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Friday, 28 July 2017

Dear Councillor

CABINET

You are requested to attend a **Cabinet** meeting to be held at **Steve Greenslade Room, County Hall, Usk** on **Wednesday, 6th September, 2017**, at **2.00 pm**.

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Consideration of reports from Select Committees (none)
4. To consider the following reports (Copies attached):
 - i. **Budget Monitoring report - period 2** 1 - 28

Division/Wards Affected: Whole Authority
Purpose: The purpose of this report is to provide Members with information on the revenue and capital outturn positions based on activity data at month 2.
Author: Mark Howcroft
Contact Details: markhowcroft@monmouthshire.gov.uk
 - ii. **Contaminated Land Inspection Strategy** 29 - 84

Division/Wards Affected: Whole Authority
Purpose: To consider the Council's proposed Contaminated Land Inspection Strategy 2017
Author: Paul White, Specialist Environmental Health Officer
Huw Owen, Principal EHO
Contact Details: paulwhite@monmouthshire.gov.uk
huwowen@monmouthshire.gov.uk
 - iii. **Community Engagement Review Update / Whole Place and Partnerships Team Restructure** 85 - 164

Division/Wards Affected: Whole Authority
Purpose: The purpose of this report is to propose the future strategic direction and an appropriate operational structure for community and partnership development in Monmouthshire County Council.
Author: Claire Marchant – Chief Officer, Social Care and Health
Contact Details: clairemarchant@monmouthshire.gov.uk

- iv. **Update on fair funding for schools in a deficit budget** 165 -
Division/Wards Affected: Whole Authority 224
Purpose: To provide members details of the current breach in the Fair Funding (Scheme for Financing Schools) Regulations and actions to address this and to seek exception for the financial year 2017-18.
Author: Nikki Wellington, Finance Manager, Children and Young People
Contact Details: nicolawellington@monmouthshire.gov.uk
- v. **To declare surplus the former sextons lodge at Chepstow Cemetery, Chepstow** 225 -
Purpose: To seek Cabinet approval to declare the above property surplus to requirements. 230
Author: Gareth King, Principal Surveyor
Contact Details: garethking@monmouthshire.gov.uk
- vi. **Section 106 Gilwern School** 231 -
Purpose: To agree on the use of education balances available from the Section 106 Agreements relating to the development of land at Tw Mawr and at Cae Meldon, Gilwern. 240
Author: Simon Kneafsey, 21st Century Schools Manager
Contact Details: simonkneafsey@monmouthshire.gov.uk
- vii. **Welsh Church Fund Working Group** 241 -
Division/Wards Affected: Whole Authority 254
Purpose: The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications for the Welsh Church Fund Working Group meetings 1 and 2 of the 2017/18 financial year held on the 29th June 2017 and the 27th July 2017 respectively.
Author: Dave Jarrett, Senior Accountant – Central Finance Business Support
Contact Details: davejarrett@monmouthshire.gov.uk

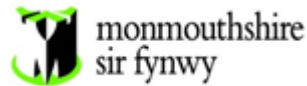
Yours sincerely,

Paul Matthews
Chief Executive

CABINET PORTFOLIOS

County Councillor	Area of Responsibility	Partnership and External Working	Ward
P.A. Fox (Leader)	Whole Authority Strategy & Direction CCR Joint Cabinet & Regional Development; Organisation overview; Regional working; Government relations; Public Service Board; WLGA	WLGA Council WLGA Coordinating Board Public Service Board	Portskewett
R.J.W. Greenland (Deputy Leader)	Enterprise Land use planning; Economic development; Tourism; Development control; Building control; Housing & homeless; Leisure; Youth; Adult education; Outdoor education; Community Hubs; Cultural services	WLGA Council Capital Region Tourism	Devauden
P. Jordan	Governance Council & Executive decision support; Scrutiny; Regulatory Committee standards; Community governance; Member support; Elections; Democracy promotion & engagement; Law; Ethics & standards; Whole Authority performance; Whole Authority service planning & evaluation; Regulatory body liaison		Cantref
R. John	Children & Young People School standards; School improvement; School governance; EAS overview; Early years; Additional Learning Needs; Inclusion; Extended curriculum; Admissions; Catchment areas; Post 16 offer; Coleg Gwent liaison.	Joint Education Group (EAS) WJEC	Mitchel Troy
P. Jones	Social Care, Safeguarding & Health Children; Adult; Fostering & adoption; Youth offending service; Supporting people; Whole Authority safeguarding (children & adults); Disabilities; Mental Health; Health liaison.		Raglan
P. Murphy	Resources Finance; Information technology (SRS); Human Resources; Training; Health & Safety; Emergency planning; Procurement; Audit; land & buildings (inc. Estate, Cemeteries, Allotments, Farms); Property maintenance; Digital office; Commercial office	Prosiect Gwrydd Wales Purchasing Consortium	Caerwent

S.B. Jones	County Operations Highways maintenance, Transport, Traffic & Network Management, Fleet management; Waste including recycling, Public conveniences; Car parks; Parks & open spaces; Cleansing; Countryside; Landscapes & biodiversity; Flood Risk.	SEWTA Prosiect Gwyrdd	Goytre Fawr
S. Jones	Social Justice & Community Development Community engagement; Deprivation & Isolation; Community safety; Social cohesion; Poverty; Equalities; Diversity; Welsh language; Public relations; Trading standards; Environmental health; Licensing; Communications		Llanover



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
- Maintaining locally accessible services

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.

SUBJECT	REVENUE & CAPITAL MONITORING 2017/18 OUTTURN STATEMENT
DIRECTORATE	Resources
MEETING	Cabinet
DATE	6th September 2017
DIVISIONS/ WARD AFFECTED	All Authority

1. PURPOSE

- 1.1 The purpose of this report is to provide Members with information on the revenue and capital outturn positions based on activity data at month 2.
- 1.2 This report will also be considered by Select Committees as part of their responsibility to,
 - assess whether effective budget monitoring is taking place,
 - monitor the extent to which budgets are spent in accordance with agreed budget and policy framework,
 - challenge the reasonableness of projected over or underspends, and
 - monitor the achievement of predicted efficiency gains or progress in relation to savings proposals.

2. RECOMMENDATIONS PROPOSED TO CABINET

- 2.1 That Members consider a net revenue outturn overspend of £164,000.
- 2.2 Members consider a capital outturn spend, forecast by service managers to agree with budget.
- 2.3 Members note that the low level of earmarked reserves, which will severely reduce the flexibility the Council has in meeting the financial challenges of reducing settlements and consequent need to re-design services.
- 2.4 Members note the significant forecast reduction in the overall school balance at the end of 2017/18 and supports the continuing work with schools to ensure that the Council's Fairer Funding scheme requirements are met and that the overall schools balance reverts to positive position at the earliest opportunity. This will be explored in greater detail in a separate report of CYP Directorate.

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 (month 2 based)

Table 1: Council Fund 2017/18 Outturn Forecast Summary Statement at Period 1

Service Area	Initial 2017-18 Annual Budget	Forecast Outturn	Forecast Over/ (Under) @ Outturn	2016-17 Budget	2016-17 Outturn	Variance
	£'000	£'000	£'000	£'000	£'000	£'000
Adult Services	6,972	6,872	-100	7,109	6,929	-180
Children Services	10,018	10,419	401	9,765	10,338	573
Community Care	22,162	22,128	-34	20,625	21,413	788
Commissioning	1,600	1,561	-39	1,543	1,427	-116
Partnerships	350	350	0	347	398	51
Public Protection	1,455	1,416	-39	1,460	1,378	-82
Resources & Performance	864	865	1	869	869	0
Total Social Care & Health	43,421	43,611	190	41,718	42,752	1,034
Individual School Budget	43,166	43,166	0	43,161	43,191	30
Resources	1,425	1,431	6	1,508	1,523	15
Standards	4,983	5,362	379	5,083	5,084	1
Total Children & Young People	49,574	49,959	385	49,752	49,798	46
Business Growth & Enterprise	824	847	23	814	801	-13
Planning & Housing	1,852	1,908	56	1,362	1,151	-211
Tourism Life & Culture	3,140	3,241	101	2,982	3,424	442
Total Enterprise	5,816	5,996	180	5,158	5,376	218
Governance, Engagement & Improvement	4,333	4,437	104	4,599	4,502	-97
Legal & Land Charges	446	456	10	448	401	-47
Operations	16,562	16,943	381	16,796	16,425	-371
Total Chief Executives Unit	21,341	21,836	495	21,843	21,328	-515
Finance	2,287	2,206	-81	2,242	2,011	-231
Information Communication Technology	2,421	2,421	0	2,282	2,328	46
People	1,583	1,613	30	1,463	1,505	42
Place	-504	-434	70	-680	-576	104
Total Resources	5,787	5,806	19	5,307	5,268	-39

Precepts and Levies	17,075	17,070	-5	16,484	16,488	4
Coroners	100	119	19	80	100	20
Gwent Joint Records	182	182	0	183	182	-1
Corporate Management (CM)	181	176	-5	186	553	367
Non Distributed Costs (NDC)	733	733	0	726	818	92
Strategic Initiatives	654	204	-450	488	0	-488
Insurance	1,264	1,230	-34	1,218	1,396	178
Total Corporate Costs & Levies	20,189	19,714	-475	19,365	19,537	172
Net Cost of Services	146,128	146,922	794	143,143	144,059	916
Fixed Asset disposal costs	123	123	0	75	75	0
Interest and Investment Income	-138	-138	0	-55	-89	-34
Interest payable & Similar Charges	3,673	3,173	-500	3,498	2,923	-575
Charges required under regulation	3,815	4,065	250	3,489	3,373	-116
Contributions to Reserves	165	165	0	105	318	213
Contributions from Reserves	-1,653	-1,653	0	-1,665	-1,880	-215
Capital Expenditure funded by revenue contribution			0	109	109	0
Appropriations	5,985	5,735	-250	5,556	4,829	-727
General Government Grants	-61,380	-61,380	0	-63,567	-63,567	0
Non Domestic rates	-30,418	-30,418	0	-27,981	-27,981	0
Council Tax	-66,450	-66,700	-250	-63,411	-64,076	-665
Council Tax Benefits Support	6,135	6,005	-130	6,258	5,852	-406
Financing	-152,113	-152,493	-380	-148,701	-149,772	-1,071
Budgeted contribution from Council Fund		0		2	0	-2
Net Council Fund (Surplus) / Deficit	0	164	164	0	-884	-884

3.1.3 A comparison of the Net Council fund line against previous years activity indicates the following,

Net Council Fund Surplus	2017-18	2016-17	2015-16	2014-15
	£'000	£'000	£'000	£'000
Period 1	164 deficit	1,511 deficit	867 deficit	219 deficit
Period 2		839 deficit	1,066 deficit	116 deficit
Period 3		79 surplus	162 deficit	144 deficit
Outturn		884 surplus	579 surplus	327 surplus

This does suggest 1st period monitoring to be an improving situation on past comparison. However the bottom line situation of a £164k overspend is potentially overoptimistic in a number of areas. One of the more significant illustrations is that Treasury costs currently include £500k underspend in borrowing costs for the schemes identified in para 3.3.4 below which are yet to garner Members agreement for inclusion in the capital programme due to lack of cost certainty, but probability suggests some of these schemes will subsequently derive sufficient Member support to proceed before end of 2017-18.

3.1.4 Given the financial challenges that will continue to face the Authority for the foreseeable future, Chief Officers continue to be tasked with ensuring that services live within the budgets and savings targets set for the current financial year.

3.1.5 A summary of main pressures and under spends within the Net Cost of Services Directorates include,

3.1.6 Stronger Communities Select Portfolio (£590k net underspend)

- Chief Executives Unit (£496k overspend)

Legal division exhibited a **£10k deficit**, due to reduced land charge income activity. **Governance, engagement and improvement** exhibited a **£105k deficit** due to delayed restructure in Community Education (£20k), Community Hubs & Contact Centre unbudgeted software and delayed restructure costs (£36k), and senior officer mandate saving not fully delivered (£48k). **Operations exhibited a collective £381k deficit**. The position for each of main Operations areas is as follows, Highways £193k deficit (winter maintenance £35k, utility street lighting costs £85k and £73k redundancies), Property and Procurement £108k deficit, small overspend in grocery supplies for catering 38k, and procurement saving of £100k which as yet is not manifest, and in Waste an £80k shortfall in trade waste income.

- Resources Directorate (£19k overspend)

An underspend in Finance Division costs of £81k, predominantly due to net HB grant inflow, and increased recharge to schools for Finance system support. **People services anticipate a £30k deficit** caused by maternity costs, and consultancy work. **Place division predict £70k deficit**, predominantly the anticipation of cattle market income levels being lower than budgeted.

- Corporate (£475k underspend)

The Council has an annual redundancy provision (£450k) within Corporate budget, to be used if Directorates request use of such of Members. At the moment there is no activity on this cost centre, despite redundancy costs being shown as overspends within Directorates. There also miscellaneous savings totalling £25k across this Directorate.

- Appropriations (£250k underspend)

A temporary underspend of £500k results from the headroom to absorb the schemes mentioned in para 3.3.4, whilst costs remain uncertainty and officers are yet to request schemes be added formally to capital programme. This underspend compensates for £250k additional minimum revenue provision costs, as capital receipt levels predicted during 2017-18 are anticipated insufficient to have supported set aside and the budgeted reduction of the capital financing requirement at the end of 2016-17, from which minimum revenue provision costs are calculated.

- Financing (£380k underspend)

The net effect from an excess of Council tax receipts and less than anticipated Council tax benefit payments

RESOURCES DIRECTOR CONTEXT & COMMENTARY

Overall, the directorate is forecasting a slight overspend position of £19k at the end of month 2. The Directorate is managing some pressures in the areas of Payroll and Asset management, however at this stage in the year these are being offset in part by additional one off grant income on benefits, additional income for financial services. It is expected that the Directorate will achieve its savings targets as approved and included in the budget. The Directorate will continue to work to reduce the areas of overspending wherever possible, or identify further savings if necessary over the coming months.

HEAD OF OPERATIONS CONTEXT & COMMENTARY

At Month 2 Operations is forecasting a £381k overspend. 3 areas are overspending due to increased external costs which are very hard then to reduce. These are street lighting (£85k over due to energy rising), highway operations (£35k weather forecasting service increasing), school catering (£8k increase in food costs). The flooding budget is forecasting an overspend of £73K due to redundancy costs. As per policy if by year end the Service cannot manage the redundancy pressures internally it will request coverage from reserves to manage this pressure. Waste is forecasting an £80k overspend as despite not increasing trade waste fees customers have reduced or purchased smaller bins reducing overall profitability. The Commercial Manager starts shortly so it is hoped this pressure will be reduced. Procurement had a £100k budget saving target proposed through the MTFP and V4 were commissioned to identify key areas for this saving to be met. This work needs escalating but it is not anticipated that if proposals are brought forward the full years saving can be realised. These pressures are currently offset with a £100k underspend in property but it is understood this is being earmarked for J&E block redevelopment which then places further pressures on the department to close the gap.

3.1.7 Economy & development Select Portfolio (£141k net overspend)

- Enterprise Directorate (£180k net overspend)

Business growth and enterprise anticipate a £23k overspend, caused by efficiencies within Enterprise management function not yet being manifest.

Planning & Housing (£55k overspend) – Development control continues to exhibit a deficit of £22k through reduced development and income activity, conversely development policy exhibits £21k surplus, through a temporary salary saving whilst a vacancy remains vacant. The Housing Lodgings scheme continues to be unsustainable, as Welsh Government support no longer makes an allowance for sufficient management costs in administering the scheme.

Tourism, leisure & culture (£101k overspend) – the service forecast £20k savings in Youth service due to temporary vacancy savings and Events are reporting a net surplus of £13k above the £20k net income captured in the budget. Conversely the Directorate report £47k pressure in respect of Cultural services costs (museums, Shire Hall, Old Station), anticipate a shortfall of £20k on Outdoor Education activities and £67k costs above budget at Caldicot Castle. After last year's outturn, and given limited significant intervention to date to improve the financial performance, it wouldn't be intuitive to expect such a positive improvement in forecast, but it remains very difficult to gainsay service forecasts which will be influenced by Member decision in September concerning the future of tourism, leisure and cultural services.

- Social Care & Health (£39k underspend)

Public Protection (£39k underspend) – predominantly an underspend in occupational health costs (£17k), staffing savings and income levels in Registrars beneficially exceeding budget (£34), minor savings in trading standards (£4k) compensation for financial pressures in licencing (£16k).

ENTERPRISE DIRECTOR'S CONTEXT & COMMENTARY

The very dynamic nature of the Tourism, Leisure and Culture service reflects its current outturn position. This is a crucial time for the Events team in their attempts to generate significant income and impact for the county. The team are about to deliver some major income generating events in Month 4, so at this stage in the events calendar the variation illustrated could change significantly. Should income fall short of predictions however, a recovery plan will be implemented with immediate effect. Leisure services stoically continue to generate their targeted income however unexpected capital expenditure in the museums services required to implement lone working has resulted in an overspend, due to additional works required to ensure staff safety. In Planning, Housing and Place Shaping, the loss of income from management fees for leased properties is currently being forecast as causing a pressure in the budget and was recognised as potentially needing reserve funding.

3.1.8 Adult Select Portfolio (net £172k underspend)

- Social Care & Health (£172k underspend)

Adult Services (£100k underspent) – staffing savings of circa £150k and income from partnership working with Bridges (£47k) compensates for a net overspend in Direct Care (£26k) and Mardy Park (£72k).

Community Care (£34k underspend) – underspends in disability aids and net savings on intermediate care budget with costs incurred elsewhere within the Directorate together with an anticipated saving on the Frailty partnership contribution compensate for the deficit forecast in general disability services for adults.

Commissioning (£39k underspend) – predominantly a net saving in commissioning strategy costs.

Resources (£1k overspend)

SCH DIRECTOR'S CONTEXT & COMMENTARY

The overall directorate position as at month 2 is an overspend of £190,000.

Adult services pressures were fully recognised in the 2017/18 budget agreed by Council. The division is currently reporting an underspend of £172,000 due to vacancies in the divisional management team, commissioning and My Day My Life which are being filled.

Children's service had an overspend of £572,000 at the end of 2016/17. Pressures of £86,000 have been recognised in the 2017/18 budget so whilst disappointing, an overspend of £400,000 represents a slightly improved position. There are 3 key pressure areas – the placement budget which funds the care and support for Looked After Children, the transport budget- these are the costs of transport associated with a high number of looked after children (e.g. transport to and from school) and workforce costs. Whilst really good progress has been made to reduce the number of agency workers (agency workforce reduced from 17 to 8 in the last year), there are still considerable risks in the service, particularly as a consequence of the high numbers of children on the Child Protection Register which means agency workers will only be stepped down once the risks have been mitigated and it is safe to do so. One positive movement since last year is the Court Improvement plan which has, at month 2, realigned the budget.

Public Protection is reporting a £39,000 underspend mainly due to income generation mainly from Registrars and public/environmental services which is a pleasant addition to the month 2 directorate position.

Recognising the pressures in social care, Welsh Government grants have been indicated which will support the costs of commissioning a quality domiciliary care service. The terms and conditions of these grants are very detailed. The implications are being considered and will be reported in future months.

3.1.9 Children & Young People Select Portfolio (net £786k overspend)

- Social Care & Health (£401k overspend)

Children's Services (net £401k overspend) – the predicted overspend exhibits a significant improvement against the 2016-17 outturn, partly the predicted effect of 60 cases rather than 73 looked after cases last year. Looked after children costs are anticipated to be £129k overspent despite this. Children's services team costs exhibit a forecast overspend of £272k, much of this still to do with the continued use of agency staff, however the Directorate has also sought to identify more transparently the transport costs associated with child care management. Within this £272k, £128k is anticipated to relate to an excess of such travel costs against budget.

Youth offending team partnership (breakeven) – this service is a partnership administered by the Council on behalf of itself and others and any balance is effectively transferred through Appropriations to a ring-fenced reserve so should have no bottom line effect on MCC's management accounts.

- Children and Young People (net £385k overspend)

School Budget Funding exhibited a breakeven position although the school use of their reserves remains a cause of concern to be explored in Reserves section below. There is an **overspend of £6k** within the **Resources subdivision** caused by unbudgeted IT system upgrade costs. However the main cost pressure manifests itself in **Standards subdivision** (£379k) caused by out of county placement costs exceeding budget, a decision to fund a further formal ALN unit, together with an overspend in the general ALN provision for all 4 secondary schools.

SOCIAL CARE & HEALTH DIRECTOR'S CONTEXT & COMMENTARY

The overall directorate position as at month 2 is an overspend of £189,000.

Adult services pressures were fully recognised in the 2017/18 budget agreed by Council. The division is currently reporting an underspend of £172,000 due to vacancies in the divisional management team, commissioning and My Day My Life which are being filled.

Children's service had an overspend of £572,000 at the end of 2016/17. Pressures of £86,000 have been recognised in the 2017/18 budget so whilst disappointing, an overspend of £400,000 represents a slightly improved position. There are 3 key pressure areas – the placement budget which funds the care and support for Looked After Children, the transport budget- these are the costs of transport associated with a high number of looked after children (e.g. transport to and from school) and workforce costs. Whilst really good progress has been made to reduce the number of agency workers (agency workforce reduced from 17 to 8 in the last year), there are still considerable risks in the service, particularly as a consequence of the high numbers of children on the Child Protection Register which means agency workers will only be stepped down once the risks have been mitigated and it is safe to do so. One positive movement since last year is the Court Improvement plan which has, at month 2, realigned the budget.

Public Protection is reporting a £39,000 underspend mainly due to income generation mainly from Registrars and public/environmental services which is a pleasant addition to the month 2 directorate position.

Recognising the pressures in social care, Welsh Government grants have been indicated which will support the costs of commissioning a quality domiciliary care service. The terms and conditions of these grants are very detailed. The implications are being considered and will be reported in future months.

CHILDREN & YOUNG PEOPLE DIRECTOR'S CONTEXT & COMMENTARY

At this early stage in the year, the Directorate's Month 2 position is a forecasted overspend of £385,000. Clearly, this is not a position that we wish to be in and we are anticipating that it will fall as we progress through the year. All parts of the directorate are working to reduce those areas of pressure and bring the budget back to a balanced position.

However, the Additional Learning Needs budget continues to remain under significant pressure due to the requirement to support more of our pupils with complex needs. This is a particularly challenging budget given the volatility of children arriving into the area and younger children requiring more complex packages of support.

Along with the rest of the organisation, schools are facing a challenging financial settlement and have, for the first time, budgeted to be in a collective deficit by the end of the year. This forecasted position has improved since budgets were set and we continue to work closely with our school colleagues to ensure their plans are as robust as possible to minimise any impact whilst continuing to improve standards for our young people.

3.2 2017/18 Budget Savings Progress

3.2.1 This section monitors the specific savings initiatives and the progress made in delivering them during 2017-18 as part of the MTFP budgeting process.

In summary they are as follows,

Disinvestment by Directorate 2017-18	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable YTD
REVENUE MONITORING 2017-18	£000	£000	£000	£000	£000	£000
Children & Young People	(395)	(395)	0	0	0	0
Social Care & Health	(627)	(627)	0	0	0	0
Enterprise	(84)	(84)	0	0	0	0
Resources	(266)	(257)	0	0	(9)	0
Chief Executives Units	(1,324)	(1,055)	0	0	(129)	(140)
Corporate Costs & Levies	(118)	(118)	0	0	0	0
Appropriations	(1,608)	(1,608)	0	0	0	0
Financing	(885)	(885)	0	0	0	0
DIRECTORATE Totals	(5.308)	(5.030)	0	0	(138)	(140)

3.2.2 Forecasted mandated savings are currently running at 95%, with currently £140,000 being deemed potentially unachievable, and a further £138,000 unlikely to crystallise in 2017-18.

3.2.3 The emphasis of reporting savings has changed from previously where savings were reported when they were manifest, however the judgement is now whether saving is forecast to be achieved.

3.2.4 Consequently the savings appendix (appendix 1) also has a traffic light system to indicate whether savings are likely to be achieved or have justifiable reasons explaining delayed implementation. The following summary of savings mandates are highlighted as requiring further work to crystallise or exhibit an anticipated degree of volatility.

3.2.5 **Stronger Communities Select Portfolio**

Resources Directorate

- Estates restructure proposals (£9k) affecting markets and community development officer are yet to be enacted.

Chief Executive's Office

- Contact Centre (£14k) and whole place (£100k) review proposals are still ongoing such that savings are reported as delayed.
- The procurement saving (£100k) is not yet manifest across Directorates to apportion from the reduced Procurement budget.
- Reduced grass cutting and maintenance schedules (£15k) at Monmouth sports grounds haven't reverted to level of original lease agreement as yet.
- Trade waste income levels are reported to be down by circa £80k, with neither (£10k plus £30k) of the extra income savings yet being manifest deliverable.

3.2.6 **Economy & Development Select Portfolio**

Enterprise (ENT) Directorate

- Directorate colleagues report current year savings are anticipated to be delivered in full.

3.2.7 **Adult Select Portfolio**

Social Care & Health (SCH) Directorate

- Directorate colleagues report current year savings are anticipated to be delivered in full, however without any progress narrative supplied, the more significant have still been flagged as medium risk based on past pressures and experience, and members may wish to check progress with service officers around adult social care transformation, adult detailed contract review, transport policy changes proposed, live in carer proposals, and charges increases.

3.2.8 **Children and Young People Select Portfolio**

Children and Young People (CYP) Directorate

- Directorate colleagues report current year savings are anticipated to be delivered in full, although Members may wish to substantiate how £150k savings in ALN and childcare voluntary organisations can be achieved, whilst Standards subdivision and ALN costs exhibit £379k adverse situation.

3.3. Capital Position

3.3.1 The summary Capital position at Month 2 is as follows

MCC CAPITAL BUDGET MONITORING 2017-18 at Month 2 by SELECT COMMITTEE						
SELECT PORTFOLIO	Forecast Spend at Outturn	Slippage Brought Forward	Total Approved Budget 2017/18	Forecast Capital Slippage to 2018/19	Revised Capital Budget 2017/18	Capital Expenditure Variance
	£000	£000	£000	£000	£000	£000
Children & Young People	43,600	15,302	43,600	0	43,600	0
Adult	0	0	0	0	0	0
Economic & Development	966	966	966	0	966	0
Strong Communities	7,278	1,100	7,484	(206)	7,278	0
Capital Schemes Total 2017-18	51,844	17,368	52,050	(206)	51,844	0

Slippage to 2018-19

3.3.2 Total Provisional Slippage at Month 2 is (£206,293), which relates to Cae Meldon S106 funded schemes. A three month delay in receiving the funding from the developer via the Brecon Beacons National Park has meant a delay in offering Grant offer letters to the various scheme recipients.

Capital Outturn

3.3.3 Service Managers consistently maintain that their spending will accord exactly with the budgets available to them.

3.3.4 There were further priorities acknowledged by Members during the capital budget consultation, where there is a commitment to invest, however for clarity most of these (other than DFG aspect) currently sit outside the 2017-18 programme as work progresses to identify the funding requirements and will necessitate a further Council report before added to capital programme. These were:

- Monmouth Pool – commitment to reprovide the pool in Monmouth as a consequence of the Future schools programme
- Abergavenny Hub – commitment to reprovide the library with the One Stop Shop in Abergavenny to conclude the creation of a Hub in each of the towns
- Disabled Facilities Grants – the demand for grants is currently outstripping the budget, work is being undertaken to assess the level of investment required to maximize the impact and benefit for recipients. Subsequently Members agreed to supplement the existing DFG budget by £300k, from 2017-18
- City Deal - 10 Authorities in the Cardiff City region are looking at a potential £1.2 billion City Deal. Agreement to commit to this programme is being sought across the region in January and so would impact on the capital MTFP. The potential impact on individual authority budgets

is currently being modelled in advance of decisions on specific projects and profiles in order for authorities to start reflecting the commitment in their MTFPs.

- J and E Block – the office rationalization programme is being considered to see if there is a solution that would enable the Magor and Usk sites to be consolidated, releasing funding to pay for the necessary investment to bring the blocks into use.

Capital Financing and Receipts

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

MCC CAPITAL FINANCING BUDGET MONITORING 2017-18 at Month 2 by FINANCING CATEGORY						
CAPITAL FINANCING SCHEME	Annual Financing	Slippage Brought Forward	Total Approved Financing Budget 2017/18	Provisional Budget Slippage to 2018/19	Revised Financing Budget 2017/18	Forecast Capital Financing Variance 2017/18
	£000	£000	£000	£000	£000	£000
Supported Borrowing	2,402	0	2,402	(0)	2,402	0
General Capital Grant	1,462	0	1,462	0	1,462	0
Grants and Contributions	15,185	5,629	15,185	(0)	15,185	0
S106 Contributions	316	522	522	(206)	316	(0)
Unsupported borrowing	9,524	5,662	9,524	(0)	9,524	(0)
Earmarked reserve & Revenue Funding	320	302	320	(0)	320	(0)
Capital Receipts	22,635	5,253	22,635	(0)	22,635	(0)
Low cost home ownership receipts	0	0	0	0	0	(0)
Unfinanced	0	0	0	0	0	0
Capital Financing Total 2017-18	51,844	17,368	52,050	(206)	51,844	(0)

Useable Capital Receipts Available

3.3.6 In the table 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 2017/21 MTFP capital budget proposals.

Movement in Available Useable Capital Receipts Forecast

TOTAL RECEIPTS	2017/18	2018/19	2019/20	2020/21
	£000	£000	£000	£000
Balance b/f 1 st April	19,043	(577)	(289)	509
Add:				
Receipts received in YTD	0			
Receipts forecast received	3,015	6,460	5,560	5,660
Deferred capital receipts	4	4	4	4
Less:				
Receipts to be applied	(22,635)	(6,172)	(509)	(509)
Set aside	0	0	(4,257)	(4,749)
Predicted Year end receipts balance	(577)	(289)	509	915
Financial Planning Assumption 2017/21 MTFP Capital Budget	608	0	5,156	4,861
Increase / (Decrease) compared to MTFP Capital Receipts Forecast	(1,185)	(289)	(4,657)	(3,946)

3.3.7 The balances forecast to be held at the 31st March each year are generally lower than forecast in the MTFP. The decrease of £4.0m remaining at 31st March 21 is due to the reduced capital receipt for the Abergavenny Cattle Market, which was replaced by £4.0m of deferred income to be received over 25 years.

3.3.8 The expected slippage of LDP receipts has been offset by a delay in the set aside of capital receipts in 2016-17 and likely 2017-18.

3.3.9 At Month 2, Capital receipts budgeted to be applied are greater than those brought forward into 2017-18 plus those that are likely to be generated within the 2017-18 financial year. This may result in the need to substitute unsupported borrowing (£577,000) for capital receipts at year-end. This situation is fluid and does not require immediate action as during the year capital receipt funded schemes maybe slipped into 2018/19 financial year therefore easing the necessity to switch financing streams mid-year.

3.3.10 There is still an increasingly significant risk to the Council resulting from the need to utilise capital receipts in the same year that they come into the Council. This provides no tolerance or flexibility should the receipts be delayed, which isn't uncommon, and would necessitate compensatory temporary borrowing which is more costly than utilising capital receipts and would necessitate additional revenue savings annually to afford.

3.4 Reserves

Reserve Usage

3.4.1 Revenue and Capital monitoring reflects an approved use of reserves. At month 2, service managers' presumptions are to fully utilise the reserve funding conveyed to them in 2017-18 budget. Additionally there is proportion of 2016-17 reserve funded expenditure that was approved by Members on 6th June to transfer into 2017-18. This wasn't formally vired into the ledger during the monitoring period involved, so is shown as a separate column in the forecast year end position below.

Summary Earmarked Reserves Month 2 2017-18								
Earmarked Reserves		Revenue			Slippage		Capital	
Name of Reserve	Apr-17	Budgeted Usage	Budgeted Replenishment	Total Budget	Slippage From 1617	Slippage To 1819	Predicted Usage	Mar-18
Invest to Redesign	-960,943	166,345	-134,779	-929,377	109,026		152,214	-668,137
IT Transformation	-727,784			-727,784	146,500		22,888	-558,396
Insurance & Risk Management	-1,083,295			-1,083,295				-1,083,295
Capital Receipt Generation	-347,511	121,918		-225,593	20,526			-205,067
Treasury Equalisation	-990,024			-990,024				-990,024
Redundancy & Pensions	-795,297	298,484		-496,813				-496,813
Capital Investments	-775,522			-775,522			145,185	-630,337
Priority Investments	-1,000,171	966,053		-34,118	106,454	-411,087		-338,751
Museum Acquisitions	-56,760			-56,760				-56,760
Elections	-133,183	100,000	-25,000	-58,183				-58,183
Grass Routes Buses	-184,391		-5,000	-189,391			38,307	-151,084
Sub Total	-7,054,881	1,652,800	-164,779	-5,566,860	382,506	-411,087	358,594	-5,236,847
Restriicted Use Reserves								
Youth Offending Team	-273,567			-273,567				-273,567
Building Control Trading	-25,987			-25,987				-25,987
Outdoor Education Centres	-190,280			-190,280				-190,280
Plant & Equipment (Highways)	-75,000			-75,000				-75,000
Homeless Prevention Fund	-4,619			-4,619				-4,619
Rural Development Plan	-86,471			-86,471	62,717	-62,717		-86,471
CYP Maternity	-93,590			-93,590				-93,590
Total Earmarked Reserves	-7,804,395	1,652,800	-164,779	-6,316,374	445,223	-473,804	358,594	-5,986,361

3.4.2 Earmarked reserves remain at limited levels unlikely to provide any material capacity/headroom to meet unanticipated volatility or significantly facilitate future service re-engineering and design. Current predicted use of the Priority investment reserve means it will expired at the end of 2017-18. Replenishment of earmarked reserves is considered at year end, subject to a favourable outturn position and if necessary redistribution of reserves will ensure positive balances are available to meet the following year's requirement.

3.4.3 Given the forecast use of earmarked reserves, Cabinet has previously approved a policy on earmarked reserves to ensure that earmarked reserves are focused on investment in areas where they can achieve most impact.

Schools Reserves

3.4.4 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. The net effect of an individual school's annual surplus or deficit is shown in a ring-fence reserve for the particular school. Details of the 2017-18 indicative outturn position based on their recent sc52 formal budget returns is shown in the table below.

Outturn movement on reserves

	Opening reserves 2017-18 (Surplus)/ Deficit	In Year position at Month 2 (Surplus)/ Deficit	Projected carry forward at year end 2017-18 (Surplus)/ Deficit	Notes
Abergavenny cluster				
E003 King Henry VIII Comprehensive	139,355	162,345	301,700	
E073 Cantref Primary	(52,766)	24,658	(28,108)	
E072 Deri View Primary	(27,297)	(30,871)	(58,168)	Restructure due to Special Needs Resource Base closure.
E035 Gilwern Jnr & Inf	(39,636)	22,203	(17,433)	Additional teacher employed to cover senior management release time.
E037 Goytre Fawr Jnr & Inf	(25,371)	33,110	7,739	Incremental teaching and midday supervisory costs.
E093 Llanfoist Fawr	(68,056)	33,402	(34,654)	Restructure of support staff has resulted in a saving.
E044 Llantillio Pertholey Jnr & Inf	(20,967)	20,765	(202)	
E045 Llanvihangel Crocorney Jnr & Inf	3,117	22,369	25,486	
E090 Our Lady and St Michael's RC Primary School	(45,505)	38,862	(6,643)	Additional Key Stage 1 teacher from 1/9/17 due to increase in pupil numbers above 60
E067 Ysgol Gymraeg Y Fenni	(48,966)	16,298	(32,668)	Reduction in supply teacher allocation.
Caldicot cluster				
E001 Caldicot Comprehensive	(33,736)	31,425	(2,311)	
E068 Archbishop Rowan Williams Primary	(49,657)	23,223	(26,434)	
E094 Castle Park	46,115	(6,750)	39,365	
E075 Dewstow Primary School	(90,125)	51,302	(38,823)	2 Teaching Assistants have left plus additional income from grants
E034 Durand Jnr & Inf	(53,931)	16,529	(37,402)	
E048 Magor Vol Aided Jnr & Inf	(35,179)	11,339	(23,840)	Saving on energy and additional income from grants
E056 Rogiet Jnr & Inf	(34,184)	24,415	(9,769)	Maternity Leave and Sabbatical
E063 Undy Jnr & Inf	50,037	(26,343)	23,694	Administrative Team Restructure
E069 Ysgol Gymraeg Y Ffin	67,410	15,481	82,891	
Chepstow cluster				
E002 Chepstow Comprehensive	81,068	(83,460)	(2,392)	

E091 Pembroke Primary School	(8,826)	4,578	(4,248)	
E057 Shirenewton Jnr & Inf	(87,369)	13,550	(73,819)	Additional management time for staff. While this will be funded via grants, the additional time was not factored into the budget, but the income was.
E058 St Mary's Chepstow RC Jnr & Inf	13,192	(5,036)	8,156	Additional Teaching Assistant hours/Midday Supervisory absence and back dated incremental pay progression.
E060 The Dell Jnr & Inf	(46,094)	21,637	(24,457)	Staff changes to hours from September and a TA post not being backfilled has resulted in savings being forecasted in comparison to the budget set.
E061 Thornwell Jnr & Inf	20,534	(32,512)	(11,978)	
Monmouth cluster				
E004 Monmouth Comprehensive	100,573	214,945	315,518	An increase in the income forecast, mainly relating to prior financial year which was not accrued, has resulted in an improved position in relation to the budgeted figure. A recovery plan has been formulated and will be presented to the the Chief Officer at the end of June.
E032 Cross Ash Jnr & Inf	(45,620)	9,106	(36,514)	
E092 Kymin View Primary School	(10,294)	4,949	(5,345)	
E039 Llandogo Jnr & Inf	9,736	1,754	11,490	
E074 Osbaston Church In Wales Primary	(18,570)	2,573	(15,997)	
E051 Overmonnow Jnr & Inf	(3,959)	3,399	(560)	Staff savings
E055 Raglan Jnr & Inf	111,977	40,340	152,317	Staff savings
E062 Trellech Jnr & Inf	(85,762)	17,003	(68,759)	
E064 Usk CV Jnr & Inf	(56,108)	50,228	(5,880)	
	(344,862)	746,816	401,954	
Special Schools				
E020 Mounton House	142,417	(61,166)	81,251	Additional agency staff currently being used to cover a staff sickness absence and to offer additional support to pupils. The school is working, however, to reduce costs further in order to bring forecast back in line with budget.
E095 PRU	(66,340)	11,119	(55,221)	
	76,077	(50,047)	26,030	
	(268,786)	696,769	427,983	

3.4.5 12 schools exhibited a deficit position at the start of 2017/18. By the end of this financial year this is anticipated to be 11, with Chepstow and Thornwell coming out of deficit, and Goytre Fawr going into deficit. The main concern here though is that collectively schools enter a combined deficit reserve position contrary to current Fairer Funding guidance that Governing bodies have ascribed to. In cashflow terms any collective schools deficit places a minor unforecast strain on the Treasury budget which will reduce its ability to mitigate cost pressures as traditionally has been the case.

3.4.6 Collectively school balances have exhibited the following trend being supplemented late in the year by additional improvement grant funding through Welsh government and EAS.

Financial Year-end	Net level of School Balances
2011-12	(965)
2012-13	(1,240)
2013-14	(988)
2014-15	(1,140)
2015-16	(1,156)
2016-17	(269)
2017-18 forecast	428

3.4.7 Our Fairer Funding Regulations adopted by Council and Governing Bodies have traditionally precluded governing bodies from planning for a deficit position. This was changed last year to allow licensed deficits where a recovery plan is agreed and followed. However this flexibility only extended as far as there being a collective schools reserve surplus i.e.

“There is an arrangement in place whereby schools are allowed to plan for a deficit budget funded by a collective surplus of school balances held by the authority on behalf of schools.”

3.4.8 In addition to the need to establish recovery plan for those schools in deficit, it remains unlikely that the collective level of reserves will sustain the traditional annual draw by schools on reserves in recent years, which will add additional focus to addressing the need to remain within budget going forward rather than passporting the consequences to their reserves, given that flexibility is now pretty much exhausted.

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 equality and sustainability implications.

