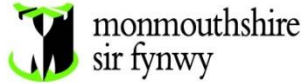


Public Document Pack



Neuadd y Sir
Y Rhadyr
Brynbuga
NP15 1GA

County Hall
Rhadyr
Usk
NP15 1GA

Thursday, 28 March 2024

Dear Councillor

CABINET

You are requested to attend a **Cabinet** meeting to be held at **Steve Greenslade Room, County Hall, Usk** on **Wednesday, 10th April, 2024**, at **5.00 pm**.

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. UPLOADING S106 CAPITAL SUMS INTO 2024/25 CAPITAL BUDGET 1 - 14
Division/Wards Affected: All
Purpose: To authorise the uploading of capital sums from Section 106 Agreements received from the developments specified and other funding into the 2024/25 Capital Budget
Author: Mike Moran, Community Infrastructure Coordinator
mikemoran@monmouthshire.gov.uk
4. PUBLIC SPACES PROTECTION ORDER FOR DOG CONTROLS 15 - 100
Division/Wards Affected: All
Purpose: To consider the proposed Public Spaces Protection Order, (PSPO), for dog controls in Monmouthshire developed through public consultation and appraisal by Place Scrutiny Committee on the 1st February 2024.
Author: Huw Owen, Principal Environmental Health Officer,
huwowen@monmouthshire.gov.uk
5. SCHOOL ADMISSIONS POLICY 2025/26 INCLUDING REVIEW OF SCHOOL CATCHMENT AREAS 101 - 176
Division/Wards Affected: All
Purpose: This report seeks to provide Members with an update on the recently concluded public consultation to review the catchment area for Usk

Church in Wales Primary School as part of the September 2025/26 School admission arrangements.

This report also seeks to provide members with a copy of the consultation report analysing the responses received from consultees regarding the proposed changes.

Author: Matt Jones, Access Unit Manager
matthewdjones@monmouthshire.gov.uk

Yours sincerely,

Paul Matthews
Chief Executive

CABINET PORTFOLIOS

County Councillor	Area of Responsibility	Ward
Mary Ann Brocklesby	<p>Leader Lead Officer – Paul Matthews, Matthew Gatehouse</p> <p>Whole Authority Strategy and Direction Whole authority performance review and evaluation Promoting localism within regional and national frameworks Relationships with Welsh Government, UK Government and local government associations Regional Relationships with City Regions and Public Service Board Strategic Procurement Local Food production and consumption, including agroforestry and local horticulture</p>	Llanelly
Paul Griffiths	<p>Cabinet Member for Planning and Economic Development Deputy Leader Lead Officer – Frances O’Brien</p> <p>Economic Strategy Local development plan and strategic development plan including strategic housing sites Homelessness, affordable housing delivery and private sector housing (empty homes, leasing scheme, home improvement loans, disabled facilities grants and adaptive tech) Supporting Town Centres including car parking and enforcement Development Management and Building Control Skills and Employment Broadband connectivity Car parks and civil enforcement trading standards, environmental health, public protection, and licencing</p>	Chepstow Castle & Larkfield
Ben Callard	<p>Cabinet Member for Resources Lead Officers – Peter Davies, Frances O’Brien, Jane Rodgers</p> <p>Finance including MTFP and annual budget cycle Benefits Digital and information technology Human resources, payroll, health and safety</p>	Llanfoist & Govilon

	<p>Land and buildings Property maintenance and management Emergency planning</p>	
Martyn Groucutt	<p>Cabinet Member for Education Lead Officers – Will McLean, Ian Saunders</p> <p>Early Years Education All age statutory education Additional learning needs/inclusion Post 16 and adult education School standards and improvement Community learning Sustainable communities for learning Programme Youth service School transport</p>	Lansdown
Ian Chandler	<p>Cabinet Member for Social Care, Safeguarding and Accessible Health Services Lead Officer – Jane Rodgers</p> <p>Children’s services Fostering & adoption Youth Offending service Adult services Whole authority safeguarding (children and adults) Disabilities Mental health and wellbeing Relationships with health providers and access to health provision</p>	Llantilio Crossenny
Catrin Maby	<p>Cabinet Member for Climate Change and the Environment Lead Officer – Frances O’Brien, Ian Saunders</p> <p>Decarbonisation Transport planning, public transport, highways and MCC fleet Active travel Waste management, street care, litter, public spaces, and parks Pavements and back lanes Flood alleviation, management and recovery Countryside, biodiversity, and river health</p>	Drybridge
Angela Sandles	<p>Cabinet Member for Equalities and Engagement Lead Officers – Frances O’Brien,, Matthew Gatehouse, Jane Rodgers</p> <p>Community inequality and poverty (health, income, nutrition, disadvantage, discrimination, isolation and cost of living crisis) Citizen engagement and democracy promotion including working with voluntary organisations Citizen experience - community hubs, contact centre,</p>	Magor East with Undy

	<p>and customer service and registrars Leisure centres, play and sport Tourism Development and Cultural strategy Public conveniences Electoral Services and constitution review Communications, public relations and marketing Ethics and standards Welsh Language Rights of way</p>	
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Aims and Values of Monmouthshire County Council

Our purpose

To become a zero-carbon county, supporting well-being, health and dignity for everyone at every stage of life.

Objectives we are working towards

- Fair place to live where the effects of inequality and poverty have been reduced;
- Green place to live and work with reduced carbon emissions and making a positive contribution to addressing the climate and nature emergency;
- Thriving and ambitious place, where there are vibrant town centres and where businesses can grow and develop
- Safe place to live where people have a home where they feel secure in;
- Connected place where people feel part of a community and are valued;
- Learning place where everybody has the opportunity to reach their potential

Our Values

Openness. We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

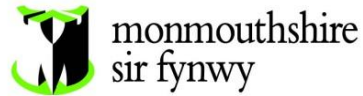
Fairness. We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

Flexibility. We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

Teamwork. We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

Kindness: We will show kindness to all those we work with putting the importance of relationships and the connections we have with one another at the heart of all interactions.

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SUBJECT:	Uploading S106 Capital Sums into 2024/25 Capital Budget
MEETING:	Cabinet
DATE:	10th April 2024
DIVISION/WARDS AFFECTED:	

1. PURPOSE:

To authorise the uploading of capital sums from Section 106 Agreements received from the developments specified into the 2024/25 Capital Budget

2. RECOMMENDATIONS that:

- 2.1 a capital budget of £95,000 be created in 2024/25 to fund play area improvements at the Cas Troggi Open Space in Caldicot, and that this is funded by corresponding contributions of £69,120 from the Section 106 balances held by the council from the S106 Agreement in relation to the former White Hart Public House in Caldicot (Planning Ref: DC/2013/00796) and £25,880 from the Section 106 balances held by the council from the S106 Agreement in relation to the development of land east of Church Road, Caldicot (Planning Ref: DM/2018/00880).
- 2.2 a capital budget of £144,456 be created in 2024/25 to fund works at one or more of three beneficiary sites (Caldicot Greenway, Caldicot Castle Country Park and Caldicot Town Centre Regeneration) and that this is funded by a corresponding contribution of £144,456 held by the council from the S106 Agreement in relation to the development of land east of Church Road, Caldicot (Planning Ref: DM/2018/00880).
- 2.3 A decision on the allocation of the remaining balance of £144,456 be delegated to the Chief Officer for Customer, Culture and Wellbeing in consultation with the Cabinet Member for Equalities and Engagement, following consultation with the local members for that area.
- 2.4 a capital budget of £24,629 be created in 2024/25 to fund play area improvements at Rockfield Farm, Undy and that this is funded by a corresponding contribution of £24,629 from the Section 106 balances held by the council from the S106 Agreement relating to the development of land at Vinegar Hill, Undy (Parcel A) (Planning Ref: DM/2019/01937).
- 2.5 a capital budget of £13,422 be created in 2024/25 to fund advance planning works on land at Knollbury to establish increased recreation facilities for the Magor with Undy area and that this is funded by a corresponding contribution of £13,422 held by the council from the S106 Agreement relating to the development of land at Vinegar Hill, Undy (Planning Ref: DM/2019/01937).

- 2.6 the above amount (specified in para 2.5) be utilised to offset the costs of obtaining planning permission for the recreational use of land adjacent to Rose Cottage, Knollbury, Magor currently held on capital budget code 90847.
- 2.7 a capital budget of £120,000 be created in 2024/25 for play area improvements at Mardy Playing Field and that this is funded by a corresponding contribution of £120,000 from the Section 106 balances held by the council from the S106 Agreement in relation to the development of land at Deri Farm, Abergavenny (Planning Ref: DM/2014/01360).
- 2.8 when uploaded into the 2024/25 capital budget, the funding of £120,000 set out in para 2.7 above is transferred to the Llantilio Pertholey Community Council, as owners of the Mardy Playing Field, and that officers work closely with the community council to agree and implement a range of play area improvements.
- 2.9 A capital budget of £13,230 be created in 2024/25 for play area improvements at Bailey Park, Abergavenny and that this is funded by a corresponding contribution of £13,230 from Section 106 balances held by the council from the S106 Agreement for the development of land at The Hill, Abergavenny (Planning Ref: DC/2015/01585)

3. KEY ISSUES:

- 3.1 When new residential developments in the county are granted planning permission, this invariably involves the developer entering into a Section S106 Agreement to provide new or upgrade existing play areas, public open spaces and recreation sites. The S106 Agreements contain clauses specifying the areas or sites where the funding is to be used (the beneficiary sites) and the timescale in which the money has to be spent (the spend by dates).
- 3.2 The funding set out in Section 2 (recommendations) of this report has all been received by the council and it is proposed to spend this on the projects specified in the following paragraphs, beginning with para 3.4.
- 3.3 Members will be aware that in Wales, play is a statutory duty of local authorities and every three years councils have to undertake a detailed play sufficiency assessment, together with an annual review. The proposals outlined in this report relating to play are in line with the council's adopted play sufficiency assessment. The council has also adopted in principle the Fields in Trust six-acre standard that contains guidance on outdoor play, but it has adopted a more strategic approach to developing playparks in recent years, to avoid a proliferation of small pocket parks, which provide very little in terms of play value.
- 3.4 The play area at Cas Troggi (also known as the Hall Park Open Space) in Caldicot was installed back in the 1960s/70s and it is proposed to replace the play equipment and enclose the play area, using the funding

identified in recommendation 2.1 of this report. The works were scheduled to start in December 2023 but have been delayed due to the wet conditions on site. The footpaths around the play area have been improved and resurfaced in advance of the play equipment installation.

- 3.5 The £144,456 referred to in para 2.2 is the remaining balance of the offsite recreation contribution from the Church Road (east) development site. It is proposed that this sum is held in the capital budget and utilised towards one or more of the three remaining beneficiary sites, namely Caldicot Greenway, Caldicot Castle & Country Park and Caldicot Town Centre Regeneration, and that a decision on the allocation of this funding is delegated to the relevant Chief Officer and Cabinet Member.
- 3.6 The sum of £24,629 (para 2.4) will be used to carry out improvements to the play area at Rockfield Farm, as specified in the S106 Agreement.
- 3.7 The £13,422 referred to in paras 2.5 and 2.6 is the remaining balance of offsite recreation funding received from the Vinegar Hill development and is to be used to offset the current overspend in the capital budget as a result of expenditure incurred on plans and surveys undertaken to support the submission of a planning application for the Knollbury site. It is proposed to utilise this sum to offset the overspend and cover the costs of submitting a formal planning application.
- 3.8 When planning permission for the Deri Farm site north of Abergavenny was granted, there was limited space to provide a new neighbourhood play area, so provision was made for an offsite contribution to improve the existing play area at Mardy Playing Field, which is a short walk away from the new development. The £120,000 (referred to in paras 2.7 and 2.8) will be sufficient to cover the costs of a substantial upgrade of the existing play facilities. As Mardy Playing Field is not owned by this council, officers will work with the site owners (Llantilio Pertholey Community Council) to make sure that the play area improvements are carried out.
- 3.9 The sum of £13,230 (para 2.9) will be used to carry out improvements to the play area and surfacing at Bailey Park.

4. INTEGRATED IMPACT ASSESSMENT (INCORPORATING EQUALITIES, FUTURE GENERATIONS, WELSH LANGUAGE AND SOCIO ECONOMIC DUTY)

The Integrated Impact Assessment is attached at Appendix1. This highlights the positive impacts of play and outdoor recreation on children/young people, families and communities.

5. OPTIONS APPRAISAL

In reality, there are no options to appraise – the funding referred to in this report has been given for specific purposes as specified in Section 106 Agreements, under which the council has a contractual obligation.

6. EVALUATION CRITERIA

Progress will be monitored in October 2024 to assess progress with the various projects referred to in this report.

7. REASON

This is a continuation of the council's continued investment, sometimes in partnership with town and community councils and other bodies, in recreation and play to achieve significant community benefits, but there needs to be an approved budget in place to cover the costs incurred.

8. RESOURCE IMPLICATIONS

There are no additional resource implications, as the expenditure involved will be covered by Section 106 balances, and by the grants and contribution set out in the report.

9. CONSULTEES

Cabinet Local Members Senior Leadership Team
Chief Officer – Customer, Culture and Wellbeing

10. BACKGROUND PAPERS

None

11. AUTHOR & CONTACT DETAILS:

Mike Moran, Community Infrastructure Coordinator

Email: mikemoran@monmouthshire.gov.uk

Tel: 07894 573834



Integrated Impact Assessment document

(incorporating Equalities, Future Generations, Welsh Language and Socio Economic Duty)

<p>Name of the Officer: Mike Moran</p> <p>Phone no: 07894 573834</p> <p>E-mail: mikemoran@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>To upload S106 sums into the 2024/25 Capital Budget to enable works to be undertaken on a number of capital projects in the current financial year</p>
<p>Name of Service area: MonLife Countryside</p>	<p>Date: March 2024</p>

1. **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.

Page 5

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	No employment/training issues identified. The proposals will benefit residents of all ages, in particular children and young people.	No negative impact identified	N/A
Disability	The improvements proposed, in particular those relating to play provision will be designed to be accessible, wherever possible to people with disabilities and/or mobility issues	No negative impacts identified, other than the fact that certain items of play equipment may be difficult to access for persons with a physical impairment	

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?
Gender reassignment	.Neutral	Neutral	N/A
Marriage or civil partnership	Neutral	Neutral	N/A
Pregnancy or maternity	The sites will be designed for ease of access for pushchairs and wheelchairs	Neutral	N/A
Race	.Neutral	Neutral	N/A
Religion or Belief	.Neutral	Neutral	N/A
Sex	The proposals are of equal benefit to people of all genders	Neutral	N/A
Sexual Orientation	.Neutral	Neutral	N/A

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2. The Socio-economic Duty and Social Justice

The Socio-economic Duty requires public bodies to have due regard to the need to reduce inequalities of outcome which result from socio-economic disadvantage when taking key decisions This duty aligns with our commitment as an authority to Social Justice.

	Describe any positive impacts your proposal has in respect of people suffering socio economic disadvantage	Describe any negative impacts your proposal has in respect of people suffering socio economic disadvantage.	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Socio-economic Duty and Social Justice	The proposals in this report represent improvements to recreation and/or play provision in a number of communities across the county, the majority of which are free at the point of access.	Neutral	N/A.

3. Policy making and the Welsh language.



How does your proposal impact on the following aspects of the Council's Welsh Language Standards:	Describe the positive impacts of this proposal	Describe the negative impacts of this proposal	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts
<p>Policy Making</p> <p>Effects on the use of the Welsh language,</p> <p>Promoting Welsh language</p> <p>Treating the Welsh language no less favourably</p>	<p>The majority of the proposals relate to installing, replacing or upgrading children's play areas – none of which are staffed sites.</p> <p>All signage on the sites will be bilingual to meet the requirements of the Welsh Language legislation.</p>	<p>Although this will mean that the Welsh language is treated no less favourably, it does nothing to promote or encourage the use of the Welsh language</p>	<p>The Welsh language will take precedence of place on bilingual signage.</p> <p>It maybe possible to include the Welsh language names of individual pieces of play equipment to provide the opportunity for children and their families to use more Welsh language words</p>
<p>Operational</p> <p>Recruitment & Training of workforce</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>N/A</p>
<p>Service delivery</p> <p>Use of Welsh language in service delivery</p> <p>Promoting use of the language</p>	<p>Those who wish to report concerns in Welsh can do so via the established means of communicatin with the council in Welsh by phone, email, twitter, Facebook, letters, formas, website, etc.</p>	<p>Not applicable</p>	<p>N/A</p>




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. There's no need to put something in every box if it is not relevant!

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 projects will be funded from S106 balances provided by developers of residential housing in the county, so there is no call on the council's core capital budget.</p>	
<p>A resilient Wales Maintain and enhance biodiversity and land, river and coastal ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>The projects involved in this proposal are important community and recreation facilities in the local area, some of which will involve landscape improvements to make the most of the natural environment</p>	
<p>A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>The projects to be implemented with the funding uploaded involve improving peoples' physical and mental wellbeing by providing outdoor recreation opportunities</p>	
<p>A Wales of cohesive communities Communities are attractive, viable, safe and well connected</p>	<p>When they are completed the projects will contribute to the safety and cohesiveness of the local communities in which they are located</p>	
<p>A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>	<p>The availability of good quality & accessible facilities in the local community means that local people do not have to travel to other areas by car or by public transport, thereby contributing to a reduction in harmful nitrogen dioxide emissions.</p>	
<p>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</p>	<p>There are no specific proposals in this report to promote the Welsh language but the improvements proposed will encourage more participation in outdoor recreational activities.</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 more equal Wales People can fulfil their potential no matter what their background or circumstances	The improvements will encourage improved access for and participation by disabled people and people with other support needs – also by all sections of the community regardless of their background or ability	

5. 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>The sustainability of the sites has been assessed and officers are confident that the investments proposed will be sustainable in the longer term.</p>	<p>Funding is proposed from existing S106 balances to cover the cost of the works proposed.</p>
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>Some of the projects proposed involve working closely with the community and other parties to deliver improved facilities and to ensure better access for children with disabilities and other support needs.</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>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>In some instances there has been prior consultation with local interested parties, including local members and town and community councils.</p> <p>With some of the more recent S106 contributions received, that consultation has yet to take place.</p>	
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>The proposals involve the enhancement of facilities, as per the intention of the Section 106 Agreements from where the funding has arisen. Problem prevention is not the basis upon which the funding has been given but investing in the improvement of existing facilities will help to prevent problems occurring.</p>	
 <p>Integration</p> <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>The projects will have positive impacts on the health and wellbeing of people living in the areas of benefit stipulated in the Section 106 Agreements</p>	

6. Council has agreed the need to consider the impact its decisions has on the following important responsibilities: Corporate Parenting and Safeguarding. Are your proposals going to affect any of these responsibilities?

	Describe any positive impacts your proposal has	Describe any negative impacts your proposal has	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	All of the proposals are designed to increase participation by local people, irrespective of their backgrounds.	No negative impacts identified	N/A
Corporate Parenting	Neutral	No negative impacts identified	N/A

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

- Page 12
- Local population data taken from census information
 - Information from respective Section 106 Agreements
 - Data from field play value assessments

8. 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 projects identified in the report will have a positive impact on the health and wellbeing of local residents
- People with protected characteristics will benefit from the improvements proposed

Negative Impacts

- It is difficult to demonstrate that the project will have a meaningful benefit for promoting the Welsh language

The above impacts have not materially changed the recommendations contained in the report

9. 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
Work with colleagues in other in other directorates, and in consultation with the relevant local members and town and community councils to implement the proposals contained within this report, once the specified amounts have been uploaded into the capital budget.	2024/25 Financial Year	Community Infrastructure Coordinator

10. VERSION CONTROL: The Equality and Future Generations Evaluation should be used at the earliest stage, such as informally within your service, and then further developed throughout the decision making process. It is important to keep a record of this process to demonstrate how you have considered and built in equality and future generations considerations wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1	Internal Consultation	Oct 2023 - Mar 2024	Adjustment of some of the S106 figures
2	Cabinet	10 April 2024	

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SUBJECT: PUBLIC SPACES PROTECTION ORDER FOR DOG CONTROLS

MEETING: Cabinet

DATE: 10th April 2024

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

- 1.1 To consider the proposed Public Spaces Protection Order, (PSPO), for dog controls in Monmouthshire developed through public consultation and appraisal by Place Scrutiny Committee on the 1st February 2024.

2. RECOMMENDATIONS:

- 2.1 To approve the adoption of the PSPO for dog controls in Monmouthshire (Appendix Two), to be introduced under the provisions of the Anti-Social Behaviour Crime and Policing Act 2014, commencing on the 1st June 2024 and remaining in force for 3 years ending on the 31st May 2027.
- 2.2 To update the Council's constitution to give delegated authority to Officers for enforcement powers for breach of the PSPO, namely the Head of Public Protection, the Head of Neighbourhood Services and the Chief Officer People, Performance and Partnerships.

3. KEY ISSUES:

- 3.1 Despite the efforts of responsible dog owners and many partners, dog fouling continues to be a problem in public spaces in the county. Fouling issues are often the trigger for requests for controls to be introduced in public spaces such as dogs on leads or exemption areas. While it is important that collaborative working on a local level continues through initiatives such as the Council's Give Dog Fouling the Red Card group, it is also important that the Authority makes full use of the tools provided by legislation.
- 3.2 Currently the issue of dog fouling is addressed in the County through the Dogs (Fouling of Land) Act 1996. However, the offence of failing to remove the faeces only covers certain designated land, as detailed in the Monmouthshire County Council (Fouling of Land by Dogs) (Monmouthshire) Designation Order (No 1) 1998, in Part 1 by general description and Part 2 specifically. Importantly the Order, provided in Appendix One, does not include all public spaces.

- 3.3 The Anti-social Behaviour, Crime and Policing Act 2014 (the Act) introduced new powers for use by Councils to address anti-social behaviour, including PSPOs. Under the provisions of the Act, local authorities must be satisfied on reasonable grounds that the activity subject to an Order:
- has, or is likely to have, a detrimental effect on the quality of life of those in the locality.
 - is, or is likely to be, persistent or continuing in nature.
 - is, or is likely to be, unreasonable.
 - justifies the restrictions being imposed.
- 3.4 The aim is to stop the unreasonable behaviour in public spaces by introducing restrictions on the use of an area. A public space is defined in the Act as *‘any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.’*
- 3.5 When assessing what is ‘unreasonable’ activity, there is a need to balance the rights of the community to enjoy public spaces, with the civil liberties of individuals and groups who may be affected by any restrictions imposed.
- 3.6 The process of considering a PSPO on dog controls and what it should encompass started in March 2020 when Members of the Strong Communities Select Committee endorsed a public consultation. The initial consultation, delayed by the emergence of Covid 19, was undertaken between July and October 2021 and resulted in over 1330 responses, broadly supporting the plans to introduce a PSPO. Three subsequent reports to Scrutiny and further engagement with key stakeholders, including Town and Community Councils, helped guide the development of a draft PSPO in readiness for further public consultation undertaken between the 2nd October and the 25th November 2023.
- 3.7 **Public Consultation.** This was undertaken in accord with the requirements of the Act and included the following bilingual documents:
- the draft PSPO.
 - a consultation questionnaire.
 - a summary of the proposals including a frequently asked questions page.
- 3.8 The consultation was provided on the Council’s website for completion online, with a paper copy available on request. Awareness to the survey was raised on the Council’s social media accounts and direct messaging to key stakeholders including to:
- Chief Superintendent and Chief Inspector for the East Gwent Local Policing Area
 - Police and Crime Commissioner for Gwent
 - Elected Members including County Councillors, MP and AM
 - Town and Community Councils
 - Dogs Trust, Kennel Club and RSPCA
 - Registered Social Landlords
 - Local business forums
 - Key large landowning organisations - CADW, National Trust, Woodland Trust, Natural Resources Wales, Bannau Brycheiniog, Canal and Rivers Trust.

