt about the policy, they may seek guidance from Monmouthshire County Council Highways Operations Department.

- 3.8 To assist organisations and businesses determine what may be acceptable, and what specifically is not, a guidance leaflet is available - Attachment 5.

4. Outcomes

- 4.1 The outcome sought is to ensure adequate opportunities exist, for the business need, to access good quality, local and affordable advertising methods. Quick and effective response to illegal obstructions. By consistent recording of incidents, working together better with early intervention, problems associated with unauthorised advertising will be reduced.
- 4.2 Officers involved with the policy will ensure all relevant Officers, including One Stop Shop staff, are aware of the content of this policy and monitor compliances, to update their procedures and provide some training on the concept of Static Advertising.
- 4.3 The policy will be reviewed after 12 months to ensure that the Static Advertising scheme is running effectively, and identify any necessary amendments.

5. Report Contributors

Steve Lane, Ryan Pritchard, Roger Hoggins

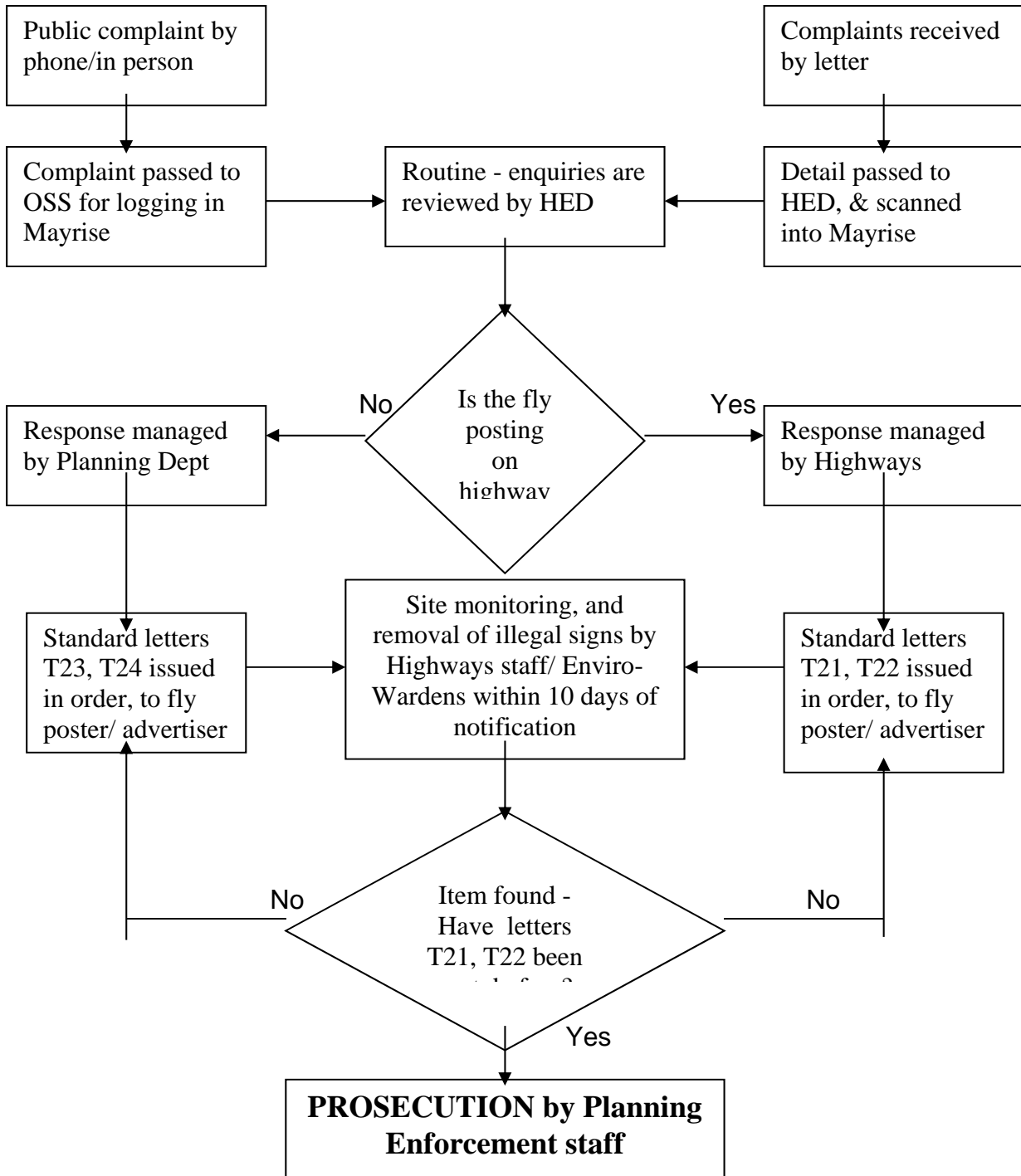
6. Report Authors –

Steve Lane, Ryan Pritchard

ATTACHMENT 1

Enforcement process as Fly Poster Policy

Process Flowchart for Static advertising / Fly posting complaints



Notes:

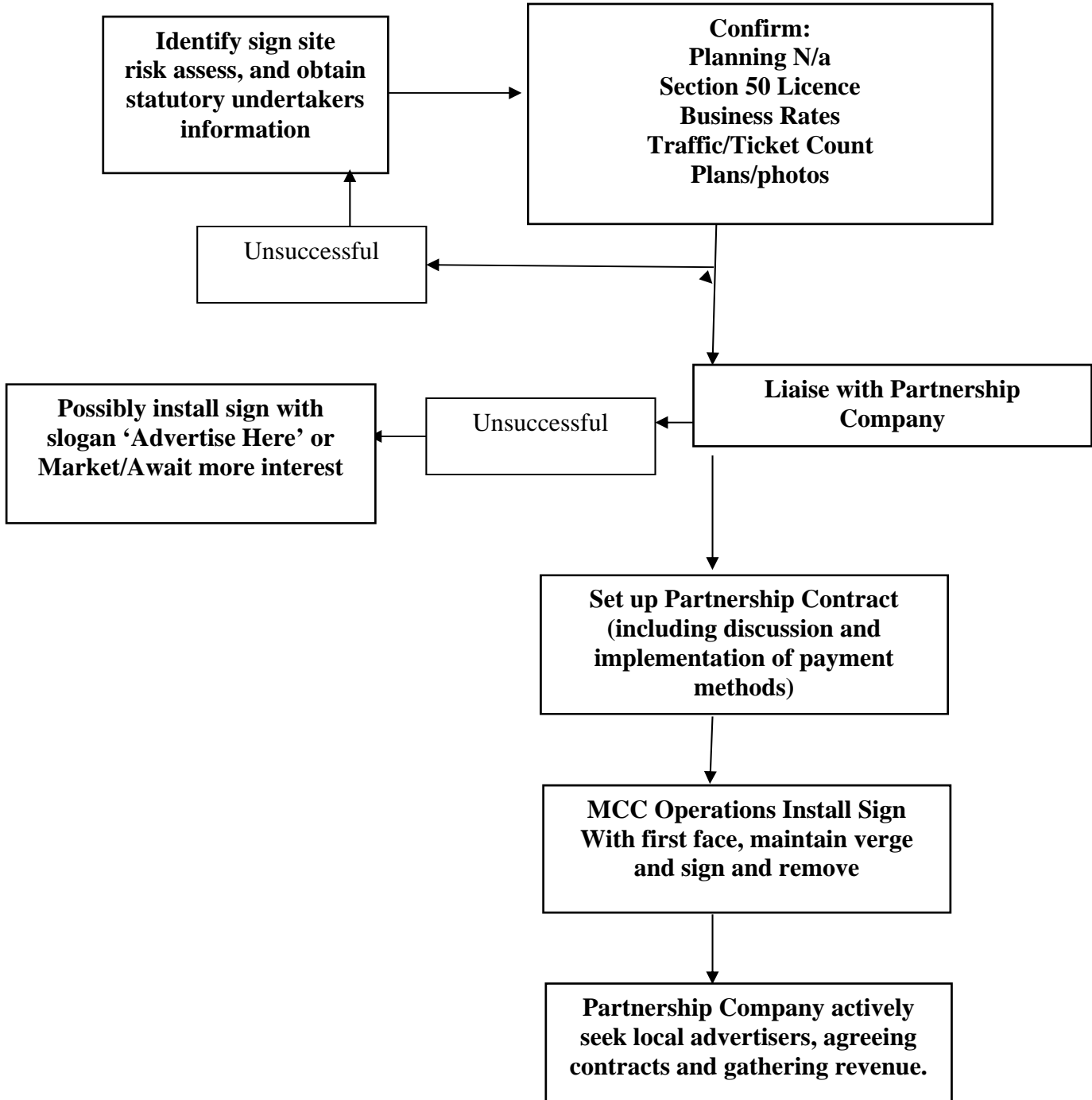
Mayrise = Highways enquiry system

HED = Highways Enquiry Desk

OSS = One Stop Shop

ATTACHMENT 2

Flow Chart showing procedure for Advertising sign management:



APPENDIX 3

Typical contract between Partnership and advertiser



Advertising Sign Agreement

THIS LICENCE is made on the (date) _____ **BETWEEN Monmouthshire County Council** of County Hall Democratic Centre, Rhadyr, Llanbadoc, Usk NP15 1GA ("the Council" or "the Licensor") and

[Name of Advertising Company] _____ of

[address of Advertising Company] _____ ("the Licensee") of the other part

IT IS AGREED:

1. (1) In consideration of the Licence Fee hereinafter mentioned the Council in pursuance of Section 50 of the New Roads and Street Works Act 1991 permits and licences the Licensee subject to the conditions of this Licence to retain the apparatus detailed in the Schedule ("the Advertising Signs") at the location specified in the Schedule.

(2) This Licence shall commence on [date] _____ i.e. the day the sign/signs are installed at the specified location and shall continue for a period of three years thereafter unless terminated earlier in accordance with the terms of this Licence. For the avoidance of doubt, this license is granted for a minimum period of one year (see 2.6).

(3) For the avoidance of doubt nothing contained in this Licence shall authorise the Licensee to use the airspace around within and above the Advertising Sign/Signs or to place any other advertising material equipment or other fixtures and fittings to or on the Sign/Signs or the site location.

2. The Licensee and the Council agree that the following conditions apply to this Licence:-

2.1 Payment of Licence Fee and Outgoings

The Licensee agrees to pay in each year of the Licence the Licence Fee of £ _____ plus VAT. A 20% non-refundable deposit to be paid at time of signing the License agreement, the remaining balance payable on the date of commencement of the License or in equal monthly instalments, the first instalment / payment being due 1 month from the date of commencement of the License .

2.2 Damaged Advertising Signs

In the event that the Sign/Signs become damaged by traffic accidents or are vandalised, the Council will arrange for replacement of the Advertising Signs on the first two occasions during the contract period. After this, at the Council's discretion, the license may be terminated as this site would be deemed unsuitable for roundabout sponsorship. (see 2.7.2)

2.3 Change of details for Advertising Signs

In the event of the Licensee changing its name or logo, the Licensee can apply in writing to the Council for consent for a new Advertising Sign reflecting the revised details. The change of Advertising Signs will be subject to such reasonable conditions as the Council may impose and a further fee will be payable.

2.5 Installation of Advertising Signs

Any installation and maintenance of Advertising Sign/Signs required under this Licence will be carried out by the Council, unless otherwise agreed by the Council.

2.6 Termination by the Licensee

If the Licensee no longer wishes to retain the Advertising Sign/Signs in place or wishes to terminate this Licence, the Licensee must give no less than three months written notice to the Council. This notice period is a statutory requirement and the Council cannot accept a shorter notice period.

Termination at any time throughout the period of this Licence will mean that the Licence Fee in respect of that year is still payable and if already paid will not be refunded. However, the Licensee will not be required to pay the Licence Fees due in respect of subsequent years.

2.7 Termination by the Council

2.7.1 The Council may by no less than 7 days notice in writing served on the Licensee terminate this Licence if:-

- a) the Licensee fails to comply with any provision of this Licence or the relevant part of the New Roads and Street Works Act 1991, or
- b) the Council is or becomes aware that the Licensee has parted with / sold its interest in the Sign/Signs.
- c) the Licensee is in circumstances which entitle the Court or a creditor to appoint, or have appointed a, receiver, manager, or administrative receiver, or which entitle the Court to make a winding-up order.
- d) the Licensee is in arrears for 14 days with any payment due under the terms of this license.

In the event of the Licence being terminated as above, the Licensee shall not be entitled to any refund of the Licence Fee paid. The Licensee will be required to pay any arrears of any payments due under this license which have not been paid in full.

2.7.2 The Council may by no less than 7 days notice in writing served on the Licensee terminate this Licence if the Council considers that the withdrawal of the Licence is necessary for the purpose of the exercise of their functions as a street authority or is otherwise necessary in the best interests of the Council.

2.8 Removal of Advertising Signs

Where this Licence is terminated or expires, the Council will remove the Advertising Sign/Signs to which this Licence relates. In the interests of safety, removal of the Advertising Sign/Signs by the Licensee is not permitted. Once removed, the Advertising Sign/Signs will be retained by the Council.

2.9 Assignment of the Licence

Assignment of the Licence by the Licensee is not permitted. If the Licensee does not wish to continue with the Advertising Sign/Signs, then notification to terminate this Licence must be given to the Council under the provisions of clause 2.6.

2.10 Statutory Obligations

The Licensee is required to comply with the requirements of Section 50 and Schedule 3 of the New Roads and Street Works Act 1991 in relation to this Licence.

2.12 Variations

Variations to this Licence will only be effective if in writing and signed by both the Council and the Licensee. However, extensions to the time period of this Licence to reflect any periods when the Advertising Sign/Signs are being replaced under the provisions of clause 2.2 shall be valid if in writing and signed on behalf of the Council. All such extensions shall be at the discretion of the Council. For the avoidance of doubt, unless otherwise expressly agreed in writing between the Licensee and the Council, no further Licence Fee shall be payable in respect of such extensions to the Licence period.

2.13 Service of Notices

Any notice under this Licence and any request for consent or approval may be served personally or by letter addressed in the case of the Council to the Council's Head of Highways and Waste, Regeneration and Culture, Monmouthshire County Council, County Hall Democratic Centre, Rhadyr, Llanbadoc, Usk NP15 1GA (or such other address as the Council may notify to the Licensee) and in the case of the Licensee at their registered office or place or business. Any notice so given by letter shall be deemed to have been served three business days after the same shall have been posted

3. PROVIDED ALWAYS and it is hereby agreed that:-

3.1 This Licence shall not operate as any consent or authority other than pursuant to Section 50 of the New Roads and Street Works Act 1991.

3.2 Any reference herein to any legislative provision shall be deemed to include a reference to any subordinate legislation rule order relative thereto and any statutory modification or re-enactment for the time being in force.

IN WITNESS thereof this Licence is executed the day and year first before written

Signed for and on behalf of Monmouthshire County Council

by: _____

PRINT _____

Date _____

Signed for and on behalf of

[name of advertising company] _____

by: _____

PRINT _____

Date _____

SCHEDULE

"The Advertising Signs"

An Advertising Sign/Signs displaying the Monmouthshire County Council Logo, web address and the Licensee's agreed inclusions will be installed at the following location:

_____ as shown for the

purposes of identification illustrated on the attached plan.

STATIC ADVERTISING SIGNS-

APPENDIX 1 part 1

**ON MONMOUTHSHIRE COUNTY COUNCIL ADOPTED HIGHWAY VERGES AND OTHER
PRIME LOCATIONS**

Index

Executive Summary	Page 3 - 5
1.1 Background	Page 6-8
1.2 Cost of Sign Manufacture	Page 8
1.3 Sign Sizes	Page 8
1.4 Outlay Costs	Page 9
2.1 MCC Planning and Legal Input	Page 10-11
2.2 Insurance Liability/Cover	Page 11
2.3 Traffic and Development Input	Page 11
2.4 Risk Assessment	Page 12
2.5 Business Rates	Page 12-13
3.1 Approach of Businesses	Page 14
3.2 Traffic Counts and Car Park Ticket Sales	Page 14-15
3.3 Advertising Sign Values	Page 16 -18
4.1 Outlay, Income and Surplus in Year 1	Page 19
4.2 Outlay, Income and Surplus in 3 Year Contract Term	Page 20
5.1 Conclusion	Page 21
5.2 Progression	Page 21 -22
5.3 Flow Chart Showing Procedure for advertising Sign Placement	Page 23

Appendix 1 - Example sign face

Appendix 2 – Possible sign agreement

Appendix 3 – Example of one of the Possible Static Advertising Sign Locations and site photos for Chepstow

Executive Summary

The reports focus is the provision and erection of advertising signs displayed on the Monmouthshire County Council Adopted Highway and prime locations such as near pay stations within the car parks. The initial study concentrates on the Chepstow area of Monmouthshire as a sample location, exploring possible sites and detailing information regarding possible generation of revenue based on the concept and its findings.

The report demonstrates that the concept is viable, with the Policy effectively controlling static advertising signs near the highway and recover the cost associated with enforcement. A total of 40 possible sign locations at 13 different sites have been identified in and around key areas of Chepstow. Supplementary information concerning the scheme is contained within the Appendix.

The report conclusions are:

1. Table : indicates final summary of data and evidence gained from the detail report that follows, the figures are indicative of achievable figures with MCC acting as both management and operating team.

Trial Area : Chepstow	Service Provided by	Unit cost (per sign)	Yr1	Yr2	Yr3	Total	Notes
Income			-27,954	-27,954	-27,954	-83,862	Based on 55% of maximum occupancy figure of £50,825
Expenditure							
Sign Manufacture	?	185	2,960	0	0	3,145	
Sign Installation	MCC Operations	150	2,400	0	0	2,550	
Planning Consent	MCC Planning	330	5,280	0	0	5,610	
Business Rates	MCC Rates	150	2,400	2,400	2,400	7,350	
20% admin post (D)	MCC Employed		6,000	6,000	6,000	18,000	Administration post funded from advertising surpluses
Total Expenditure			16,140	8,400	8,400	36,655	
Surplus			-11,455	-22,095	-22,095	-47,207	
Less Contingency			2,000	2,000	2,000	6,000	Contingency : repairs, new sign faces, clean and maintain area
Net (Surplus)/Loss : Trial			-5,290	-15,930	-15,930	-41,207	TRIAL CHEPSTOW

A Net Surplus of £13,735 per annum can reasonably be expected from the trial area. 4 other areas in Monmouthshire can also be expected to replicate these returns (Abergavenny / Monmouth / Caldicot and Magor / Rural Monmouthshire). This would increase the average anticipated net surplus to £68,678.

Nb. Multi Signs £24,075 ((50%) £26,750-10%) + Single Signs £26,750 (50%) = £50,825 @ 55% occupancy

2. There is interest from a number of businesses on initial discussions concerning the scheme; St Pierre Hotel and Country Club are a primary interest. The scheme concept is at a stage of which a trial, at Chepstow can be initialised in the short term to develop the model.
3. The report has confirmed that the scheme could generate income for the authority to offset other highway section costs such as enforcement. Income rates for a 3 year contract period based on 40% occupancy are: Year 1 = £5k, Year 2 = £15k and Year 3 = £15k, giving a full contract income of £35k over the 3 years (**Each year a £2k contingency fund is taken out to cover issues such as replacement signs**).
4. There are costs associated with the scheme, to the Authority which includes business rates, installation of the signs, and Planning Consent where applicable. Certain costs differ each year as some allocations are not required. A breakdown of the sign values of 40% occupancy (16 signs sponsored) and its beneficiaries are shown in the tables below:

The table below shows the breakdown of £20,330 first year INCOME:

Allocated to	Value to each sign	Total value for 16 signs	Beneficiary
Sign manufacture	£185.00	£2960.00	Blitzmedia
Sign Installation	£150.00	£2,400.00	MCC Operations
Planning Consent	£330.00	£5,280.00	MCC Planning
Business Rates	£150.00	£2,400.00	MCC Rates
SURPLUS	£425.63	£6,810.00	MCC Operations

The table below shows the breakdown of £20,330 second year INCOME:

Allocated to	Value to each sign	Total value for 16 signs	Beneficiary
Sign manufacture	£0	£0	N/A
Sign Installation	£0	£0	N/A
Planning Consent	£0	£0	N/A
Business Rates	£150.00	£2,400.00	MCC Rates
SURPLUS	£425.63	£17,450.00	MCC

			Operations
--	--	--	------------

The table below shows the breakdown of £20,330 third year INCOME:

Allocated to	Value to each sign	Total value for 16 signs	Beneficiary
Sign manufacture	£0	£0	N/A
Sign Installation	£0	£0	N/A
Planning Consent	£0	£0	N/A
Business Rates	£150.00	£2,400.00	MCC Rates
SURPLUS	£425.63	£17,450.00	MCC Operations

There are also 2 important aspects to consider concerning the scheme:

1. In relation to staffing time and costs, a significant allocation will be required, which will develop if the scheme moves throughout the whole county. It is difficult at this stage to exactly predict this allocation, however, it may be reasonable to assume that a full time post may be required within a few years time in order to manage the scheme and look at other alternatives in the future. This notion is supported in that Torfaen CBC has an officer responsible for their roundabout sign scheme, and to explore other similar avenues. Therefore, we can assume that in year 3 of the scheme, progression of the scheme will result in the need of allocation of a full time officer with an estimated salary of Scp Pay Band F (25-29) giving a cost to the Authority of approximately £30k.
2. Further exploration is required in relation to VAT of the sign values, and the need to pay this rate on the income gathered from the signs. As VAT standard rate is 20%, this will reduce the surplus predicted. The author will further explore the need and impact of VAT on the scheme, although currently it must be assumed that 20% will be deducted as VAT.

1.1 Background

Advertising on and around the Public Highway is an ongoing issue for both the Highway Operations and Planning Departments of Monmouthshire County Council. In order to address this issue, and work with businesses in the process, the proposal is to allow some form of advertising under a scheme. This scheme will then produce a surplus for the Council.

The author has researched a number of different avenues that can be explored in terms of sponsorship methods that are being utilised by Councils throughout Britain, the main methods include:

- ROUNDABOUT SIGNING(inc floral beds)
- VEHICLES(recycling vehicles, lorries, vans, etc)
- STREET FURNITURE (dog bins, grit bins, benches etc)
- FLOWER PLANTERS
- LAMP POST BANNERS/FLAGS
- POSTER/BANNER SITES
- OTHER VARIATIONS: Gateway signage/features, refuse bags

It is clear that advertising is a vast area which may develop and expand into a number of the different areas if appropriate for MCC in the future. As a starting point for MCC this report will concentrate on the use of advertising signs, exploring aspects including costs, installation, legislation, planning, business rates etc.

As a trial location, the report will focus in and around Chepstow. The author has explored various signing options, some examples from one of MCC Operations main suppliers (Broxap) are shown below:



Display Board

PORTRAIT

These boards feature a mounting frame and a permanent display board to take graphics (supplied by others)...

[Learn More](#)

From: **£1,650.00**



Display Board

LANDSCAPE

Ideal for permanent graphics (supplied by others) such as tourist information...

[Learn More](#)

1. From: **£2,280.00**

Signage Columns



Standard Signage Column

BX 2410

This is produced by the addition of a steel bracket that holds a steel basket suspended on chains to create a hanging fe...

[Learn More](#)

From: **£750.00**



Stockport Column

BX 901-RT

Based on our most popular Manchester Bollard this column enhances any city centre....

1. From: **£675.00**

Although the above signs are appropriate for use within the 'old market style' towns of Monmouthshire, the prices show that they are very expensive options as the prices included are for purchasing standard options. Therefore it is advised to follow a more simple approach in terms of the signing, which will result in a more appealing venture for businesses as the sale prices will reflect this lower cost.

In order to produce this information the author has liaised closely with Torfaen County Borough Council and its advertising officer (Mrs Julia Miller) due to their experience and knowledge in running such schemes. Torfaen CBC operates an advertising scheme where they install the signs for businesses on many of the roundabouts throughout the county. However, as the report will highlight MCC will be considering signs for position solely on straight sections of road on the highway verge.

1.2 Cost of sign Manufacture

Blitzmedia (local company used by MCC) will charge approx. £185 for manufacture per sign including clips and posts. £75 extra if Blitz need to do the artwork for a sign.

1.3 Sign sizes

Above costing are for signs of 1200x600mm or 750x450mm, but size does not really matter as prices do not vary a great deal with size within reason. MCC envisage the signs to fall into parameters which vary depending on location e.g. rural (750x450) or urban (up to 1200x600), genre lay the size will be 750x450 but open to variation due to specific locations (e.g. a sign in a car park could be larger with more

wording on than one on a 60mph road).

1.4 Outlay costs

Installation per sign approx. £150 (or less) – Carried out by MCC Highways Operations Operatives

Sign fabrication to include posts and fixings approximately £185.00. Blitzmedia will offer a design service to the business at an extra cost of £75.00 if artwork is required (this will not be included in estimates).

Planning consent = £330 (possible to pay per location rather than per sign). This fee is payable to MCC Planning Dept

Business rates are estimated at £150 per sign based of Torfaen's maximum roundabout sign rate (should be less as its based on price and MCC signs less). This sum is payable also to MCC.

A nominal fee of £30 can be added to each sign to cover the cost of maintenance (such as cleaning, broken brackets etc).

Total cost based on 1 sign at any 1 location is £845.00.

Total cost based on 2 signs at any 1 location is £680.00 (Planning consent shared)

Total cost based on 3 signs at any 1 location is £625.00.

Total cost based on 4 signs at any 1 location is £597.50.

As shown, the cost of a sign reduces if the number of signs at a location increases as the signs share the cost of Planning Consent. In addition, cost of MCC installation will also reduce in a similar way, although this is difficult to quantify so will not be accounted at present.

Blitzmedia charge £45 to change the sign face as just a sticker so cheap/easy to replace sponsor. If an existing sponsor wishes to change a sign face, MMC will provide details to the business in order to liaise with Blitzmedia as previously and possibly charge a % fee on each occasion (not accounted for in calculations as nominal).

In addition it may be included in the contract that we will wash the sign once a year, but costs are minimal on this to the Authority as operatives can do this when in the area, for example, gully emptying near sign.

2.1 MCC Planning and Legal Input

Initially, the author has made contact with MCC Legal and Planning, and there was some resistance to this type of advertising due to issues they have with advertising by businesses as Monmouthshire being a rural location and advertising leads to complaints by the public. A joint meeting was the next course of action to discuss concerns and our proposals, this giving us a chance to discuss specific locations and determine possibilities.

A meeting was conducted (12th Sept 2013) with Paula Clarke from MCC Planning to discuss concerns with advertising sign proposals and any requirements regarding Planning Permission. The meeting was considered a success as the Planning Department seem supportive of the idea and would like to work with us to ensure that signs that are erected without paying the relevant fee (Planning consent £330.00) and securing our authorisation are acted upon via continued enforcement.

Another major benefit that came from the meeting is that we may not be required to apply and pay the fees for planning consent as previously mentioned above. Paula produced the following information regarding the legislation concerning planning consent which suggests it is not required:

The following are the classes of advertisements, specified in Part 1 of Schedule 3 to the English and Welsh Regulations (in Scotland, Sch. 4), for which deemed consent is granted for their display. In the description that follows, the classes that are similar for England and Wales and Scotland are described under the one heading and the differences, where there are any, are indicated. Where different provisions are made for the two areas under the same class number, these are described separately under that number.

1. Functional advertisements of local authorities, statutory undertakers, and public transport undertakers, and, in England, Government Departments, and, in Scotland, community councils (in Scotland, Class I)

(a) An advertisement (in England, not exceeding 1.55 m²) displayed wholly for the purpose of announcement or direction in relation to any of the functions of a government department local authority or to the operation of a statutory undertaking, or a public transport undertaking, or a community council, which are reasonably required to be displayed for the safe or efficient performance of those functions, or operation of that undertaking, and cannot be displayed by virtue of any other specified class. Illumination of these advertisements is not permissible unless, in England and Wales, reasonably required for the purpose of the advertisement; in Scotland, only if it is needed for purposes of warning.

(b) An advertisement displayed by the appropriate planning authority on land in their area (in Scotland, on land in respect of which they are the planning authority).

In England and Wales, in an area of special control (see below), no advertisement of this class may be displayed for which the authority could not have granted express consent.

2. Miscellaneous advertisements relating to the premises (in Scotland, the land) on which they are displayed (in Scotland, Class II)

(a) An advertisement, not exceeding 0.3 m² (in Scotland, 0.2 m²) in area, for the purpose of identification, direction, or warning, with respect to the land or buildings on which it is displayed. In England and Wales, illumination of such an advertisement is not permitted; in Scotland, illumination is permissible for purposes of warning.

A meeting took place with Mrs Pat Perkins from MCC Legal Department. Legal advice concerned ensuring that as Highways Engineers we assess the potential hazard such signs pose, and any risks are minimised and our insurer consulted on liability cover. A Section 50 Licence was also highlighted concerning the signs.

In relation to the Section 50 Licence, Paul Keeble from Traffic and Development agrees that this is an option and that a licence can be issued for the sites. Although there is a charge of £385.00 for a Section 50, Paul Keeble does not see any reason why this charge should be applied in this case i.e. there is no reason for MCC Highways to charge itself for an agreement with itself. Therefore, this fee will be ignored, unless further instruction is given via more senior officer/s.

2.2 Insurance Liability/Cover

On consultation with Martyn Woodford Principal Insurance Officer and Laurence Dawkins Health and Safety Manager in relation to the Advertising Sign Scheme, their views are as follows:

The key thing is that the legal advice that you have received re signage and division of responsibilities corresponds with the insurance implications. We will need to establish whose signs they are initially – I'm assuming the various businesses are simply hiring advertising space from us. If that is the case, Mon CC Public Liability Policy will cover any losses as a result of its negligence. The key to defending any potential claim is having documentary proof to back up the reasoning behind what we have done. In that respect, Risk Assessment and Guidelines should be well documented and readily available for us to provide to our insurers.

In relation to the comments, it is true that the signs are the property of MCC; therefore this satisfies the Public Liability Policy discussed. It is clearly important to risk assess and set guidelines in regard to the signs and the locations.

2.3 Traffic and Development Input

On consulting Graham Kinsella from MCC Traffic and Development concerning guidance on sign measurements in terms of visibility restrictions etc, Graham put forward the following statement:

“Normal highway signs should be 1.5m to underside of sign above carriageway level. But as the advertisement signs are not normal highway signs then this guidance would not be appropriate. Therefore each sign and location should be assessed on its individual merits and specify accordingly to ensure they do not pose a risk to road users in terms of visibility and the like.”

This highlights the fact that the sign sites must be considered and assessed, either for each individual site or as a blanket risk assessment to consider all sites.

2.4 Risk assessment

In terms of assessing and minimising the risks of accidents in relation to the signing being in place, it is difficult to cover all aspects of every site as locations may differ. It is therefore important to consider each site individually when determining its suitability for advertising signage. However, it is

possible to set certain criterion that is relevant to all highway verge site locations, which must be followed regarding each advertising sign:

- The sign must include minimal information, and be pre-approved by MCC. Information may include company logo, name, web site, address, along with basic information regarding the business.
- The sign must be at least 600mm from the carriageway edge, this increasing to 1200mm on high-speed roads.
- Signs must not be installed at or near junctions where they can distract drivers (signs must be at least 60m from a junction)
- Signs must not be installed at or near roundabouts where they can distract drivers (signs must be at least 60m from a roundabout)
- Signs must be installed on straight sections of road, away from bends and where visibility sight lines are required height restrictions allow a maximum sign height of 1050mm above the carriageway
- Signs must be installed on Monmouthshire County Council Highway adopted and maintainable land
- Signs must be installed by MCC Highways trained operatives to ensure compliance with all Health and Safety requirements (sign face alterations maybe carried out by the business or Blitzmedia subject to MCC approval)
- If on installation, a sign becomes continually damaged (by any means such as vandalism, vehicle damage etc), then the site may be deemed inappropriate and the contract discontinued
- MCC operatives will carry out any routine maintenance of the signs such as cleaning.
- Sign post sites must only contain 2 signs (one sign facing in each direction), this will ensure only small amounts of information are available to road users, so as not to cause a distraction.

2.5 Business Rates

In terms of business rates for the signs/sign sites, specific information will be required relating to each location. All this information is currently not available due to the scheme not being in place, therefore, we can use assumed rates based on Torfaen CBC rate of £150.00. In theory (due to

MCC charging less than Torfaen per sign) MCC business rates will be less than £150.00. Below shows information required on scheme start up:

From: Wheeler, Grant R [mailto:grant.r.wheeler@voa.gsi.gov.uk]
Sent: 21 August 2013 09:06
To: Morgan, Judith L.
Subject: RE: Businees Rates Query

the simple answer is yes they are more than likely to be rateable. See Torfaen roundabout ad rights as a guide for size and value.

If Monmouth go ahead with the siting of the signs; don't send reports in straight away, as I will need lots of information in preparation and formulation of the values in advance:-

1. *The address/location of the advertising right*
2. *The name of the party advertising from the site*
3. *The level of annual payment*
4. *The standard terms of occupation (who is responsible for maintenance etc)*
5. *The length of the agreement*
6. *Date sited*
7. *Invoice address*
8. *Size of display board - any illumination or effects*

I will then inspect and assess where appropriate.

I hope this clarifies matters. I'm on leave from this afternoon for 2 weeks, if you have any immediate queries, Jean Homfray at this office has offered to assist otherwise you can contact me after 9th September!

Kind Regards

Grant

If the scheme becomes reality, then each location will be detailed in relation to its official/accurate business rate.

3.1 Approach of Businesses

A number of local businesses have been approached to determine interest and feedback regarding the project:

Curves – Curves fitness are a company based in Caldicot who regularly ‘fly post’ advertising within the county. The manager (Mr Simon Griffiths - sgriffuk@yahoo.com) has not yet responded to the enquiry. 22nd October update – response has been received from Mr Griffiths and he has expressed interest in the scheme in a request for more information to be emailed to him.

A Local Caldicot Estate Agent – this request originated via an enquiry from the newly formed Caldicot Town Team who had been approached by a local estate agent who wished to ‘sponsor’ Mitel roundabout. Information has been forwarded to the Caldicot Town Team detailing MCC advertising proposals concerning verges and awaiting reply from Estate agent and any other business the Team are aware of. The estate agents have expressed an interest in the scheme, and further contact will be sort.

St Peirre, A Marriott Hotel & Country Club – Ryan Pritchard/Steve Lane attended a meeting with St Pierre Hotel General Manager Mr Richard Lansberry 24th October 2013. The meeting was very successful, in that Mr Landsberry was impressed with our proposals and is keen to be a part of the scheme. Mr Landsberry understands the need for MCC to offer advertising opportunities such as this to businesses, but he emphasised that he would not support it for businesses outside Monmouthshire or competitors displaying advertisements near his premises. Figures were quoted of £1000 and £1500 per sign, depending on location, which Mr Landsberry accepted in principal as our estimates at present.

3.2 Traffic Counts and Car Park Ticket Sales

Traffic Counts are an important aspect of this scheme, which will provide evidence in terms of the traffic volumes at the proposed advertising sign locations. This will assist to determine values of given sites, and show more ‘premium’ locations where a higher traffic volume occurs allowing a higher rate to be charged (or lower of course).

On the locations based around the Chepstow sign locations in the trial, there are 5 Traffic Count Sites that have been identified:

Site 1 – A48 St Pierre

Site 2 – Off A466 into Thornwell

Site 3 - A466 nr Highbeech R/A

Site 4 – A466 nr Chepstow Racecourse

Site 5 – Welsh St nr junc A466

A company (Sky High-Count On Us) has been instructed to undertake these traffic counts, and installation is imminent, monitoring will run for 7 days (all week). Data will then be forwarded to MMC on completion (awaiting data).

There is previous data available carried out in April 2012 at the A48 nr Pwllmeyric which shows the 7 day average count to be approximately 7,000 vehicles. This location is considered to be a heavier trafficked road within Monmouthshire so such a location would attract a 'premium'.

In addition to the traffic count information, car park ticket sales records can be obtained from MCC Passenger Transport Unit (Amanda Perrin – who is responsible for car parks) and utilised to determine parameters for sign site 'values'.

Figures have been obtained for Year 2012/13 for the car parks in Chepstow which have been identified in the trial:

CAR PARK	ANNUAL TICKET SALES (2012/13)
Drill Hall	5,000
Nelson Street	185,000
Welsh Street	132,000
Castle Dell	22,000

Based on previous Traffic Count Information provided by Traffic and Development (this will be confirmed when the recent counts results are completed) and the car park ticket sales records, the following price parameters have been developed:

7 day average Traffic Count	Price Category
< 5,000 vehicles	1) Lower
> 5,000 vehicles	2) Higher
Annual Car park Ticket Sales	
< 50,000 tickets	1) Lower
> 50,000 tickets	2) Higher

3.3 Advertising Sign Values

As was discussed in the meeting with Richard Landsberry, the concept of this scheme is difficult to value in that it is not quantifiable really to a business (sign doesn't say how many people came through the businesses door due to the sign). Therefore, when determining the value of each sign face a number of aspects must be considered to ensure fair and accurate values are given:

- **Section 1.4 Outlay costs show an initial sign installation at a cost of £845.00.**
- **Enforcement** - surplus from the sale of the advertising signs will supplement the policing of illegal signs. Removal and enforcement of illegal advertising is currently a drain on Highways resources, therefore any additional funding is welcomed. An option worth considering is that as part of the enforcement, any illegal signs that are erected may warrant the Authority issuing fines to further increase this surplus.
- **Comparison of other Advertising** – below shows a breakdown of costs for advertising in 'Monmouthshire County Life' magazine, The 'Free Press' and the 'South Wales Argus'. The prices clearly show that for a business to advertise in any of the publications, costs would run into many thousands of pounds per annum.

Monmouthshire County life –


Monmouthshire County Life is a bi-monthly, glossy magazine looking at all that is great about Monmouth. Packed with special editorial features and advertising, this aspirational lifestyle magazine is aimed at people who have the time and money to enjoy the very best that Monmouthshire has to offer.

We'll also have a focus on weddings, the great outdoors, gardens, crafts, Monmouthshire people. We've continue with our **Eat Out Monmouthshire** platform looking at the fantastic array of restaurants, cafes, food producers, and chefs we have in the county. We will also look at Homes, Motors, Business along with our regular advertising platforms.

Online advertising...

Readers are now able to view **Monmouthshire County Life** in full online, just visit: www.monmouthshirecountylife.co.uk

A variety of advertising opportunities exist to promote to targeted readers on this site, from only **£10 per month!**



Advertising rate for single insertions

Inside front; back cover, page 3	£787.50
All other A4 pages	£525.00
Half page	£262.50
Quarter page	£157.50
Eighth of a page	£105.00

<25% series discount – minimum 4 inserts> (All rates exclude VAT)

Next edition is out...

Publication Date:
27th December 2013

Advertising Deadline:
6th December 2013

(Dates are subject change)

Advertising rates per publication:

Monmouth and Chepstow Free Press – Weekly: Paid for title

advertising rates are £3.50 per column cm(excluding the front or back pages which are £5.00 per column cm. For example:

Quarter page - £224+vat

Front Page advert – 8cm x 4 column - £160 - 8cm x 5 column - £200 and the 8cm x 9 column strap - £360

Half page - £500

South Wales Argus and Business Argus – Daily paid for title

Advertising rates are calculated at £7 per column cm for Run Of Paper Advertisements, therefore:

15cm x 3 column - £315

Quarter page - £448

Half page - £756 – includes a 25% discount
 Free Press, 5.3k copies purchased every week

Business Argus is our regular look at the Gwent business scene which is published in the **South Wales Argus every Tuesday**. we bring you an **eight-page supplement** packed with what's been going on in the local business community, opinion, comment, movers and shakers along with a selection of regular columns from the various sectors.

The **South Wales Argus** is the largest selling local newspaper in South East Wales. Long established as the leading newspaper throughout the area, this dominance is not only reflected in our daily sales and readership figures but through our high advertising response levels

Advertising rate for single insertions		Why Choose Business Update?	
Full Page	£2,016.00	Readers 51,727* Online Users 251,236* Monthly	
Half page	£1,008.00		
Quarter page	£560.00		
10 x 2 (discount may be available)	£140.00 (All rates exclude VAT)		

- **Comparison with the Torfaen Roundabout Signs** - Torfaen charge per annum for roundabouts: £4k (main routes such as Cwmbran Drive), then £3k and £2k depending on location/vehicle usage. There is a location that they charge £1.5k for which is the lowest price due to its lower traffic flow.

On reflection of the above information, we can now revisit the price categories already identified and give each a value:

Price Category	Sign Value (charged to business per annum)
LOWER	£1,000
HIGHER	£1,500

There are 40 sign faces identified at the 13 locations (see appendix for location plans and photographs) at the trial location of Chepstow, some locations have multiple sign faces available, and these are shown in the table overleaf along with the sign values:

Sign Location	No. signs possible	Price Category	Max. location value per annum
Barclays railings	4	HIGHER	£6k
A466 hill approach to Chep Racecourse	4	HIGHER	£6k
O/S Chepstow Racecourse (A466)	4	HIGHER	£6k
A466 nr High beech R/A	4	HIGHER	£4k
Welsh St jct A466 nr Racecourse	4	LOWER	£6k
Off A48 junc M4 into Thronwell	4	LOWER	£4k
A48 Parkwall Hill nr St Pierre	4	HIGHER	£6k
A48 Mathern (between Haysgate and Baileys Hay)	4	HIGHER	£6k
Welsh St Car park	3	HIGHER	£4.5k
Nelson St Car park	2	HIGHER	£3k
Drill Hall Car park (Lower Church St)	1	LOWER	£1k
Castle Dell Carpark (Bridge St)	1	LOWER	£1k
Bus Station, Thomas St	1	LOWER	£1k
			£53.5k

4.1 Outlay, Income and Surplus in year 1

As the table shows, maximum value per annum equates to £53.5K, however we cannot assume that 100% occupancy of the signs. A reasonable occupancy value is deemed at 40%; therefore the report will base Outlay, Income and Surplus data on a 40% sale of the total sign faces. In addition, in order to promote multiple sales to a business, it is proposed that we offer a ‘multi-buy’ saving of 10% off subsequent signs purchased.

Therefore, we must assume that half of the signs will be multiple purchases:

$$£53.5k - 10\% = £50,825.$$

At 40% occupancy, 16 signs, the possible OUTLAY = £13,520 for the first year.

At 40% occupancy, 16 signs, the possible INCOME = £20,330 for the first year.

At 40% occupancy, 16 signs, the possible SURPLUS = £6,810 for the first year (however, it is advisable to maintain a contingency some of say £2k each year to cover any unforeseen issues such as replacement signs after damage etc).

The table below shows the breakdown of £20,330 first year INCOME:

Allocated to	Value to each sign	Total value for 16 signs	Beneficiary
Sign manufacture	£185.00	£2960.00	Blitzmedia
Sign Installation	£150.00	£2,400.00	MCC Operations
Planning Consent	£330.00	£5,280.00	MCC Planning
Business Rates	£150.00	£2,400.00	MCC Rates
SURPLUS	£425.63	£6,810.00	MCC Operations

Based on the 40% occupancy figures, initial outlay equates to £13,520.00, which is 75% of the first year income. Although surplus in first year may be considered low at £6.8k, the table clearly show that an additional total of £10,080.00 is in fact allocated to Monmouthshire County Council via the various channels detailed.

4.2 Outlay, Income and Surplus in 3 year contract term

In addition, based on a 3 year contract, in year 2 and 3 surplus figures will ultimately increase dramatically based on first year. This is based on a number of the allocations from the table above not being relevant as shown below:

The table below shows the breakdown of £20,330 second year INCOME:

Allocated to	Value to each sign	Total value for 16 signs	Beneficiary
Sign manufacture	£0	£0	N/A
Sign Installation	£0	£0	N/A
Planning Consent	£0	£0	N/A
Business Rates	£150.00	£2,400.00	MCC Rates
SURPLUS	£425.63	£17,450.00	MCC Operations

The table below shows the breakdown of £20,330 third year INCOME:

Allocated to	Value to each sign	Total value for 16 signs	Beneficiary
Sign manufacture	£0	£0	N/A
Sign Installation	£0	£0	N/A
Planning Consent	£0	£0	N/A
Business Rates	£150.00	£2,400.00	MCC Rates
SURPLUS	£425.63	£17,450.00	MCC Operations

As shown, year 2 and 3 surplus returns equate to over £17k in each year, on holding a £2k contingency some each year, a 3 year contract with give a total surplus of £5k + £15k + £15k = £35k.

In addition, if the same business' carry out into subsequent years, the £15k surplus continues each year. If a business terminates after 3 years then a new sign can be used (stickers manufactured by Blitzmedia to replace existing) for a cost of approx. £45 (+

installation which is minimal). With the infrastructure already in place, a new business sign on existing creates a larger surplus of course.

5.1 Conclusion

The report has explored the feasibility in relation to offering Advertising Signs to Private businesses within Monmouthshire, and its focus has been a trial concerning Chepstow to detail its findings. The report conclusions are:

- The report has confirmed that the scheme may result in an amount of surplus for the Authority, in addition to further income which includes business rates, installation of the signs, and Planning Consent where applicable. Surplus rates for a 3 year contract period based on 40% occupancy are: Year 1 = £5k, Year 2 = £15k and Year 3 = £15k, giving a full contract surplus of £35k over the 3 years.
- There is interest from a number of businesses on initial discussions concerning the scheme; St Pierre Hotel and Country Club are a primary interest. The scheme concept is at a stage of which a trial, at Chepstow can be initialised in the short term to develop the model.

5.2 Progression

It is important to note, a point raised by the St Pierre General Manager that the scheme does not promote animosity towards the Authority by allowing a competitor to advertise near another's business, for example the Celtic Manor outside St Pierre. This also demonstrates another point that the scheme should be concerned with promoting businesses within Monmouthshire only, again not to cause animosity.

The author has contacted MCC payments section and Sundry Debtors, and there is scope to process payments for the advertising, and this can be further progressed if/when the scheme/trial is confirmed to commence. In addition, Business rates can also be further confirmed.

In terms of progressing the scheme, the next course of action would be to start with St Pierre to get the trial at Chepstow started. They are a high profile business and this may generate more interest from other businesses as this was the case when Torfaen started the roundabout scheme. We can also install some other signs with the Authority details on with 'advertise here' type slogans.

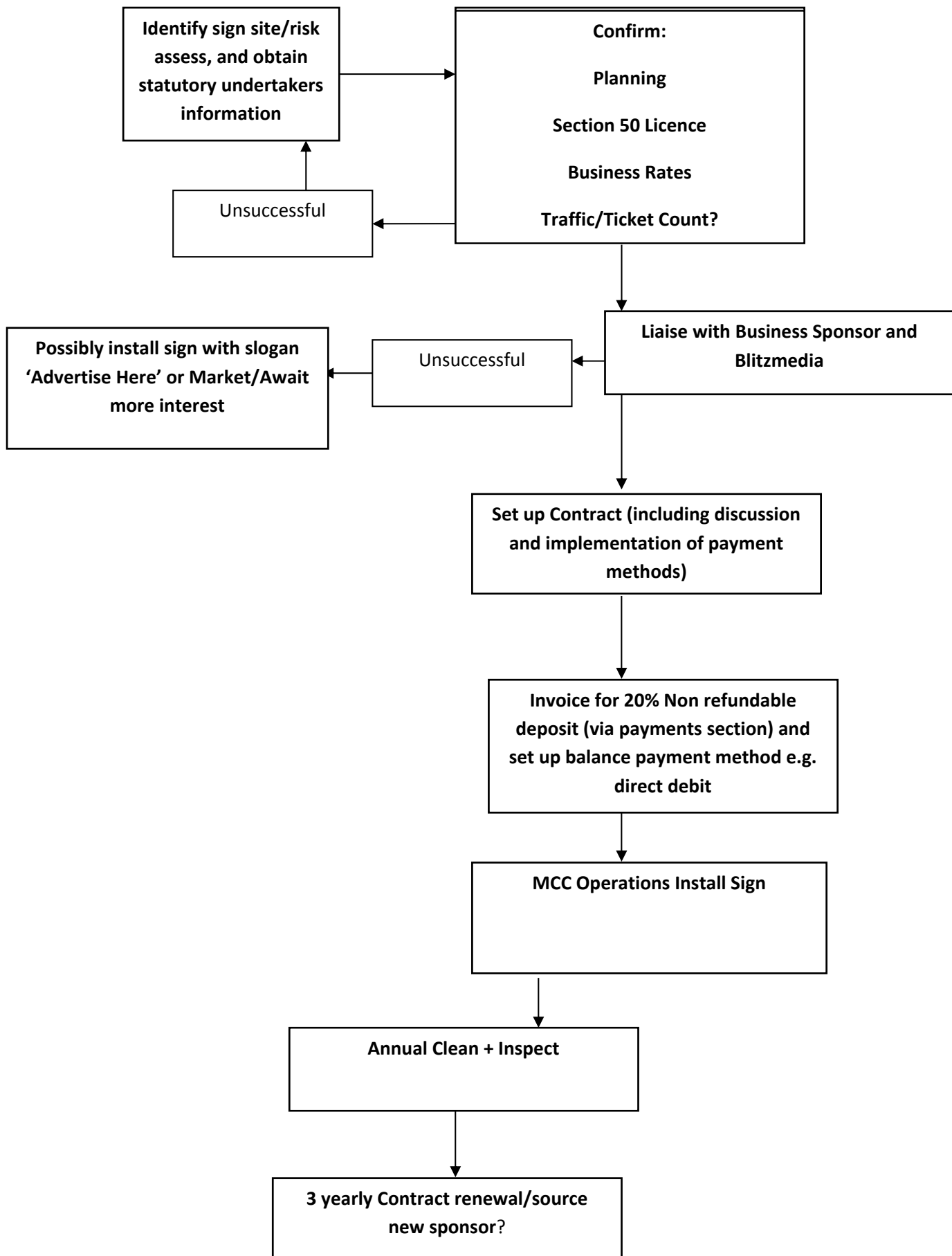
Meetings can also be progressed with Curves and the estate agent who have both showed interest in the scheme. Another possible major local business to be approached is Chepstow Racecourse as a number of the sites are near the racecourse, and there are regular issues with there advertising activities concerning MCC Highways Operations and Planning Departments.