7 CONSULTEES

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

8 BACKGROUND PAPERS

Outturn Monitoring Reports (Period 1), as per the hyperlink provided

<http://corphub/initiatives/Budgetmon/20172018/Forms/Q1.aspx>

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10 CONTACT DETAILS

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Appendices (attached below)

Appendix 1 Mandated Savings Progress Report

APPENDIX 1








Disinvestment by Directorate 2017-18		2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Delayed Savings	Savings deemed Unachievable YTD	Traffic Light based Risk Assessment	ASSESSMENT of Progress	Risk of current forecast saving NOT being achieved (High / Medium / Low)
REVENUE MONITORING 2017-18		£000	£000	£000	£000	£000		
	Children & Young People	(395)	(395)	0	0			
	Social Care & Health	(627)	(627)	0	0			
	Enterprise	(84)	(84)	0	0			
	Resources	(266)	(257)	(9)	0			
	Chief Executives Units	(1,324)	(1,055)	(129)	(140)			
	Corporate Costs & Levies	(118)	(118)	0	0			
	Appropriations	(1,608)	(1,608)	0	0			
	Financing	(885)	(885)	0	0			
	DIRECTORATE Totals	(5,308)	(5,030)	(138)	(140)			
Ref	Children & Young People	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
		£000	£000	£000	£000	£000		
320	ALN	(150)	(150)					High
	Resources - Removal of training budget	(8)	(8)					Low
	Resources - Loss of 3 posts within support services	(70)	(70)					Low
	Resources - Removal of professional fees for the directorate	(8)	(8)					Low
	Early Years - To remove the funding provided to childcare voluntary organisations - Wales PPA, Mudiad Meithrin & Clybiau Plant Cymru Kids' Club.	(15)	(15)					Medium
	ALN - Reduce the Independent Special School Budget	(50)	(50)				on target, but a fairly volatile service	Medium
	Other - Reduction in pupil numbers	(81)	(81)					Low
	Other - Reduction in contribution required by EAS	(14)	(14)					Low
	CHILDREN & YOUNG PEOPLE Budgeted Savings Total	(395)	(395)	0	0			

Ref	Social Care & Health	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
		£000	£000	£000	£000	£000		
34	Adult Social Care Service Transformation	(200)	(200)					High
	Adults - Parity on pricing structure between day service and community meals	(25)	(25)					High
	Adults - Development of café at Mardy park and establish private and business partnerships to develop catering services	(2)	(2)					Low
	Adults - Hire of Mardy Park outside or core hours	(1)	(1)					Medium
	Adults - Restructure finance and benefits advice team to replace 2 posts on lower grades	(16)	(16)					Medium
	Adults - Reduce IT Development budget	(10)	(10)					Low
	Adults - alignment of welfare benefits information, advice and assistance services	(13)	(13)					Low
	Adults - Detailed Contract Review	(56)	(56)					Medium
	Adults - Terminate room rental in Abergavenny	(4)	(4)					Low
	Adults - Changing transport practice. two types of transport savings:- mileage incurred by staff to transport service users, and cost of providing transport	(27)	(27)					Medium
	Adults - Review of transport policy to support people who can transport themselves	(32)	(32)					Medium
	Adults - explore live in carer rather than hourly cost via care agency	(47)	(47)					Medium
	Adults - income generation from MDMY	(3)	(3)					Low
	Public Protection - training provided during core time rather than over time	(7)	(7)					Low
	Public Protection - FSA Grant for food safety management work	(7)	(7)					Low
	Public Protection - Start charging for health export certificates	(3)	(3)					Low
	Public Protection - food standards sampling grant	(1)	(1)					Low
	Public Protection - Implement "buy with confidence" trader approval scheme	(3)	(3)					Low
	Public Protection - Regional Animal Health Coordination	(3)	(3)					Low
	Public Protection - WHoTS Coordination -recharge	(3)	(3)					Low
	Public Protection - Set up Primary Authority Partnership scheme for TS proactive work	(2)	(2)					Low
	Public Protection - Restructure of licensing team	(6)	(6)					Medium

Ref	Social Care & Health	2017/18 Budgeted Savings £000	Value of Saving forecast at Month 2 £000	Delayed Savings £000	Savings deemed Unachievable £000	Traffic Light based Risk Assessment £000	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
	Public Protection - Increase charge for marriages at Old Parlour Usk	(1)	(1)					Low
	Public Protection - Increase cost of certificates of "priority certificates"	(6)	(6)					Low
	Social Services income charge rise	(150)	(150)					Medium
	SOCIAL CARE & HEALTH Budgeted Savings Total	(627)	(627)	0	0			



Ref	Enterprise	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
		£000	£000	£000	£000	£000		
	Development Plans - Reduce 'Premises' budget line B050 by £1,527 to £0	(2)	(2)					Low
	Development Plans - End membership of Severn Estuary Partnership, reducing	(3)	(3)					Low
	Development Plans - Reduce 'Photocopying' budget line D061 by £2,000 to £3,000	(2)	(2)					Low
	Development Plans - Reduce 'Postage' budget line D161 by £1,000 to £1,290	(1)	(1)					Low
	Development Plans - Reduce 'Advertising' budget line by £1,000 to £2,008	(1)	(1)					Low
	Development Plans - Reduce 'Professional Fees' budget line D080 by £8,183 to	(8)	(8)					Low
	Development Management - Additional fee income from pre-application advice fee charges	(5)	(5)					Low
	Development Management - Move towards paperless planning files and consultations; reduction in copying and printing and postage	(5)	(5)					Low
Page 21	Development Management - Additional fee income from i) a new Fast Track pre-application advice service and ii) a new Fast Track applications service for householder developments and lawful development certificates (for a proposed use or development)	(2)	(2)					Low
	Development Management - Fee income from a new Completion certificates service for developers or solicitors/ householders buying and selling their home	(2)	(2)					Low
	Development Management - Reduce Professional & Specialist Fees budget (D080)	(9)	(9)					Low
	Development Control - Reduce supplies and services budget (£33k) by £2,638	(3)	(3)					Low
	Housing - Decision already made to end the joint/shared Housing Solutions Service with TCBC and re-align the service to an MCC only focus.	(20)	(20)					Low
	Housing - Replace Flare grants software with Ferret software	(6)	(6)					Low
	Housing - Continue to tackle the use of B & B through increased prevention and private sector housing development	(8)	(8)					Low
	Housing - Re-structure of Housing Renewal team	(6)	(6)					Low
	ENTERPRISE Budgeted Savings Total	(84)	(84)	0	0			

Ref	Chief Executive's Unit	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
		£000	£000	£000	£000	£000		
	Garden waste income	(50)	(50)				£35k in to date. Customers still registering so hopeful of target being achieved	Medium
	Communities, Hubs, Libraries - Re-structure of management level of Community hubs and SLS	(52)	(52)					Medium
	Communities, Hubs, Libraries - Cease the purchase and rental of DVD's	(4)	(4)					Low
	Communities, Hubs, Libraries - Amalgamation of SLS supporting posts from 2 into 1	(34)	(34)					Medium
	Contact Centres - Reduction of staff (Information Officer) by half a post	(14)	0	(14)			Delayed restructure - still under review	Medium
	Legal - Colleague reducing days	(31)	(31)					Medium
	Policy - Reduce capacity of team by deleting some posts and replacing them with posts with reduced responsibilities and working hours	(13)	(13)					Low
	Policy - Reduce non-pay budget by promoting more efficient use of mobile phones, printing and copying	(0)	(0)					Low
	Community Safety - Reduce the purchase and maintenance capability for CCTV equipment and repairs to existing system.	(2)	(2)					Low
	Partnerships - £5,900 non staff costs can be made through removal of professional fees and licenses	(6)	(6)					Low
	Communications - Reducing the budget for a post to a budget of £8,841 (this post is currently being filled by contractors on a day rate of £250 per day).	(18)	(18)					Low
	PTU - Collaboration of passenger transport units with Newport CC(saving taken in 15/16 for management support this is in addition through restructuring)	(15)	(15)					Low
	Fleet - To withdraw from renting Severn Bridge Social Club car park, Bulwark.	(9)	(9)					Low
	Fleet - To decrease general contracts maintenance budget	(5)	(5)					Medium
	Fleet - Proactively market the scheme with a view to increase numbers.	(7)	(7)					Low
	Fleet - Restructure/redesign within the Transport Section (posts)	(9)	(9)					Low
	Fleet - Savings on spare parts	(12)	(12)					Low
	Fleet - Savings on consumables & outside contract work	(21)	(21)					Low

Ref	Chief Executive's Unit	2017/18 Budgeted Savings £000	Value of Saving forecast at Month 2 £000	Delayed Savings £000	Savings deemed Unachievable £000	Traffic Light based Risk Assessment £000	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
	Waste - Reduce grass cutting frequency to release core staff to focus on income generation and more external work	(100)	(100)				Not implemented - but saving achieved through other means, mainly through underspends in Pension Contribution	Low
	Waste - Charge schools for the full cost of their waste collections and disposal	(30)	0		(30)		All schools in the South of the County have found alternative contractors. The service has reported a £80k pressure with trade waste to which this contributes.	High
Page 23	Waste - Reduce scheduled cuts and maintenance of Monmouth sports grounds to level of original lease agreement	(15)	0	(15)			This has not yet happened as it has been difficult to engage with the sports associations. Service is attempting to manage the pressure in budget	Medium
	Waste - Project Gwyrdd annuity payment from WG for 17-18	(70)	(70)				Achieved	Low
	Waste - Increase bulky waste collection charges by 50% (£12 to £18) and reduce our contribution to Homemakers accordingly	(10)	(10)				Achieved through negotiation with Homemakers	Low
	Waste - Additional income from trade waste	(10)	0		(10)		Not achieved - see comment above	High
	Waste - Managing impact of reduced activity/ income on tree works	(24)	(24)				Vacancy not yet released from budget so carrying pressure but trying to manage within resources at this stage	Medium

Ref	Chief Executive's Unit	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
		£000	£000	£000	£000	£000		
	Highways - reduction in maintenance budget to reflect impact of investment in new (led) lanterns	(8)	(8)					Low
	Highways - reduce pumping station maintenance budget	(2)	(2)					Low
	Highways - rsl veb1000 recycling plant : in place and operational saving	(14)	(14)					Low
	Highways - welfare units : in place and operational saving	(10)	(10)					Low
	Highways - overtime back office : adjust start and finish times	(2)	(2)					Low
	Highways - sim cards : review and reduce where not required	(2)	(2)					Low
	Highways - review all wales tenders : subject to 2nd layer of reducing cost	(2)	(2)					Low
Page 24	Highways - reduction in salt budget to reflect reduced usage over recent years. stock levels remain constant (budget pays for what is used rather than what is stocked). actual usage in year may result in overspend depending upon weather conditions	(20)	(20)					Low
	Highways - bartering / hiring kit : partnerships with ncc / tcbc	(4)	(4)					Low
	Highways - reduction in response budget to reflect reduced winter maintenance (response to snowfall) in recent years. actual conditions during the winter will remain at current standards but a risk of resulting overspend exists	(10)	(10)					Low
	Highways - review all wales tenders : subject to 2nd layer of reducing cost	(2)	(2)					Low
	Highways - cross hire within ops : use in house kit before hire	(1)	(1)					Low
	Highways - external hire	(2)	(2)					Low
	Highways - fill structure : release additional hours being worked	(3)	(3)					Low
	Highways - reduce the amount of scrim investigations undertaken each year.	(3)	(3)					Low
	Highways - reduce the amount of revenue structures maintenance undertaken each year.	(41)	(41)					Low
	Highways - to increase road closure charges by 50% and recover costs against appropriate capital scheme	(20)	(20)					Low
	Highways - to increase skips, scaffolding licences and street name & numbering fee by 50% in 2016/ 2017	(10)	(10)					Low
	Highways - to extend charges to other services (to be identified by working group)	(7)	(7)					Low

Ref	Chief Executive's Unit	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
		£000	£000	£000	£000	£000		
	Property Services - Train existing staff to carry out risk assessments	(25)	(25)					Medium
	Property Services - To withdraw the 60% of the Corporate Procurement Training budget.	(6)	(6)					Low
	Property Services - Non replacement of Shared Facilities Manager, following resignation. (£11,500 saving)	(7)	(7)					Low
	Property Services - Mounton House Restructure	(19)	(19)					Medium
	Property Services - Increase School meal price from £2.00 to £2.10 (5p already in MTFP)	(21)	(21)					Low
	Property Services - flexible retirement, reduced 5 days to 3	(11)	(11)					Low
	Property Services - Vehicles – reduction in leasing costs for courier vehicles	(2)	(2)					Low
Page 25	Property Services - Press Notices – cease advertising Bank Holiday office closures in the Press	(3)	(3)				Still under review, savings have been delivered through a reduction in supplies and services expenditure.	Low
	Property Services - Refreshment provision – cease providing refreshment supplies	(1)	(1)					Low
	Property Services - Increase the time between risk assessments for Legionella, Asbestos, Fire & Glazing from the current 2/3 years to minimum of 5 years	(10)	(10)					Medium
	Property Services - 10% reduction in corporate building maintenance reactive budget	(54)	(54)					Low
	Property Services - Realignment of budget for previous efficiencies achieved	(15)	(15)					Low
	Recycling Plant	(70)	(70)					Low
	Whole Place	(100)	0	(100)			Service still under review.	High

Ref	Chief Executive's Unit	2017/18 Budgeted Savings £000	Value of Saving forecast at Month 2 £000	Delayed Savings £000	Savings deemed Unachievable £000	Traffic Light based Risk Assessment £000	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
	Pension Contribution Savings	(160)	(160)					Low
	Procurement Savings	(100)	0		(100)		Procurement savings have yet to be identified. A report from V4 has been commissioned to identify procurement initiatives that could be actioned to improve compliance, quality and vfm but no action has taken place as yet.	High
	CHIEF EXECUTIVES' UNIT Budgeted Savings Total	(1,324)	(1,055)	(129)	(140)			

Ref	Resources	2017/18 Budgeted Savings £000	Value of Saving forecast at Month 2 £000	Delayed Savings £000	Savings deemed Unachievable £000	Traffic Light based Risk Assessment £000	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
	Finance - Delete two part time vacant posts from structure (Cashiers & Systems)	(31)	(31)					Low
	Finance - Revise and reduce the structure of the Benefits Shared service thereby reducing MCC's annual contribution	(20)	(20)					Low
	Finance - Reduce the Sections budget for postage costs to reflect the planned shift to automation, email and self service through the web	(6)	(6)					Low
	Finance - Release savings from Security Carrier tender evaluation	(10)	(10)					Low
	Finance - Cancel contract for folding machine maintenance to reflect reduced mail in 5.3 and planned moved to outsourcing of mail to Canon	(4)	(4)					Low
	Finance - Savings in insurance fees and studies	(30)	(30)					Low
	Finance - Cut the budget for consultancy across the Division	(22)	(22)					Low
	Finance - Reduce the number of cases referred to external Enforcement Agents	(5)	(5)					Low
	Finance - Training budget internal audit	(7)	(7)					Low
	Digital - Reduction in Enterprise Agreement	(13)	(13)					Low
	Digital - General reduction in laptop replacement budget	(30)	(30)					Low
	Digital - Specific Server virtual management software no longer required, using existing software to remove cost	(23)	(23)					Low
	Estates - Removal of Assistant Markets Officer Post	(23)	(18)	(5)			Delayed restructure	Medium
	Estates - Community Development Officer - 3 to 2 days	(7)	(3.5)	(3.5)			Delayed restructure	Medium
	Estates - Facilities Officer reduced hours	(16)	(16)					Low
	Estates - Savings from Solar Farm	(9)	(9)					Medium
	People, HR - Generate income from selling training	(5)	(5)					Low
	People, HR - Stop producing paper payslips for schools and move to electronic payslips	(5)	(5)					Low
	RESOURCES Budgeted Savings Total	(266)	(257)	(9)	0			

Ref	Corporate Costs & Levies	2017/18 Budgeted Savings £000	Value of Saving forecast at Month 2 £000	Delayed Savings £000	Savings deemed Unachievable £000	Traffic Light based Risk Assessment £000	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
	Crematoria Income	(98)	(98)				on target	Low
	Grant Audit Fees	(20)	(20)				on target	Low
	CORPORATE COSTS Budgeted Savings Total	(118)	(118)	0	0			
Ref	Appropriations	2017/18 Budgeted Savings £000	Value of Saving forecast at Month 2 £000	Delayed Savings £000	Savings deemed Unachievable £000	Traffic Light based Risk Assessment £000	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
	MRP Supported borrowing	(1,536)	(1,536)				on target	Low
	Headroom in appropriations	(12)	(12)				on target	Low
	Solar Farm income	(160)	(160)				on target	Low
	Business rates headroom	100	100				on target	Low
	APPROPRIATIONS Budgeted Savings Total	(1,608)	(1,608)	0	0			
Ref	Financing	2017/18 Budgeted Savings £000	Value of Saving forecast at Month 2 £000	Delayed Savings £000	Savings deemed Unachievable £000	Traffic Light based Risk Assessment £000	ASSESSMENT of Progress	'Risk of current forecast saving NOT being achieved (High / Medium / Low)
	Reduced demand for CTRS payments	(370)	(370)				on target	Low
	CT Base, rate & number of properties	(515)	(515)				on target	Low
	FINANCING Budgeted Savings Total	(885)	(885)	0	0			



REPORT

SUBJECT: CONTAMINATED LAND INSPECTION STRATEGY
DIRECTORATE: SOCIAL CARE & HEALTH
MEETING: CABINET
DATE: 6th September 2017
DIVISIONS/WARDS AFFECTED: All Wards

1. PURPOSE:

- 1.1 To consider the Council's proposed Contaminated Land Inspection Strategy 2017.

2. RECOMMENDATIONS:

- 2.1 Members agree the proposed Contaminated Land Inspection Strategy 2017 (Appendix A) and its implementation.

3. KEY ISSUES:

- 3.1 The Authority has duties under Part 2A of the Environmental Protection Act 1990 to inspect its area for contaminated land in line with statutory guidance, which includes the development of an inspection strategy. In 2002 the Council approved a Contaminated Land Inspection Strategy setting out its plans for identifying potentially contaminated land and prioritising any identified sites for remediation action.
- 3.2 Revised statutory guidance was provided by Welsh Government in 2012. This did not fundamentally change the inspection responsibilities of the Local Authority but 'fine – tuned' previous guidance and required Strategies produced in accordance with previous versions to be updated or replaced to reflect current guidance.
- 3.3 A report to Cabinet in June 2016 included a summary of the work undertaken to date to meet the Authority's inspection responsibilities and presented options for updating the Inspection Strategy. Members resolved to adopt the option of dealing with land contamination through the planning regime as the Authority's future approach.
- 3.4 The proposed Inspection Strategy has been revised accordingly and explains how the Authority will implement the contaminated land regime as required by Part 2A of the Environmental Protection Act 1990 and in accordance with the 2012 statutory guidance. The strategy has regard to the Authority's Single Integrated Plan 2013-2017 and supports the vision and themes of this Plan.
- 3.5 Although not statutory consultees Welsh Government and Natural Resources Wales have been consulted on the proposed Inspection Strategy. Appropriate amendments have been made to reflect comment from Welsh Government to include an overview of how the Strategy helps deliver the key goals of the Well-being of Future Generations Act 2015.
- 3.6 In accord with statutory guidance the Strategy should be periodically reviewed to ensure it remains up to date. It is for the Authority to decide when this should be. In line with recommended good practice it is proposed to review the Strategy in five years (2022) or otherwise in response to changes in relevant legislation or guidance.

4. REASONS:

- 4.1 The authority has a duty to inspect its area for contaminated land in line with statutory guidance. The 2012 guidance requires Strategies produced with regard to previous versions of guidance to be updated or replaced.

5. RESOURCE IMPLICATIONS:

- 5.1 The Strategy is based on the approach agreed by Cabinet in June 2016 of dealing with land contamination through the planning regime. This has been the approach followed since 2012. The costs of this will be absorbed within existing staff resources.
- 5.2 A matter may arise that requires a 'Detailed Inspection' outside the 'planning regime' approach, for example where evidence is found of contamination that is causing, or has the potential to cause, significant harm. It should be noted that costs could potentially be significant, and should such an event occur it would be likely to result in a report to Cabinet to consider.

6 Future Generations Evaluation:

- 6.1 The Future Generations Evaluation, including equalities and sustainable impact assessments, is provided in Appendix B. The revisions have a positive impact for the reasons provided.

7. CONSULTEES:

SLT

Cabinet Members

Chairs of Select Committees

Monitoring Officer and Head of Legal Services

Head of Finance

Head of Community Led Delivery

Estates Manager

Results of Consultation

No adverse comments have been received from internal consultation. As provided in 3.5 of the report Welsh Government comment has been reflected in the Inspection Strategy.

8. BACKGROUND PAPERS:

Cabinet Report 'Contaminated Land Inspection Strategy' 8th June 2016.

9. AUTHOR:

Paul White, Specialist Environmental Health Officer

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REPORT

SUBJECT: CONTAMINATED LAND INSPECTION STRATEGY
DIRECTORATE: CHIEF EXECUTIVES
MEETING: CABINET
DATE: 8th June 2016
DIVISIONS/WARDS AFFECTED: All Wards

1. PURPOSE:

- 1.1 To consider the options for revising the Authority's Contaminated Land Inspection Strategy.

2. RECOMMENDATIONS:

- 2.1 Members note the content of the report entitled '*Monmouthshire County Council's Contaminated Land Inspection Strategy – Progress Summary*' May 2016 (Appendix A), consider the options available and decide the Authority's future approach.

3. KEY ISSUES:

- 3.1 The Authority has duties under Part 11A of the Environmental Protection Act 1990 to inspect its area for contaminated land in line with statutory guidance, which includes the development of an inspection strategy. In 2002 the Council approved a Contaminated Land Inspection Strategy setting out its plans for identifying potentially contaminated land and prioritising any identified sites for remediation action. This is provided in Appendix B.
- 3.2 A report to Cabinet in January 2009 provided a revised and detailed work programme for implementing this strategy. This was followed by a report in February 2012 (Appendix C) and the following recommendations agreed:
- To defer progress of the existing strategy and receive a future report, to enable consideration of a revised inspection strategy, following the publication of revised statutory guidance.
 - To adopt as formal policy the approach of consultation between Development Control and Environmental Health sections with respect to developments on potentially contaminated land.
- 3.3 The revised statutory guidance was published by Welsh Government in April 2012. The previous guidance was 'fine-tuned' but with no fundamental change to the inspection responsibilities of the Local Authority. The statutory guidance requires Strategies produced in accordance with previous versions to be updated or replaced to reflect current guidance.
- 3.4 The report in Appendix A provides a summary of the current position of the work undertaken to date and the options for consideration in revising the Authority's Contaminated Land Inspection Strategy. Members' attention is drawn to the following key points:
- 2480 potentially contaminated sites in the authority have had an initial desk top risk assessment, which has enabled sites to be placed into risk category bands. Of the 2480 identified sites, 45 are categorised as 'very high' or 'high' risk.

- Identifying these potentially contaminated sites enables effective consultation between the Development Control Section and Environmental Health. Since 2012 Environmental Health has consulted on 91 planning applications for developments on or near potentially contaminated land. Public health is therefore being safeguarded by ensuring Contaminated Land sites are not being created and redeveloped sites are being investigated and remediated by developers.
- If a site is identified as contaminated, the land has to be declared as 'Contaminated Land' and placed on public register. The legislation allows for the Council to serve notice on the original polluter to require remediation, but in the quite likely event of the company no longer being in existence, the options remaining would be to serve notice on the current property owners to remediate or for the council to undertake the work. Remediating land is very expensive, although the costs do vary widely according to the nature of the site. Property depreciation and anxiety for the property owner(s) is a likely consequence of a declaration of 'Contaminated Land' until remediation is completed.
- From 2005 to 2011 Welsh Government provided Capital Support to local authorities to fund intrusive investigations at potentially contaminated sites and towards the cost of remediation. This funding stopped in April 2011.
- The Options presented in the attached report for a revised strategy are:
 - Option A. Dealing with land contamination through the planning regime.
 - Option B. Limited intrusive site investigations.
 - Option C. Full site investigations.
 - Option D. Further desktop studies to refine the prioritisation of sites in readiness for limited / full site investigations.

3.5 There are potentially very significant resource implications for the Council for progressing an inspection strategy beyond working within the planning regime. However limiting the strategy to Option A could be challenged as insufficient in meeting the Council's responsibilities for inspection. It should also be noted that this Authority is in a similar position to other Welsh Local Authorities.

3.6 The intention is for the strategy to be revised following consideration of the options by Cabinet. Welsh Government to be consulted (although not a statutory consultee) prior to a further report to Cabinet to agree a revised inspection strategy.

3.7 The Options for progressing the strategy were presented to the Economy and Development Select Committee on the 3rd March 2016 for comment prior to submission to Cabinet. The general consensus of the Committee was to favour Option A 'Dealing with land contamination through the planning regime'. Members requested further information on any sites owned by the Council which are in the high risk category band following the initial desk top risk assessment. There are 7 former landfill sites in the high risk band and the Progress Summary report has been updated accordingly. Environmental Health is not aware of any current issues with these sites.

4. REASONS:

4.1 The authority has a duty to inspect its area for contaminated land in line with statutory guidance. The April 2012 guidance requires strategies produced with regard to previous versions of guidance to be updated or replaced.

4.2 The financial implications of some of the options for progressing a strategy are potentially very significant, particularly in the light of Welsh Government having withdrawn funding.

5. RESOURCE IMPLICATIONS:

- 5.1 Potentially very significant depending on the options progressed following consideration by Cabinet and subsequently incorporated into the Council's Contaminated Land Inspection Strategy (which will be subject to approval by Cabinet).

6 Future Generations Evaluation:

- 6.1 The Future Generations Evaluation, including equalities and sustainable impact assessments, is provided in Appendix D. The revisions have a positive impact on these issues, for the reasons provided.

7. CONSULTEES:

**SLT
Cabinet Members
Chairs of Select Committees
Monitoring Officer and Head of Legal Services
Head of Finance
Head of Community Led Delivery
Estates Manager**

8. BACKGROUND PAPERS:

Nil

9. AUTHOR:

**Paul White, Specialist Environmental Health Officer
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monmouthshire
sir fynwy

Public Protection

Environmental Health Department

Monmouthshire County Council

Contaminated Land Inspection Strategy

2017

September 2017

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1.0 Introduction

1.1 Context of the 2017 Contaminated Land Inspection Strategy

Wales has a considerable legacy of historical land contamination involving a wide range of substances associated with a diverse industrial usage, as well as mining and waste disposal activities, and Monmouthshire despite being a largely rural authority has its fair share.

A number of government regimes now exist to prevent or minimise any ongoing contamination from such activities, and to deal with the legacy of historical contamination through redevelopment opportunities. However, there remains a need for intervention where historical land contamination poses unacceptable risks to human health and the environment where there is no alternative solution to address the risks.

Legislation relating to contamination has existed since April 2000, when Part 2A of the Environmental Protection Act 1990 (EPA 1990) came into force by virtue of The Environment Act 1995. This required local authorities to publish a strategy that sets out how it will deal with contaminated land and keep this under periodic review, and to base their strategies on Statutory Guidance produced by the Secretary of State (or Welsh Ministers).

Monmouthshire County Council's (MCC) Contaminated Land Inspection Strategy was originally written in September 2002 to fulfil the Council's legal obligations under Part 2A of the Environmental Protection Act 1990 (referred to in this strategy as Part 2A), and the Welsh Assembly Government's Part 2A Statutory Guidance on Contaminated Land. The Strategy detailed the arrangements and procedures that the council would use to inspect potentially contaminated land in the County.

Since 2002 MCC have progressed the strategy by identifying potentially contaminated land sites based on historical maps dating back to 1800's and digitally mapping all of these (approximately 2,500) onto an integrated GIS/risk assessment software program. Once mapped each site was prioritised into six levels of risk by undertaking a Phase 1 risk assessment based on potential hazards/harm from the historical or current usages and the sensitivity of the current receptor. Each site had four risk assessments undertaken to assess potential risk to the four main receptors that Local Authorities have a duty to inspect under Part 2A. These are Human Health, Groundwater, Surface Water and Ecology/property.

This enabled the authority to significantly progress the Strategy by producing a prioritised list of sites to be investigated further based on the phase 1 risk assessment. The sites and prioritisation list have been kept continually under review and additional land added when new information has come to light.

In 2013 the Welsh Government (WG) published an updated version of the Part 2A Statutory Guidance entitled “Contaminated Land Statutory Guidance for Wales 2012 (Number: WG19243). The Guidance is legally binding on enforcing authorities and required them to update their Inspection Strategies to take into account the changes in the guidance.

Therefore this Strategy replaces the Council’s 2002 Strategy and explains how MCC will implement the contaminated land regime over the period 2017-2022 as required by Part 2A and in accordance with the 2012 Statutory Guidance.

1.2 Definition of Contaminated Land

When Part 2A and the Guidance refer to contaminated land, they refer to the specific definition given in Section 78A (2) of the EPA 1990 as:-

Any land which appears to the local authority in whose area it is situated, to be in such a condition, by reason of substances in, on or under the land, that, either:

- Significant harm is being caused or there is the significant possibility of such harm being caused; or
- Significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused.¹

Therefore the presence of a contaminant in land does not of itself mean that it is contaminated land within the meaning of Part 2A. The Guidance refers to Contaminant Linkages where one or more **contaminant > pathway > receptor** linkages exist. Receptors are defined as, “... *something that could be adversely affected by a contaminant, for example a person, an organism, an ecosystem, property, or controlled waters.*” Detailed definitions of the types of receptors are set out in Section 4 of the Guidance. The Guidance also refers to “*significant contaminant linkages*”, referring to those that give rise to a level of risk sufficient to justify a piece of land being determined as contaminated land.

¹ This is the Water Industry Act 2003 definition, which amended the EPA 1990 definition

The local authority has the sole responsibility for determining whether any land appears to be contaminated land within its area.

2.0 Characteristics of Monmouthshire

2.1 Geographical Characteristics

Geographically, Monmouthshire is the seventh largest county in Wales covering an area of 852 sq. km. (329 sq. miles), is a rural county located in south-east Wales on the south east border with England. It is bounded by the Forest of Dean District Council, Herefordshire County Council, Powys County Council, Blaenau Gwent County Borough Council, Torfaen County Borough Council and Newport County Borough Council.

The landscape is varied and comprises high hill ranges and a predominantly rural area of countryside with market towns. Monmouthshire shares the Blaenavon World Heritage Site with neighbouring Torfaen and Blaenau Gwent. The natural environment is one of Monmouthshire's primary assets: from its highest point at Chwarel y Fan (679 metres) to the extensive coastal lowlands on the Caldicot Levels. It is home to two internationally recognised areas of natural beauty, Wye Valley Area of Outstanding Natural Beauty in the south and the Brecon Beacons National Park in the north.

Chepstow is the start of two National Cycle Network routes – the Celtic Trail heading west across the Newport Transporter Bridge and Lon Las Cymru heading north to Snowdonia. There are also 1,000 miles of public footpaths in the countryside and Chepstow is the start of the Offa's Dyke Path national trail as well as the Wales Coast path. For more sedate travel the Monmouthshire and Brecon Canal, which links Govilon and Mamhilad, celebrated its 200th anniversary in 2012.

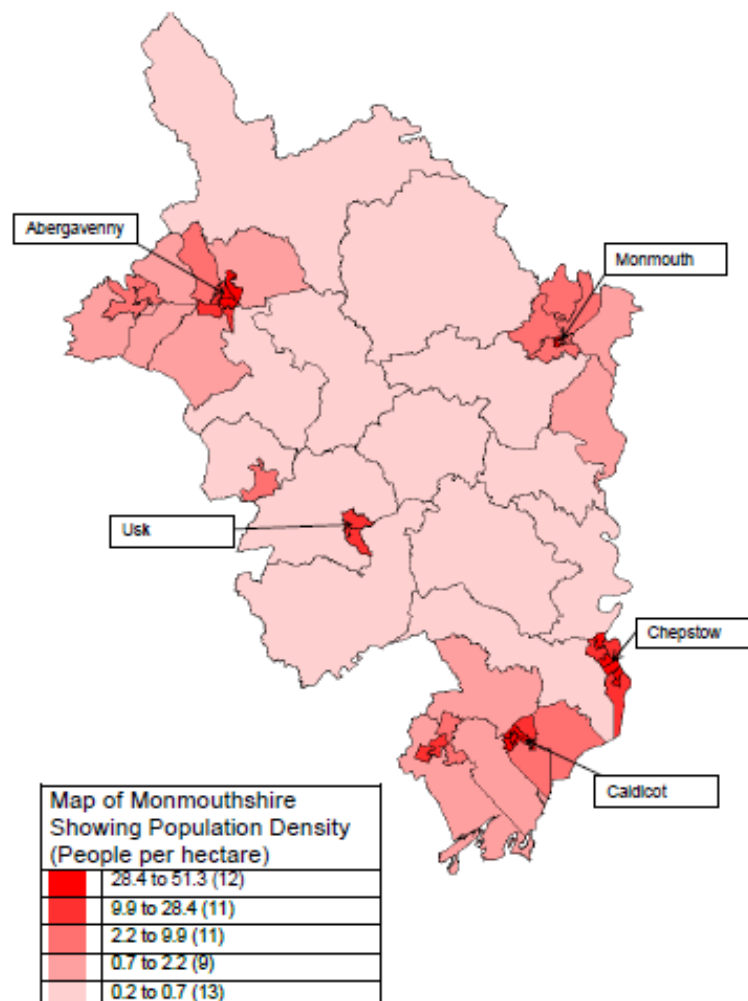
Two motorways; the M4 and M48, traverse the county while the Severn Bridge and the Second Severn Crossing connect to England. Monmouthshire is also an important rail connection with stations at Abergavenny, Chepstow, Severn Tunnel Junction (Rogiet) and Caldicot. The main railway line between London and South Wales runs through the four miles of Severn Tunnel which opened in 1886.

2.2 Social Characteristics

With a 2011 census population of 91,323, Monmouthshire is one of the least densely populated counties in Wales, despite the 7.6% increase between 2001 and 2011 compared with the Welsh average of 5.5%. This increase is wholly attributable to inward migration, with natural change showing negative growth.

The County has a low population density of 1.1 persons per hectare – significantly lower than the South East Wales average of 5.3 persons per hectare – reflecting the area’s rural nature. Population densities are highest in the main settlements of Abergavenny (14,000), Monmouth (10,500), Caldicot (9,600) and Chepstow (12,350), which make up half the population.

The County has a relatively high proportion of older age groups and a lower proportion of younger adults compared with the UK and Welsh averages.



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The health of Monmouthshire's population is generally better than the Welsh average, with greater life expectancies and higher proportion of residents classing themselves as being in good health (2011 Census). Fewer residents in the County suffer with a limiting long term illness compared with Wales as a whole.

2.3 History

Monmouthshire has a rich and varied history dating back to before Roman times, due to its important geographical position as a border county. The Roman invasion of AD 43 saw the beginning of documented history in Monmouthshire and created several forts at Abergavenny, Monmouth, and Usk with an associated garrison at nearby Caerleon.

Following the retreat of the Romans and the Norman invasion the area saw a rise in Christianity in the area.

Conflicts between Welsh rulers and Marcher lords saw the fortification of towns and the development of castles across the County such as major castles at Chepstow, Caldicot, Raglan and Abergavenny with smaller castles throughout the area.

It is estimated that Monmouthshire has at least 26 surviving castle sites and the density of castle building in this region has been claimed to be the greatest in any region in Britain, with more castles per square mile than anywhere else.

By the Act of Union of England and Wales in 1536, Wales was incorporated into the new system of English shires and Monmouthshire had representation in Parliament for the first time.

With the onset of the industrial revolution, and the expansion of the iron and coal industries in South Wales, infrastructure was continually improving with the construction of the Brecknock and Abergavenny canal and the introduction of Brunel's South Wales railway linked to the Great Western railway which provided a link to England.

2.4 Current Land Use

The main use of land in the County, other than residential, is agriculture and forestry. Monmouthshire contains a relatively high proportion of good quality agricultural land. It also has a high proportion of

farming land – more than double the Welsh average. Approximately three-quarters (77.1%) of the County's farming land is identified as grassland, which although high is lower than the Welsh average (89.9%). In contrast, the proportion of land used for crops and horticulture (16.7%) is significantly higher than the Welsh average (5.5%).

Current industrial activity is restricted to a number of small to medium sized industrial estates and a limited number of separately established manufacturing companies. The majority of industrial estates and companies are located in or adjacent to the main settlements in the County, i.e. Caldicot, Chepstow, Abergavenny and Monmouth. Coal mining, previously carried out in the North West part of the County in Llanelly Hill, ceased in 1930.

2.5 Natural & Built Environment

As a largely rural county Monmouthshire has major landscape resources and is home to internationally and nationally designated landscapes ranging from the Wye Valley AONB to the east and the Brecon Beacons National Park and the Blaenavon Industrial World Heritage Site to the north west. Four areas have been designated as Special Landscape Areas (SLA), covering a total area of 40,559 hectares and accounting for around 55% of the total local planning area within Monmouthshire.

However, many areas outside designated landscapes support more features of natural and cultural significance per square kilometre than are found within them. This diversity and richness is recognised by the high and outstanding evaluations of landscape quality as identified by LANDMAP (CCW's nationally recognised methodology for landscape assessment) which sets Monmouthshire's landscape baseline amongst the highest in Wales.

The landscape and countryside of Monmouthshire is therefore important in contributing not only to the health and well-being of Monmouthshire's residents but in supporting the tourist economy.

Monmouthshire has major biodiversity and nature conservation resources, a number of which are internationally or nationally recognised and contains the following resources:

- Part of the county lies within the Brecon Beacons National Park
- The Severn Estuary is designated as a Special Area for Conservation (SAC), Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and a Ramsar Site (Wetland of international importance).

- Four other Special Areas of Conservation (SAC) – namely the River Wye, the River Usk, the Wye Valley woodlands and the Wye Valley bat sites.
- 49 nationally designated Sites of Special Scientific Interest (SSSIs) – covering some 2,087 hectares. Most are woodland or grassland sites with others designated for their wetland or geological interest.
- Two National Nature Reserves – Fiddler’s Elbow (woodland) and Lady Park Wood.
- Local Nature Reserve at Cleddon Bog.
- Approximately 650 non-statutory Sites of Importance for Nature Conservation (SINCs) predominantly in relation to grassland and ancient and semi-natural woodland areas.
- A wide range of species (including rare /protected species) and many important habitats.

Monmouthshire has a rich built heritage and historic environment which includes:

- 31 Conservation Areas – designated for their special historic or architectural interest, covering some 1,648 hectares in total.
- 44 Historic Parks and Gardens – identified as having a Special Historic Interest, covering 1,910 hectares.
- 3 Landscapes of Outstanding Historic Interest identified by Cadw within the Monmouthshire area – namely parts of Blaenavon, the Gwent Levels and the Lower Wye Valley.
- Approximately 169 Scheduled Ancient Monuments.
- Approximately 2,200 Listed Buildings, of which 2% are Grade I, 10% are Grade II* and 88% are Grade II. Of note, around 176 Listed Buildings have been identified as being at risk.

2.6 Geological Characteristics

The County's geology is characterised chiefly by the presence of Old Red Sandstone. Of the lithological groups within this system the Red Marl Group is most widespread. It consists of dark red mudstone or marl with subordinate sandstone. The mudstones contain calcareous nodules occurring either as a conglomerate or as thin bands of impure limestone.

Coal measures are present in the north western rim of the County, particularly at Llanelly Hill.

There are large reserves of sand and gravel in the Usk Valley stretching from near Glangrwyney in the North to Tredunnoch in the South, passing near to Gilwern, Govilon, Llanfoist, Abergavenny, Llanellen, The Bryn, Llanfair Kilgeddin, Bettws Newydd, Usk and Llangybi.

An outcrop of carboniferous limestone extends east north eastward from Magor and Penhow to Chepstow and Tintern and hence north eastward across the Wye Valley into Gloucestershire. A large proportion of the limestone is of dolomitic composition and is quarried for aggregate.

The coastal strip, averaging one to two miles, consists of low lying areas of marine alluvium and silt overlying rocks of the Triassic age, red and green marls (Keuper Marl), limestone conglomerates and breccias.

2.7 Hydrological and Hydrogeological Characteristics

Within Monmouthshire the rivers Usk and Wye represent the major source of water abstraction. From sampling carried out by the Environment Agency (EA), the river quality of both is predominantly categorised as 'very good' or 'good'. Protection of the high standards of river quality from contamination is therefore a major objective of the inspection strategy. The rivers are amongst the premier salmon fishing rivers in England and Wales and both also support a wide variety of the species of fish, plants, invertebrates and mammals that are of European significance. A number of sites of Special Scientific Interest in the County depend to some extent on groundwater seepage and flow. Therefore any contamination of groundwater in this locality could have an impact not only on the groundwater but also possibly on surface water at these protected locations.

From 1 April 2010 the Environment Agency updated their Groundwater Protection Policy to use aquifer designations that are consistent with the Water Framework Directive. These designations reflect the importance of aquifers in terms of groundwater as a resource (drinking water supply) but also their role in supporting surface water flows and wetland ecosystems. The new designations are:-

- Principal Aquifers -usually provide a high level of water storage. They may support water supply and/or river base flow on a strategic scale. In most cases, principal aquifers are aquifers previously designated as major aquifer.
- Secondary A - permeable layers capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flow to rivers. These are generally aquifers formerly classified as minor aquifers.
- Secondary B - predominantly lower permeability layers which may store and yield limited amounts of groundwater due to localised features such as fissures, thin permeable horizons and weathering. These are generally the water-bearing parts of the former non-aquifers.

The majority of Monmouthshire is either secondary or principal aquifer. In particular the Carboniferous Limestone located to the south east of the County is an important Principal aquifer and an important source of industrial and public water supply.

There are 15 Source Protection Zones (SPZ's) in the County. SPZ's are areas over which recharge is captured by an abstraction borehole. SPZ's are designated by the Environment Agency and are delineated to protect potable water supplies against the polluting effects of human activity. Three zones are normally defined around each selected groundwater source, i.e. a borehole, well or spring. The three zones are defined as Zone I - Inner Protection Zone, Zone II - Outer Protection Zone, Zone III - Total Catchment. In addition a fourth zone, a 'Zone of Special Interest' may also be defined.

There are approximately 1,100 private water supplies in the County some of which are monitored by the Environmental Health section of the Council. There are a total of 629 surface water abstractions licensed by the EA. in the County.

3.0 Contaminated Land Policy

3.1 Single Integrated Plan

Monmouthshire County Council (as part of the Monmouthshire Local service Board) published a Single Integrated Plan (SIP) 2013-2017 in April 2013, and is therefore relevant when setting the council's Contaminated Land Inspection Strategy in 2017.

The Vision set out in the plan is one of Sustainable and Resilient Communities, which depends on creating and maintaining its economic and environmental health, promoting equity and increasing citizen participation in planning and implementation.

The SIP states that health and well-being is central to quality of life, economic success and is interdependent with improvement in education, training and employment.

Job creation, energy use, housing, transportation, education and health are considered complementary parts of the whole and must be addressed as a system. Sustainability is a process of continuous improvement so communities constantly evolve and make changes to accomplish their goals.

To achieve this vision the SIP identified three themes:-

Nobody is Left Behind: we want to be a place of cohesive communities where everybody is treated with dignity and respect and has the same opportunity to achieve what they wish.

People are Confident, Capable and Involved: we want Monmouthshire to feel safe and people to be confident. We want to create a place where people want to be involved; they are confident in themselves and their abilities and what they contribute to their own community.

Our County Thrives: we want our county to thrive which includes the economy that supports our communities and families to live a good life. It also means that our environment, its range of habitats and biodiversity thrives.

The Contaminated Land Inspection Strategy will therefore seek to find and deal with land that constitutes unacceptable risks, due to contamination, to human health and the environment, and thereby support the SIP, its vision and themes.

This will help to ensure that the homes, and recreational areas where people live and play are safe from harmful contamination, by helping to ensure that new homes are built on land fit for purpose and that will not cause ill health, and by helping to bring contaminated/brownfield land back into meaningful use for the community for additional housing, growing vegetables, recreation and sporting activities, and job creation.

3.2 Wellbeing of Future Generations

The Well-being of Future Generations (Wales) Act 2015 is about improving the social, economic, environmental and cultural well-being of Wales. It requires public bodies, including Local Authorities, to think more about the long-term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach. The purpose is to create a Wales that we all want to live in, now and in the future. To make sure all the public bodies are working towards the same vision, the Act puts in place seven well-being goals. MCC's Contaminated Land Strategy plays an important role in contributing to its duties under the Act in the following ways:-

1. A prosperous Wales – by seeking to bring back brownfield land into productive use to ensure Monmouthshire's land resource is used efficiently and proportionately.
2. A resilient Wales – by seeking to maintain and enhance a biodiverse natural water and land environment with healthy, functioning ecosystems that support social, economic and ecological resilience.

3. A healthier Wales – by working towards ensuring that peoples land and water environments is such that physical and mental well-being is maximised.
4. A more equal Wales – ensuring that Monmouthshire’s citizens are not disadvantaged by their environment no matter their background or circumstances.
5. A Wales of cohesive communities – attractive, viable, safe and well-connected communities require a safe natural environment in which to live, work and play.
6. A Wales of vibrant culture and thriving Welsh language – Monmouthshire seeks to promote heritage to encourage people to participate in sports and recreation, which requires safe land and water environments.

The Well-being of Future Generations Act, requires public bodies to act in accordance with the sustainable development principle, and therefore Monmouthshire will carry out its Contaminated Land duties in a manner that seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

3.3 General Policy

Within MCC Environmental Health/Public Health is the lead service for the purpose of writing and undertaking the Strategy in consultation with other services including Development Management, Planning Policy, Waste and Street Services, Building Control, Legal Services, Sustainability and Land and Property Services. External stakeholders include Welsh Government, Natural Resources Wales, Brecon Beacons National Park Planning Authority, land and home owners, business owners and members of the public.

In accordance with the Guidance MCC’s starting point will be that land is not contaminated land unless there is reason to consider otherwise. Only land where unacceptable risks are clearly identified, after a risk assessment has been undertaken in accordance with the Guidance, will be considered as meeting the Part 2A definition of contaminated land.

MCC will only use Part 2A where no appropriate alternative to address land contamination is available. This includes bringing ‘brownfield land’ back into beneficial use without posing a risk to human health or the environment as part of the development process (planning and building control), voluntary action, or other proactive regimes to prevent/minimise contamination during industrial use, such as

the Environmental Permitting Regime and the Environmental Damage (Prevention and Remediation) Regulations 2009.

The approach of working with developers through the planning regime, to ensure brownfield land that is undergoing re-development is properly investigated, remediated and validated, was adopted as formal policy by Cabinet in February 2012, and further endorsed by Cabinet in June 2016.

The overarching objectives of the MCC's policy on contaminated land and the Part 2A regime will therefore mirror the Welsh Government's policy:

- a. To identify and remove unacceptable risks to human health and the environment.
- b. To seek to ensure that contaminated land is made suitable for its current use.
- c. To ensure that the burdens faced by individuals, companies and society as a whole are proportionate, manageable and compatible with the principles of sustainable development.

Decisions about contaminated land will not be made on a purely technical basis. There will be a variety of regulatory, commercial, financial, legal and societal factors, which also affect how particular contaminated land issues will be addressed. MCC recognises that, as with its approach to local government in general, it is important that decisions about contaminated land are defensible and transparent.

MCC recognises that there will be many situations where the decision to use Part 2A will not be straightforward, and could create a considerable financial, and possible health burden (e.g. stress related illnesses) on land/home owners and create areas of land blight. There is likely to be unavoidable uncertainty underlying some of the facts of each case.

Therefore MCC will use its judgement to strike a reasonable balance between:

- a) dealing with risks raised by contaminants in land and the benefits of remediating land to remove or reduce those risks; and
- b) the potential impacts of regulatory intervention including financial costs to whoever will pay for remediation (including the taxpayer where relevant), health and environmental impacts of taking action, property blight, and burdens on affected people.

MCC will take a precautionary approach to the risks raised by contamination, whilst avoiding a disproportionate approach given the circumstances of each case. The aim will be to consider the

various benefits and costs of taking action, with a view to ensuring that the regime produces net benefits, taking account of local circumstances.

MCC will follow the system of categorisation in the Statutory Guidance when considering whether a significant possibility of significant harm (SPOSH) exists at a site.

For each receptor, the guidance details four categories.

- Categories 1 and 2 would encompass land that is capable of being determined as contaminated land on grounds of significant possibility of significant harm to human health.
- Categories 3 and 4 would encompass land which is not capable of being determined on such grounds.

Category 4 Screening Levels (C4SLs) were published in 2014 which were developed to help decide when land is suitable for use and definitely not contaminated land. Current Soil Guideline Values (SGVs) and other Generic Assessment Criteria (GACs) are well within Category 4 and present minimal risk. The C4SLs are set at the top of category 4 and although they would still be precautionary, their purpose is to speed up the decision making process for regulators. They are also very likely to act as a suitable remediation target for the development of brownfield land.

When considering whether significant harm is being caused, or there is a significant possibility of such harm being caused, to non-human receptors, MCC will have regard to Tables 1 and 2 of the Statutory Guidance.

4.0 Contaminated Land Inspection Strategy

4.1 Inspection Duties

Part 2A requires that:

1. Section 78B(1): Every local authority cause its area to be inspected from time to time for the purpose of identifying contaminated land; and of enabling the authority to decide whether any such land is land which is required to be designated as a special site.
2. Section 78B(2): In performing these functions... a local authority shall act in accordance with any guidance issued for the purpose by the Secretary of State

The Guidance recognises two types of inspection likely to be carried out. The first is a strategic inspection, whereby information is collected to make a broad assessment of land within an authority's area and then identifying priority land for more detailed consideration. The second is a detailed inspection of particular land to obtain information on ground conditions and carrying out the risk assessments which support decisions under the Part 2A regime relevant to that land.

4.2 Strategic Inspection

In accordance with the Guidance MCC has taken a strategic approach to the identification of land that merits detailed individual inspection. The approach adopted was to be rational, ordered and efficient and it reflected local circumstances. The approach used is set out in this Contaminated Land Inspection Strategy, which has been formally adopted by the Council and published on its website. It will also be reviewed periodically.

4.3 Priorities

MCC has prioritised inspection of land in the County according to the degree of potential risk to human health and the environment, based on potential contamination present, the current land use and the sensitivity of identified receptors. Prioritisation has been given to the protection of human health and a risk-based approach has been used. The Council also took into account information provided by Natural Resources Wales on the vulnerability of controlled waters. The following is the prioritisation list that was used to aid decision making in this task.

The Council's priorities in dealing with contaminated land are:

1. To protect human health
2. To protect controlled waters
3. To protect designated eco-systems
4. To prevent damage to property
5. To prevent any further contamination of land
6. To encourage voluntary remediation
7. To encourage re-use of brownfield land

This list is presented in priority order and in all cases will have regard to significance and likelihood of the land being contaminated within the meaning of Part IIA of the Act.

In identifying significant pollution of controlled water, MCC has focused on pollution which:-

- may be harmful to human health or the quality of aquatic ecosystems or terrestrial ecosystems directly depending on aquatic ecosystems;
- which may result in damage to material property; or
- which may impair or interfere with amenities and other legitimate uses of the environment.

Before embarking on the Detailed Inspection of particular land identified by the Strategic Inspection MCC will take into account the potential for its prioritisation to give rise to property blight issues, and the social and health costs associated with it. MCC will seek to minimise or reduce such potential blight as far as it considers reasonable. MCC will be open to land owners to help resolve the status of the land themselves. For example MCC may decide that the land is, or is not contaminated land on the basis of information provided by the land owner, provided the authority is satisfied with the robustness of the information.