- Relevant MCC sections with responsibility for public spaces.

3.9 **Results of the Public Consultation.** There were 517 completed questionnaires, the vast majority of which, 481 (93%), were marked as completed by residents; 331 (62%) of the returns by dog owners. In addition, there were a number of direct responses from the aforementioned key stakeholders. A summary of the headlines with regard to the proposed dog controls is as follows:

3.10 **Provision One, Dog Fouling.** Proposal: Require person in charge of a dog to clean up if the dog defecates on any public land in the county.

This received strong support with 479 (93%) of completed questionnaires and also key stakeholders in favour.

3.11 **Provision Two, Dog Bags.** Proposal: Require person in charge of a dog to have an appropriate means (e.g. a dog poo bag) to pick up any faeces deposited by that dog and to show they have bag(s) if requested to do so by an authorised officer.

This received strong support with 456 (88%) of completed questionnaires in favour. The Dogs Trust though questioned whether this is practical to enforce; and the Kennel Club in particular raised concern of the potential for responsible dog owners to be penalised unfairly if they were perhaps approached at the end of a walk having collected their dog's faeces and disposed of it and in doing so used the last of their bags. These concerns are understood, but it is hoped that the provision in particular will enable 'intel' led enforcement for officers to approach dog walkers where concern has been raised that they routinely do not pick up and enable early engagement with them.

3.12 **Provision Three, Dog on Lead by Direction.** Proposal: Require person in charge of a dog when in any public space to put the dog on a lead, of no more than two metres length, when directed to do so by an authorised officer, where the dog is considered to be out of control or causing alarm or distress or to prevent a nuisance.

This received strong support with 440 (85%) of completed questionnaires and also key stakeholders in favour.

3.13 **Provision Four, Dog Exclusion Areas.** Proposal: The introduction of a number of dog exclusion areas, identified through consultation as high public health risk areas and requiring further protection from dog fouling.

Maps were provided in Annex 1 of the Draft Order, with a total 178 proposed exclusion areas, mainly children's play areas, marked sports pitches and school / leisure centre grounds.

This received majority support with 330 (64%) of completed questionnaires in favour. As expected though the proposal attracted a range of views. Two proposed exclusion areas, in particular, had significant comment:

- Gilwern sports pitch. A petition was received, signed by over 130 households, arguing against the proposed exclusion area on the football pitch on the basis of it not currently being used by a football team and the pitch being mainly used to exercise dogs.
- Magor Church In Wales School, Sports Field / Sycamore Playing Field. There were 30 completed questionnaires against this proposal with the main arguments posed that the field is used by the community outside school hours and one of the last central secure areas in Magor where dogs can be let off a lead.

With regard to key stakeholders the Dogs Trust, Kennel Club and RSPCA did not object to there being exclusion areas providing there was a specific and reasonable justification for a designation. In common with their comments on proposed 'Dogs on Leads' areas (Provision Five) they emphasised the need for the areas restricting dog access / use to be kept to a minimum and for dog owners to provide their dogs with appropriate daily exercise, including regular opportunities to walk and run. The RSPCA in particular encouraged a more flexible approach to allowing dogs on council owned marked sports pitches and that Provision One (pick up dog fouling) goes some way to mitigating the issues associated with concerns associated with pitches.

- 3.14 **Provision Five, Dogs on Leads Areas.** Proposal: The introduction of a number of areas where a dog needs to be kept on a lead of no more than two metres in length.

Maps were provided in Annex 1 of the Draft Order, with a total 17 proposed areas. This received majority support with 374 (72%) of completed questionnaires in favour.

Again the proposal attracted a range of comments but there was one area in particular that received negative comment. This was Gilwern recreation ground (which includes the marked sports pitch referred to in 3.13 and proposed to be excluded). The aforementioned petition argued that the recreation ground is the only area for dogs to run freely off the lead and there are no current issues with dogs being off the lead.

- 3.15 **Consultation Outcomes – Amendments to the draft PSPO.** The findings of the public consultation summarised in 3.7 to 3.14, which included some amendments to the draft PSPO, were presented to Place Scrutiny Committee on the 1st February 2024. Members considered the proposed PSPO and endorsed its progress for consideration by Cabinet. The main points to highlight for Cabinet are:

- Gilwern sports pitch and recreation ground. The resident's petition was brought to the attention of Llanelly Community Council who own the land concerned. The Council met, considered the points made but have requested that the proposals included in the 2023 public consultation remain i.e. the games areas (children's play area, multi use games area, marked sports pitch and cycle track) are included in the PSPO as Exclusion Areas; the recreation ground, including the skate park, is included as a Dogs on Leads area. These are shown in maps 108 and 109 respectively in the PSPO provided in Appendix Two. It should be noted that the Community Council recognises the need for local residents to exercise their dogs off lead and have indicated intent to liaise with this Council's Grounds team to explore the use of a nearby field to help in this regard.

- Magor Church In Wales School Sports Field / Sycamore Playing Field. This is owned by Monmouthshire County Council with responsibility primarily with the Children and Young People (CYP) Directorate. The report to Place Scrutiny 1st February 2024 explained that while concerns of local residents (3.13) have been considered by CYP management, the view was that given the primary use by school children the field should be a dog Exclusion Area, as presented in the public consultation, in order to ensure the safe delivery of the school curriculum and also the range of activities outside normal school hours. However, since the report to Scrutiny, in recognition of the terms of a deed made between this Council and Magor with Undy Community Council in May 2016, which includes for community use of the field for dog walking, the designation shown in map 139 of the PSPO has been changed from the previously proposed Exclusion Area to a Dogs on Leads Area.
- Additional dog Exclusion maps have been added for the play areas which are part of the Persimmon Homes development at Rockfield, Monmouth (Maps 167, 168 and 169 respectively). This is in keeping with the theme of providing added protection to such areas.
- Additional dog Exclusion maps have been added for Mardy Park Play Area and Playing Field, Abergavenny (Maps 126 and 127) on the request of the landowner Llantilio Pertholey Community Council, again in keeping with the theme of providing added protection to such areas.
- The boundaries for the Castle Dell Park Play Area, Chepstow (Map 61 Exclusion Area) have been altered to reflect recent planning approval for replacement and slight relocation of the play area.
- Sudbrook Cricket Club, Caldicot, had been included in the draft PSPO as an Exclusion Area but this designation has been removed on request from the Club who wish to manage access for dogs themselves.
- The changes to the proposed PSPO mean there are 180 Exclusion Areas (of which 122 children's play areas, 22 marked sports pitches / playing fields, 34 school / leisure centre grounds) and 20 Dogs on Leads areas (of which 5 Cemeteries, 3 Skateparks and 2 Castles).

3.16 Implications of the PSPO.

- **Policy:** The proposal will contribute positively to the council's corporate key priorities. It will contribute to a cleaner environment and a reduction in the health and safety risks associated with direct exposure to dog fouling. Focused and proportionate enforcement action will contribute to positive behaviour change, which will continue to be supported by the ongoing awareness raising work of the County and Town and Community Councils through schemes such as the Give Dog Fouling the Red Card working group.
- **Legal:** If the PSPO is adopted the Monmouthshire County Council (Fouling of Land by Dogs) (Monmouthshire) Designation Order (No 1) 1998 will be revoked. If the PSPO is

not adopted the existing 1998 Order will remain in force. It is proposed that the PSPO is made for the maximum allowable period of three years.

- **Financial:** Following approval, the local authority must publish the PSPO on its website and erect on or adjacent to the public place to which the Order relates sufficient signs to draw the attention of any member of the public using that place that the PSPO has been made and its effect. There are 200 proposed Exclusion and Leads Only areas and it is estimated that approximately 315 signs are needed for these areas. An additional 300 signs are needed to display where there are no restricted access controls but are required to bring to the attention of dog walkers the need to pick up. This total cost of the signs is anticipated to be circa £37000 plus vat. Of the 200 restricted access areas: 28 sites are owned by Town and Community Councils, 5 by Monmouthshire Housing Association (MHA) and 8 are leased to Sports Clubs. It is proposed that the site owner / club lessee are requested to meet the cost of the signage for their individual areas. This leaves circa £30000 plus vat to be met by this council and discussion has started with Communities and Place and other involved Directorates as to how best to meet this budget need.
- **Enforcement:** Breach of a PSPO is a criminal offence with a fine liable on prosecution in court of up to £1000. Authorised Officers can issue a Fixed Penalty Notice (FPN) to offer the recipient the opportunity to discharge liability for the offence. A report was presented to Cabinet on the 7 September 2016 to consider the Council's approach to discharging its responsibilities under the Anti-Social Behaviour, Crime and Policing Act 2014. Cabinet agreed to the recommendations of the report, which is provided as a background paper, namely:
 - Delegated authority to the Head of Public Protection, the Head of Waste and Street Services and the Head of Governance, Engagement and Improvement to authorise officers to issue a FPN.
 - To adopt the general approach to serving FPNs under the provisions of the Act, as set out in the Authority's existing enforcement policy for dog fouling / littering.
 - Agree the FPN enforcement charges of £100 payable within 14 days, reduced to £75 if paid within 10 days.

These established principles enable a cross directorate approach to enforcement. Recommendation 2.2 is for the updating of the delegated authority to authorise officers to issue a FPN for breach of the PSPO to the Head of Public Protection, the Head of Neighbourhood Services and the Chief Officer People, Performance and Partnerships.

It should be noted that adding FPN responsibilities to officers for this purpose will be problematic as this is additional to their substantive roles e.g. Environmental Health Officers and Civic Enforcement Officers. The issue of dog control enforcement will form part of the litter and parking reviews being led by Communities and Place Directorate in the coming months.

4. INTEGRATED IMPACT ASSESSMENT, (includes equality, future generations, social justice, safeguarding and corporate parenting):

4.1 The completed Integrated Impact Assessment is provided in Appendix Three.

4.2 The proposal has no implications in relation to any of the protected characteristics:

- Guide/Assistance Dogs are not prohibited from Dog Exclusion Areas.
- Officers will ensure that all PSPO signage is in accordance with the Equality Act 2010. Appropriate exemptions are included in the PSPO for persons who cannot be reasonably be expected to pick up after their dog.

5. OPTIONS APPRAISAL:

5.1 To continue using the Monmouthshire County Council (Fouling of Land by Dogs) (Monmouthshire) Designation Order (No 1) 1998 with regard to fouling or, as proposed, to introduce a PSPO to deal with dog control issues in the county.

5.2 The PSPO is recommended particularly as it will require dog faeces to be picked up from all public spaces as distinct to just designated areas as under the current 1998 Order; and it enables targeting and further protection of high public health risk areas such as children's play areas and marked sports pitches. The usefulness of a PSPO is reflected in 18 of the Local Authority areas in Wales currently having a PSPO with dog control measures in place.

6. EVALUATION CRITERIA:

6.1 A progress report to Place Scrutiny Committee one year after implementation of the PSPO.

6.2 A PSPO can be made for a maximum duration of up to three years, after which it may be extended if certain criteria under the Act are met. This includes that an extension is necessary to prevent activity recurring. Extensions can be repeated, with each lasting for a maximum of three years. A further consultation process is required if a PSPO time period is to be extended.

7. REASONS:

7.1 Despite the efforts of responsible dog owners and collaborative working through initiatives such as the Give Dog Fouling the Red Card group, dog fouling continues to be a problem. Requiring people to clean up after their dogs which foul on any public space in the county and restricting access to certain areas appears to be a justified, proportionate response to the ongoing issue.

7.2 To ensure fair, transparent, efficient and effective discharge of powers available to the Council under the Act.

8. RESOURCE IMPLICATIONS:

8.1 A direct cost of signage of circa £37000 plus vat. Of this approximately £30000 will need to be provided from the Council's budget. The remaining £7000 approx. to be requested from the private site owners (Town / Community Councils, MHA and sports clubs leasing land).

9. CONSULTEES

Chief Officer Social Care, Safeguarding and Health
Chief Officer Communities and Place
Chief Officer People, Performance and Partnerships
Chief Officer Children and Young People
Chief Officer Law and Governance
Chief Officer Customer, Culture and Wellbeing
Head of Public Protection
Head of Neighbourhood Services
Estates Development Manager, Landlord Services
Environment & Culture Manager
Youth Offending Team Service Manager

10. BACKGROUND PAPERS:

Report to Place Scrutiny Committee, 'Public Spaces Protection Order for Dog Controls' 1st February 2024 including Appendix One Consultation Summary.

Report to Cabinet, 'Anti-Social Behaviour, Crime and Policing Act 2014' 7th September 2016.

11 AUTHOR: Huw Owen, Principal Environmental Health Officer,

12 Contact Details: Tel 01873 735433; E-mail: huwowen@monmouthshire.gov.uk

Appendices

Appendix One: Monmouthshire County Council (Fouling of Land by Dogs) (Monmouthshire) Designation Order (No 1) 1998.

Appendix Two: MCC (Dog Control) Public Spaces Protection Order 2024.

Appendix Three: Integrated Impact Assessment.

DATED

1st June

1998

MONMOUTHSHIRE COUNTY COUNCIL (FOULING OF LAND BY DOGS)
(MONMOUTHSHIRE) DESIGNATION ORDER (NO.1) 1998

S.M.W.Andrews
Deputy Chief Executive and Solicitor
Monmouthshire County Council
County Hall
Cwmbran
NP44 2XH

NW/A10.0006

THE DOGS (FOULING OF LAND) ACT 1996

MONMOUTHSHIRE COUNTY COUNCIL (FOULING OF LAND BY DOGS) (MONMOUTHSHIRE) DESIGNATION ORDER (NO.1) 1998

Monmouthshire County Council (in this Order called "the Council") hereby make the following Order:

1. The land described in Part I and II of the Schedule below and in respect of the land described in Part II of the Schedule also shown coloured red on the maps attached to this Order being land in the area of the Council which is land to which the Dogs (Fouling of Land) Act 1996 applies, is hereby designated for the purposes of that Act.
2. The Order may be cited as the Monmouthshire County Council (Fouling of Land by Dogs)(Monmouthshire) Designation Order (No.1) 1998 and shall come into force on 29th June 1998

SCHEDULE

Part I

Land designated by description

1. Carriageways with a speed limit of 40 m.p.h. or less and adjoining footpaths, verges and embankments.
2. Parks, recreation grounds, public walks, pleasure grounds, playing fields and playgrounds maintained by the Council.
3. All cemeteries within the County.
4. Cycle tracks maintained by the Council.
5. Car parks maintained by the Council.
6. Grounds surrounding village halls.
7. Registered village greens but excluding the dog exercise area which forms part of Chippenham Mead Village Green at Monmouth.
8. Housing amenity areas being parcels of land held by the Council by virtue of section 12 of the Housing Act 1985 which are not covered by buildings or included in the curtilage of a building or forming part of a highway.
9. Land laid or sown with grass or planted with trees, shrubs or plants and mown or otherwise maintained in an ornamental condition by the Council.
10. Land which is used as an amenity area or for the purpose of public open space, recreation or lies waste or unoccupied and not being land falling within the description contained in section 1(3) of the Dogs (Fouling of Land) Act 1996

11. Paved areas, steps and subways, shopping precincts and arcades, pedestrian areas and bridges not comprised in or running alongside a highway
12. Lanes, courts, alleys, squares, footways, passages, walkway and all public rights of way, whether a throughfare or not

Part II

Land designated specifically

1. Llanbadoc Island
2. The Island, Usk
3. Caldicot Castle County Park
4. The Old Station, Tintern
5. Angidy Ironworks, Tintern
6. Black Rock Picnic Site, Portskewett
7. Bluebell Green Picnic Site, Wentwood
8. Clydach Picnic Site, Caravan Site and Ironworks
9. Goytre Wood
10. Vauxhall Fields
11. Gilwern Picnic Site
12. Bailey Park, Abergavenny
13. Belgrave Park, Abergavenny
14. Linda Vista Gardens, Abergavenny
15. Rogiet Playing Fields
16. St Mary Place Playing Field, Caldicot
17. Hardwick Avenue Playing Field, Chepstow
18. The Warren, off Alpha Road, Chepstow
19. Western Avenue Playing Field, Chepstow
20. Thornwell Playing Fields, Chepstow
21. Castle Dell, Chepstow

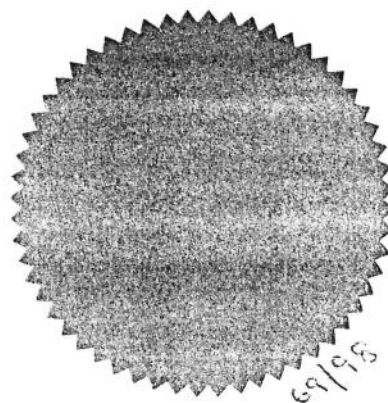
22. Chepstow River Bank
23. Playing Fields to the rear of Magor School
24. Undy Playing Fields
25. Llandewi Rhydderch Play Area
26. Llanvapley Cricket and Play Area
27. Llanvair Kilgeddin Play Area
28. Monmouth School Playing Fields
29. Usk Cricket Ground
30. Abergavenny Cricket Ground

Dated this *first* day of *June*
ninety eight

one thousand nine hundred and

GIVEN under the **COMMON SEAL** of)
MONMOUTHSHIRE COUNTY COUNCIL)

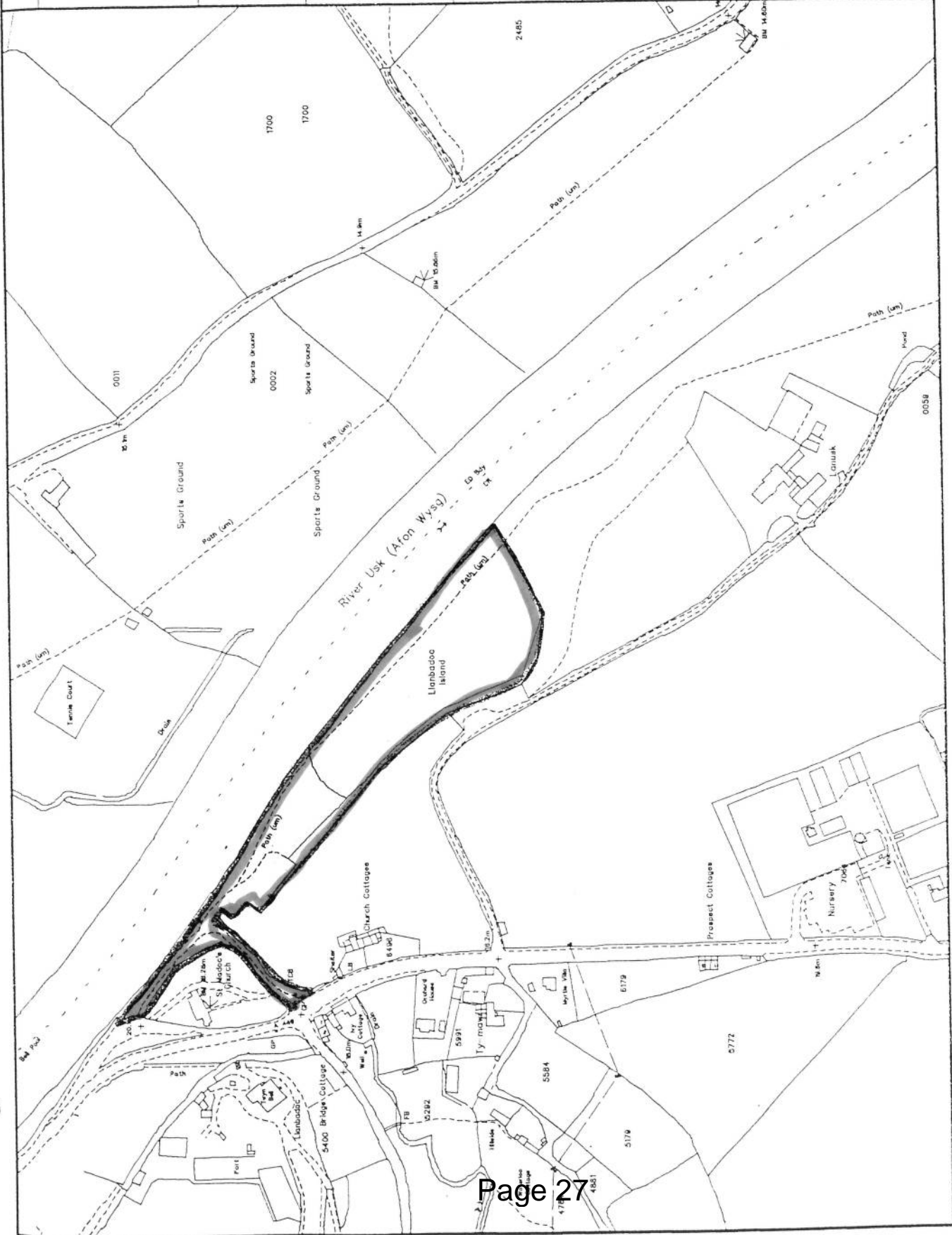
G. Powell
Member of the Council
[Signature]
Deputy Chief Executive and Solicitor



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Lanbadoc Island.

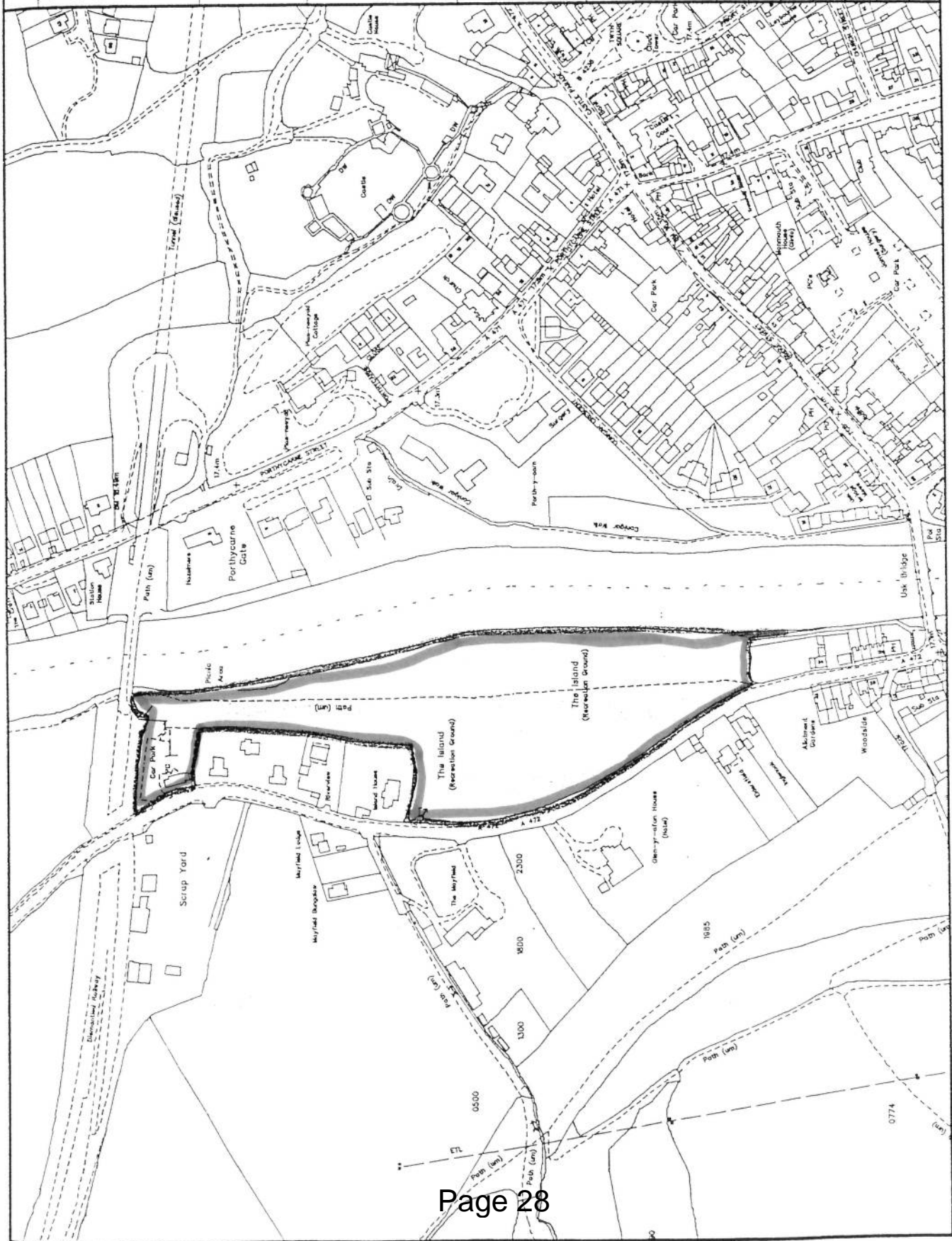
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The Island Recreation Ground, Usk.