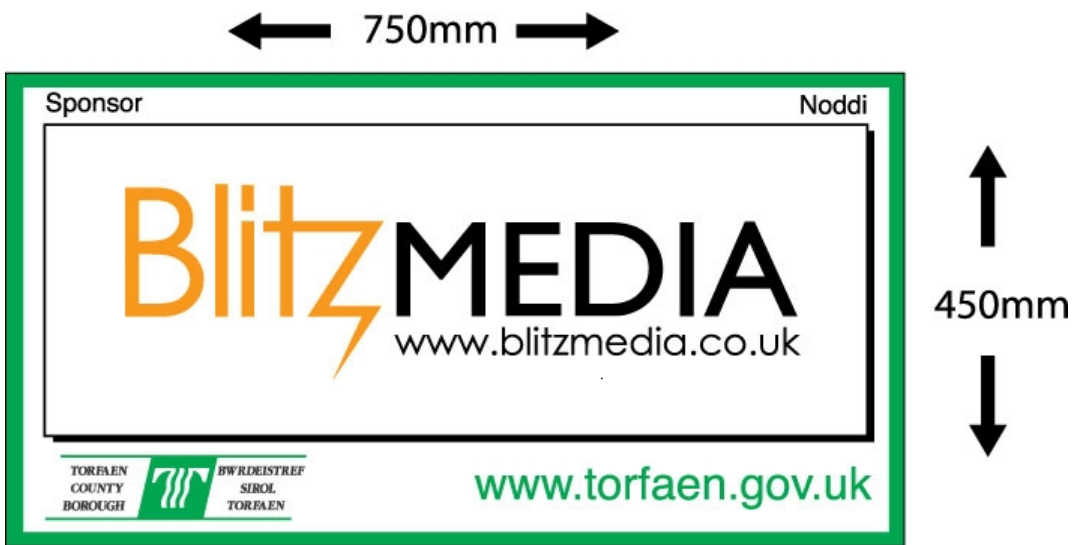
Other possible methods to market the scheme include referring the scheme to Area services Officer Alan Browne to market to business attendees at the Business Forums he attends regularly. Also in order to reach the wider Business community within Monmouthshire, an advert could be Included on annual business rate bills for the scheme— this way every business within Monmouthshire will be aware of the service when they receive their annual rate bill.

The following page shows a flow to describe the path of action shows the procedure involved in Advertising sign placement

5.3 Flow Chart showing procedure for Advertising sign placement:

OPTION 1 MCC MANAGEMENT





Advertising Sign Agreement

THIS LICENCE is made on the (date) _____ **BETWEEN Monmouthshire County Council** of County Hall Democratic Centre, Rhadyr, Llanbadoc, Usk NP15 1GA ("the Council" or "the Licensor") and

[Name of Advertising Company] _____ of

[address of Advertising Company] _____ ("the Licensee") of the other part

IT IS AGREED:

1. (1) In consideration of the Licence Fee hereinafter mentioned the Council in pursuance of Section 50 of the New Roads and Street Works Act 1991 permits and licences the Licensee subject to the conditions of this Licence to retain the apparatus detailed in the Schedule ("the Advertising Signs") at the location specified in the Schedule.
- (2) This Licence shall commence on [date] _____ i.e. the day the sign/signs are installed at the specified location and shall continue for a period of three years thereafter unless terminated earlier in accordance with the terms of this Licence. For the avoidance of doubt, this license is granted for a minimum period of one year (see 2.6).
- (3) For the avoidance of doubt nothing contained in this Licence shall authorise the Licensee to use the airspace around within and above the Advertising Sign/Signs or to place any other advertising material equipment or other fixtures and fittings to or on the Sign/Signs or the site location.

2. The Licensee and the Council agree that the following conditions apply to this Licence:-

2.1 Payment of Licence Fee and Outgoings

The Licensee agrees to pay in each year of the Licence the Licence Fee of £ _____ plus VAT. A 20% non-refundable deposit to be paid at time of signing the License agreement, the remaining balance payable on the date of commencement of the License or in equal monthly instalments, the first instalment / payment being due 1 month from the date of commencement of the License .

2.2 Damaged Advertising Signs

In the event that the Sign/Signs become damaged by traffic accidents or are vandalised, the Council will arrange for replacement of the Advertising Signs on the first two occasions during

the contract period. After this, at the Council's discretion, the license may be terminated as this site would be deemed unsuitable for roundabout sponsorship. (see 2.7.2)

2.3 Change of details for Advertising Signs

In the event of the Licensee changing its name or logo, the Licensee can apply in writing to the Council for consent for a new Advertising Sign reflecting the revised details. The change of Advertising Signs will be subject to such reasonable conditions as the Council may impose and a further fee will be payable.

2.5 Installation of Advertising Signs

Any installation and maintenance of Advertising Sign/Signs required under this Licence will be carried out by the Council, unless otherwise agreed by the Council.

2.6 Termination by the Licensee

If the Licensee no longer wishes to retain the Advertising Sign/Signs in place or wishes to terminate this Licence, the Licensee must give no less than three months written notice to the Council. This notice period is a statutory requirement and the Council cannot accept a shorter notice period.

Termination at any time throughout the period of this Licence will mean that the Licence Fee in respect of that year is still payable and if already paid will not be refunded. However, the Licensee will not be required to pay the Licence Fees due in respect of subsequent years.

2.7 Termination by the Council

2.7.1 The Council may by no less than 7 days notice in writing served on the Licensee terminate this Licence if:-

- a) the Licensee fails to comply with any provision of this Licence or the relevant part of the New Roads and Street Works Act 1991, or
- b) the Council is or becomes aware that the Licensee has parted with / sold its interest in the Sign/Signs.
- c) the Licensee is in circumstances which entitle the Court or a creditor to appoint, or have appointed a, receiver, manager, or administrative receiver, or which entitle the Court to make a winding-up order.
- d) the Licensee is in arrears for 14 days with any payment due under the terms of this license.

In the event of the Licence being terminated as above, the Licensee shall not be entitled to any refund of the Licence Fee paid. The Licensee will be required to pay any arrears of any payments due under this license which have not been paid in full.

2.7.2 The Council may by no less than 7 days notice in writing served on the Licensee terminate this Licence if the Council considers that the withdrawal of the Licence is necessary for the purpose of the exercise of their functions as a street authority or is otherwise necessary in the best interests of the Council.

2.8 Removal of Advertising Signs

Where this Licence is terminated or expires, the Council will remove the Advertising Sign/Signs to which this Licence relates. In the interests of safety, removal of the Advertising Sign/Signs by the Licensee is not permitted. Once removed, the Advertising Sign/Signs will be retained by the Council.

2.9 Assignment of the Licence

Assignment of the Licence by the Licensee is not permitted. If the Licensee does not wish to continue with the Advertising Sign/Signs, then notification to terminate this Licence must be given to the Council under the provisions of clause 2.6.

2.10 Statutory Obligations

The Licensee is required to comply with the requirements of Section 50 and Schedule 3 of the New Roads and Street Works Act 1991 in relation to this Licence.

2.12 Variations

Variations to this Licence will only be effective if in writing and signed by both the Council and the Licensee. However, extensions to the time period of this Licence to reflect any periods when the Advertising Sign/Signs are being replaced under the provisions of clause 2.2 shall be valid if in writing and signed on behalf of the Council. All such extensions shall be at the discretion of the Council. For the avoidance of doubt, unless otherwise expressly agreed in writing between the Licensee and the Council, no further Licence Fee shall be payable in respect of such extensions to the Licence period.

2.13 Service of Notices

Any notice under this Licence and any request for consent or approval may be served personally or by letter addressed in the case of the Council to the Council's Head of Highways and Waste, Regeneration and Culture, Monmouthshire County Council, County Hall Democratic Centre, Rhadyr, Llanbadoc, Usk NP15 1GA (or such other address as the Council may notify to the Licensee) and in the case of the Licensee at their registered office or place or business. Any notice so given by letter shall be deemed to have been served three business days after the same shall have been posted.

3. PROVIDED ALWAYS and it is hereby agreed that:-

3.1 This Licence shall not operate as any consent or authority other than pursuant to Section 50 of the New Roads and Street Works Act 1991.

3.2 Any reference herein to any legislative provision shall be deemed to include a reference to any subordinate legislation rule order relative thereto and any statutory modification or re-enactment for the time being in force.

IN WITNESS thereof this Licence is executed the day and year first before written

Signed for and on behalf of Monmouthshire County Council

by: _____

PRINT _____

Date _____

Signed for and on behalf of
[name of advertising company] _____

by: _____

PRINT _____

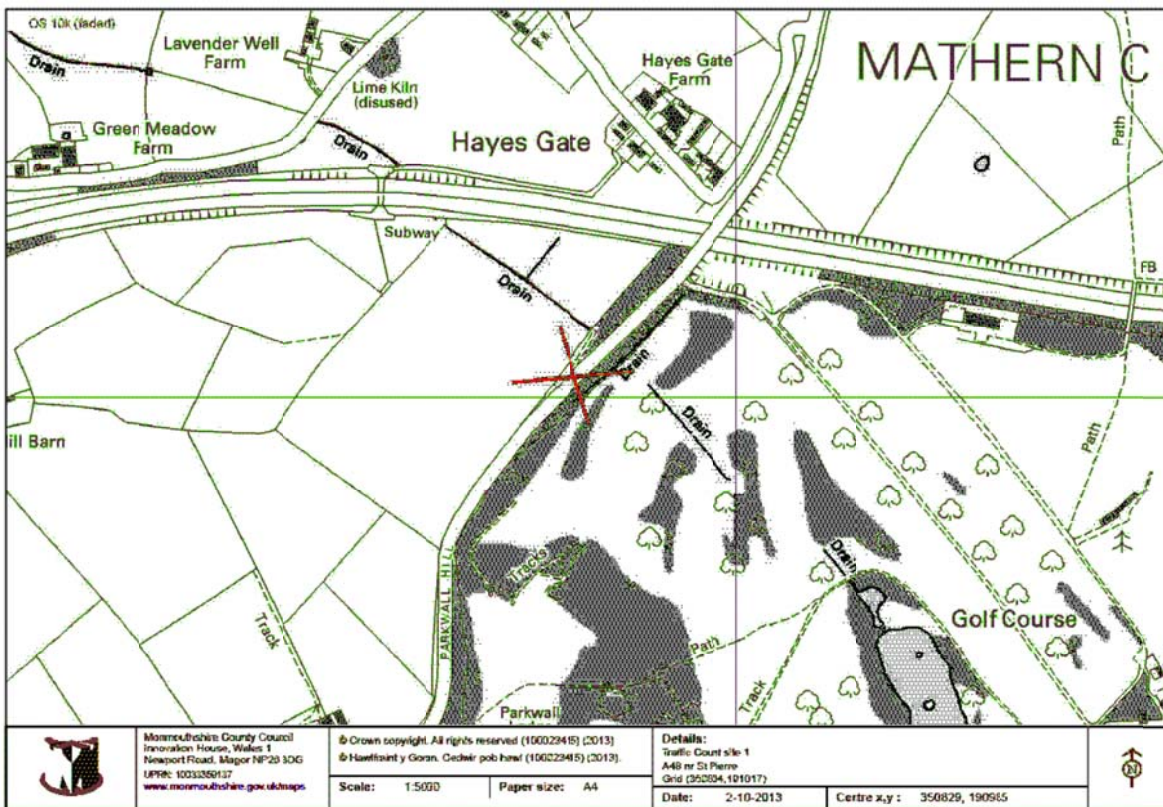
Date _____

SCHEDULE

"The Advertising Signs"

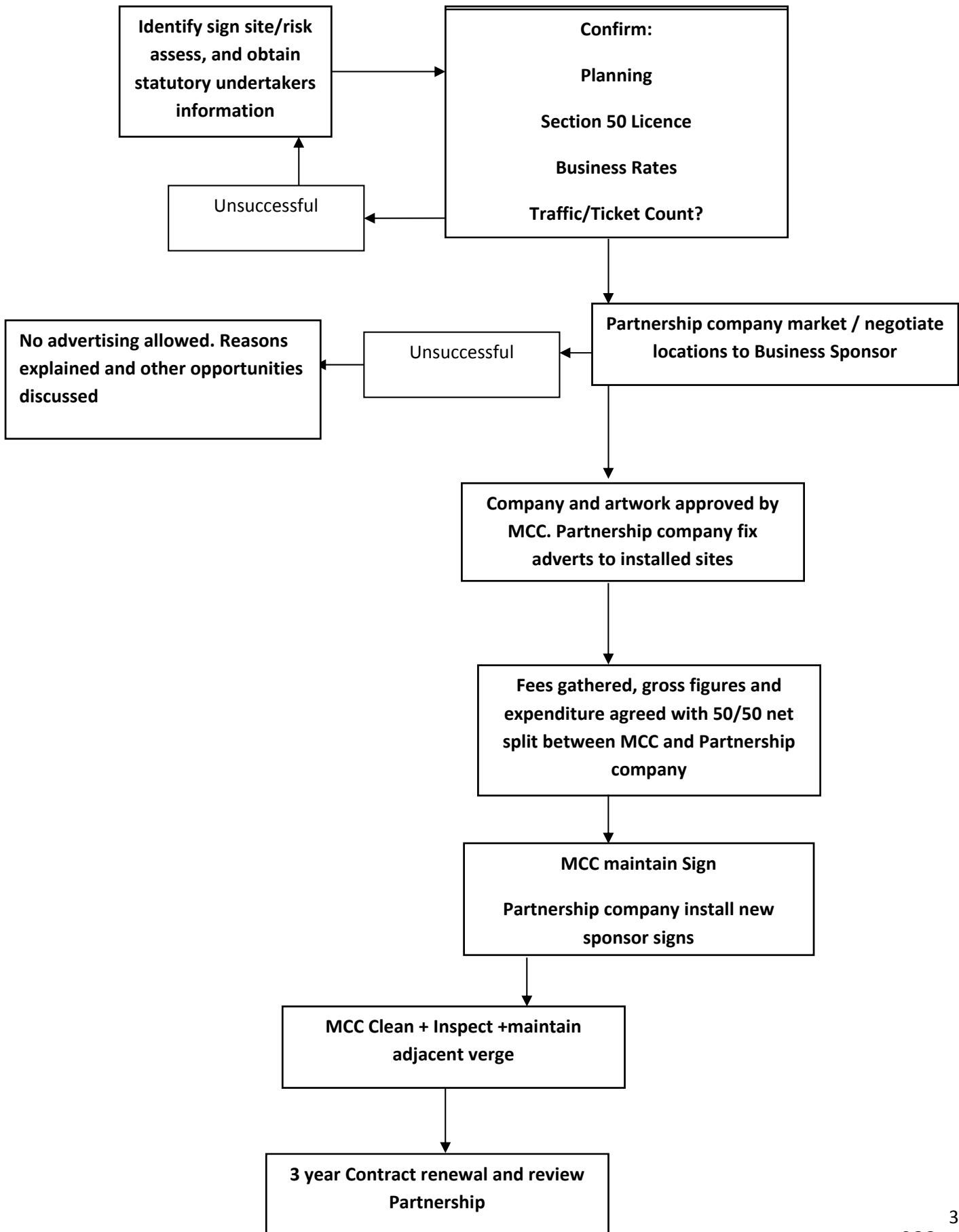
An Advertising Sign/Signs displaying the Monmouthshire County Council Logo, web address and the Licensee's agreed inclusions will be installed at the following location:

_____ as shown for the
 purposes of identification illustrated on the attached plan.





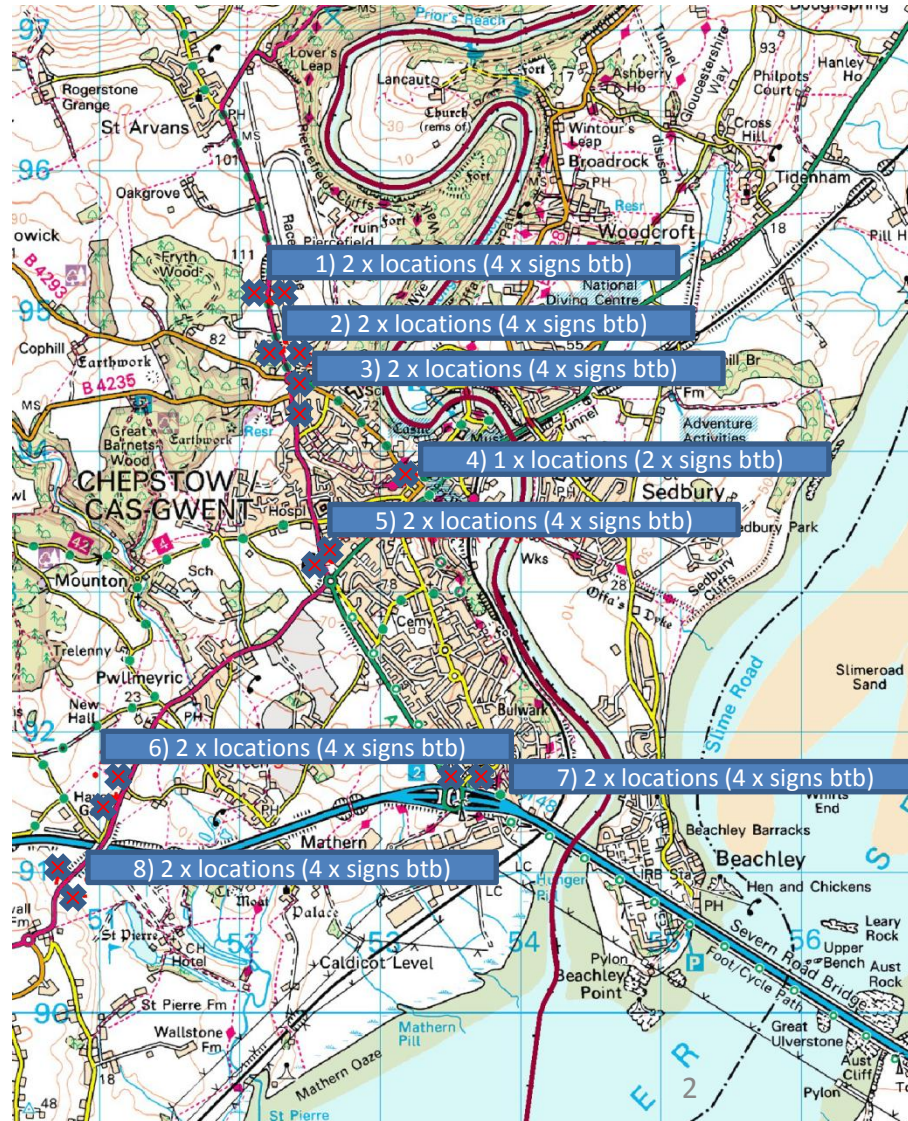
OPTION 2 PARTNERSHIP MANAGEMENT



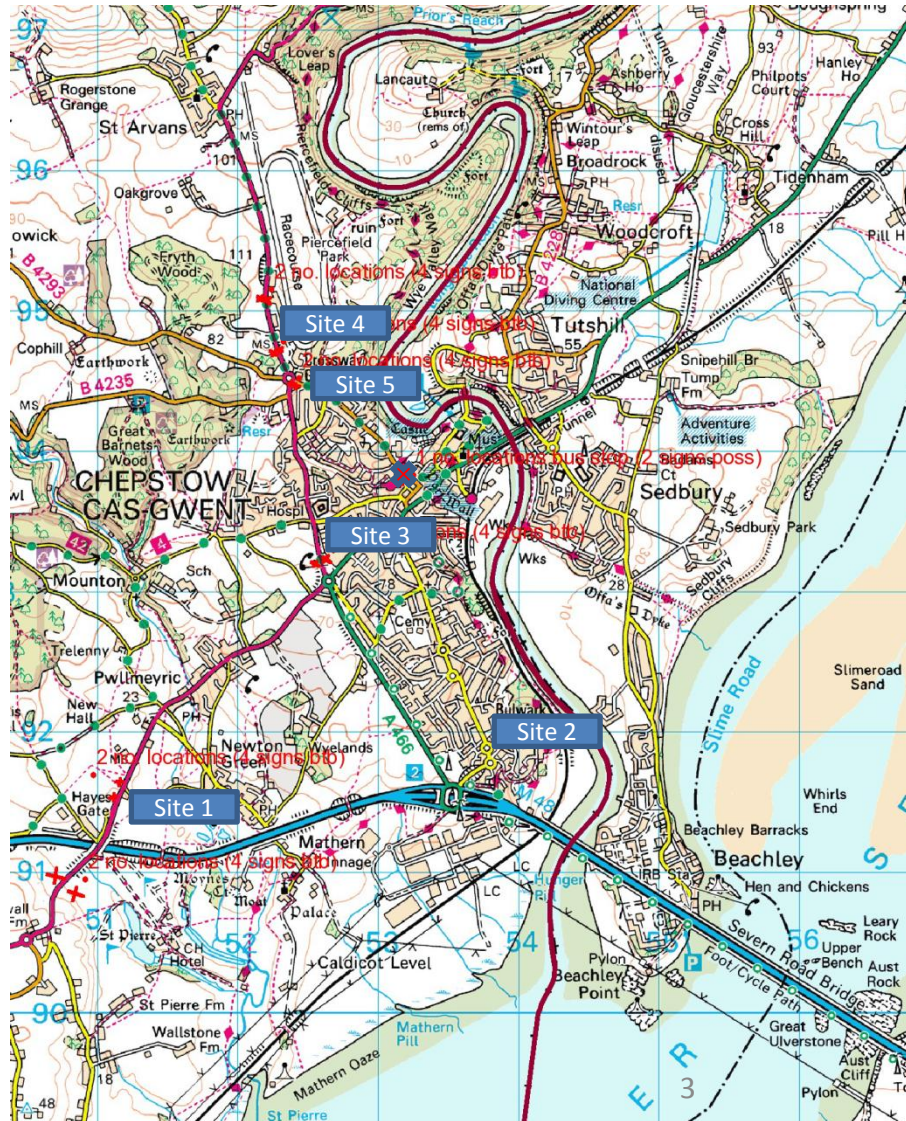
Monmouthshire County Council

Sponsorship Scheme 2014

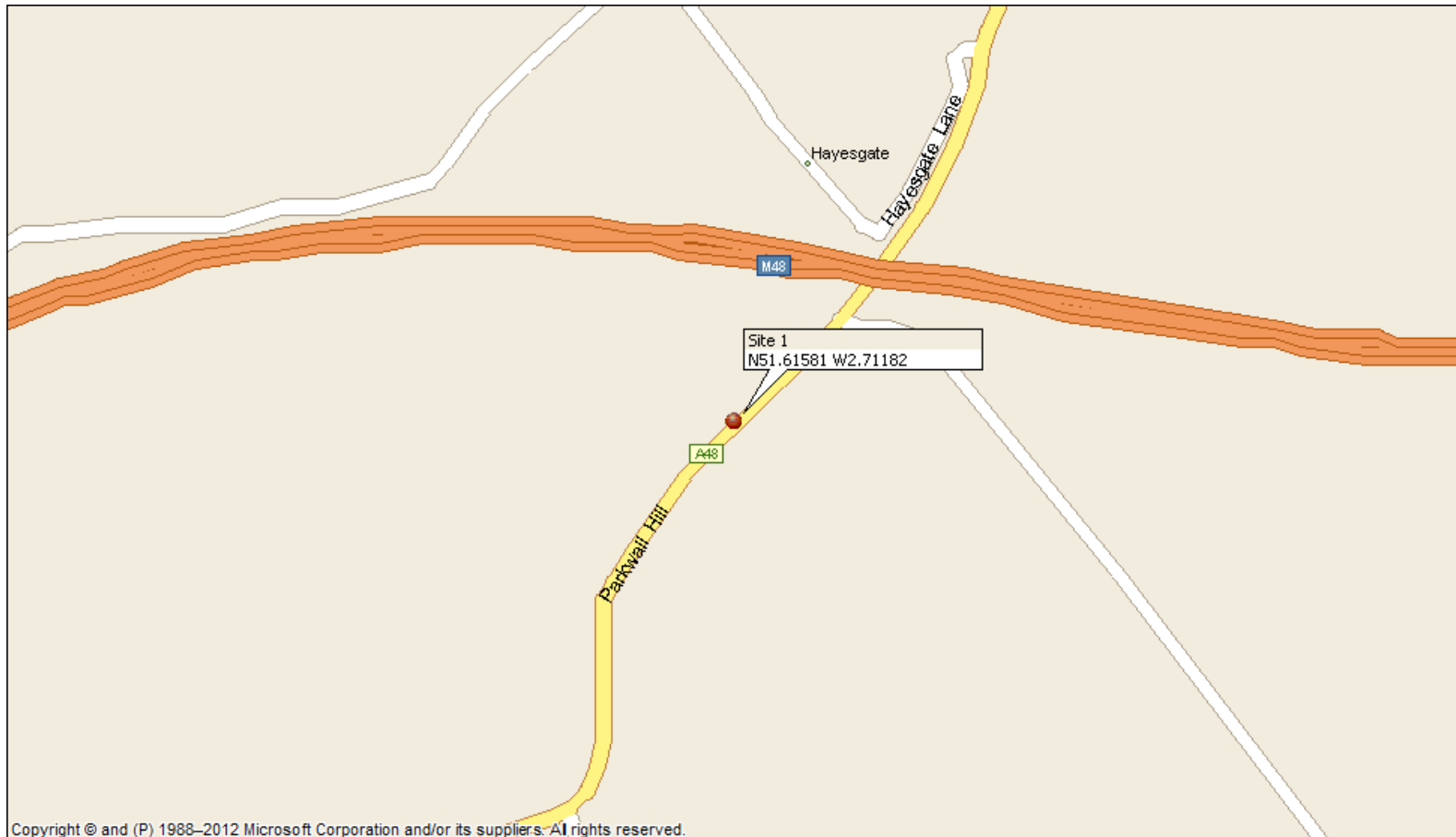
Chepstow Site Location Plan



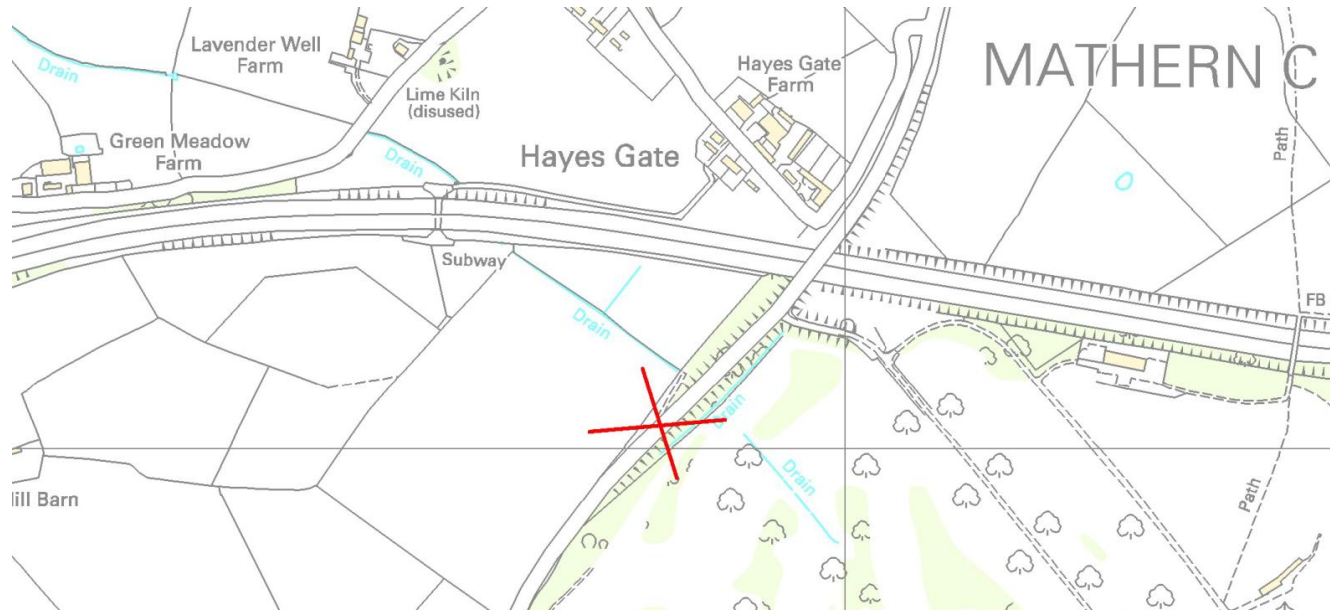
Chepstow Traffic Flow Figures



Site 1

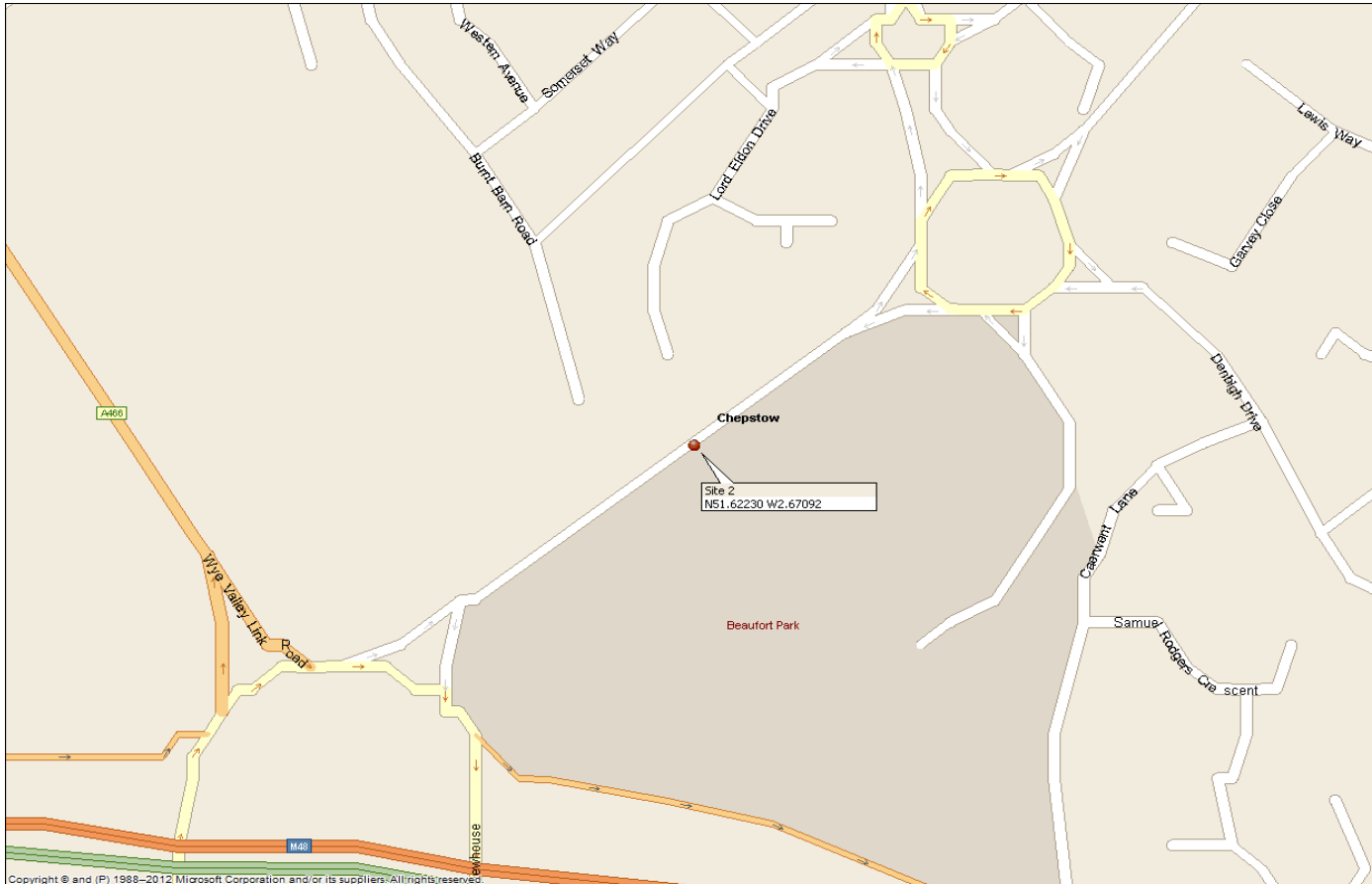


Traffic Count Site 1



1	A48 Parkwall Hill	N51.61581 W2.71182	Northbound	30 January 2014	05 February 2014	60	41822
			Southbound	30 January 2014	05 February 2014		41705
			Two-Way	30 January 2014	05 February 2014		83527

Site 2

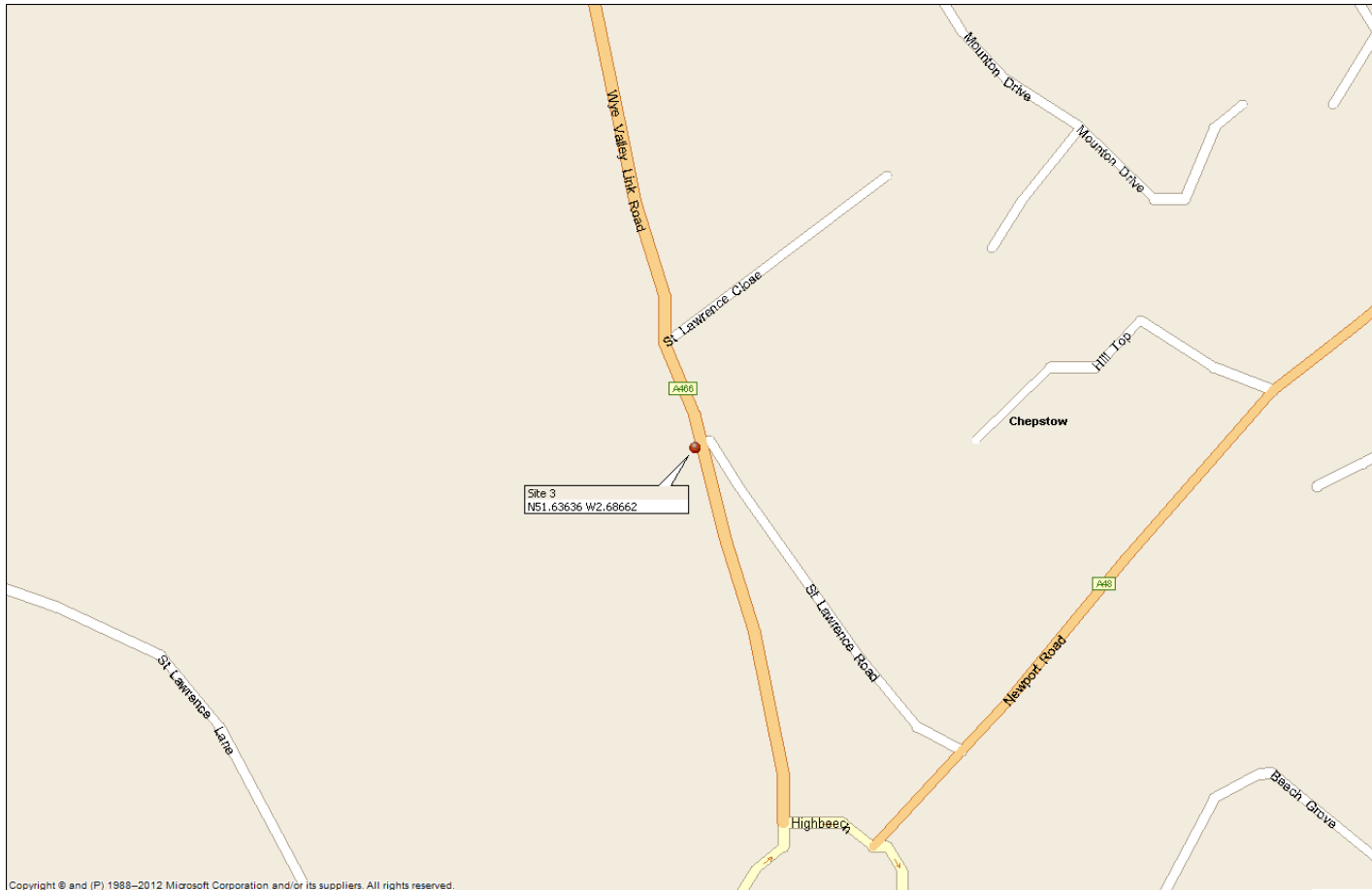


Traffic Count Site 2

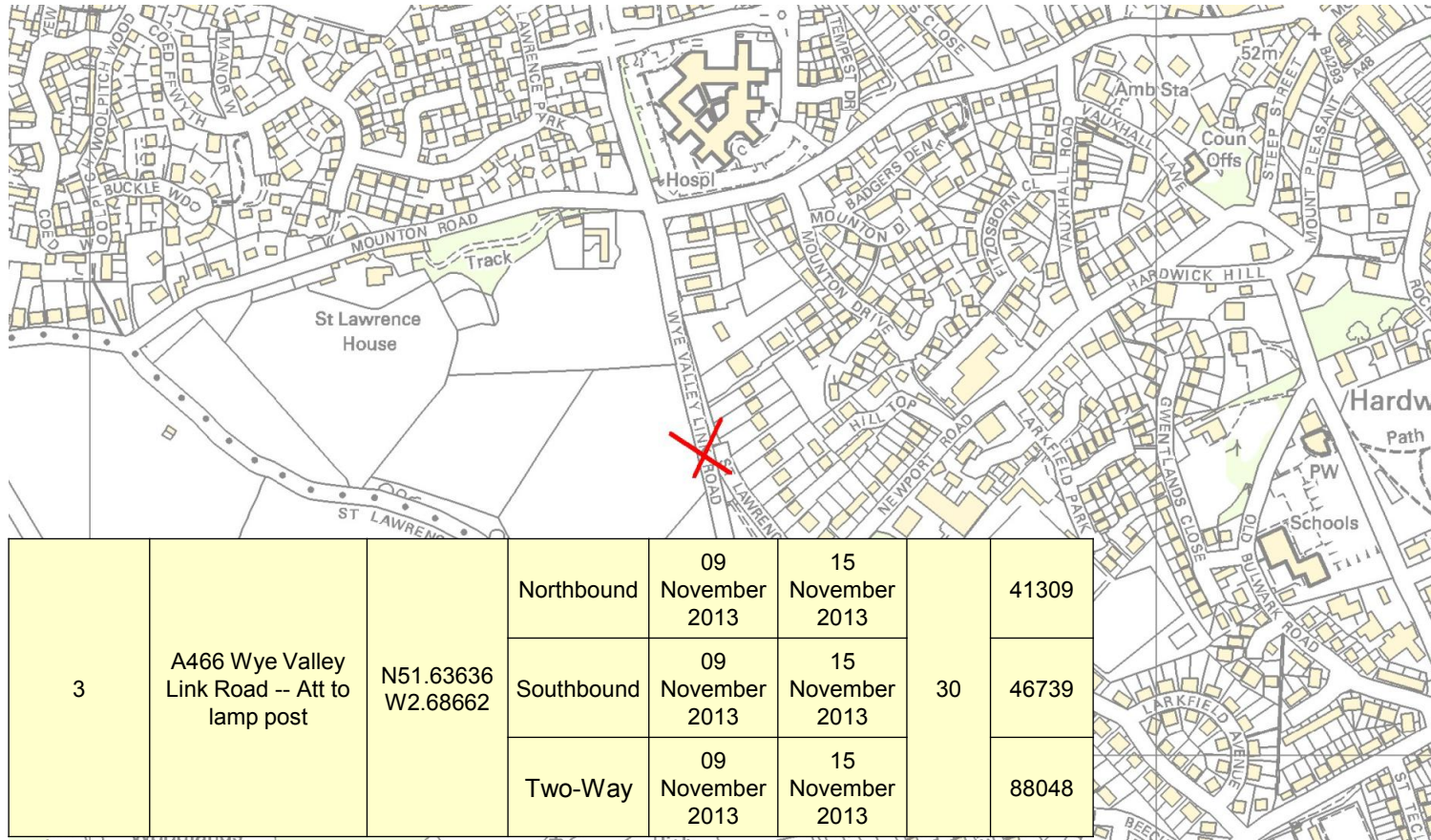


2	Unnamed Road -- Att to lamp post	N51.62230 W2.67092	Eastbound	09 November 2013	15 November 2013	60	22503
			Westbound	09 November 2013	15 November 2013		30159
			Two-Way	09 November 2013	15 November 2013		52662

Site 3

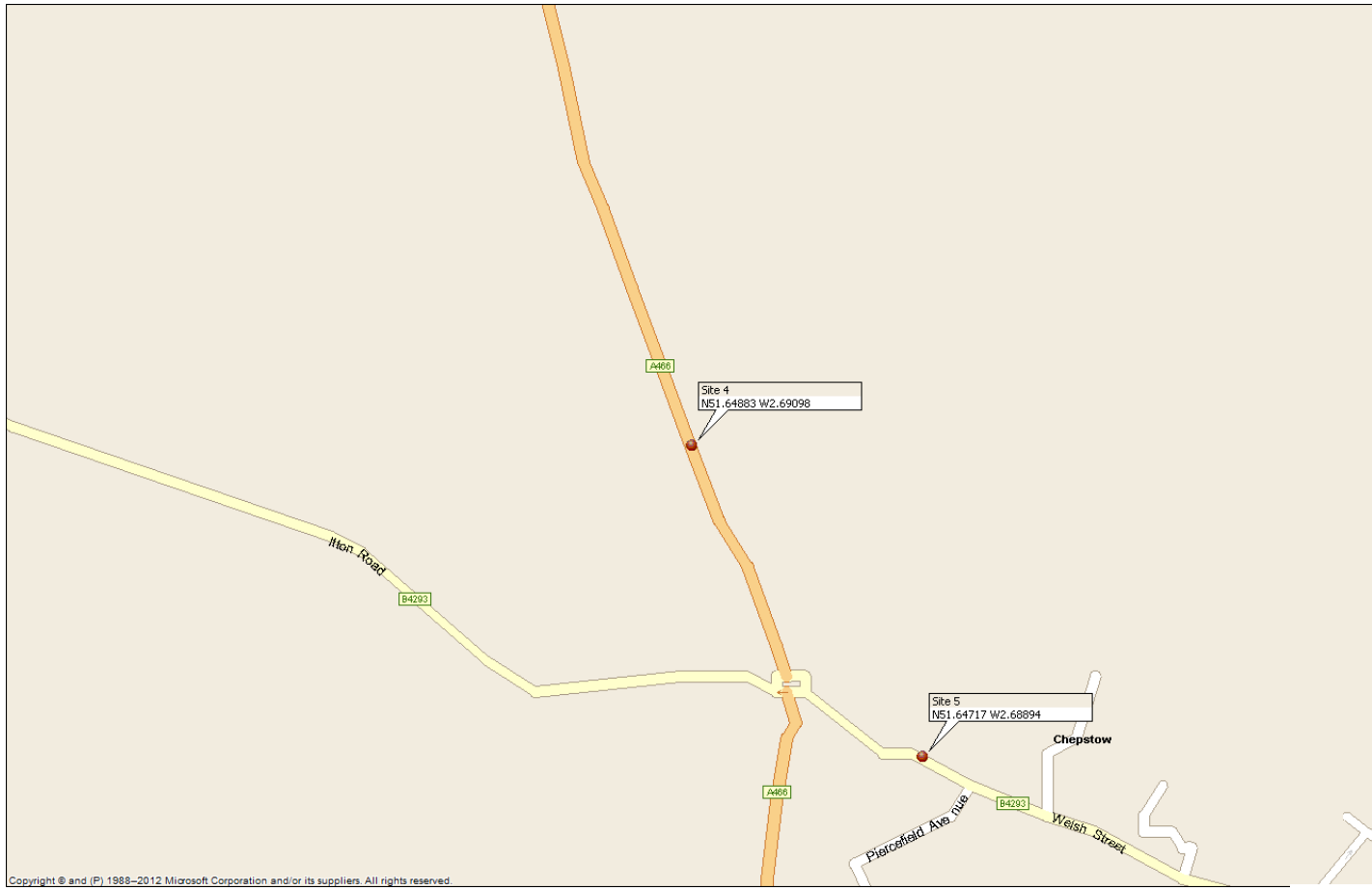


Traffic Count Site 3

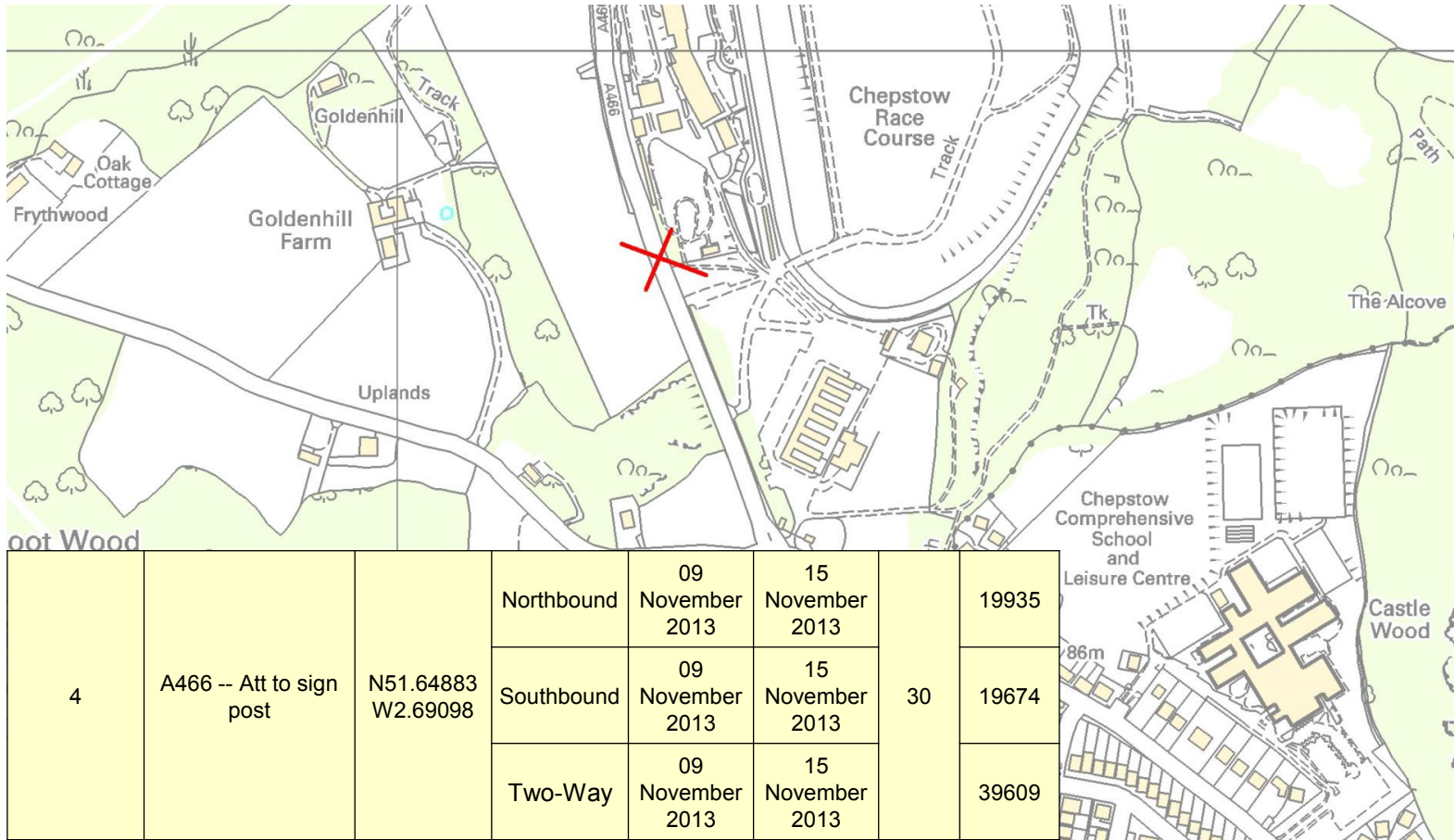


3	A466 Wye Valley Link Road -- Att to lamp post	N51.63636 W2.68662	Northbound	09 November 2013	15 November 2013	30	41309
			Southbound	09 November 2013	15 November 2013		46739
			Two-Way	09 November 2013	15 November 2013		88048