4.4 Strategic Approach

In developing and adopting its strategic approach MCC considered the following:

- any available evidence that significant harm or pollution of controlled waters is actually being caused;
- any receptor listed in the below table;
- the extent to which any of these receptors are likely to be exposed to a contaminant, for example as a result of the use of the land, or of the geological and hydrogeological features of the area;

- the extent to which information on land contamination is already available;
- the history, scale and nature of industrial or other activities which may have in different parts of the county led to contamination of land;
- the extent to which remedial action has already been taken to deal with land contamination problems, or is likely to be taken as part of an impending re-development; and
- the extent to which other regulatory authorities are likely to be considering the possibility of harm being caused to particular receptors or the likelihood of any pollution of controlled waters being caused.

To strategically identify land for prioritisation and further inspection MCC used the following table to identify receptors and the potential land use types that they might be exposed to.

Receptor	Land use
Human Beings	Allotment Residential with garden Residential without gardens Schools or nurseries Recreational/parks, playing fields open spaces Commercial/industrial
Ecological systems or living organisms forming part of a system within protected locations	European sites, SAC's, SPA's National Nature Reserves, SSSI's Ramsar sites, Nature Reserves
Property in the form of buildings	Ancient Monuments, Listed Buildings
Property in other forms, i.e. crops, livestock, home grown produce, owned or domestic animals, wild animals subject to shooting or fishing rights	Agricultural land, Allotments and Gardens, Forestry areas, other open spaces, rivers, lakes, etc.
Controlled Waters	Surface Waters Drinking Water Abstractions Source Protection Zones Groundwater - Private Abstractions, Major Aquifers

In attempting to identify potential contaminated land within Monmouthshire, the council has made use of a number of resources including records held by MCC and records held by external companies/agencies.

Examples include:-

- Historical Maps between 1890-1970
- Historical aerial photography
- Landmark Purchased data including location of potential tanks, petrol stations and potential contaminated land sites

- Environment Agency data including registered landfill sites, waste disposal/processing sites, Authorised/Permitted activities, licensed nuclear sites.
- MCC held data including landfill site records, known pollution incidents, petroleum licensed activities, Authorised/Permitted activities, planning applications.

All of this data has now been digitised into GIS format, and is updated as and when new information becomes available

4.5 Identification of receptors

In attempting to identify potential receptors the council has again made use of a number of resources including:-

- Current mapping
- Current aerial photography
- Planning applications
- Environment Agency data such as bathing waters, licensed water abstractions, source protection zones, aquifer identification.
- British Geosocial Survey Data for the identification of surface and geological features (i.e. Bedrock, Superficial, Mass Movement, Artificial, coal seams, fossil bands, mineral veins etc.).
- Ecological data such as the location of National Parks, SSSI's, Ramsar sites, SAC, SPA etc.

Again all of this data has been digitised into GIS format and so can be viewed alongside the potential contaminated land sites.

4.6 Prioritisation of receptors

As part of the strategic inspection a prioritised list of the Council's aims has been devised to aid decision-making in a cost effective manner.

The Council's priorities in dealing with contaminated land will be to:

- protect human health;
- protect controlled waters;
- protect designated ecosystems;
- prevent damage to property; livestock and crops, etc.;
- prevent further contamination of land;
- encourage voluntary remediation; and

- encourage the re-use of brownfield land.

Wherever possible, the strategy will look to achieve these priorities through voluntary remediation and the redevelopment or regeneration of sites.

5.0 Inspection Process

MCC has adopted a strategic approach to contaminated land inspection as required by The Guidance. This has been broken down into five stages. Stages 1 and 2 form the Strategic Inspection to identify and prioritise all potential contaminated land within the County, and Stages 3, 4 and 5 form the Detailed Inspection that would be undertaken for each site identified in the Strategic stages.

5.1 Inspection Stages

Strategic Inspection

The two strategic inspection stages have been completed, however it is continually under review as new information comes to light through planning applications, local knowledge, reports of pollution incidences, submission of detailed site investigation reports and/or remediation reports etc.

- **Stage 1 – Survey of the County**

Stage 1 involved the collection of information on potential contaminated land (based on former or current use or known pollution incidents), current receptors and potential pathways. The data that was used to gather this information is described in Section 4 of this strategy.

This stage has been completed, although the information is continually maintained and updated as new information becomes available. There are currently 2487 identified sites within the database, however some of these would be one site that has had a two or more historical uses that had the potential to cause contamination.

New sites will be added, if they are discovered, or if they occur through a pollution incident.

- **Stage 2 – Risk Assessment & Prioritisation of sites for detailed inspection**

There is a requirement for a risk based approach to be used in prioritising which sites have the greatest potential to cause significant harm. There is no statutory methodology to what form this risk based approach should take however.

Therefore MCC purchased a risk assessment and prioritisation software called GeoEnviron that was developed by GeoKon, and sold and maintained in the UK by STM Environmental Limited. This software contains an integrated GIS system that allows the digitised maps to be overlain as layers. By identifying all potential contaminated land sites from numerous sources, additional layers containing either polygons (e.g. areas of land like factories, landfill sites), lines (e.g. railway lines) or points (e.g. potential tanks) were created. These contamination layers were then compared to the various receptor layers (i.e. current mapping, aerial photography, geological data, groundwater & surface water maps, ecological features etc.) to identify potential source, pathway receptor linkages.

Each of these sites was then separately risk assessed for the four main receptors – human health, surface water, groundwater and ecology by undertaking a Phase 1 risk assessment within the GeoEnviron software.

Risk assessment Process

Each type of potentially contaminated land was given a numerical score for the past use of the site, for the current use of the site, and in some cases an Other Factor Score. A different numerical value is assigned for each of the four main types of receptor – Human Health, Groundwater, Surface Water and Ecology.

Once assigned the two main numerical values were multiplied together and if necessary the Other Factor Score added, to generate a Final Risk Score (FRS) for each of the 4 receptors. These risk scores can then be used to create five prioritisation lists. Therefore the sites can be prioritised for Human Health, Surface Water, Ground Water, Ecology risk, or as a combined list for all four receptors. As stated, MCC has based its main prioritisation list on Human Health.

Once assigned a numerical value each site has been placed into a Risk Category from E (Low Risk) for those sites with scores between 0 and 9 to A1 (Very High Risk) for those site with scores above 70.

The past land use scores (PHS – Pathway Profile Score) are based typically on DoE Industry Profile documentation that identifies the potential contamination for each industry and the likelihood of it

being present. The current use scores (RSS - Receptor Sensitivity Scores) are based on the sensitivity of the current land use. For example allotments, gardens etc. would have a higher score than a car park or factory.

The scores were derived by GeoKon and STM Environmental, but have been tweaked by the GeoEnviron user base under co-ordination by STM Environmental to ensure the score system is robust and accepted by numerous local authorities. The OFS (Other Factor Score) can be used to either increase or decrease the risk rating for specific known information (for example if a site has been remediated, or if there is a potential for ground gas to migrate offsite).

➤ PHS – Pathway Profile Score

The PHS ranges from 1 (e.g. disturbed ground) to 6 (e.g. Chemical Manufacturing) with 1 being the lowest potential hazard and 6 being the highest.

➤ RSS – Receptor Sensitivity Score

The RSS value can be either 0, 2, 4, 6, 8, 10 or 12. 0 would be used if there was no identified receptor (e.g. no ground water, no surface water, and no land use), 12 would be used if there was a very high risk to the receptor (e.g. Houses with Gardens, Source Protection Zone, surface water on site etc).

➤ OFS – Other Factor Score

The OFS is an addition rather than a multiplication. There are currently 11 OFS that have been agreed by STM Environmental and the wider GeoEnviron user group. The scores can be a negative value to reduce the risk, (the lowest is -20 which would be used if there is evidence the site was remediated satisfactorily) or positive values to increase the risk (the highest is 30 which would be used if there is visual confirmation of contamination on the site).

➤ FRS – Final Risk Score

Each site will have four final risk scores (human health, ecology, ground water, surface water) and a combined total adding all four risk scores together. The Final Risk Score is then use to place each site into a Risk Category

The following table shows the Risk Category and the number of sites in the band for the Human Health risk assessment

Risk Category	Category Name	FRS range	Number of sites
A1	Very High	70+	9
A2	High	49 - 69	36
B	Medium-High	36 - 48	87

C	Medium	20 - 35	264
D	Low-Medium	10 - 19	393
E	Low	0 - 9	1691

Detailed Inspection

With the Strategic Inspection stages completed (but continually under review) the next step for MCC is to work through the prioritisation list for Human Health, working from Very High Risk sites down to Low Risk. The next three stages describe the process.

- **Stage 3 – Detailed Inspection**

Before proceeding to detailed inspection for a specific site, a validation process must be completed to ensure the factors influencing the prioritisation of a site are accurate. Once this has been established and a potentially significant contaminant linkage has been identified, a detailed inspection is required to quantify the level of risk.

A desk based study would be the first part in this process, (and may be enough if it can show that the potential risk is not present) followed by intrusive investigation to assess ground conditions and associated contaminant concentrations. The output from this inspection stage should provide sufficient information to categorise the site as required by statutory guidance into one of the four categories:-

- Categories 1 and 2 would encompass land that is capable of being determined as contaminated land on grounds of significant possibility of significant harm to human health.
- Categories 3 and 4 would encompass land which is not capable of being determined on such grounds.

- **Stage 4 - Determination**

The local authority is responsible for determining whether land is contaminated land and has a duty to do so where:

- Significant harm is being caused to a human or relevant non-human receptor;
- There is a significant possibility of significant harm being caused to a human or relevant non-human receptor;

- Significant pollution of controlled waters is being caused; or
- There is a significant possibility of significant pollution of controlled waters being caused.

In fulfilling this role, MCC will act in accordance with relevant statutory guidance, seeking expert advice, if required.

For sites that are determined as contaminated land, following a thorough risk assessment, the Council will add the site to the Contaminated Land Register and produce a risk summary, in a simple and easy to understand format, and this will form part of the record.

- **Stage 5 - Remediation**

When land is determined as contaminated land, the local authority must secure the remediation of that land. The Statutory Guidance will be followed to ensure the significant pollutant linkages identified by the inspection process are removed or disrupted to such a level that they no longer present a significant risk.

Further information including an outline of the processes to be completed in each stage is provided in the following sections.

- **Planning Regime**

Whilst considered separately to the five Part IIa inspection stages described above, completion of Stage 1 and Stage 2 has meant that the Environmental Health Section can work more closely with the Development Control Section through the planning regime. The data obtained in Stages 1 and 2, has been provided to the Planning Authority to enable them to better consult with environmental health when potential contaminated land (or land near potential contaminated land) is redeveloped. In this way full site investigation, risk assessment, and if necessary remediation and validation is undertaken by the developer to the satisfaction of the Environmental Health Section. This is undertaken either prior to planning consent or by conditioning the Planning Consent.

As detailed in Section 3.2, this is the Council General Policy and was formally adopted by Cabinet in February 2012, and further endorsed in June 2016, and reflects MCC's and Welsh government policy to ensure the burdens faced by individuals, companies and society as a whole are proportionate, manageable and compatible with the principles of sustained development, whilst protecting human

health (from stress and financial hardship as well as from contamination) and harm to the wider environment.

5.2 Inspection Programme

The Statutory Guidance does not prescribe when the inspection stages must be completed by, however it does require that each local authority set its own timescales. The below table sets out MCC's timescale for the completion of each stage of the inspection process.

Stage	Task	Target Completion Date
1	Survey of County	Completed
2	Risk Assessment & Prioritisation	Completed
3	Detailed Inspection of individual sites	As urgent inspections arise
4	Determination of individual sites	As required following stage 3
5	Remediation of individual sites	Within 12 months of stage 4
Investigation & remediation through the planning regime		On going

With regards to Stage 3, detailed inspection of individual sites will be undertaken where MCC finds evidence of actual contamination that is causing, or has the significant possibility, to cause significant harm to a human or non-human receptor or controlled water.

In addition a detailed inspection could be undertaken if funding (either from an external or internal source) is made available in the future for a specific site. However the funding would have to be sufficient to enabled full investigation and remediation without causing land blight or undue distress to the land owner/occupiers in accordance with the policy set out in Section 3.2

5.3 Additional sites & site changes

If an additional site that is not on the prioritisation list comes to light and has the potential to be contaminated land under the Part 2A definition, then a process of investigation will be carried out in the same way as those sites already risk assessed. The additional site would then be prioritised, and a detailed inspection undertaken if the available information indicated that urgent action should be taken.

If the status of a site should change, (for example a change in receptor or pathway or further information regarding the contamination on the site), the site will be reassessed and re-prioritised as appropriate. If it appears to the council that the risks now posed by the site are such that a detailed inspection should be carried out by the council then this will be done with due regard to current best practice and published guidance.

Once a detailed inspection of the land in question has been completed and sufficient information has been gathered to indicate that regulatory action is necessary, land likely to be in Category 1: Human Health or Water in the Statutory Guidance, a risk summary will be produced as required under Section 3 of the Statutory Guidance. This summary will be communicated to all identified stake holders.

5.4 Public Register

The council is required to maintain a public register of contaminated land. The register will be held by the Environmental Health Section. It will be paper-based and be accessible on request by members of the public during office hours, Monday to Friday.

The Regulations clearly specify the information that must be recorded on this register. This register will therefore include:

- Remediation Notices
- Details of site reports obtained by the Council relating to Remediation Notices
- Remediation Declarations, Remediation Statements and Notifications of Claimed Remediation
- Designation of sites as "special sites"
- Any appeals lodged against Remediation and Charging Notices
- Convictions

The public register will not include details of historic land use and other records used in the investigation of potentially contaminated land.

A list of sites that are on the public register can be made available electronically.

5.5 Strategy Review

The strategy will be reviewed following changes in legislation, statutory guidance or other relevant factors, or in five years.

6.0 Determination of Contaminated Land

The EPA 1990 requires that in determining whether any land appears to be contaminated land, a local authority shall act in accordance with the Statutory Guidance.

6.1 Deciding that land is not contaminated land

If MCC inspects land that it then considers is not contaminated land (e.g. if, following inspection and assessment, it is found that there is little or no evidence to suggest that it is contaminated land) the authority will issue a written statement to that effect (rather than coming to no formal conclusion) to minimise unwarranted blight.

The statement will make clear that on the basis of its assessment, the authority has concluded that the land does not meet the definition of contaminated land under Part 2A for the current land use.

Due to the nature of soil contamination, it is not possible to know the exact contamination status of any land with certainty and scientific understanding of risk evolves over time. However this lack of certainty will not stop MCC from deciding that land is not contaminated land as the starting assumption of Part 2A is that land is not contaminated unless there is a reason to consider otherwise.

MCC will keep a record of its reasons for deciding that land is not contaminated land and inform the owners of the land of its conclusion and give them a copy of the written statement. MCC will also consider the merits of informing other interested parties (for example occupiers of the land and owners and occupiers of neighbouring land) and whether to publish the statement. The statement will be issued within a timescale that the authority considers to be reasonable, having regard to the need to minimise unwarranted burdens to persons likely to be directly affected, in particular the landowner, and occupiers or users of the land where relevant.

6.2 Determining that land is contaminated land

The local authority has the sole responsibility for determining whether any land appears to be contaminated land. It cannot delegate this responsibility (except in accordance with section 101 of the Local Government Act 1972). However, in making such decisions MCC may rely on information or advice provided by another body such as Natural Resources Wales, or a suitably qualified experienced practitioner appointed for that purpose.

There are four possible grounds for the determination of land as contaminated land (with regard to non-radioactive contamination):

- a) Significant harm is being caused to a human, or relevant non-human, receptor.
- b) There is a significant possibility of significant harm being caused to a human, or relevant non-human, receptor.
- c) Significant pollution of controlled waters is being caused.
- d) There is a significant possibility of significant pollution of controlled waters being caused.

Before making any determination, the local authority should have identified one or more significant contaminant linkage(s), and carried out a robust, appropriate, scientific and technical assessment of all the relevant and available evidence. If MCC considers that conditions for considering land to be contaminated land do not exist it will not decide that the land is contaminated land.

In the case of any land which, following determination as contaminated land, would be likely to meet one or more of the descriptions of a “Special Site” set out in the Contaminated Land Regulations 2006, MCC will consult Natural Resources Wales (NRW) before deciding whether or not to determine the land and provide them with a draft record of the determination. MCC will take the NRW’s views into full consideration and it will strive to ensure it has their agreement to its decision (although the decision is for the authority to make subject to the provisions of Part 2A).

6.3 Physical extent of land to be determined

It is for the local authority to decide the physical extent of land that should be determined. MCC will strive to ensure that there are grounds to consider that all the land in question can reasonably be considered to be contaminated land. In practice, often it is likely that contamination will not be uniformly spread across land, and it may not be clear precisely where the boundaries of the

contamination lie. In such cases MCC will use its judgement on the extent of land it might reasonably consider to be contaminated land.

MCC will review its decision on the physical extent of the land to be determined (or that has been determined) if at a later date it becomes aware of relevant further information. For example this may be the case if, during remediation, it becomes clear that the extent of contamination is significantly greater or less than was thought when the determination was made.

MCC may sub-divide the relevant land for the purposes of determination by issuing separate determinations for smaller areas of land which form part of a larger area of contaminated land. In deciding whether (and if so how) to do this, MCC will take into account: (i) the nature of the contamination; (ii) the degree of risk posed, and whether this varies across the land; (iii) the nature of the remediation which might be required; (iv) the ownership of the land; and (v) the likely identity of those who may bear responsibility for the remediation.

6.4 Informing interested parties

Before making a determination, MCC will inform the owners and occupiers of the land (and any other person who appears to the authority to be liable to pay for remediation) of its intention to determine the land (to the extent that the authority is aware of these parties at the time) unless it considers there is an overriding reason for not doing so.

MCC will also consider:

- a) Whether to give such persons time to make representations (for example to seek clarification of the grounds for determination, or to propose a solution that might avoid the need for formal determination) taking into account: the broad aims of regime; the urgency of the situation; any need to avoid unwarranted delay; and any other factor the authority considers to be appropriate.
- b) Whether to inform other interested parties as it considers necessary, for example owners and occupiers of neighbouring land.

If MCC determines land as contaminated land, it will give notice of that fact to:

- a) Natural Resources Wales;
- b) the owner of the land;

- c) any person who appears to the authority to be in occupation of the whole or any part of the land; and
- d) each person who appears to the authority to be an appropriate person; in accordance with section 78B (3) of Part 2A.

In respect of point (d) the Statutory Guidance recognises that in some cases the authority may not have identified the appropriate person(s) at the time the determination is made, in which case the requirement to give notice to such persons would not apply.

6.5 Postponing determination

Determination will be postponed if the land owner or some other person undertakes to deal with the problem without determination, and if MCC is satisfied that the remediation will happen to an appropriate standard and timescale. If postponement is considered any agreement MCC enters into will not affect its ability to determine the land in the future (e.g. if the person fails to carry out the remediation as agreed).

MCC may postpone determination of contaminated land if a significant contaminant linkage would only exist if the circumstances of the land were to change in the future within the bounds of the current use of the land as described in paragraph 3.5 of the Statutory Guidance (e.g. if a more sensitive receptor were to move onto the land or a temporarily interrupted pathway were to be reactivated). If MCC chooses to do this, it will keep the status of the land under review and take reasonable measures to ensure that the postponement does not create conditions under which significant risks could go unaddressed in future. Alternatively MCC may decide to determine the land but postpone remediation.

6.6 Record of the determination

MCC will prepare a written record of any determination that land is contaminated land. The record will clearly and accurately identify the location, boundaries and area of the land in question, making appropriate reference to Ordnance Survey grid references and/or Global Positioning coordinates. The record will be made publicly available by means to be decided by the authority.

The record will explain why the determination has been made, including:

- a) The risk summary required by Section 3 of the Guidance, and where not already covered in the risk summary: (i) a relevant conceptual model comprising text, plans, cross sections,

photographs and tables as necessary in the interests of making the description understandable to the layperson; and (ii) a summary of the relevant assessment of this evidence.

- b) A summary of why the authority considers that the requirements of the Statutory Guidance have been satisfied.

6.7 Reconsideration, revocation and variation

MCC will reconsider any determination that land is contaminated land if it becomes aware of further information which it considers significantly alters the basis for its original decision. In such cases the authority will decide whether to retain, vary or revoke the determination.

MCC will reconsider any determination of contaminated land if remediation action has been taken which, in the view of the authority, stops the land being contaminated land. In such cases MCC will issue a statement to this effect.

If MCC varies or revokes a determination, or issues a statement it will record its reasons for doing so alongside the initial record of determination in a way that ensures the changed status of the land is made clear. If the reconsideration results in relevant documentation, such as a revised determination notice, copies of this documentation will also be recorded. MCC will ensure that interested parties are informed of the decisions and the reasons for it, including the owner of the land; any person who appears to the authority to be in occupation of the whole or any part of the land; any person who was previously identified by the authority to be an appropriate person; and Natural Resources Wales.

7.0 Remediation

Once the land has been identified as contaminated land and the relevant persons have been notified, a process of consultation will begin to determine what remediation is required on that land.

The aim of remediation is to remove or take measures to remedy the identified significant contaminant linkages, or permanently to disrupt them to ensure they are no longer significant and that risks are reduced to an acceptable level, where the land would no longer qualify as contaminated land. Where this is not achievable, consideration will be given to remediation to a lesser standard to minimise risks as far as possible.

Once consideration has been given to how the site should be remediated, MCC will (where appropriate) issue a remediation notice to require such remediation. The enforcing authority for the purposes of remediation may be MCC, or natural Resources Wales, which takes on responsibility once land has been determined if the land is deemed to be a “special site”. The rules on what land is to be regarded as special sites, and various rules on the issuing of remediation notices, are set out in the Contaminated Land (Wales) Regulations 2006.

7.1 Definition of remediation

Section 78A (7) of EPA 1990 provides the following definition for “remediation”:-

- a) The doing of anything for the purpose of assessing the condition of –
 - (i) The contaminated land in question;
 - (ii) Any controlled waters affected by that land; or
 - (iii) Any land adjoining or adjacent to that land;
- b) The doing of any works, the carrying out of any operations or the taking of any steps in relation to any such land or waters for the purpose-
 - (i) Of preventing, or minimising, or remedying or mitigating the effects of, any significant harm, or any pollution of controlled waters, by reason of which the contaminated land is such land; or
 - (ii) Of restoring the land or waters to their former state; or
- c) The making of subsequent inspections from time to time for the purpose of keeping under review the condition of the land or waters.

7.2 Remediation Notices

Where MCC makes a determination of contaminated land a remediation notice will be served on the appropriate person(s) following a three month consultation period unless there are no viable remedial options, voluntary remediation is being, or will be, undertaken without the need for a notice, or there is a need for urgent action where there is imminent risk of serious harm.

In considering whether the requirement to undertake the remediation is reasonable, MCC will consider:

- a) The practicability, effectiveness and durability of remediation including whether it is feasible for the appropriate person to complete the remediation specified within the timescale given, and whether this will remain a robust and effective solution for a sufficient length of time;
- b) The health and environmental impacts of the chosen remedial options including whether there are any direct or indirect health effects to workers or people affected by the works, or potential for damage to the countryside, protected building and other sites of importance caused by the work;
- c) The financial cost which is likely to be involved at all stages of the process including preparation, remediation, monitoring, maintenance and value of the land; and
- d) The benefits of remediation with regard to the seriousness of the harm or pollution of controlled waters in question including increased land value following remediation and the likelihood of an occurrence or recurrence of pollution.

A remediation notice will specify what remediation is required and the timescales in which this must be done. When considering what remedial action is required, MCC will consult other regulatory bodies and have due regard for relevant technical guidance provided by regulatory, professional or technical organisations or act on the advice of a suitably qualified practitioner employed for that purpose.

A remediation declaration will be prepared in situations where MCC itself has caused or knowingly permitted the land to become contaminated land and is responsible for its remediation.

In accordance with the requirements of s78R of the Environmental Protection Act 1990, a copy of any remediation notices or remediation declarations prepared will be placed on the public register.

In the event that new information comes to light that alters the extent of remediation required or an alternative remediation scheme is proposed by the responsible person, it is possible to revise or revoke all or part of the notice.

Remediation notices will contain information on the right to appeal. The appeal period is twenty-one days from service of the notice and any appeals must be made to the Welsh Ministers who could quash the notice or confirm it with or without modification.

Any person failing to comply with the requirements of a remediation notice is guilty of an offence and may be fined following successful prosecution.

7.3 Securing remediation without a remediation notice

Before serving a remediation notice, MCC will have consideration to section 78H (5) (a) - (d) of Part 2A. As such MCC will not serve a remediation notice if it is satisfied that appropriate measures are being taken by way of remediation without the serving of a remediation notice.

MCC will consider that appropriate measures are being taken if:

- a) it is satisfied that steps are being taken that are likely to achieve a standard of remediation equal to, or better than, what the authority would otherwise have specified in a remediation notice; and
- b) it is satisfied that the timescale in which remediation is planned to take place is appropriate.

MCC will actively consider the merits and likelihood of achieving remediation without recourse to a remediation notice before issuing a remediation notice.

7.4 Financial cost of remediation

The cost of remediation of contaminated land can be considerable, and therefore the cost must be reasonable and proportionate to the seriousness of the harm. When considering the reasonableness of costs, MCC will take into account the direct financial costs likely to be caused by remediation. This would include:

- a) The cost of preparing for remediation to take place (e.g. feasibility studies, design of remedial actions, management costs, and the cost of relevant assessment actions).
- b) The costs of undertaking the remediation and making good afterwards.
- c) The cost of managing the land after remediation e.g. managing or maintaining remediation measures and monitoring or assessing.
- d) Relevant disruption costs e.g. land depreciation, or other loss or damage.
- e) Estimating the increase in the financial value and utility of the land as a result of remediation and whether such increase in value and utility would accrue to the person(s) paying for remediation.

The identity or financial standing of the appropriate person are not relevant when considering the remediation actions, although they may be relevant in deciding whether the cost of remediation can be imposed on such persons.

In making any cost recovery decision, MCC will have regard to the following principles:

- An overall result which is fair and equitable as possible to all who may have to meet the costs of remediation, including national and local taxpayers; and
- The 'polluter pays' principle, by virtue of which the costs of remediating pollution are to be borne by the polluter. MCC will therefore consider the degree and nature of responsibility of the Appropriate Person for creation, or continued existence, of the circumstances, which lead to the land in question being identified as contaminated land.

In general, this will mean that the Council will seek to recover, in full, its reasonable costs unless it waives or reduces the recovery of costs to:

- Avoid any hardship which the recovery may cause to the appropriate person; or
- To reflect one or more of the specific considerations set out in the Statutory Guidance.

MCC will have regard to the Statutory Guidance when determining the extent to which it should seek to recover the costs of remediation which it has carried out and which it is entitled to recover.

7.5 Benefits of remediation

In considering the benefits of remediation, MCC will consider:

- a) the seriousness of any harm or pollution of controlled waters and the various factors that led the land to be determined (e.g. the scale of harm or pollution that might already be occurring; or the likelihood of potential future harm or pollution and the likely impact if it were to occur);
- b) the context in which the effects are occurring or might occur; and
- c) any estimated increase in the financial value and utility of the land as a result of remediation, and who would benefit from such an increase. In considering such benefits MCC will decide on a case by case basis whether or not to describe such benefits (whether direct or indirect) in terms of monetary value or whether to make a qualitative consideration.

Where the significant harm is an “ecological system effect” or the pollution of controlled waters, MCC will take into account any advice received from Natural Resources Wales, when considering the benefits of remediation.

7.6 Health and environmental impacts of remediation

In considering the costs of remediation and the seriousness of harm or pollution, MCC will also consider other costs and impacts that may, directly or indirectly, result from remediation. This would include consideration of:

- a) potential health impacts of remediation; and
- b) environmental impacts of remediation.

In considering such impacts MCC will decide whether or not to describe such costs in terms of monetary value or whether to make a qualitative consideration on a case by case basis.

Potential health impacts of remediation would include:

- a) direct health effects (e.g. resulting from contaminants being mobilised during remediation, and worker safety); and
- b) indirect health effects such as stress related effects that may be experienced by affected people, particularly local residents.

In making this consideration MCC will also be mindful of the health benefits of remediation and the potential health impacts of not remediating the land.

With regard to environmental impacts of remediation, MCC will consider whether remediation can be carried out without disproportionate damage to the environment, and in particular:

- a) without significant risk to water, air, soil and plants and animals;
- b) without causing a nuisance through noise or odours;
- c) without adversely affecting the countryside or places of special interest; and
- d) without adversely affecting a building of special architectural or historic interest.

MCC will strive to minimise impacts of remediation on health and the environment (and comply with any relevant regimes that might require this, for example the health and safety, planning and environmental permitting regimes). If MCC considers that health or environmental impacts of a particular remediation approach are likely to outweigh the likely benefits of dealing with the risk posed

by the contamination, it will consider whether an alternative approach to remediation is preferable, even if it may deliver a lower standard of remediation than other techniques.

7.8 Revision of remediation notices

MCC will consider revising a remediation notice if it considers it is reasonable to do so. In particular this would apply to cases where new information comes to light which calls into question the reasonableness of an existing remediation notice. For example, this might be the case where information that comes to light during remediation shows that some remediation actions are no longer necessary, or that additional or alternative actions are necessary.

If MCC has issued a remediation notice but the person concerned later proposes an alternative remediation scheme, MCC would consider whether to amend or revoke the remediation notice. It is for the authority to decide the degree of consideration it gives to such a proposal. If MCC decides to do this, it must be satisfied that the standard of remediation and the timescale in which it would take place are in line with the Statutory Guidance.

7.9 Verification

Any remedial treatment action should include appropriate verification measures. In arranging for such measures, MCC will ensure that the person responsible for verification is a suitably qualified experienced practitioner.

8.0 Liability

The main provisions for the establishment of liability are set out in Part 2A of EPA 1990.

Land may be declared contaminated upon the identification of one significant contaminant linkage, however full liability cannot be decided until all significant contaminant linkages have been identified. Apportioning liability can be a complex process, and MCC will have full regard to the legislation and Statutory Guidance when doing so.

8.1 Summary of Class A and Class B liability

In summary the procedure would typically have five stages:

a) Identification of liable persons:

The authority makes an initial identification of persons who may be responsible for paying for remediation actions. In doing this, each significant contaminant linkage is treated separately (unless it is reasonable to treat more than one linkage together because the same parties are liable). The authority first looks for persons who caused or knowingly permitted each linkage. These are known as “Class A” persons.

If no Class A persons can be found, the authority usually seeks to identify the owners or occupiers of the land. These are known as “Class B” persons.

This step does not apply to linkages that relate solely to the pollution of controlled waters. The persons responsible for each linkage make up a “liability group” for that linkage. Liability groups may consist of one or more persons, and can be referred to as “Class A liability group” or a “Class B liability group” to reflect the nature of persons in the group.

If no Class A or Class B persons can be found liable, the linkage is known as an “orphan linkage”, for which there are separate procedures to follow.

b) Remediation actions:

The authority decides what remediation actions relate to which linkages. The Statutory Guidance uses the term “remediation action” to mean any individual thing which is being, or is to be, done by way of remediation. A “remediation package” is all the remediation actions which relate to a particular linkage. A “remediation scheme” is the complete set of remediation actions (relating to one or more linkages) to be carried out with respect to the relevant land or waters.

c) Attribution of liability to liability groups:

The authority attributes responsibility between liability groups. The Statutory Guidance uses the term “attribution” to mean the process of apportionment between liability groups.

d) Exclusions:

The authority considers (with regard to any liability group with two or more members) whether members of the group should be excluded, in accordance with the rules for exclusion set out in The Statutory Guidance. The Guidance uses the term “exclusion” to mean any decision by the enforcing

authority that a person is to be treated as not being an appropriate person in accordance with section 78F(6) of Part 2A of EPA 1990.

e) Apportioning liability between members of liability groups:

The authority decides how to apportion liability between the members of each liability group who remain after any exclusions have been made. The Guidance uses the term “apportionment” to mean a decision by the authority dividing the costs of carrying out any remediation action between two or more appropriate persons in accordance with section 78F(7) of Part 2A of EPA 1990.

8.2 Orphan linkages

An “orphan linkage” may arise where:

- a) the significant contaminant linkage relates solely to the significant pollution of controlled waters (and not to significant harm) and no Class A person can be found;
- b) no Class A or Class B persons can be found; or
- c) those who would otherwise be liable are exempted by one of the relevant statutory provisions.

The Statutory Guidance provides details, however in summary where only one significant contaminant linkage has been identified, and that is an orphan linkage, the enforcing authority should itself bear the cost of any remediation which is carried out. Where two or more significant contaminant linkages, of which some are orphan linkages, have been identified, the enforcing authority will need to consider each remediation action separately.

8.3 Special Sites

MCC and Natural Resources Wales (NRW) can both identify potential ‘Special Sites’ but a site cannot be designated a Special Site until the Council determines it as ‘Contaminated Land’.

The Statutory Guidance provides the following process:

- a) If the Council requests an inspection of a potential Special Site, the Guidance requires that NRW prioritise this site alongside its other potential Special Site inspection requests.
- b) Once the Council is satisfied that a site has been determined as Contaminated Land and designated a Special Site, the Council will notify NRW of this fact in writing. If NRW disagrees

on the designation, it must notify the Council of that fact in writing within 21 days. If NRW agrees or fails to inform the Council within 21 days, then the land will be designated a Special Site.

- c) The responsibility of securing remediation then passes to NRW although the Council must complete the formal notification process. This will involve the Council also notifying the owner, occupier and appropriate person with respect to that site or land.

9.0 Consultees

The following external bodies were consulted on the draft Contaminated Land Strategy before being presented to Cabinet for final approval.

- Welsh Government
- Natural Resources Wales
- Torfaen County Borough Council
- Newport City Council
- Blaenau Gwent County Council

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Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p>Name of the Officer: Huw Owen</p> <p>Phone no: 01873 735433 E-mail: huwowen@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>For members to note the content of the proposed Contaminated Land Inspection Strategy 2017 and agree its implementation.</p>
<p>Name of Service: Environmental Health</p>	<p>Date Future Generations Evaluation form completed: 9th August 2017.</p>

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NB. Key strategies and documents that may help you identify your contribution to the wellbeing goals and sustainable development principles include: Single Integrated Plan, Continuance Agreement, Improvement Plan, Local Development Plan, People Strategy, Asset Management Plan, Green Infrastructure SPG, Welsh Language Standards, etc

- Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.




Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Positive: An up to date Strategy provides direction to the work of officers implementing it. The strategy reinforces close working with colleagues in Development Control and developers of potentially contaminated land by seeking to bring back brownfield land into productive use to ensure</p>	



Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	Monmouthshire's land resource is used appropriately.	
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	The Strategy seeks to maintain and enhance a biodiverse natural water and land environment with healthy, functioning ecosystems that support social, economic and ecological resilience.	
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Positive: Helps ensure that the contamination legacy of brownfield sites are appropriately addressed at the planning stage to make sure the site is fit for the proposed end use. In this way new Contaminated Land sites are not created and redeveloped sites are investigated and remediated, thereby ensuring public health is safeguarded on those sites.	A potential negative impact of revised strategy is that more progressive options may not be pursued because of potential very substantial resource implications. Strategy to be reviewed a minimum of every 5 years or otherwise in accord with new relevant legislation / guidance, so a change in financial landscape can be taken into account.
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Positive: attractive, viable, safe and well-connected communities require a safe natural environment in which to live, work and play.	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive: setting an example that at a minimum developments are not on contaminated land and protecting the health of future generations.	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Positive: Monmouthshire seeks to promote heritage to encourage people to participate in sports and recreation, which requires safe land and water environments.	

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Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Positive: ensuring that Monmouthshire's citizens are not disadvantaged by their environment no matter their background or circumstances.	

2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Balancing short term need with long term and planning for the future</p> <p>Long Term</p>	<p>The Report takes account of legislation and statutory guidance and provides a revised Contaminated Land Inspection Strategy that is fit for purpose and specific to the issues in Monmouthshire. Strategy is to be revisited at least every 5 years to ensure that it remains current. As a minimum Contaminated Land sites will not be created and redeveloped sites investigated and remediated, so protecting future generations.</p>	
 <p>Working together with other partners to deliver objectives</p> <p>Collaboration</p>	<p>As a minimum continued working with developers of potentially contaminated land.</p>	
 <p>Involving those with an interest and seeking their views</p> <p>Involvement</p>	<p>Developers of potentially contaminated land will be fully engaged.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>Working closely with the developers of land through the planning regime aimed at preventing public health issues arising.</p>	
 <p>Integration</p> <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>A clear defined Strategy enables the multi faceted implications of dealing with the legacy of potentially contaminated land to be dealt with proportionally.</p>	

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below. For more detailed information on the protected characteristics, the Equality Act 2010 and the Welsh Language Standards that apply to Monmouthshire Council please follow this link: <http://hub/corporatedocs/Equalities/Forms/AllItems.aspx> or contact Alan Burkitt on 01633 644010 or alanburkitt@monmouthshire.gov.uk

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Strategy will have neutral impact on people or groups of people with protected characteristics.		

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Disability			
Gender reassignment			
Marriage or civil partnership			
Pregnancy or maternity			
Race			
Religion or Belief			
Sex			
Sexual Orientation			
Welsh Language	Bilingual information to be provided on request.		

4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities? For more information please see the guidance <http://hub/corporatedocs/Democratic%20Services/Safeguarding%20Guidance.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	Having a robust strategy protects the public health of all age groups.		
Corporate Parenting			

5. What evidence and data has informed the development of your proposal?

- **MCCs Contaminated Land Inspection Strategy 2002**
- **Welsh Government Contaminated Land Statutory Guidance 2012**
- **Cabinet decision 8th June 2016**

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

In 2002 the Council approved a Contaminated Land Inspection Strategy setting out its plans for identifying potentially contaminated land and prioritising any identified sites for remediation action.

Welsh Government provided Capital Support to local authorities to fund intrusive investigations at potentially contaminated sites and towards the cost of remediation. This funding stopped in April 2011.

Revised statutory guidance was published by Welsh Government in April 2012. This requires Strategies produced in accordance with previous versions to be updated or replaced to reflect current guidance.

The updated Strategy will as a minimum continue the approach of consultation between Development Control and Environmental Health Sections with respect to developments on potentially contaminated land ensuring new Contaminated Land sites are not created and remediating redeveloped sites where necessary – safeguarding the health of future generations using the sites. The Strategy to be reviewed within 5 years.

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7. ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

What are you going to do	When are you going to do it?	Who is responsible	Progress
<p>Strategy to be periodically reviewed to ensure it remains up to date. It is for the Authority to decide when this should be. In line with recommended good practice it is proposed to review the Strategy in five years (2022) or otherwise in response to changes in relevant legislation or guidance.</p>	<p>It is for the Authority to decide when the Strategy is to be reviewed. In line with recommended good practice it is proposed to review the Strategy in five years (2022) or otherwise in response to changes in relevant legislation or guidance.</p>	<p>Paul White – EHO Huw Owen Principal EHO</p>	

8. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	Within 5 years of revised Strategy approved by Cabinet
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SUBJECT: Strategic Direction for Community & Partnerships Development Team

MEETING: Cabinet

DATE: 6th September 2017

DIVISION/WARDS AFFECTED: All in Monmouthshire

1. PURPOSE:

- 1.1 The purpose of this report is to present the findings and recommendations of a Community Engagement Review (Appendix A), requesting Cabinet endorse:
- the findings of the Review and associated conclusions / recommendations;
 - in so-doing approve the creation of, and financial implications arising from, a new operational structure for community and partnership development in Monmouthshire County Council through the formation of a Community and Partnerships Development Team.
- 1.2 The creation of the team will mean the Council is well placed to respond effectively to the priorities of the Well-Being of Future Generations Act and Social Services and Well-being Act. The team will be an integral part of the new operating model of the Council which is being developed by the 'Future Monmouthshire' programme. The analysis and supporting evidence base and business case are summarised in this report.

2. RECOMMENDATIONS:

- 2.1 To endorse the findings and recommendations of the Community Engagement Review (Appendix A ~ 'Community Engagement Review').
- 2.2 To endorse the 'Way Forward' for a newly defined Community and Partnership Development Team (Appendix B – 'Community and Partnership Development Team – The Way Forward').
- 2.3 To agree to establish a Community and Partnerships Development Team, taking into account the financial implications (Appendix C - financial implications).
- 2.4 To approve the redundancy costs, funded from the service budgets if possible, or if not then funded from the corporate redundancy budget.

3. KEY ISSUES:

3.1 BACKGROUND

- 3.1.1 In October 2015, a review of community governance was undertaken to analyse the role of local decision making within Area Committees and to understand the Authority's

level and type of community engagement and its direct relationship to how local needs and solutions are identified, developed and delivered.

3.1.2 Monmouthshire has four area committees; Bryn y Cwm; Severnside; Lower Wye and Central Monmouthshire. Their purpose is to:

- engage the community in area working to help the council shape major proposals affecting specific areas advising the Authority of the associated implications for the area;
- lead the community planning process;
- ensure services are properly co-ordinated on a local level;
- encourage effective cross sector collaboration; and,
- provide a forum for community debate and to make executive decisions on matters within areas provided they are within the Council's policies and budgetary allocations and do not adversely affect other areas.

3.2 REASONS

3.2.1 In October 2016, there was a recognition that in light of the Well-Being of Future Generations Act and the Authority's evolving Future Monmouthshire programme, there was a need to extend the review to address the following objectives:

- Clarification of the strategic direction required to meet legislative requirements and enable asset and place based delivery;
- Repurposing of the Authority's Whole Place team;
- Identification of joint working opportunities internally to enable a streamlined approach;
- Assessment of new roles in the provision of impartial advice across the county's five strategic settlements – Abergavenny, Monmouth, Caldicot, Chepstow and Usk;
- Understand how Section 106, the proposed Community Infrastructure Levy and Area Committee Grants can be used strategically to address resource implications for a sustainable, place and asset based approach;
- Reconfiguration of the community governance model to preserve the leadership role of Council Members and encourage wider community participation.

3.3 REVIEW FINDINGS

3.3.1 The review identified the following findings:

Community Engagement and Partnerships

- The current lack of community engagement/partnership coordination is leading to missed opportunities to share and maximise resources and intelligence;
- The current lack of Town/Community Council engagement is resulting in an Authority and Public Service Board (PSB) disconnect and lack of knowledge of needs and priorities, which extends to surrounding local communities.
- A disconnect between the PSB, internal partners and funding opportunities to address local community needs and priorities effectively.
- All of the above leading to gaps in meeting legislation requirements to apply a strategic approach to enable cross county coordinated delivery.

Community Governance

- The role of ward Members is key to how communities participate and engage in their local area;
- Key legislation and the formation of the five cluster areas (in line with five strategic settlements) is important to the future shape of community governance and relationship to Area Committees;
- The role of Area Committees provide a clear link between Cluster Areas and Authority decision making; with a key opportunity for communities to have a voice and participate in local democracy. In March 2017, the Authority approved the piloting of a new model in Bryn y Cwm, whereby Area Committees will be retained as the sole structure, providing a clear link between Cluster Areas and Authority decision making with a view to supporting joint working and adopting a strategic approach to coordinated funding opportunities;
- The new Community Leadership Academy is designed to increase the participation and quality of community leadership by providing a suite of learning and development opportunities, upskilling Members as well as community organisations to enable a common approach;
- Area committee grants need to work in a more integrated manner, providing a smarter use of funding aligned to maximise impact and value;

Section 106

- Section 106 contributions are well managed with robust monitoring processes but are not focussed on outcomes or long term impacts that meet local or strategic needs;
- There is a current lack of strategic community engagement and data sharing resulting in missed opportunities to address medium to long term priorities;
- The current lack of promotion of section 106 projects results in missed opportunities to encourage wider community participation to address longer term needs.

3.4 REVIEW CONCLUSIONS AND RECOMMENDATIONS

- 3.4.1 As the Well-being of Future Generations Act requires co-delivery with partners, the disconnect between the PSB, the Authority and the local community needs to be addressed. To enable this, community engagement needs to be repositioned within a more centralised role. There is also a need to address the current lack of specialist support in strategic PSB areas such as health and well-being issues, isolation, ageing well, children and families and community cohesion.
- 3.4.2 The current structure also provides little support for the Authority in their Cluster Area activities whilst the current lack of direct Town/Community Council engagement/liaison is leading to a further disconnect with communities and a lack of knowledge of needs and priorities.
- 3.4.3 In making its recommendations the review addressed the current challenges advocating a restructure of two service teams i.e. Whole Place and Partnerships with the additional need to bring in the Programme Lead for the Community Empowerment which includes the Authority's volunteering programme 'A County that Serves' and the Community Leadership Academy, all working together as the newly defined Community and Partnership Development Team. Strategic, working links also being made to the future role of a Community Infrastructure Levy Officer and the existing Community Well-Being and Enterprise Development Leads, to ensure maximisation of funding resources and reduce the potential for service duplication (A full copy of the review can be found in

Appendix A with the proposed 'Way Forward' plan for the redefined team illustrated in Appendix B).

4. REASONS:

4.1 The reasons for the decision to create a Community and Partnerships Development Team are as follows:

- New team arrangements will join up strategic partnership direction and community delivery, in so doing meeting legislative requirements, enabling place based delivery and furthering the social justice priorities of the Council.
- The Wellbeing of Future Generations Act requires co-delivery with partners, the current connection between the PSB, the Authority and the local community needs to be strengthened through the new arrangements. The Social Services and Well-being Act requires the Council to have a coherent approach to the well-being of individuals within their communities and the new structure will improve the join up between work to support individual resilience and development of sustainable resilient communities.
- The new roles will allow for the provision of a consistent asset based community development approach across the five strategic settlements, whilst acting on local priorities.
- It will provide a greater understanding of section 106, community grants and other resources can be used strategically to support investment in place based approach
- The support to the new community governance model will support local democracy whilst encouraging wider community participation

5. RESOURCE IMPLICATIONS:

Appendix C sets out the detailed financial implications of the proposed structural changes. The deletion of 2 management posts and replacement with one Community and Partnership Development Manager will require a call on reserves to cover redundancy costs which were in the region of £77,000 as at June 2017.

6. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):

6.1 The Community and Partnership Development Team aligns with the future generation well-being objectives. The creation of the team is critical to delivery of meaningful co-production by with communities, building on their strengths and assets. The new team will work by bridging the gap and balancing the community needs with the Council's priorities, to ensure Monmouthshire's future sustainability.

7. CONSULTEES:

- 7.1 The Strong Communities Select Committee on the 20th July 2017 undertook pre-decision scrutiny of this report and concluded “The Select Committee acknowledges the findings of the community engagement review and supports the strategic direction and recommendations on operational structure proposed in the report”.

8. BACKGROUND PAPERS:

Appendix A – Community Engagement Review

Appendix B – ‘The Way Forward’ for the Community and Partnership Development Team

Appendix C – Financial Implications

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SCHEDULE 12A LOCAL GOVERNMENT ACT 1972
EXEMPTION FROM DISCLOSURE OF DOCUMENTS

MEETING AND DATE OF MEETING:

TITLE OF REPORT:

AUTHOR:

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendation to the Proper Officer:-

EXEMPTIONS APPLYING TO THE REPORT:

FACTORS IN FAVOUR OF DISCLOSURE:

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:

Date:

Signed:

Post:

I accept/do not accept the recommendation made above

Proper Officer: _____

Date: _____



**Review of Community Engagement & Governance
Inc. Section 106 Contributions
Monmouthshire County Council
April 2017**

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Executive Summary

This report is in the conclusion of a series of integrated Reviews that informs the future shape of community engagement within Monmouthshire County Council.

The **Purpose** of the Review is to:

- Clarify strategic direction to meet legislative requirements & enable place based delivery;
- Repurpose Whole Place;
- Identify joint working opportunities internally to enable a streamlined approach;
- Assess new roles in provision of impartial advice across five strategic settlements;
- Understand how S106 & Community Grants can be used strategically to enable resource implications for place based approach; and
- Reconfigure community governance model to preserve the leadership role of Members and encourage wider community participation.

Whole Place and Community Engagement Now. There is a current lack of strategic alignment to local and corporate outcomes perceived to be a weakness, with a need for clearer identity & purpose. There are mixed experiences where Whole Place has supported community governance leading to inconsistency in ways of working and outcomes. Community engagement is seen as timely and bottom up with consensus that community development is when conversation turns into action, and is about asset based opportunities and not just issues. A community's maturity shapes the approach that Monmouthshire needs to adopt to grow community leaders with the need to bring existing toolkits and training into one place to facilitate this.

Responsible officers do work together in spite of existing structures which is resulting in missed opportunities. There are various roles across the Authority in community development supporting engagement, partnerships, empowerment through volunteering, tackling rural issues, funding and the well-being of individuals and communities, amongst others leading to confusion. Existing 'soft' skills are strong across a diverse range of Officers along with technical and project management skills, but there are opportunities to train some responsible officers in core community development skills. There is therefore a clear opportunity for a more centralised and integrated way of working amongst communities.

Community Governance Now. Role of ward Members key to community participation & engagement, with legislation and cluster areas important to the future shape of community governance & area committees. The new Community Leadership Academy can provide the resource to upskill members as well as community organisations so that there is a common approach. Area committee grants need to work in a more integrated manner, providing a smarter smart use of funding aligned to maximise impact and value.

Section 106. Section 106 contributions are well managed with robust monitoring processes but are not focussed on outcomes or long term impacts that meet local or strategic needs. There is a current lack of strategic community engagement and data sharing resulting in missed opportunities to address medium to long term priorities. The current lack of promotion of S106 projects results in missed opportunities to encourage wider community participation to address longer term needs.

Review Conclusions

- There is a current lack of community engagement/partnership coordination leading to missed opportunities to share and maximise resources and intelligence;

- There is a lack of Town/Community Council engagement resulting in disconnect with communities and lack of knowledge of needs and priorities;
- There is a disconnect between Public Service Board (PSB) and Town/Community Councils;
- There is a disconnect between PSB, internal partners and funding opportunities and local community needs and priorities;
- The review leads to gaps in meeting legislation requirements to apply a strategic approach to enable cross county coordinated delivery.

Summary Recommendations

1. The Well-Being Future Generations (WBF) Act requires co-delivery with partners. There is a current disconnect between Public Service Board and community to be addressed, with community engagement to be repositioned within a more centralised role.
2. There is a need to provide resource & access to training for community leaders to enable co-production, as well as building internal skills and provide a centralised resource and toolkits (e.g. Made Open, Mon Maps) and complete clarity on community engagement to Local Members.
3. There is a need to promote local democracy through the Role of Community/Town Councils/Other Organisations through developing skills in community engagement and understanding their role in the WBF Act. The need to provide a local forum to shape local priorities is important with the need to develop local 'plans' and work co-operatively to address common issues and joint working opportunities.
4. Role of Cluster Areas provides the opportunity to involve Community/Town Councils in strategic policy & highlight funding opportunities with the opportunity to think spatially as well as locally. This provides the conduit for county wide organisations to share thinking and support, providing a bridge between Community/Town Councils, Area Committees and the Authority's Senior Leadership Team.
5. Role of Area Committees provide a clear link between clusters & Authority decision making; with a key opportunity for community to have a voice and participate in local democracy. This provides a place to receive local plans that respond to community need, provide support for joint working solutions, adopt strategic approach to coordinated funding and receive community engagement updates
6. Role of Local Members. There is a need for elected members to *take a proactive approach to providing local information to aid local and county decision making, identify opportunities for co-production, participatory budgeting and prioritisation, in addition to providing complete clarity on Authority resources and defined pathways to community engagement*
7. Benefits of the Proposed Restructure. The review recommends a restructure to enable the repurposing of Whole Place. The benefits of this are:
 - Centralised specialist resource to enable delivery of WBF, MCC priorities and staffing efficiencies;
 - Address current disconnect between communities & PSB and to grow trust between the Authority, Town/Community Councils & communities;
 - Provide central resource/toolkits to grow and support high quality community leaders which enables co-production and co-delivery;
 - Build skills in developing frameworks that guide local priorities, and support the alignment of funding to enable additional leverage;
 - Provide management information systems to capture, analyse and interpret data to help us tell the stories.

1 Purpose/Background

1.1 Purpose

Chris Jones Regeneration has been asked to undertake a series of integrated reviews that informs the future shape of community engagement within Monmouthshire County Council.

The initial review of community governance established the need to understand the level and type of community engagement as this has a direct relationship to how local need and solutions are developed and delivered, with the role of local decision making such as area committees central to the review.

The review was subsequently extended to look at the current roles and responsibilities around community engagement, as well as how “need” is funded, specifically focusing on the current management and distribution of S.106 monies towards community projects. A mini review of Section 106 has therefore been undertaken.



Specific review objectives are:

- To understand the clarity of strategic direction for community engagement that meets legislative requirements and how this applies within a place based and person centred approach to community participation delivery in Monmouthshire.
- To understand how the current Whole Place team needs to be “repurposed” and rebranded to meet the legislative requirements and in meeting the Council’s corporate outcomes and understanding how this role leads to decisions that lead to more people based services.
- In addition to the Whole Place team - to identify joint working opportunities internally to enable the Authority to provide a more streamlined approach to delivery to include other community engagement officers such as the Council’s volunteering programme. It is envisaged that this would lead to place based delivery enabling improved community and area governance and improved efficiency amongst partnerships.
- To assess whether the new roles of a reframed Whole Place team can act as intermediaries, providing independent and impartial advice at a local and strategic level across the five strategic settlements and wider rural area.

- To understand how S.106 monies are being used and to identify the need for a more strategic allocation of future resources to enable the place based approach and resultant resource implications.

1.2 Background

The need to review community governance has been underway since 2015 with the following background note providing the context to this specific review.

1.2.1 Community Governance

In March 2015, Keith Edwards was appointed to undertake a review of Community Governance. His report was initially taken through the political processes in October 2015 Cabinet and then Council in December 2015. This report recommended a cross party Member working group to be established which equally represents the four administrative areas, now five cluster areas. This group was tasked with the responsibility of developing a revised framework which preserves the leadership role of elected members, supports and encourages community participation and oversees the delivery of the local Whole Place plans. The report recommended a revised framework to the County Council in March 2016.

We understand that a number of meetings have been held which have discussed the nature of democracy and County Council elected members' expectations of community governance. At the second meeting in June 2016 the group discussed a set of specific proposals which are included below:

- Provide a forum for local Councillors to engage with residents about local issues;
- Give local communities a stronger and more direct voice in decision making in their local area;
- Enable members to have influence over decisions that are specific to their local area;
- Develop and oversee the delivery of localised plans;
- Engage with representatives of town and community councils;
- Harness and channel community energy to deliver improved outcomes for the local area and its communities; and
- Bring together partner agencies to focus on locally specific issues.

Members were also asked to consider the five principles of the Wellbeing of Future Generations Act in their thinking on future community governance, being i) Integrated ii) Collaborative iii) Long term iv) Involving and v) Preventative.

At this meeting the following option was approved as the preferred model for implementation.

Option 2) Area Committees are retained as the sole structure with an increase in co-opted community members

Positives	Negatives
Members are accountable	Scale of meeting (number of committee members)
Transparent co-opting arrangement	Can co-opted members vote?
Clear alignment to the constitution	Community representatives could be elected (C&T Council), representative or individual – how will this be determined?
Decision making strengthened and streamlined	Breadth of geographical cover
Single entry point to public	Disparity between the area committees' effectiveness
Community voice greater than currently	

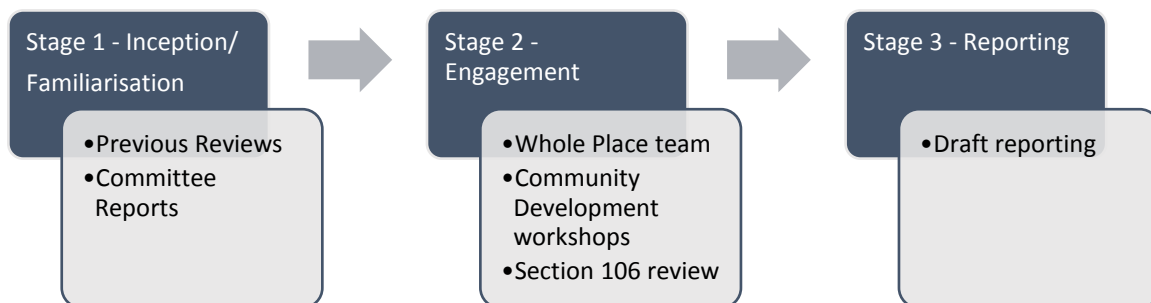
The adoption of the model was agreed unanimously by the member working group. In essence it provides an evolutionary development of the current area committee model but embraces several of the factors of good community engagement that were included in the last Local Government (Wales) Act in November 2015.

In March 2017, the County Council agreed the decision to pilot the above model in Bryn Y Cwm as Bryn Y Cwm was proven to be the most resilient example of Area working and has a high level of social capital in the area with developed links to the local town and community councils. The decision to pilot the work rather than a universal roll out is due to this review and its final recommendations on the broader organisational aspects of community engagement.

1.2.2 Review Process

The review has centred on the following process and tasks:

Figure 1 - Review Process



Source: Chris Jones Regeneration

1.2.3 Tasks and Activities

1.2.3.1 Stage 1

- Inception Meeting with lead client officers to agree scope of review
- Desktop review of key documents: policy, previous reviews, committee reports, Whole Place documents

1.2.3.2 Stage 2

- Interviews with responsible officers – Community Governance Review:
 - Whole Place Team manager and officers
 - Changing Practice, Changing Lives Lead officer – Social Services
 - Head of Community Led Delivery
 - Head of Policy and Engagement
- Workshops: Community Engagement Review (2 x no.)
 - Workshop 1: Understanding Roles, Responsibilities and Ways of Working – 16th February
 - Workshop 2: Skills, Toolkit and Future Structure – 9th March
- Section 106 Review:
 - Attendance at S.106 monitoring meeting - 10th February
 - S.106 planning workshop – 17th March
 - Community Infrastructure Coordinator meeting – 24th March
- Post Workshop Discussions
 - Policy and Performance Manager – 24th March
 - Head of Economy and Innovation – 24th March
 - Training Officer – 4th April

1.2.3.3 *Stage 3*

- Drafting of final report

The report is split into the following sections:

Section 2 – Policy Context

Section 3 - Community Engagement – Now

Section 4 - Community Engagement – Future

Section 5 – Next Steps and Recommendations

Specific key points or actions are highlighted through the review report.

2 Policy Context

The future role and function of community engagement needs to fulfil legislative requirements so that it meets statutory need and is strongly aligned to Welsh Government policy. The following Acts need to be acknowledged within future community engagement working.

2.1 Local Government (Wales) Act 2015

The Act sets out a new and reformed legislative framework for Local Authority democracy, accountability, performance and elements of finance. Key provisions that relate to this review include the requirement for Local Authorities to encourage public participation in Local Government, to establish community area committees for the purpose of ensuring that community interests and priorities are taken into account by the Authority in exercising its functions. The previous White Paper described an area-based approach, with 'area boards' made up of Elected Members, community bodies, the third sector, Community Councils and other public services.

In listening to consultation, Welsh Government agreed that there should be flexibility to design the approach that is suitable to their area. The provisions in the Act therefore set out the intention to require Local Authorities to establish a committee in each of their community areas (as determined under the Well-being of Future Generations (Wales) Act 2015). Community area committees will provide a structured way for views on local priorities to be expressed and fed into the Local Authority budget planning process, and for communities and local people to engage with their Elected Members on practical matters of local importance. Local Authorities will also be able to seek the advice of these committees on any matter relating to the committee's community area. The provisions also enable the Local Authority to delegate functions to community area committees. Which functions may be delegated to community area committees will be determined by regulations to be made by the Welsh Ministers.

2.2 Well-being of Future Generations (Wales) Act 2015

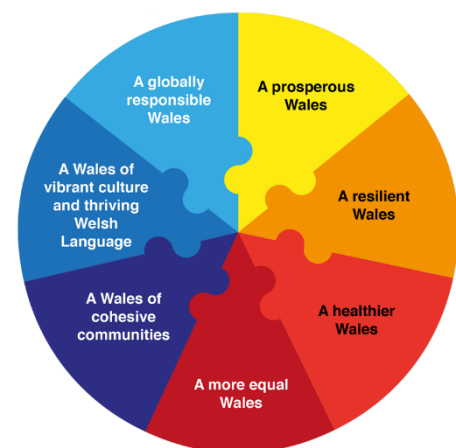
The Act makes the public bodies think more about the long term, working better with people and communities and each other, looking to prevent problems and taking a more joined-up approach and importantly to do it in a sustainable way. Public bodies therefore need to make sure that when making their decisions they take into account the impact they could have on people living their lives in Wales in the future.

It will expect them to:

- work together better;
- involve people reflecting the diversity of our communities;
- look to the long term as well as focusing on now; and
- take action to try and stop problems getting worse - or even stop them happening in the first place.

Public bodies will need to apply sustainable development principles with the need to demonstrate that they have used the following five ways of working:

- Integration – demonstrating a joined-up approach to communities and people, the economy, the environment and culture;
- Long-term thinking - balancing current and long-term needs;



- Prevention - taking action now to prevent problems in the future;
- Collaboration - working with others to meet objectives; and
- Involvement - involving the people affected by actions

<http://gov.wales/topics/people-and-communities/people/future-generations-act/?lang=en>

2.3 Social Services and Well-being (Wales) Act 2014

The Act imposes duties on local authorities, health boards and Welsh Ministers that require them to work to promote the well-being of those who need care and support, or carers who need support. The Social Services and Well-being (Wales) Act changes the social services sector:

- People have control over what support they need, making decisions about their care and support as an equal partner;
- New proportionate assessment focusing on the individual;
- Carers have an equal right to assessment for support to those who they care for;
- Easy access to information and advice is available to all;
- Powers to safeguard people are stronger;
- A preventative approach to meeting care and support needs is practiced; and
- Local authorities and health boards come together in new statutory partnerships to drive integration, innovation and service change

Principles of the Act are:

- The Act supports people who have care and support needs to achieve well-being;
- People are at the heart of the new system by giving them an equal say in the support they receive;
- Partnership and co-operation drives service delivery; and
- Services will promote the prevention of escalating need and ensuring the right help is available at the right time

<http://gov.wales/topics/health/socialcare/act/?lang=en>

2.4 The Planning (Wales) Act 2015

This will require Local Planning Authorities to:

- Have regard to 'Local Well-being Plans' to be published by Public Service Boards (PSBs) and ensure greater development engagement at the pre-application stage to ensure local communities are able to engage early on in the planning process to influence development proposals;
- Establish Strategic Development Plans that will focus planning for areas with matters of greater than local significance. The key will be to focus on areas where development is of a strategic nature; and
- A requirement for Local Planning Authorities in Wales through the Positive Planning agenda associated with the Planning Wales Act should consider the role of community based planning such as the pilot "Place Plans". These are not statutory but need consideration within broader community engagement activity. Place Plans are still in their pilot phase with limited guidance on how they should be prepared and what they should include.

<http://gov.wales/topics/planning/legislation/planning-wales-act-2015/?lang=en>

2.5 The Environment (Wales) Act 2016

This will require the Council to undertake a range of duties including:

- Objectives to maintain and enhance the resilience of ecosystems thereby contributing to the achievement of the well-being goals in section 4 of the Well-being of Future Generations (Wales) Act 2015;
- To adopt the principles of sustainable management of natural resources include, managing adaptively at an appropriate spatial scale; promote public engagement; use an evidence base; take appropriate action for the short, medium and long term; prevent significant damage to ecosystems and take account of the biodiversity aspects of ecosystems; and
- Seek to maintain and enhance biodiversity in the exercise of functions.

<http://gov.wales/topics/environmentcountryside/consmanagement/natural-resources-management/environment-act/?lang=en>

- Legislation is clearly seeking greater participation from people and communities to reach integrated ways of ensuring economic, environmental and social well-being.
- The role of community area committees is a key priority for Government in facilitating discussions on local importance and prioritisation.
- A preventative approach to care and the needs of individuals is a priority for service delivery in social services and through multi-partner working.
- Early engagement and the future role of Place Plans are about residents having a greater say on developments and infrastructure needs within their community.

3 Community Engagement - Now

Role and Responsibilities

This section of the report describes where Monmouthshire County Council has directed resources towards community engagement, specifically within the Whole Place team and other associated officers that have participated through a series of review workshops.

3.1 Whole Place Team

The Council sees 'Whole Place' as an approach to planning and delivery providing a view into and a connection with its communities, shaping new priorities, relationships and services. Against the backdrop of serious economic constraint and public funding cuts 'Whole Place' is seen as a primary means of delivering sustainable and resilient communities.

The first 'Whole Place' plan, 'Seven for Severnside', was devised in October 2012 resulting in the establishment of the Severnside Programme Board and the Caldicot Town Team soon afterwards, with support from the Authority's then Area Services Officers. The Programme Board was initially chaired by the Authority's Chief Officer Kellie Beirne whilst the Terms of Reference were being agreed, after which a local Chair was appointed.

A similar process was also instigated in the north of the County in Abergavenny where in 2013 the Bryn y Cwm Programme Board was established. In March 2015 the Whole Place team was borne of the former Area Services Officers to support the community in the delivery of 'Whole Place', with a Whole Place Team comprising of a manager and three Whole Place officers, whose purpose is "to lean into" communities and enable them to shape their places, services and futures in ways which best meet local needs.

In terms of specific roles, officers have been tasked with *"the delivery of the 'Whole Place' agenda within communities, supporting local initiatives and delivery agents by developing skill sets, local capacity and knowledge sharing"* in addition to *"supporting colleagues in developing service delivery models that support the Whole Place agenda through co-design and co-production, targeting resources to locally identified priorities and where possible switching off demand"*.

The range of work from the Whole Place team is broad with roles and responsibilities linked to whole communities, individuals mostly planned and sometimes reactive. This ranges from supporting organisational development of local groups such as Caldicot Town Team in addition to writing business cases and bids for 'Vibrant and Viable Places' funding through to reacting to the need for the rehousing of Syrian refugees within local communities. These examples demonstrate a spirit of wanting to make things happen and partnership e.g. getting to know the 'Cities of Sanctuary' group, but this has meant that at times, the team has strayed away at times from core Whole Place work.

The role of Whole Place officers has developed over recent years to include:

- Capacity builders and community groups facilitation at a grass roots level and enabling leadership;
- Mediators and relationship builders within communities and across partners e.g. Usk Library and its transition to a community hub;
- Building local intelligence through surveys, feasibility and understanding need;

- Task/finishers – reactive and planned activities; and
- Developing social capital with groups such as transition towns

The Whole Place team has witnessed some areas of positive practice with examples of joint working with the LDP team on aligning need to S.106 funds through liaison on community linkages. There are also several organisations and activities that are collaborating across the County with the opportunity of scaling up with more effective resource use e.g. SOUP project, play streets pilot model, transition town groups.

In reviewing the past and current roles/responsibilities that the Whole Place team have experienced, the following themes are highlighted.

3.1.1 Local Leadership/Community Governance

The role of the Whole Place team within broader community governance has been seen to be confusing at times, lacking clarity of purpose at a strategic level, leading to the resource not being properly directed. Where community governance has materialised in the form of Programme Boards e.g. Abergavenny, there has been a lack of continuity amongst responsible officers and board members, no sense of finishing off tasks with community representatives seeing “it being done to them, not with them”. “Directing the Council and not doing it” was an area of concern for Abergavenny’s Programme Board, with a perceived wrong approach of chasing funding rather than establishing need first, in addition to plans being too overarching and setting out to fix everything.

In contrast, Caldicot Town Team is recognised as a good example of ‘Whole Place’ working and directing community effort toward strategic outcomes. The need for a business/community centre organisation was an outcome of the Severnside Whole Place Plan where there was no existing body to champion town centre activity. The creation of a Town Team was made possible through the S.106 monies due to the immediacy of developing stronger links with an edge of centre supermarket. The success of this community vehicle has been identified through the Town Team chair who is seen as a “doer” with direct and tangible results that have been based around street markets, pop up uses, magazines, supporting a masterplan exercise, amongst other initiatives. The Whole Place team in this case have supported the process with group formation, accounts and financial systems, data and survey advice as well as signposting to grants and funding, highways and finances.

The lack of strategic alignment to local and corporate outcomes is perceived to be a weakness of the Whole Place approach, with team members seen to be stumbling across communities and groups and not being shown strategic connections, thereby not maximising impact.

3.1.2 Communication

Communication, at times, can be informal with some of the hard conversations, choices and decisions not being confronted, resulting in relationships being difficult to manage, leading to roles and responsibilities within the Whole Place team sometimes being blurred.

In relation to Whole Place and its approach, resource and resultant benefits, some commentators have also acknowledged that the Authority (internally) knows about Whole Place but it is not known outside in the community, by its name and its role. Whatever happens, the pathways of community governance and its users, enablers and decision-makers needs to be communicated internally and externally with clear

and user friendly protocols and systems as well as stronger communication messages and the need for a subsequent 'rebranding' of the Service to provide much needed clarity of purpose.

There is also a need to integrate tools such as 'Made Open' amongst the communication framework and to show how it plays a role in converting need and ideas into community led action. In addition, community Hubs, My Council Services App and its contact centres need to point people to places to discuss needs as well as connecting people with similar agendas.

3.1.2.1 *Role of Place Based Delivery in the Future*

Roles that Whole Place officers identify in going forward include:

- Enabling and stimulating benefits which does not necessarily lead to direct delivery by the Whole Place team;
- Finding community activists and providing learning/mentoring/leadership pathways, leading to sustainability and resilience within communities, with a specific focus on emerging and youthful groups;
- Developing toolkits that build these skills and independence, and support elected members, parish/community councils and groups;
- Making the community aware of opportunities, unlock these operationally within the culture of Council and other strategic partners and provide an integrated policy/plan framework to influence ;
- Working alongside thematic and specialist leads in the Council and with other strategic partners;
- Developing role of place based officers to look at opportunities to scale up across the County;
- Demonstrating how outcomes are being met but acknowledge that stories as well as hard data are equally important; and
- Ensuring place based work needs continuity, minimal interruption and also needs a visible champion

<http://www.monmouthshire.gov.uk/app/uploads/2015/01/7-Whole-Place-Strategy.pdf>

3.2 Other Responsible Officers

Whilst not entirely representative of the wider range of responsible officers that have a role in community engagement, the following officers have participated through the series of workshops, in addition to the whole place team:

- Changing Practice, Changing Lives Lead (Asset Based Community - Asset Based Individual);
- Volunteering Lead;
- Planning Policy Officer;
- Development Management Officer;
- Partnerships Officer ;
- Sustainability Policy Officer;
- Community Cohesion Officer;
- Business Manager Sport, Community Development and Events;
- Funding Officer;
- Communication/Engagement Officer; and
- Vale of Usk Rural Development Officer

3.2.1 Roles and Responsibilities

In looking outside of the Whole Place team, there are a number of specific roles and responsibilities that support community engagement.

“place-making - the art of creating public ‘places of the soul,’ that uplift and help us connect to each other.”

Planning. Planning Policy deals with the management and decision-making on land use within communities, with a strong focus on the statutory process specifically the Local Development Plan process, often working with Community and Town Council, groups and individuals. How Section 106 and Community Infrastructure Levy funds is directed to future land use priorities is seen to be important. The role of Place Plans under the Wales Planning Act also requires consideration within Development Management. The Authority provides pre-application advice to community groups and organisations and works toward mediation when dealing with planning applications and understanding the context and needs of the community. Casework is diverse dealing with large housing schemes to a new vehicular access.

Partnerships. This team supports the Public Service Board and helps to deliver the Single Integrated Plan. It works with partner organisations so that alignment to common goals is achieved. Within the wider team it has developed the well-being assessment with a number of systems and touch points created for partners and the wider community to participate in the assessment. The development of the well-being plan is the next priority and its delivery. Supporting partnerships work through community and engagement is key with Your Voice, Your Choice supporting the Future Generations & Well Being Act, providing a flexible approach to engagement through rural shows, one stop shops and digital opportunities. A specialist role within the team is the Community Cohesion Officers that is part of the Prevent, Extremism, Terrorism initiative. The project has strong links to children and young people through outreach educational programmes provided by RSLs and education providers. Support has also been focussed on the rehousing and assimilation of Syrian/Afghan refugees, providing the “welcome” to Monmouthshire.

Volunteering. The 'A County that Serves' programme in Monmouthshire aims to support and enable volunteers to make a major contribution to the core purpose of creating sustainable and resilient communities. The purpose of the officer resource is to develop more consistent good practice across Council departments and to pioneer new ways of involving volunteers within public services in Monmouthshire. Baseline voluntary activity is extremely high with 1757 volunteers supporting MCC, from Tourism Ambassadors to Community Bus drivers, Sports Ambassadors and Countryside volunteers.

Rural Development. Rural development activity is long established in Monmouthshire due to its eligible rural status. The joint Vale of Usk rural programme with Newport provides LEADER funding support and tackles rural poverty and need. The main focus of the team is to communicate opportunities to rural groups and communities of interest, encouraging innovation and sustainability with funding provided for targeted themes such as renewable energy and provision of non-statutory services.

Funding. This resource capitalises ideas into action through large funding ‘pots’ of domestic and European funding and where possible mainstreaming activities. Working with the Authority’s ‘Pyramid of Plans’ and strategies, aligning robust cases for need for funds is key, being pulled into "community engagement" as and when required.

Social Services. This resource focusses on Social Care at an individual level through well-being. The purpose of adult social care and health is to “help people live their own lives.” Key to this is the ability to intervene at the earliest opportunity and support people to build networks and connections and to find their own solutions to the issues they face. This is delivered through Community Well-Being & Enterprise Hubs, Volunteering for Well-Being Co-ordinators, Place Based Housing & Well-Being Teams and Supporting Gateway Teams.

Sports and Leisure. This resource works with clubs to enhance sports and leisure provision by accessing grants. The service also works with primary and secondary schools in promotion of exercise and sports, as well as providing exercise referral opportunities across its four 4 Leisure Centre sites.

Economy & Innovation. A diverse management role that covers Youth, Economic Development, the Whole Place Programme, the Transitioning of the Museum Services, Cardiff Capital Region City Deal, Apprenticeships and Partnerships. Communication is seen as key in explaining how community engagement works across these services.

Workshops were carried out with staff to identify where their time was spent and what the impact of this was. The outcomes shown in Figure 2 were self-defined by attendees at the workshop and differ in the extent to which they meet the council’s priorities or the stated outcomes of the PSB. While one attendee has referred directly to the authority’s purpose of building sustainable resilient communities others are less specific, such as ‘working to a common goal’. Most of these could be mapped against higher level outcomes such as the impact of growing social capital to people being confident, capable and involved but people were not always making the connections explicitly.

Figure 2 - Community Engagement Activities/Outcomes



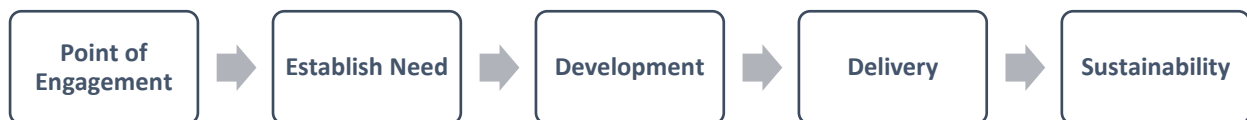
Source: Community Engagement Workshop Attendees – 16th February

- The purpose of the Whole Place team has been about capacity building and facilitation within communities and enabling leadership.
- The lack of strategic alignment to local corporate outcomes is perceived to be a weakness of the Whole Place approach, with the need for a clearer identity and purpose also identified.
- There have been mixed experiences with community governance approaches where the resetting of existing relationships is sometimes needed, with others still developing.
- Other responsible officers have a role in community development that supports engagement, partnerships, empowerment through volunteering, tackling rural issues, funding and the well-being of individuals and communities, amongst others.
- There is an opportunity for a more centralised and integrated way of working amongst communities.

3.3 Process-Ways of Working

As part of the community engagement workshop, participants were asked to reflect on the current process and ways of working through community engagement.

Figure 3 - Understanding Community Engagement Pathway



Source: Community Engagement Workshop – 16th February

3.3.1 Point of Engagement

The Council provides a number of ways for officers to engage with communities through rural shows, roadshow type events, forums and the use of web and digital mediums. On the whole, Officers tend to have the right skills in engagement with stakeholders and the wider community.

When enquiries come to the Council directly, there are sometimes cases where elected Members and senior management have not considered the capacity and reality of delivering the outcome with the issue quickly cascading down to officers who then have to manage the situation. There is a need to understand the “promise” and how signposting and collective expertise is important, managed through systems navigation and customer journey.

This is not just the need for the implications of a promise to be thought through, but also for the final agreement of a project/priority to be communicated to all relevant parties so that a co-ordinated approach is adopted. The referral sift to the community or place based officer is also key in going forward so that the Council’s website, contact centres, ‘Made Open’ and call centre staff signpost the community in a smart way.

A key priority is also to release pressure on the Authority with other partners taking a more direct responsibility for community engagement. The Public Service Board representatives need to be more accountable for strategic outcomes with co-ordination across partner organisations on how targets are being met and identifying joint solutions. There should also be recognition of the resources required to provide partnership support underpinned by community engagement with an equitable allocation from PSB members to funding contributions.

There is a very open culture with elected Members and officers, but their knowledge is not fully utilised as part of the community engagement journey. There is now an opportunity with the new political administration to engage on community engagement providing clarity on what it is and what it isn’t. The first six months of the administration will provide a focus for gathering local intelligence collated during their period of canvassing and this will help in understanding future priorities.

The need to understand the skillset of a community group is a necessity from the point of engagement and to identify where any specific gaps can be plugged. The forthcoming Leadership Academy programme funded through the Vale of Usk Leader Rural Programme will be a key resource for community groups to upskill and build their capacity. The proposed ‘Collective Impact’ tool also has a role in demonstrating to communities the logic and method in developing and delivering ideas and how their benefits can be captured.

In essence, an analysis of the current situation highlights a lack of coherence of vision which needs to be articulated going forward.

“Community engagement covers the interactions between Council, communities and other stakeholders. Community engagement allows community members to actively contribute to Council decisions and actions by creating an inclusive environment in which community feedback is embraced, considered and acted upon. Community engagement is also about engaging with the community to provide access to a greater range of solutions – The collective wisdom of the community can help Council to achieve the vision and aspirations of our community.”

3.3.2 Establish Need

Comments from officers suggest that strategy has dictated the need which is the wrong way round with the well-being assessment denoting a fresh start to directing activity to short, medium and long term priorities. However, “need” should be hooked into strategies early on, in order to make the case for funding and support. A number of workshop comments were made on whether the current use of Section 106 monies has been ad-hoc recognising the need for a series of local community plans to guide investment as well as leveraging in other sources of funding to maximise impact.

“A community development approach means ensuring that the issues and priorities are identified and agreed by the communities themselves, and that people are encouraged to work together towards a collective solution to a shared concern or opportunity.”

Toolkits that help identify need are key to building capacity and skills, specifically the GAVO Creative Communities Toolkit which needs to link into future community engagement practice. In addition, a reality check on funding needs to be built in at the needs based stage to ensure evidence is gathered to support future applications.

An idea to adopt a triage approach to understanding need and resultant action was also identified in order to develop a sense of order on how officers should treat an issue and respond to an opportunity. Protocols or a standard set of design principles such as through the Future Monmouthshire model could be adopted here so that consistency is maintained.

The role of partners is again re-enforced with the need for the Public Service Board to understand community led need and associated data, with the “same endeavour” from strategic to local to street level. The use of the proposed ‘Collective Impact’ tool needs to be considered at this stage to identify how need is measured, collected, analysed and forms part of continual assessment going forward.

3.3.3 Development

How need is developed and progressed can take various forms. Some community groups will have their own resource and skills to develop ideas that are not dependent on other partners. This may be about organising a community or street or to tidy up an area of land or start a growing project.

In most cases, there will be a need to be dependent on the Authority and partners to help develop proposals. This may be due to land ownership, specific regulations and consents required. Responsible officers that tend to provide technical advice tend to get involved later on in the community engagement process unless the issue has a direct relationship to their service area. Proposals can be perceived as being desirable at times and non-statutory which results in community engagement type officers having informal chats outside of mainstream work. There is therefore a need for technical staff to be engaged in the early days of community engagement and to understand where community input and resource can lead to local ownership, opportunities for delegating maintenance/management and shared costs.

3.3.4 Delivery

Delivery of projects often sits outside of community engagement practitioners control, sometimes due to physical works that are led by commissioning organisations. There is still a need to help groups oversee and monitor to ensure physical results meet the projected need in terms of function and sustainability.

On commissioning, officers also discussed whether a consortia approach to procurement could be developed that helps network local commissioning organisations thereby achieving smarter procurement and value for money.

Moving away from capital type community projects, the role of volunteering and local businesses is an untapped opportunity which can be corralled with corporate and social responsibilities enabling community painting, tidy ups and supporting local schools and organisations.

3.3.5 Sustainability

In addition to sustaining community projects through use, management and maintenance, there is still a perceived need to work with groups to watch their natural progression as they move from smaller confidence building projects to ones that may grow in scale but are jointly delivered by the community and enabled by the Authority. There is also opportunity for maturing community groups to coach other emerging groups with their experiences and lessons learnt to ensure they keep growing whilst considering succession planning.

Finally, how outcomes are reported back to the Authority and the Public Service Board are important in seeing where effort has realised local benefits and whether these demonstrate a localised impact or across a number of communities of interest.

The proposed 'Collective Impact' tool could provide a mechanism for channelling both hard and soft outputs that can be aggregated at a local level or towards County outcomes and could be used by the Public Service Board in understanding outcomes and the process that were used to achieve them.

3.3.6 Plans or Frameworks?

The need for a "plan" or a "framework" was questioned through the community engagement process with some officers recognising that a plan provides focus, accountability and direction for a place. The Local Government Bill and Wales Planning Act places emphasis on the need for local planning authorities to work closer with Town/Community Councils with its promoting "Place Plans", although these are a non-statutory requirement. Some interviewees commented on the existence of historical place based plans through rural development activity and the subsequent risk of duplication and over-consultation. Other comments spoke of the risk of Place Plans being town centric and not relating to their immediate hinterland and wider rural area. Planning officers also commented on the timing of Place Plans in Monmouthshire with the Local Development Plan due for review and an emerging Strategic Development Plan to place strategic priorities on the area. Place Plans do however help manage change e.g. housing allocations and do direct S.106 monies from developers towards targeted needs, and therefore need to be considered in the community engagement "mix".

Outside of physical place, some interviewees commented that Plans don't always fit with the well-being agenda, specifically the Council's Prevention and Early Intervention with social inclusion, befriending and volunteering activity focusing on participation in community life and engendering a sense of belonging. Consideration of the word "framework" rather than "Plan" may provide more flexibility in approach yet achieve the same outcomes.

3.3.7 Funding

The need to co-ordinate funding and bring together the small parts to create the whole is an overwhelming message from community engagement practitioners. At an area committee level, interviewees saw the need for the pooling of area committee grants, discussion on how Community Council precepts can be used and more of a community-plan led use of Section 106 contributions. Early engagement with community type organisations so that the need dictates the type of funding is also required.

- Community engagement is about listening, consulting, having a conversation, sometimes regulatory but mostly bottom up with timing and motive important; the Council current provides various forms of engagement through the Wales Future Generation and Well-Being Act but it needs alignment and continued involvement and collaboration.
- Community development is about moving from a conversation into action, removing barriers, giving resources, space and trust to develop shared ideas.
- Community development is not asset based not just issue based – this diversity requires the need for new thinking.
- The maturity of community will shape the approach to how you engage and support, with the need to help grow community leaders to enable diversity and equity.
- There are a number of toolkits that are available which need to be brought into one place for communities to use.
- There are examples of officers working together due to “personality” rather than structure, there are therefore some missed opportunities including opportunities to look at different ways of delivery.
- Discussion on how communities present their priorities in the form of local plan and frameworks.

3.4 Skillset

As part of the series of community workshops, participants completed a skills profile form as well as further discussion in the workshop. Skills were grouped into softer and the more harder, technical skills.

3.4.1 Soft Skills

There is a common skillset within those officers that see themselves as community facing and acting as intermediaries, co-ordinators and enablers. Engagement skills are a pre-requisite for striking up a conversation and participation within a community with strong inter-personal qualities key to ensuring community engagement practitioners are perceived as accessible, helpful, approachable and friendly. This is supported by the ability to identify potential individuals and groups within a community specifically when the Authority is presenting an opportunity to make a difference.

Figure 4 - "Soft" Community Engagement Skills

Facilitation is a key role for most officers when managing change and a key quality in shifting ways of working and the role of communities in co-delivery. This is supported by coaching, mentoring and leadership skills and creating positive working relationships within the Authority and across communities.

When looking at communication skills, comments focussed on the need to listen to individuals and community groups, being able to speak and articulate key areas for discussions and joint ideas, and capturing these in a user friendly written format. Interpreting discussions within a community and how these meet local need as well as alignment to wider strategic outcomes is also important, specifically when looking at resources and funding. As part of the communication skillset, “telling stories” through pen portraits of a community and sharing similar experiences through case studies, all help build confidence and support community led action.

Negotiation, persuasion and influencing are skills that are essential for internal ways of working within the Authority, as well as building consensus within a wider community. Building relationships, and sometimes “conflict resolution” and having a political awareness, are also key skills in problem solving and reaching a shared solution. All of the above are also about focussing on growing individuals and groups using a broad skillset to achieve this outcome.

3.4.2 Hard Skills

Due to the diverse range of jobs and professions in the workshop sessions, the range of technical skills are transferable as well as specialist:

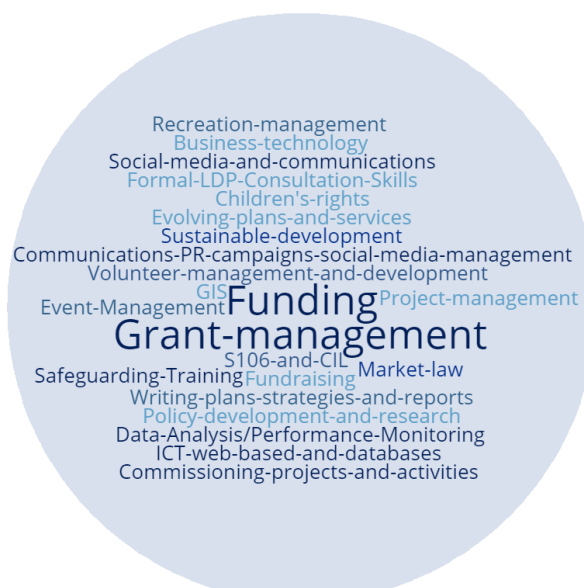
- Qualifications in project management as well as being able to commission projects and activities;
- Volunteer management and development which also includes Safeguarding Training Level 2 and Trainer Status;



Source: Community Engagement Workshop Attendees – 9th March

Figure 5 - "Harder" Technical Community Engagement Skills

- Communication skills specifically:
 - Copy writing
 - Public relations and campaigns
 - Social media management
 - Formal Local Development Plan consultation skills;
- Event management;
- Grant management and funding;
 - Writing funding applications;
 - Domestic and European funding knowledge e.g. RDP;
 - Fundraising;
- Knowledge of Section 106 and Community Infrastructure Levy;
- ICT;
 - Web based;
 - Databases;
 - Business technology;
 - Geographical information systems;



Source: Community Engagement Workshop Attendees
– 9th March

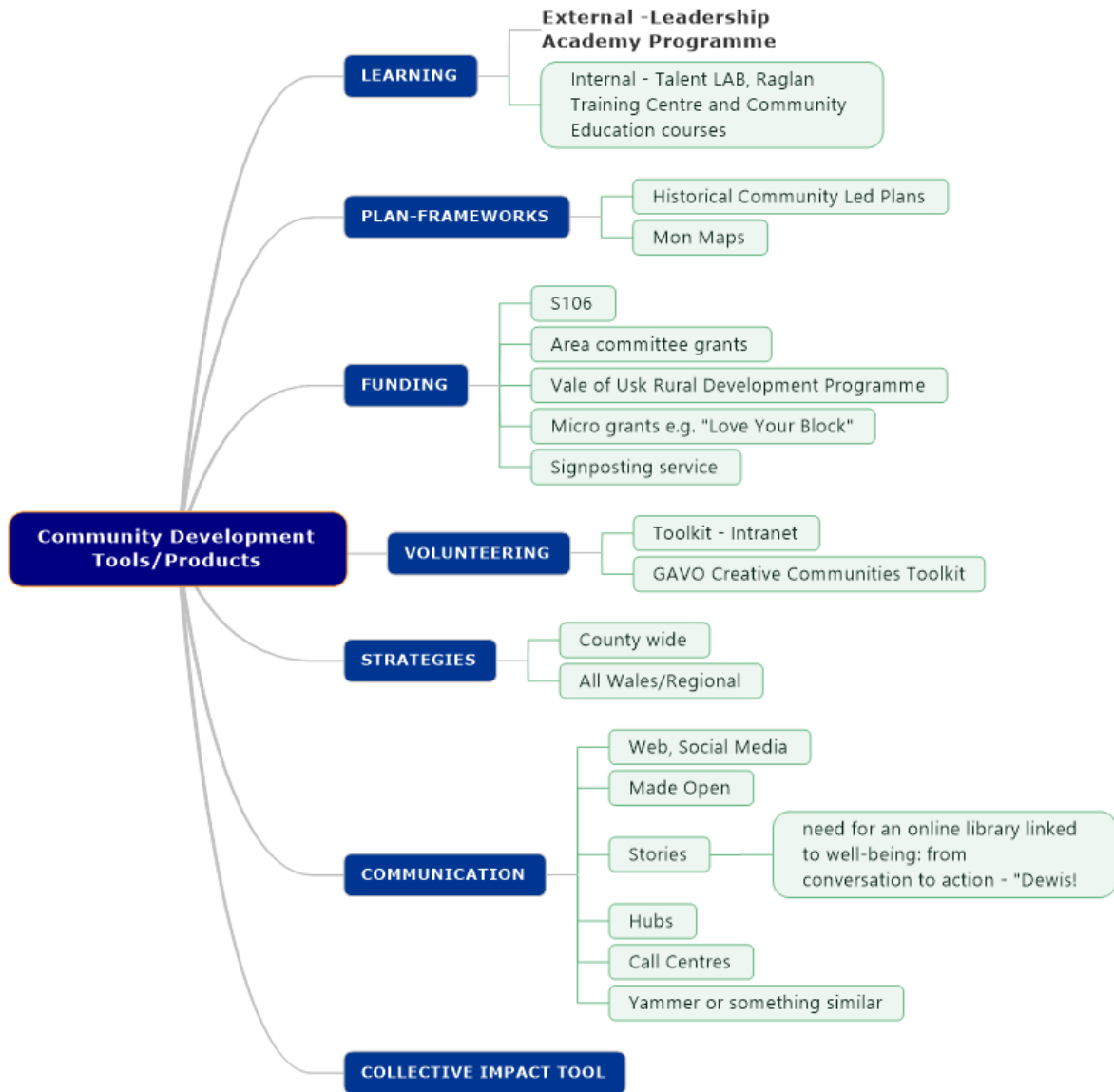
- Recreation management;
- Policy development;
- Data analysis;
- Performance management, monitoring and evaluation;
- Sustainable development;
- Specific skills: Market law, Children's rights - SOUL and Hidden Sentences Training; and
- Writing plans, strategies and reports, evolving plans and services.