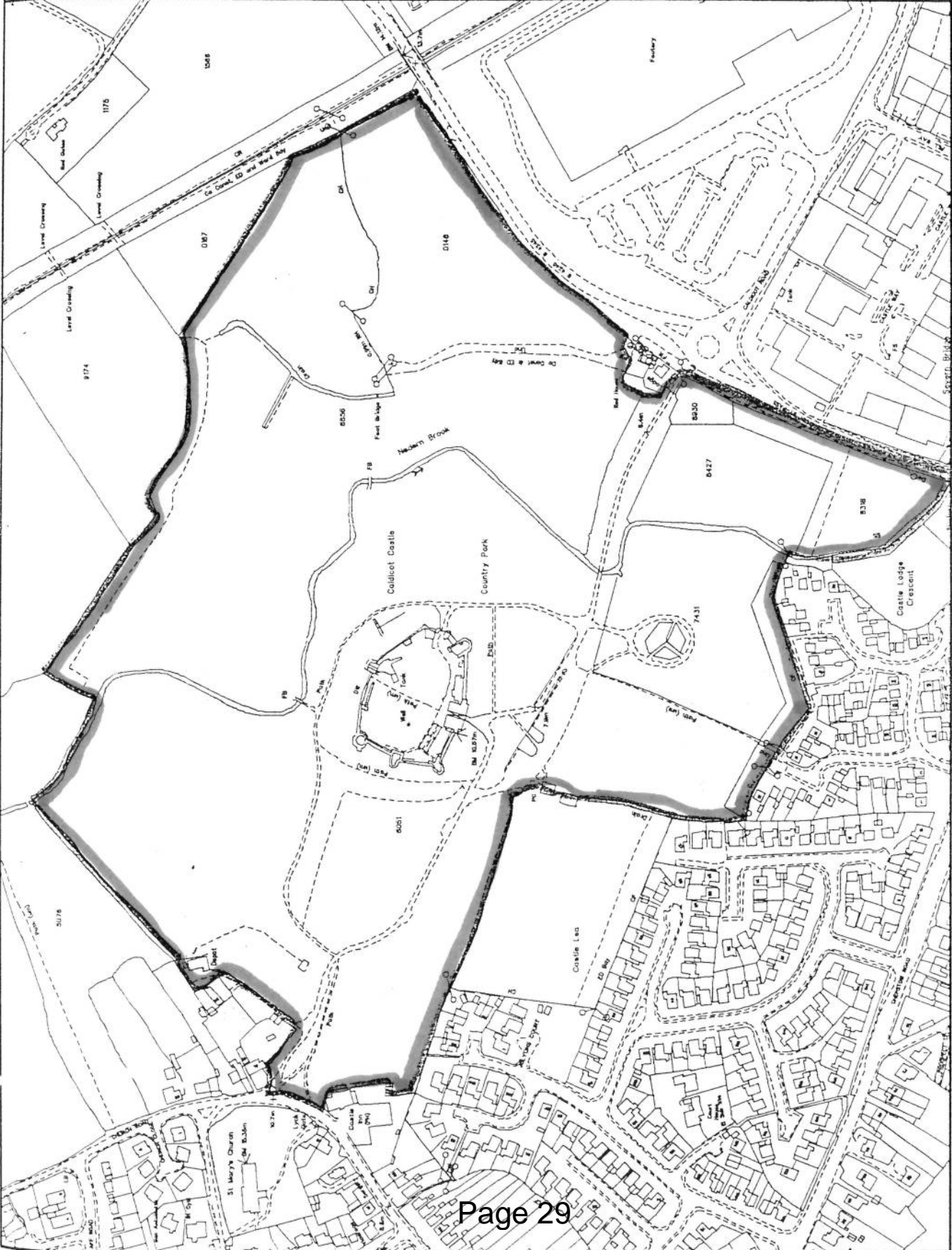
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Caldicot Castle Country Park.

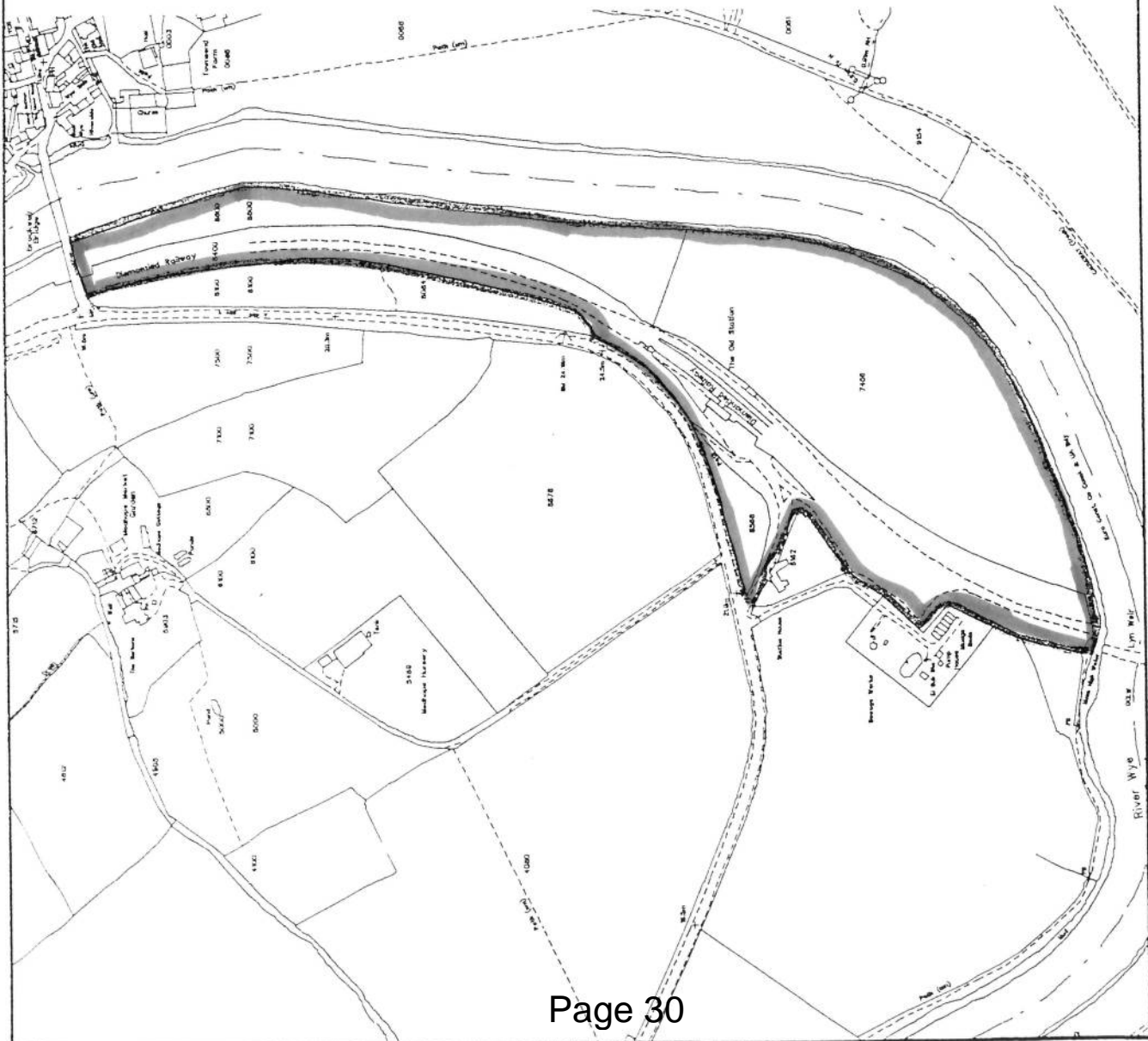
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The Old Station, Tintern.

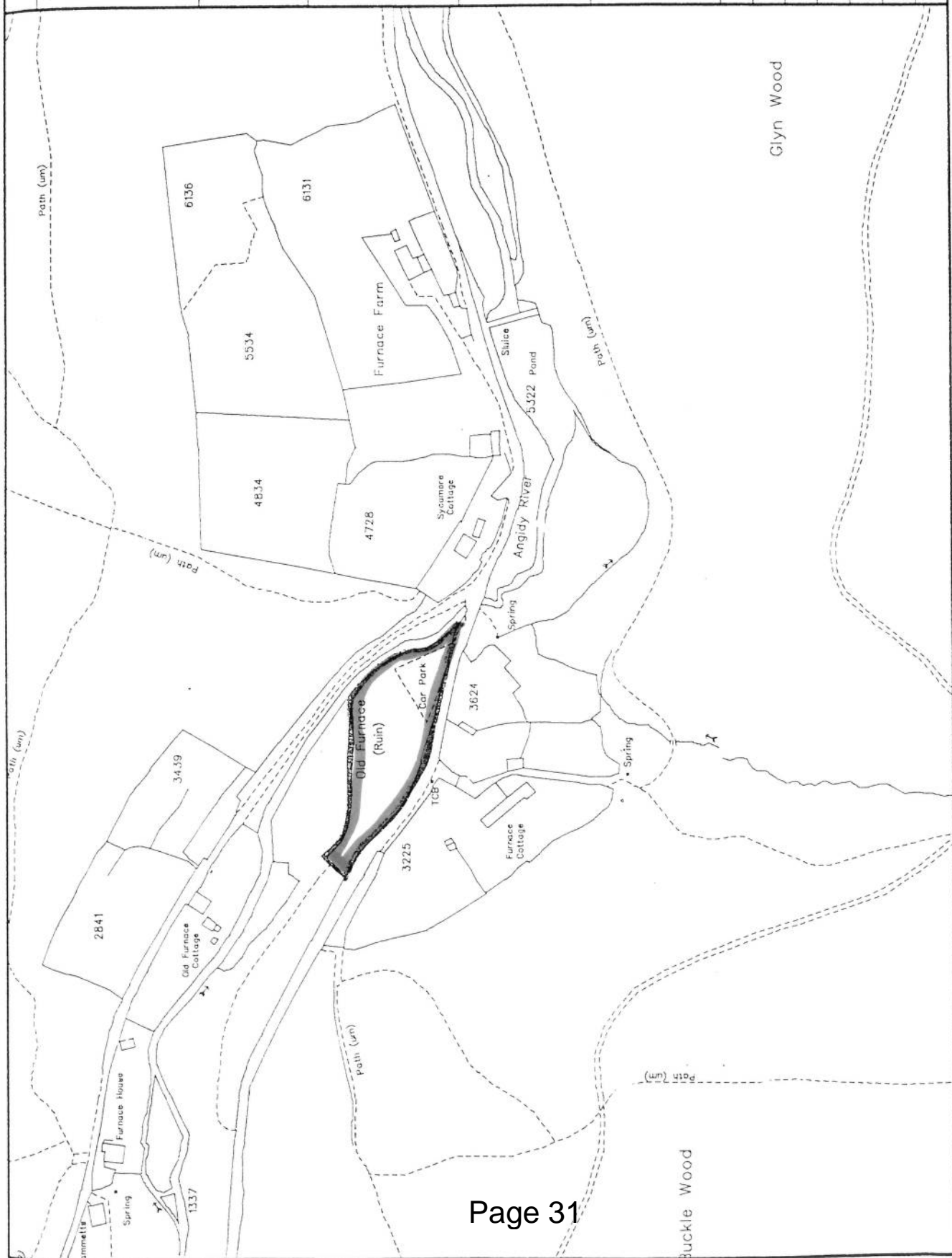
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Angidy Ironworks, Intern.

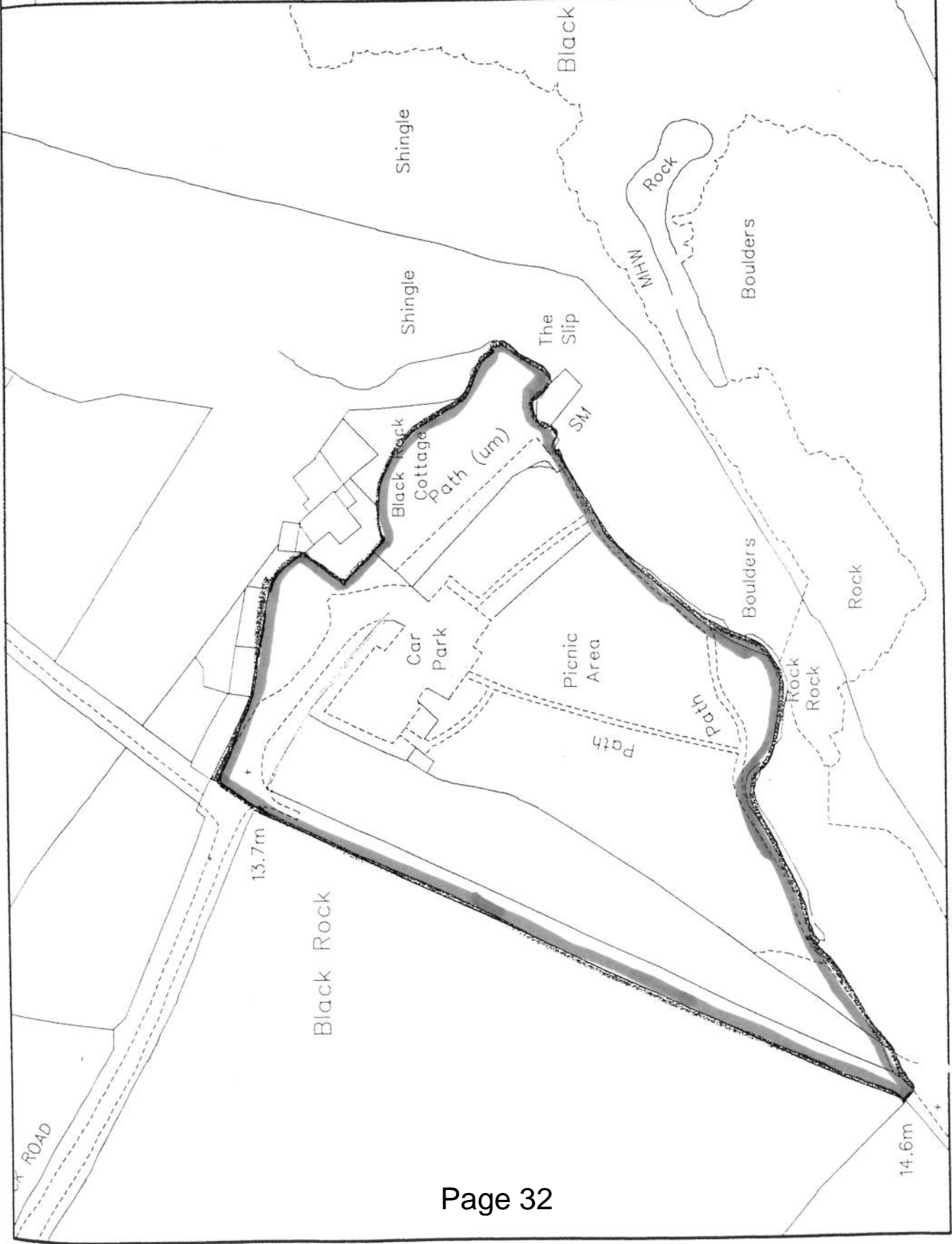
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Black Rock Picnic Site, Portskewett.

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Bluebell Green Picnic Site, Wentwood.

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Clydach picnic site, caravan site and ironworks.

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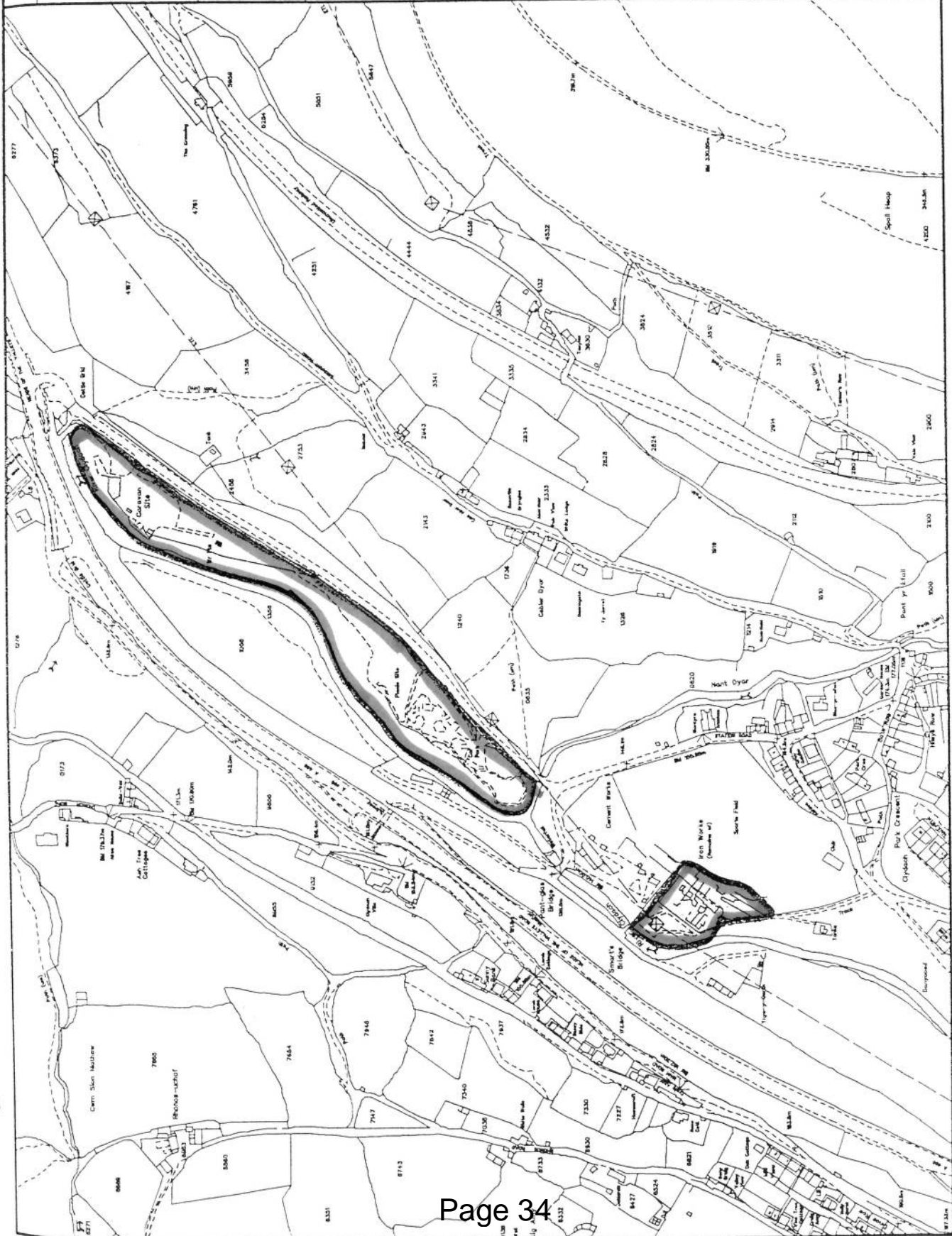
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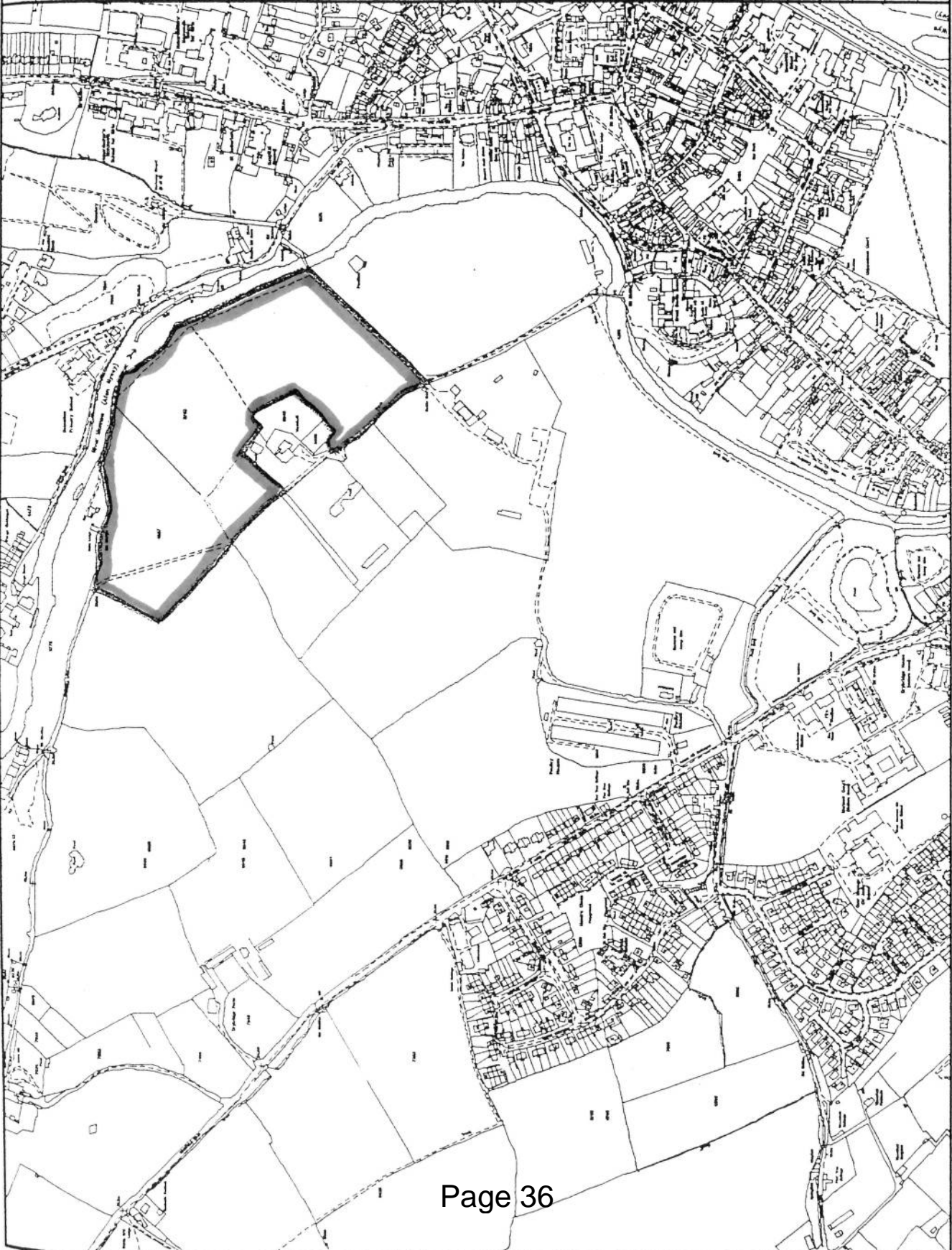
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Vauxhall Fields,
Monmouth.