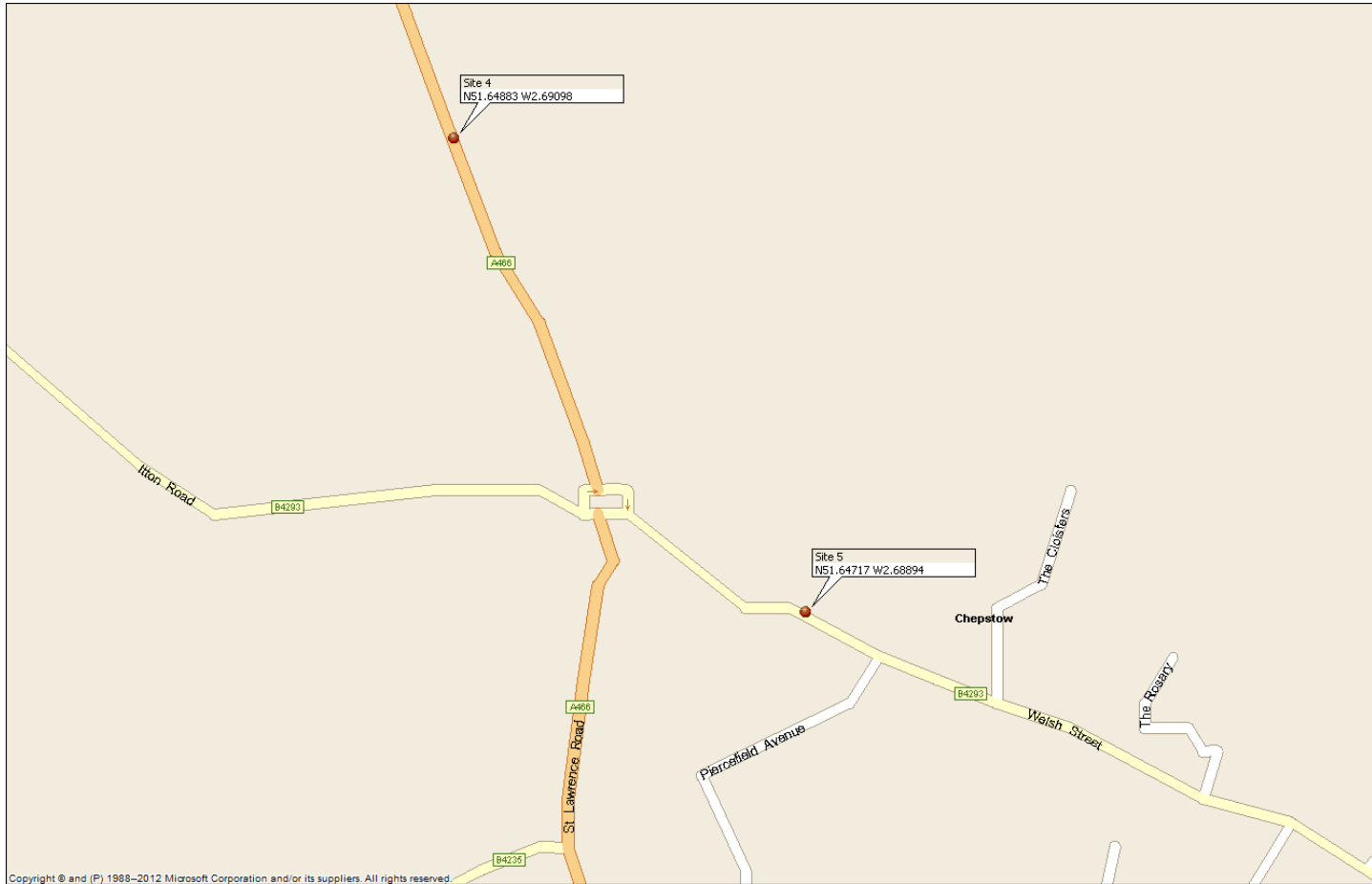
Site 4



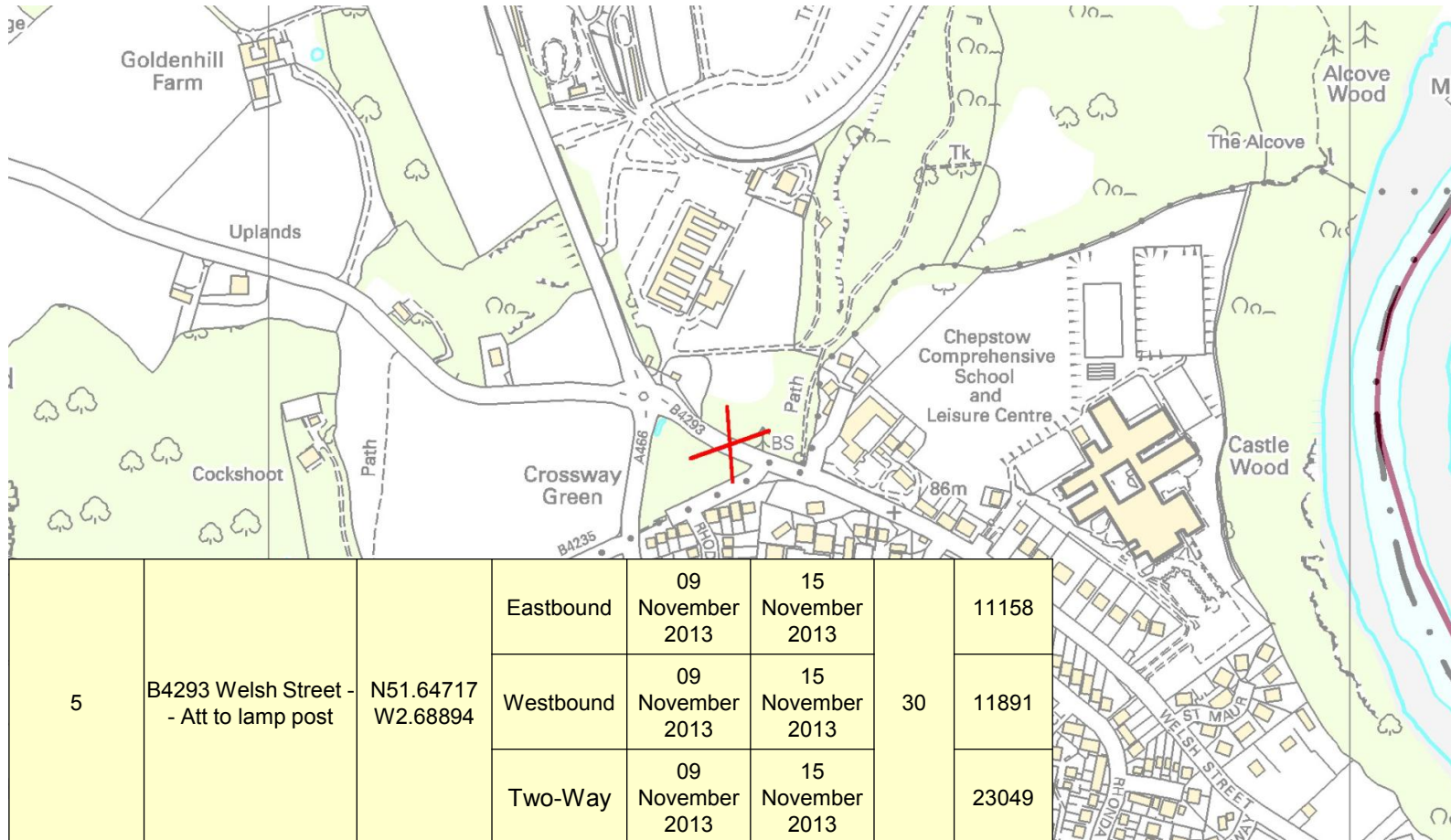
Traffic Count Site 4



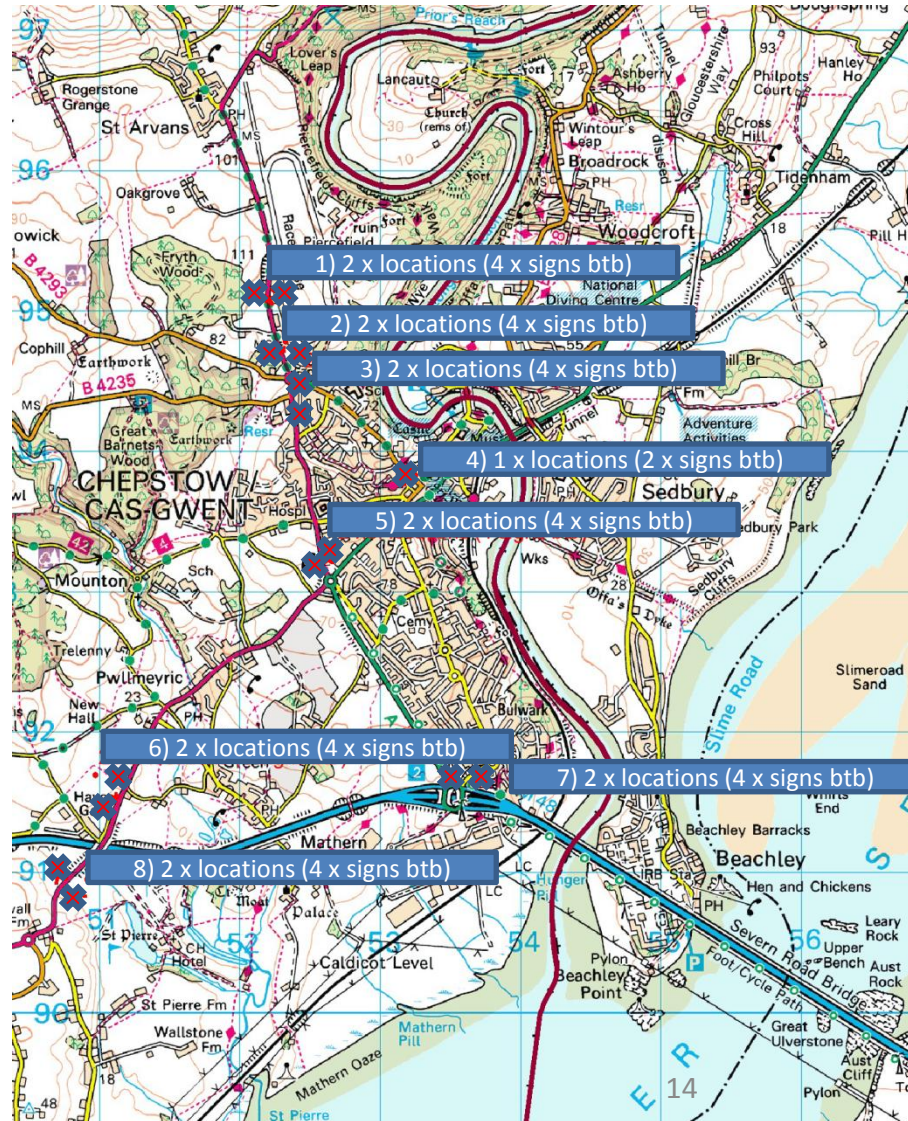
Site 5



Traffic Count Site 5



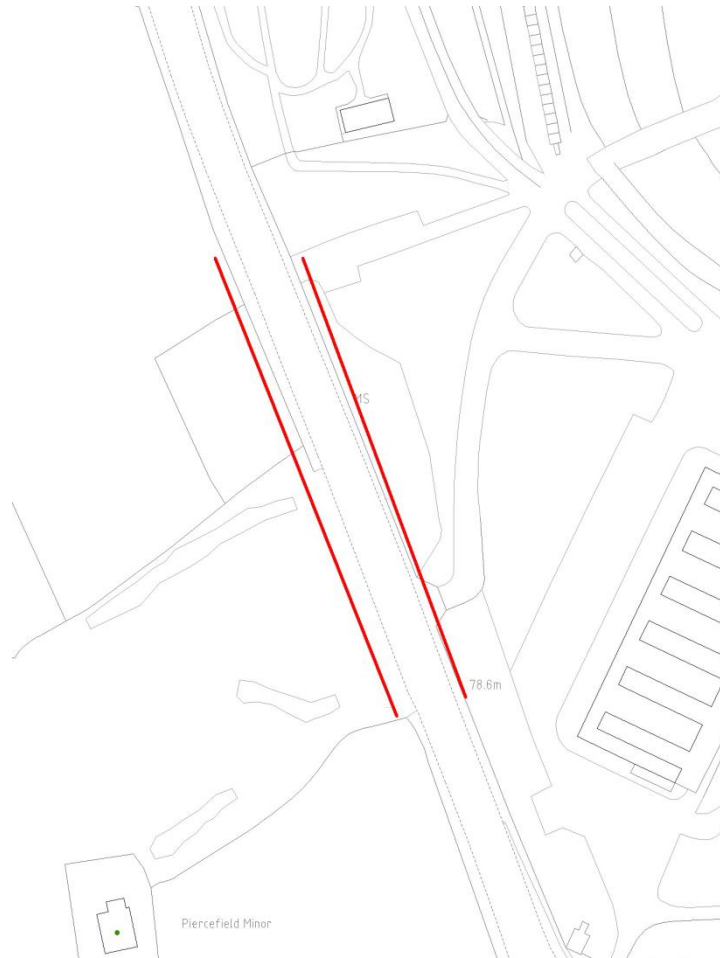
Chepstow Site Location Plan



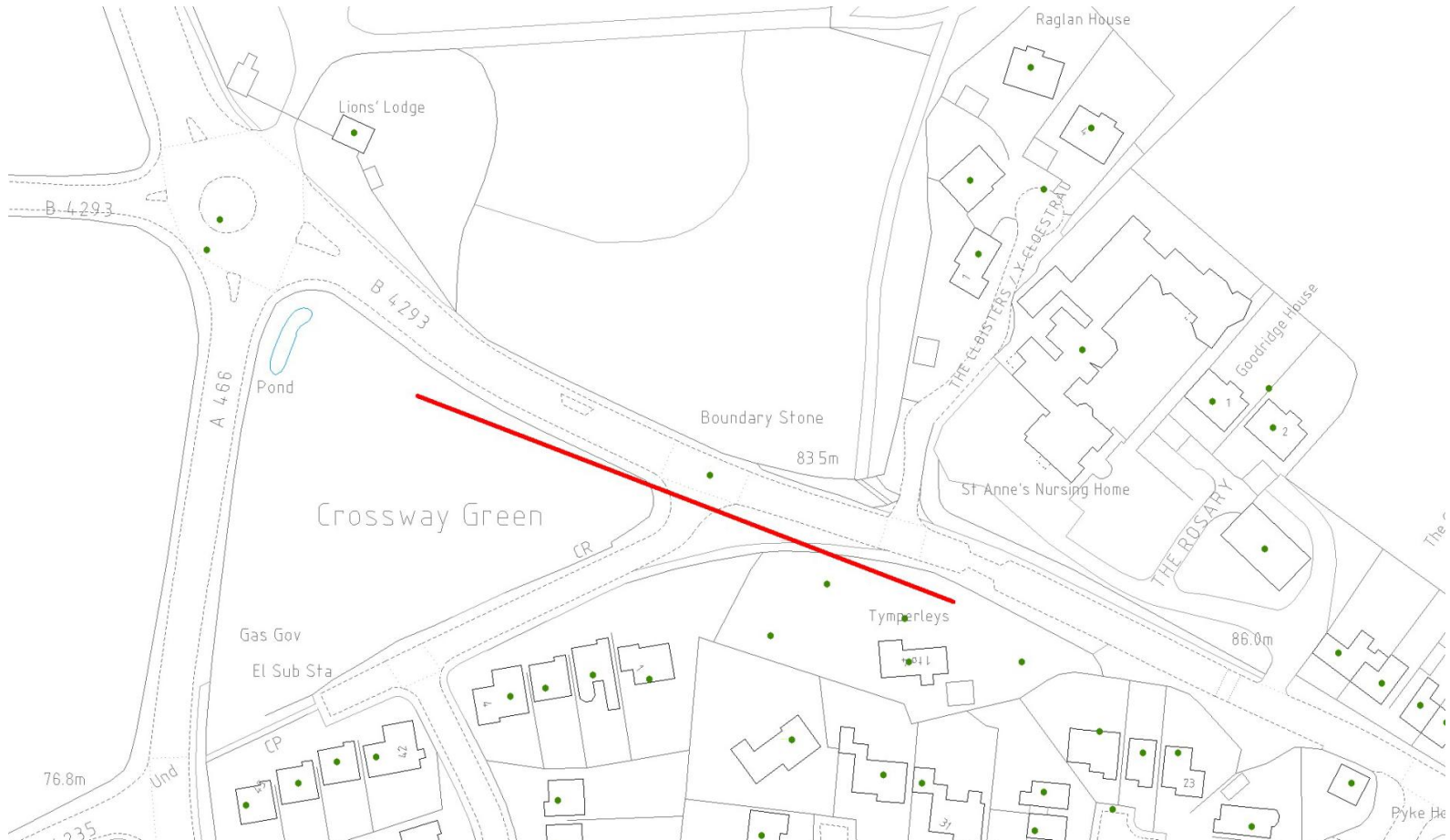
1) A466 Outside Chepstow Racecourse



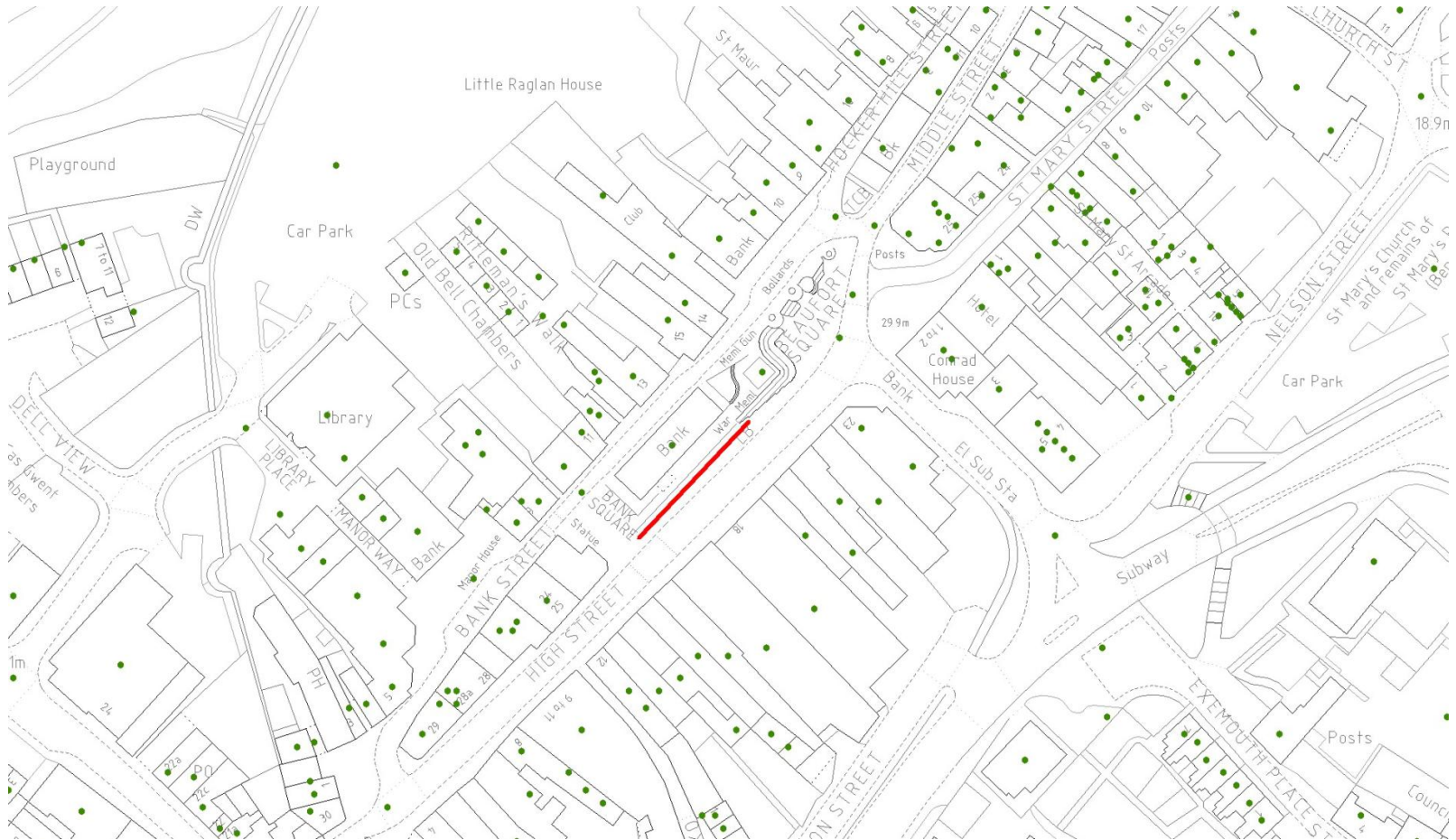
2) A466 on hill approaching Chepstow Racecourse



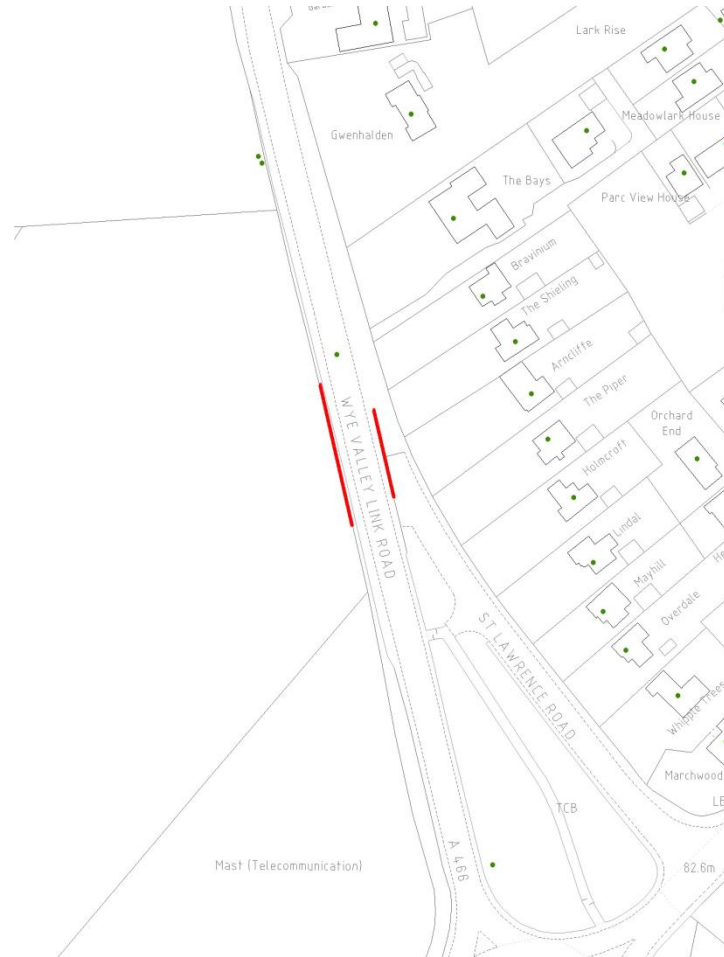
3) Welsh Street, nr Junc A466 below Chepstow Racecourse



4) High Street Chepstow, Barclays Bank Railings



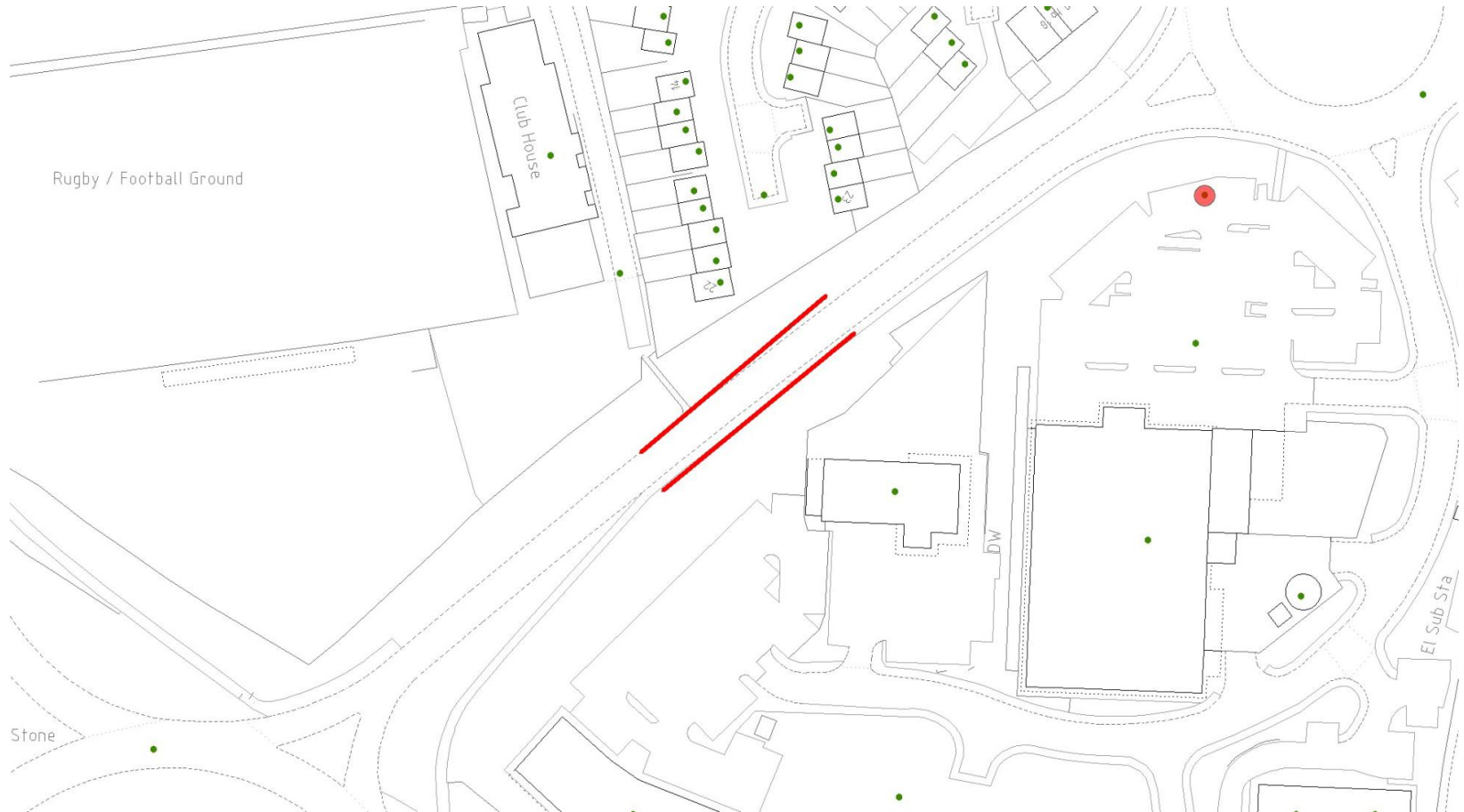
5) A466 Nr Highbeech RA



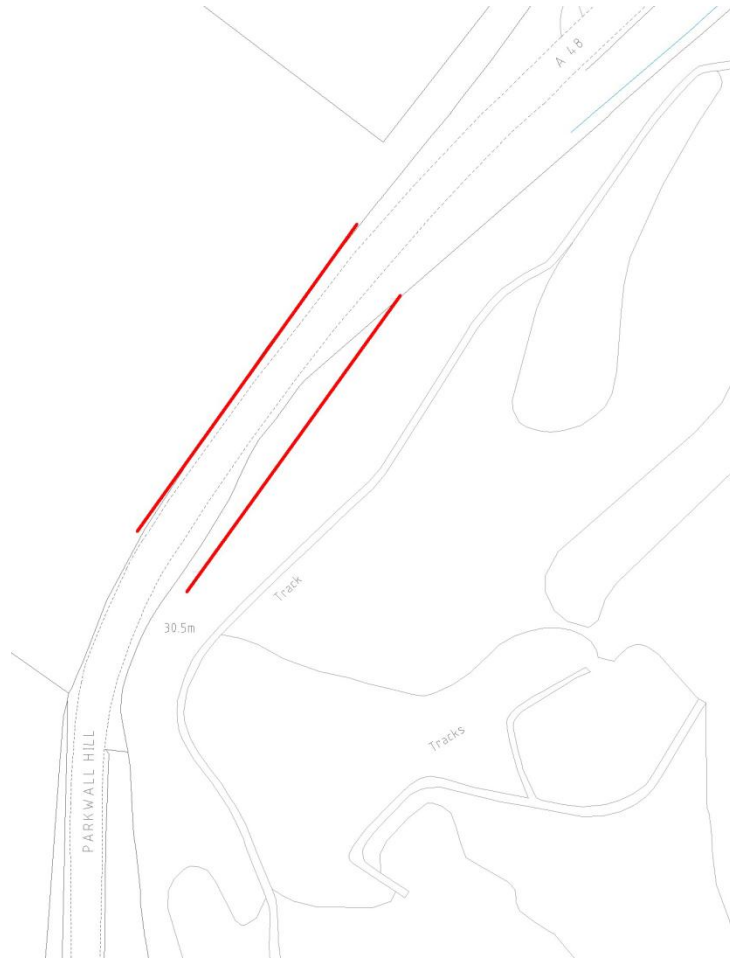
6) A48 Mathern between Hayes Gate and Baileys Hay



7) Off A466 Junc M4 into Thornwell



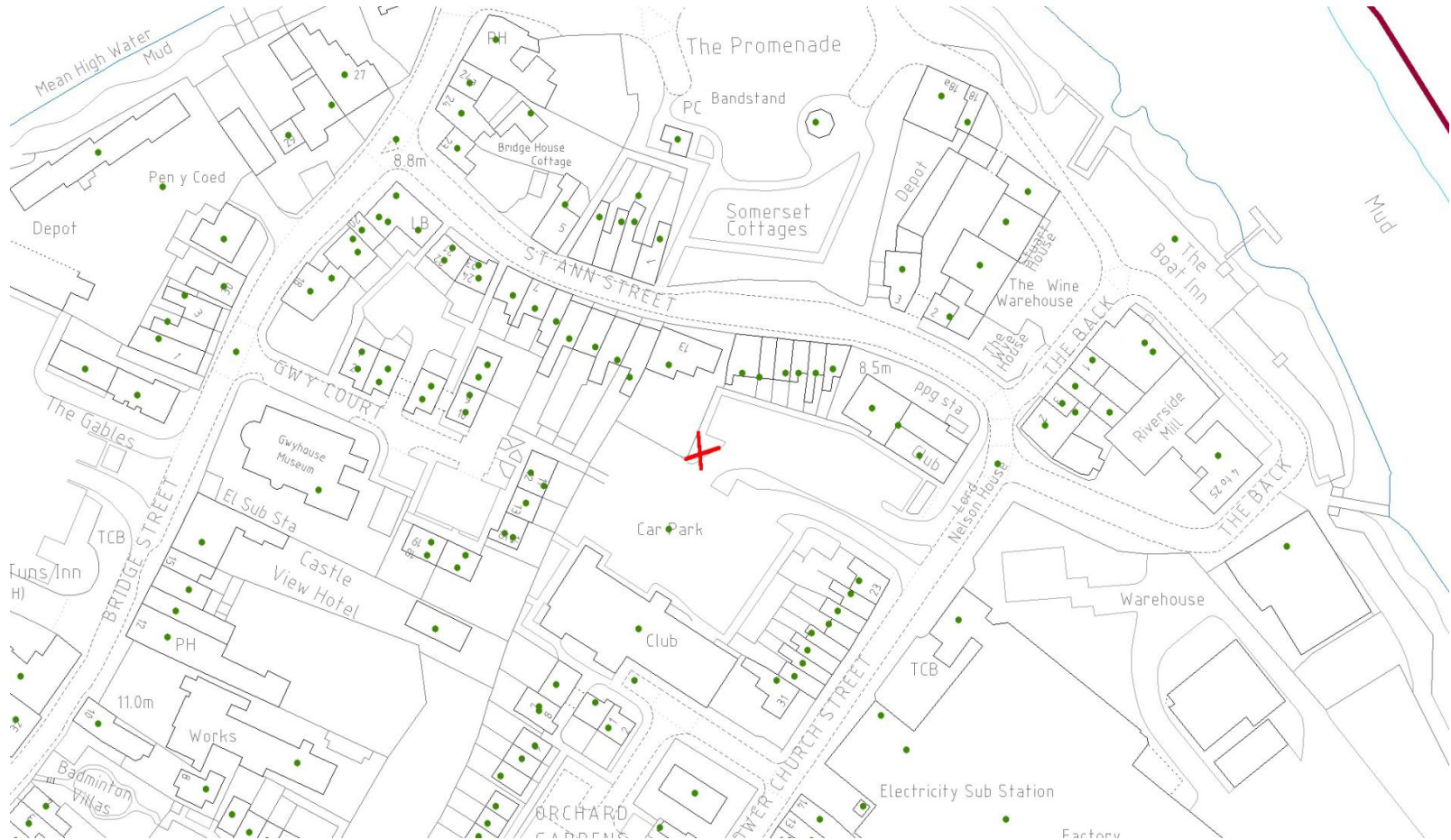
8) A48 Parkwall Hill



Car Park Figures

Machine	Description	20120401	20120501	20120601	20120701	20120801	20120901	20121001	20121101	20121201	20130101	20130201	20130301	Total
CH1	Drill Hall	294	401	455	462	364	354	510	414	324	325	336	431	4670
CH2	Drill Hall	86	95	116	124	231	79	44	0	0	0	0	0	775
CN1	Nelson Street	4111	5130	5301	5161	5340	4580	5315	4848	3986	4024	4324	4793	56913
CN2	Nelson Street	3071	2552	2319	2387	2540	2105	2427	2201	1844	2174	2080	2443	28143
CW1	Welsh Street	3629	4053	3871	4038	3998	3738	3969	3183	2995	2225	3005	3571	42275
CW2	Welsh Street	4555	4480	5151	5326	5177	5020	5298	5159	4804	4308	4584	4979	58841
CW3	Welsh Street	2527	3090	2613	2596	2726	2573	2249	2606	2145	2495	2405	2555	30580
CS1	Castle Dell	1351	1362	1595	1555	1792	1392	1288	843	628	724	1021	1197	14748
CS2	Castle Dell	750	649	776	801	1084	729	561	356	271	319	488	475	7259
Total	9	20374	21812	22197	22450	23252	20570	21661	19610	16997	16594	18243	20444	244204

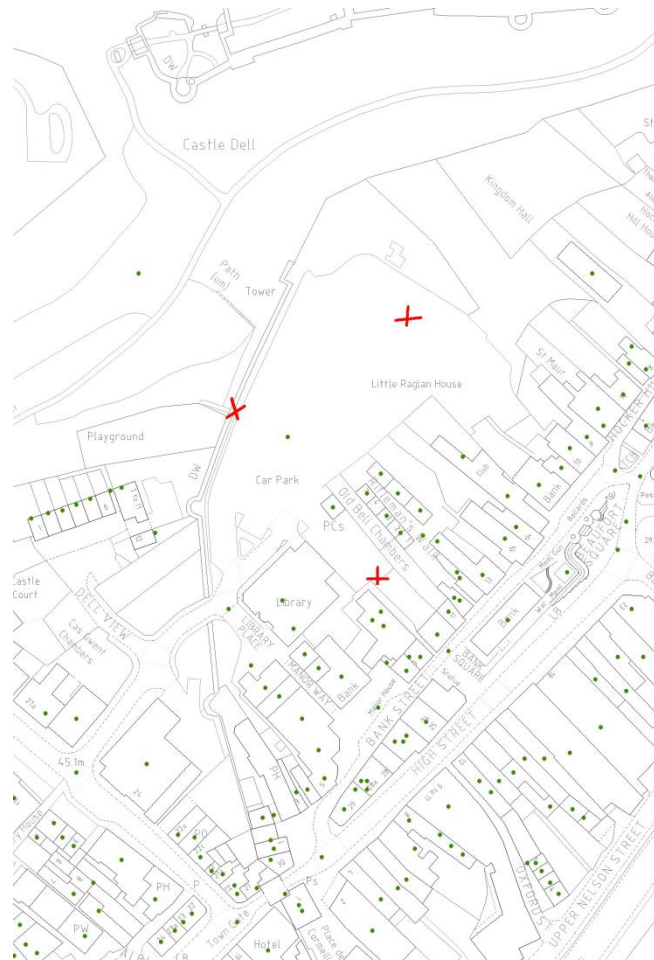
Drill Hall Car Park, Lower Church Street



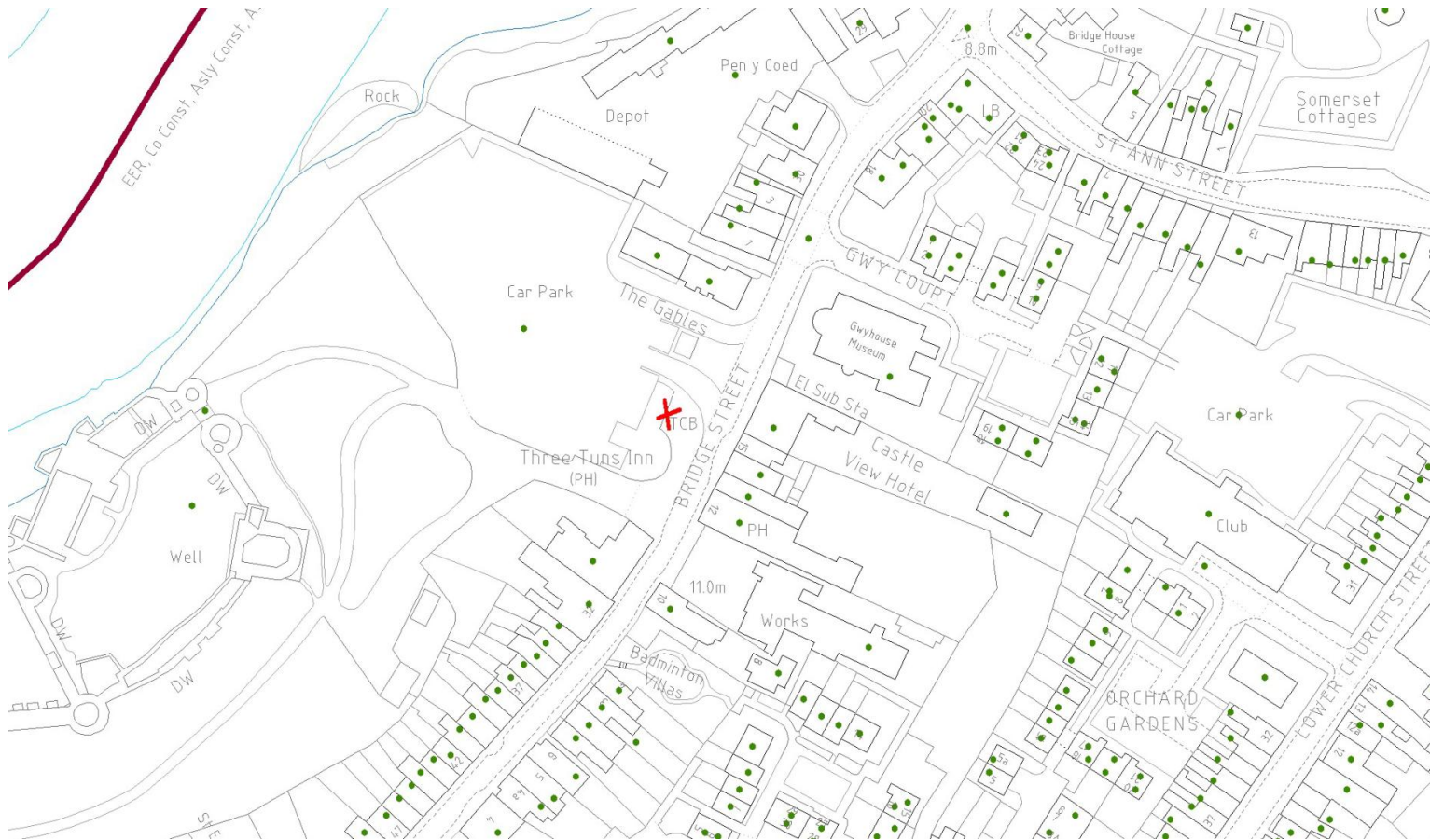
Nelson Street Car Park, Chepstow



Welsh Street Car Park



Bridge Street Car Park (Chepstow Castle Car Park)



MONMOUTHSHIRE COUNTY COUNCIL

COMMUNITY PROVISION POLICY

1. Introduction

1.1 Community supported activities form part of a vibrant street scene. This policy aims to help coordinate, reduce the risks involved and provide a system that can be managed and readily understood. Unfortunately in drawing in the Commercial activities to a robust policy means that in order to prevent misuse then all activity needs to be managed fairly. The policy makes no provision for an annual licencing fee, but a one off licence charge will be made to cover the administration costs.

1.2. What is a Community Provision?

Community Provisions' are defined as, not for profit or fund raising activities provided to improve the Highway Street scene. They can include the following activities, or activities of a similar nature:-

- (i) Community Council notice boards
- (ii) Memorial benches, trees, planting areas
- (iii) Community sponsored planting areas, street furniture and permanent features
- (iv) Sales pitches for use by Charities and Community Sponsored events, such as open days for 'Guide Dogs' Society or 'emergency Service' open events

This Policy will not cover those events covered by the Temporary Entertainments Notices (TEN's) or the Safety Advisory Group (SAG) process, which are by nature not permanent features in the highway. These will continue to be coordinated under the New Roads and Street Works Act 1991 and administered by the Highway Network Management Section.

The provision and licensing of street markets will remain with Area Services Officers who currently organise and charge market stall holders for their events

1.3 The problems of Community provision

These provisions, because they are unmanaged, often lead to confusion about ownership and long term maintenance regimes, or create unnecessary risks and hazards to highway users. A single system aimed at approving and registering these provisions will allow Monmouthshire County Council to ensure its duty to 'assert and protect the rights of the public to the use and enjoyment of any highway'.

1.4 Legislation

- (i) Under section 130 of the Highway Act 1980 (1) it is the Duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste which forms part of the it.
- (ii) Under section 149 of the Highway Act 1980 (1) if anything is so deposited on a highway as to constitute a nuisance, the highway authority for the highway may by notice require the person who deposited it there to remove it forthwith.....
- (iii) Under section 149 of the Highway Act 1980 (2) if the highway authority for any highway have reasonable grounds for considering –

- a. That anything unlawfully deposited on the highway constitutes a danger.....to the users of the highway, and
 - b. That the thing in question ought to be removed without the delay involved in giving notice.....
- Under this section,

the authority may remove the thing forthwith

2. Methods of Prevention

The Council aims to prevent illegal Community Provision at source. Applications are normally made to Monmouthshire County Council at an early stage and by guiding applicants through this process will provide the prevention method. By circulating the new policy to all Community Councils, either at consultation or implementation stage it will again provide a degree of prevention.

2.1 Highway activity

The Highway Operations Department have a limited activity in this area, most are trying to resolve historical provision or dealing with applications made through the Community Councils.

2.2 General

This Authority is committed to helping and engaging the community when requested. No formal approach exists and applications are treated personal experience and not through official guidance.

3. Our Approach

3.1 This Authority recognises the need, and the desire, for Local Community provision. It does not therefore seek a 'zero tolerance' approach, recognising the difficulties this would present to charitable and community groups, statutory bodies and others.

3.2 enforcement action is likely to be minimal. Someone wishing to place a permanent structure, such as a seat, will normally contact the council to seek advice. A process is outlined in attachment 2 in order to provide consistency and clarity.

3.2 Any complaints regarding community provision will in the first instance be recorded at our One Stop Shops. A 'process map' outlining the procedure for dealing with community provision is provided in Attachment 1. Staff at the OSS's will be updated to reflect recent changes in both legislation and personnel (notably in Highways). Highways would be the first point of reference for any community provision complaints, referring to colleagues in other teams where the situation demands – as outlined in Section 2 above. The 'one point of reference' will allow the Authority to measure numbers of complaints, any trends, and our effectiveness.

3.3 It is the view of Officers in Highways that they deal with their elements of existing legislation, because of their professional and competent approach. This policy will allow Highway Engineers to manage and determine compliance with the Highways Act provisions with more confidence. Better joint working, with improved communication, between those teams who maintain open spaces, will help ensure acceptance throughout the organisation. For example, a provision request made to the Highway Department on a Public Right of Way can be relayed to Countryside directly with an understanding that they will manage any provision.

- 3.4 Retrospective applications will not be pursued.
- 3.5 Highways staff, in the interests of clarity, will adopt the following prescribed approach:

Organisations are permitted to apply under this provision, provided they :-

- do not cause offence
- do not cause a traffic or pedestrian hazard or safety issue in any way
- do not damage hardware by their presence
- are of presentable and safe in quality
- are maintained, where stipulated in the agreement, by the organisations concerned

Approved Organisations

The list of approved organisations, determined by the Highways Section, will be strictly limited. Initially it will include:

- Community Councils
- Community groups supported by the Community Council
- Statutory organisations, such as the NHS, Fire or Ambulance
- Registered Charities, such as the guide dog association
- Legitimate not-for-profit advertisers approved from time to time to provide public information. The local Church notice board or a Scouts group wishing to plant an apple orchard.

The Head of Highways may extend the list of approved organisations, by written permit in exceptional circumstances. Applicants will be expected to demonstrate support from the local community is real.

The following organisations are expressly not permitted to erect signs:

- Commercial businesses or members of the Public who cannot demonstrate the support of the Community, either the Community County Council or the County Council elected member for the locality of the application.
- Party political organisations

- 3.6 Approved organisations who fail to observe the Council's conditions may have their permit withdrawn and may risk prosecution.

4. Outcomes

- 4.1 The outcome sought is to ensure a quick and effective response to requests. By consistent recording of requests and successful applications, working together better with early intervention, resolution and enforcement of problems will limit the current confusion.
- 4.2 Officers involved with the policy will ensure all relevant Officers, including One Stop Shop staff, are aware of the content of this policy and monitor compliances, to update their procedures and provide some training.
- 4.3 The policy will be reviewed every 12 months to determine whether it assists in reducing fly posting in Monmouthshire.

5. Report Contributors

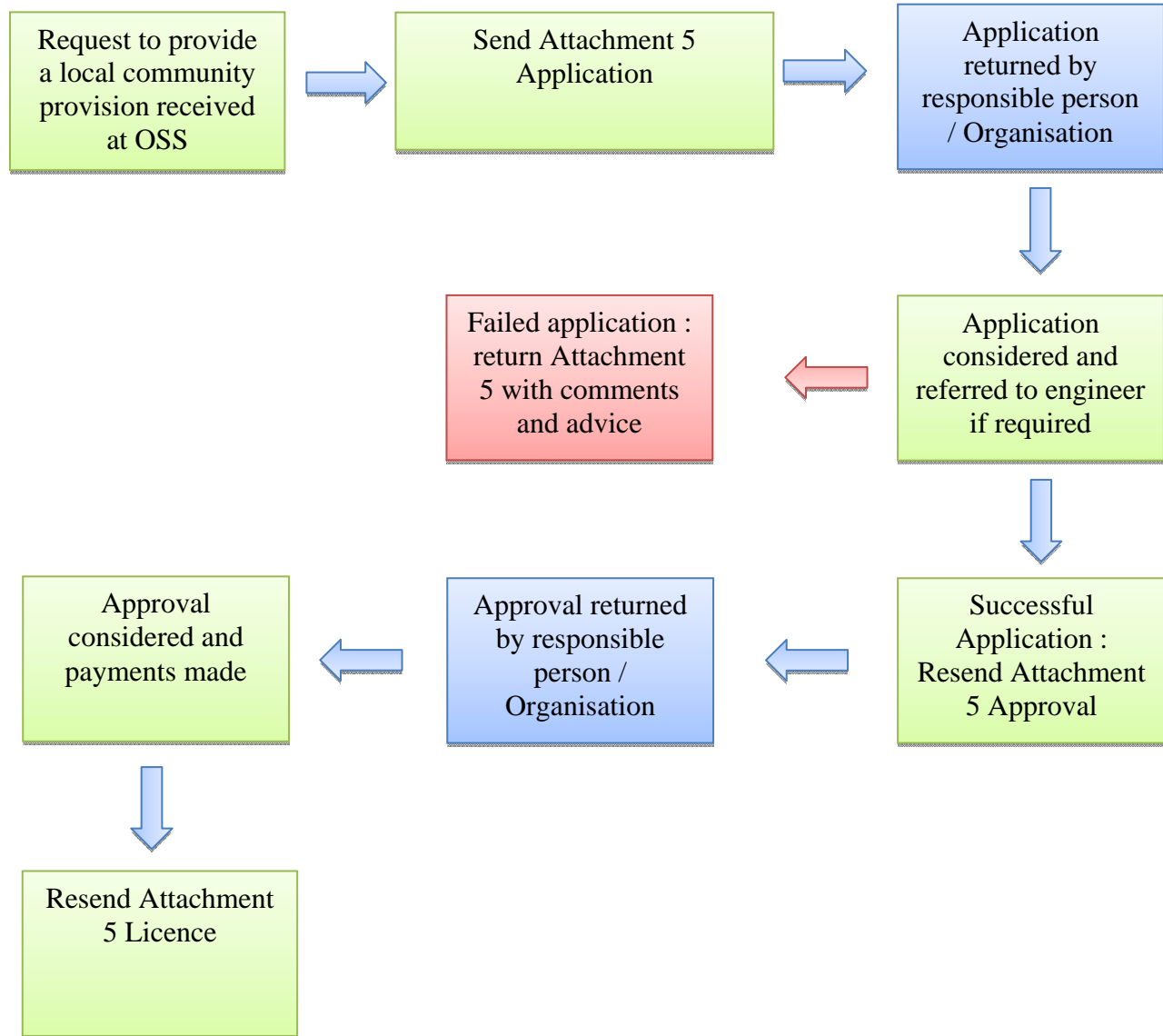
6. Report Authors –

Monmouthshire County Council, Highways Operations

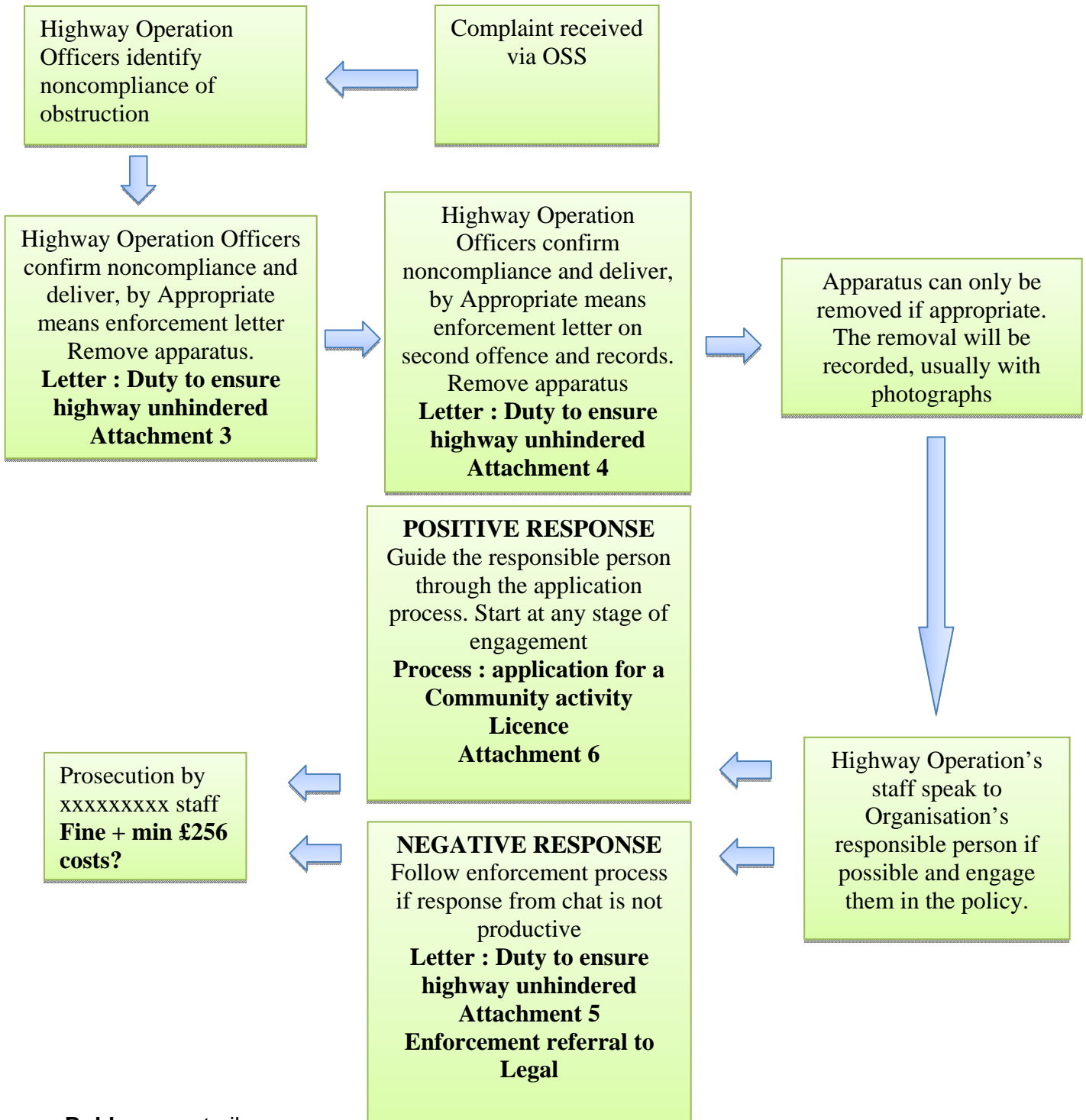
Attachment 1

Attachment 1

LICENCE FLOW



ENFORCEMENT FLOW



Bold = paper trail
 Oss = one stop shop / call centre

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Our Ref:/Ein Cyf: HED/ **T21**

Your Ref: *Eich Cyf*:

Date/Dyddiad :

Dear Sir/Madam

Highway Act 1980 Section 130 : Duty to ensure Highway is unhindered

I am writing to advise you that apparatus, we believe belongs to you or bears your identity has been found illegally placed on Highway in Monmouthshire. I must remind you that it is an offence under section 149 of the Highways Act 1980 to erect such an object on the highway without consent. No permission has been given for this apparatus to be erected, so it is therefore being removed again by the Council.