3.5 Current Toolkit

Figure 6 overleaf illustrates the range of resources within the existing toolkit that a more integrated community engagement could provide. Areas for development include:

- Online libraries for staff and the wider community to access on best practice, stories (video) and downloadable case studies, evaluation reports;
- Integration of 'Made Open' into community engagement pathway so that users understand its placement, purpose and how it can lead to other means of support and networking outside of public meetings;
- Training – develop in-house training for community engagement that extends core skills, innovation and how to develop joint solutions;

Figure 6 - Community Engagement Toolkit - Now



Source: Community Engagement Workshop Attendees – 9th March

- The people based skills for community engagement and development are strong across a diversity of services and officers. Project management, communication, ICT and bid writing skills are also core technical skills that people possess.
- There are opportunities for training some responsible officers in core community development skills which would release time and resources from the current Whole Place team.
- There are a number of existing resources that can be pooled into a community development toolkit for Council users and for the wider community

4 Community Governance - Now

4.1 Role of Local Members

Local elected Members are seen to be the first point of contact for local residents and organisations when there is an issue or a proposal that relates to community well-being. Local members will often reside in their ward or community and will subsequently have a strong awareness of need and issues and the type of organisations that are active. Some members are very visible in their community with ward walkabouts and surgeries and are seen as local conduits for raising problems and making connections with the Authority. Some examples have been given though where elected members have turned to the Whole Place team on issues that are not directly related to community engagement i.e. streetscene. This diverts resources and blurs the role of community engagement type activity. There is therefore a need for some training and mentoring for elected Members. The Councillor's Workbook on Neighbourhood and Community Engagement Guidance from the Local Government Association¹ may be useful in shaping an approach to training material whilst the embryonic Community Leadership Academy will provide an opportunity to deliver bespoke training courses.

4.2 Area Committees to Date

Area committees were originally established following the need to engage the community in Area Working with the following roles and functions:

1. To help the Authority shape major proposals affecting the area and to advise the Authority about the implications for the area of the proposed objectives, plans and policies;
2. To lead the development of the local community planning process and produce a Community Plan for each area in a way which communicates the Authority's overall policies as well as safeguarding local interest;
3. To ensure properly coordinated services at a local level;
4. To encourage effective collaboration with public, private and voluntary sector partners locally to help the Authority meet the aspirations of local people;
5. To provide a forum for views of local communities and to encourage discussions and debate on matters of particular relevance to the area including participating in the process of Best Value Reviews as a formal consultee; and
6. To make decisions on matters within the area that have been delegated by the Executive provided those decisions are within the Authority's overall policies and budgetary allocations and do not adversely affect other areas of Monmouthshire.

Monmouthshire Council has operated a system of four area committees in Bryn-y-Cwm; Severnside; Lower Wye and Central Monmouthshire. Some area committees are perceived to work well, others not so which may relate to the level of social capital and activity within an area such as the presence of voluntary and community organisations and in some towns the existence of Programme Boards and Town Teams that have a local focus. Other comments have identified the lack of an area services officer (ASO) or direct resource for the committee following the removal of resource due to capacity and a lack of delegated powers to implement decisions arising from meetings. The ASO role was also seen to support making connections across community organisations which Whole Place has supported.

¹ <http://www.local.gov.uk/councillors-workbook-neighbourhood-and-community-engagement>

Comments on the role of area committees have focussed on the need to avoid duplication with local decision-making within communities. The role of local elected Members in bridging grass roots issues and ideas via area committees and onwards to Cabinet meetings is key to demonstrating that issues are being addressed and changed is being managed within a community. The need for area committees to be equitable and inclusive is seen as important with the need for co-opted representatives being key to opening up the local democratic process so that organisations are listened to and also form part of the local prioritisation process as well as supporting co-delivery.

4.3 Area Forums

There were three Community Forums in Monmouthshire in Bryn-y-Cwm, the Rural Forum and the Monmouthshire Partnership Forum. The Bryn y Cwm Forum ceased to exist when the Whole Place team were no longer able to provide facilitation services due to resource issues, the Rural Forum ceased when the Usk Cluster was formed however the Monmouthshire Partnership Forum continues although it is no longer serviced by the Whole Place team and is run as an independent forum to discuss local issues.

4.4 Programme Board - Town Teams

Programme Boards were devised to support the delivery of Place Plans with two set up in Bryn-y-cwm and Severnside. These town centred Boards were initially serviced by Whole Place officers. These have not met for some time with Town Teams appearing to have taken over responsibility for delivering actions within the respective town centres. These sit outside of the Authority with both the Caldicot Town Team and the Abergavenny Town Team formally incorporated as Community Interest Companies. Comments on how the respective town teams have operated can be found earlier on in the report.

4.5 Area Committee Grants

Area committees have operated a small capital grant fund of £20,000 per annum which is currently distributed equally amongst the four Committees, with £5,000 distributed to local projects across each of the four areas. Observations on the use of these small grants related to their need for greater governance around funding criteria, promotion, evidence of need and the type of projects that grants have funded. There is also a case for aligning these grants with other funding such as Section 106, RDP and small lottery grants so that leverage is maximised and greater impact generated.

4.6 Area Committees and Relationship to Community Centred Delivery

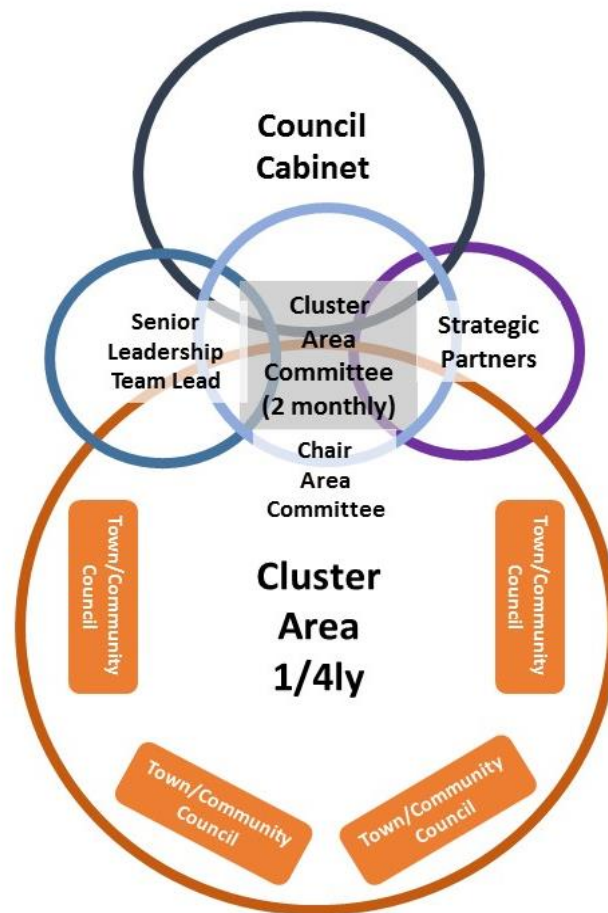
In 2016, the Authority saw the need to improve communication and relationships with its Town and Community Councils and so Cluster Area meetings were established. The cluster area roll out was identified by all interviewees as key to relationship building and establishing roles and responsibilities especially amongst Town and Community Councils. A Senior Leadership Team member in each of the five areas is a key bridge to corporate outcomes and strategic signposting to the Authority and onwards to the Public Service Board.

There is however a need to discuss the cascade of community engagement and place based support with Town and Community Councils specifically how they engage with their communities of interest. This is in relation to their geographical reach, types of groups, their residents, skills within Town/Community Council and any necessary training (possible use of RDP Vale of Usk Leadership Academy Training project). The role of community engagement and place based officers needs clarification and how plans/conversations are developed in the future especially within the context of place plans or local frameworks. The role of area committee grants and the future role of section 106 contributions or

Community Infrastructure Levy specifically with projects that are at a County or a town/community level also needs consideration to ensure transparency

When interviewees were asked about the future role of area committee, most officers had concerns over duplication and where Area Committees can add value when there is a greater emphasis on Town and Community Councils and increased devolution to a local level. The role of local County Councillors was seen to be part of the local solution and the devolved approach, with their involvement in their ward key to the gathering of intelligence, identifying needs and directing resources. Examples of proactive Members undertaking regular ward walkabouts and surgeries were identified with one suggestion that if there was to be a consistent approach to community engagement that joint training/mentoring for elected Members and responsible officers be provided.

Figure 7 - Relationship of Area Committees to Cluster Area Working



Source: Chris Jones Regeneration

The evolution of the clusters areas into joint decision-making bodies with area elected Members is logical and joined up, however representation from other community organisations is important in shaping prioritisation. Where interviewees saw merit in retaining and developing area committees, they saw the committee as a platform from where strategic and local decision-making meets. By bending strategic programmes to meet local need, interviewees recognise a role for area committees as a conduit for developing and delivering the well-being plan at a local level and directing resources such as S.106 contributions in a coordinated manner.

- The role of local ward Members is key to how communities participate and engage in their local area.
- Key legislation and the formation of the five area clusters is important to the future of shape of community governance and relationship to area committees, with implications for upskilling Community Councils and other community organisations.
- There needs to be a more integrated and smarter way of aligning grants and funding to local need to maximize leverage and gain greater impact. Use of digital platforms such as Made Open could also in prioritizing local issues through community voting and where resources such as grants should be spent.

5 Role of Section 106

The review of Section 106 has been undertaken through a workshop amongst planning officers and an interview with the Community Infrastructure Officer in the County Council.

5.1 Section 106 Funding

Section 106 agreements and their associated funding are made under Section 106 of the Town and Country Planning Act 1990, sometimes called planning obligations or planning gain.

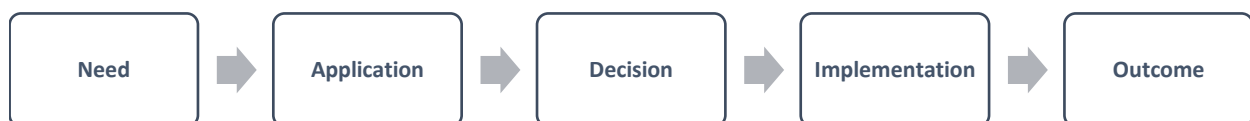
The agreement is between a developer and a Local Planning Authority which operates alongside a statutory planning permission. Such an agreement is entered into to prescribe the nature of development, to secure a contribution from a developer to compensate for any loss or damage caused by a development, or to mitigate a development's wider impact. Section 106 agreements are signed once planning permission has been granted. Any agreement needs to meet the statutory tests that any planning obligations in the agreement are "necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind²".

Section 106 contributions can be made in several ways, including:

- Affordable housing – either construction or financial contributions towards;
- Education – contributions from developers (up to 5 individual developers' contributions can be pooled) can be collected towards larger infrastructure developments such as a local school;
- Direct site access;
- Flood protection;
- Wildlife protection measures; and
- On-site leisure recreation such as open space
- Off-site adult recreation
- Sustainable transport

5.2 Process

Figure 8 - Section 106 Review Process



Source: Chris Jones Regeneration

5.2.1 Management

The management and monitoring of Section 106 agreements and contributions is overseen by the Head of Planning, Housing and Place-Shaping with day to day responsibility to a planning officer and enforcement officer. These act as point of contacts at pre-application stage with the development management officer and on agreement, the follow-on monitoring undertaken by the enforcement officer.

² Welsh Government guidance – Planning – Section 106 agreements, July 2015

A Section 106 working group has been established for some 10 years, meeting regularly with the following responsibilities:

- To monitor Section 106 Agreements from first expressions of interest to the application of commuted maintenance and capital sums;
- To review arrangements for Section 106 Agreements and make recommendations for improvement;
- To receive regular reports from the Planning Enforcement Section identifying details of Section 106 Agreements, implementation timescales and payments received;
- To receive regular reports from Central Finance that sums received on the Authority's ledger reconcile to the Section 106 combined report, confirming budgets established and slipped, expenditure incurred and balances remaining on schemes. Highlighting capital budgets which are required to be added to the capital program and ensuring that controls within the Section 106 environment accord with financial processes elsewhere in the Authority;
- To be consulted on all matters in relation to Section 106 Agreements; and
- To be consulted on the application of Section 106 monies held for programme maintenance and capital schemes.

The working group comprises of responsible officers from planning, legal and finance with respective officers (highways, active travel, leisure, education, housing) reporting on progress against agreed contributions, associated consents/permissions, status of any agreements, expenditure incurred and general progress. The review attended a meeting of the working group meeting which presented a robust and well managed systems approach to how developing and approved Section 106 agreements were being delivered. The meeting provided a forum for co-ordination, troubleshooting and risk management and monitoring progress during the implementation of respective works.

It is chaired by the Head of Planning, Housing and Place Shaping with some strategic areas of scrutiny including viability on housing, clarifying the need and mitigation, and link to the development. The Chair is supported by a planning officer and by the enforcement/monitoring officer, who specifically:

- Logs the Section 106 agreements and any associated covenants;
- Ongoing monitoring: occupancy conditions with reminders to service heads; and
- Acts as an intermediary with other partners e.g. National Park Authority

The Whole Place Manager attends working group meetings with the remit to feedback local need, scrutiny of applications with lead officers and the lead elected Member prior to Cabinet approval.

Due to the Brecon Beacons National Parking (BBNPA) being the local planning authority for the northern edge of the Authority's area, representation from BBNPA is open but attendance has been sporadic. This is noted to be causing a lack of co-ordination on where Section 106 monies are being spent as well as transparency on monitoring of contributions. This issue needs to be addressed if a more integrated way of understanding need and directing contributions is made.

5.2.2 Need

Within the planning sphere, the needs of communities are identified through the infrastructure plan as part of the Local Development Plan (LDP) process with statutory bodies consulted as part of the process. Planning officers also use the Community Council profiles to understand specific characteristics and

potential areas of need. The workshop did identify the need for a more user-friendly asset or infrastructure plan that wasn't entirely welded to LDP documents but something that was accessible and potentially could inform any future Place Plans or frameworks within communities. County Councillors have also historically come to planning officers with requests as well as to officers in leisure with proposals that have come from Community Councils or other local organisations.

When looking at statistical or quantitative need for a proposal, there is agreement that well-being data needs to link to physical assets of a place. Opportunities with the project managed by the Authority's Policy and Performance Manager is a future action and could help to shape how future Section 106 contributions are targeted. By mapping data and evidence used in the well-being assessment and other information held by officers as part of the newly formed data network this could help shape how future S.106 contributions are targeted. The use of available digital platforms such as Made Open could enable the community to comment and vote on options enabling a more participatory form of local democracy in line with the involvement and collaboration principles enshrined in the Well-being of Future Generations Act.

There is also a need to review how, when and why communities are engaged as this is presently undertaken at the post Section 106 decision stage. Early engagement through community asset plans or place based plans could help in setting priorities across the five cluster areas. This would provide a hierarchical approach to investment, identify pipeline projects, in addition to leveraging other grants and adding value to Section 106 contributions. The need to develop a local prioritisation tool linking into 'Mon Maps' has also been identified. Some interviewees have also commented on the lack of a strategic focus or list of medium to long term projects that can guide Section 106 contributions which does result in single sites and projects being considered, albeit there is a cap on pooling up to five individual Section 106 contributions which does not restrict supporting larger strategic projects. The example of Monmouth pool has been highlighted with three housing sites being pooled together to meet "major priorities". The lack of a strategic framework to direct contributions which also provides a rationale to other groups that are seeking money for leisure/recreational projects is therefore needed.

5.2.3 Application

Development management officers will be the main point of contact with applicants and developers. A development management proforma has been devised which helps in co-ordinating responses to developers in relation to need and proposals (see annex). Main areas of liaison are on active travel, Education, S278 highways, affordable housing, leisure/open space and green infrastructure. Calls for Section 106 contributions are sometimes seen to be for "pet projects" or for proposals that have been historically linked to a series of old decisions which tends to block new ways of thinking. Larger applications are referred to Head of Planning with the majority mainly handled by development management officers.

Education and affordable housing requests are managed directly with off-site recreation needs led by the Community Infrastructure Officer. This officer does provide support to developers at pre-application meetings in terms of standards and cost estimates.

Working with the data network group, there is an opportunity to provide transparency on funding criteria for the use of Section 106 monies, how to identify ideas, develop proposals and provide a digital forum for the community to vote on priorities. Other non-digital voting systems would also need to be provided.

5.2.4 Pre-Decision

On affordable housing needs linked to Section 106 contributions, viability tests are undertaken in relation to demand and sustainability.

The main resource focus are the legal negotiations between the developer and Council solicitors which takes time and is a high-risk item in safeguarding the interest of the agreement, its conditions and future fulfilment. Some interviewees have commented on the various forms of Section 106 agreements and that a standard format needs to be agreed between developer, agent, landowner and the Authority.

5.2.5 Decision

The planning decision notice is the “trigger” for the period of implementation for the Section 106 agreement, with the Authority’s monitoring database helping to report on key triggers and co-ordinate when money comes in to the Council.

5.2.6 Implementation

Consultation with the community has historically started at the post planning application decision stage, with some interviewees feeling that this should form part of earlier engagement through a local plan approach. This tends to develop design proposals further, prior to contracted works, specifically on open space and play/recreation. Local decision-making through “local panels” has mixed views from interviewees with some believing that they help reach a consensual decision and others stating that the panel is not representative or elected. The Monmouth local panel is held up as an example where responsible officers in leisure, asset management and Whole Place have assessed and directed Section 106 monies in consultation with the Cabinet Member and a Town Councillor with three members of the public also observing proceedings. This approach has looked at evidence of need and level of match funding contribution which has made shortlisting easier and made Section 106 monies go further.

In looking at open space and recreation schemes to date, some interviewees have commented on the previous interpretation of the standards for play provision with one housing scheme in Rockfield having 8 no. play areas with 20 no. play areas in Monmouth town area. In going forward, interviewees have outlined a more flexible approach on the amount and type of open space that will be provided in new development. This common-sense approach and relaxation of standards therefore seems to be logical in terms of reaching sustainable and integrated solutions and helping with future maintenance costs.

Dependent on the nature of the works, a clerk of works will check on the physical progress of works in relation to quality and certification which is linked to monitoring reports to the S.106 working group. When an open space or play/recreation space is to be adopted by the Authority final checks will be made on completion.

There were mixed views as to whether the Authority should communicate which developers have helped to support community infrastructure in projects through S.106 contributions such as play and recreation as they are seen to be a form of mitigating impact or have specific sensitivities e.g. Chippenham Playing Fields campaign. Other interviewees see a need to promote the benefits of their investment so that it feels part of the community.

5.2.7 Outcome

There is no post monitoring of usage and benefits that have been generated from S.106 contributions. This is seen to be beyond the development management process but it is seen to be part of community

development and understanding how the well-being of residents has been impacted through works that will help with activity, cohesion and development.

- There is a robust system of monitoring Section 106 contributions from application, decision to implementation, however Brecon Beacons National Park Authority needs to move to a more active role on the working group, could the PSB influence this?
- More user-friendly asset or infrastructure plans could be developed that may form part of local “place plans” in going forward so that medium to long term priorities are agreed; these can direct future Section 106 contributions and generate pipeline projects.
- Greater data sharing between local need and outcomes should be developed across the Authority so that the relationship of land use and well-being can be captured e.g. Mon Maps, with a greater focus being placed on outcomes and impacts.
- Agree standard forms of agreements for Section 106 contracts.
- Consider ways of promoting the Section 106 investment from developers through site promotion or through community information to avoid missed opportunities from other potential community schemes.
- Maximise impact by identifying opportunities to use Section 106 funding as match funding to unlock bigger community schemes.

6 Community Engagement/Governance - Future

6.1 Focus/Ways of Working

In looking towards the future focus for the present whole place team and community engagement in Monmouthshire, there are several policy drivers and changes to ways of working that need to be acknowledged.

6.1.1 Monmouthshire's Well-being Assessment

Some of the key issues identified within the Well Being Assessment that relate to community engagement include:

Short term

- Monmouthshire has high levels of social capital and volunteering. By taking an asset and placed based approach there is an opportunity to improve well-being.

Medium term

- An ageing population brings many opportunities, however there are also challenges for service provision and increases in the number of people living with long term conditions which will create pressures on health and social care services.
- There are many vulnerable people in our society, this can arise from many things such as mental or physical disability or factors such as age, rural isolation and loneliness.
- Arts and culture can have a positive impact on emotional health and well-being providing opportunities for expression and social contact. However, funding for the arts can come under pressure in terms of austerity and there is a need to increase accessibility of arts, culture and heritage to maximise their contribution to well-being.

Long term

- There is inequality between communities and within communities. This includes educational attainment, wage levels and health outcomes. Research shows that inequality has a negative impact in many aspects of well-being with more equal services experiencing better outcomes.
- Development, climate change and pollution all present risk to the natural and built environment. These are central to our well-being and need to be protected and preserved for future generations.
- Climate change is likely to increase the risk of flooding, as well as many other risks, so mitigating climate change and building resilience will be crucial for communities.

6.1.2 The Planning (Wales) Act 2015

The Act requires Local Planning Authorities to:

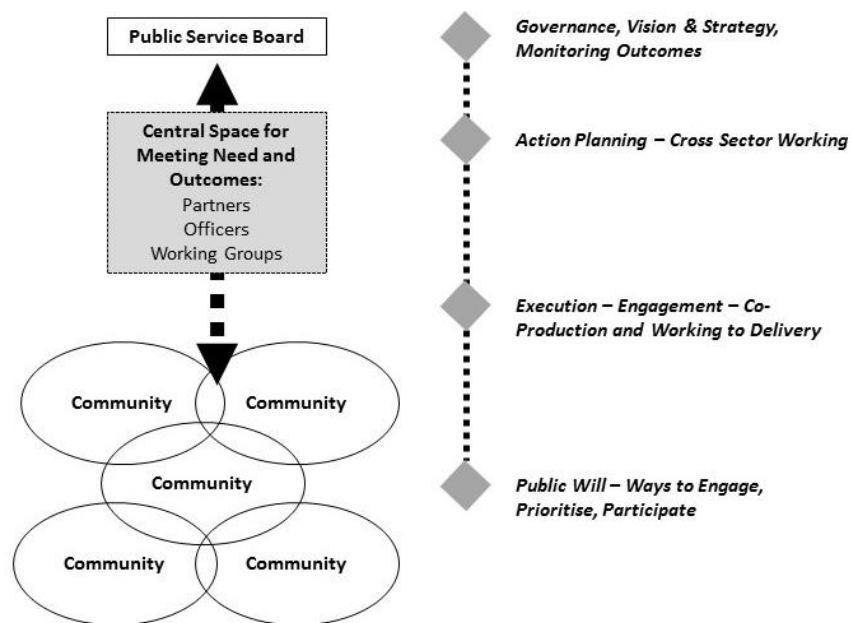
- Have regard to 'Local Well-being Plans' to be published by Public Service Boards (PSBs);
- Greater development engagement at the pre-application stage; and
- To consider the Positive Planning agenda and role of pilot Place Plans which should be prepared and led by communities to enable residents to have a greater say on developments within their local area.

6.1.3 Positioning Community Engagement

The review has come to an informed view that community engagement needs to be repositioned within a more centralised role as shown in Figure 9 below, for the following reasons:

- The Authority’s Well-Being Assessment will move next to the Plan stage and subsequent co-delivery with partners, focussing on how its resource structure and alignment can embrace i) integration ii) long-term thinking iii) prevention iv) collaboration and v) involvement - involving the people affect. The Public Service Board (PSB) is strategically responsible for the delivery and monitoring of the future Well Being Plan with the need for a coordinated and cross cutting approach to thematic areas and outcomes. There is a need to align the existing Whole Place team with the Authority’s Partnership team to help with delivery and provide the central channel where need leads to delivery and generates outcomes. Annex C to this report details the PSB structure, outcomes and leads.
- The Local Government Act and Planning Wales Act place emphasis on encouraging greater public participation in Local Government with community governance moving to an area based approach and “boards” made up of Elected Members, community bodies, the third sector, Community Councils and other public services. The Planning Wales Act has a focus on community led plans that supplement the Local Development Plan.
- The County Council has recognised the need to engage closer with its Community Councils since 2016 with the five-area cluster model now providing the forum for respective Town and Community Councils to come together and liaise with the County Council. This integrated approach provides an opportunity for the current whole place team to have more of an enabling and facilitating role, in addition to supporting the co-delivery of community led ideas. There is also a need to support Town and Community Councils with their skills and training as part of the transition in their roles in meeting well-being objectives and co-producing locally led frameworks such as Place Plans.

Figure 9 - Positioning Community Engagement



Source: Chris Jones Regeneration

6.2 Community Governance approach

The original objective for the review of community governance was to understand the role of area committees in facilitating community governance. As policy and legislation is opening up, the wider roles for elected Members in local authorities and Community Councils will not be solely directed along the Areas Committees pathway. There is therefore a need to recognise how other organisations and ‘joined-up’ working will have a role in community governance going forward

In Monmouthshire, the following pathway is therefore proposed that will facilitate and enable community participation and development.

Figure 10 – Community Governance/Engagement Pathway



Source: Chris Jones Regeneration

6.3 Roles/Responsibilities

The following roles and responsibilities are centred on awareness, building capacity, co-resourcing, coordination, scaling up and influencing local decisions and actions within communities.

6.3.1 Community Lead Enablers

This is not exclusive to the present Whole Place team as other responsible officers have responsibility for community engagement whether this be within leisure, community infrastructure, sustainability, planning or the Rural Development Programme.

Key roles and responsibilities include:

- Providing resources for high quality community leaders including elected Members at a County and Community Council level;
 - Access to Leadership Academy Programme (external);
 - Community engagement training for elected members (internal);
- Enabling the co-production and delivery of community led ideas through innovative ways of working;
- Building skills across the Authority in framework and plans development that guide local and strategic priorities;
- Providing a centralised resource that helps deliver against need through a well-being and place based approach at a local and strategic level, providing a conduit between the Public Service Board and its communities of interest;
- Recording intelligence and conversations that help establish need, types of support and resultant signposting whilst also providing toolkits to help visual outcomes.

6.3.2 Community/Town Council – Other Organisations

For Community and Town Councils to be competent and skilled in their role in local community engagement, there is a need to support them in this transition, whilst also respecting that some Community Councils may already be equipped to undertake this role.

Key roles and responsibilities include:

- To promote and raise awareness of local democracy and participation amongst residents and organisations;
- For local elected Members to develop skills in community engagement and development with the support of Community Engagement Enablers and organisations such as Planning Aid Wales;
- To understand the role of Community and Town Council in well-being and place based plans;
- To provide a local forum for partners/residents to shape local priorities and participate in the engagement and delivery of local plans and frameworks;
- To develop “local plans” that meet the needs of people and places within a Town and Community Council area; and
- To work with other Town and Community Councils where there is a need to address common issues and develop joint solutions e.g. community transport, local tourism initiatives.

Whilst there needs to be a focus and support for Town and Community Councils, support for community and voluntary groups and organisations needs to be maintained as well as helping non-formalised groups with their growth. Close working with Gwent Association for Voluntary Organisations on their Creative Rural Communities toolkit needs to be tied into these networks.

6.3.3 Cluster Areas

We understand that the five cluster areas have been established to improve communication between the Authority and Town and Community Councils, such a forum can also facilitate a space that brings issues and locally grown ideas for sharing and augmenting.

Key roles and responsibilities include:

- A place to involve Community Councils in strategic policy (Well Being Plans, Social Care Place Based approaches), cluster and County wide proposals, plans and initiatives, and funding opportunities such as Section 106, future CIL resources and other strategic investments;
- Relationship and shared locality solutions;
- Developing areas where local plans can join up and develop cross Community Council working;
- A place to gradually filter out “background noise” and deal with strategic issues and proposals;
- A conduit for County wide organisations to attend and share thinking and support e.g. GAVO;
- To aggregate local monitoring reports and to understand/celebrate outputs, outcomes and stories;
- A bridge between Community Councils and Area Committees where issues and priorities are raised with Senior Leadership Team officer and Area Committee Chairs.

6.3.4 Area Committees

A renewed focus on area committees needs to be an integrated way of supporting and ensuring Monmouthshire’s communities are resilient with a clarity for purpose when seen from a community perspective. From review workshops and interviews, area committees need to be citizen focussed and

seen to add value and influence, “where strategic and local decision-making meets” whilst directing resources to local priorities.

The March 2017 report to County Council has agreed to a pilot whereby Area Committees are retained as the sole structure with an increase in co-opted community members. There will be a need to discuss the numbers and type of community members that can be co-opted and whether these need to be nominated from within the respective cluster area. A key consideration for selection of the co-opted member will be their specific knowledge or competency that can support guiding the well-being of all communities within the respective geographical area of the committee. It is suggested that they are impartial and would not be there to influence their own organisation or place of residence.

Key roles and responsibilities include:

- Providing a clear link from the cluster areas in relation to area decision-making and onwards to Cabinet and County Council;
- To provide a place for the public to participate in local democracy as well as promoting other means of engagement outside of meetings that are accessible and responsive;
- To receive local plans/framework that evidence community need;
 - Local well-being plans and how they are contributing to Area and County outcomes;
 - The role of “Place Plans” and how these relate within the five respective cluster areas;
 - To respond to other community led initiatives in a strategic way;
- To provide support where necessary and look for ways of developing joint solutions within an area that is place and partner based;
- To adopt a more strategic way of co-ordinating funding that aggregates former area committee grants, Section 106 funding, domestic grants and innovative funding streams that maximises opportunity and impact;
- To understand how community engagement is making an impact within respective communities through regular monitoring and evaluation reports (local stories and hard data); and
- To conduct area committees’ business within a collective advocacy role and a culture of doing.

A draft terms of reference for area committees is found in Annex B to this report.

6.3.5 Role of Local Members

Whilst not shown in Figure 10 as part of the community governance/engagement pathway, elected members at a County and Community level are the visible face of local democracy and key to the well-being of community life, as they represent and influence services and local investment.

With a new political administration to be elected in May 2017, this presents a perfect opportunity to focus on a refreshed approach to local engagement and community engagement.

Future key roles and responsibilities include:

- To provide information to local people to help them make informed decisions e.g. fact sheets, websites and open houses/surgeries;
- Where there is a key issue or an opportunity for a community, offering consultation and a community workshop, walkabout;

- Where residents and communities want to work in an equal partnership with the Authority, provide opportunities for co-production, participatory budgeting and prioritisation and resident managed projects; and
- To provide clarity on the resources and defined pathways to community engagement support within the Authority and with other partners.

6.4 Values, Brand, Communication & Toolkits

Further to the recommendation to repurpose whole place and its associated community engagement activity following the realignment with the Partnerships team, there is a need to provide an identity and brand that has the right values and is communicated in the right way.

A key message from this review has been that community engagement activity in the form of Whole Place has been known within the Authority but has not been widely recognised as the vehicle for community engagement and development, within the Community.

Once agreement on the form and function of community engagement and its role with community governance has been made, this needs to be considered in terms of the following items:

- What should the service be called so that it is clear and accessible to its audience - the community of Monmouthshire – Communities and Partnerships for example?
- What are the brand values of the service and how should these be projected in any material that promotes what it does and how it does it, both internally and externally?
- What existing forms of communication does the Authority have and how can these be adjusted to meet the refreshed identity for community engagement?
- What internal forms of communication can be provided to facilitate more integrated community engagement activities across Authority services? These can be discussion or project based areas in association with the Authority's Communications Team.

6.4.1 Toolkits

There are several existing toolkits and support programmes that could be have a stronger alignment to community engagement so that an integrated approach is shown to potential users. These include:

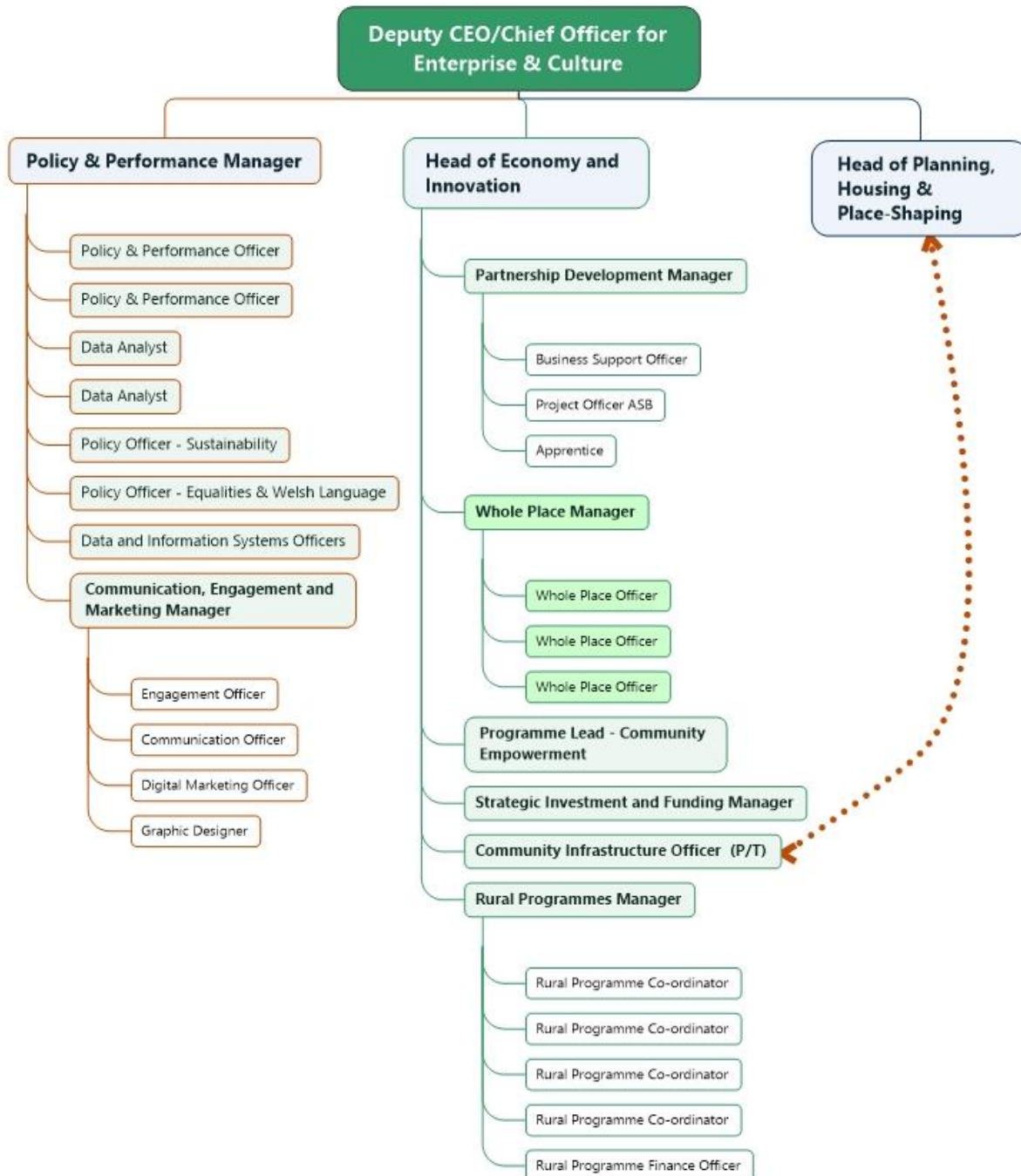
- Made Open: <https://monmouthshire.madeopen.co.uk/>
- GAVO Creative Communities Toolkit: <http://monmouthshire.biz/project/creative-communities-toolkit/>
- Community Leadership Academy: <http://monmouthshire.biz/project/community-leadership-academy/>
- Funding finder: <http://monmouthshire.biz/funding-finder/>

7 Next Steps and Recommendations

7.1 Proposed Structure

Error! Reference source not found. Figure 11 below shows the current structure of where the existing whole place team is placed.

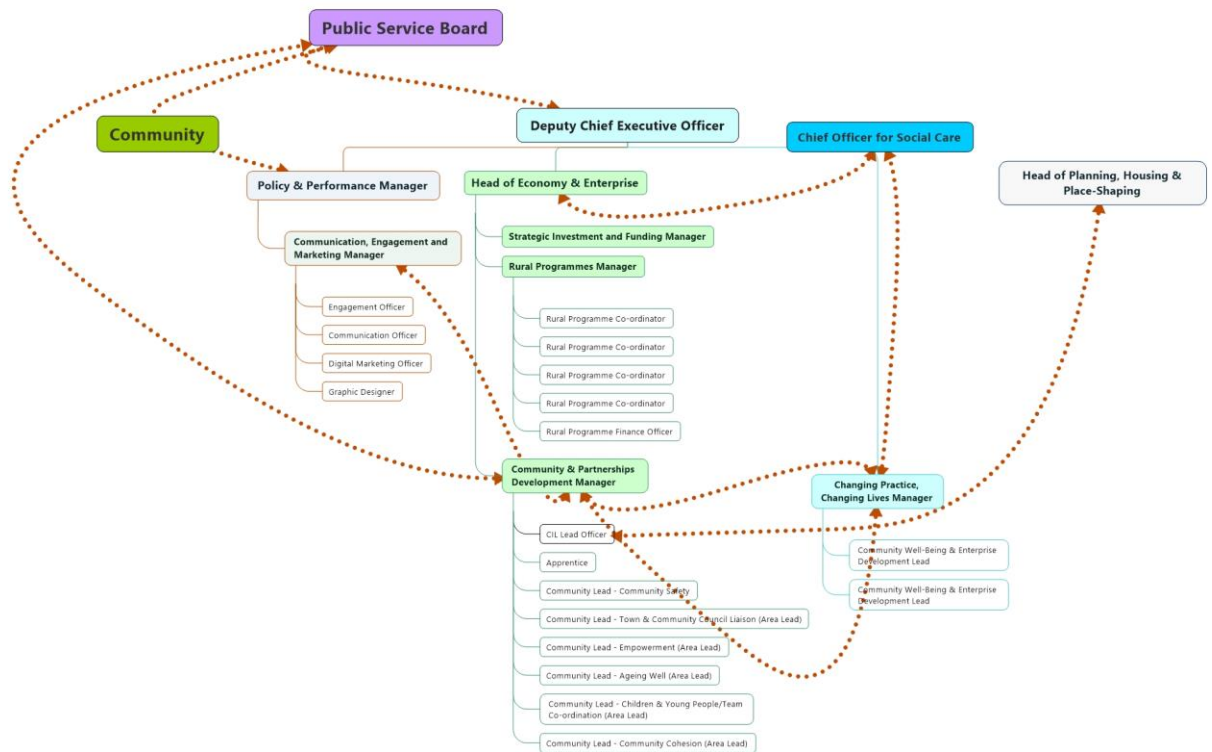
Figure 11 – Current Interim Structure for the Whole Place Team



Source: Chris Jones Regeneration

Figure 12 below, proposes how the proposed structure to meet the strategic needs identified earlier in Figure 9, which detailed the need for a more centralised approach that would enable closer working with the Partnerships team and alignment to the Authority’s future Well Being Plan as well as enabling and influencing other strategic ways of working.

Figure 12 - Proposed Structure



Source: Chris Jones Regeneration

7.2 Line management

The current Whole Place team is line managed by the Head of Economy and Innovation by restructuring both the Whole Place and the Partnerships along with Community Empowerment and Community Infrastructure it provides a much more consolidated offer. Strengthened links with Strategic Investment and Funding and Rural Programmes will offer further opportunities to align resource for added value and maximum impact whilst enabling stronger collaboration, signposting across teams and a closer association to the Well-Being Plan enabling a visible link between communities and the Public Service Board.

Outside of this immediate structure, there is a need to continue cross team working through the Strong Communities Group and support other teams in skills development and looking to co-production.

Figure 13 - Centralised and Thematic Working Across Services and Teams



Source: Chris Jones Regeneration

7.3 Roles and responsibilities

For the newly aligned Communities and Partnerships the following roles and responsibilities are proposed.

7.3.1 Role

“Enabling communities to shape their priorities by understanding their needs and encouraging people to work together towards a collective concern or opportunity that improves and sustains well-being for all.”

7.3.2 Responsibilities

- To provide a centralised resource that helps deliver against need through well-being and place based at a local and strategic level, providing a conduit between the Public Service Board and its communities of interest;
- To provide a common ground where current legislative drivers and County outcomes meet local need and priorities;
- To build on relationships and grow trust between the Council and communities, specifically Community Councils, local organisations and residents;
- To provide resources for high quality community leaders including elected members at a County and Community Council level;
 - Access to Leadership Academy Programme (external)
 - Community engagement training for elected members (internal)
- To enable the co-production and delivery of community led ideas that are both physical and/or through social capital and through innovative ways of working;
- To help build skills across the Council in developing frameworks and plans that guide local and strategic priorities e.g. well-being plans, place plans;

- To provide toolkits for communities that support the pathway from need to delivery;
- To support the management and alignment of funding and investment in communities that is integrated, enables additional leverage and is sustainable; and
- To provide management information systems that help capture, analyse and present the outputs and outcomes of community engagement that aren't just about hard data but about community stories.

7.4 Recommendations

That the review findings be considered and form part of future delivery for:

- a. Community Engagement
- b. Section 106 Contributions
- c. Community Governance

The table below sets out recommendations that are linked to the three parts of the review.

Theme	Recommendation
Community Engagement	1. To pool and integrate community engagement tools e.g. Made Open, Mon Maps, online stories/best practice, draft Collective Impact Tool into a central resource that supports more co-ordinated internal working and facilitates local communities to engage, learn and co-deliver.
	2. The Public Service Board needs to recognise its role in delivering strategic outcomes with partner organisations acknowledging their role in partnership support and community engagement, specifically recognising a need for the equitable funding of resources.
	3. The forthcoming Leadership Academy programme funded through the Vale of Usk Leader Rural Programme is a key resource for community groups to upskill and build their capacity and needs to be integrated into other touch points for training, learning and development, and needs to be widely promoted when ready for publicising.
	4. To provide training for some responsible officers that are community facing in core engagement skills and working towards a suite of co-delivery principles.
	5. The Authority's data network needs to ensure an integrated approach to how data shows need, informs decision-making and tracks the results and outcome of how resources are directed across communities and how these relate to key legislative drivers such as the Future Generations & Well Being Act.
	6. The Authority needs to consider the role of community plans, specifically historical activity to date, the Positive Planning agenda and role of Place Plans and the role of Community Councils with their co-delivery if these are seen to have more direction from Welsh Government.

	<p>7. The existing Whole Place resource be repurposed to be strategically align to the delivery of the Future Generations & Well Being Act, meeting the role and responsibilities outlined in 7.3.1 and 7.3.2. To align other responsible officers to a more centralised approach to community engagement and co-delivery with the local community.</p>
	<p>8. That the suggested future structure be considered and the Authority commences the implementation of officer and resource changes that responds to the future needs of Monmouthshire communities.</p>
	<p>9. To develop a communications strategy and campaign for the repurposing of the former Whole Place programme that has clear internal and external messages on its specific purpose, services and ways of working and how other partners form part of the wider community engagement activity.</p>
Section 106	<p>10. To maintain the sound management and monitoring work of the Section 106 Working Group</p>
	<p>11. To ensure Brecon Beacons National Park Authority take a more participatory role in the Working Group so that a holistic approach to the direction of Section 106 contributions is achieved.</p>
	<p>12. To work with other responsible officers on the development of local asset or infrastructure plans that could support place based or locality based planning and delivery.</p>
	<p>13. Responsible officers to work with the Authority's data network in order to link need to delivery to local/strategic outcomes.</p>
	<p>14. To develop a standard format for Section 106 agreements.</p>
	<p>15. To integrate decision-making on Section 106 contributions through area committees with local communities provided with opportunities to recommend priorities, where feasible.</p>
Community Governance	<p>16. For area committees to have a key role in the delivery of Monmouthshire's Well Being Assessment and Plan, providing a forum and local decision-making body to understand need and priorities, listen to its community and direct resources that meet both local and strategic outcomes. Suggested roles and responsibilities are outlined in 6.3.4.</p>
	<p>17. To pool existing area committee grants with other grants, funding and contributions such as Section 106 so that a more integrated approach to addressing need and maximising funds is achieved.</p>
	<p>18. To provide joint training/mentoring in community engagement for elected Members and responsible officers be provided.</p>

	19. To support Community Councils with the transition of co-delivering community led ideas through training, provision of tool-kits and continued communication through the five-area cluster model.
	20. For the terms of reference in Annex B to be considered by the Authority.

Annex A
Section 106 Proforma

<p>Affordable Housing Requirements:</p> <p>Relevant Officer:</p>	<p>Shirley Wiggam</p>
<p>Transport Contributions:</p> <p>Relevant Officer:</p>	<p>Christian Schmidt</p>
<p>Education Contributions:</p> <p>Relevant Officer:</p>	<p>Matthew Jones</p>
<p>Recreation Contributions:</p> <p>Community Projects:</p> <p>Relevant Officer:</p>	<p>Mike Moran</p>
<p>Countryside Contributions:</p>	

Annex B

Terms of Reference for Area Committee

The Terms of Reference and delegated powers of the Area Committees shall be to promote the economic, social and environmental well-being of their area by:

- championing the area by raising issues of concern to residents, organisations and businesses with the Council and other organisations, and influencing how services are delivered and spending plans for the area
- supporting, co-developing and approving Area based plans and frameworks through statutory, private and third sector participation, consultation, development and delivery; these plans need to respond to the issues and need of Monmouthshire's Well-Being Assessment and other key legislation and policies
- consulting with neighbouring area committees where there are issues and solutions that can be jointly delivered
- contribute to the five-cluster area working so that Town and Community Council have strong links to area committees and feel equals in local community governance
- contribute to the decision-making process on funding and grants such as Section 106 contributions, local area grants and where funding unlocks proposals that meet local need
- providing a forum at which local residents, organisations and businesses can question the Council and partner organisations about local issues, the delivery of services and proposals affecting the respective area
- consulting on matters affecting the local community and expressing a view on matters affecting more than one area of the Borough
- promoting the role and responsibilities of local elected members and ways to engage with them outside of area committee meetings
- receiving feedback on the outcome of petitions relevant to their area submitted to the Council, and if necessary pursuing issues further
- advising the Council's Scrutiny Committee on matters of interest in the area and giving views on matters referred to them by this Committee
- producing an Annual Business Plan, and an Annual Report on the work of the Area Committee which will inform the Business Plan for the next year.