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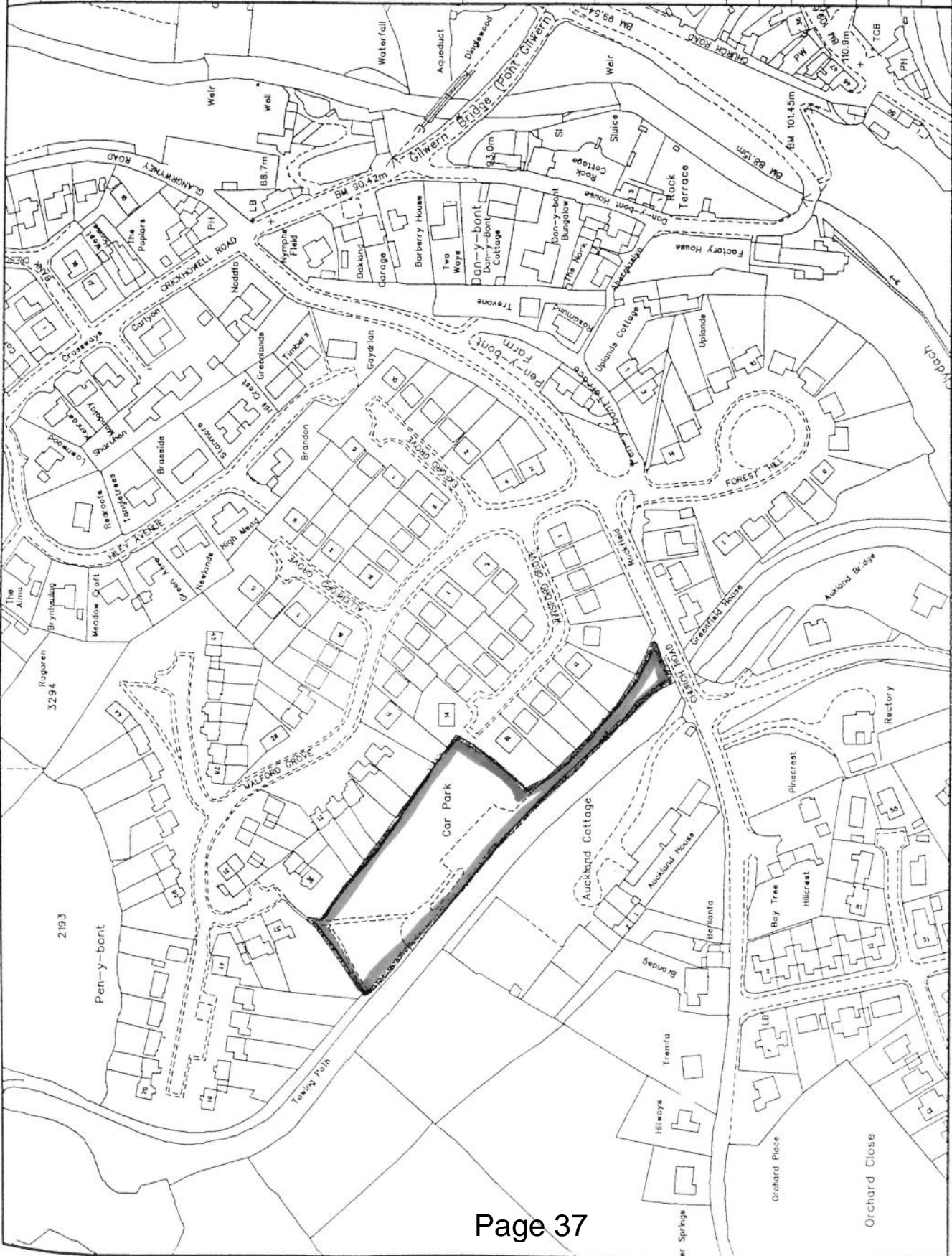
Gilwern Picnic Site.

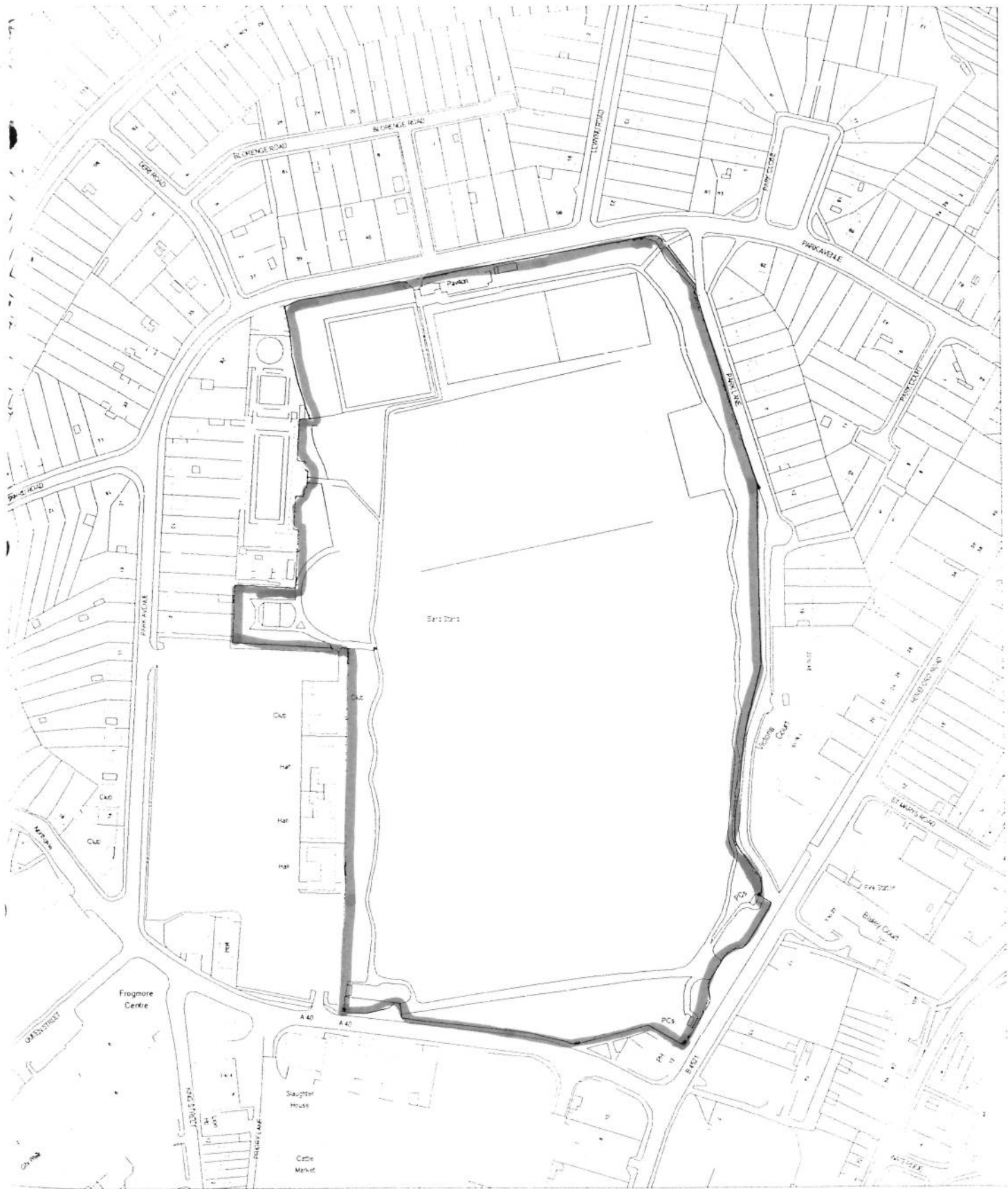
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Monmouthshire
 COUNTY COUNCIL



JOB TITLE

DOGS(FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
 BAILEY PARK ABERGAVENNY

DRAWING No DDO13

SCALE 1:2500

DATE 8/12/1997

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JOB TITLE
**DOGS(FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
 LINDA VISTA GARDENS ABERGAVENNY**

DRAWING No. DDO15 SCALE 1:2500
 DATE 8/12/1997
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Rogiet Primary School

Sea View Terrace

Seaview Terrace

Rogiet Terrace

Rogiet Hill

The Larches

Home

E136-50



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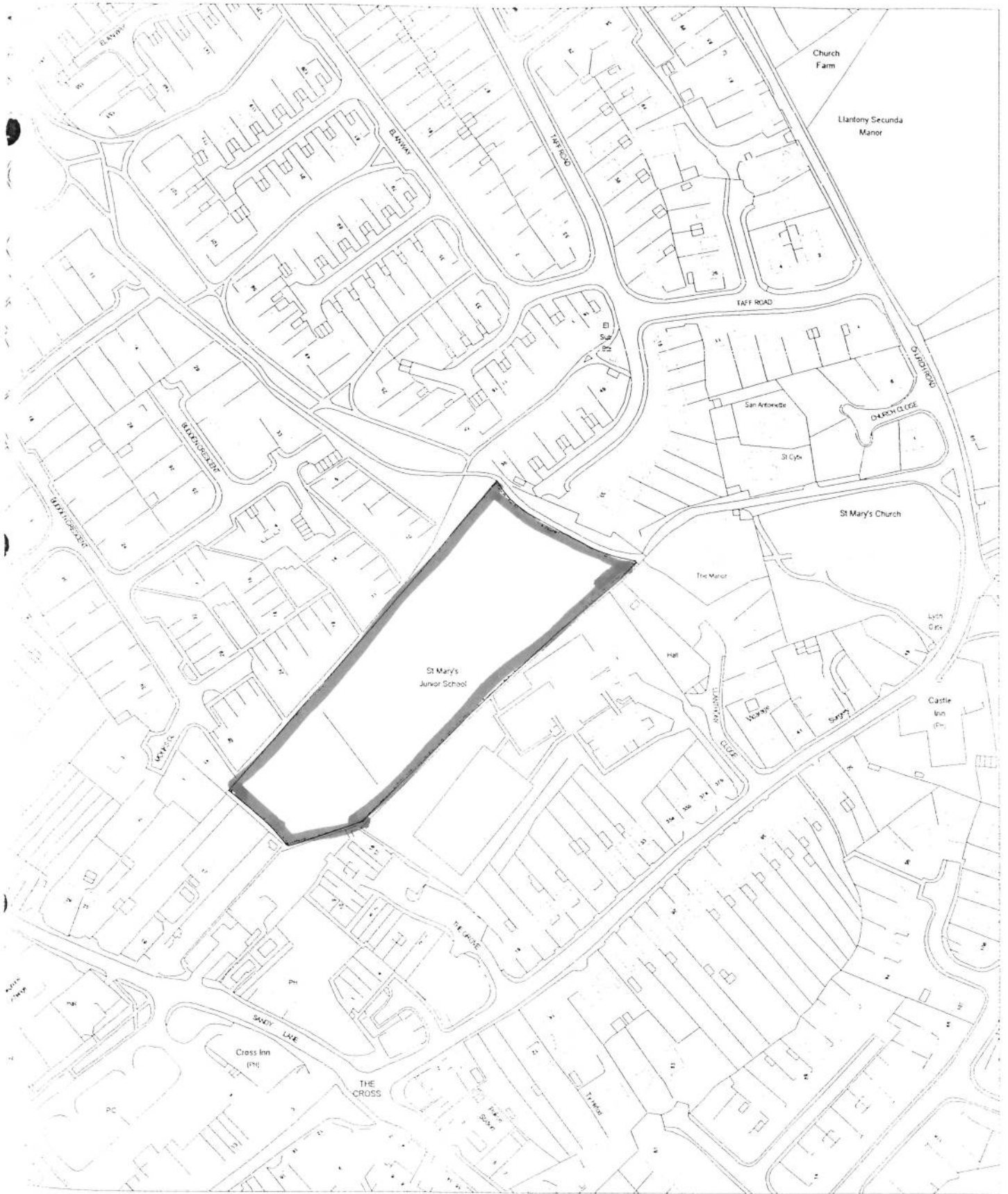
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ROGIET PLAYING FIELD

DRAWING No. DDO16
DATE 8/12/1997

SCALE 1:2500

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JOB TITLE

DOGS(FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
ST MARY PLACE PLAYING FIELD CALDICOT

DRAWING No D0017

SCALE 1:2500

DATE 8/12/1997

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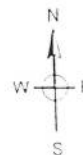
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HARDWICK AVENUE PLAYING FIELD CHEPSTOW

DRAWING No DDO18

SCALE 1:2500

DATE 8/12/1997

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JOB TITLE
**DOGS(FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
 THE WARREN, OFF ALPHA ROAD CHEPSTOW**

DRAWING No. DDO19 SCALE 1:2500
 DATE 8/12/1997
 MONMOUTHSHIRE COUNTY COUNCIL
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 DEPUTY DIRECTOR OF ENVIRONMENTAL SERVICES



JOB TITLE

**DOGS(FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
 WESTERN AVENUE PLAYING FIELD CHEPSTOW**

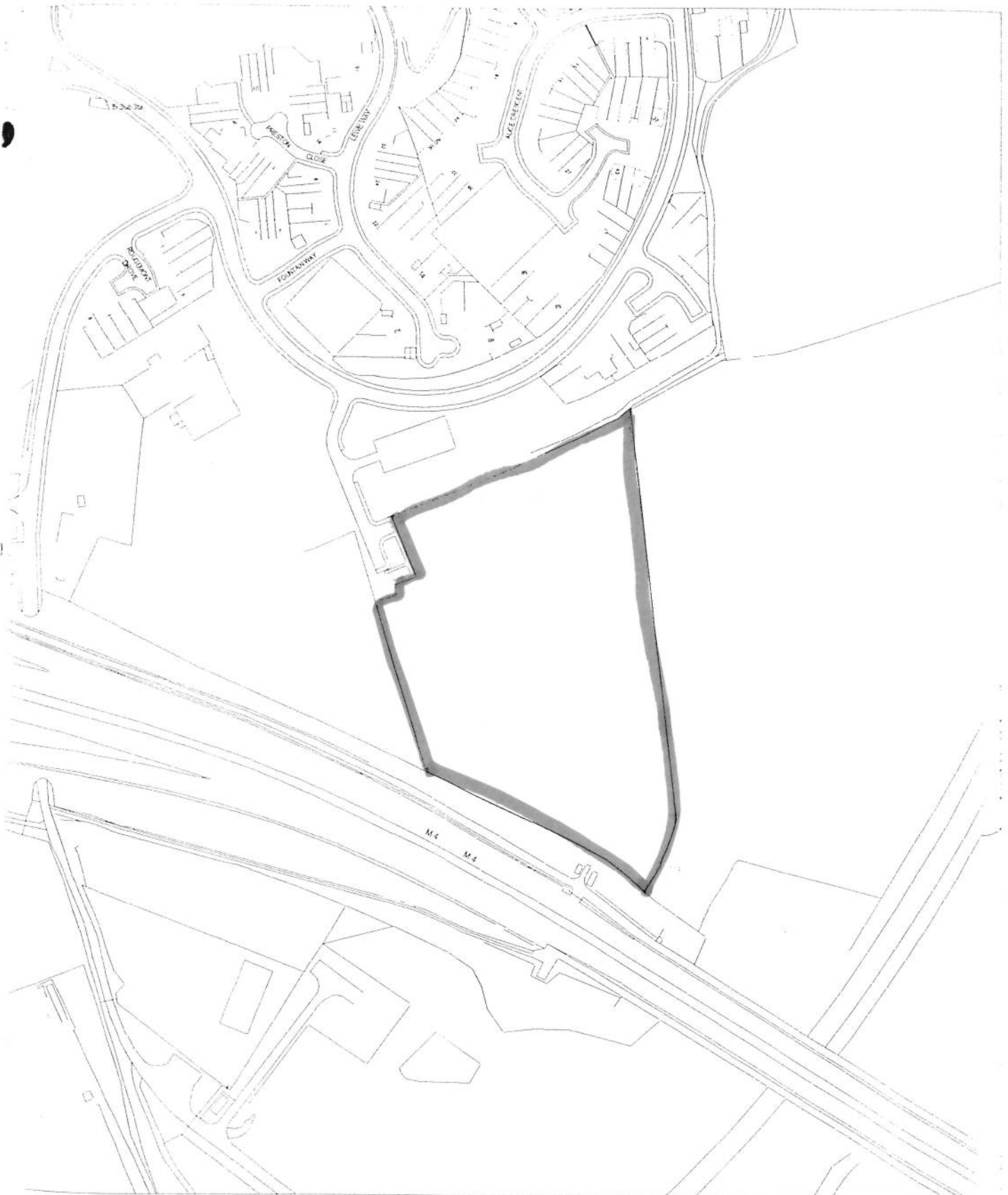
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SCALE 1:2500

DATE 8/12/1997

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Monmouthshire
 COUNTY COUNCIL



JOB TITLE

DOGS(FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
 THORNWELL PLAYING FIELDS CHEPSTOW

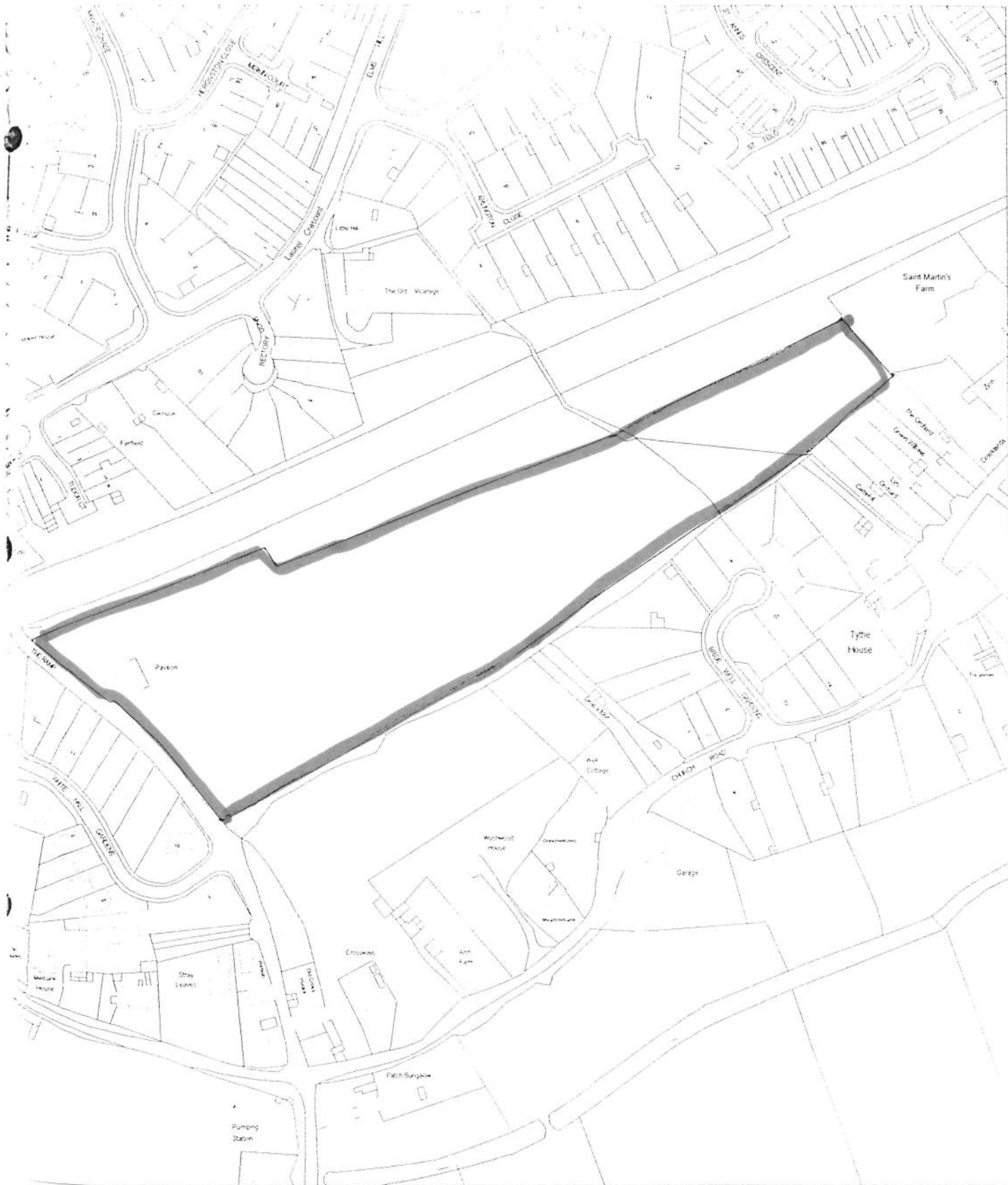
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DATE 9/12/1997

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Monmouthshire
COUNTY COUNCIL



JOB TITLE

DOGS(FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
UNDY PLAYING FIELDS

DRAWING No. DDO25

SCALE 1:2500

DATE 8/12/1997

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JOB TITLE
**DOGS(FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
 LLANDEWI RHYDDERCH PLAY AREA**



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DRAWING No	DDO26	SCALE	1:2500
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JOB TITLE
**DOGS(FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
 LLANVAPLEY CRICKET AND PLAY AREA**

DRAWING No.	D0027	SCALE	1:2500
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JOB TITLE

**DOGS(FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
LLANVAIR KILGEDDIN PLAY AREA**

DRAWING No DDO28

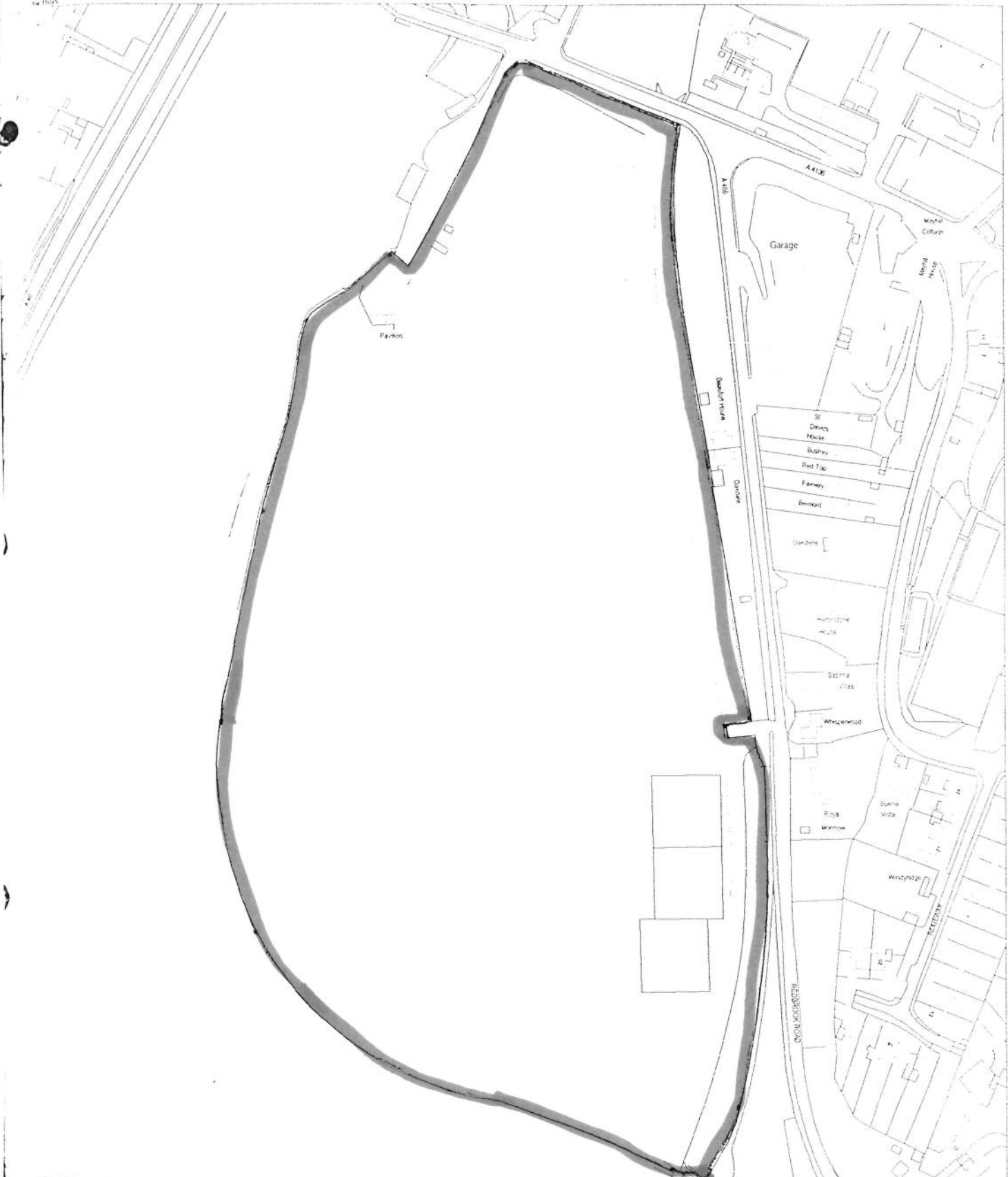
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JOB TITLE
**DOGS(FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
 MONMOUTH SCHOOL PLAYING FIELDS**