Monmouthshire County Council have a policy that allows organisations, who meet the local needs, to install apparatus in the Highway. Some fees are required to do so but should you wish to make an application please do so by contacting your local One Stop Shop or calling 01633 644725.

Yours faithfully

Glyn Edmunds

Highway and Waste Manager

Regeneration, Environment & Resources Directorate

The person dealing with this matter is:
Highway Enquiry Desk
Tel.No./Ffôn: 01633 644725
Fax/Ffacs: 01633 644725
Email/Ebost:
Our Ref:/Ein Cyf: HED/**T22**
Your Ref: Eich Cyf:
Date/Dyddiad : 25 November 2014

Dear Sir/Madam

Highway Act 1980 Section 130 : Duty to ensure Highway is unhindered

I am writing to advise you that apparatus, we believe belongs to you or bears your identity has been found illegally placed on Highway in Monmouthshire. I must remind you that it is an offence under section 149 of the Highways Act 1980 to erect such an object on the highway without consent. No permission has been given for this apparatus to be erected, so it is therefore being removed again by the Council.

Your co-operation in refraining from the activity will be appreciated, as we prefer such matters not to escalate to a prosecution. Court action is not in the interests of either party, and the courts generally favour the local authority in such cases.

You should be aware that it is the policy of the Council to prosecute people who repeatedly obstruct the highway. No further warnings will be issued to you on this matter.

Monmouthshire County Council have a policy that allows organisations, who meet the local needs, to install apparatus in the Highway. Some fees are required to do so. You should ensure, if you wish to persist with these obstructions, to make an application please do so by contacting your local One Stop Shop or calling 01633 644725.

Yours faithfully

Glyn Edmunds
Highway and Waste Manager
Regeneration, Environment & Resources Directorate

The person dealing with this matter is:
Highway Enquiry Desk
Tel.No./Ffôn: 01633 644725
Fax/Ffacs: 01633 644725
Email/Ebost:

Our Ref:/Ein Cyf: HED/**T23**
Your Ref: Eich Cyf:
Date/Dyddiad : 25 November 2014

Dear Sir/Madam

Highway Act 1980 Section 130 : Duty to ensure Highway is unhindered

I am writing to advise you that apparatus, we believe belongs to you or bears your identity has been found illegally placed on Highway in Monmouthshire. I must remind you that it is an offence under section 149 of the Highways Act 1980 to erect such an object on the highway without consent. No permission has been given for this apparatus to be erected, so it is therefore being removed again by the Council.

I am passing the matter to the Council's solicitors, who will now instigate legal proceedings. Our costs will be recovered through the courts.

Yours faithfully

Glyn Edmunds
Highway and Waste Manager
Regeneration, Environment & Resources Directorate



**APPLICATION : COMMERCIAL OBSTRUCTION IN THE HIGHWAY LICENCE
TYPE D : COMMUNITY ACTIVITY PROVISION IN HIGHWAY**
Subject to section 132 of the Highway Act 1980

Agreement by both parties, to this arrangement, will require the payment of a single approval fee, but may include an appropriate maintenance agreement, by the applicant, to
Monmouthshire County Council
These fees are : on successful application a £75 administration

Organisations are reminded that permission granted is subject to the full policy of Monmouthshire County Council. (copies available on request.) In particular, all proposed activity must not a) cause offence, b) cause a traffic hazard or safety issue, c) damage street furniture by their presence, d) compromise safety if a permanent feature., or e) may be subject to a maintenance agreement. A project must be of accepted quality and appropriate .

I wish to apply for permission to erect a poster(s) fixed to highways furniture in Monmouthshire

My organisation.....

Responsible representative :.....Signature :.....

Email Address :.....Tel No. :.....

Postal Address :.....

Are you a charity : seek support of Community Council or permission refused.
Apply under commercial activities in the highway type C or E

Charity Nos.:.....

Proposal : Supply detail drawings / plans / specification as required

.....
.....
.....
.....

Public liability insurers :.....Policy expiry date :.....

Event dates(s) :.....Will there be repeat events :.....

Is this a permanent feature :.....

Location : Please supply detail plan and design as required for clarity.....

.....
.....
.....



Official use : Permission :

Given : please refer to Attachment 6 detailing criteria : send attachment 6 with comments

Refused : please give reasons in comments : send attachment 6 with comments

Referred to Area Engineer for comments :

Comments / Stipulations to licence :...include drawings and specifications that will form agreement.....
.....
.....
.....

Signed : Date :

Completed by Applicant:To be completed by the responsible Person, of the business, on successful agreement to undertake the Community Provision.

Please return, with payments, to allow the issue of a Licence.. Please note that the comment / stipulations made above will form part of the licence. Failure to comply with the Licence will require the removal of the provision.

Please find enclosed Payments as prescribed below. I understand that (a) I will need to ensure that I comply with the Guidance and in particular (b) I will ensure that my Public Liability Insurance is maintained and my Organisation will remain covered, and Monmouthshire County Council will be indemnified for the whole duration of the Licence, (c) I will ensure the Provision does not cause a hazard or safety issue. Please call 01633 644725 to arrange payment

£75 application and approval fee, one off payment per application as below, e.g. :-

- a) A permanent feature, such as memorial bench or Community planting area.
- b) A sales pitch, upto one day a week, renewed each year (renewal fee £50). One site, one application.
- c) A sales pitch, one day. No fee. (repeat applications, exceeding 6 per year will be charged)

Date Licence to commence :.....

I understand that this document will form the Licence only when signed and dated below by Officer of Monmouthshire County Council.

Signed : Responsible representative : (As application above).....

Signature :.....Date :.....



LICENCE FOR COMMUNITY ACTIVITY

Reference :

Official use : The Licence in force when : This document and applicable stipulation / drawings received and

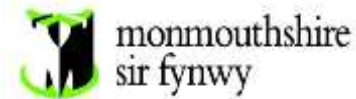
Approval fees paid

Licence Agreed

PLAN / DETAILS

STIPULATIONS

Signed : Date :
Licence to place Provision within the Area defined above and agreement until,
DATE.....



SUBJECT: MONMOUTHSHIRE LOCAL DEVELOPMENT PLAN AFFORDABLE HOUSING SUPPLEMENTARY PLANNING GUIDANCE

MEETING: CABINET

DATE: 3 DECEMBER 2014

DIVISION/WARDS AFFECTED: ALL

1. PURPOSE:

- 1.1 The purpose of this report is to seek Cabinet's endorsement of Draft Supplementary Planning Guidance (SPG) on Affordable Housing to support the policies of the Monmouthshire Local Development Plan (LDP), with a view to issuing for consultation purposes and to recommend to Council accordingly.

2. RECOMMENDATIONS:

- 2.1 Cabinet endorse the Draft Affordable Housing SPG with a view to issuing for consultation purposes and to recommend to Council accordingly.

3. KEY ISSUES:

3.1 Background

The Monmouthshire County Council LDP 2011-2021 was adopted on 27 February 2014, superseding the Monmouthshire Unitary Development Plan (UDP), to become the adopted development plan for the County (excluding that part within the Brecon Beacons National Park). The LDP contains sufficient policies and proposals to provide the basis for deciding planning applications, and for determining conditions to be attached to planning permissions, but it was necessary to ensure that it avoided excessive detail. Selective use of SPG is a means of setting out more detailed thematic or site specific guidance on the way in which the policies of an LDP will be applied in particular circumstances or areas.

- 3.2 LDP Wales (2005) at paragraph 5.2 states that:

'SPG does not form a part of the development plan but must be consistent with it. It may take the form of site specific guidance such as master plans, design guides or area development briefs, or thematic such as shopfront guidance or detailed car parking standards. It should

be clearly cross-referenced to the relevant adopted plan policy or proposal, which it supplements, and may be issued separately from the plan. It should be made publicly available and its status made clear.'

- 3.3 Paragraph 5.3 of LDP Wales further emphasises that SPG can be a material consideration in the determination of planning applications, provided that appropriate consultation has been undertaken and that it has been approved in accordance with the Council's decision making process:

'While only the policies in the development plan have special status under section 38(6) of the 2004 Act in deciding planning applications, SPG may be taken into account as a material consideration. SPG should be prepared in accordance with an authority's CIS [Community Involvement Scheme]; consultation should involve the general public, businesses, and other interested parties and their views should be taken into account before the SPG is finalised. It should then be approved by a Council resolution. A statement of the consultation undertaken, the representations received and the authority's response to those representations should be made available with the approved SPG, either in an annex or in a separate document. In making decisions on matters that come before it, the Assembly Government and the Planning Inspectorate will give substantial weight to approved SPG which derives out of and is consistent with the development plan, and has been prepared consistent with the above advice.'

- 3.4 A programme for the preparation of SPG was endorsed by Planning Committee on 7 October 2014 and by Individual Cabinet Member decision on 22 October 2014
- 3.5 There is a need for Affordable Housing SPG as it has significant policy and/or financial implications for the implementation of the LDP. A number of allocated LDP sites are coming forward in the planning application process. The absence of adopted SPG does not prevent the Council achieving the required percentages of affordable housing as set out in LDP Policy S4 but it is obviously beneficial if appropriate guidance is provided to assist in the process. This is particularly advantageous in the case of rural housing allocations, which are covered by a new policy requiring them to provide 60% affordable housing, although, again, there has been a substantial amount of interest in a number of these sites, which to date are being progressed through pre-application discussions. A further new policy initiative in relation to affordable housing is that developments that fall below the threshold at which affordable housing is required on site are now required to make a financial contribution towards affordable housing provision in the locality. This is a matter that does require adopted SPG as it would be unreasonable to introduce this provision without appropriate consultation and a formal decision of the Council.
- 3.6 The Draft Affordable Housing SPG is attached to this report as an Appendix. The SPG provides background information on affordable housing issues, including national planning policy, the need for affordable housing in Monmouthshire, the planning application and negotiation process and LDP monitoring and targets. The main body of the SPG (Section 4) addresses seven types of situation where it is considered that further clarification is required:

- A) Where the affordable housing threshold of 5 or more is applicable, i.e. in Main Towns, Rural Secondary Settlements and Severnside Settlements.
- B) Where the affordable housing threshold is not met and financial contributions are required.
- C) Sites allocated in Main Villages under LDP Policy SAH11 with the specific purpose of providing 60% affordable housing.
- D) Other sites in Main Villages.
- E) Minor Villages.
- F) Conversions and sub-divisions in the open countryside.
- G) Departure applications in the open countryside.

A further policy area that requires explanation is the Affordable Housing Rural Exceptions policy (LDP Policy H7). A substantial part of the SPG (Section 6) also sets out the mechanisms that will be used to deliver affordable housing.

- 3.7 The SPG has been written with Housing & Communities, Senior Strategy and Policy Officer, with the assistance of the Rural Housing Enabler for Monmouthshire.

3.7 Next steps

- 3.7.1 It is intended to report the Draft Affordable Housing SPG to Council later in December with a view to seeking endorsement to issue it for consultation purposes.

- 3.7.1 As referred to in paragraph 3.3 above, for SPG to be given weight in the consideration of planning applications, appropriate consultation needs to be undertaken and any comments received should be taken into account in the Council's decision making process. Following a resolution to consult, targeted notifications will be sent to those considered to have an interest in the SPG topic, although all town and community councils will be consulted and notices will be placed in the press. Individuals and organisations currently on the LDP consultation data base have been given the opportunity to request to be notified on some or all SPGs that they are interested in. All consultation replies will be analysed and responses/amendments reported for Members' consideration when seeking a resolution for the adoption of any SPG document.

4. **REASONS:**

- 4.1 Under the Planning Act (2004) and associated Regulations, all local planning authorities are required to produce a LDP. The Monmouthshire LDP was adopted on 27 February 2014 and decisions on planning applications are now being taken in accordance with policies and proposals in the LDP. The Affordable Housing SPG provides further explanation and guidance on the way in which the affordable housing policies of the LDP will be implemented.

5. **RESOURCE IMPLICATIONS:**

- 5.1 Officer time and costs associated with the preparation of the SPG document and carrying out the required consultation exercises. These will be within the existing Development Plans budget and carried out by existing staff.
- 5.2 A new funding stream will arise from processes introduced in association with the Affordable Housing SPG. LDP Policy S4, Affordable Housing, makes provision for financial contributions to be required to assist in funding affordable housing in the County where residential developments do not meet the thresholds for providing such housing on site. In addition, a process is set out in the SPG for requiring financial contributions in the exceptional circumstances where it is not appropriate or feasible to provide affordable housing on site.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

6.1 Sustainable Development

An integrated equality and sustainability impact assessment was carried out in connection with the Deposit LDP. Under the Planning Act (2004), the LDP was required, in any event, to be subject to a Sustainability Appraisal (SA). The role of the SA was to assess the extent to which the emerging planning policies would help to achieve the wider environmental, economic and social objectives of the LDP. The LPA also produced a Strategic Environmental Assessment (SEA) in accordance with the European Strategic Environment Assessment Directive 2001/42/EC; requiring the ‘*environmental assessment*’ of certain plans and programmes prepared by local authorities, including LDP’s. All stages of the LDP were subject to a SA/SEA, therefore, and the findings of the SA/SEA were used to inform the development of the LDP policies and site allocations in order to ensure that the LDP would be promoting sustainable development. This SPG is expanding and providing guidance on existing LDP affordable housing policies, which were prepared within a framework promoting sustainable development. In addition, affordable housing makes an important contribution to the sustainability of our towns and villages by providing homes that local people on low incomes can afford to live in. It also a means of providing low cost homes for first time buyers. A commuted sum also has the potential to bring forward additional units of housing to meet the specific housing needs of vulnerable groups.

6.2 Equality

- 6.2.1 The LDP was also subjected to an Equality Challenge process and due consideration given to the issues raised. As with the sustainable development implications considered above, the SPG is expanding and providing guidance on these existing LDP affordable housing policies, which were prepared within this framework. New SPG will be subject to Equality Impact Assessments to ensure that informed decisions can be made. Where practicable and appropriate, consultation will include targeted involvement of those with the relevant protected characteristics.
- 6.2.2 Assessments of Equality Impact will be required throughout the Plan’s implementation wherever there is likely to be significant impact. In this respect, the LDP will be subject to an Annual Monitoring Report that will include consideration of Equality Impacts.

7. CONSULTEES

- Strong Communities Select
- Planning Committee
- SLT
- Cabinet

7. BACKGROUND PAPERS:

- Monmouthshire Adopted LDP (February 2014)

8. AUTHOR & 9. CONTACT DETAILS:

Martin Davies (Development Plans Manager).

Tel: 01633 644826.

E Mail: martindavies@monmouthshire.gov.uk

The “Equality Initial Challenge”

Name: Martin Davies Service area: Development Plans Date completed: 13/11/2014		Please give a brief description of what you are aiming to do. The Local Development Plan (LDP), which was adopted on 27 February 2014, sets out the Council’s vision and objectives for the development and use of land in Monmouthshire, together with the policies and proposals to implement them over the ten year period to 2021. Supplementary Planning Guidance (SPG) sets out guidance on the way in which the policies of the LDP will be applied. The Affordable Housing SPG specifically sets out guidance to support LDP Policies S4 and H7.	
Protected characteristic	Potential Negative impact Please give details	Potential Neutral impact Please give details	Potential Positive Impact Please give details (see below)
Age			X
Disability			X
Marriage + Civil Partnership			X
Pregnancy and maternity			X
Race			X
Religion or Belief			X
Sex (was Gender)			X
Sexual Orientation			X
Transgender			X
Welsh Language		X	

Potential Positive Impact: The Affordable Housing SPG should bring positive benefits to Monmouthshire’s residents, particularly through increasing the supply of affordable housing in the County. Affordable housing makes an important contribution to the sustainability of our towns and villages by providing homes that local people on low incomes can afford to live in. It also a means of providing low cost homes for first time buyers. A committed sum also has the potential to bring forward additional units of housing to meet the specific housing needs of vulnerable groups.

Affordable Housing policies and residential site allocation policies, as with all LDP policies, have been subject to a Sustainability Appraisal that measures their performance against sustainability objectives.

Please give details about any potential negative Impacts .	How do you propose to MITIGATE these negative impacts
➤	➤
➤	➤
➤	➤
➤	➤

Signed Martin Davies **Designation** Development Plans Manager **Dated** 13/11/2014

EQUALITY IMPACT ASSESSMENT FORM

What are you impact assessing	Service area
Affordable Housing SPG	Development Plans
Policy author / service lead	Name of assessor and date
Development Plans Manager	Martin Davies 13/11/2014

1. What are you proposing to do?

Produce Affordable Housing SPG that sets out guidance to support LDP Policies S4 and H7.

2. Are your proposals going to affect any people or groups of people with protected characteristics in a **negative** way? If **YES** please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

3. Please give details of the negative impact

4. Did you take any actions to mitigate your proposal? Please give details below including any consultation or engagement.

Details of the LDP Consultation Process are set out in the Monmouthshire Local Development Plan Consultation Report October 2012. The web link to this is: <http://www.planningpolicy.monmouthshire.gov.uk/wp-content/uploads/2013/01/Intro-to-RoC-Oct2012.pdf>

The Affordable Housing SPG will be subject to a public consultation prior to adoption, targeted to those who are considered to have a specific interest in the topic but that will also include all town and community councils, notices in the press. Individuals and organisations currently on the LDP consultation data base have been given the opportunity to request to be notified on some or all SPGs should they wish

5. Please list the data that has been used to develop this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc..

An extensive evidence base was established to support the LDP. This can be viewed at:

http://www.planningpolicy.monmouthshire.gov.uk/?page_id=5373

The evidence included a number of studies that have informed the LDP affordable housing policies. The LDP has been subject to a Sustainability Appraisal/Strategic Environmental Assessment at every main stage.

Signed...Martin Davies...**Designation** Development Plans Manager.....**Dated**...13/11/2014.....

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Martin Davies		Please give a brief description of the aims proposed policy or service reconfiguration The Local Development Plan (LDP), which was adopted on 27 February 2014, sets out the Council’s vision and objectives for the development and use of land in Monmouthshire, together with the policies and proposals to implement them over the ten year period to 2021. Supplementary Planning Guidance (SPG) sets out guidance on the way in which the policies of a LDP will be applied. The Affordable Housing SPG specifically sets out guidance to support LDP Policies S4 and H7.	
Name of the Division or service area Development Plans		Date “Challenge” form completed 13/11/2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		X	.
Improve housing quality and provision			X The primary aim of the SPG is to increase housing opportunities by providing homes that local people on low incomes can afford to live in. It also a means of providing low

			cost homes for first time buyers.
Reduce ill health and improve healthcare provision			X Providing appropriate housing can assist in promoting good health.
Promote independence			X Providing appropriate housing can assist in promoting independence.
Encourage community participation/action and voluntary work		X	
Targets socially excluded			X The SPG assists in bringing forward additional units of housing to meet the specific housing needs of vulnerable groups
Help reduce crime and fear of crime		X	
Improve access to education and training		X	
Have a positive impact on people and places in other countries		X	
PLANET			
Reduce, reuse and recycle waste and water		X	
Reduce carbon dioxide	X A limited number of allocated housing sites are located in rural		

emissions	areas where there is limited public transport and likely to be reliance on the use of the private car.		
Prevent or reduce pollution of the air, land and water		X	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		X There will inevitably be some environmental impact but this will be neutralised by ensuring biodiversity, landscape interests etc. are appropriately considered in assessing any planning application.	
Protect or enhance visual appearance of environment		X There will inevitably be some environmental impact through loss of green fields, encroachment on the countryside but this will be netralised by ensuring good standards of design, landscaping etc.	
PROFIT			
Protect local shops and services		X	
Link local production with local consumption		X	
Improve environmental awareness of local businesses		X	
Increase employment for		X	

local people			
Preserve and enhance local identity and culture			X Affordable housing makes an important contribution to the sustainability of our towns and villages by providing homes that local people on low incomes can afford to live in
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		X	
Increase and improve access to leisure, recreation or cultural facilities		X	
<p>Please note that the Monmouthshire Local Development Plan 2011-2021 Adoption Statement (Including SA/SEA Statement) February 2014 sets out how environmental considerations have been integrated into the plan; how the Environmental Report (SA/SEA) has been taken into account; and how opinions expressed in relation to the consultations on the plan and Environmental Report have been taken into account. This can be viewed at http://www.planningpolicy.monmouthshire.gov.uk/wp-content/uploads/2013/01/Adoption-Statement.pdf</p> <p>Full details are given in the SA/SEA Report itself. This can be viewed at http://www.planningpolicy.monmouthshire.gov.uk/?page_id=8046</p>			

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
<ul style="list-style-type: none"> ➤ A number of allocated housing sites are located in rural areas where there is limited public transport and there is likely to be reliance on the use of the private car. 	<ul style="list-style-type: none"> ➤ The LDP policies themselves limit the potential negative impacts by including strict limits on the number of houses allowable in rural villages. This avoids excessive unsustainable travel patterns. The car usage likely to result from the rural allocations policy is considered to

	be justified because the the primary aim of this policy is to provide affordable housing to enable local people in rural areas to remain in their communities.
➤ There will inevitably be some environmental impact through loss of green fields, encroachment on the countryside etc.	➤ Ensuring biodiversity, landscape interests etc. are appropriately considered in assessing any planning application and ensuring good standards of design, landscaping etc..
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

These are listed above. Full details are given in the SA/SEA Report. This can be viewed at http://www.planningpolicy.monmouthshire.gov.uk/?page_id=8046

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

This is dealt with above. Full details are given in the SA/SEA Report. This can be viewed at http://www.planningpolicy.monmouthshire.gov.uk/?page_id=8046

Signed Martin Davies, Development Plans Manager **Dated** 13/11/2014

**Monmouthshire County Council
Local Development Plan**

**Draft Affordable Housing
Supplementary Planning
Guidance**

November 2014

Development Plans

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CONTENTS

	Page
1. Introduction	1
2. The Affordable Housing Issue	1
3. Affordable Housing Need in Monmouthshire	3
4. Monmouthshire's Planning Policies on Affordable Housing	4
5. Rural Exceptions Policy	14
6. Options for the Delivery of Affordable Housing	15
7. The Planning Application and Negotiation Process	17
8. Monitoring and Targets	20

Contacts

Appendices

1. ACG Floor Areas
2. Build Your Own Affordable Home
3. Rural Housing Allocations Policy
4. Extract from The Community Infrastructure Levy (Amendment) Regulations 2014 relating to definition of 'self-build'.
5. Extract from LDP Monitoring Framework

1. INTRODUCTION

- 1.1 This note is one of a series of Supplementary Planning Guidance (SPG) Notes that have been prepared to provide supporting information and advice on the implementation of the Council's development plan policies. The Notes are intended to offer clear guidance on the main considerations that will be taken into account by the Council when reaching decisions on planning applications and in this case how planning policy on affordable housing will be delivered in practice.
- 1.2 Status
- 1.2.1 This SPG is prepared in the context of the Monmouthshire County Council Adopted Local Development Plan (LDP), February 2014.
- 1.2.2 SPG supplements the Council's development plan, with only the policies contained in the development plan having the special status that Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides in the determination of planning applications. However, the Welsh Government (WG) advises that SPG may be taken into account as a material consideration in the determination of planning applications and appeals. Substantial weight will be afforded to SPG which derives out of and is consistent with the development plan (*Local Development Plan Wales 2005, para. 5.3*).

2. THE AFFORDABLE HOUSING ISSUE

- 2.1 A significant issue for Monmouthshire is the fact that house prices are high in relation to earnings so that there is a need for additional affordable housing in the County in both urban and rural areas, particularly for those that live and work here.
- 2.2 Affordability of housing is a concern throughout Wales. In October 2014 the average house price for Wales was £170,900 and the house price to earnings ratio was 6.2:1. For comparison, in Monmouthshire the average house price in October 2014 was £269,700 and the house price to earnings ratio was 7.2:1 (Source: Hometrack 30/10/2014).
- 2.3 These figures illustrate how difficult it is for local people to purchase their first homes or move into larger homes in the County when their family circumstances change. For those people who live and work in the County it is even more difficult, as local earnings are much lower than the average for Wales. In 2013, the median earnings for Monmouthshire residents were £580.00 per week, compared to the Wales median of £476.90 per week. However, the median earnings by workplace presents a different picture with people working in the County earning only £427.00 per week, much lower than the £472.30 per week figure for Wales as a whole (NOMIS 30/10/14).
- 2.4 Monmouthshire is a county which is subject to inward migration so there will continue to be strong demand for housing with subsequent pressure on

house prices. With local earnings unlikely to catch up with the Wales average for the foreseeable future, housing will remain at a level way above what local people can afford.

- 2.5 The planning system is seen as an increasingly important means of improving the supply of affordable housing for local people. Monmouthshire County Council recognises this and is keen to ensure that developers and local people have clear guidance on how its development plan policies and decisions on planning applications will operate and thereby contribute to one of the desired outcomes of the Council's Single Integrated Plan, namely 'We want people to live in homes that are affordable, appropriate and where people want to live'.
- 2.6 This SPG has been prepared in the context of the most recent WG planning policy on affordable housing contained in *Planning Policy Wales Edition 7*, July 2014 and Technical Advice Note 2 *Planning and Affordable Housing*, June 2006.
- 2.7.1 *Planning Policy Wales (PPW) Edition 7*, July 2014
- 2.7.2 *PPW* provides the overarching national strategic guidance with regards to land use planning matters in Wales. Paragraph 4.4.3 states that Local Planning Authorities should: 'Ensure that all local communities - both urban and rural - have sufficient good quality housing for their needs, including affordable housing for local needs and for special needs where appropriate, in safe neighbourhoods.'
- 2.7.3 The housing section of *PPW* (paragraph 9.1.2) seeks the promotion of sustainable mixed tenure communities. It states: 'Local Planning Authorities should promote sustainable residential environments, avoid large housing areas of monotonous character and make appropriate provision for affordable housing.'
- 2.7.4 With regard to need, paragraph 9.2.14 states: 'A community's need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies.'
- 2.8 Definitions of Affordable Housing
- 2.8.1 Affordable housing is defined in paragraph 9.2.14 of *PPW*:

'Affordable housing for the purposes of the land use planning system is housing where there are secure mechanisms in place to ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers. ... Affordable housing includes social rented housing owned by local authorities and registered social landlords and intermediate housing where prices or rents are above those of social rent but below market housing prices or rents.'

- 2.8.2 These definitions of affordable housing contrast with general market housing:

'All other types of housing are referred to as 'market housing', that is private housing for sale or rent where the price is set in the open market and occupation is not subject to control by the local planning authority.

2.9 Affordability

- 2.9.1 There is a need also to define 'affordability'. WG guidance defines this as:

'the ability of households or potential households to purchase or rent property that satisfies the needs of the household without subsidy' (WG TAN2, para 4.1).

The subsidy referred to in the quotation above is a subsidy on the property itself, which helps make it more affordable. There are different levels of subsidy depending on the different types of tenure, therefore creating a wide range of affordable options.

- 2.9.2 This should be determined in each local housing market area in an authority's area and would be based on such factors as ratio of household income to the price of property.

3. **AFFORDABLE HOUSING NEED IN MONMOUTHSHIRE**

- 3.1 **Local Housing Market Assessment (LHMA)** - The Council's Housing Services section, with Torfaen and Blaenau Gwent County Borough Councils and Newport City Council, commissioned a LHMA across the four County areas in 2006. This suggested that there was a need for 659 affordable homes in Monmouthshire in the five year period from 2006. This was based on a requirement of 2,720 affordable homes in the study area as a whole and represented 37% of the total planned housing requirement.
- 3.2 Subsequently, an Update to the 2006 LHMA was carried out to provide evidence to support the LDP, using 2010 as its base year. This predicted a 5-year affordable housing need of 2,205 dwellings for the study area from 2010. This represented 32% of the then total planned delivery total for the three authorities of 6,950.
- 3.3 The Update report also disaggregated the study findings for each authority, in accordance with the requirements of TAN2. This projected a five year affordable housing need in the County of 478 dwellings, 29% of the then overall dwelling requirement of 1,636. This gave an annual requirement for affordable housing of 96 dwellings per year, a ten year requirement of 960 dwellings, which is the affordable housing need for 2011-21 that has to be addressed through the LDP.

4. MONMOUTHSHIRE'S PLANNING POLICIES ON AFFORDABLE HOUSING

- 4.1 Policy S4 of the Adopted Monmouthshire LDP is the primary means of achieving the affordable housing target referred to in the above paragraph. There is a further policy relating to affordable housing – Policy H7, Rural Exceptions, which is considered in section 5. Policy S4 sets out the thresholds at which affordable housing has to be provided and the percentage of affordable housing that will be required in each case, depending on the location of the development site:

Policy S4 – Affordable Housing Provision

Provision will be made for around 960 affordable homes in the Local Development Plan Period 2011-2021. To meet this target it will be expected that:

- In Main Towns and Rural Secondary Settlements as identified in Policy S1 development sites with a capacity for 5 or more dwellings will make provision (subject to appropriate viability assessment) for 35% of the total number of dwellings on the site to be affordable.
- In the Severnside settlements identified in Policy S1 development sites with a capacity for 5 or more dwellings will make provision (subject to appropriate viability assessment) for 25% of the total number of dwellings on the site to be affordable.
- In the Main Villages identified in Policy S1:
 - Development sites with a capacity for 3 or more dwellings will make provision for at least 60% of the total number of dwellings on the site to be affordable.
- In the Minor Villages identified in Policy S1 where there is compliance with Policy H3:
 - Development sites with a capacity for 4 dwellings will make provision for 3 dwellings to be affordable.
 - Development sites with a capacity for 3 dwellings will make provision for 2 dwellings to be affordable.
- In the open countryside developments involving the conversion of existing buildings or sub-division of existing dwellings to provide 3 or more additional dwellings will make provision (subject to appropriate viability assessment) for 35% of the total number of dwellings to be affordable.
- Development sites with a capacity below the thresholds set out above will make a financial contribution towards the provision of affordable housing in the local planning authority area.

Other than in Main Villages, in determining how many affordable houses should be provided on a development site, the figure resulting from applying the proportion required to the total number of dwellings will be rounded to the nearest whole number (where half rounds up).

The capacity of a development site will be based on an assumed achievable density of 30 dwellings per hectare.

4.2 The settlement hierarchy referred to in Policy S4 is set out in LDP Policy S1, namely:

- **Main Towns:** Abergavenny, Chepstow and Monmouth
- **Sevenside Settlements:** Caerwent, Caldicot, Magor, Portskewett, Rogiet, Sudbrook and Undy
- **Rural Secondary Settlements:** Usk, Raglan, Penperlleni and Llanfoist
- **Main Villages:** Cross Ash, Devauden, Dingestow, Grosmont, Little Mill, Llandewi Rhydderch, Llandogo, Llanellen, Llangybi, Llanishen, Llanvair Kilgeddin, Mathern, Penallt, Pwllmeyric, Shirenewton/Mynyddbach, St Arvans, Trellech, Werngifford/Pandy
- **Minor Villages:** Bettws Newydd, Broadstone/Catbrook, Brynygwenin, Coed-y-Paen, Crick, Cuckoo's Row, Great Oak, Gwehelog, Llanarth, Llandegveth, Llandenny, Llangwm, Llanover, Llansoy, Llantilio Crossenny, Llantrisant, Llanvair Discoed, Llanvapley, Mitchel Troy, Penpergwm, The Narth, The Bryn, Tintern, Tredunnoch
- **Open Countryside**

4.3 There are seven types of situation that could arise in providing affordable housing under Policy S4 which need further consideration:

- A) Where the affordable housing threshold of 5 or more is applicable, i.e. in Main Towns, Rural Secondary Settlements and Sevenside Settlements.
- B) Where the affordable housing threshold is not met and financial contributions are required.
- C) Sites allocated in Main Villages under LDP Policy SAH11 with the specific purpose of providing 60% affordable housing.
- D) Other sites in Main Villages.
- E) Minor Villages.
- F) Conversions and sub-divisions in the open countryside.
- G) Departure applications in the open countryside.

4.4 Specific guidance in these matters is provided below:

A) Where the affordable housing threshold of 5 or more is applicable, i.e. in Main Towns, Rural Secondary Settlements and Sevenside Settlements.

When an application for residential development is received in these settlements the first step in its assessment will be to:

Check the site area and estimate the capacity of the site based on an assumed achievable density of 30 dwellings per hectare.

(It is a requirement of LDP Policy DES1 criterion i) that in order to make the most efficient use of land the minimum net density of residential development should be 30 dwellings per hectare. The net developable area is defined as excluding areas taken out for other uses such as employment or which are undevelopable for one reason or another and as including internal access roads and incidental open space between houses, play areas etc. Similar

considerations should be taken into account when calculating the site capacity in relation to Policy S4).

The capacity of a site is calculated as a 'net' figure. The number of any existing dwellings on a site that are to be demolished, therefore, would be taken away from an overall capacity based on an area calculation to give a final capacity figure for the purposes of Policy S4. Similarly, where a subdivision of an existing dwelling(s) is proposed, the net gain is the final number of dwellings proposed minus the number of original dwellings on the site.

If the capacity of the site is 5 or more dwellings then the affordable housing requirement is calculated at 35% in Main Towns and Rural Secondary Settlements and 25% in Severnside settlements.

In determining how many affordable houses should be provided on a development site, the figure resulting from applying the proportion required to the total number of dwellings will be rounded to the nearest whole number (where half rounds up.)

Should the development not be achieving 30 dwellings per hectare and it is considered that there is not a material non-compliance with Policy DES1 i) then the affordable housing requirement should be calculated on the theoretical capacity of the site rather than the actual number of dwellings applied for.

If the capacity of the development site is below the threshold of 5 dwellings then a financial contribution towards affordable housing in the local planning authority area will be required (see B) below)

When the threshold for affordable housing is met the following considerations will be taken into account in the implementation of Policy S4:

- Affordable housing should generally be provided on-site (unless there are exceptional circumstances that justify off-site provision, as considered in paragraph 6.6 below) and should reflect the characteristics of the locality or the rest of the site.
- The mix of house types, sizes and tenure should reflect local needs. (This must be established from the Council's Housing Services section on a site-by-site basis in accordance with the particular needs of the community in which the site is located).
- Provision for affordable housing will be secured through Section 106 Agreements and these agreements will also require that the affordable housing will be available in perpetuity and give priority to meeting local needs.
- Householder permitted development rights may be withdrawn so that control may be exercised over the enlargement or alteration of dwellings in ways that would change their affordability for future occupiers.
- In seeking to negotiate an element of affordable housing on a site the Council will take into account: site size, suitability, and the economics of

provision; whether there will be particular costs associated with development of the site; and whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in the development of the site. **(The percentage of affordable housing required is, under the terms of Policy S4, subject to appropriate viability assessment).**

- Where necessary, as part of such negotiations, the Council will undertake viability analysis of residential development sites using the Development Appraisal Toolkit developed by Three Dragons on behalf of South and West Wales local authorities. The Toolkit is a means of assisting all parties in their understanding of the economics of a particular development. The model enables the testing of claims that affordable housing requirements (along with other costs, such as those from additional infrastructure works, for example) would make a site uneconomic. This approach can employ the default data available for general analysis. For more accurate assessments of costs, revenues and constraints, however, an 'open book' approach, where the developer provides information on development costs and selling prices, is advocated.

Layout and Design

The Council's preference is for 'pepper-potting' of affordable housing, rather than provision in enclaves. Properties for affordable housing will normally be in clusters of no more than 6 - 10 units, depending on the overall size of the development. The design and materials of dwellings built to comply with affordable housing policies should be similar to that of adjoining market housing, including the provision of garages where appropriate. Similarly, it will be expected that affordable housing layouts will comply with the Council's general design guidance and standards for new residential development.

B) Where the affordable housing threshold is not met and financial contributions are required.

It is a basic principle of Policy S4 that all residential developments (down to the scale of a single dwelling) should make a contribution to the provision of affordable housing in the local planning authority area, irrespective of whether or not the size of the development falls below the threshold for on-site provision. The Council, however, would not wish to hinder the supply of dwellings from self-builders who could be building to meet their own needs. An exception to this principle, therefore, is that self-builders whose developments fall below the thresholds will not be required to make a financial contribution. A similar approach is taken in the application of the Community Infrastructure Levy and it is intended, for the purposes of this SPG, to adopt the same definition of 'self-build' as set out in the CIL Regulations 54A, 54B, 54C and 54D as inserted by the 2014 Regulations (Reproduced as Appendix 4).

For those developments where a financial contribution is required, the commuted sum is calculated so that the developer of a scheme is no worse or better off financially, whether they provide the affordable housing on-site or as

a commuted sum. As it is important that there is a consistent and transparent mechanism for calculating commuted sums to be collected, the Council commissioned Three Dragons to design a Commuted Sum Calculator for this purpose.

The calculator is designed for the specific purpose of calculating a commuted sum and does **not** assess whether or not the scheme can afford the policy compliant amount of affordable housing. Should there be issues of viability a full Viability Assessment would need to be undertaken (see A) above).

The contribution made by a developer as a commuted sum is the assessed difference in residual value of a 100% market housing scheme and a scheme with the policy requirement for affordable housing (or a lesser percentage where this is justified by viability considerations).

The mix and tenure of units used for the commuted sum calculation will be the equivalent of what would be required if the affordable housing was provided on-site.

Example Calculations

i) For a two dwelling scheme in a rural area with a 35% affordable housing requirement, the financial contribution to meet a standard need for a 4 person 2 bed dwelling would be calculated as follows:

Two dwellings at 35% = 0.70

Toolkit calculates 0.70 of a 4 person 2 bed dwelling for social rent using the assumptions of an open market value of £170,000, an ACG band 5 rate of £162,200 and an RSL contribution to the developer of 42% of ACG + on costs of 9%

Gives a financial contribution of: £48,235

ii) For a four dwelling scheme in Severnside with a 25% affordable housing requirement, the financial contribution to meet a standard need for a 4 person 2 bed dwelling would be calculated as follows:

Four dwellings at 25% = 1.00

Toolkit calculates 1.00 of a 4 person 2 bed dwelling for social rent using the assumptions of an open market value of £140,000, an ACG band 4 rate of £148,300 and an RSL contribution to the developer of 42% of ACG + on costs of 9%

Gives a financial contribution of: £51,120

iii) For a 4 dwelling scheme in a Main Town with a 35% affordable housing requirement, the financial contribution to meet a standard need for a 3-bed 5 person dwelling would be calculated as follows:

Four dwellings at 35% = 1.40

Toolkit calculates 1.40 of a 5 person 3 bed dwelling for social rent in ACG Band 5 using the assumptions of an open market value of £190,000, an ACG

rate of £179,100 and an RSL contribution to the developer of 42% of ACG + on costs of 9%

Gives a financial contribution of: £108,987

C) Sites allocated in main villages under LDP Policy SAH11 with the specific purpose of providing 60% affordable housing.

There is a specific issue in the County relating to the provision of affordable housing in rural areas due to the limited ability of existing residents in the countryside, particularly young people, to afford housing, which restricts their ability to remain within their existing communities if they are in housing need.

Given the relative unsustainability of the County's rural areas in comparison to its towns it was the Council's view that most villages were not appropriate locations for unrestrained market housing, even with the application of the Council's general requirements that new housing developments should make provision for a proportion of affordable housing. It was considered that the proportion of affordable housing provided in rural communities would need to be higher than elsewhere and that the main justification for new housing development in rural villages should be the need to provide affordable housing to meet local needs.

A number of housing sites have been allocated in Main Villages under LDP Policy SAH11 with the specific aim of providing affordable housing for local people. These sites are required under Policy S4 to provide a **minimum of 60% affordable housing**. The mix and tenure of the 60% affordable housing will be based on local housing need and this information can be established from the Council's Housing Strategy Officer on a site-by-site basis in accordance with the particular needs of the community in which the site is located.

Unlike general housing sites, therefore, **when the figure resulting from applying the proportion of affordable housing required to the total number of dwellings is not a whole number, there is no rounding down, only rounding up.**

Policy SAH11 sets a maximum size of development at 15 dwellings in order to ensure that any development is of a 'village scale', in keeping with character of the settlements. This amount may be smaller in certain villages, as set out in Policy SAH11, which indicates the scale of development that is considered to be acceptable having regard to the characteristics of the village and the particular site. It is unlikely to be acceptable for these lower site capacities to be exceeded unless it can be clearly demonstrated that there is no adverse impact on village form and character and surrounding landscape.

The LDP *Affordable Housing Viability Study* confirmed that a requirement for 60% affordable housing on rural sites will enable developer contributions towards the cost of providing affordable housing as the high market values for housing in rural areas would still provide residual land values far in excess of

existing agricultural land values that should be sufficient incentive to bring land forward for development. **It needs to be recognised that the sole purpose for allocating these sites is to provide affordable housing for local people in rural areas. Without the provision of 60% affordable housing there is no justification for releasing these sites and anticipated land values should reflect this accordingly.**

It is intended that this affordable housing will be brought forward using the mechanisms set out in section 6 below. The Council recognises that there may sometimes be abnormal costs that restrict the ability of a development to provide the financial subsidy to achieve affordable housing requirement. Initially, however, there is no intention to use financial subsidy to support 60% affordable housing sites. The situation will be reviewed, however, after the first sites have been developed and an indication provided of the values at which land is changing hands. The Council may then introduce an expected minimum land value, which, if not achieved, may result in financial subsidy being made available to assist in bringing sites forward.

Given the particular circumstances of these 60% affordable housing sites, the Council will not apply its normal policy of requiring 'pepper-potting' of affordable housing throughout a development. It is recognised that the best way of developing these sites and enabling the market housing to achieve its full potential for achieving financial subsidy for the affordable housing element is to allow the market dwellings to be grouped together.

All affordable housing achieved on LDP sites in Main Villages will give priority to local residents through the Council's Rural Allocations Policy (Appendix 3).

D) Other Sites in Main Villages

Development boundaries for Main Villages were set at the same limits as in the previous Unitary Development Plan (UDP). These Village Development Boundaries (VDBs) were only extended where necessary to incorporate the 60% affordable housing sites allocated under LDP Policy SAH11. There is still scope, therefore, for infill development to take place within the VDB, as would have been the case under the previous UDP. LDP Policy S4 requires, however, that all sites in Main Villages provide 60 per cent affordable housing.

As with A) above, the first step in such cases should be to establish the site area and estimate the capacity of the site based on an assumed achievable density of 30 dwellings per hectare.

The Council recognises, however, that in most cases applying such densities to small infill sites within the fabric of existing villages could result in a form of development that is out of keeping with its surroundings. In such cases, criterion I) of LDP policy DES 1 would need to be considered. This states that development proposals will be required to ensure that existing residential areas characterised by high standards of privacy and spaciousness are protected from over-development and insensitive or inappropriate infilling.

In such circumstances, it is considered likely that the requirements of Policy S4 could be relaxed on small infill plots to allow a lower density of development than 30 dwellings per hectare. **A financial requirement towards affordable housing in the local authority area would be required, however, to compensate for allowing a non-compliance with Policy S4.** This will be set at the equivalent of 35% of the agreed capacity of the site. The required financial contribution will be established using the Commuted Sum Calculator described in B) above.

A strict application of Policy S4 would also require conversion of existing buildings or sub-division of existing dwellings to make provision for 60% of the total number of resulting dwellings to be affordable. This would be inequitable, however, when it is considered that if such development was taking place in the open countryside only 35% affordable would be required. It is also recognised that the provision of affordable housing is not always practicable in conversion schemes. The Council, therefore, will adopt a more flexible approach in such situations, although generally a financial contribution towards affordable housing in the local planning authority will still be required. This will be set at the equivalent of 35% the agreed capacity of the site and utilise the Commuted Sum Calculator but careful consideration will be given to the viability and practical implications of conversion and sub-division applications in assessing the level of financial contribution required.

E) Minor Villages

Policy S1 identifies Minor Villages where small scale development will be allowed in the circumstances set out in LDP Policy H3. Minor Villages are settlements that (subject to detail) are suitable for minor infill of no more than 1 or 2 dwellings resulting from the filling in of a small gap between existing dwellings. Policy H3 does contain an exception that allows for planning permission to be granted for up to 4 dwellings on an infill site that demonstrably fits in with village form (including not resulting in the loss of an open space that forms an important gap or open area) and is not prominent in the landscape.

As such proposals are 'exceptional' in that they go beyond the normal definition of 'minor infill', it was considered appropriate to seek a higher proportion of affordable housing than would normally be required. Policy S4, therefore, requires that in the Minor Villages identified in Policy S1 where there is compliance with Policy H3: development sites with a capacity for 4 dwellings will make provision for 3 dwellings to be affordable and development sites with a capacity for 3 dwellings will make provision for 2 dwellings to be affordable.

In such cases, it would be expected that the single open market dwelling will provide cross-subsidy towards the on-site provision of the affordable housing. Each site will be subject to a viability assessment which will determine the amount of cross-subsidy required.

Infill developments in Minor Villages, consisting of 1 or 2 dwellings, will make a financial contribution towards affordable housing in the local planning authority. This will be set at the equivalent of 35% of the number of dwellings proposed in the development.

F) Conversion and sub-divisions in the open countryside

Policy S4 requires that in the open countryside developments involving the conversion of existing buildings or sub-division of existing dwellings to provide 3 or more additional dwellings will make provision for 35% of the total number of dwellings to be affordable.

It is considered that this should always be the aim in dealing with applications of this type. Nevertheless, it is recognised that provision of affordable housing on site is not always practicable in such situations. It is also more difficult to estimate the capacity of a development proposal involving existing buildings in comparison with a simple area calculation.

The Council, therefore, will adopt a more flexible approach in such situations, although generally a financial contribution towards affordable housing in the local planning authority will still be required. This will be set at the equivalent of 35% of the agreed capacity of the site and utilise the Commuted Sum Calculator but careful consideration will be given to the viability and practical implications of conversion and sub-division applications in assessing the level of financial contribution required.

G) Departure applications in the open countryside

Policy S4 contains no requirement for affordable housing on proposals that do not comply with the LDP's spatial strategy, as set out in Policy S1. It would not have been appropriate to have written policy that anticipated an application being allowed that was totally contrary to other LDP policies regarding new build residential development in the open countryside. Nevertheless, it is normal practice in appeal situations to set out planning conditions and/or planning obligations that might be required should an Inspector decide to allow an appeal against the Council's refusal of any such application. It is necessary, therefore, to set out what the Council's position would be in such an appeal situation. In this respect it would be entirely appropriate to require a residential development to provide a proportion of affordable housing, notwithstanding that there is no direct policy justification for this in the LDP. Increasing the supply of affordable housing is a significant objective of national and local planning policies. For instance, paragraph 9.3.5 of Planning Policy Wales states: 'Where development plan policies make clear that an element of affordable housing, or other developer contributions, are required on specific sites, this will be a material consideration in determining relevant applications.'

It is considered, therefore, it should be a requirement that departure applications in the open countryside should make provision for 35% of the total number of dwellings in the development to be affordable, in order to be

compatible with Policy S4 in relation to general housing development in high value areas in the County.

5. RURAL EXCEPTIONS POLICY

- 5.1 Policy H7 of the Adopted UDP provides a further planning policy mechanism for the provision of affordable housing in rural areas of Monmouthshire (although the need for such sites will be reduced through the allocation of sites for 60% affordable housing in Main Villages). It makes provision for the siting of small affordable housing sites in or adjoining villages on land that would otherwise not be released for residential development. It is set out below:

Policy H7 – Affordable Housing Rural Exceptions

Favourable consideration will be given to the siting of small affordable housing sites in rural areas adjoining the Rural Secondary Settlements, Main Villages and Minor Villages identified in Policy S1 that would not otherwise be released for residential development provided that all the following criteria are met:

- a) The scheme would meet a genuine local need (evidenced by a properly conducted survey or by reference to alternative housing need data) which could not otherwise be met in the locality (housing needs sub-area);**
- b) Where a registered social landlord is not involved, there are clear and adequate arrangements to ensure that the benefits of affordable housing will be secured for initial and subsequent occupiers;**
- c) The proposal would have no significant adverse impact on village form and character and surrounding landscape or create additional traffic or access problems.**

- 5.2 In seeking to identify such sites it needs to be recognised that isolated sites in the open countryside or those within small, sporadic groups of dwellings are unlikely to be acceptable. Policy H7 specifically refers to sites adjoining Rural Secondary Settlements, Main Villages and Minor Villages. Any proposals for locations other than these would be treated as ‘Departure’ applications and will need special justification. Another important consideration is the balance of the pattern of settlements in the community.
- 5.3. It will also be necessary to demonstrate that the scheme would meet a genuine local need. This local need would normally relate to the rural parts of the community council area in which the site is located. Evidence of local need can be established by a number of different means, including local surveys, local consultation events, other forms of primary evidence and housing register data. As with the affordable housing sites in Main Villages, the Council’s Rural Allocations Policy will apply.
- 5.4 Monmouthshire County Council positively encourages local people to build their own affordable home to meet their own housing needs through the rural

exceptions policy. Single plot exception sites are only permitted with restrictions and the 'Build Your Own Affordable Home' scheme is explained in Appendix 2

6. OPTIONS FOR THE DELIVERY OF AFFORDABLE HOUSING

6.1 The Council requires that affordable housing is managed by a Registered Social Landlord (RSL) zoned for development in Monmouthshire by the Welsh Government, as procedures are already in place to ensure that dwellings remain affordable in perpetuity.