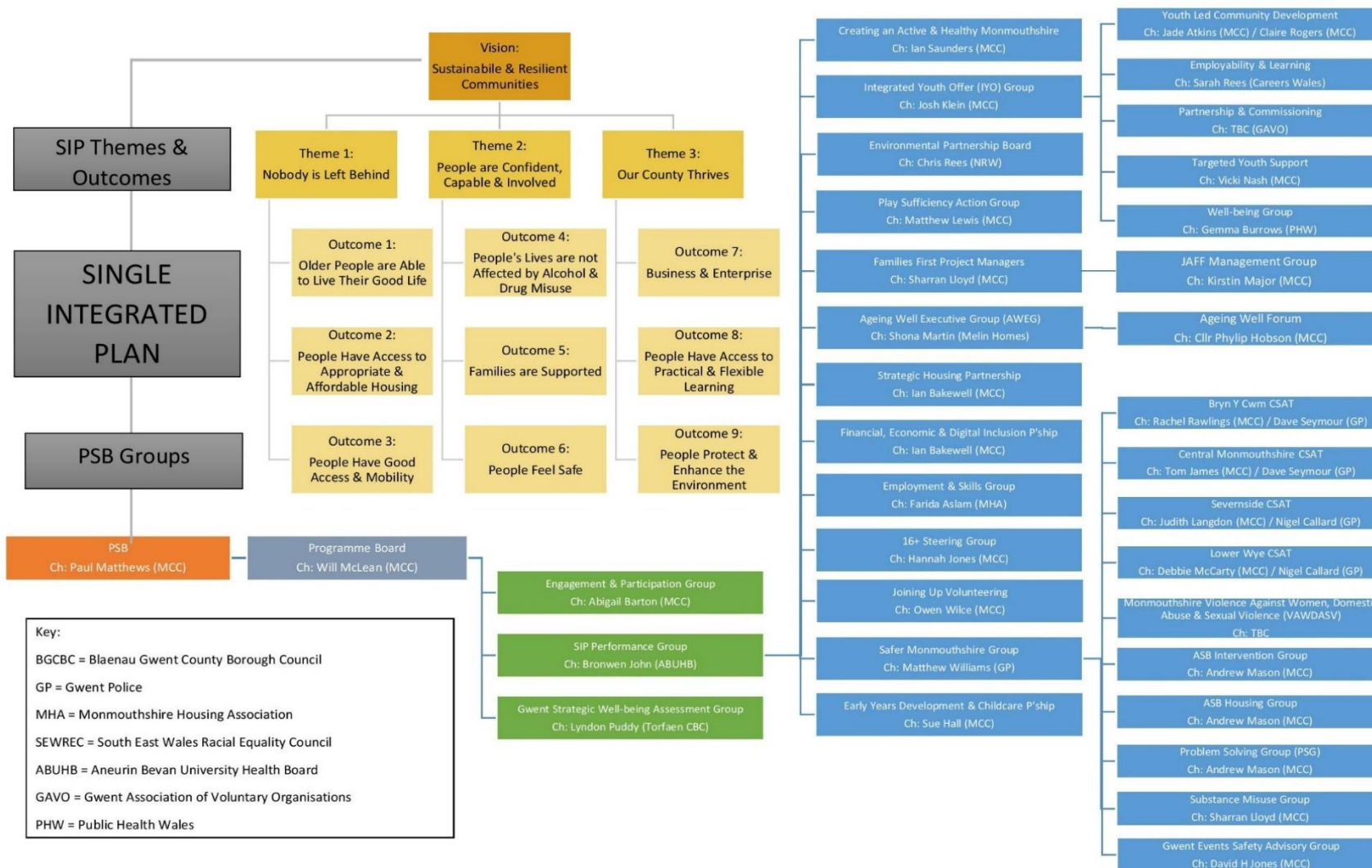
The work of the Area Committees will be based upon the following principles:

- encouraging the active participation of residents, local organisations and businesses in improving the well-being in the area
- enabling local communities to express their views upon, and have opportunities to influence, decisions which affect them
- ensuring that local needs are taken into account by decision makers
- fostering good community relations between people of different ages, and ethnic and social backgrounds, both within the area and across the County
- building partnership between the Council, communities and other organisations in working for the benefit of the area and the wider County
- to demonstrate the economic, environmental and social return from participating in area committees and wider community development activity

Annex C

Public Service Board Structure, Outcomes and Leads

Page 40





Community and Partnership Development Team

The Way Forward (Draft)



monmouthshire
sir fynwy

Appendix Two

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Appendix One – Current Partnership Landscape	Error! Bookmark not defined.

Version Control

Title	Community and Partnership Development Team
Purpose	Delivery Plan
Owner	Chief Officer, Social Care, Health and Safeguarding
Approved by	Not yet approved
Date	July 2017
Version Number	0.1
Status	Draft
Review Frequency	Annual
Next review date	August 2017
Consultation	Stronger Communities Select, Cabinet

Alternative formats

We can also provide this document in Braille, large print, on tape or in electronic form. If you would like a copy in a different format please contact our Equality and Welsh Language Officer by:

Phone: 01633 644010 or 07793798920


Fax: 01633 644666


e mail: equality@monmouthshire.gov.uk

If you want to comment on the issues in this report, please get in touch:

 cathfallon@monmouthshire.gov.uk

 <http://www.monmouthshire.gov.uk/communitydevelopmentoffice>

 Cath Fallon, Head of Economy and Innovation, Monmouthshire County Council,
County Hall, Rhadyr, Usk, Monmouthshire, NP15 1GA

 01633 748316

 @MonmouthshireCC

Introduction

Public service delivery is changing. With an ageing population, reducing budgets and ever increasing demand, dependency upon public services is increasing when budgets are decreasing. As a local authority we need to rethink our relationship with our local communities to enable us to successfully redesign our services. We need to think longer term about how we work together to identify and co-produce the right services going forward that will help us tackle the challenges that lie ahead. This proposal for a new Community and Partnership Development Team, will change how we work with our communities and partners to help bring about social change and improve the quality of life in our county.

Context

The Well-being of Future Generations Act and the Social Services and Well-being Act are encouraging us to look ahead and identify new ways of doing better things. As a requirement of the Act, the Public Service Board and the Authority undertook a Well-being Assessment in 2016, which provided us with an understanding of the assets, challenges and opportunities within our county. This enabled us to set well-being objectives in March 2017 that will form part of the well-being plan in 2018. This proposed strategy for a Community and Partnership Development Team aligns with the well-being objectives, enabling co-production by taking a local asset and place based approach. The new team will work bottom-up, bridging the gap by balancing community needs with Authority priorities, to ensure the county's future sustainability.

Background – The Community Engagement Review

In October 2015, a review of community governance established the need to understand the Authority's level and type of community engagement and its direct relationship to how local needs and solutions are identified, developed and delivered in the context of the role of local decision making by Area Committees. In October 2016, there was a recognition that in light of the Future Generations Act and the Authority's evolving Future Monmouthshire programme, there was a need to extend the review to address the following objectives:

- Clarification of the strategic direction required to meet legislative requirements & enable asset and place based delivery;
- Repurposing of the Authority's Whole Place team;
- Identification of joint working opportunities internally to enable a streamlined approach;
- Assessment of new roles in the provision of impartial advice across the county's five strategic settlements;
- Understand how Section 106 and Area Committee Grants can be used strategically to address resource implications for a sustainable, place and asset based approach; and
- Reconfiguration of the community governance model to preserve the leadership role of Members and encourage wider community participation.

The review concluded that in general:

- the lack of a centralised community engagement/partnership structure was leading to missed opportunities to share and maximise resources and intelligence;
- the lack of Town/Community Council engagement was resulting in a disconnect between the Authority and Public Service Board (PSB) and a subsequent lack of knowledge of needs and priorities, extending to surrounding local communities;
- the current disconnect between the PSB, internal partners and funding opportunities was failing to address local community needs and priorities effectively and sustainably;

From a democracy perspective the following specific conclusions were drawn:

- The role of ward Members is key to community participation & engagement;
- Legislation and Cluster Areas are important to the future shape of community governance and Area Committees;
- Cluster Areas provide the opportunity to involve Community/Town Councils in strategic policy, to highlight funding opportunities and provide an opportunity to think spatially as well as locally;
- Area Committees provide a clear link between Cluster Areas and Authority decision making, with a key opportunity for communities to have a voice and participate in local democracy – In March 2017, the Authority approved the piloting of a new model in Bryn y Cwm, whereby Area Committees will be retained as the sole structure, providing a clear link between Cluster Areas and Authority decision making with a view to supporting joint working and adopting a strategic approach to coordinated funding opportunities;
- The new Community Leadership Academy, aligned to Whole Place, will be a valuable resource as it is designed to increase the participation and quality of community leadership by providing a suite of learning and development opportunities, upskilling members as well as community organisations to enable a common approach.

Finally, from a sustainability perspective the review concluded that:

- Area committee grants need to work in a more integrated manner to enable funding to be used in a smarter way to maximise impact and value;
- Section 106 contributions are well managed and underpinned by robust monitoring processes but are not focussed on outcomes or long term impacts that meet local or strategic needs;
- There is a current lack of strategic community engagement activities and data sharing resulting in missed opportunities to address medium to long term priorities;
- The current lack of promotion of Section 106 projects results in missed opportunities to encourage wider community participation to address longer term needs.

Strengths

As with any service review the main focus is on the measures that need to be put in place to improve provision however before changes are made it is always important to reflect on the strengths of the existing offer to ensure best practice is not lost. In this particular instance there is much to be applauded:

- The Authority is renowned for being proactive in the area of place based community development, predating other drivers such as the need to deal with unprecedented cuts to government support for local authorities and the imperative for public service transformation outlined in the white paper 'Reforming Local Government: Power to Local People'. The position of the Authority at the cutting edge of this agenda has been acknowledged by Ministers and other local authorities.
- Significant local and asset based development and activities are already taking place and have made significant impacts ranging from the Whole Place Plans; local area co-ordination/ small local enterprise and placed based working addressing loneliness and isolation as well as the Rural Development bottom up approach to community capacity building;
- Skill sets within existing teams are high. There is a strong base of hard skills such as core technical and academic qualifications whilst softer people based skills are in abundance amongst a diversity of officers within many service areas;
- There is a wealth of existing resources already available to the Council that can be pooled into a community development toolkit for Council users and the wider community; and

- The county's volunteer base is high with over 63% of residents taking on volunteering activities many of whom have high skills sets, linked to the fact that over 42% of the population are educated to NVQ Level 4 and above, compared to the 35% Wales average.

So what problem are we trying to solve?

As the Well-being of Future Generations Act requires co-delivery with partners, the current disconnect between the PSB, the Authority and the local community needs to be addressed, to enable this, community engagement needs to be repositioned within a more centralised role. There is also a need to address the current lack of specialist support in strategic PSB areas such as health and well-being issues, isolation, ageing well, community cohesion, etc. In addition, the current services structure provides little support for the Authority in their Cluster Area activities whilst the current lack of direct Town/Community Council engagement/liaison is leading to a further disconnect with communities and a lack of knowledge of needs and priorities.

In making its recommendations the review addressed the current challenges advocating a restructure of two service teams i.e. Whole Place and Partnerships with the additional need to bring in the Programme Lead for the Community Leadership Academy, all working together as the newly defined Community and Partnership Development Team. Strategic, working links also being made to the future role of a Community Infrastructure Levy Officer and the Community Well-Being and Enterprise Development Leads to ensure maximisation of funding resources and reduce the potential for service duplication.

This proposed way forward for a newly defined Community and Partnership Development Team demonstrates a progressive step for the Authority, providing an opportunity to work cross directorate to tackle future challenges and identify and deliver tangible outcomes to ensure the county's future sustainability. The proposed forward plan therefore has a dual purpose. Firstly, to present the findings of the Community Engagement review and proposed next steps. Secondly, to present the strategic context for the new team, clarifying their aims and objectives and identifying a performance framework to enable the team and the Authority to measure their success.

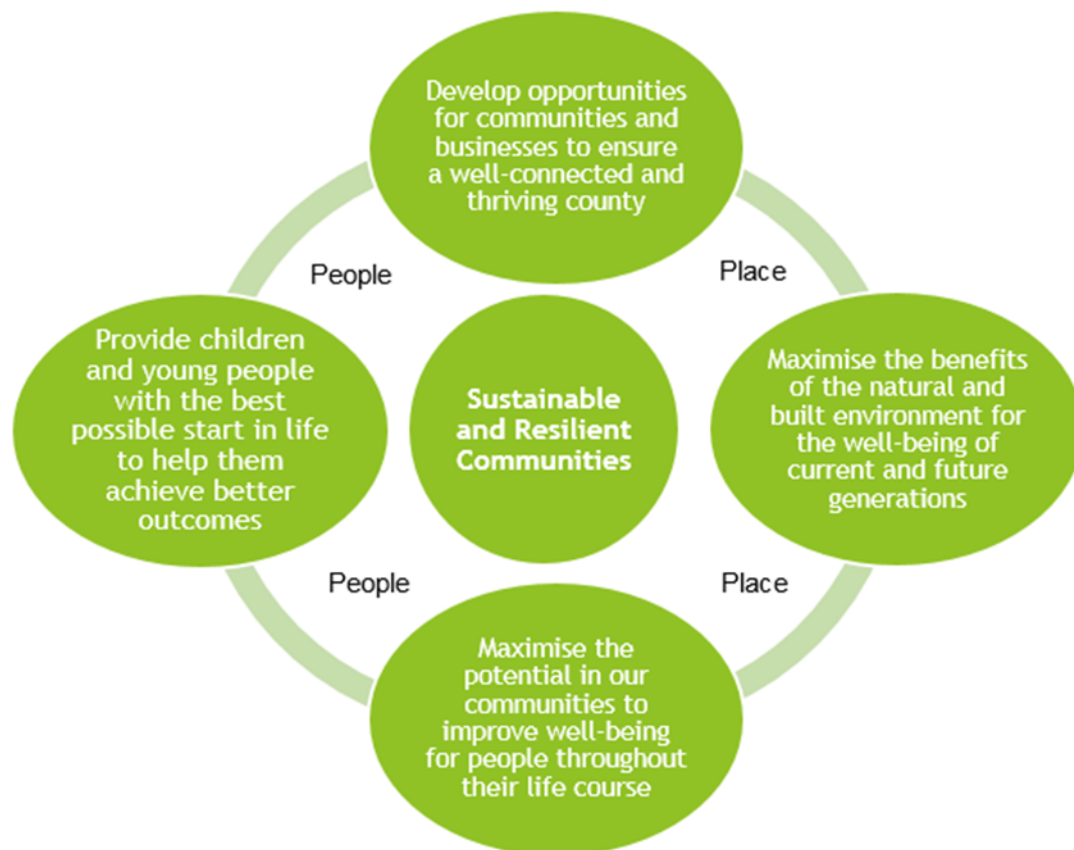
The Strategic Vision for Monmouthshire

We want to enable the building of sustainable and resilient communities that support the well-being of current and future generations.

Strategic Context: ‘Building Sustainable and Resilient Communities’

Building sustainable and resilient communities is the unifying purpose for the diverse range of services for which the Authority is responsible, ultimately aiming to improve our place and maximise the contribution and well-being of the people in our communities – this purpose therefore provides the strategic context for the team. The Authority’s well-being objectives that will help guide the delivery of this vision/purpose are detailed in Figure One below:

Figure One: Monmouthshire’s Well-being Objectives

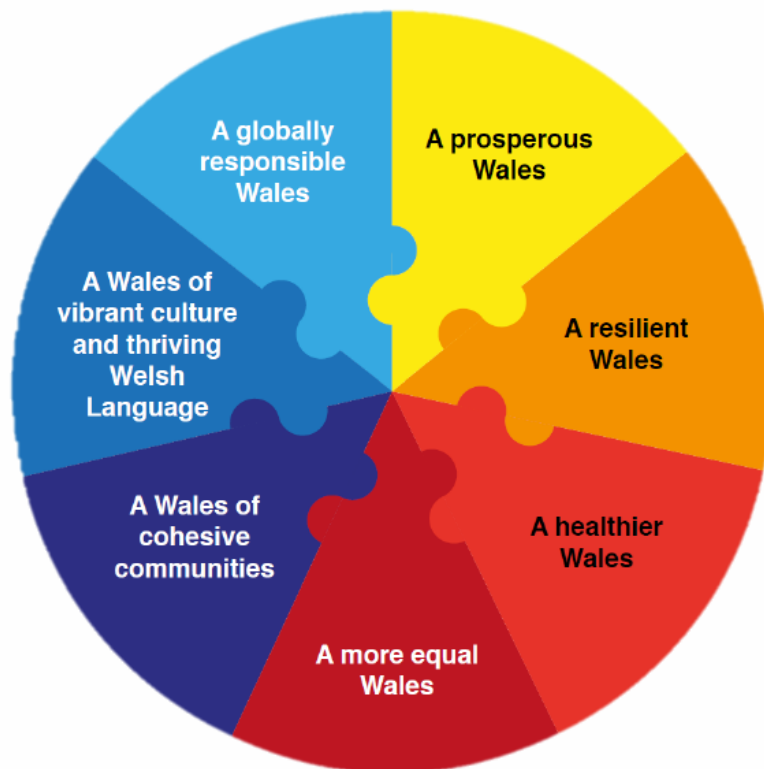


The well-being objectives are at the heart of how the Authority carries out sustainable development and improve the economic, social, environmental and cultural well-being of the county. Legislation, evidence and policy also guide our decision making, the most relevant for the Community and Partnership Development Team are detailed below:

The Well-Being of Future Generations Act

The Future Generations Act is fundamental legislation that helps us ensure that present needs are met without compromising the needs of future generations. There are seven well-being goals that we must consider when developing new strategies for our services as illustrated in Figure Two below:

Figure Two: Seven Well-Being Goals of the Future Generations Act



We must also demonstrate that we have applied the sustainable governance principles in our decision making:

- Balancing short term needs with long term needs;
- Using an integrated approach, balancing social, economic and environmental needs;
- Involving others and taking their views into account;
- Working in collaboration with others;
- Putting resources into preventing problems.

The Act also puts a well-being duty on specified public bodies to act jointly via Public Service Boards (PSBs) to improve the economic, social, environmental and cultural well-being of their area by contributing to the achievement of the well-being goals. In addition, the Act also places a duty on certain community and town councils, whose gross income or expenditure exceeds £200,000, to take all reasonable steps towards meeting the local objectives included in the local well-being plan.

Social Services and Well-being Act and Safeguarding

This Act came into force in April 2016 and will transform the way care and support is delivered making it a responsibility on more than just the social services department. It is about promoting people's independence to give them a stronger voice and more control and support for people of all ages, as part of families and communities, so they are less dependent on institutional services. The Act will:

- Engage with and empower citizens
- Promote independence and well-being
- Give people who receive support and their carers control over their lives and the support they receive to maximise independence.

The Planning (Wales) Act 2015

This Act requires Local Planning Authorities to:

- Have regard to 'Local Well-being Plans' to be published by PSBs and ensure greater development and engagement at the pre-application stage to ensure local communities are able to engage early on in the planning process to influence development proposals;
- Establish Strategic Development Plans that will focus planning for areas with matters of greater than local significance. The key will be to focus on areas where development is of a strategic nature; and
- A requirement for Local Planning Authorities in Wales through the Positive Planning agenda associated with the Planning Wales Act should consider the role of community based planning such as the pilot "Place Plans". These are not statutory but need consideration within broader community engagement activity. Place Plans are still in their pilot phase with limited guidance on how they should be prepared and what they should include.

Strategic Delivery: Public Service Board Partnerships

In order to apply strategic context to delivery, the team will be the conduit for reporting partnership activity, challenges and barriers to the PSB Programme Board operating as a bridging mechanism between partners, town and community councils and communities. This will enable the team to help shape the partnership landscape not only meeting the statutory duties of the Authority in relation to crime and disorder, ageing well, etc. but ensuring better coordination and links between the PSB Strategic Board and the wider Monmouthshire communities as a whole. The team will enable the PSB Partnerships and the community to come closer together to ensure that the Authority is adopting the five ways of working under the new Well-Being of Future Generations Act i.e. integrated, collaborative, long term, involving and preventative. Details of the current Partnership landscape can be found in Appendix One.

Community and Partnership Programme Delivery – Our Methodology

Asset Based Community Development

Although not a legislative requirement, Asset Based Community Development (ABCD) is an approach that the Authority wishes to adopt in its proposal for a Community Development and Partnership Team. ABCD takes a positive approach to community development and

regeneration, identifying and mobilising individual and community 'assets' rather than focussing on positives rather than deficits. The approach views communities as the co-producers of health and well-being rather than the recipients of services and therefore seeks to empower communities to control their futures and create tangible resources, constantly looking to the future for opportunities and innovation whilst challenging others to do the same.

Collective Impact – 'Our Monmouthshire'

Again, a methodology rather than a legislative requirement, 'Collective Impact' was developed in the USA and adapted by the Authority, the PSB, Cardiff University and *Made Open* (social networking platform for those who believe we can build a more sustainable and resilient Monmouthshire, by working together) aims to empower and mobilise communities and organisations to develop innovative partner collaborations by harnessing available resources, skills and initiatives. Branded 'Our Monmouthshire' the approach seeks to stimulate and reward the collective enterprise of people across Monmouthshire in pursuit of the common good. The approach focuses around an action guide model with four inter-connecting action processes for communities and organisations, namely:

- Get Ready – assemble a team, identify drivers/resisters of change;
- Get Started – utilise data to priorities themes, quick wins, and longer term projects to empower themselves around collaborations;
- Get Results - move projects forward, systemise new processes and best practices;
- Build a Legacy – establish an eco-system for sustained development and whole system change beyond the initial project, driven at local level.

This forward plan for the new Community and Partnership Development Team seeks to respond to the legislative requirements and strategic context whilst adopting a hybrid of the Asset and Place Based Approach and the principles of 'Our Monmouthshire' – making effective links across all areas to help bring about societal change by working in partnership.

Community and Partnership Development Team: Our Aims

The Aim of the proposed Community and Partnership Development Team is to work with communities and partners to help bring about social change and improve the quality of life in our county. The team will act as enablers; unlocking potential and supporting sustainability through collective impact; providing a resource and tangible link between local communities and a wide range of partners; enabling the delivery of measureable and sustainable programme of activities that will constantly look to the future. The team will see communities as co-producers rather than service recipients, they will promote existing and establish new networks that can provide caring, mutual help and empowerment, ultimately enabling communities to control their own futures.

Why do we need a Community and Partnership Development Team?

The Public Service Board's Well-being Assessment in 2016/17 provided us with a rich understanding of the assets in Monmouthshire and the challenges and opportunities that we will need to address in the future. Key positive facts include:

- 9/10 Monmouthshire residents feel that they belong to their local area;
- 63% of Monmouthshire residents undertake volunteering activities, the highest figure in Wales demonstrating high social capital;
- Second most competitive authority in Wales - UK Competitiveness Index (Cardiff = 1st)

However there are challenges for us to address:

- The gross weekly wage for those living and working in the County is lower than the UK average with female wage earners even lower, with salary rates ranked 21 of 22 Welsh local authorities;
- Average house prices are £80,000 more than the Welsh and UK average;
- 53% of Monmouthshire adults are overweight or obese and;
- By 2035 there will be 184% more people over 85 years old; and
- Population levels of young people are set to diminish.

When taking all these factors into account it quickly becomes apparent that there is a need for us to look after our most vulnerable and to provide opportunities for our young people to ensure they have the best possible start in life, the main aim being to improve the overall well-being of our communities. Figures three to five below illustrate the population trends that are predicted:

Figure Three: Proportion of Population Aged 65+

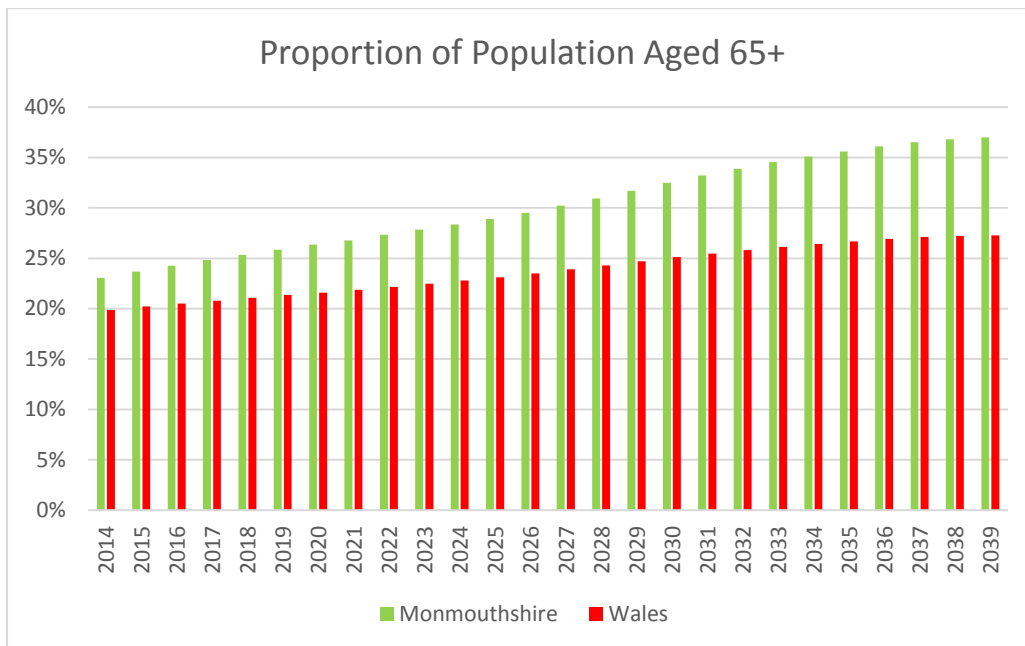


Figure Four: Proportion of Population Aged 85+

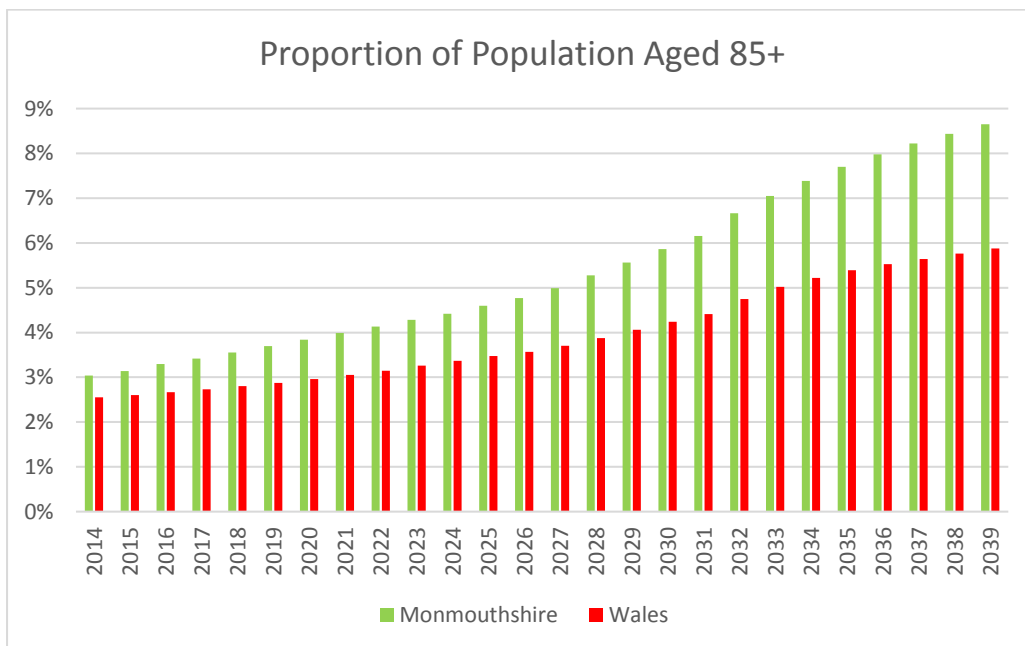
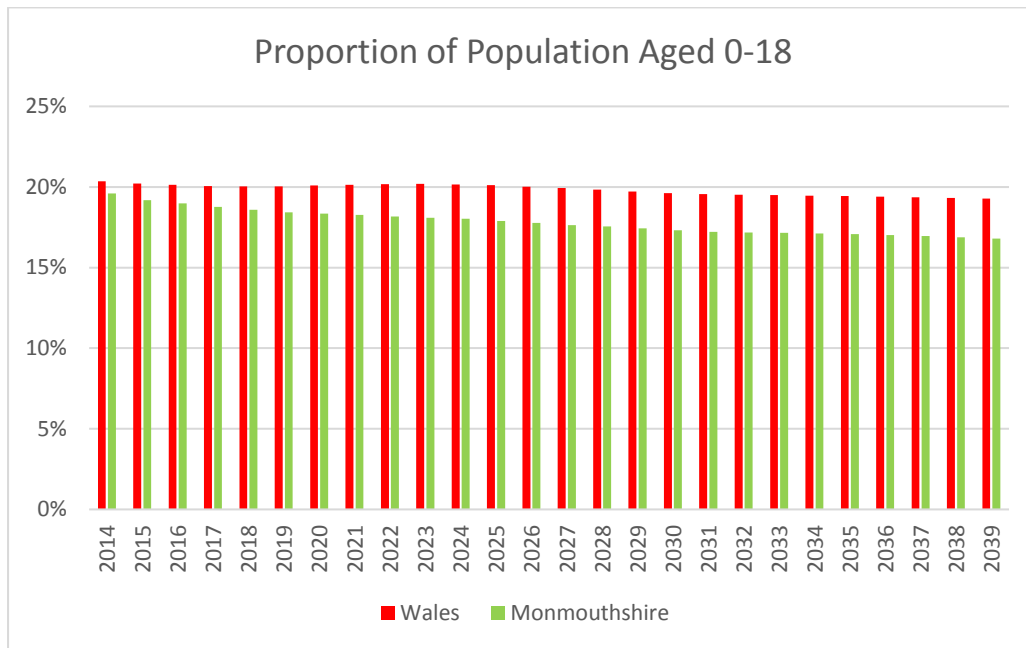


Figure Five: Proportion of Population Aged 0-18

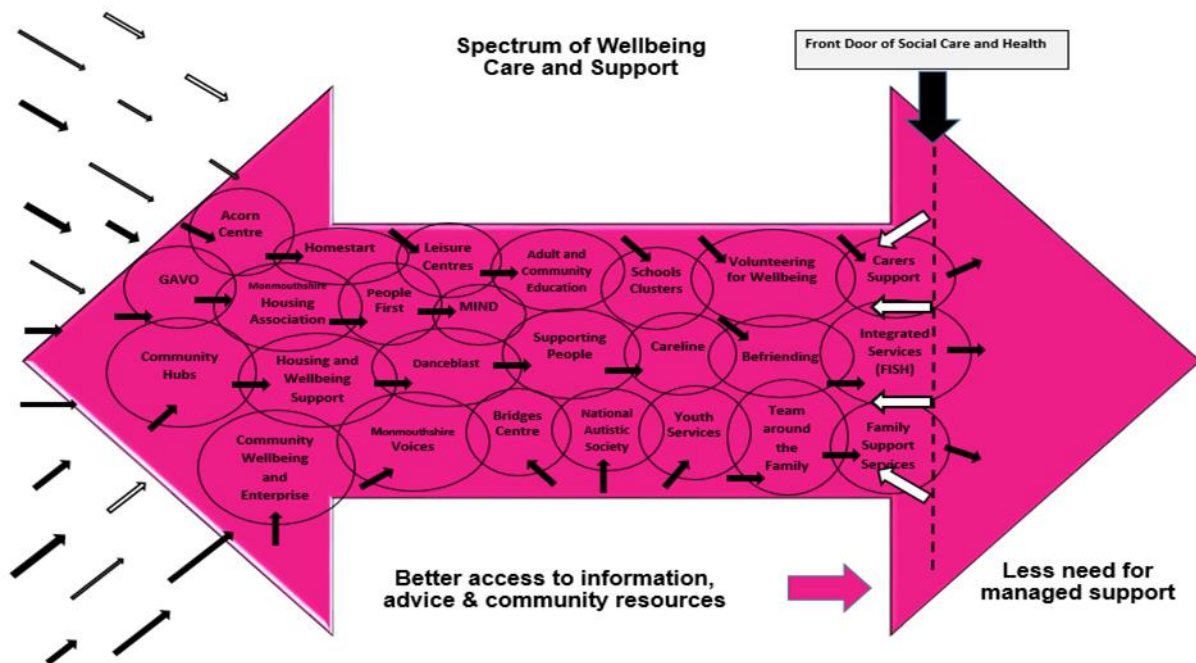


How will the Community and Partnership Development Team help us shape our future services?

The objectives of the Community and Partnership Development Team will be to act as enablers, working with our communities and partners to enable them to realise their full potential through the identification and achievement of common goals. By taking a hybrid approach using collective, asset and place based methodologies, we will identify opportunities to improve well-being within our communities to reduce demand on the county's public services by keeping people well for longer. In addition, specific activities will target pockets of inequality between and within communities, seeking to address issues of isolation and poverty through sustainable regeneration activities.

Figure Six below illustrates a snapshot of the provision available to support people's well-being within their communities. It also shows how working with partners and communities to make best use our collective resources can help people lead better lives while reducing demand on public services with social care and health:

Figure Six: Collective Support reducing demand



The proposed activities of the Community and Partnership Development team will directly align with two of the Authority's Well-being objectives namely:

- Objective 2: Maximising the potential in our communities to improve well-being for people throughout their life course;

- Objective 4: Develop opportunities for communities and businesses to ensure a well-connected and thriving county.

Political Administration

Following the recent elections the council is now fully Conservative-controlled. There is a new manifesto in place which sets the direction for the Authority which will continue to prioritise those services which have the greatest impact on the wellbeing of the county i.e. education, care of the vulnerable, the retention of local services and economic development.

A Cabinet team of eight has been formed which includes four new cabinet members with two new portfolios, namely Social Justice & Community Development and Governance. The Community and Partnership Development team will align with the Social Justice and Community Development portfolio which will focus on making a positive difference by supporting people affected by the cycle of poverty and protecting the most vulnerable.

Currently this new Cabinet portfolio for 'Social Justice and Community Development' is evolving however the following three priorities are being suggested:

1. Giving Children the Best Start in Life, Overcoming Barriers to Attainment and Opportunity;
2. Economic inclusion: overcoming inequalities in access to economic prosperity;
3. Social inclusion: tackling the scourge of loneliness and isolation.

The work of the new Community and Partnership Development team will align closely with the evolving Cabinet portfolio priorities, particularly those aligned with economic and social inclusion to ensure that the programme of activities is inclusive, making the positive difference that the Authority wishes to achieve across all age ranges and personal circumstances.

What will the team do?

1. Establish and launch the proposed Community and Partnership Development Team – a centralised resource and 'engine room' focussed on delivering a collective approach to asset and place based community development in the County, working with communities and partners inclusively to help bring about social change and improve the quality of life in our county;
2. Provision of a programme of support against the Authority's statutory duties discharged through the Monmouthshire PSB, to enable the delivery of PSB priorities, enabling the solving of societal changes via a partnership approach, particularly in relation to Crime & disorder, VAWDASV, UNCRC, Ageing Well & Phase 3 Older Peoples Strategy, Tackling Poverty, Armed Forces Community Covenant, etc.;
3. Provision of sector specific support and on-going evaluation for targeted areas of intervention as defined by the PSB e.g. ageing well, community cohesion, young people, etc.;
4. Map and gap current service / approaches offers across the piece, working with partners who can provide evaluative support, ensuring that the impact of interventions can be effectively measured overtime (recognising some change will be generational) as well as understanding short term effectiveness and longer term opportunities;
5. Develop an asset and place based approach with communities with a view to identifying and fully realising the benefits from the physical assets (community hubs,

social care and health resource centres, primary care centres and community hospitals, RSL buildings, village halls) and social assets within the County. Activities to include;

- a. Delivery of a programme of specific community interventions designed to engage 'community connectors' and kick off the asset based mapping approach;
 - b. Delivery of a programme of targeted asset mapping exercises within specific communities of interest and geography using local assets to empower communities, strengthen networks and build trust;
 - c. Undertake a programme of evaluation and assessment to identify community themes, potential projects and sustainable funding opportunities;
6. Delivery of the Rural Development Programme funded Community Leadership Academy designed to increase the participation and quality of community leadership by providing a suite of learning and development opportunities, upskilling members as well as community organisations to enable a common approach;
 7. Progress the delivery of 'A County That Serves' – putting volunteering and contribution at the heart of citizenship in the County;
 8. Identify and support the delivery of community development priorities and place based plans, aligned to the Well-being Plan, in each of the five cluster areas i.e. Abergavenny, Monmouth, Usk, Chepstow and Caldicot, accepting that priorities will differ from area to area depending upon maturity, needs, gaps and opportunities;
 9. Provision of engagement and support for town and community councils to build trust, develop both participative and elected democracy and disseminate information with a longer term ambition to encourage effective community representation and leadership;
 10. Development of a 'virtual bank' of funding streams in conjunction with partners which maps funding streams and resources to aid community development activities;
 11. Consult regarding the strategic coordination of Area Committee Grant funding, to be distributed equally amongst the five Cluster Areas. It is proposed that funding will be allocated on an annual basis, subject to evidence of how it addresses local needs and priorities, maximises opportunities and impact e.g. use as match funding and attributes to the county's wellbeing objectives.
 12. Provision of direct support for localities likely to receive significant Section 106/Community Infrastructure Levy funding to ensure maximum outcomes and longer term community impact;
 13. Work with Rural Development Programme team to develop and implement a robust information sharing system (CRM) to increase the efficiency of information sharing and support available to meet the needs of the community and reduce duplication;
 14. Development of a programme of employer supported volunteering for the Authority;
 15. Development of a business engagement programme, working with local businesses to maximise the local social impact from their corporate social responsibility programmes;
 16. Research and development of a time banking initiative for the County in conjunction with partners; and
 17. Provision of community development/engagement support to the wider Authority at a local level e.g. planning officers, senior leadership team, etc.

How will the team measure their success?

The development of the Community and Partnership Development Team demonstrates a progressive step for the Authority. This repurposed centralised resource and 'engine room' will put the building blocks in place to tackle our county's future challenges whilst delivering tangible outcomes to ensure the county's future sustainability.

The team will work closely with the Authority's Policy and Performance team to develop robust reporting mechanisms for all partnership and community activity to enable them to measure performance and evaluate delivery effectively. A suite of indicators will be developed that will align with the national Well-Being indicators and the forthcoming PSB indicators to measure performance against the Well-Being plan. The performance framework detailed in the tables that follow are therefore likely to evolve in line with developing priorities and associated strategies.

PERFORMANCE FRAMEWORK

WELLBEING OBJECTIVE 2: Maximise the potential in our communities to improve well-being for people throughout their life course

Objective	Timeframe	How will we know?
Establish Team	Immediate	<ul style="list-style-type: none"> • Team recruitment complete
Mapping exercise	September – December 2017	<ul style="list-style-type: none"> • Mapping exercise complete
Develop and implement collective, asset and place based approach	September onwards	<ul style="list-style-type: none"> • Programme delivery framework and templates complete • Programme of community engagement identified • Delivery of asset mapping exercises underway • Programme of evaluation and assessment identified • Funding sources identified • Project pipeline identified • No. of community-initiative projects on Made Open • No. of new users on Made Open • % of people who feel they belong to their neighbourhood • % of people who are members of social groups • % of people who regularly volunteer; • % of people who talk to their neighbours regularly.
Delivery of the Community Leadership Academy	Immediate	<ul style="list-style-type: none"> • No. of community activists accessing development

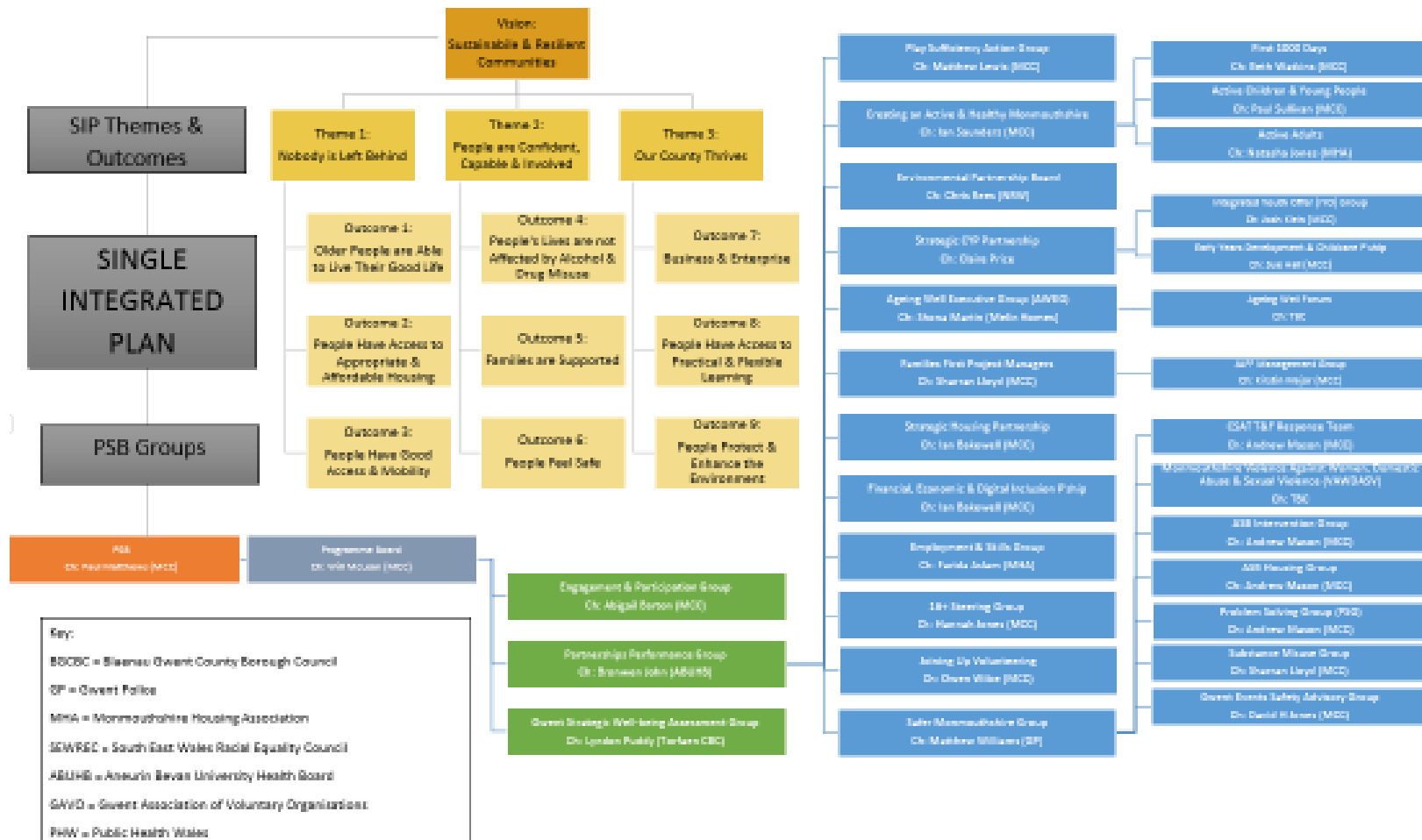
		<ul style="list-style-type: none"> • Satisfaction surveys
Progression of 'A County that Serves' programme	Immediate	<ul style="list-style-type: none"> • Increase in no. of volunteers registered; • % of people who say volunteer (Wales National Survey)
Support delivery of place based plans	September onwards	<ul style="list-style-type: none"> • No of place based plans produced
Provision of support for town/community councils	Immediate	<ul style="list-style-type: none"> • No. of town/community councils engaged • No. of town/community councilors engaging with the Community Leadership Academy
Delivery and on-going evaluation of Partnerships and sector specific support activities	Immediate	<ul style="list-style-type: none"> • Results of evaluation assessments undertaken • Partnership action plan produced
Community Development and Engagement support for wider Authority	Immediate	<ul style="list-style-type: none"> • No. of enquiries received • No. of direct interventions undertaken

WELLBEING OBJECTIVE 4: Develop opportunities for communities and businesses to ensure a well-connected thriving community

Objective	Timeframe	How will we know?
Virtual Funding Bank	December onwards	<ul style="list-style-type: none"> • Virtual funding bank established
CRM system	Immediate	<ul style="list-style-type: none"> • CRM established
Provision of support for Section 106 localities	Immediate	<ul style="list-style-type: none"> • No. of localities engaged with • No. of community projects developed
Employer supported Volunteering programme	December onwards	<ul style="list-style-type: none"> • Programme established • No. of participants
Business Engagement Programme	December onwards	<ul style="list-style-type: none"> • Programme established • No. of participants
Timebanking initiative	December onwards	<ul style="list-style-type: none"> • Programme established • No. of participants

APPENDIX ONE – CURRENT PARTNERSHIP LANDSCAPE

Page 02



Appendix 2

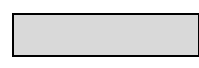
Current Structure

Post	Band	FTE	Salary *
Whole Place Manager	K	1	57,993
Whole Place Officer (3 Posts)	J	3	158,805
LSB Development Manager	I	1	47,929
Business Support Officer	D	1	26,087
Community Safety Officer (Grant Funded)	F	1	33,884
Community Empowerment Lead (Grant funded)	J	1	52,935
Modern Apprentice	Trainee	1	17,137
Total Old Establishment		9	394,770
			-86,819
			Less Grant Funding
Current Available Budget			307,951

New Structure

Post	Band	FTE	Salary*
Community & Partnership Dev Manager	K	1	57,993
Community & Partnership Dev Lead (4 Posts)	J	4	211,740
Community Safety Officer - Funded via grant/contribution	G	1	38,419
Community Empowerment Lead - Funded via grant	J	1	52,935
Modern Apprentice	Trainee	1	17,137
Total New Establishment		8	378,224
			-86,819
			Less Grant Funding
Cost of New Structure			291,405

-16,546 Annual Saving



* Salary figure includes on costs and is set at top of grade.