DRAWING No. DDO30 SCALE 1:2500
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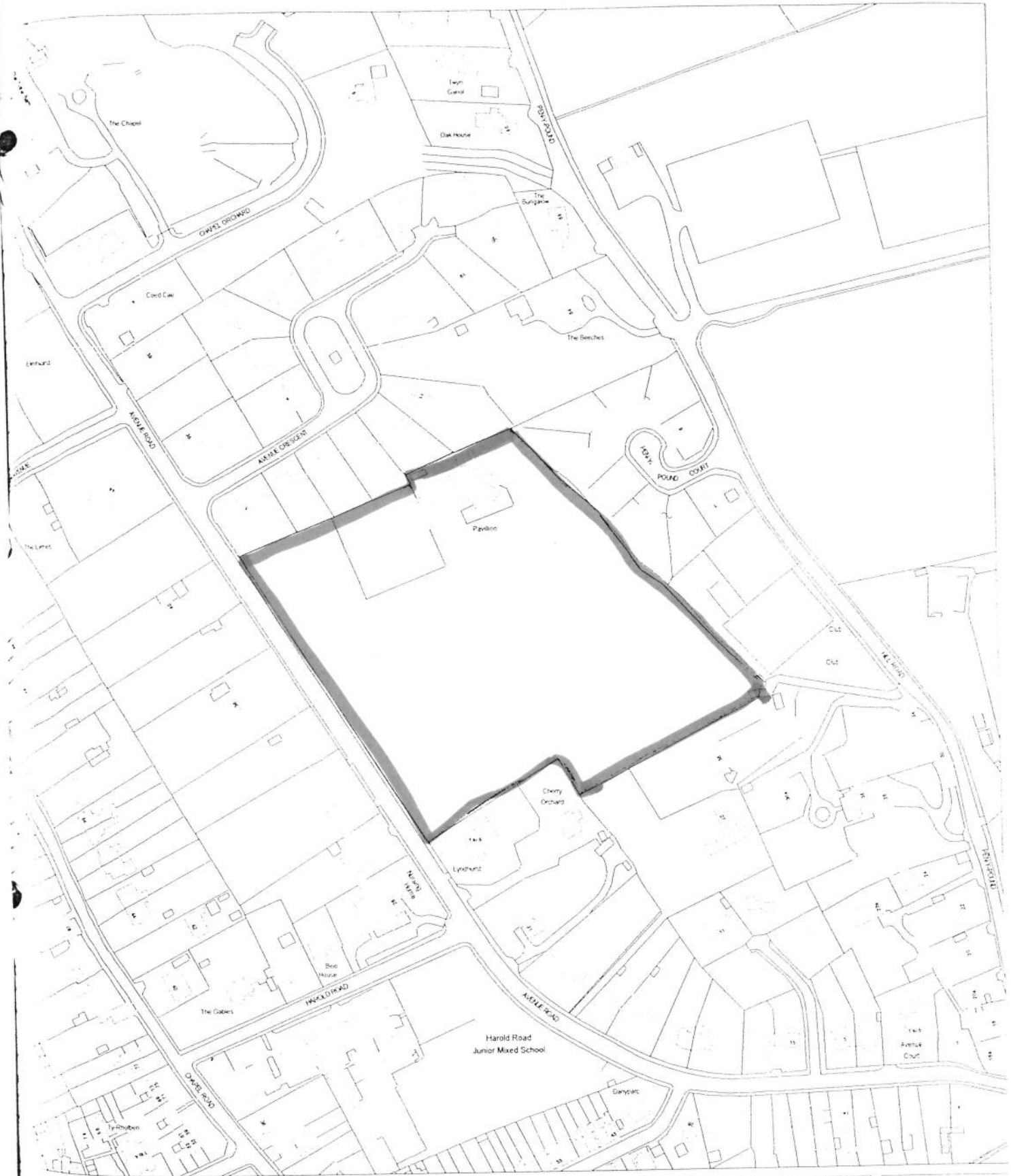
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**DOGS (FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
 USK CRICKET GROUND**



Monmouthshire
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DRAWING No.	DDO31	SCALE	1:2500
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 COUNTY COUNCIL



JOB TITLE
**DOGS(FOULING OF LAND) ACT 1996 - DESIGNATION ORDER
 ABERGAVENNY CRICKET GROUND**

DRAWING No. DDO32 SCALE 1:2500
 DATE 8/12/1997
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MONMOUTHSHIRE COUNTY COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME & POLICING ACT 2014

**MONMOUTHSHIRE COUNTY COUNCIL (DOG CONTROL) PUBLIC SPACES PROTECTION
ORDER 2024**

Monmouthshire County Council (“the Council”) hereby makes the following Public Spaces Protection Order (“the Order”) in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime & Policing Act 2014 (“the Act”).

- 1) This Order may be cited as the Monmouthshire County Council (Dog Control) Public Spaces Protection Order 2024.
- 2) This Order will come into force on XXXXX and will remain in force for a period of three years unless varied or discharged by further orders of the Council.

3) INTRODUCTION

- a) People who fail to clean up after their dogs on publicly accessible land cause nuisance to others. The presence of dog faeces is a potential hazard to all members of the public, it presents a risk to health, defaces land and has the potential to deface people and their property.
- b) When not properly supervised and kept under control, dogs that are allowed off a lead in public areas may cause road traffic accidents and may cause nuisance or injury to members of the public and to other animals.
- c) There are certain locations, which because of their use, dog faeces pose a particularly high level of concern. These are typically children’s play areas, marked sports pitches and school / leisure centre grounds.
- d) This Order is made because the Council is satisfied on reasonable grounds that the behaviour set out above has had, and is likely to continue to have, a detrimental effect on the quality of life of people within Monmouthshire.
- e) This Order seeks to prevent or reduce the detrimental effects referred to above, by imposing reasonable restrictions and requirements on people while in charge of dogs on public land. It seeks to facilitate the safe sharing of our public spaces, while recognising that people should be able to exercise their dogs off lead in public areas, providing their dogs are under control and behaving appropriately.

4) Definitions and Interpretation

- a) In the following provisions of this Order, the following terms shall have the meanings hereby respectively ascribed to them:

“Authorised Person” means a Police Constable or a person authorised in writing by the Council for the purposes of this Order.

“Police Constable” means any person lawfully designated and authorised by a Chief Officer of Police to exercise the powers and duties of a Police Constable.

“Person in Charge” means the person who has the dog in their possession, care or company at the time the offence is committed or otherwise, the owner or person who habitually has the dog in their possession.

“Public Space” means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

“Appropriate Receptacle” means any bag, or receptacle which is designed for the purpose of holding dog faeces for disposal.

“ For the purposes of this Order, a “disability” means a condition that qualifies as a disability for the purposes of the Equality Act 2010 and a “disabled person” means a person who has such a disability.

- b) Except when the context otherwise requires, the singular includes the plural and vice-versa.
- c) Reference to an Act of Parliament, statutory provision or statutory instrument includes a reference to that Act of Parliament, statutory provision or statutory instrument as amended, extended or re-enacted from time to time and to any regulations made under it.

5) RESTRICTIONS AND REQUIREMENTS

- a) The effect of the Order is to impose the restrictions and requirements as set out in Parts 1 to 5 below.

PART 1 – DOG FOULING

- 1) If a dog defecates at any time on land to which this part of the Order applies, and the person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless they can show that:
- a) they have a reasonable excuse for failing to do so; or

- b) the owner, occupier, or other person or authority having control of the land has consented (generally or specifically) to the person failing to do so.
- 2) This part of the Order applies to all public places in the County of Monmouthshire.
 - 3) For the purpose of this part of the Order:
 - a) placing the faeces in a receptacle on the land which is provided for this purpose, or for the disposal of waste, shall be a sufficient removal from the land;
 - b) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces, shall not be a reasonable excuse for failing to remove the faeces.

PART 2 – APPROPRIATE RECEPTACLE FOR PICKING UP DOG FAECES.

- 1) If a person who is in charge of a dog at any time on land to which this part of the Order applies does not have or produce when requested by an Authorised Person an appropriate receptacle to pick up any faeces deposited by that dog, that person shall be guilty of an offence unless they can show that:
 - a) they have a reasonable excuse for failing to do so; or
 - b) the owner, occupier, or other person or authority having control of the land has consented (generally or specifically) to the person failing to do so.
- 2) This part of the Order applies to all public places in the County of Monmouthshire.

PART 3 – DOGS ON LEADS BY DIRECTION.

- 1) A person in charge of a dog will be guilty of an offence if at any time on land to which this part of the Order applies, they fail to put a dog on a lead, of no more than 2 metres length, when directed to do so by an Authorised Person where the dog is considered to be out of control, or causing alarm or distress or to prevent a nuisance, unless they can show that:
 - a) they have a reasonable excuse for failing to do so; or
 - b) the owner, occupier, or other person or authority having control of the land has consented (generally or specifically) to the person failing to do so;
- 2) For these purposes, a “lead” means any rope, cord, leash or similar item used to tether, control or restrain a dog, but does not include any such item which is not actively being used as a means of restraint so that the dog remains under a person’s close control.

3) This part of the Order applies to all public places in the County of Monmouthshire.

PART 4 – DOGS ON LEADS.

- 1) A person in charge of a dog will be guilty of an offence if at any time on land to which this part of the Order applies, they fail to keep the dog on a lead of no more than 2 metres in length unless they can show that:
 - a) they have a reasonable excuse for failing to do so; or
 - b) the owner, occupier, or other person or authority having control of the land has consented (generally or specifically) to the person failing to do so;
- 2) This part of the Order applies to the land in the County of Monmouthshire identified as “Leads Only (LO)” in the Reference List annexed hereto and further identified by the plans referred to therein.

PART 5 – DOG EXCLUSION.

- 1) A person in charge of a dog will be guilty of an offence if at any time that person takes the dog onto, or permits the dog to enter or remain on, any land to which this part of the Order applies, unless they can show that:
 - a) they have a reasonable excuse for doing so; or
 - b) the owner, occupier, or other person or authority having control of the land has consented (generally or specifically) to the person doing so;
- 2) This part of the Order applies to the land in the County of Monmouthshire identified as “Exclusion (E)” in the Reference List annexed hereto and further identified by the plans referred to therein.

EXEMPTIONS

- 1) The provisions in Parts 1 and 2 of this Order (fouling/ appropriate receptacle) do not apply to a person who:
 - a) is registered as partially sighted or blind, in a register compiled under Section 29 of the National Assistance Act 1948; or
 - b) is registered as “sight-impaired”, “severely sight-impaired” or as “having sight and hearing impairments which in combination, have a significant effect on their day to day lives”, in a register compiled under Section 18 of the Social Services and Wellbeing (Wales) Act 2014; or

- c) has a disability which affects their mobility, manual dexterity, physical co-ordination, or ability to lift, carry, or otherwise move everyday objects, such that they cannot reasonably be expected to remove the faeces; or
 - d) has some other disability, such that they cannot reasonably be expected to remove the faeces.
- 2) The dog exclusion provisions in Part 5 of this Order shall not apply to a dog trained by a registered charity to assist a person with a disability and upon which a disabled person relies for assistance.
 - 3) Nothing in this Order shall apply to the normal activities of a working dog, whilst the dog is working.

This includes dogs that are being used for work in connection with emergency search and rescue, law enforcement and the work of His Majesty's armed forces; farm dogs that are being used to herd or drive animals; dogs that are being lawfully used for the capture or destruction of vermin and dogs that are being lawfully used for the purposes of hunting.

- 4) Where the person in charge of a dog wishes to rely upon any of the exemptions set out in this Order, the burden will be on that person to prove that they satisfy the requirements of the exemptions being relied upon.

OFFENCES

It is an offence for any person without reasonable excuse to:

- (a) do anything that a person is prohibited from doing by this Order; or
- (b) fail to comply with a requirement to which a person is subject to under this Order.

Any person guilty of an offence under this Section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

A Constable or an Authorised Person may under S.68 of the Anti-Social Behaviour, Crime and Policing Act 2014, issue a fixed penalty notice to anyone they have reason to believe has committed an offence under S.67 of that Act in relation to this Order. Failure to pay the fixed penalty will result in prosecution.

APPEALS

Any challenge to this Order must be made in the high Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits any of the areas affected by this Order. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an Order is varied by the Council.

Interested persons can challenge the validity of this Order on two grounds: that the Council did not have power to make the Order, or to include particular prohibitions or requirements; or that a requirement of the legislation was not complied with in relation to the Order.

Dated this xxxxx day of xxxxx 2024.

The COMMON SEAL of MONMOUTHSHIRE COUNTY COUNCIL

was hereunto affixed in the presence of:

Authorised Officer

Sealing Number xxxxxxx

Annex 1

Public Spaces Protection Order – Dog Controls Reference List

Reference and Link to Map	Location	Exclusion (E) or Lead Only (LO)
Abergavenny		
ABVY-PSPO-001	Swan Meadows Play Area, Cross Street, Abergavenny	E
ABVY-PSPO-002	Waterside Play Area, Abergavenny	E
ABVY-PSPO-003	Bailey Park Play Area, Abergavenny	E
ABVY-PSPO-004	Union Road East Play Area, Abergavenny	E
ABVY-PSPO-005	Belgrave Park Play Area, Abergavenny	E
ABVY-PSPO-006	Maes Y Llarwydd Play Area, Abergavenny	E
ABVY-PSPO-007	Beaupreau Place Play Area, Abergavenny	E
ABVY-PSPO-008	Underhill Playing Field Play Area, Old Hereford Rd, Abergavenny	E
ABVY-PSPO-009	Rother Avenue Play Area, Abergavenny	E
ABVY-PSPO-010	Glan Gavenny Play Area, Abergavenny	E
ABVY-PSPO-011	Croesonen Gardens Play Area, Abergavenny	E
ABVY-PSPO-012	Skate Park, Old Hereford Rd, Abergavenny	LO
ABVY-PSPO-013	Bailey Park Sports Pitches, Abergavenny	E
ABVY-PSPO-014	Lower Meadow Sports Pitches, Abergavenny	E
ABVY-PSPO-015	Old Hereford Road Cemetery, Abergavenny	LO
ABVY-PSPO-016	Linda Vista Gardens, Tudor Street, Abergavenny	LO
ABVY-PSPO-017	Abergavenny Castle, Castle Street, Abergavenny	LO
ABVY-PSPO-018	King Henry VIII School and Leisure Centre, Old Hereford Rd, Abergavenny	E
ABVY-PSPO-019	Deri View Primary School, Llwynu Lane, Abergavenny	E
ABVY-PSPO-020	Cantref Primary School, Harold Rd Abergavenny	E
ABVY-PSPO-021	Our Lady and St Michael's School, Pen y Pound Road, Abergavenny	E
Caerwent		
CWT-PSPO-022	Kilpale Close Play Area, Caerwent	E
CWT-PSPO-023	Merton Green Play Area, Caerwent	E
CWT-PSPO-024	Lawrence Crescent Play Area, Caerwent	E
CWT-PSPO-025	Green Lane Farm Play Area, Ash Tree Road Caerwent	E
CWT-PSPO-026	Trewen Sports Pitch and Play Area, Caerwent	E
CWT-PSPO-027	Llanfair Discoed Playing Fields	E
CWT-PSPO-028	Caerwent Playing Fields and Play Area at Village Hall	LO
Caldicot		
CDT-PSPO-029	Caldicot Skate Park, Mill Lane	LO
CDT-PSPO-030	Spine Footpath Play Area off Margretts Way, Caldicot	E
CDT-PSPO-031	Clos Ystwyth Play Area Caldicot	E
CDT-PSPO-032	Birbeck Road Play Area, Caldicot	E
CDT-PSPO-033	Heol Teifi Play Area, Caldicot	E
CDT-PSPO-034	Rear of Neddern Court, Play Area, Caldicot	E

CDT-PSPO-035	Caldicot Castle Country Park, Play Area, Caldicot	E
CDT-PSPO-036	Clos Rheidol Play Area, Caldicot	E
CDT-PSPO-037	Longfellow Road Play Area, Caldicot	E
CDT-PSPO-038	Clos Alwen Play Area, Caldicot	E
CDT-PSPO-039	Heol Towy Play Area, Caldicot	E
CDT-PSPO-040	Heol Teifi Play Area, Caldicot	E
CDT-PSPO-041	Oakley Close Play Area, Caldicot	E
CDT-PSPO-042	Moorlands View Play Area, Caldicot	E
CDT-PSPO-043	Railway View Play Area, Caldicot	E
CDT-PSPO-044	George V Playing Fields Play Area, Caldicot	E
CDT-PSPO-045	George V Playing Fields, Caldicot	E
CDT-PSPO-046	Mill Lane pitches	E
CDT-PSPO-047	Caldicot Castle	LO
CDT-PSPO-048	Caldicot Castle, Football Club Sports Pitches, Caldicot	E
CDT-PSPO-049	Caldicot Castle Country Park Lake (1)	E
CDT-PSPO-050	Caldicot Castle Country Park Lake (2)	LO
CDT-PSPO-051	Castle Park Primary School, Caldicot	E
CDT-PSPO-052	Dewstow Primary School, Green Lane, Caldicot	E
CDT-PSPO-053	Durand Primary School, Caldicot	E
CDT-PSPO-054	Ysgol Gymraeg y Ffin, Caldicot	E
CDT-PSPO-055	Caldicot School and Leisure Centre	E
Chepstow		
CHW-PSPO-056	Bulwark Park Play Area, Bulwark Road, Chepstow	E
CHW-PSPO-057	Meadow Walk play area, Chepstow	E
CHW-PSPO-058	Piggy's Hill Skate Park, Bulwark Park, Bulwark, Chepstow	LO
CHW-PSPO-059	Penterry Park Play Area, Chepstow	E
CHW-PSPO-060	Hardwick Avenue Play Area Chepstow	E
CHW-PSPO-061	Castle Dell Park Play Area, Chepstow	E
CHW-PSPO-062	Western Avenue Play Area, Bulwark, Chepstow	E
CHW-PSPO-063	Rear of Larkfield Play Area, Chepstow	E
CHW-PSPO-064	St Kingsmark Avenue Play Area, Chepstow	E
CHW-PSPO-065	Summerhouse Lane Play Area, Chepstow	E
CHW-PSPO-066	Garvey Close Play Area, Chepstow	E
CHW-PSPO-067	Phoenix Drive Play Area, Chepstow	E
CHW-PSPO-068	Woolpitch Wood Play Area (1), Chepstow	E
CHW-PSPO-069	Wallwern Wood Play Area, Chepstow	E
CHW-PSPO-070	Castle Wood Play Area, Chepstow	E
CHW-PSPO-071	St Lawrence Park Play Area (1), Chepstow	E
CHW-PSPO-072	St Lawrence Park Play Area (2), Chepstow	E
CHW-PSPO-073	Alcove Wood Play Area, Chepstow	E
CHW-PSPO-074	Woolpitch Wood Play Area (2), Chepstow	E
CHW-PSPO-075	Bayfield Wood Close Play Area, Chepstow	E
CHW-PSPO-076	Strongbow Road Play Area, Chepstow	E
CHW-PSPO-077	Fishermans Walk Play Area, Bulwark, Chepstow	E

CHW-PSPO-078	Chepstow Cemetery, Bulwark (both old and new sections)	LO
CHW-PSPO-079	Chepstow Town AFC Sports Pitches, Larkfield Chepstow	E
CHW-PSPO-080	Chepstow Rugby Club Sports Pitches, Western Avenue, Chepstow	E
CHW-PSPO-081	Thornwell Football pitch, Chepstow	E
CHW-PSPO-082	Hardwick Recreation Ground, Chepstow	E
CHW-PSPO-083	Chepstow School and Leisure Centre	E
CHW-PSPO-084	Pembroke Primary School, Fairfield Rd, Bulwark, Chepstow	E
CHW-PSPO-085	Chepstow School and Leisure Centre Car Park	LO
CHW-PSPO-086	St Mary's Roman Catholic Primary, Bulwark Rd, Chepstow	E
CHW-PSPO-087	The Dell Primary School, Welsh St, Chepstow	E
CHW-PSPO-088	Thornwell Primary School, Thornwell Rd, Chepstow	E
Crucorney		
CRC-PSPO-089	Llanvihangel Crucorney Primary School, Wern Gifford, Pandy	E
CRC-PSPO-090	Wern Gifford Play Area, Pandy	E
Devauden		
DEV-PSPO-091	Wesley Way Play Area, Devauden, Chepstow	E
Gobion Fawr		
GOF-PSPO-092	St David's Crescent Play Area, Llanddewi Rhydderch	E
GOF-PSPO-093	The Bungalows Play Area, The Bryn, Abergavenny	E
GOF-PSPO-094	Llanvapley Sports Ground	LO
Goetre Fawr		
GYF-PSPO-095	Goytre Recreation Ground and Play Area	E
GYF-PSPO-096	Clos Telyn Play Area, Goytre	E
GYF-PSPO-097	Goytre Fawr Primary School, School Lane, Penperlleni	E
Llanbadoc		
LLB-PSPO-098	Llanbadoc Island Play Area, Llanbadoc	E
LLB-PSPO-099	Usk Island Play Area, Usk	E
LLB-PSPO-100	Pocket Park Play Area, Little Mill	E
LLB-PSPO-101	Glascoed Common Play Area, Glascoed, Usk	E
LLB-PSPO-102	Cae Melin Play Area, Little Mill	E
LLB-PSPO-103	Usk Island Sports Pitch, Usk	E
Llanelly		
LLY-PSPO-104	Clydach Recreation Ground Play Area	E
LLY-PSPO-105	Llanelly Hill Playing Fields Play Area	E
LLY-PSPO-106	Penllwyn Play Area, Llanelly Hill	E
LLY-PSPO-107	Llanelly Cemetery, Gilwern	LO
LLY-PSPO-108	Gilwern Recreation Ground Games Areas / Pump Track	E
LLY-PSPO-109	Gilwern Recreation Ground and Skate Park	LO
LLY-PSPO-110	Clydach AFC sports pitch	E
LLY-PSPO-111	Clydach recreation ground	LO
LLY-PSPO-112	Gilwern Primary school	E