6.2 Types of affordable housing.

The Council will use the following definitions of affordable housing:

- **Social rented housing** is let by RSLs to households taken from the Council's Housing Register who are eligible for social rented housing. Rents will be set at Welsh Government benchmark levels.
- **Intermediate housing** is homes for sale and rent provided at a cost above social rent but below market levels. These can include shared equity, and intermediate rent. All of these will be provided through a Registered Social Landlord (RSL).
- **Neutral Tenure** is where tenure of housing is not predetermined but can vary according to needs, means and preferences of households to whom it is offered. This incorporates the tenures described above. This arrangement gives flexibility in that it allows the tenure type of a property to change between occupiers, or even with the same occupier. So, for example, on first occupation a house might be social rented, but when that occupier vacates the property the next occupier may choose the Homebuy option. In another instance, a property might initially be rented, but if the economic circumstances of the occupier improve, they may choose to convert to Homebuy. **Neutral tenure is the delivery option preferred by Monmouthshire County Council.**
- **Specialist affordable housing** may be sought for people with specific accommodation requirements that may not otherwise be met and where a need has been identified. These can include sheltered retirement housing, adapted housing for households with a physical disability and supported housing, for example for young homeless people or people with learning difficulties.

6.3 The Council's preferred method of achieving affordable housing through Section 106 Agreements is for developers to build houses for transfer to a Registered Social Landlord (RSL). This method will ensure mixed communities where the required pepper-potting of the affordable housing units will achieve a scheme where the affordable units are otherwise indistinguishable from the owner occupied homes.

6.3.1 All affordable housing units, except for those delivered under Policy SAH11, that are built by the developer for transfer to a RSL must be constructed to the Welsh Government's Design Quality Requirements (DQR), which includes

Lifetime Homes and Secure by Design Standards, or successor Welsh Government scheme. The Council will also require all affordable housing to be built to the floor areas set out in the Welsh Government Acceptable Cost Guidance document. These standards are given in Appendix 1. Developer's DQR Compliant house types will be checked to ensure that they meet the required standards.

- 6.3.2 Affordable housing delivered under Policy SAH11 will be a mix of social rented units and intermediate housing depending on the local need identified by the Council. All units for social rent will be constructed to Welsh Government Design Quality Requirements, which includes Lifetime Homes and Secure by Design Standards. Intermediate housing will be constructed to a standard agreed by the Council and their RSL partners.
- 6.3.3 Prior to submission of a planning application developers will be expected to liaise with the Council to agree the mix of units required to meet housing need.
- 6.3.4 The Council will identify a preferred RSL to work in partnership with the developer.
- 6.3.5 The completed affordable housing units, except for those delivered under Policy SAH11, will be transferred to the Council's preferred RSL at 42% of Welsh Government ACG.
- 6.3.6 Affordable housing delivered under Policy SAH11 will be transferred to the Council's preferred RSL at 38% of Welsh Government ACG for social rented units, 50% of ACG for low cost home ownership units and 60% of ACG for intermediate rent units.
- 6.4 When negotiating option agreements to acquire land for residential development, developers should take account of affordable housing requirements. The amount of Social Housing Grant (SHG) that is available to the Council is very limited and is not made available for the delivery of Section 106 sites. The Council's preferred financial arrangements for the provision of affordable housing, as outlined in paragraphs 6.3.5 and 6.3.6, have been agreed following consultation with the RSLs to ensure a consistent and equitable approach that also provides certainty for developers when they are preparing their proposals.
- 6.5 Affordable housing land or dwellings that are transferred to a RSL will be used to provide affordable housing on a neutral tenure basis to qualifying persons from the Council's Housing Register.
- 6.6 To achieve the aim of developing mixed and balanced communities the Council seeks to provide affordable housing on-site. Only in exceptional circumstances will off-site provision be considered. This might occur, for instance, in situations where the management of the affordable housing cannot be effectively secured (as in sheltered retirement housing schemes). In such cases it may be possible for off-site new build housing or refurbishment/conversion of existing properties to provide a satisfactory

alternative that meets the needs of the local community. Such schemes would be subject to the financial arrangements outlined in paragraph 6.3.5 above. In the exceptional circumstances where on-site provision is not considered appropriate and off-site units cannot be delivered as an alternative site is not available, the Council will consider accepting a commuted payment in lieu of on-site affordable housing provision, utilising the Commuted Sum Calculator referred to in 4.4.B) above.

- 6.7 There are a number of people living in the County Council area that have specific housing requirements as a result of learning/physical disabilities and/or medical conditions. In certain circumstances, where particular housing needs cannot be met through use of existing affordable housing stock, new purpose built special needs units may be required. Where there is evidence of need, and it is considered appropriate by the Council, special needs housing may be provided as part of the affordable housing contribution through the involvement of a RSL to ensure that these units remain affordable in perpetuity.
- 6.8 It is recognised that the development costs of providing specific needs affordable housing may be higher than general needs affordable housing and therefore it may be acceptable for a lower proportion of affordable units to be provided, subject to an assessment of viability.
- 6.9 There are three Registered Social Landlords zoned by the Welsh Government to operate within Monmouthshire. These are:

Melin Homes
Monmouthshire Housing Association
The Seren Group

It should be noted that whilst these are the current preferred RSL partners in Monmouthshire, changing circumstances might result in the Council fostering different partnership links in the future.

7. THE PLANNING APPLICATION AND SECTION 106 PROCESS

7.1 Type of Planning Application

7.1.1 Where new or additional housing is to be provided as part of a planning application on sites where the policy threshold has been exceeded affordable housing will be sought in accord with Adopted LDP Policy S4. This would apply to the following types of planning applications:

- All outline, full or change of use applications
- All renewal applications, including where there has been no previous affordable housing obligation

7.1.2 Affordable housing will be required on sites falling below the threshold if the Council considers that there has been a deliberate attempt to subdivide the site or phase the total development in an attempt to avoid the threshold.

7.2 Negotiation and Application Process

7.2.1 The provision of affordable housing is just one of a number of issues that need to be taken into account in applications for residential development. Discussion and detailed negotiations will also need to cover such matters as design, layout, density, landscape, open space and recreation provision, education, access and other financial contributions that may be needed. Developers should refer to other LDP policies and SPG in this respect.

7.2.2 In implementing the affordable housing policies of the adopted development plan, the Council will seek to ensure that there is close consultation between planning, housing and legal officers concerned with the operation of these policies, as well as other external agencies, including developers and RSLs. In order to ensure that negotiations on affordable housing provision are conducted as effectively as possible, the Council will expect all parties involved to follow the procedures outlined:

Pre Application Discussions
Between developers and Planning, Housing and Legal Officers to establish the element of affordable housing required. There is a formal pre-application service which is available at a cost, dependent on the level of service required.



Submission of Planning Application
The proposal should contain an element of affordable housing which meets the housing needs identified by Housing Officers, clearly identifying how the affordable housing requirements are proposed to be met, including the appropriate mix, number, type and locations of dwellings.
(It is recognised that this information might not be readily available if the application is in outline.)



Further Detailed Negotiations where necessary
Planning Department in consultation with the Housing Department consider the local need for affordable housing (quantity and type).
Effective and early partnership between developer, RSL and the Council is critical. The Officer report to Planning Committee will require information on the mechanisms for providing affordable housing. This should include that the developer build and transfer to a RSL, which is the Council's preference. In order to transfer to a RSL detailed plans of dwellings would need to be confirmed as meeting their requirements.



Consideration by Council's Planning Committee



If recommendation to approve is accepted, Planning Committee resolve to grant planning permission subject to planning conditions and the signing of a Section 106 Agreement, including an agreed Affordable Housing Scheme.
Council's Solicitor prepares Section 106 Agreement with Developer, in consultation with RSL where necessary. Legal agreement signed by all parties.



Council issues decision on planning application.

7.3 Section 106 Agreements

The precise form of Section 106 Agreement will depend on the circumstances of individual cases including the ownership of the site and the terms of any obligation or agreement between the owner and a RSL. However, Section 106 legal agreements will normally include clauses setting out requirements with regard to the following issues:

- The mix of affordable housing types, sizes sought as part of the development
- The location and distribution of affordable housing within the development site
- The minimum design standards required for the affordable housing units
- The timing of the construction and occupation of the affordable housing in relation to the development of the whole site, including appropriate restrictions on general market housing occupation
- The price, timing and conditions for the transfer of the land or affordable housing to a RSL
- The arrangements regarding the future affordability, management and ownership of the affordable housing
- With outline applications (where the proposed number of dwellings is not known, but where there is a likelihood that the site threshold will be exceeded) the Agreement will ensure that the appropriate proportion of new housing will be affordable.

It will be necessary for the Section 106 Agreement to include appropriate long-term occupancy arrangements. The Council will require full nomination rights, which will be exercised according to the Council's allocations policy as current at the time. The key requirement is that any housing that is provided as affordable should remain in the affordable housing stock each time there is a change of occupant.

The flowchart set out above is unlikely to be applicable to small scale developments that fall below the affordable housing thresholds set out in Policy S4 and that, therefore, require a financial contribution. A standard template will be prepared for Section 106 agreements in such circumstances to ensure that there is no undue delay in the determination of the application.

8. MONITORING AND TARGETS

- 8.1 As referred to in Section 3 above, the affordable target for the Monmouthshire LDP is 960 affordable dwellings over the plan period 2011-2021. This is based on the findings of a 2010 Update to the LHMA carried out in 2006.
- 8.2 The LDP estimated that the potential affordable housing provision if all sites achieve their maximum requirement is as follows:

• 35% on new sites in Main Towns and Rural Secondary Settlements	446
• 25% on new sites in Severnside settlements	242
• 60% on rural housing allocations in Main Villages	120
• 20% on large site windfalls	68
• 20% on current commitments	108
• Completions 2011 – 2013	127
• Small site windfalls	74

Total	1,185
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8.3 The period for this estimate had a base date of 1 April 2013. In the period 2013 to 2014 there were 36 affordable housing completions out of an overall total completions of 230 dwellings.

8.4 The Council is required to produce an Annual Monitoring Report (AMR) that has to be published in the October following the preceding financial year. The first LDP AMR, therefore, will be in October 2015. The LDP monitoring framework includes a number of indicators relating to affordable housing. This is reproduced as Appendix 5 to this document.

Contacts

Monmouthshire County Council:

For affordable housing **planning policy** general enquiries please contact:

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Tel: 01633 644826.

Email: developmentplans@monmouthshire.gov.uk

Housing & Communities

Senior Strategy & Policy Officer, Housing & Regeneration, Ty'r Efail, Lower Mill Field,
Pontypool NP4 0XJ

Tel: 01633 644474

E Mail: shirleywiggam@monmouthshire.gov.uk

Potential developers should contact the Development Control Section:

Development Control Section

Planning Applications Manager, County Hall, Rhadyr, Usk, Monmouthshire,
NP15 1GA

Tel: 01633 644800. Email: planning@monmouthshire.gov.uk

Welsh Government:

Housing Directorate

Rhydycar, Merthyr Tydfil CF48 1UZ

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Email: Darrel.giles-minett@wales.gsi.gov.uk

Planning Division

Cathays Park, CARDIFF. CF10 3NQ

Tel: 02920 801421.

Email: neil.hemmington@wales.gsi.gov.uk

Registered Social Landlords:

Melin Homes

Ty'r Efail, Lower Mill Field, Pontypool, Torfaen. NP4 0XJ

Tel: 08453 101102.

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Monmouthshire Housing Association

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NP4 0JJ

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The Seren Group

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Tel:

David James

Rural Housing Enabler Monmouthshire

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APPENDIX 1

ACG Floor Areas

Unit Type	Floor Area m ²
7 person 4 bed house	114
6 person 4 bed house	110
5 person 3 bed house	94
4 person 3 bed house	88
4 person 2 bed house	83
3 person 2 bed bungalow	58
3 person 2 bed flat (walk up)	65
3 person 3 bed flat (common access)	59
2 person 1 bed flat (walk up)	51
2 person 1 bed flat (common access)	46
5 person 3 bed bungalow (wheelchair)	115
4 person 2 bed bungalow (wheelchair)	98
3 person 2 bed bungalow (wheelchair)	80

APPENDIX 2

Build Your Own Affordable Home



BUILD YOUR OWN AFFORDABLE HOME

Single plot rural exception sites explained

What are single plot rural exceptions sites?

Monmouthshire County Council positively encourages local people to build their own affordable home to meet their own housing needs – so long as the site is in a recognisable rural settlement and its future value is controlled so that it remains affordable to other local people in the future. Sites may be permitted in rural areas outside existing settlement limits as an exception to the normal planning policies that restrict housing development in such areas.

Is it only affordable housing which is allowed?

Yes. We make an exception to normal planning policies only because there is a pressing need in Monmouthshire to help provide local people with affordable housing in rural areas. Open Market housing development continues to be strictly controlled outside existing settlement limits, as set out in the adopted Local Development Plan.

So what is the catch?

Single plot rural exception sites are only permitted with restrictions. These are:

- The value of the property is based on a standard cost of construction plus a nominal plot value. This typically works out at around 60% of open market value. A legal agreement is used to ensure that future sale of the property is capped at this percentage of market value forever. The value of the affordable property will then rise (or fall) directly in proportion to the housing market.
- The property cannot be larger than 100 square metre gross internal floor area. This includes any integral or attached garage. Normal permitted development rights will be removed so that express permission has to be sought for any future extensions.
- The house must be built to exacting quality and design standards, meeting the Lifetime Homes standards and satisfying the sustainable construction, energy and water efficiency aspects of level 3 of the Code for Sustainable Homes. It

must be sympathetically designed in relation to its setting, particularly as it is being granted permission as an exception to normal planning policies.

Can anyone apply?

To obtain planning permission, the applicant must satisfy Monmouthshire County Council that:

- The site is in a suitable location.

And

- The initial occupier of the affordable home is in housing need and has a strong local connection.

How do I apply for planning permission?

The application should be made by the prospective occupier of the proposed affordable dwelling. You need to do some groundwork before you make the planning application, contacting the following in this order:

1. First, you should contact the Senior Strategy and Policy Officer in Housing & Communities. This officer will liaise with the planning department on your behalf to establish whether your site is considered to be in a suitable location. Sites must be in locations that demonstrably form part of a recognisable named settlement. Please note that development in the open countryside, isolated from any recognisable settlement, will not be permitted.
2. If the site appears to have potential, the Senior Strategy and Policy Officer in Housing Services will arrange to interview you to establish whether or not you are in housing need and have a strong local connection. Existing homeowners with particular issues can still be eligible where it can be shown that their existing property is not suitable for their ongoing needs, and they have a strong local connection.
3. You will then be asked to approach your Community Council for confirmation of your local connection. At this stage, the Community Council should limit itself to confirming facts about the applicant's personal connection to the local area. When a planning application is made, the Community Council will be consulted in the normal manner for its comments on the proposed site and design.
4. Once you have obtained a preliminary "green light" from the above and you **are confident that you can fund the project**, you have some assurance that it is worthwhile employing an architect or builder to draw up your building plans. It is sensible to discuss the emerging design with the Planning Officer

before making your planning application, to establish whether it is likely to be found acceptable.

Finally, you are ready to make a planning application.

The Application Process

Who can apply?

Because planning permission is granted as an exception to normal policies, the Council must ensure that the affordable homes will genuinely meet local housing need. To do so, the Council will assess the housing need and the local connection of the prospective occupier. Consequently, applicants must normally be the prospective occupiers of the proposed dwelling. This does not prevent the applicant from using an agent to help them to submit the planning application.

Speculative applications from landowners and developers will not be successful, because they cannot identify with certainty the prospective occupants. The eligibility of the occupants is critical to the decision to allow development as an exception to normal planning policies.

Step 1: contact the Senior Strategy & Policy Officer at Monmouthshire County Council, Housing & Communities

**Mrs Shirley Wiggam
Housing and Communities
Monmouthshire County Council
Ty'r Efail
Lower Mill Field
Pontypool
NP4 0XJ**

**Tel: 01633 644474/07769 616662
Email: shirleywiggam@monmouthshire.gov.uk**

Step 2: contact your Community Council

Build Your Own Affordable Home: Single Plot Rural Exception Sites

It is recognised that in Monmouthshire the price of housing has risen to a level beyond that which many local people can afford. Therefore, the need for affordable housing is one of the Council's more pressing concerns, both in urban and rural areas.

The single plot rural exceptions scheme is a self-help solution that enables families to use their own resources to provide affordable housing that meets their needs within their community. The construction of such affordable housing is funded from householders' own resources, which can include the sale of existing property as well as through a commercial mortgage. Utilising the resources of those families who are able to provide new affordable housing to meet their own needs means that the local community benefits over the long term from an increased stock of local affordable homes.

Monmouthshire County Council is able to allow the development of affordable housing through the use of single plot rural exception sites under policy H7(Affordable Housing Rural Exceptions) of the existing adopted Local Development Plan.

Extracts from Monmouthshire County Council's Local Development Plan

Policy S1 – The Spatial Distribution of New Housing Provision

The villages that are considered most likely to be suitable for single plot rural exception sites are those identified as Main and Minor Villages in Policy S1 of the Local Development Plan. Proposals in villages and hamlets not identified in Policy S1 of the Local Development Plan will not comply with Policy H7. These are minor settlements where new residential development will not normally be allowed because of their small size and sporadic nature and often because of the potential harm that development would cause to their open, rural character and/or sensitive landscape setting. Each proposal will be treated on its merits, however, and you are encouraged to discuss your site with the Senior Strategy and Policy Officer in Housing Services.

Policy H7 – Affordable Housing Rural Exceptions

H7 Favourable consideration will be given to the siting of small affordable housing sites in rural areas adjoining the Rural Secondary Settlements, Main Villages and Minor Villages identified in Policy S1 that would not otherwise be released for residential development provided that all the following conditions are met:

- (a) The scheme would meet a genuine local need (evidenced by a properly conducted survey or by reference to alternative housing need data) which could not otherwise be met in the locality (housing needs sub-area);
- (b) Where a registered social landlord is not involved, there are clear and adequate arrangements to ensure that the benefits of affordable housing will be secured for initial and subsequent occupiers; and
- (c) The proposal would have no significant adverse impact on village form and character and surrounding landscape or create additional traffic or access problems.

With regard to criterion (a) the local need for single plot rural exceptions sites will be established through the tests set out in this information pack.

Suitability of Location

Whilst wishing to address affordable housing needs in the rural areas, the Council must balance this with the need to promote sustainable patterns of development and to protect the open countryside from widespread development. In this respect, the Council considers that there will be cases where these wider environmental and sustainability interests will take precedence over the economic and social sustainability issues surrounding affordable housing.

Design

Proposals for single plot rural exception sites will need to comply with the current adopted Local Development Plan policies. As these potential sites will usually be outside the areas normally considered suitable for residential development, it is especially important to achieve an appropriate design. In this respect, full applications will be required for single plot rural exception sites and an early dialogue with Planning Officers is therefore essential.

Policy DES 1 – General Design Considerations

DES1 All development should be of a high quality sustainable design and respect the local character and distinctiveness of Monmouthshire's built, historic and natural environment. Development proposals will be required to:

- (a) Ensure a safe, secure, pleasant, and convenient environment that is accessible to all members of the community, supports the principles of community safety and encourages walking and cycling;
- (b) Contribute towards sense of place whilst ensuring that the amount of development and its intensity is compatible with existing uses.
- (c) Respect the existing form, scale, siting, massing, materials and layout of its setting and any neighbouring quality buildings.

- (d) Maintain reasonable levels of privacy and amenity of occupiers of neighbouring properties where applicable.
- (e) Respect built and natural views and panoramas where they include historical features and/or attractive or distinctive built environment or landscape.
- (f) Use building techniques, decoration, styles and lighting to enhance the appearance of the proposal having regard to texture, colour, pattern, durability and craftsmanship in the use of materials.
- (g) Incorporate existing features that are of historical, visual or nature conservation value, and use the vernacular tradition where appropriate.
- (h) Include landscape proposals for new buildings and land uses in order that they integrate into their surroundings, taking into account the appearance of the existing landscape and its intrinsic character, as defined through the LANDMAP process. Landscaping should take into account, and where appropriate retain, existing trees and hedgerows;
- (i) Make the most efficient use of land compatible with the above criteria, including that the minimum net density of residential development should be 30 dwellings per hectare, subject to criterion (l) below;
- (j) Achieve a climate responsive and resource efficient design. Consideration should be given to location, orientation, density, layout, built form and landscaping and to energy efficiency and the use of renewable energy, including materials and technology;
- (k) Foster inclusive design;
- (l) Ensure that existing residential areas characterised by high standards of privacy and spaciousness are protected from overdevelopment and insensitive or inappropriate infilling.

Where an applicant owns land which could provide a number of possible sites, the Council will seek to utilise the most environmentally sustainable and appropriate site as advised by the Council. Applicants are therefore strongly advised to discuss the alternatives at an early stage, and follow the advice given by the case Planning Officer.

Layout

The dwelling size should not exceed 100 square metre gross internal floor space (i.e. a simple measurement of floor space between internal walls) and overall plot size

must be appropriate in terms of the general pattern of development in the surrounding area, but not normally exceeding 0.1 ha.

Sites which form part of the curtilage of an existing property must provide an appropriately sized plot for the new dwelling. In this respect, it will be important to achieve a ratio of dwelling size to overall plot size which is in keeping with surrounding properties. Such sites must also respect the existing character and setting of the original property, so as not to adversely alter the character or create a cramped form of development.

Materials of construction should be sympathetic to those in use locally.

Attached garages will count against the 100 square metres. It is appreciated, however, that there will generally be a need for garaging and for ancillary buildings to store gardening equipment, garden furniture etc. The size of such outbuildings will be strictly controlled. Detached garages of appropriate dimensions and height may be permitted if they are not intrusive upon the wider locality, reflect the local rural vernacular in both style and materials and remain subordinate to, and do not detract from, the character and appearance of the main dwelling. They should be sited as unobtrusively as possible, to the side or rear of the dwelling. Outbuildings should be modest in size and sensitively located.

Applications for single plot rural exception sites should include details of any proposed garages and outbuildings in order that the overall impact of a scheme can be fully assessed. The Council will need to be satisfied at the time of the original application that adequate ancillary garages and storage space can be achieved for the dwelling in order to avoid pressure for further, possibly harmful, development at some future date. If overlarge outbuildings are required then this could result in a reduction in the size of dwelling that might be allowable if this is necessary to limit the overall impact of the development in the landscape.

Housing Need and Strong Local Connection

Applicants will need to demonstrate that they are unable to afford a suitable home currently available in the locality.

Housing need is demonstrated if the household unit has no home of its own, or is renting from a housing association but would like to become an owner-occupier, or is in unsuitable accommodation. For example:

- the current housing may be too large or too small for the household
- be in a poor state of repair
- be too costly for the household to maintain or sustain.

- be in a location that is a long way from existing employment, schools or support networks and that the cost or availability of transport is prohibitive to the particular household

Strong local connections with the settlement in question will need to be demonstrated by the household (Appendix A). These include working locally, residing locally, or having family members who need support in the local area.

Assessments of whether a household is in housing need or not, has strong local connections and is unable to afford a suitable home in the locality will be made by the Council's Housing Services following completion of a standard form and submission of supporting documentation. Applicants will be expected to be proactive in obtaining confirmation of their local connection from the Community Council.

Purchasers of the property in the future must also meet the local needs criteria in Appendix A. As a requirement of the section 106 legal agreement, the property cannot change hands without the written consent of Monmouthshire County Council. This will only be forthcoming if the Council is satisfied that the new purchaser has a strong local connection as defined in the section 106 legal agreement.

Affordable in Perpetuity

Rural exception sites are permitted in order to benefit the long term sustainability of the community, and as such it is important that the property remains affordable for successive occupiers for the lifetime of the building. To achieve this, the model section 106 legal agreement in Appendix C puts a Restriction on the Title of the property, to the effect that the property cannot change hands without the written consent of Monmouthshire County Council. The Land Registry will effectively enforce this provision, as it will not be possible for a solicitor to register a new ownership with the Land Registry without the appropriate letter from Monmouthshire County Council.

A draft section 106 legal agreement should be submitted with the planning application, with agreed heads of terms in accordance with those attached at Appendix C. The section 106 agreement must be ready for all parties to sign by the time the application is ready for decision by the Council.

The "formula price" of the affordable property will be determined by the cost of construction as set out on page 10 of this pack, plus a nominal plot value of £10,000, expressed as a percentage of open market value. Extraordinary construction costs will only be taken into account at the discretion of the local planning authority, where such costs can be robustly justified as unavoidable.

The future sale of the property will be subject to the fixed percentage of open market value as detailed in the section 106 agreement. There is no scope for it to enter into the open housing market without recycling of proceeds.

In order to ensure that dwellings remain affordable, a dwelling size restriction will be imposed. The size of dwellings will normally be restricted to no more than 100 square metre gross internal floor space, with a curtilage not exceeding 0.1 ha.

Furthermore, permitted development rights to extend properties in the future will be removed by planning condition, in order to ensure that the Council retains control over the future affordability of the property. Future values will, in any event, be based on original floor space and exclude later additions.

Standard Conditions for Rural Exception Sites

In order to provide a consistent and manageable approach to rural exception sites. Monmouthshire County Council proposes to use standard conditions on all rural exception sites that ensure:

- sustainable construction, energy and water efficiency aspects equivalent to level 3 of the Code for Sustainable Homes will apply to **all** schemes
- meeting Lifetime Homes Standards will apply to **all** schemes

Standard Conditions for Single Plot Rural Exception Sites

In addition, standard conditions for single plot rural exception sites will include:

- restrictions on size of the property (to not exceed 100 square metres)
- removal of permitted development rights so that express permission has to be sought for any future extension, including garage and carport extensions

In the majority of cases, 100 square metres is adequate for a family of five persons. Larger properties are, by definition, more expensive and run counter to the primary aim of ensuring affordability.

Permitted development rights of the affordable dwellings will normally be removed to ensure that properties are not extended or altered in any way as to increase values beyond an affordable level. Exceptions will only be made where clearly justified. The normal permitted development rights will not prevent consideration of adaptations or extensions in certain circumstances, for instance, where required by an occupant with disabilities or to accommodate appropriate extensions for family growth.

The Council recognises that some households will need more space, for example to cater for very large families. Where an application is received to amend or remove a

standard condition, the applicant will be expected to demonstrate that the household's needs are genuine. The national definition of overcrowding (Appendix C) will be a factor in assessing what size of property is justified. The needs of disabled residents for physical space (for wheelchairs, etc.) will also be taken into account.

Site Suitability Guidelines

The Local Development Plan (LDP) enables Monmouthshire County Council to allow affordable housing on sites that would not obtain planning permission for open market housing, as an exception to normal planning policies.

The site, however, must be in a location that demonstrably forms part of a recognisable named settlement. Sites that would constitute isolated or sporadic development, or which would adversely affect the landscape or rural character, are not considered acceptable and will be refused planning permission in line with existing LDP policies.

Calculating the Formula Price

Affordable housing that is granted as an exception to normal planning policies must remain affordable for ever. This is achieved through a section 106 legal agreement, which defines what the “formula price” is for the affordable property.

The price for affordable housing that is built on single plot rural exception sites is calculated from standard construction costs and a nominal plot value. This is expressed as a percentage of market value to create the “formula price”.

The **nominal plot (land) value** applied is **£10,000** per building plot.

The **standard Cost of Construction** that applies is **£1,300** per square metre.

These figures apply regardless of the actual build or land cost. The combined total of these figures is the initial affordable value.

The initial affordable value is then converted into a percentage of the property’s potential Open Market Value (i.e. the property’s value if it were not subject to the affordability restrictions in the section 106 legal agreement). This percentage is the “**formula price**”.

The formula price determines how much the property could be sold for in the future. As it is a percentage of open market value, it will go up or down in line with market prices.

Worked Example

In this example, the affordable property is a 2 bed house of 70 square metres in size. The value is based on the gross internal floor space (i.e. a simple measurement of the floor space between the internal walls. Each floor of the property is included – in our example, the ground floor is 35 square metres and the first floor is 35 square metres.

One builder has quoted £81,000, another builder has quoted £85,000 and a third builder has quoted £97,000. The actual construction price is irrelevant, because the property’s affordable value is based on a formula price. Instead the affordable value will be calculated as follows. The formula for the initial affordable value is: standard cost of construction x floor space + nominal plot value:

$$\begin{aligned} &= (\mathbf{£1,300 \times 70 \text{ sqm}}) + \mathbf{£10,000} \\ &= \mathbf{£91,000 + £10,000} \\ &= \mathbf{£101,000} \end{aligned}$$

Let us assume that the market value for a 2 bed property in this location is £165,000 (actual value to be based on an independent surveyor’s/estate agent’s valuation of the property).

Formula price equals nominal cost as a proportion of market value:

$$\begin{aligned} &= \mathbf{£101,000/£165,000} \\ &= \mathbf{61.2\%} \end{aligned}$$

The section 106 legal agreement would therefore specify the formula price as 61.2% of open market value. Future sale of the property must be at 61.2% of whatever the open market value is at that point in time. Thus the property will go up or down in value in line with market prices.

If You Need to Sell in the Future

The value of the property is set in the section 106 legal agreement, as a percentage of open market value.

Resale of the property must be to a marketing plan that has been agreed with the Council, as required by the legal agreement. It must be offered for sale at the formula price for six months. Persons wishing to purchase the property must meet the Council's criteria for being in housing need (see Appendix A).

Over six months, the pool of potential purchasers widens from the local area, then Monmouthshire-wide, then to the Council or one of the Council's nominated partners and finally to anyone else. This is known as the cascade mechanism. The details of which are specified in the section 106 legal agreement for the property.

In the highly unlikely event of an owner being unable to sell at the formula price in this six month period, he/she may apply to have the formula price removed. If the Council agrees to its removal, then half of the difference between the affordable and the open market value will be recouped by the Council and used towards the provision of affordable housing elsewhere.

These requirements have been reached in discussion with mortgage lenders to ensure that they satisfy most mortgage lenders' criteria. They provide a balance between trying to ensure that affordable properties remain affordable in perpetuity, prioritising local people, and minimising the financial risks for lenders.

Lifetime Homes Standards

All affordable homes must be built to the lifetime homes standard to ensure that they are accessible and can be easily adapted should their occupiers experience mobility difficulties in the future. Homes built to this standard are "future-proofed" not only for the potential needs of their occupiers, but also for the needs of visiting friends and relatives. The Lifetime Homes standard requires the following:

Access

1. Where car parking is adjacent to the home, it should be capable of enlargement to attain 3.3metres width.
2. The distance from the car parking space to the home should be kept to a minimum and should be level or gently sloping.
3. The approach to all entrances should be level or gently sloping (Gradients for paths should be the same as for public buildings in the Building Regulations).
4. All entrances should be illuminated and have level access over the threshold and the main entrance should be covered.

5. Where homes are reached by a lift, it should be wheelchair accessible.

Inside the Home

6. The width of internal doorways and halls should conform to Part M of the Building Regulations, except where approach is not head on and the hallway is less than 900mm clear width, in which case the door should be 900mm rather than 800mm wide. Entrance level doorways should have a 300mm nib or wall space adjacent to the leading edge of the door.
7. There should be space for the turning of wheelchairs in kitchens, dining areas and sitting rooms and adequate circulation space for wheelchair users elsewhere.
8. The sitting room (or family room) should be at entrance level.
9. In houses of two or more storeys, there should be space on the ground floor that could be used as a convenient bed space.
10. There should be a downstairs toilet which should be wheelchair accessible, with drainage and service provision enabling a shower to be fitted at any time.
11. Walls in bathrooms and toilets should be capable of taking adaptations such as handrails.
12. The design should incorporate provision for a future stair lift and a suitably identified space for potential installation of a through-the-floor lift from the ground to the first floor, for example to a bedroom next to the bathroom.
13. The bath/bedroom ceiling should be strong enough, or capable of being made strong enough, to support a hoist at a later date. Within the bath/bedroom wall provision should be made for a future floor to ceiling door, to connect the two rooms by a hoist.
14. The bathroom layout should be designed to incorporate easy access probably from a side approach, to the bath and WC. The wash basins should also be accessible.

Fixtures and Fittings

15. Living room window glazing should begin at 800mm or lower, and windows should be easy to open/operate.
16. Switches, sockets and service controls should be at a height usable by all (i.e. between 600mm and 1200mm from the floor).

Do you qualify for affordable housing?

The Council wishes to make it as easy as possible for residents to be able to find out if they qualify for the 'Build Your Own Single Plot' affordable home.

Applicants must demonstrate:

That they have a suitable plot of land (this is assessed by a planning officer)

That they are in need of a house in the area and would contribute towards community sustainability

That they have strong local connections and need to live in the area where they propose to build

That they are unable to secure a suitable home currently available on the open market

What are the main housing need, local connection and affordability qualification criteria?

Local Housing Need	Strong Local Connections & Need to Live in the Local Area	Affordability and Availability of Housing in the Area
<ul style="list-style-type: none"> • No home of your own – e.g. living with your parents • Current housing not suitable for current needs • Housing Association tenant but would like to become an owner-occupier 	<ul style="list-style-type: none"> • Parents are permanent residents in the area • Parents were permanently resident in the area at the time of the applicants birth and applicant was a permanent resident of the area for 5 continuous years as a child • Currently living in the area and have been for 5 continuous years • Currently employed in the area • Have an offer of work in the area • Applicant needs to live in the area to care for a relative or receive support/childcare 	<ul style="list-style-type: none"> • If buying your mortgage should not be more than 25% of your gross household income • If renting, your rent should be less than 25% of your income • Your total household income is not large enough to buy a suitable house on the open market • There are no suitable properties in the area

For more information please contact Shirley Wiggam, Senior Strategy & Policy Officer on 01633 644474

APPENDIX 3

Rural Allocations Policy

Affordable Housing

Rural Allocations Policy

The purpose of the policy is to ensure that homes developed for local people are allocated as intended. This policy is to be used in addition to both Monmouthshire County Council's Common Allocations Policy and any other or succeeding allocations policy for letting of affordable housing in Monmouthshire.

The Registered Social Landlord requires assurance for its future business security that the local connection policy will not be allowed to cause empty properties. There is flexibility built into this policy to allow a broadening of both occupancy levels and geographical connection in order to allow properties to be tenanted swiftly and therefore ensure that the affordable housing resource is utilised.

The Rural Allocations Policy will be used to allocate the first 10 homes on all new housing sites and on all subsequent lettings of these properties (once identified via the first round of lettings) in rural areas of Monmouthshire other than:

- The main settlements of Abergavenny, Caldicot, Chepstow, Monmouth and Usk (Abergavenny includes the waiting list areas of Mardy and Croesonnen and the settlement of Monmouth includes the waiting list area of Wyesham)

Geographical Criteria

The aim of this policy is to ensure that households with strong links to rural areas are given the opportunity to remain in these communities thus helping to maintain sustainability in the future. The local qualification will be based on villages within the Community Council boundary where the properties are located and then will cascade out to the immediately adjoining communities using community council boundaries.

As there are some rural areas in Monmouthshire where development is unlikely due to land supply and topography, the Council reserves the right to widen qualification to a neighbouring Community Council on occasions where there is a proven local need.

Under Occupation

Priority will be given to applicants who have a local connection and who fully occupy a property in line with local housing allowance size criteria. One spare room will be considered whereupon a tenancy is affordable or there are exceptional circumstances. In the case where there are more applications received that meet the rural housing lettings criteria than there are properties to allocate, these applications will then be assessed to the current allocation policy.

Rural Housing Lettings Criteria

In priority order:

1. Applicants who have lived in the community (defined as the Community Council area) for a continuous period of at least 5 years at the time of application and are owed a reasonable preference as defined by the Housing Act 1996.
2. Applicants who have lived in the community (defined as the Community Council area) for a continuous period of at least 5 years at the time of application and who need to live in the community in order to provide support to a dependent child or adult or to receive support from a principal carer.
3. Applicants who have lived in the community (defined as the Community Council area) for a continuous period of at least 5 years at the time of application and who are principally (> 20 hours per week) employed in the community (defined as the Community Council area).
4. Applicants who have lived in the community (defined as the Community Council area) for a continuous period of at least 5 years at the time of application or those who have lived in the community for a period of five years but have had to move out of the area to access accommodation.
5. Applicants who have previously lived in the community for a period of at least 5 years and who need to move to the community in order to provide support to a dependent child or adult or to receive support from a principal carer.
6. Applicants who have been principally (> 20 hours per week) employed in the community (defined as the Community Council area) for a continuous period of at least 5 years.
7. Applicants who have previously lived in the community for a period of at least 5 years.
8. Applicants with a firm offer of employment in the community and who would otherwise be unable to take up the offer because of a lack of affordable housing.

Applicants will be prioritised using the above criteria, however, if more than one applicant has the same priority, the applicant who has lived (or previously lived) in the Community Council area for the longest will be given priority. Applicants who have the same priority and who will be fully occupying the property will be given priority over those applicants who have the same priority and who will be under-occupying.

In the event there is no suitable [insert Community Council] applicant, these criteria will then be applied in the same order to applicants from immediately adjoining

communities as set out above. Should there be no suitable applicant from the Community Council area where the properties are located or from the immediately adjoining Community Council areas then the properties will be allocated to applicants with a connection to Monmouthshire in line with the Monmouthshire Homesearch Allocations Policy.

It should be noted however that the Council reserves the right to nominate applicants for rural vacancies, who do not meet the above criteria, where it is considered that the circumstances of the individual case warrant special consideration. Such cases can only be considered for the offer once the decision has been agreed by the Common Housing Register Operational Sub Group and the Housing and Regeneration Manager.

Evidence of Local Connection

In all cases, the applicant will be expected to demonstrate their local connection, for example by providing service bills, bank statements, medical registration documents and so forth. Applicants living at home with parents and looking to leave home for the first time would be expected to provide evidence to show that they have local criteria which may include evidence that their parents have achieved the local connection.

Applicants not living in the Community, but who are applying for reasons of employment must provide evidence to show that they are principally employed within the area, including the date of commencement of employment and confirmation from their employer of employment status, and whether this is likely to continue for the foreseeable future.

Applicants will also be asked to consent to the landlord making enquiries of the electoral register and council tax records should it be necessary to confirm local connection.

Future Voids

The properties identified for each site will remain ear marked for all future lettings. Therefore all future lettings for these properties will also be carried out as per this policy.

Monitoring

The Council will ensure that lettings through this policy will not dominate the main allocation scheme. The Rural Allocations Policy will be monitored on an ongoing basis to ensure that overall reasonable preference for allocation in Monmouthshire is given to applicants in the reasonable preference groups.

The policy will also be monitored in order to assess its impact, the outcome of which will be regularly reported.

The policy will also be monitored to ensure that void properties are re-let to qualifying households who satisfy the Rural Allocations Policy.

APPENDIX 4

Extract from The Community Infrastructure Levy (Amendment) Regulations 2014

“Exemption for self-build housing

54A

- (1) Subject to paragraphs (10) and (11), a person (P) is eligible for an exemption from liability to pay CIL in respect of a chargeable development, or part of a chargeable development, if it comprises self-build housing or self-build communal development.
- (2) Self-build housing is a dwelling built by P (including where built following a commission by P) and occupied by P as P’s sole or main residence.
- (3) The amount of any self-build communal development that P can claim the exemption in relation to is to be determined in accordance with paragraphs (4) to (6).
- (4) Subject to paragraph (5), development is self-build communal development if it is for the benefit of the occupants of more than one dwelling that is self-build housing, whether or not it is also for the benefit of the occupants of relevant development.
- (5) Development is not self-build communal development if it is:
 - (a) wholly or partly made up of one or more dwellings;
 - (b) wholly or mainly for use by the general public;
 - (c) wholly or mainly for the benefit of occupants of development which is not relevant development; or
 - (d) to be used wholly or mainly for commercial purposes.
- (6) The amount of any self-build communal development that P can claim the exemption in relation to must be calculated by applying the following formula:

$$\frac{X \times A}{B}$$

Where:

X = the gross internal area of the self-build communal development;

A = the gross internal area of the dwelling in relation to which P is claiming the exemption for self-build housing; and

B = the gross internal area of the self-build housing and relevant development, provided that the self-build communal development is for the benefit of that housing and that relevant development.

- (7) In this regulation, “relevant development” means development which is authorised by the same planning permission as the self-build housing in question, but which does not include the self-build housing or the self-build communal development.
- (8) In order to claim the exemption in relation to self-build communal development, P must assume liability to pay CIL in respect of that development (and may do so jointly in respect of the chargeable development) and either claim the exemption:
 - (a) at the same time as P claims the exemption in respect of the self-build housing; or
 - (b) where the self-build housing is granted permission through a phased planning permission, in relation to any phase of that permission.
- (9) An exemption or relief under this regulation is known as an exemption for self-build housing.
- (10) An exemption for self-build housing cannot be granted to the extent that the collecting authority is satisfied that to do so would constitute a State aid which is required to be notified to and approved by the European Commission.
- (11) Where paragraph (10) applies, the collecting authority must grant relief up to an amount which would not constitute a State aid which is required to be notified to and approved by the European Commission.

Exemption for self-build housing: procedure

54B

- (1) A person who wishes to benefit from the exemption for self-build housing must submit a claim to the collecting authority in accordance with this regulation.
- (2) The claim must:
 - (a) be made by a person who:
 - (i) intends to build, or commission the building of, a new dwelling, and intends to occupy the dwelling as their sole or main residence for the duration of the clawback period, and

- (ii) has assumed liability to pay CIL in respect of the new dwelling, whether or not they have also assumed liability to pay CIL in respect of other development;
 - (b) be received by the collecting authority before commencement of the chargeable development;
 - (c) be submitted to the collecting authority in writing on a form published by the Secretary of State (or a form substantially to the same effect);
 - (d) include the particulars specified or referred to in the form; and
 - (e) where more than one person has assumed liability to pay CIL in respect of the chargeable development, clearly identify the part of the development that the claim relates to.
- (3) A claim under this regulation will lapse where the chargeable development to which it relates is commenced before the collecting authority has notified the claimant of its decision on the claim.
- (4) As soon as practicable after receiving a valid claim, and subject to regulation 54A(10), the collecting authority must grant the exemption and notify the claimant in writing of the exemption granted (or the amount of relief granted, as the case may be).
- (5) A claim for an exemption for self-build housing is valid if it complies with the requirements of paragraph (2).
- (6) A person who is granted an exemption for self-build housing ceases to be eligible for that exemption if a commencement notice is not submitted to the collecting authority before the day the chargeable development is commenced.

Exemption for self-build housing: completion of development

54C

- (1) A person (P) granted an exemption for self-build housing in respect of development (D) must comply with this regulation.
- (2) Within six months of the date of the compliance certificate for D, P must submit a form to the collecting authority confirming that D is self-build housing or self-build communal development (as the case may be).
- (3) The form referred to in paragraph (2) must:

- (a) be submitted in writing on a form published by the Secretary of State (or a form to substantially the same effect);
- (b) include the particulars specified or referred to in the form; and
- (c) be accompanied by the documents specified or referred to in the form.

Withdrawal of the exemption for self-build housing

54D

- (1) This regulation applies if an exemption for self-build housing is granted and a disqualifying event occurs before the end of the clawback period.
- (2) For the purposes of this regulation, a disqualifying event is:
 - (a) any change in relation to the self-build housing or self-build communal development which is the subject of the exemption such that it ceases to be self-build housing or self-build communal development;
 - (b) a failure to comply with regulation 54C;
 - (c) the letting out of a whole dwelling or building that is self-build housing or self-build communal development;
 - (d) the sale of the self-build housing; or
 - (e) the sale of the self-build communal development.
- (3) Subject to paragraphs (5) and (6), where this regulation applies the exemption for self-build housing granted in respect of the self-build housing or self-build qualifying development is withdrawn and the relevant person is liable to pay:
 - (a) an amount of CIL equal to the amount of CIL that would have been payable on commencement of the development if the exemption had not been granted; or
 - (b) where regulation 54A(11) applies, the amount of relief granted.
- (4) The relevant person must notify the collecting authority in writing of the disqualifying event before the end of the period of 14 days beginning with the day on which the disqualifying event occurs.
- (5) The collecting authority must notify the relevant person at least 28 days before taking any action in relation to a disqualifying event under paragraph (2)(b), informing them of the date after which they intend to take any such action.

- (6) If the relevant person submits to the collecting authority a form which complies with the requirements of regulation 54C(3) before the date mentioned in paragraph (5), the exemption is not withdrawn and the collecting authority may take no further action in relation to that disqualifying event.
- (7) As soon as practicable after receiving the notice of the disqualifying event (or the expiry of the period in paragraph (5), as the case may be) the collecting authority must notify the relevant person in writing of the amount of CIL payable under paragraph (3).
- (8) In this regulation “relevant person” means the person benefitting from the exemption for self-build housing in respect of the dwelling or communal development which has ceased to qualify for the exemption”.

APPENDIX 5
Extract from LDP Monitoring Framework

Affordable Housing

Strategic Policy: S4 Affordable Housing

LDP Objectives Supported: 1, 3, and 4

Other LDP Policies: SAH1-10, SAH11

Monitoring Aim / Outcome	Indicator	Target	Trigger for Further Investigation	Source Data / Monitoring Method
To provide 960 affordable dwelling units over the plan period	The number of additional affordable dwellings built* over the plan period	Deliver 96 affordable dwellings per annum 2011-2021 (total of 960 over the plan period)	Further investigation if 10% less or greater than the LDP strategy build rate for 2 consecutive years	JHLAS / S106 monitoring
	Number of affordable dwellings secured on new housing sites	<ul style="list-style-type: none"> 35% of the total number of dwellings to be affordable on sites of 5 or more dwellings in the Main Towns and Rural Secondary Settlements identified in Policy S1 25% of the total number of dwellings to be affordable on sites of 5 or more dwellings in the Severnside Settlements as identified in Policy S1 60% of the total number of dwellings to be affordable on sites of 3 or more dwellings in the Main Villages identified in Policy S1 Minor Villages: sites with capacity for 4 dwellings make provision for 3 to be affordable; and sites with capacity for 3 dwellings make provision for 2 to be affordable. 	Further investigation if the proportion of affordable housing achieved on development sites in each area falls below the requirement set out in Policy S4	JHLAS / planning applications database / S106 monitoring

Monitoring Aim / Outcome	Indicator	Target	Trigger for Further Investigation	Source Data / Monitoring Method
	Number of affordable dwellings permitted / built on Main Village sites as identified in Policy SAH11	Main Village sites to collectively deliver 20 affordable dwellings per annum 2014-2021	Further investigation if 10% less or greater than the target build rate for 2 consecutive years from 2014	JHLAS / planning applications database / S106 monitoring
	Number of affordable dwellings built through rural exception schemes	No target	None	JHLAS/ planning applications database
	Affordable housing percentage target in Policy S4	Target to reflect economic circumstances	Further investigation if average house prices increase by 5% above the base price of 2012 levels sustained over 2 quarters	Home Track / Land Registry

*Core Indicators

SUBJECT: Recycling Review
DIRECTORATE: Operations
MEETING: Cabinet
DATE: 3rd December 2014
DIVISION/WARDS AFFECTED: All

PURPOSE:

1. To seek Cabinet agreement on the proposed way forward for the Recycling Review including the decision on the future of recycling collections in Monmouthshire to align with the revised Waste Framework Directive (rWFD) requirements for separate collections (subject to conditions) by January 2015.

RECOMMENDATIONS ON PROPOSED WAY FORWARD:

2. The recommendations are:
 - I. That the existing method kerbside collection of dry recycling materials be continued subject to further Review given the lack of a strong evidence base on the “necessity” to change with a report to be brought forward in summer-autumn 2015;
 - II. That food and garden waste kerbside collections should be split on demonstration of a robust business case, with food waste to be treated via AD and garden waste via open windrow; the former of which is the subject of a separate Cabinet report (3rd Dec AD MoU Report) and the latter (garden) is subject to a study as part of the wider Recycling Review; and
 - III. That MCC should explore the opportunities for community benefit from local provision specifically focusing on reuse at CA sites and community composting

KEY ISSUES

3. Over the past 18 months, MCC has carried out a strategic review of the recycling and waste service, in response to changes in EU and UK law and Welsh Government (WG) policy and guidance including WG’s preference for kerbside sort collections.