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MONMOUTHSHIRE COUNTY COUNCIL REPORT

SUBJECT:	Fair Funding Regulations (Scheme for Financing Schools)
MEETING:	Cabinet
DATE:	6th September 2017
DIVISION / WARDS AFFECTED	All

1. PURPOSE:

To provide members details of the current breach in the Fair Funding (Scheme for Financing Schools) Regulations and actions to address this and to seek exception for the financial year 2017-18.

2. RECOMMENDATIONS:

That Members note:

- 2.1 Members allow an exception to the breach of the Fair Funding (Scheme for Financing Schools) Regulations for the financial year 2017-18.
- 2.2 The details outlined in this report are noted and Cabinet agree to monitor the actions proposed to address the issue as set out in paragraph 3.8.

3. KEY ISSUES

- 3.1 The Fair Funding (Scheme for Financing Schools) is the funding framework in which schools and the Local Authority operate, and is based on the legislative provisions in Section 45-53 of the School Standards and Framework Act 1998.
- 3.2 The regulations provide very detailed information around finance, procurement and audit for schools and outlines responsibilities for both our schools and the Local Authority. A copy of these are contained in Appendix 1 – Appendix 5.
- 3.3 Section 4 details obligations for school budgets and the treatment of schools planning for a deficit and paragraph 4.7 details the treatment of licensed deficit, below is the extract from the document:
 - 4.7 *Licensed Deficits*
 - 4.7.1 *The authority will only support licensed deficits where a recovery plan is in place, as detailed in paragraph 4.3.1. The governing body must request a licenced deficit from the Chief Officer for Children and Young People.*
 - 4.7.2 *There is an arrangement in place whereby schools are allowed to plan for a deficit budget funded by a collective surplus of school balances held by the authority on behalf of schools.*

3.4 In line with the timescales outlined in the Fair Funding Regulations, the Local Authority received all school budgets approved by the governing body by 31st May 2017. On receipt of these, the Section 151 Officer was informed that collectively, schools were reporting a deficit of £608,000.

Primary schools reported a surplus of £74,000, whilst secondary schools reported a deficit of £667,000 and the special school and pupil referral unit a deficit of £15,000. With regards to the deficit in secondary schools there have been particular circumstances which have contributed to this issue including the late notification of post 16 funding reductions from Welsh Government.

3.5 School balances on the 1st April 2017 stood at a surplus of £269,000 and the collective reserve use during the year is anticipated to be £877,000. Schools have been made aware of the cumulative deficit position and are working together to both minimise the anticipated spend in year but also to try and maintain surplus budgets where they exist.

3.6 Given the collective deficit this is a breach of *paragraph 4.7.2* as detailed above.

3.7 It is not the intent of the Local Authority to change the Fair Funding Regulations but to minimise the impact of this deficit on the collective reserves of the Local Authority.

3.8 The actions that the Local Authority have put in place are detailed below:

- Immediate work with all schools has ensured that the month 2 report details an improvement in the school balances of £180,000.
- All schools with a significant deficit have met with the Chief Officer for Children and Young People and relevant Finance officers. At these meetings the schools have outlined how they are intent to recover from the deficit with timescales.
- All recovery plans will be monitored on a monthly basis and Headteachers and Governing Bodies are held to account to ensure all the savings will be made.
- Where applicable the Cabinet Members for Finance and CYP will meet with schools in the autumn term to gain reassurance and an understanding of each recovery plan.

3.9 In addition to the actions above, the Local Authority is continuing to explore and accelerate cluster working and has been successful in obtaining grant funding from Welsh Government for cluster business managers. The grant funding is for £65,000 which will be match funded and will cover two academic years. This will allow clusters to explore efficiencies and savings.

3.10 As a part of the regional working undertaken through the local consortia finance officers have engaged in the benchmarking of unit costs in schools. This work suggests that there are more efficient schools in Wales that we could look at and learn from.

- 3.11 A working group of school based staff including Head Teachers, Governors and Business Managers alongside Local Authority staff has been formed, to consider how costs can be reduced and additional income can be generated. Notwithstanding the current deficit situation, the financial climate is such that schools will need to continue to contribute a broader understanding of how the future of teaching and learning can be delivered within a reducing resource base for the Authority as a whole.

4. REASONS

- 4.1 Clearly any breach in the regulations is a concern and action needs to be taken to minimise the risk to the Local Authority. The actions outlined above will ensure that the deficit is kept to a minimum and schools are clear about the agreed actions they need to take to return to a surplus budget.

5. RESOURCES

- 5.1 The deficit projected at the beginning of the year was £608,000, at the end of month 2 this had reduced to £428,000. The collective deficit will not exceed the budget position of £608,000.
- 5.2 While there are no direct cash implications, this will reduce the overall level of reserves held by the Local Authority. If this were to extend into the medium term there would be a risk that reserves would fall below an acceptable level for the Authority and would require a budget to enable replenishment, adding further pressures to the Authority's overall financial position.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

The future generation's process has been completed and can be found in appendix 6.

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

There are no safeguarding issues or corporate parenting implications associated with this report.

8. CONSULTEES:

DMT
Cabinet Members CYP and Finance
Section 151 Officer
Assistant Section 151 Officer

All consultee responses have been included in this report.

9. BACKGROUND PAPERS:

Fair Funding (Scheme for Financing Schools) October 2016.

10. AUTHOR:

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**MONMOUTHSHIRE
COUNTY COUNCIL**

**FAIR FUNDING
SCHEME FOR FINANCING SCHOOLS**

Updated

October 2016



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1 INTRODUCTION

1.1 The Funding Framework: Main Features

- 1.1.1 The funding framework which replaced Local Management of Schools is based on the legislative provisions in Section 45-53 of the School Standards and Framework Act 1998 and as further detailed in the Schools Funding (Wales) Regulations 2010.
- 1.1.2 Under this legislation, local education authorities determine for themselves the size of their Local School budget (LSB). The categories of expenditure that fall within the Local Schools Budget are prescribed under regulations made by the Welsh Government, but included within the LSB is all expenditure, direct and indirect, on an authority's maintained schools. Local authorities may retain funding for purposes defined in regulations made by the Welsh Government under the Schools Funding (Wales) Regulations 2010. The amounts to be retained centrally are decided by the authority concerned, subject to any limits or conditions prescribed by the Welsh Government. The balance of the LSB left after deduction of centrally retained funds is termed the Individual Schools Budget (ISB).
- 1.1.3 Any proposed changes to the Fair Funding formula will be consulted upon and agreed by the Cabinet of the Council before the end of December prior to the commencement of the financial year.
- 1.1.4 Details of the proposed centrally retained funds will be subject to consultation each year and published with other budget information from the Council.
- 1.1.5 Local education authorities *may retain an unallocated reserve within the ISB but* must distribute amounts from their ISB amongst their maintained schools according to a formula which accords with regulations made by the Welsh Government, and enables the calculation of a budget share for each maintained school. This budget share is then delegated to the governing body of the school concerned, unless the school is a new school, which has not yet received a delegated budget, or the right to a delegated budget has been suspended in accordance with Section 51 of the SSAF Act. The financial controls within which delegation works are set out in a scheme made by the Authority in accordance with Section 48 of the Act and are subject to approval by the Authority's Schools Forum or Welsh Government, which will have power to modify schemes or impose one.
- 1.1.6 Subject to the provisions of the scheme, governing bodies of schools may spend budget shares for the purpose of their school. They may also spend budget shares on any additional purposes prescribed by the Welsh Government in regulations made under Section 50 of the SSAF Act.



- 1.1.7 An Authority may suspend a school's right to a delegated budget by giving the governing body notice, in writing, if the provisions of the school financing scheme (or rules applied by the scheme) have been substantially or persistently breached, or if the budget share has not been managed satisfactorily (see Sections 2.14 – 2.16). There is a right of appeal to the Welsh Government. A school's right to a delegated budget share may also be suspended for other reasons (Section 17 of the SSAF Act 1998) *but in that case there is no right of appeal.*
- 1.1.8 Each authority is obliged to publish each year a statement setting out details of the planned Local Schools Budget, showing the amounts to be centrally retained, the budget share for each school, the formula used to calculate those budget shares, and the detailed allocation for each school. After each financial year, the authority must publish a statement showing out-turn expenditure at both central level and for each school, and the balances held in respect of each school. *Out-turn statements* are subject to audit certification by the Wales Audit Office and information *in either type* may be collated and published by the Welsh Government.
- 1.1.9 The detailed publication requirements for financial statements and for schemes are set out in regulations, but each school must receive a copy of the scheme and any amendment, and each year's budget and out-turn statements so far as they relate to that school or central expenditure.
- 1.1.10 The scheme should be read in conjunction with the Schools Financial Instructions and the Authority's Financial Regulations and Standing Orders.

1.2 The Role of the Scheme

- 1.2.1 This scheme sets out the financial relationship between Monmouthshire's Education Authority and the maintained schools which the Authority funds. The requirements contained in the scheme relate to the financial management and associated issues are binding on both the Local Education Authority and on the schools covered by the scheme.

1.3 Application of the Scheme to Maintained Schools

- 1.3.1 The scheme applies to all community, special, voluntary controlled and aided, foundation and foundation special schools in the area of the Authority. When schools alter their status in the new framework this will not affect coverage since the schools will merely be categorised differently and the school's governing bodies will remain the same corporate bodies.



- 1.3.2 Because pupil referral units and nursery schools are not maintained schools within the meaning of s.20(7) of the Act, the scheme's coverage excludes them. However, the Authority may consider the scope for funding and managing nursery schools using the same principles as used for primary schools under Fair Funding, in so far as the absence of a governing body with statutory powers allows this.
- 1.3.3 Appendix 1 lists the schools presently covered by the scheme.

1.4 Publication of the Scheme

- 1.4.1 The scheme will be supplied to the headteacher and governing body of each school covered by the scheme, and any approved revisions will be notified to each school in due course.

The actual publication requirements contained in regulations (currently Regulation 27 of the Schools Funding (Wales) Regulations 2010) are as follows:

- (a) furnish a copy to the governing body and a copy to the headteacher of each school maintained by the authority; and
- (b) making a copy available for reference at all reasonable times and without charge—
- (i) at the principal education office of the authority; and
- (ii) at each school maintained by the authority or on a website which is maintained by the authority and accessible to the public.

1.5 Revision of the Scheme

- 1.5.1 Any proposed revisions to the scheme will be subject to consultation with Headteachers, governing bodies and other interested parties and will require approval from the Schools Forum or the Welsh Government if the Schools Forum and Authority cannot agree on the terms of any proposed revisions. The Welsh Minister for Education and Skills may approve any such proposals or approve subject to modification, or refuse to approve any such proposal.

1.6 1.6 Delegation of Powers to Headteachers

- 1.6.1 The governing body must consider the extent to which it wishes to delegate its financial powers to the headteacher and record its decision (and any revisions) in the minutes of the governing body. The authority may be requested to provide advice in respect of a desirable level of delegation to headteachers.
- 1.6.1 The school is obliged to produce a budget plan for each financial year, the responsibility for the production of the budget plan should be determined by the governing body which must approve the first formal budget plan of each financial year and record its decisions accordingly.



1.6.2 The headteacher may be requested to provide advice and reports to the governing body on any matters relating to school expenditure.

1.7 The Role of the Authority

1.7.1 The Financial Standing Orders and Financial /regulations appertaining to Monmouthshire County Council will normally govern all actions of the authority in its application of the scheme.

1.7.2 The Cabinet is responsible for carrying out the statutory duties of the Authority including the operating of the Scheme for Financing Schools in accordance with the SSAF Act 1998.

1.7.3 Prior to the commencement of each financial year, the cabinet, in accordance with the approved scheme, will establish the resources available for all schools for the following year. The governing body will be notified by the Chief Officer for Children and Young People of the resources available for their school, as determined through application of the Scheme.

1.7.4 The Authority will publish requisite budgetary and out-turn information in respect of all schools in accordance with Section 52 of the Act.

1.7.5 The authority may suspend financial delegation in accordance with the provisions of Schedule 15 to the Act, where the governing body:

- (i) has been guilty of a substantial or persistent failure to comply with any requirement applicable under the scheme; or
- (ii) is not managing its delegated budget in a reasonable and satisfactory manner.
- (iii) Where School Financial Instructions are consistently breached.

1.7.6 The authority will retain centrally some elements of funding for allocation to schools on the identification of specific needs.

1.8 The Role of the Governing Body

1.8.1 The governing body is responsible for monitoring the implementation of its own policies as well as those of the authority and the government. Governors become the agent of responsibility.

1.8.2 The main responsibilities of governing bodies are:

- (i) to decide how the school's delegated budget should be spent, in accordance with their school development plan and the statutory curriculum requirements laid upon them;
- (ii) to comply with the provisions written into this scheme in respect of financial regulations;
- (iii) to maintain accurate accounts/records and to provide regular reports/returns of income and expenditure as and when requested;



- (iv) not to plan to overspend;
- (v) to include in their annual report to parents of the school:
 - (a) a financial statement outlining how the school's budget share has been used; and
 - (b) an account of the way in which they have allocated resources to pupils with special educational needs.

1.8.3 In general the governing body is obliged to ensure that it has spent sensibly, having regard to value for money in terms of the educational standards it has achieved and the quality of education it has provided in relation to its context and income. Governing bodies should ensure that they have conducted their financial transactions with due regard to legality and probity.

1.9 Maintenance of Schools

The authority is responsible for maintaining the schools covered by the scheme, and this includes the duty for defraying all the expenses for maintaining them (except in the cases of a voluntary aided school where some of the expenses, are, by statute, payable by the governing body and in the case of grant-maintained schools where there is a power but not a duty to meet capital expenditure). Part of the way an authority maintains schools is through the funding system put in place under Sections 45 – 53 of the SSAF Act 1998 and any revisions made under the Education Act 2002.

2.0 FINANCIAL REQUIREMENTS

2.1 Financial Control

2.1.1 Application of Controls to Schools

Governing bodies in their management of delegated budgets must abide by the authority's requirements on financial control and monitoring; both those in this Scheme and those requirements in more detailed publications referred to in this Scheme, namely and School's Financial Instructions and the Scheme for the Operation of Local Bank Accounts.

Both governors and staff have a duty to expose mismanagement and fraud. The Section 151 Officer should be immediately notified where there are grounds to suggest any irregularities affecting cash, stocks or other assets. Normally such notification will be by the headteacher. However, it may be that there are circumstances make it inappropriate for the person alleging irregularity to raise the matter with the headteacher and governors and therefore concerns can be raised with the internal audit department in the authority.



2.1.2 Provision of Financial Information and Reports

Schools are required to provide the authority with details of anticipated and actual expenditure and income, in a format as specified in Schools' Financial Instructions. The timing of this information will be in line with the reporting timetable for the authority. This formal requirement may be waived when the school maintains such information as part of the authority's online financial accounting system provided that the authority has access to such information.

However, in some circumstances the school may be required to provide information more frequently to assist the authority with the management and/or maintenance of tax or banking arrangements and/or where the authority has notified the school in writing that in its view the school's financial position requires more frequent monitoring i.e. where the school is in a deficit / excessive surplus position and is required to report against a recovery / investment plan, or when the school is in its first year of operation.

2.1.3 Payment of Salaries: Payment of Bills

Governing bodies must follow the detailed procedures as given in Schools' Financial instructions for services carried out by the authority.

For those services not carried out by the authority, such procedures undertaken must be approved by the authority.

2.1.4 Control of Assets

Each school must maintain an inventory of its moveable non-capital assets, including leased assets, and follow the basic authorisation procedures for the acquisition and disposal of such assets as set out in the Schools' Financial Instructions.

The form of the register of assets for items valued at £100 and above must be in accordance with that determined by the Authority, however schools are free to determine their own arrangements for keeping the register of assets worth less than £100 but in such circumstances the governing body must ensure that any such arrangements are acceptable to the school's insurers.

2.1.5 Accounting Policies (including year-end procedures)

Schools must abide by procedures and accounting policies as detailed in Schools' Financial Instructions and any additional instructions sent to schools which have been approved by the Authority on an ad_hoc basis, for example instructions for year-end processes.

2.1.6 Writing Off of Debts



Governing bodies are not authorised to write off any debts. All requests to write off any debts must be agreed with the authority. Debt recovery procedures as detailed in the financial instructions must be adhered to before a write-off can be actioned. If a write off is agreed, the debt will be written off against the school budget.

2.2 Basis of Accounting

2.2.1 All accounts furnished to the authority must be on an accruals basis (to bring into account all outstanding expenditure and income within the financial year). However, this does not preclude schools adopting alternative internal accounting systems if they so wish.

2.3 Submission of Budget Plans

2.3.1 Each school must submit a provisional budget plan to the authority by 1st May each year showing its intentions for expenditure in the current financial year and the assumptions underpinning the budget plan. This should be followed by a formal budget plan which must be provided to the authority by 31st May each year. The format of the budget plan will be provided by the authority during February each year. The authority will supply schools with all income and expenditure data which it holds centrally to allow efficient planning by schools. However schools are responsible for checking this information against the records they hold.

While the above dates are the final dates to submit budgets, the Local Authority works closely with schools to ensure that a budget is approved by the Governing Body and submitted as close to the beginning of the financial year as possible to ensure that spending plans are agreed and spend is as effective as possible. The ideal is before the 1st April each year.

2.3.2 Where plans are subsequently reviewed in-year any revisions should be submitted to the governing body for approval. The details of any such amendments and revised financial plans should be submitted to the authority in line with the monitoring reporting timetable.

2.4 Virement

2.4.1 There are no restrictions on the ability of schools to vire funds between budget heads within the limits of the total funds available from respective school budget shares.

2.5 Audit: General

2.5.2 Schools are subject to and are required to co-operate with the Authority's Internal Audit and the External Auditors as determined by the Wales Audit Office. Where a school enters into external arrangements for the provision of financial services, then separate audit arrangements may apply.



2.5.3 Schools are required to provide access to their records for both internal and external auditors.

2.6 Separate External Audit

2.7.1 The governing body is allowed to spend funds from its budget share to obtain external audit certification of its accounts, separate from and in addition to any authority internal or external audit process. Any such audit must have regard to the status of the school and its responsibilities to the authority.

2.7 Audit of voluntary and private funds

2.7.2 All voluntary and private funds must operate in accordance with the regulations laid down by the authority and any charity commission requirements. An audit certificate must be provided by the school at the end of the accounting period as stipulated in the private fund guidance. This certificate is to be submitted to CYP finance by the 31st October each year, in respect of the accounts for the previous academic year.

2.8 Register of Business Interests

2.8.2 The governing body of each school is required to maintain a register of business interests which details the respective business interests of each member of the governing body and the headteacher.

2.8.3 The register must be made available for inspection by governors, staff, parents and officers of the authority.

2.9 Purchasing, tendering and contracting requirements

2.9.2 Governing bodies are required to abide by the authority's Financial Instructions for Schools and Contract Procedure Rules in purchasing, tendering and contracting matters. In particular, the following requirements must be adhered to:

- (a) To comply with all provisions of the Scheme, statutory provision, or Public Contract Regulations 2015.
- (b) **Contracts with value of less than £1,000** - Demonstrate that good value has been achieved
- (c) **Contracts with value £1,000 - £5,000** - One written quotations should be received



- (d) **Contracts with value £5,000 - £25,000** - Three written quotations and advertised through the relevant trade journal/portal and/or Sell2Wales.
- (e) **Contracts £25,001 – EU Threshold** (Supplies & services contracts threshold currently £164,176; Works contracts threshold currently £4,104,394. These thresholds were last updated in January 2016 and are fixed for a 2 year period) Invitation to tender by advertisement through relevant trade journal/portal and/or Sell2Wales
- (f) The strategic procurement unit should be made aware of all contracts over £25,000.
- (g) The tender process must follow the guidance set out in the Financial Instructions for Schools.

2.9.3 Where relevant, governing bodies must assess in advance the health and safety competence of the contractors taking into account the authority's policy and procedure.

2.11 Application of contracts to schools

2.11.1 As a general principle, schools may opt out of authority-arranged contracts/service level agreements but will be bound by extant agreements.

2.11.2 Governing bodies are empowered under paragraph 3 of Schedule 10 to the Act to enter into contracts, although in most cases the governing body does so on behalf of the authority as maintainer of the school and the owner of the funds in the budget share. However where the governing body has a clear statutory obligation (e.g. contracts made by aided or voluntary foundation schools for the employment of staff) contracts may be made solely on behalf of the governing body.

2.12 Central funds and earmarking

2.12.1 The authority is authorised to make additional funds available to the school from central funds; these funds shall be additional to and separate from the schools' budget share e.g. Grants provided by third parties. These allocations are subject to any conditions setting out the purpose or purposes for which the fund may be used. These funds



must not be assimilated into the school's budget share and should appear separately in accounts to demonstrate their use for the purpose for which funds were allocated.

2.12.2 Any earmarked funds which are not spent by 31st March in any financial year must be returned to the authority if not spent in year or within a period over which schools are allowed to use the funding if different.

2.13 Spending for the purposes of the school

2.13.1 Although Section 50 (3) of the SSAF Act 1998 allows governing bodies to spend their budget share for the purposes of the school, this is subject to any provisions of this scheme.

2.13.2 In general the governing body is obliged to ensure that it has spent sensibly, having regard to value for money in terms of the educational standards it has achieved and the quality of education it has provided in relation to its context and income. Governing bodies should ensure that they have conducted their financial transactions with due regard to legality and probity.

2.14 Capital spending from budget shares

2.14.1 Governing bodies are allowed to use their budget shares to meet the cost of capital expenditure on school premises, subject, where the premises are owned by the authority to their approval but such consent can only be withheld on health and safety grounds. Consent is sort via the use of the 'Landlord Consent Form' this is attached in appendix 4. Where the authority does not own the premises, then the school should notify the authority of their intentions. This includes expenditure by the governing body of an aided school on work which is their responsibility under Paragraph 3 of Schedule 3 of the Act.

2.14.2 Where such proposed capital expenditure exceeds £15,000 the Chief Officer for Children and Young People must be notified and the governing body must take into account any advice as to the merits of the proposed expenditure.



BANKING ARRANGEMENTS: INSTALMENTS OF BUDGET SHARES

3.0 External Bank Accounts: Notice Period

- 3.0.1 The Authority has adopted the CIPFA Code of Practice for Treasury Management in Local Authorities.
- 3.0.2 Schools may choose to use the Authority arrangements for banking or alternatively schools may opt to operate their own independent banking arrangements.
- 3.0.3 Schools wishing to operate external bank accounts may only do so from the beginning of any financial year provided that a period of two terms notice is given to the authority. Such schools must have cleared any outstanding budget deficits prior to operating external bank accounts.

3.1 Frequency of Instalments

- 3.1.1 For schools operating within the authority's banking arrangements, school budget shares will be notionally credited to the school's account on the first day of the financial year.
- 3.1.2 For schools operating external bank accounts, school budget shares will be made available to governing bodies on a monthly basis payable on the 20th day of each calendar month or the closest working day thereto.

3.2 Proportion of Budget Shares Payable at each Instalment to External Bank Accounts

- 3.2.1 For schools operating external bank accounts, the budget share instalments will be made in equal twelfths of the annual delegated sum.
- 3.2.2 However, where schools can demonstrate through a budget plan that there will be significant fluctuations in monthly expenditure, consideration will be given to payment of the respective school budget shares in accordance with an agreed payment profile.

3.3 Interest

3.3.1 Interest Claw back

- 3.3.1.1 Where it can be determined that the authority has suffered a loss of interest in respect of delegated funds paid in advance, the authority reserves the right to recover lost interest. This will be based on an interest calculation applied to the difference between the average school balance for the financial year and the closing school balance at the end of the financial year. This will only be applied to positive balances.



3.3.1.2 The interest claw back will be calculated on the basis of the marginal lost investment income arising from the difference between bank base rate, payable to all schools without external bank accounts and the authority's average seven day rate.

3.3.2 Interest on Late Payment of Budget Shares to External Bank Accounts

3.3.2.1 For schools operating external bank accounts interest will be payable by the authority in respect of the late payment of a school budget share instalment where such late payment is the result of authority error. The interest payable will be calculated on the basis of the instalment amount, the number of days the payment is delayed and the bank base rate.

3.3.3 Interest Payable on Balances

3.3.3.1 For schools operating within the authority banking arrangements interest will be payable based on the prevailing bank rate as at the last working day of the financial year on all surplus balances at that date. The authority reserves the right to charge interest on deficit balances. In the event that the authority opts to charge interest on deficit balances the school will be notified in writing. Interest will be calculated using the prevailing bank base rate as at the last working day of the financial year on the deficit balance at that date.

3.3.3.2 Schools with external bank accounts will not receive such interest but will be able retain any interest earned as a result of operating its external bank account.

3.4 Budget shares for closing schools

3.4.1 Budget shares for closing schools will be made in equal monthly instalments up to the end of the month in which the closure takes place.

3.4.2 Where schools are scheduled for closure they will only be funded up to the date where there are no recorded pupils on roll. The funding will be based on equal instalments of the school budget share. After this date the school will only be funded for the ongoing maintenance costs.

3.5 Bank and Building Society accounts

3.5.1 External Accounts

3.5.1.1 Schools may, subject to the conditions set out in this scheme, opt to open and maintain external bank accounts into which their budget share instalments are paid.

3.5.1.2 When a school elects to operate an external bank account the authority will, at the request of the school, transfer an amount agreed



by both the school and the authority as the estimated surplus balance held by the authority in respect of the schools budget share, on the basis that there is then a subsequent correction when the accounts for the relevant year are closed.

3.5.2 Restriction on Bank Accounts

3.5.2.1 Schools may hold accounts at any of the approved banks or building societies specified by the Authority, at the time of writing these are set out in appendix 2, however as these change frequently schools should contact the authority for an up to date list prior to tendering for any services.

3.5.2.2 Consideration will be given to requests for accounts to be held at other institutions.

3.5.2.3 Schools may stipulate that the name of any external account is in the name of the school rather than the authority.

3.5.2.4 However, the operation of the account must be in accordance with the authority's Scheme of Administration for School-Held Bank Accounts which outlines the specific rights of access and administrative procedures. In particular the account mandate must provide that the authority is the owner of the funds account; that it is entitled to receive statements; and that it can take control of the account if the schools right's to a delegated budget is suspended by the authority.

3.5.2.5 Signatories to such bank accounts shall only be drawn from authority and school employees and as such bars school governors who are not employees from being signatories to the schools account.

3.6 Borrowing by schools

3.6.1 Governing bodies may borrow money from a bank or building society only with the written permission of the Welsh Government. Any requests for such consent and outcome should be notified to the Section 151 officer.

3.6.2 Any finance or operating leases arrangements shall only be undertaken with the express written permission of the Section 151 officer.



4 TREATMENT OF SURPLUSES AND BALANCES

4.1 Carry Forward of Balances

- 4.1.1 Schools will be able to carry forward from one financial year to the next any shortfall in expenditure relative to the school's budget share for the year, plus or minus any balance brought forward from the previous year.
- 4.1.2 A school's balance at the end of the financial year will be that determined from the annual accounts.

4.2 Reporting on the Intended Use of Surplus Balances

- 4.2.1 Governing bodies are required to report to the authority on the intended use of surplus balances in those cases where the total balance exceeds, for secondary schools, £100,000 of allocated resources, and for primary schools £50,000. This report must be submitted within 3 months of initially reporting this level of surplus to the authority. The report must detail spend to bring the balances below these levels and must be agreed with the authority. This will be monitored on a termly basis.
- 4.2.2 Under the School Funding (Wales) Regulations (2010), where surplus budgets held by schools exceed £50,000 for primary schools or £100,000 for secondary schools and special schools, the Authority has the power to direct a school how to spend the balance or to claw back the balance held in excess of these limits.

Planning for Deficit Balances

- 4.3.1 This scheme precludes governing bodies from planning for a budget deficit.

4.4 Obligation to carry forward Deficit Balances

- 4.4.1 Where a school has a deficit balance at the end of the year, such deficit will be carried forward into the next financial year. Governing bodies will be required to report to the authority on the measures that the school intends to take in order to eradicate the deficit, over a maximum of 3 years. The Authority may agree to increase the time period to allow a school to recover, however this will need to be agreed with the Chief Officer for Children and Young People. These plans must be submitted within 3 months on initially reporting a deficit to the authority. This plan will be monitored on a termly basis at minimum, but in material cases this will be monitored monthly. The authority has the right to withdraw the delegated budget and powers of the governing body should the plan not be followed.



4.5 Writing off Deficits

4.5.1 The authority will not write off a deficit balance at any school.

4.6 Balances of Closing and Replacement Schools

4.6.1 When a school closes, any balance (whether surplus or deficit) will revert to the authority. Such balance cannot be transferred to any other school, even if that school is a successor to a closing school.

4.7 Licensed Deficits

4.7.1 The authority will only support licensed deficits where a recovery plan is in place, as detailed in paragraph 4.3.1. The governing body must request a licensed deficit from the Chief Officer for Children and Young People.

4.7.2 There is an arrangement in place whereby schools are allowed to plan for a deficit budget funded by a collective surplus of school balances held by the authority on behalf of schools.

4.8 Credit Union Approach

4.9.1 The authority does not support Credit Union Approach for financial support. An arrangement whereby schools group together to utilise externally held balances for a collective approach to loans.



5 INCOME

5.1 Income from Lettings

5.1.1 Schools are allowed to retain all income from lettings of school premises, subject to arrangements arising from joint uses or Private Finance Initiative agreements.

5.1.2 Income from lettings of school premises should not normally be payable into voluntary or private funds held by the school.

5.1.3 Schools may cross-subsidise lettings for community and voluntary use with income from other lettings, providing there is no net cost to the budget share. However schools must have regard to directions issued by the authority as to the use of the schools premises as permitted under the School Standards and Framework Act 1998 for various categories of school.

5.1.4 On school sites where caretakers bungalows are funded by the authority all income resulting from their occupancy will accrue to the authority.

5.2 Income from Fees and Charges

5.2.1 Schools may retain income from fees and charges, except, where the service is provided by the authority from centrally-retained funds.

5.2.2 Schools must have regard to any policy statements on charging produced by the authority.

5.3 Income from Fundraising Activities

5.3.1 Schools may retain income from any fundraising activities.

5.4 Income from Sale of Assets

5.4.1 Schools may retain the proceeds of sale of assets except in cases where the asset was purchased with non-delegated funds, save when the authority decides otherwise.

5.4.2 Schools may not retain the proceeds from the sale of land or buildings forming part of the school premises owned by the authority.

5.5 Administrative Procedures for the Collection of Income

5.5.1 Income collection should be administered in accordance with School Financial Instructions.

5.6 Purposes for which income may be used



5.6.1 Income received from the sale of assets purchased with delegated funds may only be spent for the purposes of the school.



6 THE CHARGING OF SCHOOL BUDGET SHARES

6.1 General Provision

- 6.1.1 The budget share of a school may be charged by the authority without the consent of the governing body only in circumstances expressly permitted by this Scheme. The authority will consult with schools as to its intention to so charge and will notify schools when it has been done.
- 6.1.2 Where schools are charged by the authority under these provisions and are in dispute with those charges, any resolved matters will be referred to the Chief Officer for Children and Young People for final determination.
- 6.1.3 The authority is required to charge salaries of schools based staff to school budget shares at actual cost.

6.2 Circumstances in which charges may be made

- 6.2.1 Where premature retirement costs have been incurred without the prior written agreement of the authority to bear such costs (the amount chargeable being only the excess over any amount agreed by the authority).
- 6.2.2 Other expenditure incurred to secure resignations where the school had not followed authority advice.
- 6.2.3 Awards by the courts and employment tribunals against the authority or out of court settlements arising from action or inaction by the governing body contrary to the authority's advice.

Awards may sometimes be against the governing body directly and would fall to be met from the budget share. Where the authority is joined with the governing body in the action and has expenditure as a result of the governing body not taking authority advice, the charging of the budget share with the authority's expenditure protects the authority's position.

- 6.2.4 Expenditure by the authority in carrying out health and safety work for which the authority is liable where funds have been delegated to the governing body for such work, but the governing body has failed to carry out the required work.
- 6.2.5 Expenditure by the authority in making good defects in building work funded by capital spending from budget shares, where premises are owned by the authority or the school has voluntary status.
- 6.2.6 Expenditure incurred by the authority in insuring its own interests in a school where funding has been delegated but the school has failed to demonstrate that it has arranged cover at least as good as that which would be arranged by the authority.



- 6.2.7 Recovery of monies due from a school for services provided to the school, where a dispute over monies due has been referred to a disputes procedure set out in a service level agreement, which concluded that such monies are owed by the school to the authority.
- 6.2.8 Recovery of penalties imposed on the authority by the Board of the Inland Revenue, the Contributions Agency or HM Revenues & Customs, Teachers Pensions as a result of school negligence.
- 6.2.9 Correction of authority errors in calculating charges to a budget share (e.g. pension deductions).
- 6.2.10 Additional transport costs incurred by the authority arising from decisions by the governing body on the length of the school day, and failure to notify the authority of non-pupil days resulting in unnecessary transport costs.
- 6.2.11 Legal costs which are incurred by the authority because the governing body did not accept the advice of the authority (see also Section 11).
- 6.2.12 Costs of necessary health and safety training for staff employed by the authority, where funding for training had been delegated but the necessary training had not been carried out.
- 6.2.13 Compensation paid to a lender where a school enters into a contract for borrowing beyond its legal powers, and the contract is of no effect.
- 6.2.14 Cost of work done in respect of teacher pension remittance and records for schools using non-authority payroll contractors, the charge to be the minimum needed to meet the cost of the authority's compliance with its statutory obligations
- 6.2.15 Costs incurred by the authority in securing provision specified in a statement of ALN where the governing body of a school fails to secure such provision despite the delegation of funds in respect of that statement.
- 6.2.16 Costs incurred by the authority due to submission by the school of incorrect data.
- 6.2.17 Recovery of amounts spent from specific grants on ineligible purposes.
- 6.2.18 Cost incurred by the authority as a result of the governing body being in breach of the terms of a contract.



7 TAXATION

7.1 Value Added Tax

7.1.1 For recovery of the VAT, HM Revenues & Customs have agreed that VAT incurred by schools when spending any funding made available by the authority is treated as being incurred by the authority and qualifies for reclaim by the authority. Such sums reclaimed will be passed on to schools.

7.1.2 In general VAT will be recoverable on expenditure incurred by schools on business activities from any funding made available by the authority in accordance with the regulations of HM Revenues & Customs. In consequence expenditure charged to school budget shares will be net of VAT with the VAT reclaim managed centrally by the authority.

7.1.3 Schools will also need to consider their VAT position in respect of any income they generate. Detailed guidance is available within Financial Instructions and further advice can be obtained from the Section 151 Officer.

7.2 Construction Industry Taxation Scheme (CITS)

7.2.1 Schools must abide by the Authority's procedures in respect of CITS. Advice on this matter is available from the Section 151 Officer.



8 THE PROVISION OF SERVICES AND FACILITIES BY THE AUTHORITY

8.1 Provision of Services from Centrally Retained Budgets

8.1.1 The authority will determine the provision of services from centrally-retained funds to schools including, if appropriate, premature retirement and redundancy costs. In so doing, the authority will not discriminate between different categories of schools except where (a) funding has been delegated to some schools only or (b) such discrimination is justified by statutory duties.

8.2 Provision of Services Purchased from the Authority using Delegated Budgets

8.2.1 Governing bodies are free to negotiate agreements for purchasing of services from the authority as they determine. There is no minimum term for such agreements albeit that arrangements lasting less than two years may be uneconomic. In general the period of such agreements will not exceed five years but agreements may include provision for an extension to seven years for contracts for supply of catering services.

8.2.2 Where a service is provided for expenditure which is not retained centrally by the authority under the Regulations made under Section 46 of the Act, such service can only be provided at prices which generate income which is no less than the cost of providing the service. The total cost of the service must be met by the total income, even if schools are charged differentially.

8.2.3 Where the authority provides, any service for which funding has been delegated to schools, these services may be offered to schools as packages of services.

8.2.4 However, any service which an authority is providing will also be available to be purchased as a single service.

8.2.5 Where a governing body decides not to buy back services for which the authority retains statutory responsibilities, then costs of meeting these responsibilities will be chargeable against respective school's budget share.

8.3 Service Level Agreements

8.3.1 Where services or facilities are provided under a service level agreement, such agreements will normally take effect at the start of a financial year. Written agreements will be drawn up in consultation with the school in advance of the start of the agreement.



8.3.2 Where services or facilities are provided under a service level agreement, the terms of such an agreement will be reviewed at least every three years.

8.3.3 Services offered on the basis of a service level agreement will also be available on an ad hoc basis although a different rate of charging may apply.

9 PFI/PPP

9.1 Governing bodies must consider the implications of any PFI/PPP project contemplated. The authority must be informed of any such proposal and the governing body should take account of any advice provided by the authority in connection with such proposal.

9.2 In particular, the authority would wish to reserve the right to charge the school budget share with any costs incurred by the authority associated with any such arrangement, and to determine the treatment of monies withheld from contractors due to poor performance.

10 INSURANCE

10.1 Where funds for insurance are delegated to any school, the school must demonstrate that under a policy arranged by the governing body, cover relevant to any authority's insurable interests is at least as good as the relevant cover arranged by the authority where the authority makes such arrangements, paid for from central funds or from contributions from schools' delegated budgets.

11 MISCELLANEOUS

11.1 Right of Access to Information

11.1.1 Governing Bodies will be required to supply all financial and other information which might reasonably be requested to enable the Authority to satisfy itself as to the School's management of its delegated budget share, or the use made of any central expenditure by the Authority (e.g. earmarked funds) on the school. Such additional financial information does not extend to copies of internal reports to the governing body on financial matters.

11.2 Liability of Governors

11.2.1 Each governing body is a corporate body and consequently, under the terms of Section 50(7) of the Act, governors of maintained schools do not incur personal liability in the exercise of their power to spend the delegated budget share provided they act in good faith.



11.3 Governors' Expenses

11.3.1 The Authority is allowed to delegate to the governing body of a school yet to receive a delegated budget, funds to meet governors' expenses.

11.3.2 Under schedule 11 of the SSAF act 1998, only allowances in respect of purposes specified in regulations may be paid to governors from a schools' delegated budget share; schools are forbidden to pay any other allowances. Schools are also barred from payment of expenses duplicating those paid by Welsh Government to additional governors appointed by him to schools under special measures. The amounts of any such allowances will be set by the Authority.

11.4 Responsibility for Legal Costs

11.4.1 The cost of legal action incurred by the governing body, including any costs awarded against the authority may be charged to the school's budget share unless the governing body acts in accordance with the advice of the authority (unless they relate to the statutory responsibility of voluntary aided school governors for building).

11.4.2 Where there is conflict of interest between the governing body and the authority, the governing body should consider the need for independent legal advice, the costs of which will have to be met from the school budget share.

11.5 Health And Safety

11.5.1 In expending the schools budget share governing bodies must have due regard to the duties and responsibilities placed upon them, and on the Authority, in relation to health and safety.

11.5.2 The authority may issue directions to a governing body and headteacher on health and safety matters; these directions are enforceable, so far as governing bodies are concerned, via Section 497 of the Education Act 1996 if not complied with.

11.6 Right of Attendance for the Chief Officer for Children and Young People

11.6.1 Governing bodies should permit the Chief Officer for Children and Young People, or their nominated representative, to attend meetings of the governing body at which any agenda items are relevant to the exercise of his/her responsibilities. Such attendance will normally be preceded by adequate notice.

11.7 Delegation to New Schools

11.7.1 The authority may delegate funding selectively to the governing bodies of schools which have yet to receive delegated budgets



11.8 Optional Delegated Funding

11.8.1 Where a school exercises an option to receive delegated funding for an item, that option may only be exercised once a year by notification in writing to the Chief Officer for Children and Young People by the 31st December, prior to the commencement of any financial year.

11.9 Additional Learning Needs

11.9.1 Governing bodies must use their best endeavours in expending their budget share to secure appropriate provisions for pupils with Additional Learning Needs.

11.10 Whistle blowing

11.10.1 The Authority will issue to the governing body the procedure to be followed by persons working at a school or school governors who wish to complain about financial management or financial propriety at a school, and how such complaints will be dealt with.

11.11 Child Protection

11.11.1 Governing bodies will be required to cooperate with any matters associated with child protection and must release staff to attend child protection case conferences and other related events.

11.12 School Meals

11.12.1 The Authority may provide a school meals policy of which governing bodies should have regard in the discharge of their duties in relation to school meals where funding has been delegated.

12 RESPONSIBILITY FOR REPAIRS AND MAINTENANCE

12.1 Categories of Work

12.1.1 The categories of work for which a governing bodies will receive delegated funding in order to meet their responsibilities are detailed in Appendix 3.

12.2 Date of Delegation

12.2.1 The operational date of such delegated funding was the 1st April 2000.

SCHOOLS COVERED BY THE SCHEME

SECONDARY

Caldicot School
Chepstow School
King Henry VIII Comprehensive
Monmouth Comprehensive

PRIMARY

Archbishop Rowan Williams Church in Wales V.A. Primary
Cantref Primary
Castle Park Primary
Cross Ash Primary
Deri View Primary
Dewstow Primary
Durand Primary
Gilwern Primary
Goytre Fawr Primary
Kymin View Primary
Llandogo Primary
Llanfoist Fawr Primary
Llantilio Pertholey Church in Wales Primary
Llanvihangel Crucorney Primary
Magor Church in Wales Primary
Osbaston Church in Wales Primary
Our Lady and St. Michaels Catholic Primary
Overmonnow Primary
Pembroke Primary
Raglan V.C.Primary
Rogiet Primary
Shirenewton Primary
St. Mary's R.C. Primary
The Dell Primary
Thornwell Primary
Trellech Primary
Undy Primary
Usk Primary
Ysgol Gymraeg Y Fenni
Ysgol Y Ffin

SPECIAL

Mounton House

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Banks:

Bank of Scotland PLC
Barclays Bank PLC
Close Brothers Ltd
Goldman Sachs International Bank
HSBC PLC
Lloyds Bank PLC
Santander UK PLC
Standard Chartered Bank.

Building Societies:

Leeds Building Society
Nationwide Building Society.

These are correct as at June 2016, school should request an up to date list from the Authority prior to moving banking services.