Llanfoist Fawr		
LLF-PSPO-113	Thomas Hill Close Play Area, Llanfoist	E
LLF-PSPO-114	St Faith's Close Play Area, Llanfoist	E
LLF-PSPO-115	Maple Gardens Play Area, Govilon	E
LLF-PSPO-116	King George V Field, Govilon	E
LLF-PSPO-117	Centenary Field, Llanfoist	E
LLF-PSPO-118	Owain Glyndwr Field, Llanellen	E
LLF-PSPO-119	Llanfoist Cemetery, Abergavenny	LO
LLF-PSPO-120	Llanfoist Fawr Primary School, Llanfoist	E
Llangybi		
LLG-PSPO-121	St Cybi Avenue Play Area, Llangybi	E
Llantilio Pertholey		
LLP-PSPO-122	Ysgol Gymraeg Y Fenni, St David's Rd, Abergavenny	E
LLP-PSPO-123	Dan Y Deri Play Area, Abergavenny	E
LLP-PSPO-124	Charles Crescent Play Area, Abergavenny	E
LLP-PSPO-125	Llantilio Pertholey Primary school, Abergavenny	E
LLP-PSPO-126	Mardy Park Play Area, Abergavenny	E
LLP-PSPO-127	Mardy Park Playing Field, Abergavenny	E
Magor with Undy		
MAU-PSPO-128	Rockfield View Play Area, Undy	E
MAU-PSPO-129	Cowleaze Play Area, Magor	E
MAU-PSPO-130	Redwick Road Play Area, Magor	E
MAU-PSPO-131	Windsor Park Play Area, Magor	E
MAU-PSPO-132	Manor Chase Play Area, Undy	E
MAU-PSPO-133	Windsor Drive Play Area, Magor	E
MAU-PSPO-134	Kensington Park Play Area, Magor	E
MAU-PSPO-135	Undy Football Club Play Area, Undy	E
MAU-PSPO-136	Sycamore Terrace Play Area, Magor	E
MAU-PSPO-137	Millfield Park Play Area, Magor	E
MAU-PSPO-138	Yew Tree Close Play Area, Undy	E
MAU-PSPO-139	Sycamore Playing Field, Magor	LO
MAU-PSPO-140	Magor Church In Wales Primary School, Sycamore Terrace, Caldicot NP26 3EG	E
MAU-PSPO-141	Undy Primary School, 3 Pennyfarthing Lane, Undy NP26 3LZ	E
Mitchel Troy		
MTR-PSPO-142	Mitchel Troy Play Area	E
Monmouth		
MON-PSPO-143	Chippenham Mead Play Area Monmouth	E
MON-PSPO-144	Monnow Keep Play Area, Monmouth	E
MON-PSPO-145	Troy Gardens Play Area, Monmouth	E
MON-PSPO-146	Rockfield Estate Play Area, Monmouth	E
MON-PSPO-147	Tudor Road Play Area, Wyesham, Monmouth	E
MON-PSPO-148	Woodland View Play Area, Wyesham, Monmouth	E
MON-PSPO-149	Hendre Close Play Area, Monmouth	E

MON-PSPO-150	King's Fee Play Area, Monmouth	E
MON-PSPO-151	Oaklands Drive Play Area, Rockfield, Monmouth	E
MON-PSPO-152	Willow Drive Play Area, Rockfield, Monmouth	E
MON-PSPO-153	Maple Drive Play Area, Rockfield, Monmouth	E
MON-PSPO-154	Jordan Way Play Area, Rockfield, Monmouth	E
MON-PSPO-155	Carbonne Close Play Area, Monmouth	E
MON-PSPO-156	Goldwire Lane Play Area, Monmouth	E
MON-PSPO-157	Cornpoppy Avenue Play Area, Rockfield, Monmouth	E
MON-PSPO-158	Osbaston Road Play Area, Osbaston, Monmouth	E
MON-PSPO-159	Chippenham Mead Sports Pitches, Monmouth	E
MON-PSPO-160	Rockfield Estate Sports Pitch, Monmouth	E
MON-PSPO-161	Tudor Road Sports Pitch, Wyesham, Monmouth	E
MON-PSPO-162	Monmouth Cemetery, Osbaston, Monmouth	LO
MON-PSPO-163	Kymin View Primary School, Wyesham Road, Monmouth	E
MON-PSPO-164	Overmonnow Primary School, Rockfield Road, Monmouth	E
MON-PSPO-165	Osbaston Church in Wales School, Osbaston Road, Monmouth	E
MON-PSPO-166	Monmouth Comprehensive School and Leisure Centre, Monmouth	E
MON-PSPO-167	Harfleur Court Play Area, Rockfield, Monmouth	E
MON-PSPO-168	Shrewsbury Avenue Play Area, Rockfield, Monmouth	E
MON-PSPO-169	Kemble Road Play Area, Rockfield, Monmouth	E
Portskewett		
PSK-PSPO-170	Quest Field Play Area and Benches, Portskewett	LO
PSK-PSPO-171	Walker Flats Play Area, Sudbrook	E
PSK-PSPO-172	Archbishop Rowan Williams Church in Wales School, Crick Road, Portskewett	E
Raglan		
RAG-PSPO-173	Prince Charles Road Play Area, Raglan	E
RAG-PSPO-174	Raglan Church in Wales VC Primary School, Station Rd, Raglan	E
Rogiet		
ROG-PSPO-175	West Way Play Area, Rogiet	E
ROG-PSPO-176	Yew Tree Rise Play Area, Rogiet	E
ROG-PSPO-177	Barn Owl Road Play Area, Rogiet	E
ROG-PSPO-178	Buzzard Close Play Area, Rogiet	E
ROG-PSPO-179	Rogiet Recreation Ground, Sports Pitch	E
ROG-PSPO-180	West Way, Multi Use Games Area. Rogiet	E
ROG-PSPO-181	Rogiet Primary School	E
ROG-PSPO-182	Poplar Close Play Area, Rogiet	E
St Arvans		
STA-PSPO-183	King George's Field Playground, St Arvans	E
Shirenewton		
SHN-PSPO-184	Shirenewton Play Area, Earlswood Road, Shirenewton	E

SHN-PSPO-185	Shirenewton Primary School	E
SHN-PSPO-186	Shirenewton, Playgroup Nature Garden	E
Skenfrith		
SKN-PSPO-187	Cross Ash Primary School	E
Trellech United		
TRL-PSPO-188	Llanishen Play Area, by village hall, Llanishen	E
TRL-PSPO-189	Roman Park View Play Area, Trellech	E
TRL-PSPO-190	Trellech Primary School, Trellech	E
Usk		
USK-PSPO-191	Maryport Street Play Area, Usk	E
USK-PSPO-192	Trelawny Close Play Area, Usk	E
USK-PSPO-193	Silure View Play Area, Usk	E
USK-PSPO-194	Blestium Drive Play Area, Usk	E
USK-PSPO-195	Usk Church in Wales Primary School, Monmouth Road, Usk	E
Whitecastle		
WTC-PSPO-196	Llanvihangel Ystern Llewern Churchyard	LO
Wye Valley		
WYV-PSPO-197	Old Station Play Area, Tintern	E
WYV-PSPO-198	Holmfield Drive Play Area, Llandogo	E
WYV-PSPO-199	Sylvan View Play Area, Tintern	E
WYV-PSPO-200	Llandogo Primary school	E

END OF DOG CONTROLS REFERENCE LIST



Integrated Impact Assessment document

(incorporating Equalities, Future Generations, Welsh Language and Socio Economic Duty)

<p>Name of the Officer completing the evaluation: Huw Owen, Principal Environmental Health Officer</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 Cabinet to consider the proposed Public Spaces Protection Order, (PSPO), for dog controls in Monmouthshire and approve its adoption.</p> <p>For Cabinet to approve updating the Council’s constitution to give delegated authority to Officers for enforcement powers for breach of the PSPO, namely the Head of Public Protection, the Head of Neighbourhood Services and the Chief Officer People, Performance and Partnerships.</p>
<p>Name of Service area</p> <p>Public Protection</p>	<p>Date</p> <p>10th April 2024</p>

1. **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	Young children are most likely to be exposed to dog fouling through their outside play activities and potential health impacts if personal hygiene has not fully developed.	Concern regarding impact of restricting access to parks, playing fields etc may have on elderly dog owners, particularly those with mobility issues.	Public consultation feedback fully considered in drafting PSPO and in particular restricted access areas.
Disability	Wheelchair users particularly affected by dog fouling on streets, pathways etc.	Concerns for persons with disabilities being able to pick up dog faeces.	Appropriate exemptions in the draft PSPO

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?
Gender reassignment	None	None	N/A
Marriage or civil partnership	None	None	N/A
Pregnancy or maternity	None	Potential accessibility issues for parks, playing fields etc designated Dog Exclusion Areas.	Accessibility of alternative public spaces for dog exercise considered where Exclusion areas are proposed.
Race	None	None	N/A
Religion or Belief	None	None	N/A
Sex	None	None	N/A
Sexual Orientation	None	None	N/A

2. The Socio-economic Duty and Social Justice

The Socio-economic Duty requires public bodies to have due regard to the need to reduce inequalities of outcome which result from socio-economic disadvantage when taking key decisions. This duty aligns with our commitment as an authority to Social Justice.

	Describe any positive impacts your proposal has in respect of people suffering socio economic disadvantage	Describe any negative impacts your proposal has in respect of people suffering socio economic disadvantage.	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Socio-economic Duty and Social Justice	None	None	N/A

3. Policy making and the Welsh language.

How does your proposal impact on the following aspects of the Council's Welsh Language Standards:	Describe the positive impacts of this proposal	Describe the negative impacts of this proposal	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts
<p>Policy Making</p> <p>Effects on the use of the Welsh language,</p> <p>Promoting Welsh language</p> <p>Treating the Welsh language no less favourably</p>	<p>PSPO and signage will need to be bilingual – promotes Welsh language.</p>	<p>None</p>	<p>N/A</p>
<p>Operational</p> <p>Recruitment & Training of workforce</p>	<p>No new posts foreseen, but if created communicating in Welsh desirable, not essential.</p>	<p>None</p>	<p>N/A</p>
<p>Service delivery</p> <p>Use of Welsh language in service delivery</p> <p>Promoting use of the language</p>	<p>This is standard practice and will continue. Letters for example contain:</p> <p>Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu yn y ddwy iaith. Byddwn yn cyfathrebu â chi yn ôl eich dewis. Ni fydd gohebu yn Gymraeg yn arwain at oedi.</p>	<p>None</p>	<p>N/A</p>




	<p>The Council welcomes correspondence in English or Welsh or both, and will respond to you according to your preference. Corresponding in Welsh will not lead to delay.</p>		
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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. There's no need to put something in every box if it is not relevant!

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: Aim is to ensure the Council uses legislative tools available to be efficient and effective in carrying out its responsibilities to help provide a clean, healthy environment.</p>	<p>N/A</p>
<p>A resilient Wales Maintain and enhance biodiversity and land, river and coastal ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>Positive: To help secure a behavioural change so that dog fouling is socially unacceptable and reduce pressure on the county, town and community councils to deal with it. Resources then freed up to deal with other priorities.</p>	<p>N/A</p>
<p>A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>Positive: PSPO will contribute positively to the council's corporate key priorities. It will contribute to a cleaner environment and a reduction in the health and safety risks associated with direct exposure to dog fouling.</p>	<p>N/A</p>
<p>A Wales of cohesive communities</p>	<p>Positive: dog fouling is considered to be the environmental problem which has the greatest</p>	<p>N/A</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?
Communities are attractive, viable, safe and well connected	impact on the look and feel of a neighbourhood. PSPO will assist in changing behaviour.	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive: setting an example for developing communities which are attractive, viable and safe.	N/A
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: aim is to ensure sports and play areas in Monmouthshire are free from dog fouling	N/A
A more equal Wales People can fulfil their potential no matter what their background or circumstances	N/A	N/A

5. 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>Proposed PSPO is the best way to reduce fouling and other dog control issues in public areas for its duration – 3 years.</p>	<p>Close collaboration with Town and Community Councils to continue particularly through Give Dog Fouling the Red Card Working Group.</p>
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>Ongoing liaison with stakeholders responsible for public spaces in the county to ensure it is properly publicised to raise full awareness of the dog controls.</p>	<p>Ongoing consideration of impacts, particularly of restricted access areas. PSPO will need appropriate publicity to assist in its introduction.</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>PSPO consideration process has included the following engagement:</p> <ul style="list-style-type: none"> - Reports to Strong Communities Select Committee, 12th March 2020, 10th March 2022 - Reports to Place Scrutiny Committee, 19th April 2023, 25th May 2023 and 1st February 2024. - Public consultation 26th July to 26th October 2021 on plans to introduce a PSPO. - Public consultation 2nd October to 25th November 2023 on draft PSPO, 	<p>Phased approach to raising awareness of PSPO including communications in social media and signage setting out controls, dog control awareness days through Give Dog Fouling the Red Card. Residents / key stakeholders feedback will be important to consider throughout the process.</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>Intention is to use the legislative tools available with the aim of helping to achieve behavioural change in the small percentage of dog owners who are not acting responsibly.</p>	<p>Phased approach to enforcement of PSPO including communications in social media and signage setting out controls, dog control awareness days through Give Dog Fouling the Red Card.</p>
 <p>Integration</p> <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>The PSPO has been amended where considered appropriate following public consultation on the draft Order, feedback from members in Place Scrutiny 1st February 2024 and subsequently with key stakeholders.</p>	<p>Await Cabinet feedback and decision. Ongoing consideration of public feedback will be needed on implementation of PSPO.</p>

6. Council has agreed the need to consider the impact its decisions has on the following important responsibilities: Corporate Parenting and Safeguarding. Are your proposals going to affect any of these responsibilities?

	Describe any positive impacts your proposal has	Describe any negative impacts your proposal has	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	Having the legislative powers available helps protect the public health of all age groups.	.None	N/A
Corporate Parenting	None	None	N/A

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

PSPO
77
Complaints received by Environmental Health, Waste and Street Services and participants in Give Dog Fouling The Red Card Working Group; Public consultation 26th July to 26th October 2022 – 1334 responses; Public consultation on draft PSPO 2nd October to the 25th November 2023 - 516 completed questionnaires.

8. 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?

Relevant exemptions to offences required for disabled persons, where disability effects ability to pick up dog faeces; partially sighted; assistance dogs. See PSPO for detail of exemptions.

9. 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
Await and the consider Cabinet decision 10 th April 2024.	April 2024	Huw Owen. Environmental Health

10. VERSION CONTROL: The Equality and Future Generations Evaluation should be used at the earliest stage, such as informally within your service, and then further developed throughout the decision making process. It is important to keep a record of this process to demonstrate how you have considered and built in equality and future generations considerations wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
05	Cabinet 10 th April 2024	10 th April 2024	Exemptions detailed in proposed PSPO.

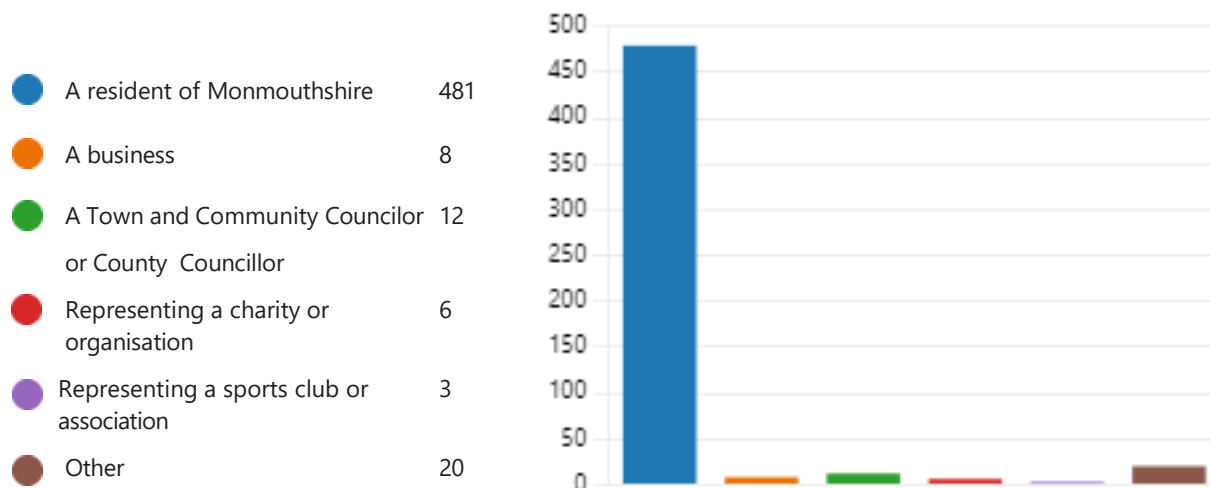
PSPO
05

APPENDIX 1

Public Spaces Protection Order Consultation

516 consultation responses

1. I am competing this consultation as:



2. If responding as a business, Town & Community Council Councillor, county Councillor, charity or organisation, sports club or association please provide your details here:

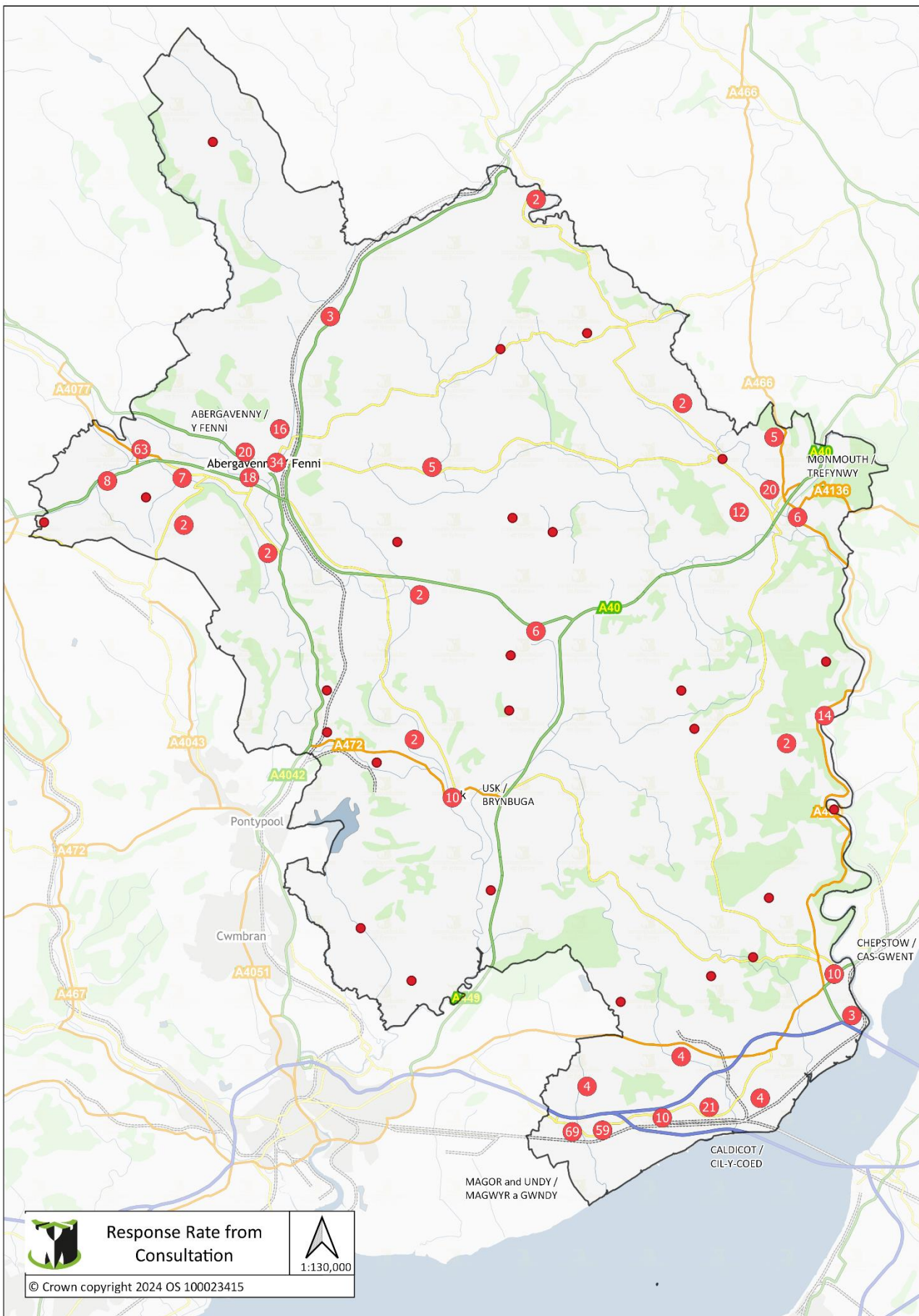
There were 32 responses, which included 12 Town and Community Councils.

3. Are you a dog owner?



4. What is your postcode?

There were 516 responses, with the map below illustrating distribution in the county.



PROVISION ONE: DOG FOULING

Proposal: Require person in charge of a dog to clean up if the dog defecates on any public land in the county.

Reason: The current dog controls in the county only cover certain public areas. Besides the un-pleasant smell and the mess created by dog fouling when it gets on shoes, clothing, bicycle or wheelchair wheels etc., the dangers to health from dog faeces are well documented. Toxocariasis is a disease found in the dog faeces which can be passed to humans through contact and is caused by the eggs of the toxocara roundworm. Children are particularly at risk and infection can lead to illness and even loss of sight.

5. Do you agree with the Provision One proposal? (Please tick one)

<input type="radio"/>	Yes	479
<input type="radio"/>	No	32
<input type="radio"/>	Don't know	5



6. Please give reasons for your answer in the box below.

There were 385 responses of which 357 comments in support, 18 comments against and 10 neutral comments.

Overwhelmingly the comments in support were based on the unpleasant nature of dog mess and it being the responsibility of the dog owner to pick up.

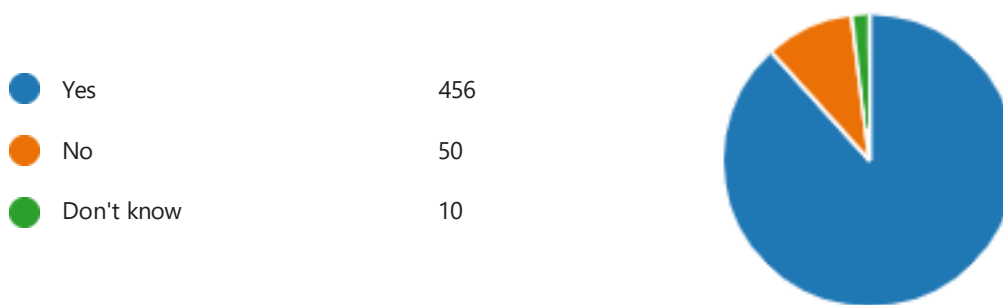
The comments against included reasons that its not necessary in the countryside, woodland etc.

PROVISION TWO: DOG POO BAGS

Proposal: Require person in charge of a dog to have an appropriate means (E.g., a dog poo bag) to pick up any faeces deposited by that dog and to show they have bag(s) if requested to do so by an authorised officer.

Reason: There is no such control currently in place. It is reasonable to expect a person in charge of a dog to have a dog bag or other means to pick up the dog faeces. Not having a dog bag is clearly indicative that any dog faeces will not be collected and will remain on the land and be a hazard to others.

7. Do you agree with the Provision Two proposal? (Please tick one)



8. Please give reasons for your answer in the box below.

There were 363 responses.

Common themes in support include responsible dog ownership and carrying bags is a basic thing to do if a dog owner intends to pick up.

The common theme of comments not in support included – concern that dog owner may have picked up using last bag prior to being asked by officer (18 comments); the provision is too draconian / over the top (18 comments) and concerns around practicality of enforcement (7 comments).

PROVISION THREE: DOG ON LEAD BY DIRECTION

Proposal: Require person in charge of a dog when in any public space to put the dog on a lead, of no more than two metres length, when directed to do so by an authorised officer, where the dog is considered to be out of control, or causing alarm or distress or to prevent a nuisance.

Reason: Dog owners need to have areas to exercise their dogs off a lead. This is particularly important for dog welfare. However, if not properly supervised and kept under control dogs can cause nuisance or injury to members of the public and to other animals. Having the power to require someone to place their dog on a lead when it is causing a nuisance provides a flexible, visible tool to tackle problems when they occur.

9. Do you agree with the Provision Three proposal? (Please tick one)

● Yes	440
● No	60
● Don't Know	16



10. Please give reasons for your answer in the box below.

There were 359 responses.