4. The key **legislative and policy setting** for the review has been the following:
- the revised Waste Framework Directive and the Waste (England and Wales) Regulations 2011 including the requirement to provide separate collections of glass, metals, plastics and paper, by January 1st 2015, where it is:
 - i. **Necessary** to ensure waste undergoes recovery operations in accordance with the waste hierarchy and to protect human health & the environment, and to facilitate or improve recovery; and
 - ii. where it is **technically, environmentally and economically practicable** (TEEP) to do so; and
 - iii. to promote ‘high quality’ recycling.
 - The Waste (Wales) Measure 2010 and supporting regulations, WG’s policy and guidance including WG’s clear policy preference for ‘separate collections’, and its intimation that it may stop the provision of the Sustainable Waste Management Grant to those authorities that do not comply.
 - WG’s stated aim in the Environment Bill White Paper to also require LAs to provide separate collections for food waste, card and wood, where necessary and TEEP.
5. For clarity, ‘separate collections’ means the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste treatment facility where a waste stream is kept separately by type and nature so as to facilitate a specific treatment. There is debate over what constitutes ‘separate collection’ and has been the subject of legal argument in the UK and the England Wales Waste Regulations were amended as a result of legal challenge.
6. MCC strives to be a high performing and legally compliant authority and this Review is central to our determination to be compliant and continually assess the necessity and practicability of any change as knowledge and understanding grows. The legislation and guidance makes it clear that if LAs are not kerbside sort then they must demonstrate with sound evidence and process the quality of the materials collected and why a change is not TEEP (technically, environmentally or economically practicable).
7. The review has been managed by MCC officers in line with the Project Plan presented to Select Committee in 2012. The review has formed part of Welsh Governments (WG) Collaborate Change Programme (CCP) which was established to support LAs to ensure legislative compliance and have plans in place to achieve the Statutory Recycling Target of 70% by 2024/25. To facilitate the CCP WG appointed WRAP (Waste Resources Action Programme), who lead on the liaison with LAs, to act as a critical friend and commission projects and pay

for bespoke pieces of research to inform the Reviews. Importantly the review has been steered by a strategic member steering group. This was set up to:

- Providing feedback to Strong Communities Select Committee on the review
- Agreeing project plans for the review as a whole and individual workstreams
- Receiving reports on workstreams, comment and make recommendations
- Receiving final report prior to submission for cabinet
- Champions for the review and engage in engagement and consultation processes
- Reviewing delivery against agreed project plan
- Identification and management of political and community risks

8. The review work was split into several workstreams:

- *Service Visioning*: Determining a vision for the future service.
- *Stakeholder Engagement*: Aimed to align the review with the ethos of ‘Your County Your Way’, by ensuring that constructive and appropriate stakeholder engagement formed the basis of the review.
- *Collection Options and Cost Modelling*: Aimed to model 6 different future service configuration options so that their viability can be assessed in terms of environmental and financial efficiency and citizen acceptability.
- *Material Management*: Aimed to establish the best way, both economically and environmentally, that materials can be sustainably managed so as to ascertain the most appropriate treatment method for each material in order to aid future service design.

Key Findings

Service Visioning

9. Members were tasked with forming a ‘vision’ for the future of the service, i.e. a set of priorities, which could be used to help develop a future service.

10. To help with this process, a 'Visioning Day' was held where external parties, including MCC contractors, WG, regulators, government advisors and also local Social Enterprises and Friends of the Earth groups presented to the member steering group what they considered to be the purpose of the service.
11. Following this members determined 'what good looks like' for the recycling and waste service. Three clear priorities emerged:
- Economic value of resources/recyclates are maximised
 - Communities, businesses and members of public are stimulated and supported to do more for themselves; and
 - General public is informed and engaged with the service.
- framed by two important elements:
- the service is sustainable and environmentally efficient; and
 - Economic benefit/value of service is maximised and is affordable.
12. Officers then translated the vision into an evaluation matrix, which is broken down to three levels, giving more tangible evidence based descriptions. Members have weighted the three levels to arrive at an agreed weighting for the whole matrix. This weighting has not been changed since, and will be used to assess the final options. The weightings (and therefore priorities for assessment) are contained in the matrix at appendix 1.

Stakeholder Engagement

13. Stakeholder engagement has been a key strand of the review. The service affects every household every week and the input of householders and other stakeholders has been critical. 'Stakeholder mapping' was undertaken, which identified a number of key stakeholders including residents, community groups, waste team and crews, councillors, contractors, Welsh Government, government agencies (such as WRAP and Waste Awareness Wales), and reprocessors. The mapping also identified how each group should be engaged with. The various pieces of engagement undertaken have been outlined in appendix 2.
14. The key piece of engagement undertaken was with householders. A baseline survey, undertaken face to face and online, which received over 2,000 responses, gave an overview of public attitudes towards the recycling and waste service. The full survey results are shown in appendix 3, but headline results are show below:

- Service satisfaction levels have retained their high level in comparison to 2011 levels. The following percentage of respondents were either very or quite satisfied with the provision of the different services:
 - i. Residual waste (grey bag) collection: 80%, compared to 88% in 2011;
 - ii. Red and purple bag collection: 96%, compared to 92% in 2011;
 - iii. Food waste collection: 93%, compared to 91% in 2011;
 - iv. Garden waste collection: 71%, compared to 91% in 2011;
- The most important factor to residents in terms of how a recycling and waste service is provided is ensuring environmental harm is minimised (49% of respondents stated this);
- Same day collections would not encourage residents to recycle more (65% of respondents stated this);
- Residents would not like to be provided with collection services for laptops (and similar), mobile phones, household batteries, textile, clothes or shoes (over 60% of respondents stated this for each material);
- Residents do not believe that the recycling and waste service needs to be improved (35% of respondents stated this), but if it were to be improved, they would like facilities to be provided at HWRCs for reusing waste (27% of respondents stated this).
- Householders are not interested in doing more themselves to manage their waste (36% of respondents stated this). However, having a community composting scheme near their home was also popular with householders (33% of respondents stated this).

15. In addition to the survey, three engagement events were carried out, and facilitated by Andy Middleton. These explored wider waste issues with attendees, including how to change the face of the recycling and waste service in the face of austerity measures. Ideas were gleaned from attendees, and organised into a number of 'themes', these are shown in appendix 4. Attendees and those that had expressed a wish to attend were then asked to vote on which theme they would like us to most focus on, with the most popular response being to improve reuse facilities (40% of respondents). On this basis, a piece of work has been commenced, looking at the feasibility of setting up a reuse shop, possibly located at the Llanfoist transfer station. Additionally, it is planned to recommence the drive to set up a community composting site within Monmouthshire.

16. In terms of engagement moving forwards, it is intended to build on the events undertaken to facilitate a recycling and waste engagement network, with the intention of feeding into the planned corporate engagement online hub. Once a preferred way forward has been determined further public consultation will be required to inform modelling on participation and recycling rates, appropriate messages for communications and for determining a baseline of public opinion on recycling to plan for further improvements in the service.

Collections Options Modelling and Appraisal

17. One of the key aspects of the review has been the need to model MCC's current kerbside collection service (baseline), against WG's preferred 'collections blueprint'. The WG collections blueprint high level modelling states that kerbside sort is a more viable economic and environmental service model and will deliver significant savings over other collection models. This work, along with the material management workstream is central to testing the necessity and TEEP of change.
18. Due to the number of potential ways of delivering collection services a consultative and inclusive process was used to narrow the options down to the final 6. This is detailed in appendix 5.
19. The modelling that has been undertaken is at a high level, and looks to ascertain between the 6 options, which is the most financially viable moving forwards. Members need to have confidence that this modelling and any recommendation falling from it, will only form an Outline Business Case which would be subject to further assessments and tender processes followed by a submission of a Final Business Case before an absolute decision is made on any form of collection change.
20. The final six collections options are detailed below (a diagrammatical version of the below is show in appendix 6):

Table 1:

Option 1:	<p><i>Dry recycling:</i> Twin stream, collected in 26 tonne, split back collection vehicles.</p> <p><i>Garden and food waste:</i> Collected separately in 26 tonne, split back collection vehicles.</p> <p><i>Residual waste:</i> Collected separately in 26 tonne collection vehicles.</p> <p><i>Nappies:</i> Collected separately in pick-ups.</p>
Option 2:	<p><i>Dry recycling:</i> Twin stream, collected in 26 tonne, split back collection vehicles, but with nappies collected in pod on front;</p> <p><i>Garden and food waste:</i> As option 1;</p> <p><i>Residual waste:</i> As option 1;</p> <p><i>Nappies:</i> Collected separately on same vehicle as dry recycling.</p>
Option 3:	<p><i>Dry recycling:</i> Twin stream but with glass collected separately. Collected in 26 tonne, split back collection vehicles, with glass collected in pod on front;</p> <p><i>Garden and food waste:</i> As option 1;</p> <p><i>Residual waste:</i> As option 1;</p> <p><i>Nappies:</i> Collected separately in pick-ups</p>

Option 4:	<p><i>Dry recycling and food waste:</i> Twin stream but without glass. Collected in 26 tonne, split back collection vehicles, with food collected in pod on front;</p> <p><i>Garden waste, residual waste and glass:</i> Collected in 26 tonne, split back collection vehicles, with pod on front; 1 compartment used for each material.</p> <p><i>Nappies:</i> Collected separately in pick-ups</p>
Option 5:	<p><i>Dry recycling and food waste:</i> As option 4.</p> <p><i>Garden:</i> Collected separately in 15 tonne collection vehicles.</p> <p><i>Residual waste:</i> Collected separately in 26 tonne collection vehicles.</p> <p><i>Nappies and glass:</i> Collected in small, 7.5 tonne plastic bodied vehicle. Glass collected in rear of vehicle, and nappies collected in pod on front of vehicle.</p>
Option 6:	<p><i>Dry recycling and food waste:</i> Kerbside sort (as per WG blueprint). Collected in 12 tonne vehicles, with all materials collected as separate streams, except cans and plastics which are collected together in one compartment.</p> <p><i>Garden:</i> Collected separately in 15 tonne collection vehicles.</p> <p><i>Residual waste:</i> Collected separately in 26 tonne collection vehicles.</p> <p><i>Nappies:</i> Collected separately in pick-ups</p>

21. The modelling considers ‘whole life costs’, so treatment costs (the process after collection e.g. composting, anaerobic digestion, energy from waste etc.) have also been determined for each collection option. Additionally, a piece of work was undertaken to determine what affect each collection option would have on the requirements of the transfer stations (where materials are bulked up before onwards transport to the markets), as any collection change would require investment, reconfiguration and building works to allow the collection option to function to full efficiency.

Cost Modelling Results

22. Note: The models do not show FINAL determined costs. It is a high level model that shows indicative costs based on the vehicles used and method of treatment. They are used to show a comparison between collection methods, rather than determined budgetary values. Should there be a preference, then a final business case would be undertaken.

23. Note: A number of current costs are not included in the model because they are not expected to change between the options, these are:

- Management and maintenance costs for the transfer stations. Any costs associated with these sites are expected to be in addition to current costs.

- Treatment costs for residual waste.

Splitting of Food and Garden Waste

24. All of the options that were modelled had the assumption that food and garden waste was to be split. This is due to an in principal decision being taken to do so and which has verbally been discussed with Members at Select Committee previously. This decision was taken due to the potential environmental and financial benefits of treating this waste separately. Under such a proposition, food waste would be treated through anaerobic digestion, and garden waste through open windrow. The potential for joining a regional AD partnership, with associated benefits, is the subject of a separate Cabinet report presented to Cabinet on 3rd December 2014.
25. As part of the Recycling Review WG have funded via WRAP a study into garden waste being treated via open windrow within County. Currently to achieve PAS 100 certification standards (and therefore to contribute towards our recycling figures) garden waste is hauled to and treated out of County. This is a material which is best managed locally and the study will assess suitable sites and also provide MCC with advice on capital outlay and ongoing revenue costs and benefits to inform whether open windrow could be pursued in the County. Open windrow capacity for garden waste which meets PAS 100 standards is in short supply in South Wales so could prove a cost effective opportunity for the Council. The review will be reported as part of the wider Recycling Review paper later in 2015.

Dry Recycling Options Cost Modelling

26. NB:- As we wanted Members to be fully informed of progress with the review we are showing figures below which are still subject to review and challenge and are likely to change. The options modelling has taken WRAP over six months and demonstrates the complexity of collection modelling and the importance of accurate data.
27. The recycling collection options were modelled against the current service inclusive of planned changes to split food and garden waste (as shown in table 2 above). Table 4 below shows the high level results. Revenue costs are shown at the top of the table and capital costs are shown at the bottom.

Table 2: (please note this is a high level model, and whilst based on MCC costs cannot be used as a basis to inform the entire budget and expenditure profile of the current service)

	Current*	Option 1	Option 2	Option 3	Option 4	Option 5	Option 6 (kerbsort)
Revenue:							
Staff	1,252,055	1,321,361	1,330,628	1,425,320	1,521,219	1,776,236	1,693,002
Vehicles	1,172,923	1,261,282	1,428,514	1,479,354	1,676,709	1,405,774	1,088,058
Containers	391,183	391,183	391,183	466,577	466,577	466,577	164,333
Dry Processing	-	734,048	734,048	345,913	345,913	345,913	247,318
Material Income/ Sales	-	-661,490	-661,490	-629,055	-629,055	-629,055	-715,670
Organics Processing	294,622	294,622	294,622	294,622	294,622	294,622	294,622
Garden Waste Charge	-230,000	-230,000	-230,000	-230,000	-230,000	-230,000	-230,000
Supervision & Overheads	831,918	900,573	910,963	895,945	913,210	917,907	858,538
Total	3,712,701	4,011,579	4,198,467	4,048,675	4,359,193	4,347,973	3,400,200
<i>Difference from current*</i>		298,878	485,766	335,974	646,493	635,273	-312,501
Capital:							
Containers	-	-	-	-	-	-	1,396,023
Depot	See table	3,480,000	3,480,000	1,925,000	1,925,000	1,925,000	782,000
Total	3	3,480,000	3,480,000	1,925,000	1,925,000	1,925,000	2,178,023

*Current service: This is the cost of an optimised current service (i.e. the service after all collection rounds have been made efficient – a process currently being undertaken), but also with the assumption that garden and food waste is collected and treated separately.

28. For more information on what makes up the values in table 4 above, see appendix 7.

29. Capital costs, points to note:

- a. For option 6 the capital cost for containers is derived from purchasing a 'trolley box system' for every household, which cost £35 each, the revenue is associated with purchasing replacement boxes.
- b. The depot capital cost associated with each service option results from required changes to the transfer stations, associated mainly with the onsite sorting/bulking of dry recycling materials. See below for details on this.
- c. The above table does not take into account the revenue consequential of prudential borrowing. This is important as all other service configurations require capital investment and whilst in theory are showing a revenue saving, once the borrowing figure is included may not prove as financially beneficial as currently indicated by WRAP. Finance colleagues have begun work on assessing relevant options to determine a longer term business case for 2015 Review.

30. In terms of the potential material income associated with each collection method, average price per tonnes are as per those received by Conwy CC (who collect materials separately) were used. These prices are a guide only.

31. It must be stated that no income or cost has been put against the current service for dry recyclables processing. This is because MCC currently has a £0 per tonne haulage and gate fee rate with Biffa. The Biffa Contract expires in 2016. However, when this contract ends it is estimated that there may be a gate fee of around £20 - £30 per tonne for the material, which could result in a processing charge of around £200,000 to £300,000. This is currently unbudgeted for within the waste budget and would have to feature as a pressure in the MTFP.

32. Members must note that with any collection method there is a recycling processing risk and this will feature strongly in the final report on the future of collections in Monmouthshire. Currently our risk is based on there being MRF capacity at a cost which is affordable to the authority. This does mean MCC has little say in what happens to the material, but it has brought contract security and we have not had to manage or market the material thereby reducing staff costs. With other collection methods the risk comes in managing the materials ourselves, not having the benefit of it being combined with larger volumes, managing the risk profile of volatile markets and needing to invest in staff to manage the process. On the plus side though it gives the Council far more control over the material and a benefit when the market is positive. Therefore the risk profile of what MCC is prepared to accept, particularly during these particularly austere financial times will be strong feature in the further reports to be brought forward for further member consideration. Members of Strong Communities Select Committee recognised that the authority had benefitted from strong MRF contracts and were concerned about the risk of managing material directly given the low volumes and also lack of expertise to undertake a market trading role.

Transfer Station Costs and Potential Material Income

33. A separate piece of work evaluated the different options in terms of how materials were dealt with at the transfer stations, depending on the collection option. The work is currently being peer reviewed and subject to change, but initial cost results are shown in table 2, and details of the results are shown below. Options considered in the work included bulking material only and sending to an external Materials Recycling Facility (MRF), undertaking some sorting on site (small MRF), or operating a fully automated MRF. See appendix 8 for a more detailed description of the options.
34. The costs shown in table that are attributed to the transfer stations ('dry processing' costs in the revenue section and 'depot' in the capital section), as well as the potential material income, have been derived from what was determined to be the most economically viable method of processing the materials, per method of collection. This was determined from the transfer station assessment work that was undertaken.
35. The methods chosen are as follows:
- Option 1 and 2: Construction of a fully automated Materials Recycling Facility in Llanfoist, and alterations to Five Lanes depot.
 - Option 3, 4 and 5: Construction of a manual Materials Recycling Facility in Llanfoist, and alterations to Five Lanes depot.
 - Option 6: Basic sort and baling operation in Llanfoist, and alterations to Five Lanes depot.
36. Consideration was given to just separating the red and purple bags and, selling the red bags as a 'paper mix' and sending the purple bags to a MRF. However, the initial results determined that this was not the most cost effective way of dealing with the material, so it has not been included in the results above. However, maintaining the paper collection in red bags has proven to improve the quality of the paper outputs from the MRF. A more detailed explanation of the methods, including a breakdown of infrastructure and revenue costs, and the potential material income generation, for each of the above, is given in appendix 9.

Other Options Considered

37. A number of 'variants' of the six main options were considered for modelling, headline results for these are shown below:

38. *Seasonal garden waste collections:* There is a potential saving available with this option, however, it is only significant for options 5 and 6, where garden waste is collected by a stand-alone vehicle. This is with these options the vehicles can be 'stood down', whereas for the other options food would still need to be collected.
- d. For options 1 to 4 the potential saving (compared to full year collections) is around £27,000
 - e. For options 5 and 6 the potential saving (compared to full year collections) is £114,000.
39. Officers though appreciate the political sensitivity of reducing the service frequency given an annual charge is now applied to the service. This option will only be taken further if there is early Member support for it to be considered.

Drop in Participation if Change Collection Method

40. *Kerbside sort (option 6), but with a 10% decrease in participation:* MCC is aware that Councils which switched from comingled collections to kerbsort face a risk of reduced participation. This is due to the highly acknowledged fact that comingled collections collect a higher yield of recyclate from its residents. With specific reference to Monmouthshire given the high performance any service change has to be perceived as a risk. The most significant costs associated with this are an increase in disposal costs, due to materials being put back in the refuse collection, and the risk of fines should the reduction in tonnage collected result in MCC not meeting its targets.
- Based on 1000 tonnes being disposed of via Energy from Waste rather than recycled, this would increase disposal costs by around (net) £60,000
 - A 10% reduction in kerbside dry recycling collected tonnages would not put MCC at risk of failing the recycling targets at present (on the assumption that other tonnages stay the same). However it would do so when the target increased to 64% in 1919/20. It is anticipated (based on current tonnages) that MCC's total recycling rate would be 1.4% below the target, resulting in a potential annual fine of £104,000. Appendix 10 gives further information on this. This could result in the kerbside sort option becoming less competitive in comparison to current collections.
 - However, it must be noted here that, even if the tonnage of dry recycling drops, this may be mitigated enough by, for example, the recycling tonnage due from Prosiect Gwyrdd, to ensure that MCC's overall recycling rate remains above the fine threshold.

Public Satisfaction, Performance & Council Priorities

41. MCC is in a very fortunate position with its recycling services. We are one of the highest performers for recycling in the UK and for the first two quarters of 2014-15 a recycling rate of 67% has been achieved (please note that performance always drops in winter months due to the lack of garden waste). Often services are changed because of a failure in performance. Monmouthshire is not in that situation and therefore it is recognised that a very strong case for change would need to be presented. The EU Directive calls for 'quality' and also 'quantity' in recycling. Whilst we are fully investigating the quality issue, it cannot be argued that MCC does not achieve quantity given that we are such a high performer. The draft guidance from WG does not answer how to reconcile the quality versus quantity debate.
42. In addition quantitative feedback and also qualitative from recent public consultation events have demonstrated that the waste and recycling service is well regarded by the citizens of Monmouthshire. As evidenced in paragraph 14 the levels of satisfaction are high and this can be substantiated by the high participation levels in the service. It can be foreseen that the public would question why the Council was embarking on a major investment for change when the current service was performing highly and is well regarded. The Council will consider this risk and align the priority of any change to a front line public facing service with the other corporate priorities the Council needs to deliver.

Key Points to Note from the Results:

43. Separation of food and garden waste gives a tangible financial benefit (please see separate Cabinet report 3/12/14 on AD MoU for full details). The reduction in treatment costs from using this method outweighs the increase in collection costs resulting from the need to use different vehicles.
44. In terms of cost modelling of dry recycling options, the most viable alternative options in comparison to the present service are:
- a. The 'twin stream' option (option 1), whereby MCC continues to collect red and purple bags as at present, but they collected and processed separately in a MRF at Llanfoist. Although, alternative means of processing would be further reviewed.
 - b. The Kerbside sort option (option 6), whereby most materials are collected separately, and a small sorting operation is run in Llanfoist to separate cans and plastics.

Material Management

45. As stated in point 4 (page 1), the Waste Framework Directive requires local authorities to collect paper, metals, plastics and glass separately where:

- i) necessary to ensure waste undergoes recovery operations in accordance with the waste hierarchy and to protect human health & the environment, and to facilitate or improve recovery; and
- ii) where it is technically, environmentally and economically practicable (TEEP) to do so; and
- iii) to promote 'high quality' recycling.

46. For MCC to be required to move to separate collections for a particular material, both the necessity and TEEP tests must be satisfied.

Necessity

47. Under the necessity test, MCC must consider whether it actually needs to separate materials further in order to achieve high quality recycling. A simple benchmark for this test comparing the quality of MCC's materials, at the point that they are recycled, with 'good' kerbside sort authorities. Unfortunately, terms such as 'high quality' and 'good kerbside sort authority' are not defined in the legislation or the draft WG statutory guidance. MCC consider these to be fundamental points when considering whether we should switch from what is a highly effective, performing and efficient service which enjoys high levels of public satisfaction at this time.
48. WG have determined that LAs should seek to achieve the best overall environmental outcome, and that where possible, should look to achieve 'closed loop' recycling. This for example, would mean to turn a glass bottle back into a glass bottle and not into road aggregate.
49. There is confusion among local authorities on how to address the necessity question, and what to compare collections to. As a starting point MCC officers compared the top destinations for MCC's recycling in 2012/13, to those used by Welsh kerbside sort authorities. The full results are shown in appendix 11. The results show, that MCC's end destinations are comparable to kerbside sort authorities for a number of materials. For example, the top three end destinations for MCC's glass are all closed loop manufacturers, and over 90% of glass went to these three manufacturers. With MCC's paper, although this is being sent to China, it is also being processed in a closed loop manner (comparable with kerb side sort authorities).
50. Although the above is compelling, it is important that MCC has a full understanding of the quality of its recyclable material, before a full conclusion can be made on the necessity test. The MRF regulations, which came into force in October 2014 will assist with this. The regulations require MRFs to undertake detailed sampling on material as it is received, and again after it has been through the sorting process. It will enable MCC to ascertain the true quality of its material, and how it is, or isn't, affected by the MRF process. MCC will then be in a better position to compare the quality of the material it provides to reprocessors to that of kerbside sort authorities.

51. Traditionally due to lack of sampling robustness MCC has reported the average MRF contamination rate which is then deduced from our recycling performance. Currently this is between 8-10% of inputs. Initial indications from Biffa indicate that our material is of a very high quality and could in fact prove a positive for MCC's recycling performance. However, a full assessment on the quality of MCC material to demonstrate whether we meet the necessity test of supplying the market with quality materials will need at least 6 months of data. Given that the regulations have only been in place since the 1st October, it is not anticipated that this work will be completed until around June of 2015.
52. In addition to the above, WRAP have been commissioned by WG to undertake a study whereby they sample the dry-recycling material of a number of authorities, from point of collection, through every stage of the process to the final point of the process where the material is recycled. MCC is to be one of the lead authorities on this piece of work, and will receive initial results by Christmas. This, combined with the MRF sampling will better enable MCC to conclude on the necessity test.

TEEP Test

53. If it is found that it is necessary for MCC to collect certain materials separately, it will also need to be considered whether it is TEEP to do so.
- a) Technically practicable: Given that separate collections operate in counties similar to Monmouthshire – such as Conwy, it is likely to be concluded that such collections are also practicable within Monmouthshire.
 - b) Economically Practicable: The benchmark for whether collections are economically practicable is that they must not be 'excessive' in comparison to non-separate collections. The final whole life costs of the different options will need to be assessed fully to determine this. The Council will also need to consider the "cost of change" in light of other investment priorities that need to be delivered; and
 - c) Environmentally Practicable: As part of the finalising of the options MCC will undertake an environmental assessment of the key options in conjunction with WRAP, this will assist with ensuring any potential service change is environmentally practicable.

Local Government Measure 2009

54. In addition to the necessity and TEEP tests, MCC is subject to the requirements under schedule 2 of the Local Government Measure 2009. Under this, MCC must "Make arrangements to secure continuous improvement in the exercise of its functions". In doing so, the authority must have "regard in particular to the need to improve the exercise of its functions in terms of;

- Strategic effectiveness;
- Service quality;
- Service availability;
- Fairness;
- Sustainability;
- Efficiency; and
- Innovation.

55. Any decision to alter the service must also be justified when considering the above points. Welsh Government are currently considering how the LG measure requirements align with the much anticipated Separate Collections Guidance given that the requirements of the EU Directive must be balanced against the purpose of LG as set out in this measure by WG. Further consideration will need to be given (and will be done so over 2015) to how we apply these 7 requirements to the service and will be included in the final review, but examples include:

- *Strategic Effectiveness*: where does the service sit within Council priorities and is it currently meeting LA and national performance targets. Is there a major strategic case for investment in change compared to other Council priorities;
- *Service Quality*: does the service meet the needs of its residents, satisfaction ratings, participation ratings etc. *The necessity test (quality of materials can also be applied here)*

Further Work

56. As mentioned above, although the Review has made significant progress, with high level results being received, a number of aspects of the project need to be finalised before a full business case can be developed.

57. Over the next six to 8 months the following work will be completed on the review:

- Assessment of necessity to change – following data collection from MRF regulations and WRAP work;
- Assessment of TEEP of options (particularly economic), and narrowing down to two final options, to proceed to outline business case; and
- Alignment of Local Government Measure and EU waste framework directive requirements.

58. In addition to the above as referenced in para.25, work is to be undertaken on open windrow within Monmouthshire . The potential of such a local site would allow MCC to minimise processing costs for garden waste, process the waste locally, and potentially receive

material from other local authorities. WG have since commissioned a piece of work on MCC's behalf that will assess the potential of the site, and two other areas within Monmouthshire (to be determined). This piece of work is due to be completed by March 2015.

59. As a result of the engagement work that highlighted an appetite for a 'reuse' shop in Monmouthshire, a piece of work looking at the potential for this at the Llanfoist site will be undertaken by MCC officers. Officers will also look to progress with the community composting initiative.

60. With regards to the modelling it is being proposed that the existing method of collection continue subject to further review due to:

- The need to have 6 months' worth of MRF regulations data to evidence the "quality" of MCC materials;
- WRAP's work on material management will not have been completed;
- The transfer station capital requirements is being reviewed;
- More work is needed on material income opportunities and risk profiles;
- More engagement needed with the recycling market directly to determine interest in the different options being considered and financial return MCC could expect;
- The need to soft market test the existing MRF contract;
- Health and safety assessment on collections option;
- WG not having published final guidance;
- Public engagement on collection options; and
- A full financial model needs to be developed to demonstrate the cost effectiveness of any preferred option to inform a long term business case

61. The report has identified key issues and risks which need consideration and addressing prior to a final recommendation. These are:

- I. What risk is MCC prepared to take on income generation on sale of recyclates? i.e. if we had to spend more (collections costs) to bring in more income rather than rely on a MRF (and an external organisation experienced in such management) what level of return would need to be provided for assurance purposes?
- II. What risks are MCC prepared to take with a collection change given that the service is high performing and not at risk of failure of targets?

- III. If the review demonstrates that the current service is EU compliant in terms of separate collections requirement but a financial benefit (no matter how small) could be achieved by a switch, what would the preference be?
- IV. Change over potentially 2016-17 at a time when MCC could be facing a reorganisation – is a service change a priority?
- V. What risk are we prepared to take with our residents who value and use the current service effectively and have indicated that they do not want a change?

62. To reiterate, the key recommendations to come from this report are as follows:

- I. That the existing method kerbside collection of dry recycling materials be continued subject to further Review given the lack of a strong evidence base on the “necessity” to change with a report to be brought forward in summer-autumn 2015;
- II. That food and garden waste kerbside collections should be split on demonstration of a robust business case, with food waste to be treated via AD and garden waste via open windrow; the former of which is the subject of a separate Cabinet report (3rd Dec AD MoU Report) and the latter (garden) is subject to a study as part of the wider Recycling Review; and
- III. That MCC should explore the opportunities for community benefit from local provision specifically focusing on reuse at CA sites and community composting

REASONS

63. ‘Separate collections’ for glass, paper, plastics and metals are required by January 2015 subject to necessity and TEEP tests. Current data does not evidence that MCC is not compliant with the rWFD framework, but in the spirit of the Directive, given that we do not offer kerbside sort source separated collections the Council will continue to review and pending further evidence and data will report to Cabinet in 2015 with a full costed business case on the proposed way forward.

FINANCIAL IMPLICATIONS:

64. There are no immediate financial implications from this report.

65. Whilst indications on savings have been referenced in the report no figures for savings feature within the current MTFP as it would be premature to do so. The figures provided do not also take fully into account the capital investment required. However if a change was proposed the Business Case, in line with the principles on capital investment would need to explore the implications of using any savings

to enable borrowing to fund this capital expenditure or make such a strong case that other schemes contained within the capital programme were displaced.

LEGAL IMPLICATIONS:

66. Legal Advice has been sought from external specialist waste management lawyers (Thomlinson Kiddle Law). They have advised that MCC should continuously review its service provisions to ensure legal compliance and to promote continuous improvement. In particular, further work is required to ensure MCC makes a proper analysis of all the relevant material; that MCC continues to consider policy with rigour and an open mind; and reconsiders its position as new information comes to light.

67. In particular, MCC ought to continuously review its service provisions to ensure that it meets its legal obligations including:

- the general obligation to encourage separate collection so as to facilitate recovery;
- the general obligation to introduce separate collection so as to facilitate recycling;
- the obligation to introduce separate collection for paper, metal, plastic and glass so as to facilitate recycling of these waste streams; and
- the obligation not to mix waste of specific type or nature with other waste or other material with different properties,

subject always to the principle of proportionality (subject to the Article 10(2) of the revised Waste Framework Directive necessity and technical, environmental and economic practicability tests). Considering that the aim of separate collection is high quality recycling, the introduction of a separate collection system may not be necessary if the aim of high quality recycling can be achieved just as well with a form of co-mingled collection.

68. Members are advised that there is a risk that MCC may be legally challenged for its decision to continue with its current practices. In particular, it may be challenged in relation to the interpretation of the separate collection obligations. However to mitigate this risk the Council has followed a robust, inclusive process solely based on evidence and data. It has also committed to keep the issue under Review and to bring more detailed data to Members in 2015 once all necessary work has been completed.

EQUALITY AND SUSTAINABILITY IMPACT ASSESSMENT:

69. As this is an update report there are no equality and sustainability impacts. However the Business Case when presented will have undertaken a full equalities and sustainability impact assessment.

CONSULTEES

Cabinet
Senior Leadership Team
Head of Service
Chief Internal Auditor
Head of Finance
Head of Legal Services
Strong Communities Select Committee (meeting of 18th Nov)
WRAP
Welsh Government

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Appendix 1: Evaluation Matrix Level 1 Criteria (‘Vision’)	Weight	Level 2 Criteria	Weight	Level 3 Criteria	Weight
Economic benefit/value of service is maximised	35.00	Value of resources is maximised.	17.92	Income is generated from valuable materials/resources.	9.54
				Cost of disposing of non-valuable materials/resources is minimised.	8.38
		Cost of service delivery is minimised.	17.08	An economically efficient service profile. Is adopted.	6.70
				Contracts and partnerships are designed to offer best value for Monmouthshire.	10.38
The service is sustainable and environmentally efficient*.	19.25	Material management is undertaken in a sustainable and environmentally efficient way*	9.33	Materials are managed in a way that facilitates high quality recovery and recycling in terms of application of the waste hierarchy and/or product life cycle thinking.	4.33
				Ecological footprint is minimised (One Wales: One Planet by 2050).	2.17
				Resource security is ensured.	2.83
		Waste operations do not endanger human health or the environment*	9.92	An environmentally efficient service profile is adopted.	3.17
				No fly tipping resultant from waste operations.	2.08
				No litter caused by waste operations – ie keep streets clean.	2.17
				Service delivery method meets national health and safety standards	2.50
		Communities, businesses and members of public are stimulated and supported to do more for	20.08	Community schemes are supported and facilitated.	6.08
Community reuse is maximised.	1.67				
Community recycling is maximised.	1.67				
Community composting is maximised.	1.25				
Businesses are motivated to engage in reducing, reusing and recycling waste.	5.33			SMEs are supported to maximise reduction, reuse and recycling.	2.83
				Manufacturers and businesses in Monmouthshire are driven to consider and implement resource management practices in all aspects of production.	2.50
Householders are	8.67			Home composting is maximised.	3.75

themselves.		encouraged to do more in the home.		Reduction and reuse of materials within the home environment is maximised.	4.92
General public is informed and engaged with the service.	25.67	Service well communicated to public	13.67	Public understand how to get maximum use out of the services available.	6.25
				Public understand reasons and benefits for sustainable resource management.	7.42
		Positive public acceptance of service	12.00	High participation in services	5.83
				High recycling rates achieved	6.17

***Includes requirement to apply separate collections if necessary and ‘technically, economically and environmentally practicable’ (TEEP) to meet the sustainability and environmental aspects.**

TEEP definition:

‘Technically Practicable’ means that the separate collection may be implemented through a system which has been technically developed and proven to function in practice (e.g. H&S, capture rates, recycling rates overall, quality etc.);

‘Environmentally Practicable’ should be understood such that the added value of ecological benefits justify the possible negative environmental effects of separate collection (e.g. additional emissions from transport);

‘Economically Practicable’ refers to a separate collection which does not cause excessive cost in comparison with the treatment of non-separated waste stream, considering the added value of recovery and recycling and the principle of proportionality.

Appendix 2: Methods of engagement

Some of the primary means of engagement were as follows:

- f. Residents: A baseline public questionnaire was undertaken, the responses to which gave a perspective on current attitudes on the recycling and views on the current service. Additionally, 'engagement events' were held, facilitated by Andy Middleton, these looked at wider waste and recycling issues and sought ideas for how these could be addressed.
- g. Community Groups: Community groups such as Friends of the Earth and Homemakers took part in the MCC visioning day, additionally a special engagement event aimed at community groups was held and facilitated by Andy Middleton, to look at how services could be looked at differently.
- h. Waste teams and crews: Both crews and officers have been involved in the review throughout. Officers have worked on various aspects, including modelling and material management and crews have been key involved with developing options and determining preferred vehicles.
- i. Councillors: The key means of engaging with members was through the member steering group. This group have taken the lead in steering the review, and have been influential in forming a future vision for the service and viewing best practice elsewhere. Community councillors were engaged through being invited to attend the engagement events as discussed above. Regular meetings have been held with the group over the period of the review, additionally the group have visited best performing authorities in both comingled and kerbsort collections. In addition to the above, an update on the review was taken to the Strong Communities Select Committee in October 2013.
- j. Contractors: MCC's main contractors – Viridor, Homemakers and Biffa were all invited to attend the visioning day, Viridor and Homemakers took up this invite. They gave opinions on their views of the future of the services. Additionally, both have been engaged on an ad hoc basis at different stages of the review – for example when looking at transfer station requirements.
- k. Welsh Government: WG have been fully informed from the outset of the review and have received updates from MCC officers and also through the CCP programme. There is a gap in the monitoring authority NRW being engaged in the review but this is due to delays at a national level on how the regulations are to be monitored and therefore NRW are not yet geared up to engagement with LAs in a proactive manner.
- l. Government agencies (eg WRAP & NRW): WRAP have been heavily engaged throughout the review, providing assistance and advice in terms of collections modelling and determining of options. Additionally, WRAP have been involved in drawing up various pieces of work, including the transfer station assessments and looking at the potential to set up an open windrow site. It is recognised that there is a weakness in engaging with the Monitoring Authority for the Regulations which implement the rWFD. NRW have been appointed as MA, but are yet to determine how they undertake this role. MCC did offer to WG that we would be willing to be pilots to work with NRW to inform their thinking, but this was not taken up. Therefore engagements with NRW are required in the future.

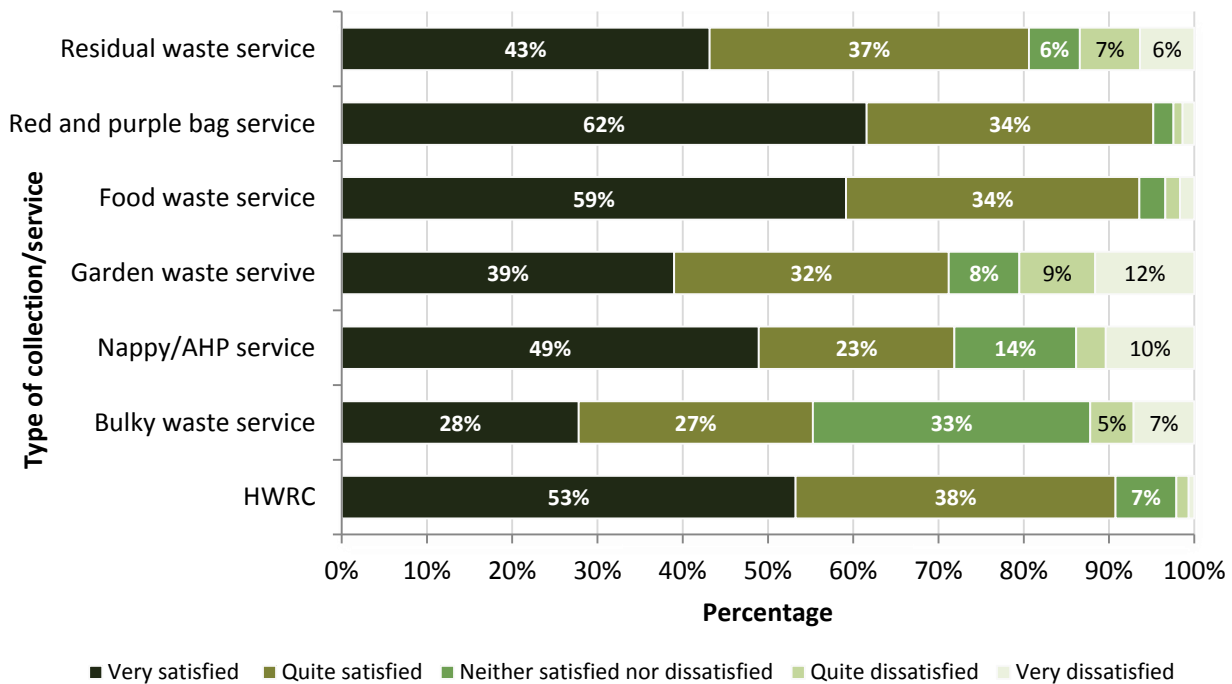
Reprocessors: MCC aimed to engage with reprocessors in order to see their requirements in terms of how materials are presented to them. This is deemed to be key in order to help determine required collection methods. This area of engagement has been more difficult, the reprocessors that were asked to speak at the visioning day declined to do so, and it has proved more difficult to do so otherwise. This engagement is ongoing.

Appendix 3: Resident survey results:

The resident survey showed that the majority of households used the kerbside collection service on a regular basis. 91% of respondents stated to use the residual waste service on a fortnightly basis, 88% and 78% respectively stated to use the red and purple bags and food waste service on a weekly basis. 29% of residents stated to use the garden waste collection service weekly.

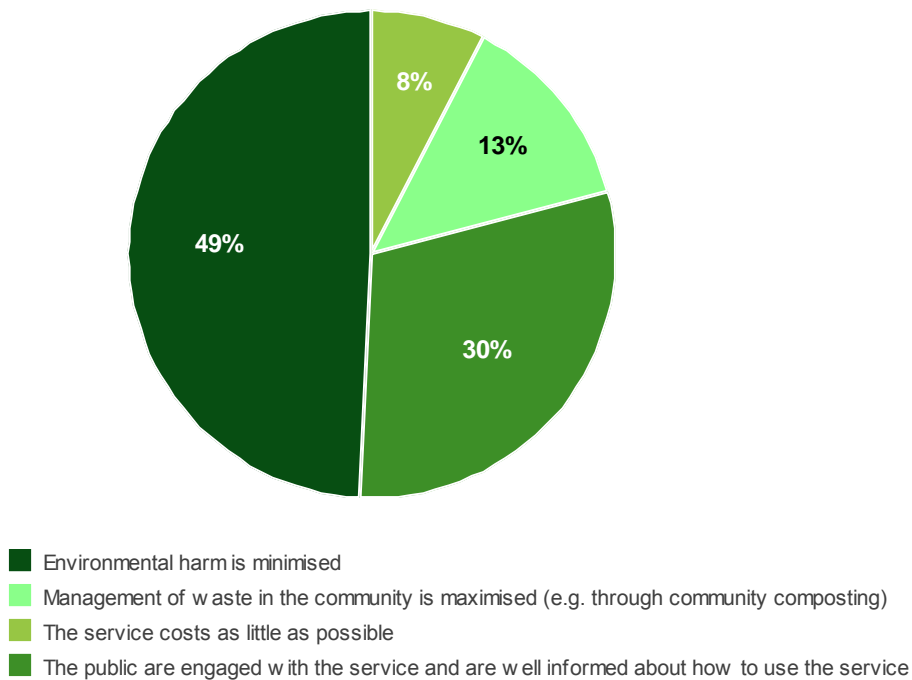
Respondents were how satisfied they are with the services. As figure 2.2.1 shows, for the majority of services over 70% of respondents were quite or very satisfied with the service. The red and purple bag and food waste collection services both have satisfaction rates of over 90%.

Figure 2.2.1: How satisfied are you with the HWRCs and kerbside collection services?



In an exercise separate to this piece of work, Members were asked to determine a ‘vision’ for the future of the recycling and waste service, they came up with 4 factors, residents were then asked which of these four factors were most important to them in terms of how a service is designed. As figure 2.2.2 shows, 49% of respondents stated that ensuring environmental harm is minimised is most the most important factor.

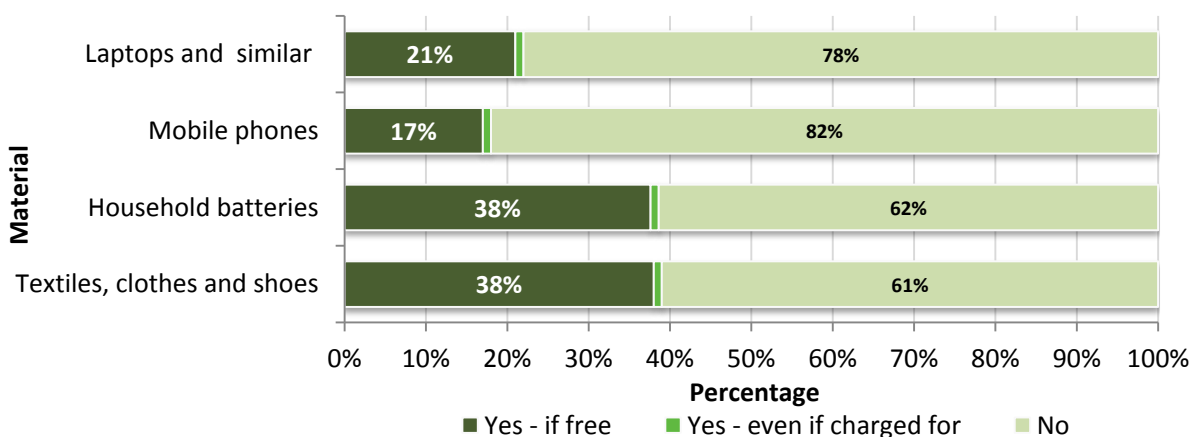
Figure 2.2.2: Which strand of the member’s vision do you consider to be most important in terms of how a recycling and waste service is provided?



Respondents were subsequently asked if having their recycling and rubbish all collected on the same day would encourage them to recycle more. 65% of respondents stated that it would not, with 28% saying it would.

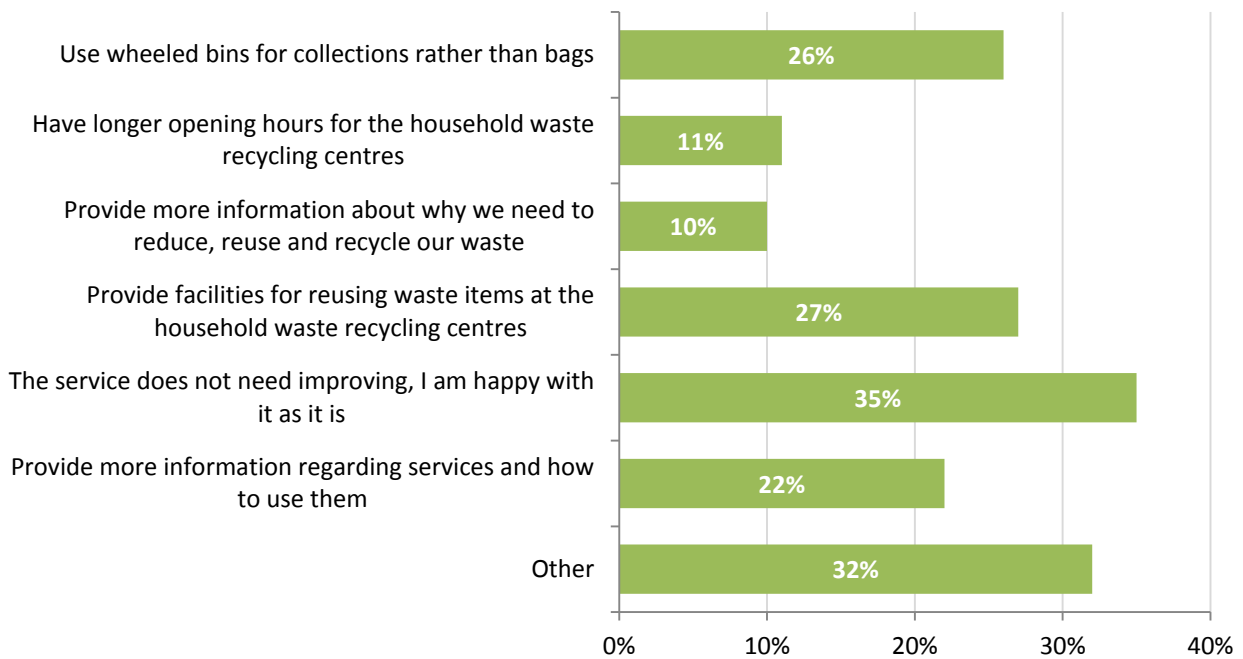
Respondents were asked if they would like to be provided with a kerbside collection for a number of other materials. As figure 2.2.3 shows, over 60% of respondents stated that they would not like a collection for any of the materials. Where respondents would like a collection, less than 2% would be willing to pay for it.

Figure 2.2.3: Would you like to be provided with a kerbside recycling collection for the following materials?



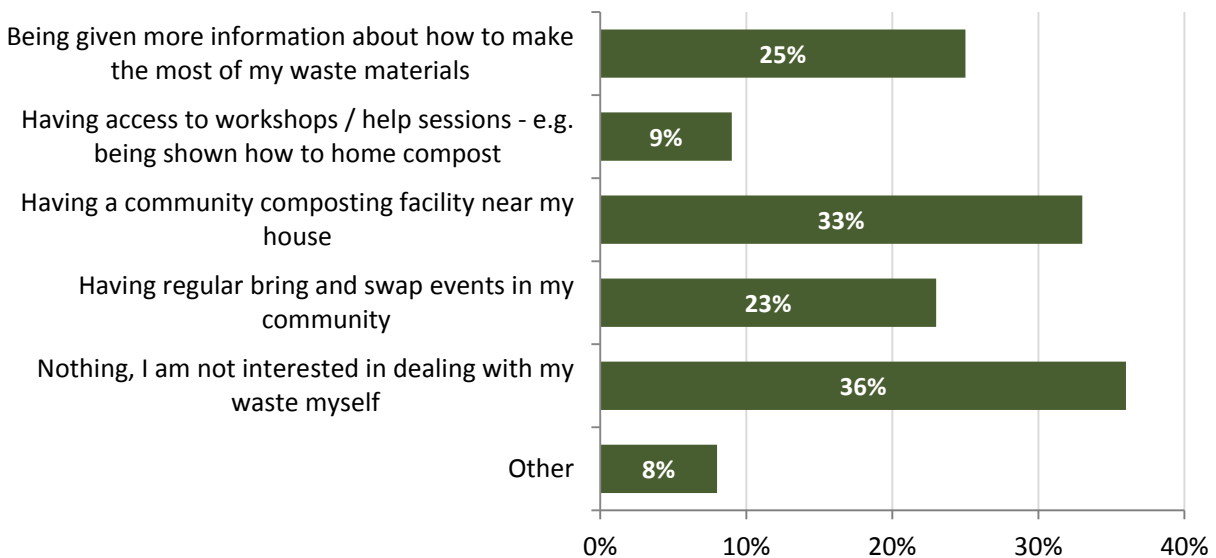
Respondents were asked how they felt the recycling and waste service could be improved. As figure 2.2.4 shows, 35% of respondents did not feel that the service needed improving. Where respondents did feel it could be improved, providing reuse facilities at HWRCs was the most popular response. In the 'other' category, the most popular response was to provide a free or reduced cost garden waste service (7% of respondents).

Figure 2.2.4: How could we improve our recycling and waste service?



Finally, residents were asked what MCC could do to help them manage more of their waste themselves. As figure 2.2.5 shows, 36% of residents said that they were not interested in dealing with their own waste, whereas 33% of residents felt that having a community composting scheme near their house would help them.

Figure 3.7: What would help you to manage more of your waste at home and / or in the community?