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RESPONSIBILITY FOR REPAIRS AND MAINTENANCE

ITEM	LEA RESPONSIBILITY	SCHOOL RESPONSIBILITY	AIDED SCHOOL RESPONSIBILITY
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1 SCHOOL BUILDINGS**1.1 Foundations**

Ducts and duct covers		*	*
Foundations to external walls, dpc's	*		*
Foundations to internal walls, dpc's	*		
Ground floors, floor slabs, hardcore filling	*		
Retaining walls and dpc's (supporting the buildings)	*		*
Waterproof membranes to floor slabs	*		

1.2 External Walls

Access ramps and steps to external doorways		*	*
Bin screens (other than to kitchens)		*	*
Chimney stacks (above roof level), flashings	*		*
Copings		*	*
Damp proof rendering applied externally	*		*
External walls, dpc's, cavity trays, cavity ties	*		*
Graffiti/moss removal		*	*
Insulation (cavity)		*	*
LPG and oil tank enclosures		*	*
Pointing	*		*
Rainwater pipes and soil stacks (external)	*		*
Rainwater pipes and soil stacks (internal)	*	*	

1.3 External Windows and Doors

Bolts, door closures, panic bolts - internal		*	*
Double glazing		*	*
Draught proofing to windows and doors		*	*
Emergency exit and fire escape doors	*		*
Glass upgrading and safety film		*	*
Linings, beads and casement stays - internal		*	
Locks, bolts, floor springs, etc.		*	*
Roller shutters to windows, external doors		*	*
Secondary glazing		*	*
Cills and Lintels	*		*
Window guards, steel sheet coverings to doors		*	*
Windows and doors (external)	*		*
Window winding gear - internal		*	*

1.4 Internal Walls, Partitions and Doors

Brick, block, studded, chimney breasts and flues	*		*
Damp proof rendering applied internally		*	*
Fire screens, glazed partitions, internal windows		*	*
Glass upgrading and safety film		*	*
Internal doors, floor springs, door closures, locks, bolts etc.		*	*
Sliding/folding screens		*	*
Steel sheet coverings to doors (secure stores)		*	*
WC Lavatory, toilets, partitions/cubicles		*	*

1.5 Roofs

Covered links, verandas, porches, etc.	*		*
Covered play areas (part of school building)	*		*
Deck and beams, rafters, trussed rafters, purlins	*		*
Eaves, fascias, soffit boarding, gutters	*		*
Insulation (at roof level)		*	*
Lightning conductors	*		*
Rainwater pipes - fixed internally		*	*
Rainwater pipes, outlets set in flat roofs	*		*
Reflective paint, white stone chippings (i.e. on roofs)		*	*
Roof edge protection and anti-scaling devices		*	*
Rooflights, tank housings	*		*
Roofs - (coverings, bargeboards, flashings)	*		*
snow and gutter boards	*		*
Trusses (not trussed rafters)		*	*
Ventilation equipment (above roof level)		*	*

1.6 Floors and Staircases - & see Foundations (1.1)

Fire escapes - external - not enclosed		*	*
Staircases, handrails and balustrades		*	*
Suspended floors and sleeper walls	*		

1.7 Suspended Ceilings

Fire stops		*	*
Insulation		*	*
Structure		*	*

1.8 Internal Finishes - Floors

Carpets stuck down on sub-floors		*	*
Door mats, loose and fitted carpets		*	*
Matwells, nosings		*	*
Wood strip, wood block, vinyl, linoleum, tiled		*	*

1.9 Internal Finishes - Walls

Boarded		*	*
Brick Pointing		*	*
Plastered, dry lined		*	*
Skirtings, chair and dado rails		*	*
Tiled, including splashbacks to sinks		*	*

1.10 Internal Finishes - Ceilings

Hardwood or softwood boarded		*	*
Plaster		*	*
Suspended (grid system)		*	*
Upgrading for fire rating		*	*

1.11 Electrical Installations

see note

Cabling for computer networking		*	*
Class change systems		*	*
Display lighting, shades etc.		*	*
Drama and stage lighting (for school purposes only)		*	*
Electric current protection, RCD units		*	*
Emergency lighting		*	*
External lighting fixed to external walls		*	*
Extractor fans, in external wall, in, or on roof		*	*
Extractor fans - internal		*	*
Fire alarms - smoke detectors		*	*
Hand dryers, hygiene equipment		*	*
Internal lighting, light fittings (not shades)		*	*
Mains distribution form meter		*	*
Portable fans		*	*
Power points and sockets including low voltage		*	*
Power sockets on wall benches and computer		*	*
Public address and sound amplification systems		*	*
Radio/TV aerials, cabling and sockets		*	*
Telephone extensions and equipment		*	*
Telephone installation and first socket		*	*
Trunking for telephones, computer networks, etc.		*	*
Ventilation ducting for dust and fume extraction		*	*
Water heaters (non-teaching purposes)		*	*
Water heaters (teaching purposes)		*	*
Wiring connections to teaching equipment		*	*
Periodic inspection and testing		*	*

1.12 Heating Systems

Boiler plant, wiring, controls		*	*
Chimney stacks and flues - external	*		*
Chimney stacks and flues - internal		*	*
Fixed electric or gas heaters		*	*
LP gas and oil tanks		*	*
Pipework distribution, valves		*	*
Radiators, convectors		*	*
Thermostatic valves		*	*

Note: Electrical installations and heating systems would be replaced at the end of their useful life when they would be the responsibility of the Local Education Authority

1.13 Furniture and Fittings

Blackboards (roller type) and retractable projection		*	*
Blackboards, whiteboards and projection screens-wall mounted		*	*
Changing room benches, kit lockers, coat hooks		*	*
Cloakroom fittings i.e. lockers, coat hooks etc		*	*
Cloakroom security gates		*	*
Curtain rails and curtains		*	*
Display boards and display shelving		*	*
Fire extinguishers, blankets etc		*	*
Fixed fume cupboards and extract flue		*	*
Fixed library shelving		*	*
Fixed seating to reception areas, common rooms		*	*
Fixed stages		*	*
Fixed storage cupboards and general shelving		*	*
Fixed wall benches, including services therein in laboratories, craft rooms, etc. (gas, electricity, water)		*	*
Free standing library shelving		*	*
Hand dryers, wall mirrors		*	*
Hose reels		*	*
Kilns		*	*
Lockers for pupils belongings		*	*
Name boards and signs (free-standing - external)		*	*
Notice boards, name boards and signs (exterior attached to external walls)		*	*
Notice boards, name boards and signs (internal)		*	*
PE (Gym equipment)		*	*
Pelmets		*	*
Portable Fume cupboards		*	*
Portable stages, platforms		*	*
Reception hatch/counter		*	*
Retractable seating to lecture rooms, sports halls		*	*
Shower curtains		*	*
Solar film and sun blinds		*	*
Stage curtains and drapes		*	*
Statues, memorials, commemorative plaques		*	*
Toilet roll holders, hygiene equipment		*	*
Wall safes		*	*
Periodic inspection and testing of fume cupboards		*	*

1.14 Sanitary Ware & Sinks (including connections to services, waste pipes to main soil stacks)

Cleaning/caretakers sinks		*	*
Drinking fountains (external) fixed to school Buildings		*	*
Incinerators		*	*
Laboratory and classroom sinks (teaching)		*	*
Sink in room used for medical inspections		*	*
Staffroom sink units (tea/coffee making)		*	*
Toilets, urinals, basins, showers, drinking fountains		*	*

1.15 Plumbing and Gas Services - & see section 1.14

Gas connections to teaching equipment		*	*
Hot and cold water and gas services to convenient points for connections to sanitary ware and equipment		*	*
Mixer valves (cloakroom/showers only)		*	
Rainwater outlets in flat roofs	*		*
Soil stacks and rainwater pipes - external	*		*
Soil stacks and rainwater pipes - internal		*	*
Water and gas connections, and waste pipes to main soil stack, for sinks and wall benches		*	*
Water sprinkler system (i.e. fire)		*	*
Water storage tanks and calorifiers		*	*
Periodic inspection and testing		*	*

1.16 Decorations

External painting		*	
Internal painting, sprayed finishes to toilets etc.		*	*
Murals, painted insignia, and other art work		*	*
Wallpapering or other applied finishes		*	*

1.17 Drainage (from school buildings - see 4.4)

Manholes and inspection covers - external		*	
Manholes and inspection covers - internal		*	*
Underground pipes - external	*		*
Underground pipes - internal		*	*

1.18 Incoming services to point of entry into school buildings

Electric	*		*
Gas	*		*
Water	*		*

1.19 Mobile Classrooms

as main buildings

as main buildings

as main/other buildings

2 SCHOOL BUILDINGS NON-STATUTORY

2.1 Swimming Pool

Governors provided		*	*
LEA provided	n/a	n/a	n/a

2.2 Youth Club

Governors provided		*	*
LEA provided	n/a	n/a	n/a

2.3 Chapel, Parish Kitchen, Stores etc.

Governors provided		*	*
LEA provided	n/a	n/a	n/a

2.4 Parents Room

Governors provided		*	*
LEA provided	n/a	n/a	n/a

2.5 Garage

For School mini bus		*	*
For teaching purposes	as main buildings	as main buildings	as main buildings

3 OTHER BUILDINGS

3.1 School Meals Kitchen

School meals kitchen, including drains therefrom to junction with other drains, kitchen yard and bin screens, servery and storage for dining furniture	*		
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3.2 Dining Hall

Dining Hall (not also used for teaching)	*		
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3.3 Medical Inspection Room

Medical Inspection room/facilities		*	*
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3.4 Caretaker's House

Caretaker's house or flat including drains therefrom to junction with other drains		*	*
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3.5 Outside Games and Groundsman's Stores

Outside games and groundsman's stores		*	*
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4 SCHOOL SITES

4.1 Land Purchase

n/a

n/a

n/a

4.2 Site Preparation

Culverts, field drains, silt chambers, etc. to take ground or surface water		*	*
Demolition and site clearance (non-school buildings e.g. air raid shelter)		n/a	n/a
Demolition and site clearance (Part of school buildings)	n/a	n/a	n/a
Draining and filling ditches, ponds, etc.	n/a	n/a	n/a
Ducting etc. for extraction of underground deposits of radon/methane gas etc.	*		*
Reinstatement of site after demolition	n/a	n/a	n/a
Removal of contaminated fill (building area)	n/a	n/a	n/a
Removal of contaminated fill (site works)	n/a	n/a	n/a
Removal of non-contaminated fill, peat (building area)	n/a	n/a	n/a
Removal of non-contaminated fill, peat (site works)	n/a	n/a	n/a
Tree felling, pruning and surgery		*	*

4.3 Site Development

Access roads, paths and paved areas, retaining wall thereto		*	*
Boundary walls, perimeter fencing and gates and retaining walls thereto		*	*
Bus parking and turning areas, fencing and gates		*	*
Car parking, retaining walls thereto		*	*
Covered play areas (not part of school building)		*	*
Electric main cable, meter to inside of school buildings		*	*
Fire Hydrants		*	*
Free-standing/fixed safety rails		*	*
Gas main and meter to inside of school buildings		*	*
Kitchen access roads	*		
Kitchen yards, bin areas, screen walls	*		
Nursery play area, fencing and gates		*	*
Painting of fencing, gates, railings, etc.		*	*
Playground and play court fencing (school site only)		*	*
Playground and play courts, markings for games		*	*
Playgrounds, play courts, retaining walls thereto		*	*
Pointing to boundary walls, retaining walls etc.		*	*
Steps and ramps within site		*	*
Trees, shrubs and plants		*	*
Turfing and grass seeding		*	*
Underground ducts and duct covers - for services between school buildings		*	*
Underground ducts - services within ducts between school buildings		*	*
Water main to inside of school building		*	*

4.4 Site Fitments

Cycle shed, racks and blocks		*	*
Free-standing drinking fountains		*	*
Free-standing flag poles		*	*
Free-standing lightning standards		*	*
Free-standing school name board and directional signing		*	*
Greenhouses for teaching purposes		*	*
Rubbish bins		*	*
Sculptures, fountains and other site "features"		*	*

4.5 Drains

Drains from "Other Buildings" (e.g. school kitchen) to point of connection with other drains	*		
Drains from school buildings (including manholes and intercepting chambers)		*	*
Ground and surface water pumps and chambers		*	*
Land drainage and culverts		*	*
Sewage pumps and pump chambers		*	*
Sewage treatment plant		*	*
Storm water drains from roads, paths, playgrounds to point of connection with other		*	*

4.6 Outside of School Sites

Access road		*	*
Bus lay-by and turning areas		*	*
Electrical sub stations		*	*
Gas and electricity connection charges		*	*
Pavement crossings		*	*
Sewage connections		*	*
Street works		*	*

5. SECURITY MEASURES

Security gates and grills to entrance exits - attached to school buildings		*	*
Security locks (external windows and doors)		*	*
Security locks (internal windows and doors)		*	*
Burglar alarms and panic buttons		*	*
Entry phones		*	*
Security lighting fixed to external walls		*	*
Video surveillance system		*	*
Security fencing (around school buildings not site)		*	*
Security lighting - free standing		*	*

6. HABITAT AREAS

Drainage		*	*
Fencing		*	*
Land purchase	n/a	n/a	n/a
Paths and paved areas		*	*
Planting		*	*
Preparation	n/a	n/a	n/a
Water supply		*	*

7. PLAYING FIELDS

Court fencing, netting etc.		*	*
Electric lighting standards		*	*
Games equipment and groundsmen's store		*	*
Hard porous pitches, tennis courts		*	*
Land purchases		n/a	n/a
Pavilion, changing rooms and toilets	as main building	as main building	as main building
Perimeter fencing and gates		*	*
Preparation	n/a	n/a	n/a

8. SUNDRIES

Air conditioning		*	*
Anti-vandal paint to exterior of school buildings		*	*
Archaeological "digs"	n/a	n/a	n/a
Asbestos removal	*		
Barrier free access ramps, lifts etc - internal		*	*
Barrier free access ramps within school site		*	*
Barrier free toilet		*	*
Bell/clock towers-part of the original school building		*	*
Bell/clock towers-not part of the original school building		*	*
Clearing graffiti and moss from the school buildings		*	*
Conversion of "Other buildings" (e.g. kitchen) to teaching accommodation		*	*
Disabled access ramps, lifts etc. internal		*	*
Disabled access ramps within school sites		*	*
Disabled toilet		*	*
Door safety device		*	*
Dry rot irrigation treatment to external walls	n/a	n/a	n/a
Dry rot irrigation treatment to internal walls	n/a	n/a	n/a
Fireplaces, stoves		*	*
Flagpoles attached to the buildings-part of the original school building		*	*
Flagpoles attached to the buildings-not part of the original school building		*	*
Induction loop (i.e. for hearing impaired persons)		*	*
Lifts, stair lifts and hoists		*	*
Painted white lines for the partially sighted		*	*
Rodding drains		*	*
Rodent and insect infestation measures		*	*
Roof playground - finish and fencing		*	*
Sound proofing		*	*
Spraying for beetle, woodworm infestation		*	*
Staff smoking areas		*	*
Stained glass windows - part of original school building		*	*
Stained glass windows - not part of original school building		*	*
Teachers' houses - part of the original school building		as main building	*
Teachers' houses - not part of the original school building		*	*
Weather vane - part of the original school building		*	*
Weather vane - not part of the original school building		*	*

**Procedure for Landlords Consent
to carry out Work to Premises**



1. Aim of Procedure

To outline the process required for all premises Managers, Headteachers or Tenants when any work (as defined below) is required to the premises.

2. Introduction

Monmouthshire County Council is the landlord for all buildings within the council's portfolio. As the landlord there are certain responsibilities in law for which they are accountable.

Any works undertaken on council buildings may introduce risks either to those carrying out the work or to the future safety of the building to its occupants. Examples may be the disturbance of asbestos, undermining fire mitigation arrangements or even coming into contact with electricity.

There are certain statutory requirements which must be met when undertaking certain works. Non-compliance with these statutory requirements can make the council and/or individuals liable with enforcing bodies.

Additionally works undertaken may have an impact on service provision or forward planning.

The landlord's consent process will require all stakeholders to assess the works proposed and add comments in respect of the parameters within which the work should be carried out.

In order to ensure all the above are taken into consideration when works are planned, the following procedure must be followed.

3. Definition of "Work" as defined in this procedure

- Refurbishment
- Decorating
- ICT infrastructure/cabling
- Alarm infrastructure/cabling
- Construction or demolition of any wall or structure within the building
- Replacement of floor coverings
- Ground works/Fencing
- New extensions

Even if no 'work' is being carried out if there is a proposed change of use or sub-let then this procedure must be invoked.

4. Procedure

- 4.1** All premises must apply for landlord's consent by completing 'Landlord' consent to Carry Out Works' form for all works listed as the definition above;
- 4.2** All applications must be made at the initial concept stage of the project. This must be at least six weeks prior to the intention of the commencement of the project. Failure to adhere to this timescale will mean that the project will not commence.
- 4.3** Please note reasonable time must be allowed to complete any actions that may come from the consultation **PRIOR** to commencing work. This should be factored into your planning of the works and therefore it would not be reasonable to submit the landlords consent form and intend to commence work before or directly after the time scale stated in 4.2 above.
- 4.4** The form below must be completed in full and forwarded to the Facilities Manager philkenny@monmouthshire.gov.uk You can also complete the form on-line at <http://ef1/officeforms/consent.ofml>

Landlord's consent to carry out works
Application Form



The purpose of this form is to enable the occupier to seek authorisation from Property Services to carry out works, alterations, change of use or sublet in order that any associated risks will be managed. The Authorisation will include details of any actions the applicant needs to put in place prior to commencement of the works.

PLEASE ENSURE SECTION 1 IS COMPLETED FULLY AND WHEREVER POSSIBLE START AND COMPLETION DATES ARE PROVIDED FOR THE PROPOSED WORK

To: Facilities Manager - philkenny@monmouthshire.gov.uk

Section 1

From: _____
Address: _____

Name: _____
Tel Number: _____
Date: _____
Email: _____

Section 2

- Carry out work
- Carry out Alterations
- Change of Use
- Sublet

Section 3

Description and location of request (to be completed by applicant):

Date you intend to commence work

Proposed budget for the work (amount and source)

Do you have a project manager and contractor identified to carry out the work, please detail?

Please tick to confirm that the following has been carried out before submitting your request.

- Have the correct asbestos checks and surveys been carried out.
- Is planning permission required?
- Is building control permission required?
- Has the tendering procedure adhered to Monmouthshire County Council standing orders?
- Have competency checks been completed to all tenderers?
- Have the relevant checks been carried out to ascertain the level of insurances carried by the contractor?
- Have the contractors staff been security checked or disclosure and barring procedure been carried out.
- Has the required risk assessment been carried out for the project?
- Has the contractor's contract method statement been checked?

<p>Signed :.....(applicant) Date</p> <p>Position:.....</p>

FOR INTERNAL USE ONLY

Property Service Maintenance Manager

Name of Responsible Officer Date

Scheme Approved Yes / No

Comments:

.....

.....

.....

21st Century Schools Team

Name of Responsible Officer Date

Comments:

.....

Landscape Unit (if applicable)

Name of Responsible Officer Date

Comments:

.....

Others as required

Name of Responsible Officer Date

Comments:

.....

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monmouthshire
sir fynwy

Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p>Name of the Officer Nikki Wellington</p> <p>Phone no: 01633 644549 E-mail: nicolawellington@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>Breach of Fair Funding (Scheme for Financing Schools) Regulations</p>
<p>Name of Service CYP Finance</p>	<p>Date Future Generations Evaluation 2nd August 2017</p>

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NB. Key strategies and documents that may help you identify your contribution to the wellbeing goals and sustainable development principles include: Single Integrated Plan, Continuance Agreement, Improvement Plan, Local Development Plan, People Strategy, Asset Management Plan, Green Infrastructure SPG, Welsh Language Standards, etc


1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>The proposal will ensure that the financial resources of the school are challenged to bring school balances into a surplus to minimise the risk on the reserves of the authority.</p>	<p>Recovery plans will be agreed with schools to allow a reduction in deficit balances while not impacting on the standards of the school.</p>

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	No impact	No impact
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	No impact	No impact
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	No impact	No impact
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	No impact	No impact
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	No impact	No impact
A more equal Wales People can fulfil their potential no matter what their background or circumstances	No impact	No impact

2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	<p>Allowing schools a period of time to recover from a deficit will allow the financial improvement to not impact on the standards delivered by the school.</p>	
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>		
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>		
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>Early implementation will stop the deficit impacting on the delivery of education and the reserves of the Local Authority.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Considering impact on all wellbeing goals together and on other bodies</p>		

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below. For more detailed information on the protected characteristics, the Equality Act 2010 and the Welsh Language Standards that apply to Monmouthshire Council please follow this link: <http://hub/corporatedocs/Equalities/Forms/AllItems.aspx> or contact Alan Burkitt on 01633 644010 or alanburkitt@monmouthshire.gov.uk

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Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	<i>No impact</i>	<i>No impact</i>	<i>No impact</i>
Disability	<i>No impact</i>	<i>No impact</i>	<i>No impact</i>
Gender reassignment	<i>No impact</i>	<i>No impact</i>	<i>No impact</i>
Marriage or civil partnership	<i>No impact</i>	<i>No impact</i>	<i>No impact</i>

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Pregnancy or maternity	<i>No impact</i>	<i>No impact</i>	<i>No impact</i>
Race	<i>No impact</i>	<i>No impact</i>	<i>No impact</i>
Religion or Belief	<i>No impact</i>	<i>No impact</i>	<i>No impact</i>
Sex	<i>No impact</i>	<i>No impact</i>	<i>No impact</i>
Sexual Orientation	<i>No impact</i>	<i>No impact</i>	<i>No impact</i>
Welsh Language	<i>No impact</i>	<i>No impact</i>	<i>No impact</i>

4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities? For more information please see the guidance <http://hub/corporatedocs/Democratic%20Services/Safeguarding%20Guidance.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	<i>No impact</i>	<i>No impact</i>	<i>No impact</i>
Corporate Parenting	<i>No impact</i>	<i>No impact</i>	<i>No impact</i>

5. What evidence and data has informed the development of your proposal?

Review of Fair Funding (Scheme for Financing Schools) Regulations, updated October 2016.

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

This will have a positive impact on the directorate, ensuring employees have the appropriate resources.

ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

What are you going to do	When are you going to do it?	Who is responsible	Progress
Cabinet decision	6 th September 2017	Nikki Wellington	
Review of school budgets	Monthly	CYP Finance	

8. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	May 2018 following provisional budgets for 2018-19 and year end position for schools.
---	---

9. VERSION CONTROL: The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1.0	Cabinet.	6 th September 2017	

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SUBJECT: TO DECLARE CHEPSTOW CEMETERY LODGE SURPLUS TO REQUIREMENTS AND TO SEEK CONSENT FOR DISPOSAL

MEETING: Cabinet

DATE: 6th September 2017

DIVISION/WARDS AFFECTED: Larkfield

1. PURPOSE:

1.1 - To seek Cabinet approval to declare the above property surplus to requirements.

2. RECOMMENDATIONS:

2.1 - That the property known as Cemetery Lodge, Chepstow be declared surplus following the flexible retirement of the Sexton

2.2 - That the management of the asset pass to Estates in line with the Council's Disposal Policy

2.3 - That consent be given for the disposal of the asset by the Estates team.

2.4 - That consent be given for the Estates Manager, in consultation with the Cabinet Member for Resources, to agree the method of sale and any other matters (inc the reserve price) in relation to this disposal.

2.5 - That the budgets set out below be made available to fund any necessary costs of holding and disposing of the property.

3. KEY ISSUES:

3.1 - Following the flexible retirement of the Sexton at Chepstow Cemetery the above property has been vacant for a number of months.

3.2 - No internal use has been identified following consultation in line with the disposal policy and as the property is surplus to requirement, the Council may now dispose of the property on the open market.

3.3 - In order to dispose of the property on the open market, it must be transferred to Estates to manage the disposal.

3.4 - Alongside this transfer, budgets for holding and disposing of the property are needed to fund the various costs incurred.

4. REASONS:

4.1 - Due to the property sitting vacant, the condition of it is deteriorating and will shortly start to become a liability to the Council.

4.2 - As the property is no longer required for its previous use and no internal use has been identified it can now be sold on the open market.

4.3 The sale of the property will support the 21st Century School scheme and the requirement to generate £40 million in capital receipts to support this.

5. RESOURCE IMPLICATIONS:

5.1 - As part of this decision we ask that a budget of £2,000 be made available from the Fixed Asset Disposal cost centre to meet any costs incurred in the course of the transaction.

5.2 - As part of this decision we ask that a budget of £2,000 be made available from FO47 revenue costs to fund any holding costs incurred by Estates.

5.3 - A capital receipt will be received from the sale of the property to contribute towards the 21st Century Schools programme.

5.4 - The Council will seek to recover reasonable Legal and Professional Fees from the purchaser as part of the transaction.

6. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING)

This decision does not impact on the delivery of any service or the provision of any service by the Council and therefore, while the implications have been considered a full assessment is not needed.

7. CONSULTEES:

SLT

Local Members - Cllr Paul Pavia

Cabinet Member for Estates - Cllr Phil Murphy

Estates Manager - Ben Winstanley

Joanne Chase - Legal Services

Cemetery Officer - Rhian Jackson

Management Accountant - Stacey Jones

Commercial and Operations Manager - Nigel Leaworthy.

Head of Community Lead Delivery - Debra Hill - Howells

Consultee Comments -

A comment was received from the Commercial and Operations Manager which resulted in the amendment of the contents of the initial report. The amendments and subsequent email reply to the comment was accepted by the consultee.

A query was received from members of Finance team, this didn't relate to the report itself but the timing of the proposed disposal. A response was provided to the query and no amendment to the report was required.

A comment was received from Legal Services in relation to a discrepancy with the location plan when compared to the registered title. The location plan attached has been amended to reflect the Council propriety title in relation this asset.

8. BACKGROUND PAPERS:

Location Plan

9. AUTHOR:

Gareth King MRICS - Principal Surveyor

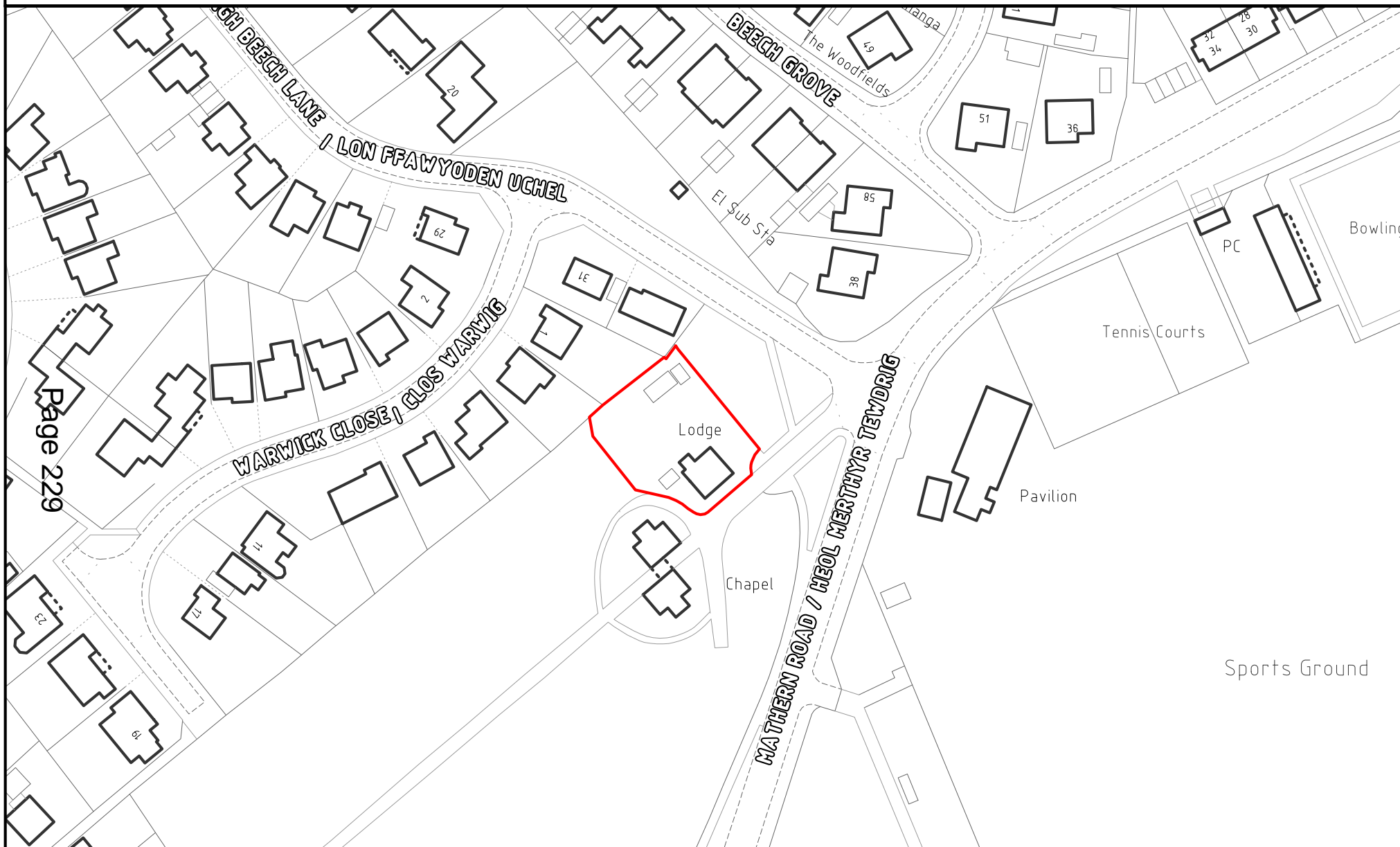
10. CONTACT DETAILS:

Tel: 01633 748 331

E-mail: garethking@monmouthshire.gov.uk

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Cemetery Lodge, Chepstow Cemetery, Mathern Road, Chepstow



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GIS Team
 Monmouthshire County Council
 County Hall
 Cwmbnan NP44 2XH
www.monmouthshire.gov.uk/maps

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 © Crown copyright and database rights 2011 Ordnance Survey 100023415

Details Plotting in MapInfo made easier			Rev No.	
Drawn By	Scale 1:1250	Date 8/25/2017		
File / Pathname / Project / Drawing No.				



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Name of the Officer: Simon Kneafsey Phone no: 07913 348069 E-mail: simonkneafsey@monmouthshire.gov.uk	Allocation of Section 106 funding
Name of Service: Children and Young People	Date completed: 7 th August 7, 2017

NB. Key strategies and documents that may help you identify your contribution to the wellbeing goals and sustainable development principles include: Single Integrated Plan, Continuance Agreement, Improvement Plan, Local Development Plan, People Strategy, Asset Management Plan, Green Infrastructure SPG, Welsh Language Standards, etc





4 Does your proposal deliver any of the well-being goals below? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.


Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	The proposals in this report involve improving school facilities and therefore enhancing educational standards.	
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	Neutral	

4
age 23

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Neutral	
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Neutral	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Neutral	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Neutral	
A more equal Wales People can fulfil their potential no matter what their background or circumstances	The improvements to the school site will facilitate a sound early education for pupils, regardless of their background or circumstances.	

2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Long Term Balancing short term need with long term and planning for the future</p>	<p>The achievability and sustainability of the proposals has been assessed and officers are confident of the longer term sustainability of the projects.</p>	
 <p>Collaboration Working together with other partners to deliver objectives</p>	<p>The projects involve close working with other parties and potential partners.</p>	
 <p>Involvement Involving those with an interest and seeking their views</p>	<p>The views of the local members have been sought.</p>	
 <p>Prevention Putting resources into preventing problems occurring or getting worse</p>	<p>The projects involve the enhancement of facilities, as per the broad intention of the Section 106 Agreements from where the money has arisen. Problem prevention is not the basis upon which the funding has been given but by investing in the improvement of existing facilities will help to prevent problems occurring.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>These projects will have a positive impact on the education & well being of those pupils attending the Gilwern School.</p>	

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below. For more detailed information on the protected characteristics, the Equality Act 2010 and the Welsh Language Standards that apply to Monmouthshire Council please follow this link: <http://hub/corporatedocs/Equalities/Forms/AllItems.aspx> or contact Alan Burkitt on 01633 644010 or alanburkitt@monmouthshire.gov.uk

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	The recommendations will benefit young children and their families living in the local community		
Disability	The improvements proposed will be designed to be accessible to people with disabilities.		
Gender reassignment	Neutral		

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Marriage or civil partnership	Neutral		
Pregnancy or maternity	Neutral		
Race	Neutral		
Religion or Belief	Neutral		
Sex	The projects recommended for investment in this report are of equal benefit to both males and females.		
Sexual Orientation	Neutral		
Welsh Language	Neutral		

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4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities?

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	Neutral		
Corporate Parenting	Neutral		

5. What evidence and data has informed the development of your proposal?

- Local population data taken from the 2011 Census figures

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

Positive Impacts

- The proposals comply with the statutory tests relating to Section 106 funding
- The schemes recommended for approval will have a positive impact upon the education and well being of local children
- Some people with protected characteristics will benefit from the projects recommended for approval

Negative Impacts

- It is difficult to demonstrate in all cases that the projects will have a meaningful benefit for promoting the Welsh language

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ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

What are you going to do	When are you going to do it?	Who is responsible	Progress

8. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	
--	--

9. VERSION CONTROL: The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1	Education contribution (£99,000) from Ty Mawr development received	October 2014	
2	Consultation with school to agree scheme of alterations		
3	Plans for alterations to school drawn up		
4	Planning permission for alterations granted		
5	Education contribution (£246,000) from Cae Meldon development due shortly	Aug/Sep 2016	
6	Cabinet Meeting to consider report on funding commitment		Final decision on use of funding sought

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SUBJECT: Section 106 Education Contributions - Land at Ty Mawr and Cae Meldon, Gilwern

MEETING: CABINET

DATE: 6th September 2017

1. PURPOSE:

1.1 To agree on the use of education balances available from the Section 106 Agreements relating to the development of land at Tw Mawr and at Cae Meldon, Gilwern.

2. RECOMMENDATIONS

2.1 It is recommended that Cabinet:

- i. approve a capital budget of £217,110 to remodel, refurbish and extend Gilwern Primary School.
- ii. approve capital funding of £217,110 from the banked Section 106 monies from Ty Mawr £99,000 and Cae Meldon £246,000.
- iii. To retain the balance of £127,890 for use in other educational projects in the Gilwern and Abergavenny region.

3. KEY ISSUES:

- 3.1 The Persimmon Homes (Charles Church Ltd) housing development at Ty Mawr, Gilwern (planning application reference 10/04542/FUL) yielded an off-site education contribution of £99,000 to be spent on improving education facilities at Gilwern Primary School.
- 3.2 The Persimmon Homes (Charles Church Ltd) housing development at Cae Meldon (planning application 13/10295/FUL) yielded a further £246,000 to be spent on improving education facilities at eligible schools. This money was received by the County Council on 9th March 2017.
- 3.3 This is a costed scheme to address issues at Gilwern Primary School specifically around safeguarding, educational support and staff welfare. This includes remodelling the school entrance and internal alterations to include provision of staff space and student support rooms.
- 3.4 A design brief has been developed for this project and competitive tenders have been received. The submitted tenders confirm that the works proposed can be funded from the amount yielded from the Ty Mawr and Cae Meldon developments.
- 3.5 The local members have been consulted and they support the use of the funding to carry out these works. This money, like all Section 106 Education funding, must be used to the maximum benefit of the County's students. The Llanelly Community Council has also been consulted and advised of the scheme of improvement works.

4. REASONS:

- 4.1 The Council's Capital Budget for 2017/18 has been approved and any proposal to add to or vary the Capital Budget requires a decision to be made by Cabinet.
- 4.2 The work to Gilwern Primary School will improve the school building and bring the site up to an acceptable standard particularly with regards to safeguarding at the school entrance.

5. RESOURCE IMPLICATIONS:

There are no resource implications, as the expenditure recommended in the report will be met in full from the S106 contributions paid to the authority by the developer.

6. FUTURE GENERATIONS AND EQUALITY ASSESSMENT

See **Appendix A**

7. CONSULTEES:

County Council Members for the Llanelly Hill Ward
Members of the Bryn y Cwm Area Committee
Llanelly Community Council
Strategic Leadership Team
Cabinet Members
Head of Legal Services/Monitoring Officer
Assistant Head of Finance/Deputy S151 Officer

8. BACKGROUND PAPERS:

- 1) Section 106 Agreement dated 20th December 2012 between the Brecon Beacons National Park, Monmouthshire County Council and Persimmon Homes Ltd relating to residential development on land at Ty Mawr, Gilwern;
- 2) Section 106 Agreement dated 2nd October 2014 between the Brecon Beacons National Park, Monmouthshire County Council, Persimmon Homes Ltd, Dwr Cymru Welsh Water and a number of private landowners in the local area.

9. AUTHOR:

Simon Kneafsey, 21st Century Schools Programme Manager

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SUBJECT:	WELSH CHURCH FUND WORKING GROUP
MEETING:	Cabinet
DATE:	6th September 2017
DIVISIONS/WARD AFFECTED:	All

1. PURPOSE:

- 1.1 To elect the Chair and Vice Chair of the Welsh Church Fund Committee for the inclusive session of the elected Council.
- 1.2 The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications for the Welsh Church Fund Working Group meetings 1 and 2 of the 2017/18 financial year held on the 29th June 2017 and the 27th July 2017 respectively.

2. RECOMMENDATION:

- 2.1 We resolved that the following grants be awarded as per the schedule of applications.

SCHEDULE OF APPLICATIONS CONSIDERED 2017/18 – MEETING 1.

- (1) Tintern Village Summer Fete Committee requested £450 to assist in the staging of an annual community event.

Recommendation – £450 awarded to help facilitate a popular and extensively attended community event.

- (2) Usk in Bloom, requested £1,000 to replace four 30 year-old large flower containers that are not in keeping with the newest containers situated within the town.

Recommendation - £1,000 awarded to assist in the provision of community assets to enhance the cultural and environmental impact of Usk for visitors and residents alike.

- (3) Raglan Baptist Church requested £5,000 for the renovation and refurbishment of the Fellowship Centre kitchen.

Recommendation - £2,500 was awarded to assist in the refurbishment of this community asset to provide enhanced facilities for enhanced community and private functions.

- (4) Earlswood and Newchurch West Memorial Hall, requested £920 to assist in replacing of internal wooden doors and the erection of a security fence at the hall.

Recommendation - £460 awarded to assist in the provision of new internal doors and security fencing at the hall.

- (5) Sophie Williams requested £500 to assist in achieving her educational and career aims within the charitable sector.

Recommendation - £250 awarded to assist in the provision of educational assistance upon verification of attained grant allocation criteria.

- (6) Bettws Chapel at St Teilo's Llantilio Pertholey requested £3,000 for assistance in the refurbishment and repair of the roof on a grade II listed chapel.

Recommendation - £2,000 awarded to assist in the refurbishment of this valuable community and historic asset.

SCHEDULE OF APPLICATIONS CONSIDERED 2017/18 – MEETING 2.

- (7) St Mary's Church, Llanvair Discoed requested £1,000 to assist in the replacement of guttering and downpipes to the church.

Recommendation – £1,000 awarded to assist in remedial action to prevent further water damage to the church.

- (8) St John's Parish Church Council in Devauden, requested £2,500 to replace the entrance gates and supporting concrete plinths to the churchyard...

Recommendation - £1,500 awarded to assist restoring and enhancing public access to the communal facility.

- (9) Jonathon Griffiths requested £1,000 to assist in completing a PhD in 'History and Philosophy of Science' at UCL.

Recommendation - £500 was awarded to assist in the education of a Monmouthshire resident to achieve the understanding of ancient Greek scientific theories for the wider community.

- (10) St Peter's Church, Llanwenarth Citra, requested £1,000 to assist in the restoration of the church roof and bell tower now deemed unusable under health & safety regulations.

Recommendation - £1,000 was awarded to assist in restoring the church bell tower to a working condition.

.2.2 KEY ISSUES

The nature of the request in each case is set out in the attached schedule.

3. REASONS

Meetings took place on Thursday, 29th June and the 27th July 2017 of the Welsh Church Fund Cabinet Working Group to recommend the payment of grants as detailed in the attached schedule.

County Councillors in attendance:

County Councillor A. Webb (Chair)
County Councillor D. Evans (Vice Chair)
County Councillor B. Strong
County Councillor S. Woodhouse

OFFICERS IN ATTENDANCE:

D. Jarrett Central Finance Officer
W. Barnard Senior Democracy Officer

3.1 DECLARATIONS OF INTEREST

It was agreed that declarations of interest would be made under the relevant item if appropriate.

Meeting 1 29th June 2017

Agenda Item 1 – Tintern Summer Fete: County Councillor A Webb declared a prejudicial interest under the Members' Code of Conduct.

Agenda Item 2 – Usk in Bloom: County Councillor B Strong declared a non-prejudicial interest under the Members' Code of Conduct.

No declarations of Interest were received at meeting 2 on the 27th July 2017..

3.2 APOLOGIES FOR ABSENCE

County Councillor B Strong (meeting1)
County Councillor S. Woodhouse (meeting 1)

D Jarrett (meeting 2)

3.3 CONFIRMATION OF REPORT OF PREVIOUS MEETING

The minutes of the meeting of the Welsh Church Fund Working Group held on Thursday 29th June 2017 and Thursday 27th July 2017 were confirmed as an accurate record and signed by the Chairman.

4. RESOURCE IMPLICATIONS

A total of £6,660 was allocated at Meeting 1 and £4,000 at Meeting 2 of the Welsh Church Fund Committee. A remaining balance of £35,791 remains available for distribution within the 2017-18 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 Finance Management Accountant

7. BACKGROUND PAPERS:

Welsh Church Fund Schedule of Applications 2017/18– Meeting 1 (Appendix 2)
and Meeting 2 (Appendix 3)

8. AUTHOR:

David Jarrett – Senior Accountant – Central Finance Business Support

9. CONTACT DETAILS

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WELSH CHURCH FUND - APPLICATIONS 2017/18
MEETING 1: 29th June 2017

APPENDIX 2

<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>Comments</u>
NEW APPLICATIONS AWAITING DECISION			£	£		£			
1 Tintern Village Summer Fete	St Arvans	A. Webb	£450	£450	Assistance in staging the Tintern Village Community Fete during June 2017	£4,000	01/04/17	Yes	Attendance of between 500/1000 people is expected at this years fete which provides a focal point for the Community to come together with visitors with an emphasis on children's activities and events
2 Usk in Bloom	Usk	B Strong	£1,000	£1,000	Assistance in replacing four 30 year old plant containers	£1,448	21/04/17	Yes	For the participation in the 2017 Wales in Bloom competition, 4 containers have become worn out and are not in keeping with the new style black containers now being used throughout the town
3 Raglan Baptist Church	Raglan	Penny Jones	£5,000	£2,500	funding required to assist in the renovation and extension of kitchen in the Fellowship Centre	£35,013	19/05/17	No	The Centres' current kitchen is too small to meet the current requirements of providing food and beverages to various church and community groups as well as hosting social events, youth groups and educational classes.
4 Earlswood and Newchurch West Memorial Hall	Shirenewton	Louise Brown	£920	£460	Require funding to assist in the purchase of new secure internal doors and to install a security fence around the Hall's oil tank	£1,150	22/05/17	NO	The new doors will replace doors that cannot be secured properly. Also, shielding for the oil tank which is clearly visible from the road as advised by the local police.
5 Sophie Williams	Drybridge	Mat Feakins	£500	£250	Educational assistance required to complete an ATT level 3 course in accountancy	£999	24/05/17	No	Having nearly completed level 2, the applicant would like to continue her studies thereby increasing her skill set and helping in career progression with the charity that she currently works for which provides advocacy and support for adults with learning disabilities.
Late Application									
6 Bettws Chapel with St Teilo's Llantillio Pertholey	Mardy	Malcom Lane	£3,000	£2,000	Assistance in repairs to grade II listed chapel, including replace slate roof tiles, repair roof timbers and repoint and replace bellcot and chimney tiles.	£27,000	21/06/17	No	Medieval chapel dating back to 13th Century and Architectural survey in February 2017 has indicated chapel will have to close unless necessary work undertaken due to H&S.
Deferred Applications									
SUB TOTAL Meeting 1									
			£10,870	£6,660					
				6,660					
				0					
				0					
				0					
				0					
				0					
TOTAL AWARDED FOR 2016/17 TO DATE									
				6,660					
BUDGET 2017/18									
				31,400					
BALANCE B/F TO 2017/18									
				£15,051					
Monmouthshire's Allocation for 2017/18									
				£46,451					
REMAINING BALANCE									
			£39,791						

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WELSH CHURCH FUND - APPLICATIONS 2017/18
MEETING 2: 27th July 2017

APPENDIX 3

<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>Comments</u>
NEW APPLICATIONS AWAITING DECISION			£	£		£			
1 St Mary's Church, Llanvair Discoed	Caerwent	P Murphy	£1,000	£1,000	Assistance required to help in replacing the guttering and downpipes to the church Nave and Chancel as the current guttering is broken and leading to damp within the church	£8,000	03/07/17	No	The church provides support, comfort and religious services to the community through regular worship, visiting the sick and lonely.
2 St John's Parich Church Council	Devauden	B. Greenland	£2,500	£1,500	Funding assistance required for the restoration and repair of the entrance gates and supporting concrete plinths	£4,500	01/07/17	No	The Parish Church holds Village Fetes, hogroasts and carol services for the local community.
3 Jonathon Griffiths	Llanbadoc	V.Smith	£1,000	£500	Request for assistance in studying a PhD in 'History & Philosophy of Science' at University College London. The candidate is looking to do a prospective 100,000 dissertation on 'ancient Greek scientific theories of the world's destruction'	£50,745	11/07/17	No	The applicant has also contacted the: Roger Edwards Educational Trust and the James Pantyfedwen Foundation(Aberystwyth) for funding
4 St Peter's Church	Cantref	P. Jordan	£1,000	£1,000	Funding assistance required for the restoration and repair of the roof and bell tower which is now deemed unusable due to Health & Safety reasons	£159,998	20/07/17	No	The total project costs are estimated at £520,000 and this will entail replacing the roofs of the chancel and the nave in their entirety
5									
Late Application									
Deferred Applications									
SUB TOTAL Meeting 1			£5,500	£4,000					
Meeting 1 Award				6,660					
Meeting 2 Award				4,000					
Meeting 3 Award				0					
Meeting 4 Award				0					
Meeting 5 Award				0					
TOTAL AWARDED FOR 2016/17 TO DATE				10,660					
BUDGET 2017/18				31,400					
BALANCE B/F TO 2017/18				£15,051					
Monmouthshire's Allocation for 2017/18				£46,451					
REMAINING BALANCE			£35,791						

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<p>Name of the Officer D Jarrett Phone no: 4657 E-mail: davejarrett@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal To assess the Grant Allocation Processes of the Welsh Church Fund for the meeting of the Welsh Church Fund Working Group on the 29th June 2017 and the 27th July 2017.</p>
<p>Name of Service Finance</p>	<p>Date Future Generations Evaluation 27th July 2017</p>


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1 Does your proposal deliver any of the well-being goals below? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been / will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Positive in relation to developing the skills and proficiencies of applicants</p>	
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>No impact</p>	
<p>A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>Positive in that people's mental health and physical health is enhanced by a collective activity / process.</p>	

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been / will be taken to mitigate any negative impacts or better contribute to positive impacts?
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Positive in relation to connecting the community and its constituents	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive in relation to social well-being. Also, helping the environmental well-being of the community through preservation of history.	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Positive in relation to the promotion of culture in the community	
A more equal Wales People can fulfill their potential no matter what their background or circumstances	No impact	

2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 Balancing short term need with long term and planning for the future	Not applicable to Welsh Church Fund Trust	

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Collaboration Working together with other partners to deliver objectives</p>	Not applicable to Welsh Church Fund Trust	
 <p>Involvement Involving those with an interest and seeking their views</p>	Not applicable to Welsh Church Fund Trust	
 <p>Prevention Putting resources into preventing problems occurring or getting worse</p>	Not applicable to Welsh Church Fund Trust	
 <p>Integration Positively impacting on people, economy and environment and trying to benefit all three</p>	Not applicable to Welsh Church Fund Trust	

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Encouraging the socializing of differing age groups through social provision	None	
Disability	No impact	None	
Gender reassignment	No impact	No impact	
Marriage or civil partnership	No impact	No Impact	
Race	No impact	No Impact	
Religion or Belief	Encouraging religion through education at the point of delivery through the provision of enhanced facilities	None	
Sex	No impact	No impact	
Sexual Orientation	No impact	No Impact	
Welsh Language	No impact on Welsh Language	No impact on Welsh Language	

4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities? For more information please see the guidance note <http://hub/corporatedocs/Democratic%20Services/Equality%20impact%20assessment%20and%20safeguarding.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	Not applicable		
Corporate Parenting	Not applicable		

5. What evidence and data has informed the development of your proposal?

The evidence and data used for the assessment of each applicant to the Welsh Church Fund is supplied by the applicant upon submission of their application. The data and information supplied or subsequently requested is used to form the basis of the Committees' decision on whether to award a qualifying grant.

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

The grant aid supports and highlights the positive effect that decisions the Welsh Church Fund Working Group have on the applicants funding requests from Voluntary Organisations, Local Community Groups, Individuals and Religious Establishments. All awards are made in the belief that the funding is utilised for sustainable projects and cultural activities that benefit individuals, organisations, communities and their associated assets. All grants are awarded within the Charitable Guidelines of the Trust

7. Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

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What are you going to do	When are you going to do it?	Who is responsible	Progress
Award grants	September 2017	Welsh Church Fund	On target

8. Monitoring: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	The Payment of grants awarded to the successful applicants
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