Common theme in support is that it is common sense to put your dog on a lead if its out of control; if walking a dog the owner should have a lead available to put in on; needed to keep children safe.

Concerns not in support included interpretation of the definition of nuisance, alarm, or distress by enforcement officers.

PROVISION FOUR: DOG EXCLUSION AREAS

Proposal: The introduction of a number of dog exclusion areas, identified through consultation as high public health risk areas and requiring further protection from dog fouling. These are typically children’s play areas, marked sports pitches and school / leisure centre grounds. These are shown in Annex 1 of the Draft Order

Reason: It is likely even where dog faeces are collected that some residue will remain on the grass, soil etc. There are some locations which are more sensitive because of their use and need additional measures to protect the enjoyment and to minimise any public health risk.

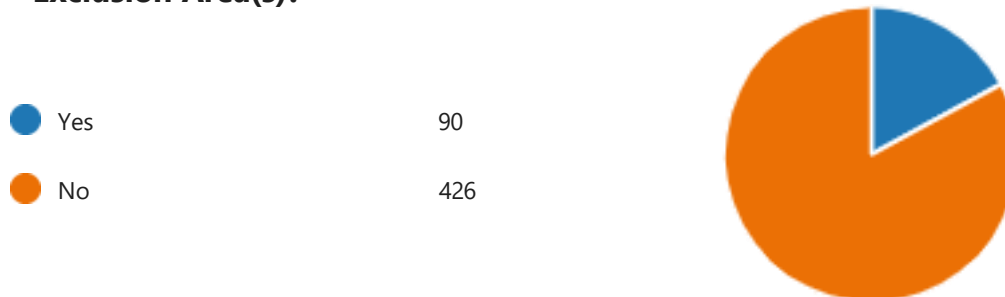
11. Do you agree with the Provision Four proposal? (Please tick one)



12. Please give reasons for your answer in the box below. If you are going to comment on a specific area it would be helpful if you could clarify the area using PSPO reference number or the site name as provided in Annex 1 of the Draft Order.

There were 389 responses, overwhelmingly in favour of the principle of exclusion areas to provide safe children’s play area, sports pitches etc. A number of comments though highlighted certain areas which respondents did not consider appropriate exclusion areas for their specific local reason. The main locations commented on: Magor Church in Wales School Sports Field (Map 137) with 30 comments against; Gilwern Playing Fields (Maps 108 + 109) with 11 comments against.

13. Do you wish to suggest any further area(s) for consideration as Dog Exclusion Area(s)?



14. If you answered yes to the previous question, please provide as much detail as possible in the box below, such as the site name, location and reason(s).

There were 114 responses which included reasons to include the following as Exclusion areas: Bailey Park Gardens, Abergavenny (2), Castle Meadows, Abergavenny (2).

PROVISION FIVE: DOG ON LEAD AREAS

Proposal: The introduction of a number of areas where a dog needs to be kept on a lead of no more than two metres in length.

Reason: The Council recognises the need for dogs to be exercised off the lead in open spaces but is mindful through public engagement that there are certain public spaces where this is not appropriate, and a dog needs to be kept under close control.

Cemeteries are sensitive areas - owners taking their dogs into these locations and allowing them to wander freely can lead to dogs defecating and urinating on graves, which is unacceptable and results in an unpleasant environment where peace and respect should be paramount.

Skate parks are designed for a specific recreational use and a dog off the lead has the potential to cause accidents.

Other areas shown in Annex 1 of the Draft Order have been considered on a case-by-case basis and in consultation with the landowner / leaseholder.

15. Do you agree with the Provision Five proposal? (Please tick one)

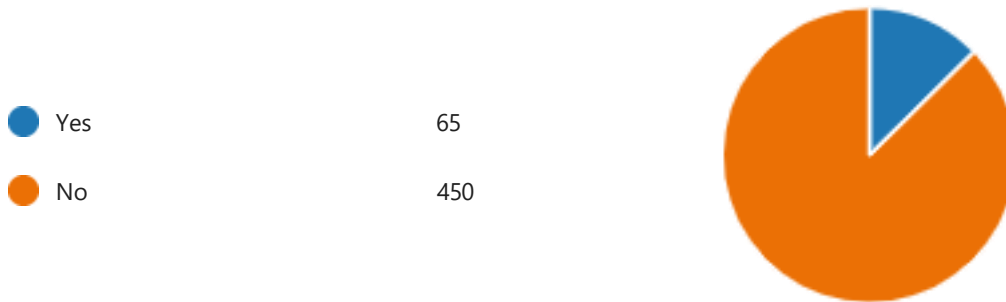
<input type="radio"/> Yes	374
<input type="radio"/> No	98
<input type="radio"/> Don't Know	44



16. Please give reasons for your answer in the box below. If you are going to comment on a specific area it would be helpful if you could clarify the area using PSPO reference number or the site name as provided in Annex 1 of the Draft Order.

There were 280 Responses, the majority of which supported the provision.

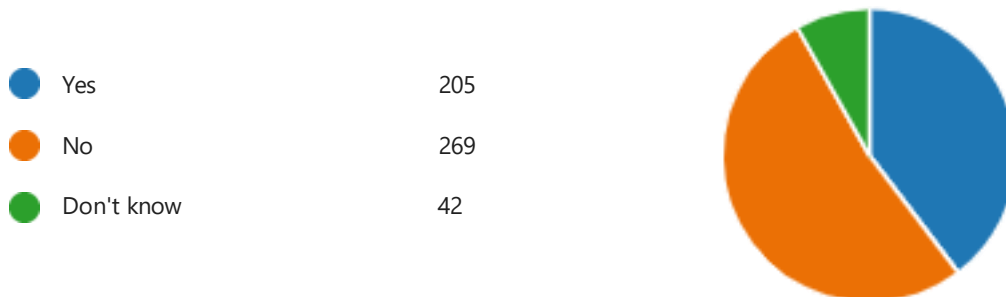
17. Do you wish to suggest any further area(s) for consideration as a Dog on Lead Area(s)?



18. If you do, please provide as much detail as possible in the box below, such as the site name, location and reason(s).

There were 71 responses of which 20+ proposed including pavements, footpaths, town centres, public spaces.

19. Do you feel that any of these proposals will affect you as an individual (for example in relation to: disability, age, pregnancy, maternity)?



20. Please provide details below

There were 207 responses, a significant portion of which took the opportunity to comment further on their general support / lack of support for the controls.

Approximately 25 comments raised concern that have disability/ health conditions and approximately 15 restricted mobility as elderly so restricting locations where they can take their dog locally will impact on them.

21. Please use the box below to make any additional comments you may have relating to the proposed Order including any suggested variations/amendments.

There were 185 responses, of which approximately: 30 generally supported the provisions; 25 did not support the provisions and 20 raised concerns regarding how the PSPO would be enforced.

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SUBJECT: PUBLIC SPACES PROTECTION ORDER FOR DOG CONTROLS

MEETING: Place Scrutiny Committee

DATE: 1st February 2024

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

- 1.1 To inform Members of the findings of a public consultation on the draft Public Spaces Protection Order, (PSPO), for dog controls in Monmouthshire under the provisions of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act).
- 1.2 To provide Committee with an opportunity to scrutinise the proposed PSPO, amended following public consultation.
- 1.3 To seek endorsement from Members to progress the PSPO to Cabinet or Individual Cabinet Member, (Cabinet Member for a Sustainable Economy & Deputy Leader), for decision.

2. RECOMMENDATIONS:

- 2.1 Members consider and comment on the findings of the public consultation (Appendices One and Two) on the draft PSPO for dog controls in Monmouthshire.
- 2.2 Members consider the proposed PSPO, amended following the public consultation (Appendix Three) and endorse its progress, subject to any recommendations made, for consideration by Cabinet or Individual Cabinet Member, (Cabinet Member for a Sustainable Economy), for decision.
- 2.3 Members consider the proposed allocation of costs for implementation of the PSPO signage (as detailed in 3.15) and agree to apportion to respective landowners.

3. KEY ISSUES:

- 3.1 The Anti-social Behaviour, Crime and Policing Act 2014 introduced new powers for use by Councils to address anti-social behaviour, including PSPOs. Under the provisions of the Act, local authorities must be satisfied on reasonable grounds that the activity subject to an Order:
 - has, or is likely to have, a detrimental effect on the quality of life of those in the locality.
 - is, or is likely to be, persistent or continuing in nature.

- is, or is likely to be, unreasonable.
 - justifies the restrictions being imposed.
- 3.2 The aim is to stop the unreasonable behaviour in public spaces by introducing restrictions on the use of an area. A public space is defined in the Act as *‘any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.’*
- 3.3 When assessing what is ‘unreasonable’ activity, there is a need to balance the rights of the community to enjoy public spaces, with the civil liberties of individuals and groups who may be affected by any restrictions imposed.
- 3.4 This is the fifth report to Scrutiny Committee on the potential introduction of a PSPO for dog controls in the county. The process commenced in March 2020 when Members endorsed a public consultation on the potential introduction of a PSPO. That initial consultation, undertaken between July and October 2021, resulted in over 1330 responses, broadly supporting the plans to introduce a PSPO. The subsequent reports to Scrutiny and further engagement with key stakeholders, including Town and Community Councils, helped guide the development of a draft PSPO.
- 3.5 The draft PSPO was open to public consultation from the 2nd October to the 25th November 2023.
- 3.6 **Public Consultation.** This was undertaken in accord with the requirements of the Act and included the following bilingual documents:-
- the draft PSPO.
 - a consultation questionnaire.
 - a summary of the proposals including a frequently asked questions page.
- 3.7 The consultation was provided on the Council’s website for completion online, with a paper copy available on request. Awareness to the survey was raised on the Council’s social media accounts and direct messaging to key stakeholders including to:
- Chief Superintendent and Chief Inspector for the East Gwent Local Policing Area
 - Police and Crime Commissioner for Gwent
 - Elected Members including County Councillors, MP and AM
 - Town and Community Councils
 - Dogs Trust, Kennel Club and RSPCA
 - Registered Social Landlords
 - Local business forums
 - Key large landowning organisations - CADW, National Trust, Woodland Trust, Natural Resources Wales, Bannau Brycheiniog, Canal and Rivers Trust.
 - Relevant MCC sections with responsibility for public spaces.
- 3.8 **Results of the Public Consultation.** There were 516 completed questionnaires, of which 515 were completed online and 1 paper copy return. The vast majority 481 (93%), were marked as completed by residents; 331 (62%) of the returns by dog owners. In addition,

there were a number of direct responses from the aforementioned key stakeholders. A detailed analysis of the results has been provided in Appendix One and direct responses from the Dogs Trust, Kennel Club and RSPCA in Appendix Two, but a summary of the headlines with regard to the proposed dog controls is as follows:-

- 3.9 **Provision One, Dog Fouling.** Proposal: Require person in charge of a dog to clean up if the dog defecates on any public land in the county.

This received strong support with 479 (93%) of completed questionnaires and also key stakeholders in favour.

- 3.10 **Provision Two, Dog Bags.** Proposal: Require person in charge of a dog to have an appropriate means (e.g., a dog poo bag) to pick up any faeces deposited by that dog and to show they have bag(s) if requested to do so by an authorised officer.

This received strong support with 456 (88%) of completed questionnaires in favour. The Dogs Trust though questioned whether this is practical to enforce; and the Kennel Club in particular raised concern of the potential for responsible dog owners to be penalised unfairly if they were perhaps approached at the end of a walk having collected their dog's faeces and disposed of it and in doing so used the last of their bags. These concerns are understood, but it is hoped that the provision in particular will enable 'intel' led enforcement for officers to approach dog walkers where concern has been raised that they routinely do not pick up and enable early engagement with them.

- 3.11 **Provision Three, Dog on Lead by Direction.** Proposal: Require person in charge of a dog when in any public space to put the dog on a lead, of no more than two metres length, when directed to do so by an authorised officer, where the dog is considered to be out of control or causing alarm or distress or to prevent a nuisance.

This received strong support with 440 (85%) of completed questionnaires and also key stakeholders in favour.

- 3.12 **Provision Four, Dog Exclusion Areas.** Proposal: The introduction of a number of dog exclusion areas, identified through consultation as high public health risk areas and requiring further protection from dog fouling.

Maps were provided in Annex 1 of the Draft Order, with a total 178 proposed exclusion areas, mainly children's play areas, marked sports pitches and school / leisure centre grounds.

This received majority support with 330 (64%) of completed questionnaires in favour. As expected though the proposal attracted a range of views broadly summarised in Appendix One. Two proposed exclusion areas, in particular, attracted significant comment which therefore merit bringing to the attention of Members:

- Gilwern sports pitch. A petition was received, signed by over 130 households, arguing against the proposed exclusion area on the football pitch on the basis of it not currently being used by a football team and the pitch being mainly used to exercise dogs.

- Magor Church In Wales School, Sports / Community Field. There were 30 completed questionnaires against this proposal with the main arguments posed that the field is used by the community outside school hours and one of the last central secure areas in Magor where dogs can be let off a lead.

With regard to key stakeholders the Dogs Trust, Kennel Club and RSPCA did not object to there being exclusion areas providing there was a specific and reasonable justification for a designation. In common with their comments on proposed 'Dogs on Leads' areas (Provision Five) they emphasised the need for the areas restricting dog access / use to be kept to a minimum and for dog owners to provide their dogs with appropriate daily exercise, including regular opportunities to walk and run. The RSPCA in particular encouraged a more flexible approach to allowing dogs on council owned marked sports pitches and that Provision One (pick up dog fouling) goes some way to mitigating the issues associated with concerns associated with pitches.

- 3.13 **Provision Five, Dog on Leads Areas. Proposal:** The introduction of a number of areas where a dog needs to be kept on a lead of no more than two metres in length.

Maps were provided in Annex 1 of the Draft Order, with a total 17 proposed areas. This received majority support with 374 (72%) of completed questionnaires in favour.

Again the range of comments submitted are summarised in Appendix One. There was one area in particular that received negative comment:

- Gilwern recreation ground. The aforementioned petition in 3.12 argued that the proposed leads only area, shown hatched on the map, is the only area for dogs to run freely off the lead; and there are no current issues with dogs being off the lead.

- 3.14 **Consultation Outcomes – Amendments to the draft PSPO.** The consultation feedback has been considered and the draft PSPO amended and provided in Appendix Three. The main points to highlight for Members are:

- Gilwern sports pitch and recreation ground. The resident's petition was brought to the attention of Llanelly Community Council who own the land concerned. The Council met, considered the points made and have requested, in recognition that there is no current football team using the pitch, that the designation of the pitch is changed from Exclusion to Leads Only. However, they consider the area of the recreation ground marked as Leads Only in the consultation should remain as such as the area is widely used by children and all dogs should therefore be under close control. These amendments are shown in Maps 110 and 111 in the proposed PSPO provided in Appendix Three. The Community Council recognise the need for local residents to exercise their dogs off lead and have indicated intent to liaise with this Council's Grounds team to explore the use of a nearby field to help in this regard.
- Magor Church In Wales School, Sports Field. This is owned by Monmouthshire County Council with responsibility primarily with the Children and Young People (CYP) Directorate. The concerns of local residents (3.12) have been considered by CYP management but the view is that given the primary use by school children the field should be a dog Exclusion area in order to ensure the safe delivery of the school

curriculum and also the range of after school activities plus those during school holidays. The area is shown in Map 139 in Appendix Three.

- Additional dog Exclusion maps have been added for the play areas which are part of the Persimmon Homes development at Rockfield, Monmouth (Maps 167, 168 and 169 respectively). This is in keeping with the theme of providing added protection to such areas.
- Additional dog Exclusion maps have been added for Mardy Park Play Area and Playing Field, Abergavenny (Maps 22 and 23) on the request of the landowner Llantilio Pertholey Community Council, again in keeping with the theme of providing added protection to such areas.
- Members are requested to note that Map 63 relating to the Castle Dell Park Play Area, Chepstow, may change before any formal adoption of the Order, subject to the outcome of Planning Application DM/2023/01562 for replacement and slight relocation of the play area.
- The changes to the proposed PSPO mean there are 183 Exclusion Areas (of which 120 children's play areas, 22 marked sports pitches / playing fields, 35 school / leisure centre grounds) and 17 Dogs on Leads areas (of which 5 Cemeteries, 3 Skateparks and 2 Castles).

3.15 Implications of the PSPO.

- **Policy:** The proposal will contribute positively to the council's corporate key priorities. It will contribute to a cleaner environment and a reduction in the health and safety risks associated with direct exposure to dog fouling. Focused and proportionate enforcement action will contribute to positive behaviour change, which will continue to be supported by the ongoing awareness raising work of the County and Town and Community Councils through schemes such as the Give Dog Fouling the Red Card working group.
- **Legal:** As set out in recommendation 2.2 it is proposed for the PSPO to go to Cabinet or Individual Cabinet Member for decision, date to be determined. Should the PSPO not be adopted the Council's existing dog fouling controls remain in place under Monmouthshire County Council (Fouling of Land by Dogs) (Monmouthshire) Designation Order (No 1) 1998. Note, this 1998 Order is to be revoked if the PSPO is adopted.
- **Financial:** Following approval, the local authority must publish the PSPO on its website and erect on or adjacent to the public place to which the Order relates sufficient signs to draw the attention of any member of the public using that place that the PSPO has been made and its effect. There are 200 proposed Exclusion and Leads Only areas and it is estimated that approximately 315 signs are needed for these areas. An additional 300 signs are needed to display where there are no restricted access controls but are required to bring to the attention of dog walkers the need to pick up. This total cost is anticipated to be circa £37000 plus vat. Of the 200 restricted access

areas: 28 sites are owned by Town and Community Councils, 5 by Monmouthshire Housing Association (MHA) and 8 are leased to Sports Clubs. It is proposed that the site owner / club lessee are requested to meet the cost of the signage for their individual areas. This leaves circa £30000 plus vat to be met by this council and discussion has started with Communities and Place and other involved Directorates as to how best to meet this budget need, but at present no budget has been identified for these costs in 2024/25.

- **Enforcement:** Breach of a PSPO is a criminal offence with a fine liable on prosecution in court of up to £1000. Authorised Officers can issue a Fixed Penalty Notice (FPN) to offer the recipient the opportunity to discharge liability for the offence. A report was presented to Cabinet on the 7 September 2016 to consider the Council's approach to discharging its responsibilities under the Anti-Social Behaviour, Crime and Policing Act 2014. Cabinet agreed to the recommendations of the report, which is provided as a background paper, namely:
 - Delegated authority to the Head of Public Health and Protection, the Head of Waste and Street Services and the Head of Policy and Engagement to authorise officers to issue a FPN.
 - To adopt the general approach to serving Fixed Penalty Notices under the provisions of the Act, as set out in the Authority's existing enforcement policy for dog fouling / littering.
 - Agree the Fixed Penalty Notice enforcement charges of £100 payable within 14 days, reduced to £75 if paid within 10 days.

These established principles enable a cross directorate approach to enforcement, although the delegated authority will need updating for consideration and approval of Cabinet / Individual Cabinet Member when the PSPO is presented for decision.

It should be noted that adding FPN responsibilities to officers for this purpose will be problematic as this is additional to their substantive roles e.g. Environmental Health Officers and Civic Enforcement Officers. The issue of dog control enforcement will form part of the litter review being led by Communities and Place Directorate in the coming months.

4. INTEGRATED IMPACT ASSESSMENT, (includes equality, future generations, social justice, safeguarding and corporate parenting):

4.1 The completed Integrated Impact Assessment is provided in Appendix Four.

4.2 The proposal has no implications in relation to any of the protected characteristics:

- Guide/Assistance Dogs are not prohibited from Dog Exclusion Areas.
- Officers will ensure that all PSPO signage is in accordance with the Equality Act 2010. Appropriate exemptions are included in the PSPO for persons who cannot be reasonably be expected to pick up after their dog.

5. OPTIONS APPRAISAL:

- 5.1 To continue using the Monmouthshire County Council (Fouling of Land by Dogs) (Monmouthshire) Designation Order (No 1) 1998 with regard to fouling or, as proposed, to introduce a PSPO to deal with dog control issues in the county.

6. EVALUATION CRITERIA:

- 6.1 A progress report to Place Scrutiny Committee one year after implementation of a PSPO.
- 6.2 A PSPO can be made for a maximum duration of up to three years, after which it may be extended if certain criteria under the Act are met. This includes that an extension is necessary to prevent activity recurring. Extensions can be repeated, with each lasting for a maximum of three years. A further consultation process is required if a PSPO time period is to be extended.

7. REASONS:

- 7.1 Despite the efforts of responsible dog owners and collaborative working through initiatives such as the Give Dog Fouling the Red Card group, dog fouling continues to be a problem. Requiring people to clean up after their dogs which foul on any public space in the county and restricting access to certain areas appears to be a justified, proportionate response to the ongoing issue.
- 7.2 To enable further scrutiny on the draft PSPO prior to going to Cabinet / Individual Cabinet Member (Cabinet Member for a Sustainable Economy), for decision. To ensure fair, transparent, efficient and effective discharge of powers available to the Council under the Act.

8. RESOURCE IMPLICATIONS:

- 8.1 A direct cost of signage of circa £37000 plus vat. Of this approximately £30000 will need to be provided from the Council's budget. The remaining £7000 approx. to be requested from the private site owners (Town / Community Councils, MHA and sports clubs leasing land).

9. CONSULTEES

Chief Officer Social Care, Safeguarding and Health
Chief Officer Communities and Place
Head of Public Protection
Estates Development Manager, Landlord Services
Head of Waste & Street Services
Chief Officer People and Governance
Chief Operating Officer for Mon Life
Chief Officer Children and Young People
Environment & Culture Manager

Youth Offending Team Service Manager

10. BACKGROUND PAPERS:

Report to Place Scrutiny Committee, 'Public Spaces Protection Order for Dog Controls'
25th May 2023.

Report to Cabinet, 'Anti-Social Behaviour, Crime and Policing Act 2014' 7th September
2016.

11 AUTHOR: Huw Owen, Principal Environmental Health Officer,

12 Contact Details: Tel 01873 735433; E-mail: huwowen@monmouthshire.gov.uk

Appendices

Appendix One: Public Spaces Protection Order Consultation

Appendix Two: Consultation Responses from Dogs Trust, Kennel Club and RSPCA

Appendix Three: Public Spaces Protection Order

Appendix Four: Integrated Impact Assessment.

MONMOUTHSHIRE COUNTY COUNCIL REPORT

SUBJECT: ANTI – SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

DIRECTORATE: CHIEF EXECUTIVES

MEETING: CABINET

Date to be considered: 7th September 2016

DIVISION/WARDS AFFECTED: All Wards

1. PURPOSE:

1.1 To inform Cabinet of required changes to legal powers and to consider the Council's approach to discharging its responsibilities under the Anti-Social Behaviour, Crime and Policing Act 2014

2. RECOMMENDATIONS:

2.1 To amend the Council's constitution to give delegated authority to Officers for enforcement powers introduced under the Act as set out in Appendix 1. The Officers are the Head of Public Protection, the Head of Waste and Street Services and the Head of Governance, Engagement and Improvement.

2.2 To adopt the general approach to serving Fixed Penalty Notices under the provisions of the Act, as set out in the Authority's existing enforcement policy for dog fouling / littering provided in Appendix 2.

2.3 Agree the Fixed Penalty Notice enforcement charges set out in Appendix 3.

3. KEY ISSUES

3.1 The Anti-Social Behaviour, Crime and Policing Act 2014 came into force on 20 October 2014.

3.2 The Act has repealed a number of powers and introduced a new range of powers to help tackle anti-social behaviour affecting communities. This report is concerned with three specific areas:

- **Community Protection Notices (CPN)**
- **Public Spaces Protection Orders (PSPOs)**
- **Closure Notices**

3.3 **Community Protection Notices** replace Litter Clearing Notices, Street Litter Control Notices and Graffiti Removal Notices. They are intended to be able to stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life. They may be used to tackle a wide range of problem behaviours such as graffiti, litter and noise. The behaviour has to:

- have a detrimental effect on the quality of life of those in the locality;
- be of a persistent or continuing nature; and
- be unreasonable.