Appendix 4: Themes for improvement from engagement events:

	Theme	Ideas
1	Improve reuse facilities	<ul style="list-style-type: none"> • Garage/ street events • Pop-up shops • Reuse workshops at schools • HWRCs
2	Improve/change kerbside collections	<ul style="list-style-type: none"> • Residents running services? – re-localising recycling services to individual towns of communities. • Periodical textile collection • Create jobs in Monmouthshire - doing more for ourselves. • Reducing garden waste collections to seasonal. • Community bins? – end of kerbside collections?
3	Education	<ul style="list-style-type: none"> • Back to basics – eg how to use up food. Integrate resource management into teachings • Welsh Bacc problem solving – children to consider waste and resource problems? • Educate about sites such as Freecycle • Spread One Planet across the county.
4	Rebranding and information provision	<ul style="list-style-type: none"> • Rebrand waste as a resource • Create trust in information provision – MCC to be open and honest. • Information clear and easy to use. • Promote services – help people understand what MCC does. • Recycling figures at entry to towns. • Information on service cost – how much and what does it go towards.
5	Influencing manufacturing and production processes	<ul style="list-style-type: none"> • Improve links with supermarkets – look for ways for them to reduce packaging. • Packaging – push for use of paper and card rather than polystyrene, reduce plastic film use. • Possibility of tiered business rates?
6	Incentives and enforcement	<ul style="list-style-type: none"> • Incentives: • Best recycling town competition. • Time banking? • Financial incentives for those that recycle. • Enforcement: • Fines for fly tipping and other litter offences.

Appendix 5: Consultation process undertaken to determine final collection options:

the following process was used to narrow the options down to the final 6 that were modelled:

- m. **October 2013:** A number of service delivery assumptions were determined, based on aspects of the service that did not need to be altered, or where changes had already been decided upon:
 - i. Garden and food waste was to be modelled as being collected separately. This is due to an in principal decision already having been made to separate this material.
 - 1. Garden waste would be treated by open windrow;
 - 2. Food waste would be treated by anaerobic digestion;
 - ii. There would be no other change to the food, nappy and residual waste collections. Including the containers used.
 - iii. Garden waste would be modelled primarily as a weekly, charged for, collection, but that consideration would be given to seasonal collections.
 - iv. Dry recycling would still be collected weekly, but that the following means of separating materials would be considered:
 - 1. 'Twin stream': Similar to present, but red and purple bags are kept separate on collection and treated separately.
 - 2. 'Twin stream' but with glass collected separately: As 'twin stream' but glass is collected separately to plastics and tins/cans. Extra reusable bag to be used for glass.
 - 3. Kerbside sort (as per WG blueprint): All materials collected, stored, and processed separately. Materials are to be collected in a 'trolley stacker box'.
- n. **Early November 2013:** A 'working group' was formed from waste and transport officers, as well as collections supervisors and crews, and representatives from WRAP.
- o. **November 2013:** A vehicle workshop was held, whereby the working group were presented to by leading vehicle manufacturers and viewed up to date demo vehicles. Subsequently a list of over 40 possible collection configurations was drawn up by the group.
- p. **December 2013:** The working group reduced the list of options to 15. This was based on health and safety, viability of vehicle use within Monmouthshire, limiting the number of times a house has to be visit to collect all streams, limiting the number of different vehicle types (so to ensure vehicle flexibility), and ensuring the service provided is as easy to use as possible for householders.
- q. **December 2013:** Further consideration was given to the options, and the working group reduced the short list of 15 to the final 6.

Appendix 6: Final list of options that were modelled

Baseline - As is	Weekly - 24t Open back RCV	Weekly* - 24t Open back RCV	Fortnightly - 24t RCV	W - Pickup
	Open backs, co-mingled	Garden and food mixed	Residual	Nappies

Options - Where garden waste is collected weekly

1	Dry recycling using split backs	Weekly - 26t RCV split back	Weekly - 26t RCV split back	Fortnightly - 26t RCV	W - Pickup
		Paper, card 32% Glass, Metal, Plastics 68%	Garden 41% Food 59%	Residual	Nappies
2	Dry recycling and nappies using 3 pod vehicle	Weekly - 26t RCV split back with pod	Weekly - 26t RCV split back	Fortnightly - 26t RCV	
		Nappies 2% Paper, card 33% Glass, Metal, Plastics 66%	Garden 41% Food 59%	Residual	
3	Dry recycling using 3 pod vehicle	Weekly - 26t RCV split back with pod	Weekly - 26t RCV split back	Fortnightly - 26t RCV	W - Pickup
		Glass 8% Paper, card 32% Metal, Plastics 61%	Garden 41% Food 59%	Residual	Nappies
4	Dry recycling and food using 3 pod vehicle	Weekly - 26t RCV split back with pod	Weekly - 26t RCV split back with pod	Fortnightly - 26t RCV	
		Food 13% Paper, card 31% Metal, Plastics 56%	Napp 8% Glass 32% Garden 61%	Residual	
5	Dry recycling and food using 3 pod vehicle	Weekly - 26t RCV split back with pod	Weekly - 26t RCV	Fortnightly - 26t RCV	W - PBUV - single back with pod
		Food 13% Paper, card 31% Metal, Plastics 56%	Garden	Residual	Glass 80% Nappies 20%
6	Kerbside sort (WG blueprint)	Weekly - RRV - Romaquip 12 tn	Weekly - 26t RCV	Fortnightly - 26t RCV	W - Pickup
		Plastic, Metal 54% Paper 16% Card 12% Glass 7% Food 11%	Garden	Residual	Nappies

Appendix 7: Options – revenue cost breakdown:

Revenue	
Crews	Include costs for collection crews, and cover (25% addition to standard crews).
Vehicles	Includes leasing of vehicles, maintenance, fuel, and tax and insurance. Also includes cost of spare vehicles (20% addition to standard fleet)
Containers	Revenue cost of containers – single use plastic bags (including wastage), and replacement rates for container (where applicable).
Dry processing	Costs for processing of materials at transfer stations – eg electric. See appendix 9 for more information. These are costs above the current costs (these are not included in the model).
Material income	Potential material income attributed to collection method. Based on rates received by Conwy CC. See appendix 9 for more information.
Organics processing	Treatment costs for kerbside organics waste.
Garden waste charge	Anticipated income from garden waste
Supervision & overheads	Cost of supervisory staff, back office and management staff and central recharges. Based on the 2014 restructure.

Appendix 8: Transfer station options that were considered:

In addition to the collection options modelling, a piece of work was carried out by LRS, a consultancy working on behalf of WRAP. LRS looked at the different collection options, and undertook an assessment of what would be required from the transfer stations for each collection option. There were a number of options that could be considered per collection option – ranging for example from purely bulking material, to having sophisticated sorting operations on site.

The list below gives an overview of the different options:

1. **Bulk only:** Whereby, material is bulked at both Five Lanes and Llanfoist and sent on to a commercial sorting facility (Material Recycling Facility/MRF), or to a reprocessor. The options in terms of processing would depend largely on how the material is collected. For example, paper collected separately could be bulked and sent to a reprocessor directly, however if such paper is co-collected with card, it would need to be sent to a MRF to be further sorted.
2. **Manual MRF:** A sorting facility (ie a MRF) is operated at Llanfoist, and material from Five Lanes is bulked at Five Lanes then transported to Llanfoist. Material would be sorted at the facility and sent to reprocessors. ‘Manual’ means that a lot of the sorting is done by hand, rather than by machines. The MRF could be configured to different levels of sorting – eg minimal sorting, whereby paper is not sorted and sold as ‘mixed fibres’, to where for example paper is sorted into different grades (where possible).
3. **Automated MRF:** Similar to the manual MRF, but more technology is used. Tends to be more expensive to construct and operate, but there is potential for better sorting, so better returns in terms of material value.
4. **Basic bale and sort operation:** This is aimed at kerbside sort collections, whereby only sorting of cans and plastics is required. The system is basically a mini MRF, with a facility for baling materials for selling to reprocessors.

Each of the methods above were adapted slightly to the relevant collection system – i.e. less sorting at the transfer stations was required for options 3, 4 and 5, than 1 and 2, because glass had already been sorted by householders.

The work is currently being peer reviewed, so cost tables for all of the options have not been included in this report. However, the options that were determined at a high level to be most economically viable are detailed in appendix 9.

Appendix 9: Overview of transfer station options relevant to collections options:

For the differing collection options, the most economically viable, in terms of the revenue that is achievable (ie the option with the potential for the greatest return), was modelled as part of the overall collection service cost modelling.

An explanation of this, is given below.

Note: this information is currently being peer reviewed, so is subject to change.

Option 1 and 2: 'Twin Stream' collection

Best transfer station option: Fully automated Materials Recycling Facility (MRF), located at Llanfoist:

Although a number of options for dealing with twin stream material were considered, including bulking and selling to an external MRF (as present), or operating a manual MRF, a fully automated MRF was deemed to be the most economically beneficial option in Monmouthshire's case.

This was determined when considering aspects such as looking at the sites and buildings available for use, the cost of equipment and the tonnage that Monmouthshire produces.

The MRF would be used to sort both fibres (papers) and the containers (glass, plastics and cans). This would maximise the income that could subsequently be received. The fibres bag (red bag) would be run put through the MRF at a separate time to the containers (purple bag), to ensure cross contamination is minimised, and therefore quality of material is maximised.

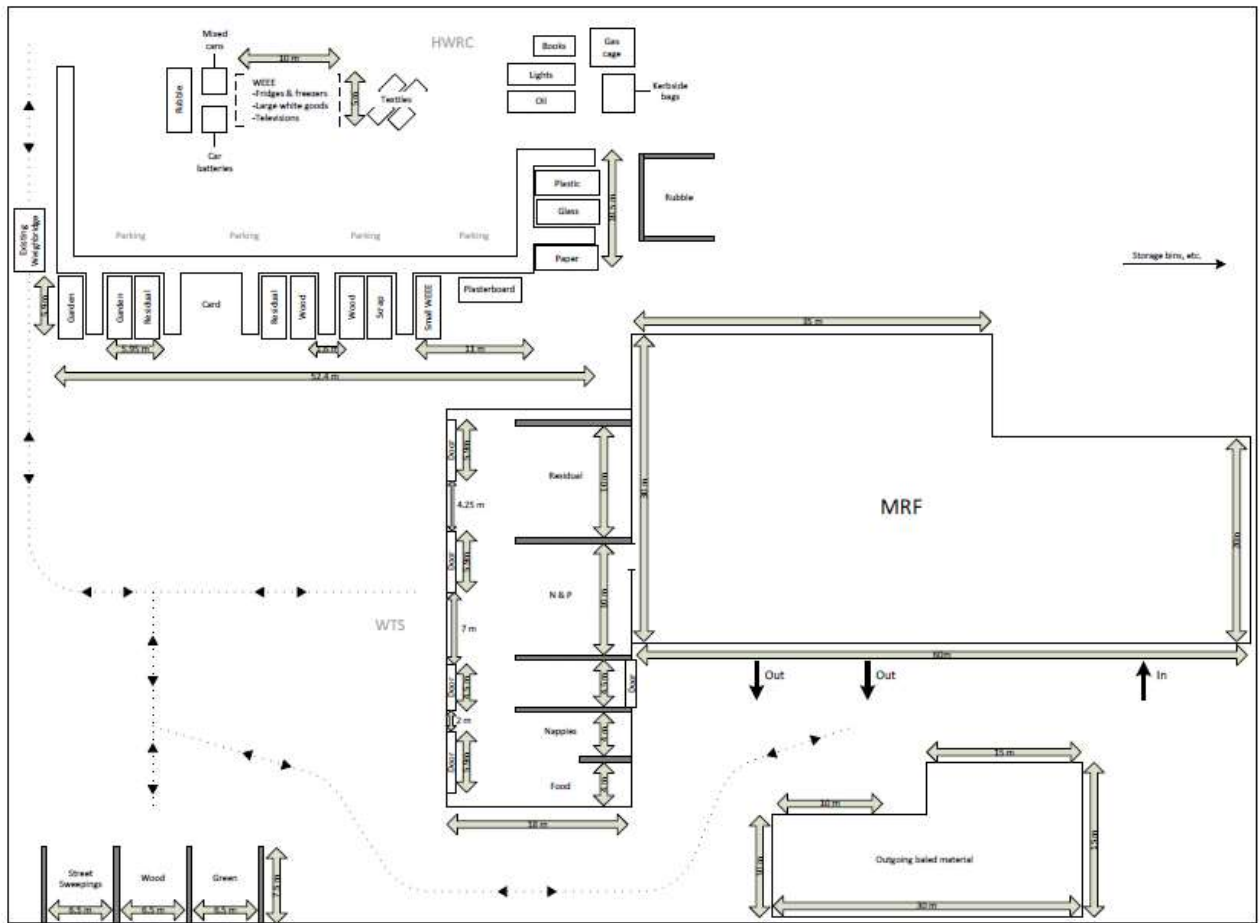
The materials would be sorted into the following streams:

- Paper: Sorted into 'news and pams' (high grade), corrugated card and a mixed paper (ie all other paper).
- Plastics: Not sorted into types, sold as mixed plastics.
- Glass: Not sorted into types, treated as mixed glass.
- Tins/cans: Ferrous and non-ferrous (aluminium) metals would be separated and sold separately.

How would this method work in practice?

- A MRF would be built on the site of the old transfer station in Llanfoist. The current transfer station would be used as a bulking area for materials.
- The current Five Lanes transfer station would be used as a bulking station, from which materials would be transferred on to Llanfoist. A small amount of infrastructure work will also need to undertaken on the Five Lanes to ensure that it is fit for purpose.
- Pieces of equipment such as 'bag splitters', eddy currents and magnets (for separating plastics, ferrous and non-ferrous metals), and a trommel (for separating glass), would be used for separating the materials.
- Materials would all be separated and baled at the Llanfoist site, ready for onwards sale to reprocessors.

The plan below, shows at a high level, how Llanfoist could be developed to accommodate the MRF:



Note: N and P refers to the storage of high grade paper.

Estimated cost of the option:

Capital:

Building and Infrastructure (Llanfoist)	Cost (£)	Depreciation Period (yrs)	Depreciation per year (£)
New MRF building & extending conceted area for bale storage	£1,000,000	£20	£50,000
MRF civils	£50,000	£20	£2,500
External storage bay	£20,000	£20	£1,000
Rubble bay	£15,000	£20	£750

Sub total

£1,085,000

Sub total

£54,250

Equipment Cost (Llanfoist)	Cost (£)	Depreciation Period (yrs)	Depreciation per year (£)
MRF	£1,750,000	£20	£87,500
Baler	£250,000	£15	£16,667
Loading shovel	£55,000	£6	£9,167
FLT	£23,000	£6	£3,833

Bale clamp truck	£30,000	£6	£5,000
Optical sorter	£250,000	£6	£41,667

Sub total	<u>£2,358,000</u>	Sub total	<u>£163,833</u>
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Building and Infrastructure (Five Lanes)	Cost (£)	Depreciation Period (yrs)	Depreciation per year (£)
Adding bay walls to WTS	£12,000	£20	£600
New asbestos storage area	£25,000	£20	£1,250
Covered food bay in skip storage area	£40,000	£20	£2,000
Concreting skip storage area	£75,000	£20	£3,750
Green waste bay in skip storage area	£10,000	£20	£500

Sub total	<u>£162,000</u>	Sub total	<u>£8,100</u>
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Total Capital Expenditure	<u><u>£3,605,000</u></u>
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Total Depreciation per year	<u><u>£226,183</u></u>
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Revenue expenditure:

Note: the below does not include revenue operating costs for Five Lanes – these will not significantly alter from present, so are not included.

Operating Costs (Llanfoist)	
Wages (inc on costs)	£202,679
Agency staff (2) @ 15% of wages	£50,670
Electricity & other site costs (3)	£75,000
Equipment Repair & Maintenance @ 2.5%	£58,950
Fork Lift Truck & loading shovel fuel	£7,500
Baling wire	£15,892
Waste disposal	£213,866
Contingency on above @ 5%	£31,228
Infrastructure (Llanfoist) Repair & Maintenance @ 1%	£10,850
Total Operating Costs	<u>£666,635</u>
Intersite logistics	<u>£67,563</u>
Total:	<u><u>£734,198</u></u>

Potential Income generation:

The table below details the potential income generation from using the automated MRF option. The price per tonne used are the average price per tonne (including haulage) as received by Conwy County Council over the past 18 months. The prices are conservative, so there may be the potential for a greater income generation.

	Tonnes	Material Value (£/t).	Total Income (£)
Corrugate cardboard	951	£55	£52,305
News and pams	1,763	£70	£123,410
Mixed papers	2,330	£70	£163,100
Mixed glass	2,709		0
Mixed rigid plastic	1,353	£75	£101,475
Mixed domestic film	403	£0	0
Ferrous	420	£105	£44,100
Aluminium	253	£700	£177,100
		Total	£661,490

It is not felt that by separating by this method that either glass or plastic film would have a value, hence there being £0 income put against them.

Option 3, 4 and 5: 'Twin Stream' but with glass collected separately

Best transfer station option: Manual Materials Recycling Facility (MRF), located at Llanfoist:

The available options for processing the materials collected in this method are similar to those open to the pure twin stream collections. That is, materials could simply be bulked and sent to an commercially operated MRF, or MCC could operate its own MRF – either a more simple manually one, or an automated MRF (as per the above).

The work looking at these options determined that the most economically viable option for dealing with materials where glass had already been separated from other containers was to run the manual MRF, whereby a lot of the materials are separated by hand. Through this method, a combination of 'hand picking' stations and equipment such as magnets are used.

In terms of use of the manual MRF, consideration was given to separating fibres, however it was deemed to be more economically viable to not do so, and to only separate containers.

By this method, the materials would be separated and sold in the following streams:

- Paper: No sorting, sold as mixed fibres.
- Plastics: Not sorted into types, sold as mixed plastics.
- Glass: Not sorted into types, sold as mixed glass.
- Tins/cans: Aluminium and ferrous cans separated and sold separately.

How would this work in practice?

- As with the automated MRF, the manual MRF would be built in Llanfoist, with material bulked at Five Lanes and transported to Llanfoist.

- It would work very similarly to the automated MRF (as above), however, as there would be less of a sorting operation, more of the work would be done manually on 'picking lines', rather than by machines.

The layout of the site at Llanfoist would be similar to that shown in the plan for the automated MRF (as above).

Estimated cost of the option:

Capital:

Building and Infrastructure (Llanfoist)	Cost (£)	Depreciation Period (yrs)	Depreciation per year (£)
New MRF building & extending conceted area for bale storage	£1,000,000	£20	£50,000
MRF civils	£30,000	£20	£1,500
External storage bay	£20,000	£20	£1,000
Rubble bay	£15,000	£20	£750

Sub total	£1,065,000	Sub total	£53,250
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Equipment Cost (Llanfoist)	Cost (£)	Depreciation Period (yrs)	Depreciation per year (£)
MRF	£495,000	£20	£24,750
Baler	£175,000	£15	£11,667
Loading shovel	£55,000	£6	£9,167
FLT	£23,000	£6	£3,833

Sub total	£748,000	Sub total	£49,417
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Building and Infrastructure (Five Lanes)	Cost (£)	Depreciation Period (yrs)	Depreciation per year (£)
Adding bay walls to WTS	£12,000	£20	£600
New asbestos storage area	£25,000	£20	£1,250
Covered food bay in skip storage area	£40,000	£20	£2,000
Extending side of WTS building	£75,000	£20	£3,750
Concreting skip storage area	£75,000	£20	£3,750
Green waste bay in skip storage area	£10,000	£20	£500

Sub total	£237,000	Sub total	£11,850
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Total CAPEX	£2,050,000
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Total Depreciation per year	£114,517
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Revenue expenditure:

Note: the below does not include revenue operating costs for Five Lanes – these will not significantly alter from present, so are not included.

Operating Costs (Llanfoist)	
Wages (inc on costs)	£114,291
Agency staff (2) @ 15% of wages	£28,573
Electricity & other site costs (3)	£50,000
Equipment R&M @ 2.5%	£18,700
FLT & loading shovel fuel	£7,500
Baling wire	£8,409
Waste disposal	£56,381
Contingency on above @ 5%	£14,193
Infrastructure (Llanfoist) R&M @ 1%	£10,650
Total Operating Costs	£308,696
Intersite logistics	£37,366

Potential income generation:

The table below details the potential income generation from using the automated MRF option. The price per tonne used are the average price per tonne (including haulage) as received by Conwy County Council over the past 18 months. The prices are conservative, so there may be the potential for a greater income generation.

	Tonnes	Material Value (£/t)	Total Income (£)
Mixed rigid plastic	1353	£75	£101,475
Mixed domestic film	403		£0
Ferrous	420	£105	£44,100
Aluminium	253	£700	£177,100
Fibres	5044	£50	£252,200
Glass	2709	£20	£54,180
Total			£629,055

It is not felt that plastic film would have a value, hence no income has been attributed to it.

Option 6: Kerbsort

Due to the large amount of kerbside separation of waste for this method of collection, the method of use for the transfer station that was deemed most financially viable was to undertake a simple sort operation.

The operation would only look to separate plastics, ferrous and non-ferrous (aluminium) metals. Card would be sorted from paper at source, so paper would not need to go through the process. It is the belief of WRAP that this would mean that the remaining paper would achieve a high income value (that of news and pams).

By this method, the materials would be separated and sold in the following streams:

- Paper: Collected and sold separately. Sold as 'news and pams' (high grade);
- Card: Collected and sold separately;
- Plastics: Not sorted into types, sold as mixed plastics;
- Glass: Not sorted into types, sold as mixed glass;
- Tins/cans: Aluminium and ferrous cans separated and sold separately.

How would it work in practice?

- As with the other methods, the simple sort machinery would be located in Llanfoist, and Five Lanes would be used as a bulking station, from where material would be transported to Llanfoist.
- In the costings below, it has been estimated that the barns that are currently on the Llanfoist site would be of a suitable size to carry out the sorting operation, so no extensions would be required.
- With this method, the majority of sorting would be done at kerbside, so would only require 'baling' at the transfer stations. The sorting equipment would only be set up to sort plastics from ferrous and non-ferrous metals.:

Costings of option:

Capital:

Building and Infrastructure (Llanfoist)	Cost (£)	Depreciation Period (yrs)	Depreciation per year (£)
MRF civils	35,000	20	1,750
External bays (green / street sweeping)	15,000	20	750
External bays (rubble)	15,000	20	750
Sub total	<u>65,000</u>	Sub total	<u>3,250</u>

Equipment Cost (Llanfoist)	Cost (£)	Depreciation Period (yrs)	Depreciation per year (£)
Baler	150,000	15	10,000
Sorting line	300,000	20	15,000
ECS	35,000	20	1,750
Loading shovel	55,000	6	9,167
FLT (with turner forks)	25,000	6	4,167
Bale clamp truck	30,000	6	5,000
Sub total	<u>595,000</u>	Sub total	<u>45,083</u>

Building and Infrastructure (Five Lanes)	Cost (£)	Depreciation Period (yrs)	Depreciation per year (£)
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Adding bay walls to WTS	12,000	20	600
New asbestos storage area	25,000	20	1,250
Extending side of WTS building	75,000	20	3,750
Concreting skip storage area	75,000	20	3,750
Green and glass bay in skip storage area	15,000	20	750
Installation of card compactor	7,000	20	350
Card bay	5,000	20	250
Sub total	214,000	Sub total	10,700

Equipment Cost (Five Lanes)	Cost (£)	Depreciation Period (yrs)	Depreciation per year (£)
Compactor	13,000	6	2,167
For lift truck	25,000	6	4,167

Sub total 38,000 Sub total 6,333

Total CAPEX 912,000

Total Depreciation per year 65,367

Revenue expenditure:

Note: the below does not include revenue operating costs for Five Lanes – these will not significantly alter from present, so are not included.

Operating Costs (Llanfoist)	
Wages (inc on costs)	70,097
Agency staff (2) @ 15% of wages	17,524
Electricity & other site costs (3)	25,000
Equipment R&M @ 2.5%	14,875
FLT & loading shovel fuel	12,000
Baling wire	12,616
Waste disposal	32,738
Contingency on above @ 5%	9,243
Infrastructure (Llanfoist) R&M @ 1%	650
Total Operating Costs	194,743
Intersite logistics	52,875

Potential Income generation:

The table below details the potential income generation from using the automated MRF option. The price per tonne used are the average price per tonne (including haulage) as received by Conwy County Council over the past 18 months. The prices are conservative, so there may be the potential for a greater income generation.

	Tonnes	Material Value (£/t)	Total Income (£)
Mixed rigid plastic	1,353	£75	£101,475
Mixed domestic film	403		£0
Ferrous	420	£105	£44,100
Aluminium	253	£700	£177,100
Glass	2,709	£20	£54,180
News & Pams (all paper)	4,093	£70	£286,510
Card	951	£55	£52,305
		Total	<u>£715,670</u>

It is not felt that plastic film would have a value, hence no income has been attributed to it.

Appendix 10: Option 6 (with 10% decrease in participation) – Risk of being fined.

There are concerns that any move to a kerbsort style collection may potentially lead to a reduction in participation, and therefore tonnage collected. Consideration was given to the potential impact on MCC reaching its recycling targets, and subsequent possible fines for failing to do so.

The table below shows how a decrease in the tonnage of recycling collected would affect recycling rates, and at what point MCC would incur a fine from WG

	Current	-10%	-25%	-50%	-75%
Tonnages					
Kerbside dry	10,182	9,164	7,637	5,091	2,546
Other dry (HWRC, bulky collection etc)	8,331	8,331	8,331	8,331	8,331
Organics	11,696	11,696	11,696	11,696	11,696
Residual	16,444	17,462	18,989	21,535	24,080
Total Municipal Waste:	46,653	46,653	46,653	46,653	46,653

Recycling rate:					
Kerbside dry	21.8%	19.6%	16.4%	10.9%	5.5%
Other dry (HWRC, bulky collection etc)	17.9%	17.9%	17.9%	17.9%	17.9%
Organics	25.1%	25.1%	25.1%	25.1%	25.1%
Residual	35.2%	37.4%	40.7%	46.2%	51.6%
Total recycling rate:	64.8%	62.6%	59.3%	53.8%	48.4%

Recycling targets:					
2015/16: 58%	6.8%	4.6%	1.3%	-4.2%	-9.6%
2019/20: 64%	0.8%	-1.4%	-4.7%	-10.2%	-15.6%
2024/25: 70%	-5.2%	-7.4%	-10.7%	-16.2%	-21.6%

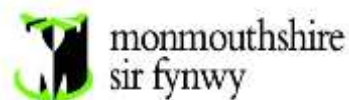
Potential Fine (per annum):					
2016 to 2019	£0	£0	£0	£415,983	£961,612
2020 to 2024	£0	£142,977	£470,354	£1,015,983	£1,561,612
2025 onwards	£524,726	£742,977	£1,070,354	£1,615,983	£2,161,612

Note: The above does presume that there will be no over improvements in recycling rates elsewhere in the service – eg at the CA sites, or through Prosiect Gwyrdd. It may be that although there will be a reduction in kerbside recycling, increases elsewhere mean that overall rates do not actually decrease.

Appendix 11: Comparison of end destination

		Kerbsort			Monmouthshire CC only		
		Company	Tonnage	% of total tonnage	Company	Tonnage	% of total tonnage
Glass	1	Recresco Limited	12756	45%	Recresco Limited	1550	48%
	2	Quinn Glass Ltd	4644	16%	Ardagh Glass Limited	980	30%
	3	Glass Recycling (U K) Ltd	3363	12%	Glass Recycling (U K) Ltd	491	15%
	4	O-I Manufacturing Ltd	2792	10%	Viridor Waste Management Ltd	209	6%
	5	Viridor Waste Management Ltd	977	3%	Llanwrtyd Community Transport Project	2	0%
	Total to top 5		24532			3232	
	Total tonnage		28330			3233	
Paper and card	1	Upm Kymmene (Uk) Ltd	16151	34%	Zhejiang JinDong Paper Co Ltd	3173	49%
	2	DS Smith	7136	15%	Lee & Man Paper Mfg Ltd	1225	19%
	3	Palm Paper	6769	14%	Mark Lyndon Paper Enterprises	711	11%
	4	Aylesford Newsprint	6106	13%	PT Pakerin, JK Kertopaten No3, Surabaya, Indonesia.	399	6%
	5	Saica Paper Uk Ltd	1795	4%	Smurfit Kappa Recycling	219	3%
	Total to top 5		37956			5727	
	Total tonnage		46937			6504	
Metals	1	European Metal Recycling Ltd	1286	23%	Rob Morris Environmental Ltd	281	66%
	2	Jeremy Mark Freeth	792	14%	Novelis UK Ltd	71	17%
	3	Amg Resources Ltd	633	11%	Sheppard (Group) Ltd	36	8%
	4	Morris & Co	508	9%	Alutrade Ltd	18	4%
	5	Northern Trading	443	8%	EUROKEY RECYCLING LTD	12	3%
	Total to top 5		3662			419	
	Total		5510			428	

	tonnage						
Plastics	1	J & A Young (Leicester) Ltd	2575	21%	Aws Eco Plastics	385	48%
	2	Eurokey Recycling Limited	1494	12%	Biffa Polymers Limited	109	14%
	3	Aws Eco Plastics	1231	10%	Monoworld Ltd	64	8%
	4	Jayplas	673	5%	Visy Recycling Europe Ltd	43	5%
	5	Northern Trading	600	5%	Nampak Plastics Europe Limited	36	5%
	Total to top 5		6573			637	
	Total tonnage		12364			795	



SUBJECT: Anaerobic Digestion, Memorandum of Understanding

Heads of the Valleys Partnership

MEETING: Cabinet

DATE: 3rd December 2014

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

To seek approval for:

- a) the Head of Waste & Street Services to conclude negotiations for MCC to enter into a Memorandum of Understanding with the Heads of the Valleys Partnership to progress the development of an Outline Business Case for the delivery of appropriate food waste treatment (via Anaerobic Digestion) in the region;
- b) the Cabinet Members for County Operations (Cllr Bryan Jones) and Finance (Phil Murphy) be appointed to the Joint Committee.

2. RECOMMENDATIONS:

2.1 To agree that:

- MCC enter into a MoU with the partnering authorities;
- That Cllr Jones and Cllr Murphy be appointed to the Joint Committee.

3. KEY ISSUES:

- 3.1 The Recycling Review report to Cabinet of 3rd Dec 2014 recommends that food and garden waste collections be split. This will allow the Council to benefit from the environmental and financial opportunities separate collection of this material brings. Currently the householder is asked to present the waste streams separately, but the crews then co-collect the material in a single backed RCV (refuse collection vehicle) prior to bulking and onward transport to the treatment facility. Due to the materials being co-collected the treatment process of In vessel Composting must be used to meet stringent environmental and animal health regulations. In addition the treatment facility must meet PAS 100 standards to allow the composted/recycled material to count towards the Council's recycling performance figures.
- 3.2 As agreed by Single Member decision (10th September 2014) the Council have agreed to award Viridor a short term organics treatment contract (subject to finalisation by the Head of Waste & Street Services) to ensure a safe, appropriate and financially sustainable solution for this material. This was also reported to Select Committee on 18th September 14. The contract is due to expire 31st March 2017 (with a possible one year extension).
- 3.3 A long term solution for this waste must therefore be found. If the material is to be split at the point of collections the best financial and environmental methods for dealing with this waste are:
- Food waste - anaerobic digestion
 - Garden waste – open windrow
- 3.4 Contained also with the Recycling Review report is the recommendation that MCC should progress with looking at the business case for its own open windrow site. WRAP (with WG funding) have recently begun a procurement exercise to appoint an advisor on MCC's behalf to determine whether open windrow within County is a viable option and the review is due to be completed by March 2015. The Recycling Review member steering group will consider this option and final proposals will be contained within the final Recycling Review paper due to go to Cabinet later in 2015.
- 3.5 As verbally reported to Strong Communities Select Committee officer discussions have taken place with Welsh Government and also the relevant LAs of the Heads of the Valley's AD Partnership to determine the possibility of MCC joining their partnership. The Heads of the Valley's Partnership is made up of:
- Blaenau Gwent County Borough Council (lead authority)
 - Caerphilly County Borough Council

- Torfaen County Borough Council

- 3.5 This partnership was formed in 2009 when Welsh Government launched the AD procurement programme. The Procurement Programme, similar in structure and management structure to that enjoyed by MCC through the Project Gwyrdd procurement process, was set up to address the weakness in infrastructure to treat food waste, via AD. As part of the Procurement Programme Welsh Government provide funding to support the actual procurement process and like Project Gwyrdd WG have agreed a funding envelope of gate fee support which would reduce the Council's financial contribution for the treatment of this material over the contract period.
- 3.6 Due to the remaining bidders in the HoV procurement process withdrawing earlier this year the partnership (like other LAs affected by contractor withdrawal) have had to revisit their business case and initiate a fresh procurement process. At the time of the partnership reviewing its strategy, and MCC looking to split food and garden waste collections, initial soundings were taken on the attractiveness and feasibility of MCC joining the partnership. Welsh Government was supportive as MCC's joining the partnership helps deliver their regional procurement policy whereby LAs are working together on waste infrastructure as it delivers efficiency and scale. WG indicated that additional funding would be available to the partnership if MCC joined in terms of supporting costs for the procurement process itself (usually £1m+). The LAs concerned also welcomed the possibility of MCC joining understanding MCC's strategic need for a solution for this material, the benefit of the entire SE corner being within one treatment hub and the benefit the additional tonnage that MCC would bring to the partnership.
- 3.7 The benefits of MCC joining the partnership are:
- MCC currently collects c.3,000 tonnes of food waste per year. If 100% of food waste was extracted via collections at most c.4,500-5,000 tonnes could be collected. With housing and population projections over a 15 year period our food waste arisings are assumed to be:

2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
3,845	3,883	3,922	3,961	4,001	4,041	4,081	4,122	4,163	4,205	4,247	4,289	4,332	4,376	4,419

- On average a procurement process can cost anything up to £1m. WG have confirmed that they contribute substantially to the procurement costs (£750,000) over the procurement process period and have offered a further £140,000 if MCC join. At present the Project Manager is modelling that no further financial contribution will be required from the partner LAs. If MCC decided to undertake a single procurement then costs of between £500-£1m could easily be expected.

- The partnership has already formed the contract documentation thereby reducing cost and allowing the process to be undertaken at pace

Memorandum of Understanding & Developing the Outline Business Case

- 3.8 A Memorandum of Understanding has been drafted which allows MCC to work with the partnership to develop an Outline Business Case (OBC). The MoU is at Annex 1. The MoU does not commit MCC to the project at this stage. Whilst the other LAs are bound by an Inter Authority Agreement with penalty clauses for withdrawal, it has been agreed that MCC will not formally join the partnership until it is determined that it is best value for every authority to proceed
- 3.9 The OBC will determine the value of MCC joining the project (to MCC and the existing partners). It will also indicate to all LAs and WG the likely outcome of the procurement process. Key areas to be reviewed are:
- Market assessment i.e. likely bidders, state of the market, market expectations of a procurement process
 - Financial – baseline of existing expenditure and modelling of project costs over life time of project. This workstream will also determine the overall funding envelope for submission to WG. WG will then determine its funding contribution over the lifetime of the project
 - Technical – modelling waste flows (to provide a guaranteed minimum tonnage) based on recycling performance and housing, population growth
 - Legal & Procurement – appropriate project structure to ensure robust contract management through the life of the project

Partnership Structure – Joint Committee, Project Board and Workstreams

- 3.10 The partnership structure is similar to that deployed by Project Gwyrdd. A Joint Committee is in existence (and is formalised via the IAA for the 3 LAs). MCC have been invited to sit on the JC prior to any IAA being signed. The purpose of the JC is to:
- provide strategic direction to the Project Board;
 - act as a representative for each Council's Executive,
 - monitor project performance
 - ensure appropriate resources are committed to the project

- 3.11 MCC's involvement in the JC prior to any IAA being signed will be as an active observer, but understanding that MCC has no casting vote. Given the nature of the project (primarily financial & technical) it is proposed that the Lead Cabinet Member's for Finance and Waste Management (Cllr Phil Murphy & Cllr Bryan Jones respectively) be appointed to the Joint Committee. MCC's JC representatives will be confirmed once more via the IAA, and then annually through the due process for appointments to Outside Bodies.
- 3.12 The Project will also have a Project Board. This is made up of Chief Officers from the constituent LAs and is responsible for:
- Implementing the strategy of the project;
 - Advising the project manager;
 - Making decisions – ensuring project objectives are met
 - Lead internal liaison within own authority
 - Resolving any disputes that may arise
- 3.13 It is proposed that the Head of Waste & Street Services (Rachel Jowitt) be the lead officer on the Project Board with the Recycling Strategy Manager (Carl Touhig (starting Jan 15)) as deputy.
- 3.14 The MoU does not commit MCC to any financial contribution. However it is best practice that LAs use internal resources to lead on key workstreams of the project:
- Procurement (TBC)
 - Legal (TBC)
 - Technical (Torfaen)
 - Financial (proposed MCC)
 - Project Management (Blaenau Gwent)
- 3.11 It is proposed that MCC lead on the financial workstream with Mark Howcroft (Assistant Head of Finance) as the lead officer for the partnership. This is of benefit to MCC as it will allow us to fully understand the financial implications of the project over its 20 year lifetime.
- 3.12 It is important though that the authority corporate fully understands the proposed benefits, risks of this project. This includes – procurement, legal and technical. MCC will provide technical support through the Recycling Strategy Manager and the Senior Policy

Officer (Amy Bowen). Legal, procurement and communication colleagues will need to be involved to review documentation and assist with the implementation of the project. Therefore an internal MCC AD working group would be formed to ensure smooth and effective management of MCC's contribution to this project.

Next Steps

3.13 The next steps is for all the OBC work to be completed. It is anticipated that this will be undertaken by March 2015. The OBC will determine whether it is feasible for MCC to join the project. As the OBC indicates a financial commitment for the authority beyond the current budget settlement a report will be taken through Select Committee and then full Council. The IAA will also be brought forward at the same time. Once the Council's have signed off their OBC it will be submitted to WG for review and sign off on the funding support for the contract period. Once the WG funding is confirmed the partnership will initiate the procurement process.

4. REASONS:

4.1 MCC needs a long term, sustainable and cost effective solution for the treatment of its organic waste. Garden waste is being reviewed through the Recycling Review. Signing the MoU with the Heads of the Valleys LAs allows MCC to fully assess the impact and benefits of MCC being part of a regional collaborative AD procurement process.

5. RESOURCE IMPLICATIONS:

5.1 Apart from staff resources there are no direct financial implications from signing the MoU. Indeed WG have indicated (at Annex 2) that further financial support would be available to the partnership to undertake the procurement process if MCC were to join. The project manager has also indicated that no further financial contributions will be required at this time given MCC will be leading the financial workstream of the project. However like all procurements financial monitoring is closely undertaken and should authority contributions be required then due process of reporting to Joint Committee for inclusion within internal budget setting processes would be followed.

5.2 The Recycling Review report outlines that a split of food and garden waste collection and a move to open windrow and AD should have a positive effect on the MCC budget position over the life time of the project. Whilst the table below indicates potential savings to justify MCC being involved in this work, these savings do not feature within the current MTFP as accurate projections on actual savings cannot be provided until the procurement is nearing completion.

Revenue	Current service	Current service with garden and food split
Staff	1,243,391	1,252,055
Vehicles	1,076,926	1,172,923
Containers	391,183	391,183
Organics Processing	487,438	294,622
Garden Waste Charge	-230,000	-230,000
Sup & Overheads	840,950	831,918
Total	3,809,889	3,712,701
<i>Diff from enhanced baseline</i>		<i>-97,189 (p/a)</i>

- 5.3 The modelling on cost savings will also need to take into account the one off costs that will be required to ensure regulation compliant transfer stations for the appropriate management of this material. In line with the principles on capital investment the business case for change would need to explore the implications of using any savings to enable borrowing to fund this capital expenditure or make such a strong case that other schemes contained within the capital programme were displaced.

<i>Table 3: Site</i>	Description	Cost
Llanfoist	Building bay in old transfer station	£15,000
Five Lanes*	Covered food bay in skip storage area	£40,000
Five Lanes*	Concreting skip storage area	£75,000
Total:		£130,000 (one off)

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

Appropriate waste treatment will deliver recycling and composting benefits and there are no equality implications.

7. CONSULTEES:

Cabinet
Senior Leadership Team
Head of Service
Chief Internal Auditor
Head of Finance
Head of Legal Services
Procurement Strategy Manager

8. BACKGROUND PAPERS:

**Memorandum of Understanding
Letter from WG (6th October 2014)**

9. AUTHOR:

Rachel Jowitt, Head of Waste & Street Services

10. CONTACT DETAILS:

Tel: 01633 738326/ 07824 406356

E-mail: racheljowitt@monmouthshire.gov.uk

The "Equality Challenge" (Screening document)

Name of the Officer completing "the Equality challenge" Rachel Jowitt		Please give a brief description of the aims proposed policy or service reconfiguration <ul style="list-style-type: none"> a) the Head of Waste & Street Services to conclude negotiations for MCC to enter into a Memorandum of Understanding with the Heads of the Valleys Partnership to progress the development of an Outline Business Case for the delivery of appropriate food waste treatment (via Anaerobic Digestion) in the region; b) the Cabinet Members for County Operations (Cllr Bryan Jones) and Finance (Phil Murphy) be appointed to the Joint Committee <p>For Members to note the timeline and the intention to take a report via Select Committee and then Council for the approval of the Outline Business Case and Inter Authority Agreement which would commit MCC to the procurement and the project.</p>	
Name of the Division or service area Recycling & Waste Management		Date "Challenge" form completed 17 th November 2014	
Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age		The proposal is for the Council to sign a MoU with 3 other LAs to explore the benefit of joining an	

		existing partnership to progress with a procurement to deliver Anaerobic Digestion as a solution for food waste treatment for the partner LAs	
Disability		As above	
Marriage + Civil Partnership		As above	
Pregnancy and maternity		As above	
Race		As above	
Religion or Belief		As above	
Sex (was Gender)		As above	
Sexual Orientation		As above	
Transgender		As above	
Welsh Language		As above	

What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤	➤
➤	➤
➤	➤

➤	➤
---	---

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

--

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

--

Signed



Dated 17th November 2014

Designation

Head of Waste & Street Services



monmouthshire
sir fynwy

Equality Impact Assessment Form

and

Sustainable Development Checklist

DRAFT

EQUALITY IMPACT ASSESSMENT FORM

Name of policy or change to service (Proposal)	Directorate:	Department:
Interim Residual Waste Contract 2014-2015: Working Collaboratively to Achieve Efficiencies	Operations	Recycling & Waste
Policy author / service lead	Name of assessor	Date of assessment:
Rachel Jowitt	Rachel Jowitt	17 th November 2014

1. Have you completed the Equality Challenge form? **Yes /**

2. What is the **Aim/s** of the Policy or the proposed change to the policy or service (the proposal)

- a) the Head of Waste & Street Services to conclude negotiations for MCC to enter into a Memorandum of Understanding with the Heads of the Valleys Partnership to progress the development of an Outline Business Case for the delivery of appropriate food waste treatment (via Anaerobic Digestion) in the region;
- b) the Cabinet Members for County Operations (Cllr Bryan Jones) and Finance (Phil Murphy) be appointed to the Joint Committee

For Members to note the timeline and the intention to take a report via Select Committee and then Council for the approval of the Outline Business Case and Inter Authority Agreement which would commit MCC to the procurement and the project.

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a **negative** way? Please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

4. Please give details of any consultation(s) or engagement carried out in the development /re-development of this proposal.

N/A – it’s a MoU to review a potential project. The full OBC and FBC would look at impact of protected characteristics

5. Please list the data that has been used for this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

6. As a result did you take any actions to mitigate your proposal? Please give details below.

7. Final stage – What was decided?

• **No change made to proposal/s – please give details**

• **Slight changes made to proposal/s – please give details**

• **Major changes made to the proposal/s to mitigate any significant negative impact – please give details**

Signed... *L. Jovitt*

.....Designation...Head of Waste & Street Services Manager Dated...17th November 2014.

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The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Rachel Jowitt		Please give a brief description of the aims proposed policy or service reconfiguration To seek approval for Viridor Waste Management Ltd’s current contingency contract to be amended and formally extended to a Contract that will run until 31 st March 2017	
Name of the Division or service area Operations		Date “Challenge” form completed 17 th November 2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE		The proposal is for MCC to sign a MoU	
Ensure that more people have access to healthy food		As above	
Improve housing quality and provision		As above	
Reduce ill health and improve healthcare provision		As above	
Promote independence		As above	

Encourage community participation/action and voluntary work		As above	
Targets socially excluded		As above	
Help reduce crime and fear of crime		As above	
Improve access to education and training		As above	
Have a positive impact on people and places in other countries		As above	
PLANET			
Reduce, reuse and recycle waste and water			The MoU and the OBC development work will allow MCC to determine the best way forward for the treatment of food waste which will contribute to the Council's recycling performance
Reduce carbon dioxide emissions			Treatment of food / garden waste is better than landfilling the waste
Prevent or reduce pollution of the air, land and water		All waste management activities are highly regulated and should not pollute	
Protect or enhance wildlife		Diverting waste from landfill will not	

habitats (e.g. trees, hedgerows, open spaces)		have a direct wildlife benefit	
Protect or enhance visual appearance of environment		Similar to above	
PROFIT			
Protect local shops and services		n/a	
Link local production with local consumption		n/a	
Improve environmental awareness of local businesses		n/a	
Increase employment for local people		Unlikely as MCC does not have any suitable facilities, sites in its locality	
Preserve and enhance local identity and culture		N/A	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		N/A	
Increase and improve access to leisure, recreation or cultural facilities		N/A	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤	➤
➤	➤
➤	➤
➤	➤

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The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

Overall the proposal will have a positive environmental benefit due to waste being diverted from landfill and ongoing contribution to our recycling goals

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed  Dated 17th November August 2014

Dated _____ 2014

(1) Blaenau Gwent
County Borough Council

(2) Caerphilly County
Borough Council

(3) Monmouthshire
County Council

(4) Torfaen County
Borough Council

MEMORANDUM OF UNDERSTANDING

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MEMORANDUM OF UNDERSTANDING

As to partnering arrangements for the joint procurement

Of a Food Waste treatment services contract

1. Definitions and Interpretation 25

2. Project Objectives and Collaboration..... 27

3. Project Team and its Functions 27

4. Project Board and its Functions 27

5. Key Decisions 27

6. Obligations and Responsibilities 28

7. Good Faith 28

8. Financial Contributions 28

9. Duration of the Memorandum 28

10. Communications..... 29

11. Third Parties Rights..... 29

12. No Partnership or Agency..... 29

13. Legal Effect..... 29

14. Withdrawal/Termination 29

15. Dispute Resolution 30

16. Confidentiality and Freedom of Information 30

17. Amendments 31

18. Law and Jurisdiction..... 31

SCHEDULE 1 – PROJECT OBJECTIVES..... 34

SCHEDULE 2 – PARTNERING PRINCIPLES..... 35

SCHEDULE 3 – PROJECT TEAM 36

SCHEDULE 4 – PROJECT BOARD..... 38

SCHEDULE 5 – KEY DECISIONS 40

Parties

- (1) **BLAENAU GWENT COUNTY BOROUGH COUNCIL** whose principal offices are situated at of Municipal Offices, Civic Centre, Ebbw Vale, NP23 6SX (“**BGCBC**”)
- (2) **CAERPHILLY COUNTY BOROUGH COUNCIL** whose principal offices are situated at Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG (“**CCBC**”)
- (3) **MONMOUTHSHIRE COUNTY COUNCIL** whose principal offices are situated at County Hall, Rhadyr, Usk, Monmouthshire NP15 1GA (“**MCC**”)
- (4) **TORFAEN COUNTY BOROUGH COUNCIL** whose principal offices are situated at Civic Centre, Pontypool NP4 6YB (“**TCBC**”)

each a **party** and together the **parties**.

Background

- A. BGCBC, CCBC, MCC and TCBC wish to enter into a joint working arrangement to facilitate the procurement of a food waste treatment facility to treat food waste collected in their regions and possibly in other neighbouring authorities (the **Project**).
- B. The parties have agreed to enter into this memorandum of understanding (the **Memorandum**) to confirm the scope and operation, and their respective contributions towards the delivery of the Project and their intention to progress the Project in accordance with the arrangements set out herein.
- C. BGCBC, CCBC, MCC and TCBC enter into the Memorandum in pursuance of their respective powers conferred by Section 111 Local Government Act 1972, the Local Authorities (Goods and Services) Act 1970 and Section 2 of the Local Government Act 2000 and all other enabling powers now vested in them.

Agreed terms

1. Definitions and Interpretation

- 1.1 In the Memorandum the defined terms set out below shall have the following meanings:

“Approved Costs” : means costs which are properly and reasonably incurred in respect of the Project and which have been approved by the

	Parties as evidenced by being identified in the Procurement Budget;
“Commencement Date”	: the date hereof;
“IAA” or “Inter-Authority Agreement”	: a formally binding agreement to be entered into between the parties regulating their rights and obligations to each other in connection with the Food Waste Services Contract, such agreement to be entered into at the same time as the Food Waste Services Contract;
“Dispute”	: difference or dispute arising under the Memorandum;
“Partnering Principles”	: the principles set out in Schedule 2 (Partnering Principles);
“Project”	: as defined in Recital A above;
“Project Board”	: a board comprising representatives from the parties in the form prescribed in Schedule 4 (Project Board) to facilitate the development of the Project;
“Project Documentation”	: the OJEU notice, pre-qualification questionnaire, invitation to tender, evaluation criteria and all other tender documentation associated with or required to procure the Project;
“Project Objectives”	: objectives and aims set out in Schedule 1 (Project Objectives);
“Project Team”	: a team comprising of representatives from each of the parties in the form prescribed in Schedule 3 (Project Team) to manage the development of the Project;
“Respective Inputs”	: the support, assistance, funding, actions or other input required to be given from time to time by any of the parties to implement and/or deliver the Project as determined by the Project Team and/or Project Board from time to time;
“Food Waste Services Contract”	the contract to be entered into with a third party service provider for the provision of food waste treatment services.

In the Memorandum:

- 1.2 any references to a specific statute include any statutory extension or modification, amendment or re-enactment of such statute and any regulations or orders made under such statute or statutes;
- 1.3 references to any clause, sub-clause, schedule or paragraph without further designation shall be construed as a reference to the clause, sub-clause, schedule or paragraph to the Memorandum so numbered;
- 1.4 the clause, paragraph and schedule headings do not form part of the Memorandum and shall not be taken into account in its construction or interpretation.

2. Project Objectives and Collaboration

- 2.1 Each of the parties hereby confirms and agrees to implement the Project in accordance with:
 - the Project Objectives; and
 - the Partnering Principles.
- 2.2 The parties acknowledge the importance of establishing sustainable waste management solutions in partnership, wherever practicable, between themselves and with other regional Authorities and of supporting the Welsh Government's initiatives for joint working in this area.
- 2.3 The parties shall participate in regional initiatives, which contribute, to sharing best procurement practice and know how so that as far as possible the parties preferred solution delivers synergy with other regional waste management activity.
- 2.4 The parties shall endeavour to enter into appropriate agreements (including memorandums of understanding) where practicable with other regional authorities to give effect to their commitments in clauses 2.2 and 2.3 above.

3. Project Team and its Functions

- 3.1 The parties shall set up and participate in a Project Team.
- 3.2 The Project Team shall work together to manage the delivery of the Project in accordance with the Memorandum and shall have the responsibilities and operate in accordance with Schedule 3 (Project Team).
- 3.3 The Project Team shall have the right at all times to require any party to deliver up information and documentation relevant to the Respective Input of that party for the purpose of monitoring the progress of the Project and the delivery of the Project Objectives.

4. Project Board and its Functions

- 4.1 The parties shall set up and participate in a Project Board to be operational no later than 1 month from the Commencement Date.
- 4.2 The Project Board shall work together to oversee delivery of the Project in accordance with the Memorandum and shall have the responsibilities and operate in accordance with Schedule 4 (Project Board).
- 4.3 The parties agree that BGCBC shall lead the Project Board as the host authority.
- 4.4 The Project Board shall have the right at all times to require any party to deliver up information and documentation relevant to the Respective Input of that party for the purpose of monitoring the progress of the Project and the delivery of the Project Objectives.

5. Key Decisions

The key decisions set out in Schedule 5 (Key Decisions) shall be implemented upon each party approving action following a report to each party from the Project Board in accordance with that party's respective standing orders and other constitutional documentation.

6. **Obligations and Responsibilities**

6.1 Each of the parties agree that they shall:

- comply with the terms of this memorandum;
- use their reasonable endeavours to provide their Respective Inputs;
- undertake steps in an efficient and timely manner to progress development of the IAA;
- make such financial or equivalent provision as may be provided under the terms of the Memorandum;
- co-operate with and give reasonable assistance to each other and the Project Board to ensure that the Project is developed in accordance with the Project Objectives and that the Respective Inputs into the Project are properly co-ordinated and delivered efficiently and economically with the intention of achieving the Project Targets;
- deliver such information to the Project Manager, Project Team and/or Project Board as it shall reasonably require in order to fulfil their respective obligations under the Memorandum including any audit or inspection carried out in respect of the Project; and
- keep records of actions taken and such other information relevant to their Respective Inputs and shall make such records available to the Project Manager, Project Team and/or Project Board and in any event as soon as reasonably practicable following a request from the Project Board to do so.

7. **Good Faith**

The parties will use all reasonable endeavours to comply with the terms and spirit of the Memorandum. The parties will at all times in relation to the performance of the Memorandum act reasonably and in good faith.

8. **Financial Contributions**

8.1 The parties acknowledge that there will be a level of financial contributions (including professional fees) and work involved in complying with the spirit of the Memorandum and achieving the Project Objectives.

8.2 All costs incurred by the Parties prior to October 2014 are to be funded by the Parties on the basis of any existing settlement between the Parties and the Parties agree that no obligations is created by this Memorandum in respect of funding requirements arising prior to that date.

8.3 Costs shall be shared equally.

8.4 The Party incurring Approved Costs shall invoice the other Parties for the appropriate share of the Approved Costs (in accordance with clause 8.3) and shall provide the Parties being invoiced with:

- a description of the Approved Costs being invoiced;
- a breakdown of the total costs incurred; and
- a calculation of the apportionment of such costs in accordance with Clause 8.3 above.

8.5 The Parties being invoiced shall pay their respective share of the Approved Costs within ninety days of the date of such invoice. Any disputes in relation to an invoice shall first be referred to the Project Manager for resolution. Failing resolution by the Project Manager the dispute shall be dealt with in accordance with clause 15 (Dispute/Resolution)

8.6 Each party shall be liable for all its other costs incurred in respect of achieving the Project Objectives unless otherwise agreed.

9. **Duration of the Memorandum**

The Memorandum shall commence on the Commencement Date and remain in force and bind the parties until terminated in accordance with clause 14 (Withdrawal/Termination) or upon entering into the IAA, whichever is the sooner.

10. **Communications**

Any communication required to be in writing under the terms of the Memorandum shall be sent to each party at the addresses indicated herein. Each party shall use reasonable endeavours to communicate in accordance with the Partnering Principles.

11. **Third Parties Rights**

To the extent that any provision of the Memorandum is capable of being legally enforced, the parties to the Memorandum confirm and agree that they do not intend any provision of it to be enforceable by any other person pursuant to the Contract (Rights of Third Parties) Act 1999.

12. **No Partnership or Agency**

- 12.1 Except where expressly indicated, no provision of the Memorandum shall be construed as a delegation by any of the parties of any of their respective functions or authority to the Project Team and/or Project Board or to any other party.
- 12.2 Except where expressly indicated, no party shall be or be deemed to be an agent of any other and no party shall have any right or authority to act on behalf of the other nor to bind the other by contract or otherwise or hold itself out as having authority or power to bind any other in any way by virtue of the Memorandum.
- 12.3 Each party is independent from the other and nothing contained in the Memorandum shall be construed as implying that there is any relationship between the parties of partnership or of principal/agent or of employer/employee.
- 12.4 Nothing contained or implied in the Memorandum shall prejudice or affect the rights, powers, duties and obligations of each of the parties in the exercise of their respective functions as may be amended, supplemented or increased from time to time.

13. **Legal Effect**

Save for clause 7 (Good Faith), clause 8 (Financial Contributions), clause 14 (Withdrawal/Termination), clause 15 (Dispute Resolution), clause 16 (Confidentiality and Freedom of Information); clause 17 (Amendments) and clause 18 (Law and Jurisdiction) the Memorandum is not intended to nor shall it create any legally binding or enforceable obligations on any of the parties.

14. **Withdrawal/Termination**

- 14.1 If any party (including the host authority) determines to withdraw from this Memorandum for any reason then clauses 14.2 to 14.7 shall apply.
- 14.2 If any party wishes to withdraw from the Project, it shall provide written notice to all the other parties as soon as reasonably practicable ("Withdrawal Notice"). The host authority (or such other party as nominated by the Project Board in the event that the host authority issues the Withdrawal Notice) shall within ten (10) days of receipt of the Withdrawal Notice provide to all the parties a Liability Report which shall be discussed by the Project Board at its next meeting or a specially convened meeting if the next meeting falls more than two (2) weeks after the issue of the Liability Report.
- 14.3 Within the Decision Period each party shall indicate either:-
 - 14.3.1 that it withdraws from the Project and this Memorandum; or
 - 14.3.2 that it wishes to continue with the Project and this Memorandum.
- 14.4 Where a party does not indicate its intentions as required by Clause 13.5 then it shall at the expiry of the Decision Period be taken to have indicated that they wish to continue with the Project and this Memorandum.
- 14.5 Where a party indicated that it wishes to withdraw from the Project in accordance with Clause 14.3.1 then:-
 - 14.5.1 the party who shall have indicated its wish to withdraw shall pay all amounts due to be paid by it in accordance with the Liability Report (or in the event that there are two withdrawing parties each party shall pay a fifty percent share of the amount due in accordance with the Liability Report) within

twenty (20) Business Days of the date of its notification under Clause 14.3.1 and comply with its obligation to contribute to the Project up to the date of its withdrawal; and

14.5.2 if in the event of such a withdrawal the Project is delayed in terms of the Project Milestones then any party who shall have indicated its wish to withdraw shall be responsible for any increased costs associated with such delay (as agreed with the remaining parties and substantiated by the Project Board) or in the event that there are two (2) withdrawing parties each party shall be responsible for a fifty percent share of any increased costs associated with such delay.

14.6 On the withdrawal of a party in accordance with clause 14.1:

- The other parties shall be entitled to make use of, for whatever purpose and in whatever way is considered necessary, such advice, documentation, and knowledge as was provided to, or gained by, the parties whilst the Memorandum was in force; and
- each party shall be liable to the other to contribute equally to such committed costs or incurred costs prior to the giving of the notice of withdrawal.

14.7 Unless agreed otherwise by the remaining parties, the party who shall have indicated its wish to withdraw from the Project shall not remove its appointees to the Project Board for a period of three (3) months commencing on the date of such parties withdrawal, provided that the costs associated with those appointees to the Project Board shall be borne by the remaining parties to the Project and this Memorandum in equal shares.

14.8 Termination in accordance with this clause 14 shall be without prejudice to any accrued rights and obligations under the Memorandum as at the date of termination and shall be without prejudice to the rights specifically conferred in the Memorandum.

14A TERMINATION

Without prejudice to any other rights or remedies, this Agreement may be terminated in relation to any party ("**Defaulter**") by the other parties ("**Non-Defaulting Councils**") acting unanimously in giving written notice to the Defaulter effective on receipt where the Defaulter breaches any of the provisions of this Agreement and in the case of a breach capable of remedy fails to remedy the same within fifteen (15) Business Days (or such other period as agreed by the parties) of being notified of each breach in writing by the Non-Defaulting parties and being required to remedy the same.

15. Dispute Resolution

15.1 Any Dispute shall, in the first instance, be referred to the Project Board who shall use all reasonable skill, care and diligence to ensure they receive the views of all parties and consider all solutions proposed when attempting to resolve the Dispute.

15.2 Where the Project Board do not achieve within 7 days of being notified of the Dispute a solution acceptable to all parties involved, and provided no right of termination has been exercised, then the Dispute shall be referred to the respective Chief Executives of the parties who shall use all reasonable skill, care and diligence to ensure they receive the views of all parties and consider all solutions proposed when attempting to resolve the Dispute.

15.3 Where the Chief Executives of the parties do not achieve, within 28 days of being notified of the Dispute, a solution acceptable to all parties involved the Dispute shall be deemed to be incapable of resolution. In such a situation each party will consider whether it is able to continue to work with the other under the Memorandum. If, in its sole discretion, either party is unable to proceed to work with the other under the Memorandum it is entitled to terminate the Memorandum in accordance with clause 14 (Withdrawal/Termination).

16. Confidentiality and Freedom of Information

16.1 Each party undertakes that it shall not at any time during the term of the Memorandum, nor for a period of 5 years after its termination, disclose to any person any confidential information concerning the business or affairs of the other party, save that each party may disclose the other party's confidential information:

- to its employees, officers, representatives or advisers who need to know such information for the purposes of carrying out the party's obligations under the Memorandum. Each party shall ensure that its employees,

officers, representatives or advisers to whom it discloses the other party's confidential information complies with this clause 16; and

- as may be required by law (including pursuant to the Freedom of Information Act 2000 if no available exemption can be claimed, or pursuant to the Environmental Information Regulations 2004), court order or any governmental or regulatory authority.

16.2 No party shall use any other party's confidential information for any purpose other than to perform its obligations under the Memorandum.

17. **Amendments**

17.1 The parties may amend the Memorandum in writing signed by authorised representatives of each of the parties.

18. **Law and Jurisdiction**

18.1 The Memorandum shall be governed by and construed in accordance with the laws of England and Wales and each party agrees to submit to the exclusive jurisdiction of the courts of England and Wales.

IN WITNESS whereof the parties have signed the Memorandum the day and year first before written

Signed on behalf of
BLAENAU GWENT COUNTY
BOROUGH COUNCIL

Name: Name:
Signature: Signature:
Date: Date:

Signed on behalf of
CAERPHILLY COUNTY
BOROUGH COUNCIL

Name: Name:
Signature: Signature:
Date: Date:

Signed on behalf of
TORFAEN COUNTY
BOROUGH COUNCIL

Name: Name:
Signature: Signature:

.....

Date: Date:

Signed on behalf of
MONMOUTH COUNTY
COUNCIL

Name: Name:

Signature: Signature:

Date: Date:

DRAFT

SCHEDULE 1 – PROJECT OBJECTIVES

The Project Objectives are:

1. To develop and implement a strategy for the procurement, award and management of a food waste treatment contract capable of assisting each party to achieve its recycling, composting, recovery and landfill diversion targets.
2. To carry out the Project in accordance with Procurement Timetable.
3. To carry out the Project in a way which maximises value for money and efficiency, is in the best interests of each of the parties and generates credible competitive bids capable of delivering the Project Objectives.
4. To seek to adopt arrangements, structures and procedures (including in respect of the procurement process and procurement decisions) which:
 - a) minimise the cost of waste disposal to each individual party;
 - b) shares risk and reward between the parties in an equitable and fair way having regard to the Respective Inputs of each party;
 - c) are transparent, accountable and are capable of being verified and justified;
 - d) recognise and respect limits on availability of resources and the legal, managerial, financial and political constraints affecting each party.
5. To seek to ensure that the Project and any subsequent contract that is entered into thereafter is synergistic with the needs of South East Wales as a region (as defined in the South East Wales Regional Plan) and each of the parties individual Waste Strategies.
6. To identify available assets in an open and transparent way and agree basis for committal of assets to the Project (including sites, plant and machinery).
7. To ensure that at all times each party has appropriate information and advice to make fully informed decisions.

SCHEDULE 2 – PARTNERING PRINCIPLES

1. Co-operation

The parties will co-operate with each other in a partnering relationship to achieve the Project Objectives with the intention of maximising the benefit received by and minimising any prejudice to each other in respect of the Project. This obligation shall not require any party to incur any expenditure or forego any benefit or entitlement on behalf of another.

2. Effectiveness

The parties will co-ordinate, manage, develop, initiate and complete their Respective Inputs with the intention of delivering the Project in the most efficient and effective way.

3. Responses

The parties will endeavour to respond, meet to discuss and where necessary reach agreement on any matter requiring response in a timely fashion and as soon as reasonably practicable so as not to unduly delay the Project.

4. Recognition

The parties recognise the legal, managerial, financial and political constraints affecting each party and shall have full regard to such constraints in the development of the Project and the delivery of the Project Objectives.

5. Equality, Fairness and Absence of Prejudice

The parties will at all times act fairly and equitably as between themselves in respect of the Project with the intention that neither should unduly benefit or be disadvantaged compared with the other and that the most appropriate approach applicable in the relevant circumstances should be adopted whenever possible.

SCHEDULE 3 – PROJECT TEAM

Members

1. The Project Team will comprise the following members from each party as the same may be replaced from time to time throughout the term of the Memorandum together with the Project Manager, Project Support Officer and Advisors:
 - 1.1 BGCBC Representatives:
 - Team Manager, Strategic Projects and Environmental Services;
 - Team Leader, Strategic Projects;
 - Project Support Officer; and
 - [additional representatives to be confirmed]
 - 1.2 CCBC Representatives:
 - Principal Waste Management Officer.
 - [additional representatives to be confirmed]
 - 1.3 TCBC Representatives:
 - Waste Strategy Manager
 - [additional representatives to be confirmed]
 - 1.4 MCC Representatives:
 - [representatives to be confirmed]

Responsibilities

2. The Project Team shall regularly consider and identify the following issues:
 - 2.1 The steps undertaken and progress made towards achievement of the Project Objectives;
 - 2.2 any action or decision to be taken by either of the parties to enable the Project Documentation;
 - 2.3 the programme of any proposed actions to be taken to rectify any failure to meet the Project Objectives;
 - 2.4 any Respective Inputs which the Project Team considers are required and which are to be agreed and/or allocated to (and accepted by) any party;
 - 2.5 any failure by any party to provide its Respective Inputs; and
 - 2.6 any dispute or differences that have arisen between the parties.
3. The Project Team shall report to the Project Board in respect of matters relating to the key decisions mentioned in Schedule 5 (Key Decisions) and regularly in respect of general progress.

Convening of Meetings

4. The Project Team shall hold regular meetings at such intervals and times as they shall find necessary or convenient. The Project Manager shall nominate the relevant chairperson for such meetings.
5. No less than 7 calendar days notice must be given to each member of a Project Team meeting, save in the case of an emergency where a meeting may be called at any time as may be reasonable in the circumstances.

Quorum of Meetings

6. Unless otherwise agreed in writing, to constitute a meeting of the Project Team each of the parties shall be represented by at least one team member.

Attendance by Others

7. Provided each of the parties agrees, a person invited by any party may attend any meeting of the Project Team to speak at that meeting or otherwise advise or provide information (as appropriate) in relation to the Project, but such person's attendance and participation shall be limited to that which is agreed by each of the parties in respect of the meeting to which that person has been invited to attend.

Minutes of Meetings

8. The minutes of every meeting of Project Team shall be:
 - 8.1 drawn up by the nominated support officer and distributed to nominated representatives of each of the parties; and
 - 8.2 retained for the term of the Memorandum.

SCHEDULE 4 – PROJECT BOARD

Members

1. The Project Board will comprise the following members from each party as the same may be replaced from time to time throughout the term of the Memorandum together with the Project Manager and Project Transactor from Local Partnerships:
 - 1.1 BGCBC Representatives:
 - Corporate Director, Environment and Regeneration; and
 - Head of Public Services.
 - 1.2 CCBC Representatives:
 - Head of Community and Leisure Services
 - 1.3 TCBC Representatives:
 - Chief Officer Neighbourhood Services; and
 - Head of Property, Streetscene and Waste
 - 1.4 MCC Representatives:
 - Head of Waste and Street Services.

Responsibilities

2. The Project Board shall be responsible for the following:
 - 2.1 Considering and, where possible, giving effect to the strategy proposed by the Project Manager and/or Project Team or strategy considered necessary by the Project Board for the procurement of the Food Waste Services Contract;
 - 2.2 Making or facilitating decision making in respect of all issues referred to the Project Board by the Project Manager and/or Project Team in respect of, inter alia, steps undertaken and progress made towards achievement of the Project Objectives; any action or decision to be taken by either of the parties to enable the Project Documentation; and agreeing and/or allocating Respective Inputs to any party proposed by the Project Manager and/or Project Team or deemed necessary by the Project Board;
 - 2.3 Liaising with relevant decision makers within the parties where the Project Board does not have the authority to make and give effect to a decision in respect of any of the matters referred to the Project Board throughout the term of the Memorandum;
 - 2.4 Considering and, where appropriate, resolving any dispute or difference that has arisen between the parties and referred to the Project Board.
3. The Project Board shall report to each party's Cabinet in respect of matters relating to the key decisions mentioned in Schedule 5 (Key Decisions) and regularly in respect of general progress.

Convening of Meetings

4. The Project Board shall hold regular meetings at such intervals and times as they and/or the Project Manager and/or Project Team shall find necessary or convenient, but in any event at least once a month. The Project Director shall nominate the chairperson for such meetings.
5. No less than 14 calendar days notice must be given to each member of a Project Board meeting, save in the case of an emergency where a meeting may be called at any time as may be reasonable in the circumstances.

Quorum of Meetings

6. Unless otherwise agreed in writing, to constitute a meeting of the Project Board each of the parties shall be represented by at least one board member.

Attendance by Others

7. Provided each of the parties agrees, a person invited by any party may attend any meeting of the Project Board to speak at that meeting or otherwise advise or provide information (as appropriate) in relation to the Project, but such person's attendance and participation shall be limited to that which is agreed by each of the parties in respect of the meeting to which that person has been invited to attend.

Minutes of Meetings

8. The minutes of every meeting of the Project Board shall be:
 - 8.1 Drawn up by the nominated support officer and distributed to nominated representatives of each of the parties; and
 - 8.2 Retained for the term of the Memorandum.

SCHEDULE 5 – KEY DECISIONS

The following are the key milestones and decisions, which must be implemented in accordance with the procedures, set out in clause 5:

- a) Appointment and/or removal of legal, technical and financial and other advisors to advise on the Project.
- b) Approval of the content of all Project Documentation;
- c) Approval of technology identified as suitable to meet the parties' requirements.
- d) Approval of site identified for location of procured technology.

DRAFT



Llywodraeth Cymru
Welsh Government

Yr Adran Cyfoeth Naturiol
Department for Natural Resources

Mr Christian Cadwallader
Project Manager
Heads of the Valleys AD Project
Blaenau Gwent CBC
Central Depot
Barleyfield Industrial Estate
Brynmawr NP23 4YF

Ein Cyf/Our Ref: AD Funding

6 October 2014

Dear Christian

Heads of the Valleys AD Project – Funding Support and Requirements

Thank you for your correspondence of 12 August detailing the preparations of the Heads of the Valleys Hub (the “Hub”) for a new food waste procurement.

From working with your transactor, I know that a template for a streamlined outline business case (OBC) has been sent to you recently and hope that this provides a good starting point for the work.

From our previous discussions, I understand that Monmouthshire will confirm its decision to join the Hub shortly. The agreement to procure as a Hub should be formally confirmed with an Inter Authority Agreement, a copy of which should be sent to the Welsh Government’s Programme Office.

Procurement support funding

The procurement funding for Blaenau Gwent, Caerphilly and Torfaen will be based on the previous agreement (2009), with the exception that a Project Initiation Document will not be required. The milestones and funding tranches are shown in the following table:

Milestone	Funding cap	Notes
Outline business case	£120,000	OBC required to be submitted as per the template sent on 29 August and must include outline gate fee funding requirement.
Health check 1	£190,000	Assurance support focused on procurement documentation and the Hub’s readiness to start dialogue.
Health check 2	£190,000	Assurance support focused on the Hub’s readiness to close dialogue and outstanding commercial issues.
Final business case	£250,000	FBC required to provide full details of preferred solution and must include the final gate fee funding requirement.
Total	£750,000	

In addition to the above, additional funding will be made available in the event that Monmouthshire formally joins the Hub. This funding will be based pro rata on Monmouthshire’s tonnage contribution

to the total, up to a maximum of £140,000. Full tonnage profiles for the participating authorities should be included in the OBC.

Gate fee support funding

The authority tonnage profiles detailed in the new OBC will form the basis of the Welsh Government's gate fee funding contribution offer, up to the outline revenue funding offer made in July 2010.

Both the procurement and gate fee support payments will be paid in arrears to Blaenau Gwent as the lead procuring authority.

If you have any questions on the above, please contact the Programme Office. We look forward to working with you on this new procurement.

Yours sincerely



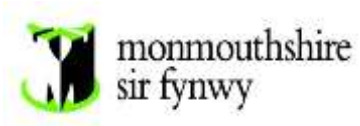
Jasper Roberts

Deputy Director, Waste and Resource Efficiency



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SUBJECT: USE OF 2013-14 EDUCATION ACHIEVEMENT SERVICE UNDERSPEND

DIRCTORATE: CHILDREN AND YOUNG PEOPLE

MEETING: CABINET

DATE: 3RD DECEMBER 2014.

DIVISION/WARDS AFFECTED: ALL

1 PURPOSE:

- 1.1 To provide members with an update on the proposed use of the 2013-14 underspend from the Education Achievement Service (EAS).
- 1.2 To seek approval to transfer the £69,000 underspend back to the EAS for the uses detailed in this report.
- 1.3 The total underspend for the EAS was £534,528 the MCC share of this was £69,000.

2 RECOMMENDATION:

- 2.1 Members approve this transfer of the £69,000 underspend from the reserves of Monmouthshire County Council to the EAS.

3 BACKGROUND:

- 3.1 At the end of the financial year 2013-14 the EAS notified the five authorities within the South East Wales consortium that they had not spent their budget and as the EAS is a non-profit organisation the agreement allowed for this to be transferred back to the relevant local authorities. MCC share of this was £69,000.
- 3.2 The EAS asked for an in principal agreement that this underspend would be transferred back to them during 2014-15 for use with in the service. This was agreed by the directors.

- 3.3 Monmouthshire County Council informed the EAS of the process to transfer this underspend back to them, explaining that use of reserves would require approval by Members and confirming that this would require a plan of how these funds are to be used which would need to be approved by members.
- 3.4 During recent weeks the Welsh Government have told all authorities that they are intent to cut some education grants in the current financial year. For the EAS region this totals £822,856. The EAS and Authorities have been reviewing areas that can be cut to meet the in year reduction and a paper has been agreed in principle detailing these areas. This is attached in Appendix 1.
- 3.5 The schools have already agreed grant plans and have programmes of work to deliver on these plans. Any cuts to our schools could have an effect on these programmes and impact on the pupils in our schools. In addition some of the grants are being used to employ staff, therefore any reductions may lead to redundancies.

4 KEY ISSUES:

- 4.1 Given this background and the desire to minimise the cuts to our schools grants, the proposal is to use 50% of the underspend to fund part of the in year grant cuts. Schools will still be facing a 4.75% grant cut and are adjusting their plans to achieve this.
- 4.2 The remaining 50% will be split in two ways, firstly to support a new development in ICT and secondly to fund restructure costs that have been incurred by the EAS.
- 4.3 The ICT investment for the region is £116,000 and relates My School Improvement Dashboard (MySID). MySID phase 2 is a development from the first phase in 2013-14, which delivered a technology environment in which schools could set out their planned activities for school improvement as funded by all their grant plans. Phase 2 will enable schools to use the same environment to see their categorisation, set out their self-evaluation and planning priorities, then select the set of actions to deliver their improvement priorities. In addition, the environment will enable the school to monitor the financial aspect of their plan, and evaluate the impact of the actions on their priorities and self-evaluation.
- 4.4 The restructure costs were incurred by the EAS over the summer, in total the cost of these were £176,000 for the region. If these were not met by the underspend then the EAS would need to make further cuts to services to fund these.

4.8 Details of the investment in MySID and the restructure costs are detailed in appendix 2.

5 REASONS:

5.1 To ensure that the services of the EAS are maintained to support our schools and to minimise the impact of in year grant reductions for schools.

5.2 To allow the EAS to make the necessary investments in ICT to allow schools and authorities to realise efficiency savings.

6 RESOURCE IMPLICATIONS:

6.1 The total investment proposed above for the whole EAS region is:

Investment in ICT (MySID)	£116,000
Restructure costs	£176,000
Support to in-year grant reductions	£276,264
Total investment	£568,264
Total EAS Underspend to support the above	£534,528
MCC share of the above	£ 69,000

Balance of £33,736 to be found within EAS resources.

7 SUSTAINABLE DEVELOPMENTAL AND EQUALITY IMPLICATIONS:

7.1 The equality impacts identified in the assessment (Appendix 3)

8 CONSULTEES:

8.1 DMT
CYP Select Committee
Assistant Section 151 officer
EAS Finance Officer

9 BACKGROUND PAPERS:

- EAS Proposals for in-year grant reductions
- EAS Proposals for planned overspend and ways forward.

10 AUTHOR:

Nikki Wellington – CYP Finance Manager

11 CONTACT DETAILS:

nicolawellington@monmouthshire.gov.uk

01633 644549

The following areas have been identified as potential areas where savings could be achieved either directly from grants or other sources of investment.

SEG

- 1) SEG – Administration, at present the region is able to retain 4% of the grant total to support the administration element. At present the EAS retains 2% and a further 2% in proportionally distributed to each LA based on the total LA allocation to schools.

Area	Commitment	Total	Proposed Cut		Potential In-Year Saving
			%	Remaining Allocation	

SEG

a) Administration

- EAS	Employed Staff	£129,156	50%	£64,578	£64,578
- Blaenau Gwent CBC	Employed Staff	£15,162	50%	£7,581	£7,581
- Caerphilly CBC	Employed Staff	£43,516	50%	£21,758	£21,758
- Monmouthshire CC	Employed Staff	£15,362	50%	£7,681	£7,681
- Newport CC	Employed Staff	£33,700	50%	£16,850	£16,850
- Torfaen CBC	Employed Staff	£21,414	50%	£10,707	£10,707
- Torfaen CBC	Banker	£24,000	50%	£12,000	£12,000
Sub-Total		£282,310		£141,155	£141,155

- 2) SEG – Core Literacy and Numeracy Provision, the EAS delivery. The grant element delivers the core challenge/support function to schools. Therefore the element to cut to any great degree is extremely limited and therefore only a small percentage has been offered up.

Area	Commitment	Total	Proposed Cut		Potential In-Year Saving
			%	Remaining Allocation	

SEG

EAS - Literacy	Employed Staff	£188,181	5%	£178,772	£9,409
EAS - Numeracy	Employed Staff	£188,181	5%	£178,772	£9,409
Sub-Total		£376,362		£357,544	£18,818

- 3) SEG – School to School, The school to school model features high on the forthcoming Estyn review and financial commitments have already been given to schools. Because of this only a relatively small saving is available.

Area	Commitment	Total	Proposed Cut		Potential In-Year Saving	Funding 'To Be' Model
			%	Remaining Allocation		

School to School

- further delegation		£400,000	10%	£360,000	£40,000	Yes
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- 4) SEG - School Delegation – Over the last 2 years there has been a strong commitment across the region to increase the financial level of delegation to schools. In 2014/15 the delegation rate was 85%, 5% above the target set by WG.

Area	Commitment	Total	Proposed Cut		Potential In-Year Saving
			%	Remaining Allocation	

SEG

Delegated to Schools

- Blaenau Gwent CBC		£704,272	4.75%	£672,382	£33,347
- Caerphilly CBC		£2,021,297	4.75%	£1,929,773	£95,968
- Monmouthshire CC		£713,589	4.75%	£681,277	£33,880
- Newport CC		£1,565,325	4.75%	£1,494,447	£74,320
- Torfaen CBC		£994,678	4.75%	£949,639	£47,226
	Sub-Total	£5,999,161		£5,727,519	£284,741

Foundation

- 5) Foundation – Training, this area is not as clear cut as the other grant areas as it's not a regional grant.

Area	Commitment	Total	Proposed Cut		Potential In-Year Saving
			%	Remaining Allocation	

Foundation

Training

- Blaenau Gwent CBC	Equal Split				£8,400
- Caerphilly CBC	Equal Split				£8,400
- Monmouthshire CC	Equal Split				£8,400
- Newport CC	Equal Split				£8,400
- Torfaen CBC	Equal Split				£8,400
					£42,000

- 6) 14-19 – The retained element of the grant supports staff TUPE across in 2012 who were historically paid from the grant. The saving offered represents staff managed out of the process.

Area	Commitment	Total	Proposed Cut		Potential In-Year Saving
			%	Remaining Allocation	

14-19

- EAS		£182,500	23%	£140,525	£41,975
	Sub Total	£182,500		£140,525	£41,975

EAS – Reinvestment of savings from 2013/14

- 7) It is suggested the saving achieved in 2013/14 and earmarked to be carried forward into 2014/15 to carry out key areas of development is halved.

Area	Commitment	Total	Proposed Cut		Potential In-Year Saving
			%	Remaining Allocation	

Carry Forward

Blaenau Gwent		£42,391		£11,869	£30,522
Caerphilly		£113,347		£31,737	£81,610
Monmouthshire		£46,836		£13,114	£33,722
Newport		£92,633		£25,937	£66,696
Torfaen		£75,994		£21,278	£54,716
	Sub Total	£371,200		£103,936	£267,264

The potential saving through many variables totals **£822,854**

SWEC Directors - EAS
DATE – 10th Nov 2014

EAS – Budget Position 2014/15 – Overspend & Ways Forward

Discussion Paper

1. Background

Provide Directors with the understanding on how the planned overspend has incurred and the relationship to previous agreed reports in supporting the company in reinvesting savings from 2013/14 in planned redundancy costs, new information systems and school to school support.

The company board members have agreed the overspend position and the rational for bringing the budget back inline. Members fully recognise they do have the power to grant their LA reinvestment and have tasked the officers to find a solution to enable this to happen.

The company board members have agreed the current position and the proposal around the MySID development on the assumption we can use the reinvested monies to facilitate.

The company board members have agreed in principal to greater flexibility around carry forward and have asked the officers to explore how this may be achieved.

2. LA - Support

To agree a strategy for reinvesting 50% (circa £267.5k) of the Local Authority contributions retain in 2013/14 in planned interventions and activities in 2014/15 to bring the overspend back within budget. This is to support the increasing challenge placed on the company by Welsh Government in raising education standards across the region against a substantial drop in funding.

The issue around time and reinvesting monies is critical if we are to move ahead with the MySID development.

To agree in principal a mechanism that allows the EAS to retain (x) percentage of any underspend to safeguard the EAS, LA and schools against unplanned events and to maintain the focus on school improvement

3. **Planned overspend**

3.1 The planned overspend has incurred for the following reasons and relates to the year-end company board papers as to the rationale behind the reinvested.

1. **Restructure of the 21st Century Learning** – As per agreement with Company Board members and the Joint Education Group (JEG) members this area has been restructured in line with effectiveness of the service and the value it was bringing to the region.
 - Redundancy £59k
2. **Senior Management Team** – As per agreement with Company Board members and the Joint Education Group (JEG) members this area has been restructured in line with the new challenge advisor role.
 - Release of pension £66k
3. **Foundation Phase** – Relates to an in year redundancy cost which was not eligible under the grants terms and conditions of the employment.
 - Redundancy £26k
4. **14-19 Service** – The projected year end expenditure shows a balanced budget but within the detail there are costs associated with a terminated contract.
 - Termination £5k
5. **Supplies and services** – As agreed with the company board to invest in the initial development of a system called MySID through CDMS. This development was fully procured.
 - Information system £20k

The costs incurred to date and are reflect in the accounts total £176k.

By supporting the regional approach to the in year cut to grants may have an adverse effect on the company's financial position if the reinvestment is not agreed.

3.2 The following are costs are planned to be incurred providing there is agreement to reinvestment savings previously achieved by the company. It has been included as projected spend in the report so directors can see immediately the effect on the year-end accounts.

6. **Supplies and Services** – A paper will be presented at Directors on Monday 10th Nov where approval is sought for further invest in the information system called MySID.
 - Information system £116k

If approval was not forthcoming then the forecast year end expenditure would reduce by £116k, leaving a projected overspend of £159k. This overspend would be covered if local authorities agreed to reinvest savings previously achieved by the company in 2013/14.

This spend could have been rushed through in the last financial year at a greater costs with less impact. The underspend happen because the company didn't take redundancy costs lightly and fully recognised there was only one chance to get the information system right. A lot has been trailed and learnt over the last financial year that has been built into the proposed new system.

4. Risks

- 4.1 If there is a failing to reinvest savings in the planned cost that have been incurred to date of £176k then a number of services will be reduced or cut before the end of the financial year to bring the budget back in line.

Cutting services may lead to further redundancy costs however there are a number of front line staff who are seconded to the company from schools. This option may result in small penalty costs.

Not investing in the second phase of MySID costing £116k will reduce the company's capacity and local authorities to realize efficiency savings.

Negative impact on education standards across the region

Negative impact on the company being seen as the sector leader by Welsh Government.

There is a serious risk to cash flow and the inability to pay wages and creditors and a loan may need to be secured.

The company being eligible for a loan

Failure by the company not to invest in these one off opportunity costs in a timely and concise manner would have had a negative impact on service delivery and school improvement. There is potential that a delay to development may result in a whole financial year being missed as many of the system benefits need to be in place before the financial year begins.

There has been a considerable amount of time spent by officer on the intricacy of this reinvestment

Inability to deal with emergence situation if they arise due to lack of flexibility in the funding mechanism

5. **Action**

Directors note the overspend position incurred to date of £176k and support the company in its quest to enable Local Authorities to reinvest savings made by the company in financial year 2013/14. This action if supported by Local Authorities will bring the forecast overspend back within budget.

Directors to note the financial implication of approving the phase 2 development of MySID costing £116k. Directors to support the company in its quest to enable Local Authorities to reinvest savings made by the company in financial year 2013/14. This action if supported by Local Authorities will bring the forecast overspend back within budget.

Directors support the time constraints of using reinvested monies in relation to the MySID development.

Directors support in principal a mechanism to retain a percentage of any year-end underspend moving forward

Appendix 3

The “Equality Initial Challenge”

Name: Nikki Wellington Service area: CYP Finance Date completed: 13 th November 2014		Please give a brief description of what you are aiming to do. Agree to pass back to the EAS the underspend for 2013-14 of £69,000	
Protected characteristic	Potential Negative impact Please give details	Potential Neutral impact Please give details	Potential Positive Impact Please give details
Age	If the underspend is not passed back to the EAS there could be further reductions in grant plans for schools which could result in redundancies of staff.		
Disability		N/A	
Marriage + Civil Partnership		N/A	
Pregnancy and maternity		N/A	
Race		N/A	
Religion or Belief		N/A	
Sex (was Gender)	If the underspend is not passed back to the EAS there could be further reductions in grant plans for schools which could result in further redundancies of staff. The school staff are predominately female.		

Sexual Orientation		N/A	
Transgender		N/A	
Welsh Language		N/A	

Please give details about any potential negative Impacts .	How do you propose to MITIGATE these negative impacts
➤ <i>If the agreement was not to fund the in year grant cuts this could result in schools having to make redundancies to find the savings.</i>	➤ Follow HR policies if this was to occur. Provide support to schools to minimise the risk of this, ie to look at savings in non pay areas.
➤	➤
➤	➤
➤	➤

Signed N Wellington
Dated 13th November 2014.

Designation Finance Manager CYP

EQUALITY IMPACT ASSESSMENT FORM

What are you impact assessing	Service area
Agree to pass back to the EAS the underspend for 2013-14 of £69,000	CYP Finance
Policy author / service lead	Name of assessor and date
Nikki Wellington	Nikki Wellington

1. What are you proposing to do?

Background The WG have notified all local authorities that they are cutting education grants in the current financial year. The aim is to protect our schools by minimising the effect of these cuts by using some of the underspend from the EAS for the financial year 2013-14 to fund this reduction.

Part will be used to fund investment in ICT to support schools in school improvement and the remaining will be used to fund a restructure that has taken place at the EAS. Without this funding the EAS would need to reduce services.

2. Are your proposals going to affect any people or groups of people with protected characteristics in a **negative** way? If **YES** please tick appropriate boxes below. No.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

3. Please give details of the negative impact

4. Did you take any actions to mitigate your proposal? Please give details below including any consultation or engagement.

n/a

5. Please list the data that has been used to develop this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc..

Report from the EAS.

- EAS Proposals for in-year grant reductions
- EAS Proposals for planned overspend and ways forward.

Signed...Nikki Wellington

Designation Finance Manager CYP

Dated 13th November 2014

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Nikki Wellington		Please give a brief description of the aims proposed policy or service reconfiguration Agree to pass back to the EAS the underspend for 2013-14 of £69,000	
Name of the Division or service area CYP Finance		Date “Challenge” form completed 13 th November 2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		N/A	
Improve housing quality and provision		N/A	
Reduce ill health and improve healthcare provision		N/A	
Promote independence		N/A	
Encourage community participation/action and		N/A	

voluntary work			
Targets socially excluded		N/A	
Help reduce crime and fear of crime		N/A	
Improve access to education and training			Allow schools to continue with their grant plans and to minimise the reductions required to make the reduction in Grants.
Have a positive impact on people and places in other countries		N/A	
PLANET			
Reduce, reuse and recycle waste and water		N/A	
Reduce carbon dioxide emissions		N/A	
Prevent or reduce pollution of the air, land and water		N/A	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		N/A	
Protect or enhance visual appearance of environment		N/A	
PROFIT			

Protect local shops and services		N/A	
Link local production with local consumption		N/A	
Improve environmental awareness of local businesses		N/A	
Increase employment for local people			Reduce the impact of any potential redundancies.
Preserve and enhance local identity and culture		N/A	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		N/A	
Increase and improve access to leisure, recreation or cultural facilities		N/A	

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤	➤
➤	➤

➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

The impact of the proposal to pass back the underspend will minimise the impact to the services provided by the EAS and reduce the need to potential redundancies.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

--

Signed Nikki Wellington

Dated 13th November 2014

SUBJECT: WELSH CHURCH FUND WORKING GROUP
MEETING: Cabinet
DATE: 3rd December 2014
DIVISIONS/WARD AFFECTED: All

1. PURPOSE:

- 1.1 The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications for 2014/15 meeting 4 held on the 13th November 2014

2. RECOMMENDATION:

- 2.1 We resolved that the following grants be awarded to:

- (1) Andrew Henley requested £500 to assist with living expenses whilst studying in further education

Recommendation – The Committee felt that they could not support the request of this applicant for advanced educational funding

- (2) Usk Baptist Church requested £1,000 for essential maintenance to the entrance of the church

Recommendation - £1,000 was awarded for restoration of this listed building due to Health & Safety concerns

- (3) St. Thomas the Martyr Church, Monmouth requested £2,000 for the essential maintenance to prevent water egress into the church

Recommendation – £1,000 awarded for maintenance work to prevent further damage to the structure of the church

- (4) Monmouthshire Youth Service (North) requested £500 to provide sports equipment to encourage the youth of Monmouth to become active and participating citizens.

Recommendation - £250 to encourage meaningful interaction of the youth of Monmouth with their fellow citizens through this community group

- (5) Abergavenny Action Group 50+ Mark 2 requested £500 for the purchase of a printer to produce their monthly magazine.

Recommendation – £500 for the community group that provides information to fellow residents and enable better use of the Action Groups' limited financial resources.

- (6) Chepstow Street Pastors requested £1,000 towards the of providing Volunteer provisioning, training and administration

Recommendation – £1,000 was awarded to this voluntary group that assists and protects citizens within the community

- (7) Christchurch – Coed Y Paen requested £500 for essential tree surgery within the churchyard

Recommendation – £500 was awarded towards the cost of providing essential tree surgery for environmental protection work

- (8) Women's Aid Monmouthshire requested £500 towards assisting with the purchase of 'White Ribbon' marketing material and hosting of the associated sports event in aid of 'Violence against Women'.

Recommendation - £250 was awarded on a caveat and confirmation that the funding would still be required due to the immediate staging of the event.

Deferred Applications:

- (9) Chepstow Tennis Club requested £5,000 to assist in the refurbishment of the all weather tennis courts

No recommendation made – agreed to defer pending due to the request for further information.

2.2 KEY ISSUES

The nature of the request in each case is set out in the attached schedule.

3. REASONS

A meeting took place on Thursday, 13th November 2014 of the Welsh Church Fund Cabinet Working Group to recommend the payment of grants as detailed in the attached schedule.

County Councillors in attendance:

D. Edwards (Chairman), D Evans, B. Strong and A. E. Webb

Officers in attendance:

Mr D. Jarrett and Miss N. Perry

Apologies for absence:

None

Declarations of Interest:

County Councillor A. E. Webb declared an interest pursuant to the Members Code of Conduct, Local Government Act 2000, within the capacity of signatory of the application from the Chepstow Street Pastors, and took no part in the decision.

County Councillor B. Strong declared an interest pursuant to the Members Code of Conduct, Local Government Act 2000, within the capacity of signatory of the application from the Usk Baptist Church and took no part in the decision.

4. RESOURCE IMPLICATIONS

A total of £4.500 was allocated at meeting 4 of the Welsh Church Fund Committee, Thus, £14,774 remains available for distribution within the financial year. .

5. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

There are no equality or sustainable development implications directly arising from this report. The assessment is contained in the attached appendix.

6. CONSULTEES:

Senior Leadership Team
All Cabinet Members
Head of Legal Services
Head of Finance
Central Management Accountant

7. BACKGROUND PAPERS:

Welsh Church Fund Schedule of Applications 2014/15 – Meeting 4

8. AUTHOR:

David Jarrett – Central Finance Management Accountant

9. CONTACT DETAILS

Tel. 01633 644657

e-mail: daveJarrett@monmouthshire.gov.uk

The “Equality Initial Challenge”

Name: Dave Jarrett		Please give a brief description of what you are aiming to do.	
Service area: Central Finance		To assess the Grant Allocation Processes of the Welsh Church Fund for the meeting of the Welsh Church Fund Working Group on the 13th November 2014.	
Date completed: 13 th November 2014			
Protected characteristic	Potential Negative impact Please give details	Potential Neutral impact Please give details	Potential Positive Impact Please give details
Age			positive
Disability		Neutral	
Marriage + Civil Partnership		Neutral	
Pregnancy and maternity		Neutral	
Race		Neutral	
Religion or Belief			Positive
Sex (was Gender)			Positive
Sexual Orientation		Neutral	
Transgender		Neutral	
Welsh Language		Neutral	

Please give details about any potential negative Impacts .	How do you propose to MITIGATE these negative impacts
➤ <i>NONE</i>	➤
➤	➤
➤	➤
➤	➤

Signed D Jarrett Designation Central Finance Management Accountant
Dated 13th November 2014

EQUALITY IMPACT ASSESSMENT FORM

What are you impact assessing	Service area
Welsh Church Fund Working Group Meeting 4 2014/15	Central Finance
Policy author / service lead	Name of assessor and date
Joy Robson	D Jarrett, 13 th November 2014

1.What are you proposing to do?

To assess the Grant Allocation Processes of the Welsh Church Fund for the meeting of the Welsh Church Fund Working Group on the 13th November 2014

2. Are your proposals going to affect any people or groups of people with protected characteristics in a **negative** way? If **YES** please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

3. Please give details of the negative impact

No Negative consequences towards any groups with protected characteristics

4. Did you take any actions to mitigate your proposal? Please give details below including any consultation or engagement.

Applications are considered and decisions made by the Welsh Church Fund Working Group

5. Please list the data that has been used to develop this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc..

Applications to Welsh Church Fund Working group on a standard application form where questions and requirements are consistent across all applications

Signed D Jarrett...**Designation**...Central Finance Management Accountant.....**Dated**.....13th November 2014.....

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Dave Jarrett		Please give a brief description of the aims proposed policy or service reconfiguration The Purpose of the Working Group is to assess and consider applications and grant aid from the Welsh Church Fund in line with the Charitable Objectives of the Trust.	
Name of the Division or service area Central Finance		Date “Challenge” form completed 13th November 2014	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		No effect at this meeting	
Improve housing quality and provision		No effect at this meeting	
Reduce ill health and improve healthcare provision			Grant awarded to organization that promotes health and well being through sport
Promote independence		No effect at this meeting	
Encourage community participation/action and voluntary work			Grants for Community Projects

Targets socially excluded		No effect at this meeting	
Help reduce crime and fear of crime			Grants for Community Support Projects
Improve access to education and training			Grant awarded to support and assist community group
Have a positive impact on people and places in other countries		No effect at this meeting	
PLANET			
Reduce, reuse and recycle waste and water		No effect at this meeting	
Reduce carbon dioxide emissions		No effect at this meeting	
Prevent or reduce pollution of the air, land and water			Grant awarded for effective water management
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)			Grant awarded for protection and preservation of woodland
Protect or enhance visual appearance of environment			Grants for Community and Religious Projects
PROFIT			
Protect local shops and services		No effect at this meeting	

Link local production with local consumption		No effect at this meeting	
Improve environmental awareness of local businesses		No effect at this meeting	
Increase employment for local people		No effect at this meeting	
Preserve and enhance local identity and culture		No effect at this meeting	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		No effect at this meeting	
Increase and improve access to leisure, recreation or cultural facilities			Grants for Community and Religious Projects

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ None, as grants for benefit of Applicants	➤
➤	➤
➤	➤

➤	➤
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The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

There are positive outcomes in relation to age (mainly as most organisations that apply seem to contain a higher majority of older retired people). The churches and applications with religious protected characteristics have the most positive outcome as the applications from this area tend to receive the highest awards as the fund was initially set up to support churches by charitable donations. The grant aid supports and highlights the positive effect that future decisions have on the Religious, Age, Planet and People characteristics, with particular emphasis on helping religious organisational applicants.

The Grant Allocation Policy is set in accordance with the charitable objects of the Trust.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

No adverse effects can be detected in regard to who can apply for budgeted funding based upon any of the characteristics.

Signed D Jarrett

Dated 13th November 2014

APPENDIX 2: WELSH CHURCH FUND - APPLICATIONS 2014/15

MEETING 4 - 13th November 2014

	<u>ORGANISATION</u>	<u>ELECTORAL DIVISION</u>	<u>Signed by Councillor</u>	<u>REQUEST</u>	<u>DECISION</u>	<u>NATURE OF REQUEST</u>	<u>APPROX COST</u>	<u>DATE Received</u>	<u>D of I*</u>
	<u>NEW APPLICATIONS AWAITING DECISION</u>			£	£		£		
1	Andrew Henley	Llanover	Sara Jones	£500	£0	Supplement living costs whilst studying at the Royal Welsh College of Music in Cardiff	£3,720	13/10/2014	no
2	USK Baptist Church	USK	Brian Strong	£1,000	£1,000	Repairs/ Renovation to make the main church entrance safe (listed Building)	£7,000	28/09/2014	Yes
3	St Thomas the Martyr Church, Monmouth	Overmonnow	Susan White	£2,000	£1,000	Undertake remedial work to prevent water egress into the church, replace surface water drainage pipes taking water away from the church	£7,122	02/10/2014	No
4	Monmouthshire Youth Service (North)	Dixton with Osbaston	R Hayward	£500	£250	Funds will be used for community activities to encourage the youth of Monmouth to become active citizens. Funds will be spent on Arts and Crafts, sporting equipment, football goals & hockey sticks etc.	£1,000	25/09/2014	No
5	Abergavenny Action Group 50+ Mark 2	Chepstow St Mary's	Peter Farley	£500	£500	Required for the provision of a laser printer to produce a monthly magazine and information for meetings	£800	25/09/2014	No
6	Chepstow Tennis Club	St Christopher's	D. Batrouni	£5,000	deferred	Contribution for the refurbishment of tennis court all weather surface as possessing risk to H&S	£48,070	15/10/2014	No
7	Chepstow Street Pastors	St Arvans	Ann Webb	£1,000	£1,000	Request funding for volunteer equipment, training & administration	£10,200	22/10/2014	Yes
	Late Applications								
8	Christchurch - Coed Y Paen	Llangibby Fawr	Peter Clarke	£500	£500	Emergency tree surgery required to make safe trees within the churchyard for the safety of parishioners and visitors	£2,585	05/11/2014	No
9	Women's Aid Monmouthshire	Llanover	Sara Jones	£500	250	Purchase of 'White Ribbon' advertising material and refreshments for young people taking part in a '7' a side rugby tournament to raise awareness of violence against young women	£500	06/11/2014	No
	SUB TOTAL Meeting 4			£11,500	£4,500				
	Meeting 1 Award				6,236				
	Meeting 2 Award				3,000				
	Meeting 3 Award				1,950				
	Meeting 4 Award				4,500				
	Meeting 5 Award				0				
	Meeting 6 Award				0				
	TOTAL AWARDED FOR 2014/15 TO DATE					15,686			
	BUDGET 2014/15					20,401			
	BALANCE B/F TO 2014/15					£10,059			
	Monmouthshire's Allocation for 2014/15					£30,460			
	REMAINING BALANCE AVAILABLE IN 2014/15			£14,774					