3.4 Prior to serving a CPN an initial warning letter must be sent. A CPN must specify the matter to be resolved and the timescale to achieve it. Non-compliance with a notice is a

criminal offence punishable in a magistrates' court by a fine of up to £2500 for individuals, or £20,000 for businesses. Alternatively a Fixed Penalty Notice may be served where a CPN has been breached to give the recipient the opportunity to discharge their liability to conviction for the offence. Remedial work in default of the notice may also be undertaken the cost of which can be recharged.

3.5 The potentially wide ranging application of CPN's means that there are a number of different teams in the Council that may find it appropriate to make use of them, specifically Environmental Health, Waste and Street Services, and Policy and Partnerships. This is reflected in the proposed delegation of powers set out in Appendix 1, Table B.

3.6 **Public Spaces Protection Orders** replace Designated Public Place Orders (DPPO's), Gating Orders and Dog Control Orders, with a three year subsistence period from the commencement of the Act for existing orders in place. There are currently three DPPO's in the County:

- One covering the whole of Monmouth town, including Chippenham Mead and St Thomas' Square, concerned with the consumption of alcohol where related to anti-social behaviour.
- Two in Abergavenny covering Bailey Park and parts of the town centre, again controlling consumption of alcohol related to anti- social behaviour.

These will automatically 'convert' to PSPOs on 20th October 2017 although the legislation does allow for these to be reviewed ahead of that transition to simplify the enforcement landscape.

3.7 PSPO's are designed to stop individuals or groups committing anti-social behaviour in a public space and can be potentially used to deal with a wider range of anti – social behaviour issues than current Orders. The behaviour being restricted has to:

- be having, or be likely to have, a detrimental effect on the quality of life of those in the locality;
- be persistent or continuing nature; and
- be unreasonable.

3.8 Before making a PSPO, the Council must consult with the local Police, the Police and Crime Commissioner and appropriate community representatives.

3.9 Breach of a PSPO is criminal offence punishable in a magistrates' court by a fine of up to £1000. Alternatively a fixed penalty notice may be served to give the recipient the opportunity to discharge their liability to conviction for the offence.

3.10 As for CPNs the potentially wide application of PSPOs may make their use appropriate to a number of sections in the Council including Environmental Health, Waste and Street Services and Policy and Partnerships.

3.11 **Closure Notices** may be issued ordering the closure of premises, the use of which has, or is likely to, result in disorder or nuisance to members of the public. They are intended to provide a fast, flexible power and can be issued for 24 or 48 hours in the first instance or otherwise extended from 24 hours to 48 hours. A notice may cover any land or premises including residential or business related and be issued by a designated Local Authority officer or the Police.

3.12 Breach of a Closure Notice is punishable by up to three months in prison or an unlimited fine.

3.13 The report proposes that the day to day enforcement powers in relation to Community Protection Notices and Public Spaces Protection Orders be delegated to appropriate Officers as set out in Appendix 1 Table B. These include the issue of Fixed Penalty Notices.

3.14 Any proposals for the making, extending, varying and discharging Public Space Protection Orders are to be submitted to Cabinet or Cabinet Member as appropriate for consideration and decision.

3.15 With regard to the issue of a Closure Notice the proposed designations for Officers, as provided in Appendix 1, Table B are:

- Up to 24 hours Head of Public Protection.
- Up to 48 hours Chief Executive Officer or Officers duly designated by the Chief Executive Officer

3.16 **Fixed Penalty Notices (FPNs)** are encouraged by Welsh Government as part of an effective and efficient enforcement approach for dealing with anti- social behaviour and environmental offences. In discharging any enforcement powers it is good regulatory practice for an authority to set out its approach in an 'enforcement policy'. The Authority has a Corporate Enforcement Policy which applies good regulatory principles in line with the Enforcement Concordat and has a specific policy for dog fouling/littering which includes for the service of FPN's.

3.17 The proposed approach for issuing FPN's for a breach of a CPN/ PSPO is to adopt the key principles of the existing fouling/littering policy which is provided in Appendix 2 and specifically:

- A distinction in the approach dependent upon the age of the offender.
 - For persons aged 18 or over a FPN to be issued to give the opportunity to discharge liability to conviction;
 - For persons under 18 the FPN to be commuted to a warning in the first instance. FPNs issued for second offences following a warning, with the intervention of the Council's Youth Offending Service to be invited prior to consideration of any case for prosecution.
- The FPN amount payable within 14 days to reduce if paid within 10 days to encourage early payment.
- Prosecution proceedings to be taken in cases of non-payment by an offender aged 18 or over.

3.18 The proposed FPN levels for a breach of a CPN/ PSPO is £100 to be paid within 14 days reducing to £75 if paid within 10 days, as set out in Appendix 3. This is an increase on the fouling / littering penalty levels (£75 reducing to £50 if paid within 10 days) but in accord with the other Local Authorities in Gwent for offences under the Act.

4 REASONS

4.1 To ensure fair, transparent, efficient and effective discharge of the Council's obligations under the Act.

5. RESOURCE IMPLICATIONS:

5.1 None directly arising from the authorisation of Officers under this Act since additional workload will be absorbed within existing staff resources. Any revenue obtained from the payment of FPN's will be very limited which are to be punitive and not of significance in terms of income generation.

6. Future Generations Evaluation

6.1 The Future Generations Evaluation, including equalities and sustainable impact assessments, is provided in Appendix 4. 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 Operations
Youth Offending Team Manager (J Richards)
Head of Waste and Street Services
Head of Public Protection
Head of Governance, Engagement and Improvement.

8. BACKGROUND PAPERS:

None.

9. AUTHOR:

Huw Owen Principal Environmental Health Officer

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SUBJECT:	SCHOOL ADMISSIONS POLICY 2025/26 INCLUDING REVIEW OF SCHOOL CATCHMENT AREAS
MEETING:	CABINET
DATE:	10th April 2024

1. PURPOSE:

This report seeks to provide Members with an update on the recently concluded public consultation to review the catchment area for Usk Church in Wales Primary School as part of the September 2025/26 School admission arrangements.

This report also seeks to provide members with a copy of the consultation report analysing the responses received from consultees regarding the proposed changes.

2. RECOMMENDATIONS:

- 2.1 That Members review and agree the full content of this report, the attached consultation report (appendix 1) and the proposed School Admissions Policy 2025/26 (appendix 2).
- 2.2 On reviewing section 2.1, that Members agree to implement the following changes to determine the primary catchment school for the affected areas as part of the Council's school admission arrangements for the academic year 2025/26:
 - To extend the catchment area for Usk Church in Wales Primary School to incorporate the villages of Tredunnock, Llanhennock and Llandegveth. A map detailing the affected area is presented in the consultation report (appendix 1)
- 2.3 For Members to acknowledge that, in line with the admission arrangements for Charles Williams Church in Wales Primary School, the affected area will also remain within catchment for Charles Williams CIW

Primary until such time that the governing body consult to amend their catchment area. Monmouthshire County Council's admission arrangements will determine the catchment school for the affected area to be Usk CIW Primary School.

3. KEY ISSUES:

3.1 The Council is the admission authority for all secondary schools and almost all primary schools within the county. It is therefore responsible for the admission arrangements that underpin the decision made for allocating school places.

3.2 Within the county, there are 4 Voluntary Aided Schools where the governing body form the admission authority for their school. These schools are:

- Archbishop Rowan Williams Church in Wales Primary School
- Magor Church in Wales Primary School
- Our Lady and St Michaels Roman Catholic Primary School
- St Marys Roman Catholic Primary School

All other schools within the county fall under the admission arrangements published by the Council.

3.3 The School Admissions Code Wales (July 2013) requires admission authorities to consult on its admission arrangements on an annual basis. In circumstances where significant changes are proposed, a more wider consultation is required with those affected by proposals. School catchment areas form part of the Council's admission arrangements, and any proposed changes should be undertaken within this framework.

3.4 School catchment areas were last reviewed in 2019, where the Council consulted on changes to secondary school catchment areas. The review undertaken focussed on two key factors:

- To ensure that Monmouthshire residents had a designated secondary catchment school within the County.
- To improve the alignment of primary and secondary catchment areas in support of transitional arrangements

3.5 The findings of this consultation were presented to Cabinet in March 2019 where a decision was made to implement the changes as proposed. The

catchment area for Goytre Fawr Primary school was aligned to King Henry VIII Comprehensive School, and the catchment area for Llandogo, Trellech and Usk Primary Schools were aligned to Monmouth Comprehensive School. The decision has resulted in all secondary age children now falling within the catchment area for a school that's within the county.

- 3.6 The next stage of the review of school catchment areas focuses on our primary school provision, where the majority of primary school catchment areas have been in place in their current form since local government reorganisation in 1996. In some cases, it could be questioned whether there is a rationale behind how some catchment areas are formed e.g. they may not be aligned to the nearest school, or in some cases may divide communities.
- 3.7 On 13th December 2023, the Council's Cabinet agreed to undertake a rolling programme of reviewing primary school catchment areas across the county. The Cabinet also agreed to commence this review by entering into consultation process on the following proposal:
- To amend the primary school catchment area for Usk Church in Wales Primary School to include the areas of Tredunnock, Llanhennock and Llandegveth as part of the 2025/26 admission arrangements. The affected area does not currently fall within the catchment for any primary school within Monmouthshire.
- 3.8 The Council engaged in an extensive consultation with all affected parties including the affected schools, governing bodies, parents and other interested parties to seek views on the above proposal.
- 3.9 The consultation commenced on 8th January 2024 and lasted for a period of 6 weeks, concluding on 19th January 2024. A consultation document was produced providing full details of the proposals and was made available to all relevant consultees.
- 3.10 During the consultation period, the Council provided consultees with the opportunity to share their views on proposals by completing an online survey published on the Council's website. Officers also arranged two public consultation sessions to allow consultees to ask any questions and raise any concerns on the proposals. Unfortunately, there were no consultees in attendance at these sessions.

- 3.11 On conclusion of the formal consultation, officers have produced a consultation report which sets out the consultation methodology together with the responses received to the proposals. This report is available under appendix 1 of this report for Members perusal.
- 3.12 Members are asked to review the content of the consultation report, acknowledging the key themes of support and concern towards the proposals. The consensus drawn from the consultation responses is that there is sufficient support to justify the implementation of proposals in readiness for September 2025/26 admission arrangements. Whilst there were a small number of concerns raised during the consultation, it is felt that the responses provided to the concerns can be mitigated and enable proposals to proceed.

4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING)

An integrated impact assessment associated with the proposals has been completed and can be found under appendix 3. This assessment will be reviewed and updated to incorporate the feedback received during the consultation period.

5. OPTIONS APPRAISAL

The options considered are to implement the proposed changes as presented, or maintain the status quo. Proposals have been formed in order to provide Monmouthshire families with the opportunity to access a school within the county. The results of the consultation suggest that the Council would be acting reasonably should proposals be implemented.

6. REASONS:

The School Admissions Code Wales (July 2013) requires admission authorities to consult on an annual basis on its admission arrangements. Where significant changes are proposed, a detailed consultation with affected parties is required. Changes to school catchment areas forms part of the admission arrangements and therefore any changes requires consultation under this framework.

The consultation process was undertaken to allow the Council to receive a public view on the previously raised concerns received over recent years relating to the primary school catchment arrangements within the affected area. The response received has enabled the council to consider an amendment to existing policy based on an informed consultation.

The recommendations put forward would achieve alignment between Primary and Secondary School catchment areas and provide the Monmouthshire families residing in the affected areas with Primary School catchment within the county.

7. RESOURCE IMPLICATIONS:

Tredunnoch, Llanhennock and Llandegveth

Charles Williams CIW Primary School is currently the designated catchment school for the affected area. Should the children known to be residing within the affected area chose to attend their catchment school and require home to school transport assistance, the home to school transport costs would be in the region of £41,580 per annum. However, there are no children currently receiving transport from the affected area to Charles Williams CIW Primary School so the costs of current provision is zero.

Usk CIW Primary School is the proposed new catchment school for the affected area. Should the children known to be residing within the affected area chose to attend their proposed new catchment school, they would receive an entitlement to free home to school transport, with the costs estimated to be in the region of £41,580 per annum.

In light of the above, the immediate financial impact associated with this proposal is thought to be in the region of £41,580 per annum.

Important: It is important to note that the above costs are estimates provided on the basis of current home to school transport costs, which are likely to increase by the implementation date of September 2025. Its also important to note that the Council may still have a duty to provide transport to the schools currently designated as catchment in circumstances where its deemed nearest and there is a parental preference. This will increase the costs over those quoted above.

8. CONSULTEES:

CYP DMT
SLT
Cabinet Member for Education

“The committee acknowledged the background, rationale and consultation process for the proposed change of catchment area for Tredunnock, Llanhennock and Llandegvedd from Charles Williams Primary School in Newport to Usk Church in Wales School in Monmouthshire. The committee had heard that most responses were supportive of the change, although some had raised concerns about distance and travel options. Members recognised that the primary school catchment areas review will be a rolling programme, looking at each area of the county and assessing their suitability and need for change. The committee asked to be involved in the process through workshops and highlighted the need for the ward member to be engaged throughout. Members supported the proposals outlined in the report”

9. BACKGROUND PAPERS:

Welsh Government School Admission Code 2013

10. AUTHOR:

Matt Jones, Access Unit Manager

11. CONTACT DETAILS:

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monmouthshire
sir fynwy

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CONSULTATION REPORT

Review of Primary School catchment areas in
Monmouthshire (Phase 1)

Consultation period:

8th January 2024 to 19th February 2024

1. Introduction

On 13th December 2023, the Council's Cabinet agreed to commence an ongoing review of primary school catchment areas across the county. This decision follows on from the review of secondary school catchment areas undertaken in 2019.

The first stage of this review was launched on 8th January 2024, where the Council entered into a public consultation on some proposed changes to primary school catchment areas. The consultation on the proposed changes was open for a period of 6 weeks, concluding on 19th February 2024.

The areas affected by this review were confirmed as:

- Review area 1 – Tredunnoch, Llanhennock and Llandegveth

This consultation report now seeks to inform consultees and other interested parties of the outcome of the consultation by means of firstly summarising each of the responses received by consultees, and secondly responding to these by means of clarification, amendment to the proposal, or rejection to the concerns with supporting reasons.

2. Distribution of the Consultation report

This consultation report has been published on the Monmouthshire Council Council website www.monmouthshire.gov.uk. The following consultees and interested parties will be contacted and advised of the availability of this report

The governing body of the relevant schools

- Governing bodies of schools affected by proposals:
 - Usk Church in Wales Primary School
 - Charles Williams Church in Wales Primary School

Neighbouring Local Authorities affected by the proposals

- Newport City Council

Parents of Children Likely to be affected

Parents of children residing within the affected areas

Other key parties

- Members of the School Admission Forum
- County Councillors
- Ward Members for the affected areas
- All Monmouthshire Primary School
- Church in Wales Diocese
- Roman Catholic Diocese

3. Background into the review of catchment areas

The majority of primary school catchment areas within Monmouthshire have been in place in their current form since the reorganisation of local government in 1996, and it is thought that they have been in place for many years prior to this. In some cases, it is thought that the catchment areas do not seem to follow a specific rationale. For example, they are not in all cases either based on nearest school or alternatively through connecting communities. Some primary school catchment areas are also show trends of regular overpopulation based on the birth data from Health.

A review of secondary school catchment areas was undertaken in 2018, with a particular focus on the provision within the North / Central parts of the County. There were two key principles that underpinned this review:

- 1) To ensure that secondary school catchment areas are both supportive and reflective of transitional arrangements between primary and secondary schools.
- 2) To ensure that Monmouthshire residents have access to a secondary school that falls within the County boundaries.

As a result of the above consultation, the catchment boundaries for Monmouth and King Henry VIII Comprehensive Schools were extended to absorb the areas of Usk, Goytre and surrounding areas that previously fell within the catchment of Caerleon Comprehensive School, Newport. The catchment area for Monmouth

Comprehensive School was also aligned to that of Trellech and Llandogo Primary Schools to support transitional arrangements.

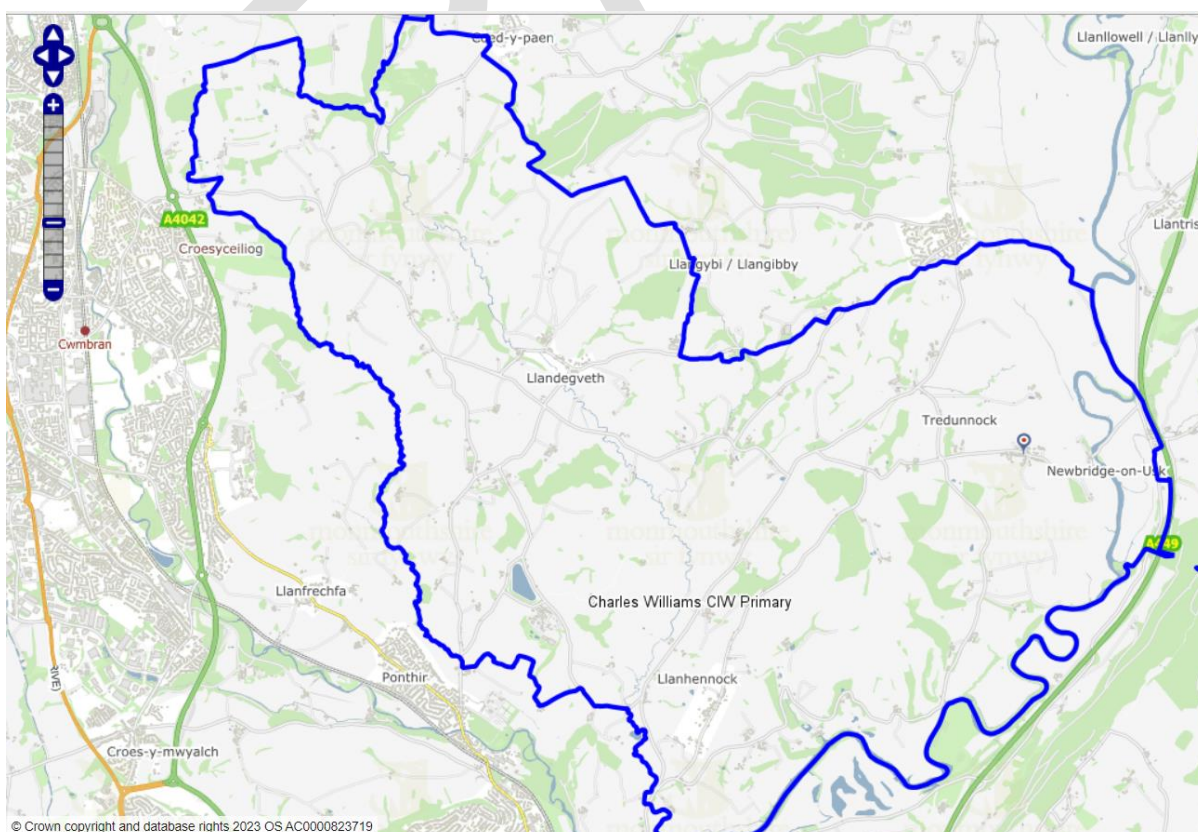
We are now seeking to build on the work undertaken so far by commencing a review of primary school catchment areas. On 26th July 2023, a scrutiny workshop was held with Elected Members, forming an opportunity to highlight any areas of concern for review. Alongside this, the Council is in the process of implementing a new revised local development plan (RLDP), which proposes housing developments in most corners of the County. It's clear that primary school catchment areas will need to be reviewed in each cluster as the RLDP unfolds between 2025 and 2033, as we build our education provision to meet the demands of this plan.

This consultation kick starts this programme with further consultations to follow in response to our duty to ensure we have a sufficient number of school places in the right areas of the County.

4. Reminder of the Proposals

The Council has consulted on proposals to amend their school admission arrangements to accommodate the villages of Tredunnock, Llanhennock and Llandegveth into the catchment area for Usk Church in Wales Primary School.

The affected area currently forms part of the catchment area for Charles Williams Church In Wales Primary School, Newport, and does not have a designated primary catchment that falls within Monmouthshire. A map detailing the affected area can be shown below:



Through this consultation, the Council sought the views of consultees and interested parties on whether the primary school catchment boundary should be amended for the specified areas (area identified above), to form part of the catchment area for Usk CIW Primary school.

The data that is available to us suggests that there are 28 children currently of primary school age living within the affected area that would be impacted by proposals should they proceed. The table below provides a summary of the school preferences for those residing within the affected area.

School	Number attending	%
Charles Williams Primary	13	46.4
Usk CIW Primary School	9	32.1
Private School	2	7.1
Other	4	14.2
Total	28	

The below table provides information received from Aneurin Bevan University Health Board (ABUHB) and identifies the children living within the affected area who will become of primary school age seeking places in Reception between September 2024 and September 2027.

Academic Year	Usk CIW Primary (current catchment)	Affected area (currently Charles Williams catchment)
September 2024	35	2
September 2025	27	4
September 2026	25	2
September 2027	30	1

The current capacity of Usk Church in Wales Primary School allows for 40 children into each year group.

5. Why did we consult on this proposal?

No designated catchment school within Monmouthshire.

One of the identified aims of our catchment review has been to consider the areas of Monmouthshire that do not currently have a designated catchment School that falls within County. The primary catchment school is presently one that falls within the city of Newport. The proposed changes to the affected areas would allow children resident in Monmouthshire to access a primary school that is within the county in which they live.

Transitional arrangements between Primary and Secondary School.

Charles Williams Primary School is the designated primary school for the affected area, with Monmouth Comprehensive School being the designated secondary school catchment. The current arrangements do not align with our transition arrangements between primary and secondary school, as the current primary catchment school is not a feeder school for the designated secondary catchment school. The proposed changes would see an alignment between the primary and secondary school catchments for the affected areas, enabling the cohorts of children to remain together when entering into that daunting transition between Primary to Secondary School.

Access to School places

The parents of children and young people currently residing within the affected area have the opportunity to express a preference for a school at which they wish for their child to attend. This preference does not need to be for the designated catchment school, however, children residing within the catchment area for a preferred school receive a priority in the event of oversubscription.

Those residing within the affected area are not afforded with the above priority for a Monmouthshire School as they do not have a designated primary catchment school within the county in which they live. The proposals would address this matter.

Provision of Home to School Transport

A further consideration of the proposed change is the current provision for home to school transport that currently serves the affected area. The council's current policy provides free home to school transport to the nearest or catchment school if residing 1.5 miles (primary) or 2 miles (secondary) or more from the home address.

The affected area does not currently qualify for free home to school transport to a Monmouthshire School.

6. Consultation arrangements

Background

The School Admissions Code Wales (July 2013) confirms that Local Authorities must consult on the admission arrangements for those schools for which it is the admissions authority. Where changes to existing arrangements are proposed, including school catchment areas, consultation must be undertaken with those likely to be affected by the proposals.

The Council has been required to undertake this consultation by 1st March 2024 and determine the outcome of the proposals by 15th April 2024 should it wish to implement the proposals for September 2025 onwards.

Methodology

On 13th December 2023, the Council's Cabinet approved proposals to engage with key stakeholders on proposed changes to the School admissions Policy, namely a review of primary school catchment areas.

On 8th January 2024, the council engaged in the first stage of its review of primary school catchment areas, which focussed on the areas of Tredunnoch, Llandegveth and Llanhennock. The formal consultation period lasted for 6 weeks, concluding on 19th February 2024.

The consultation document and key information was either circulated to or made available to the consultees listed under appendix 1 of this report. The consultation information was also published on the Council's website via [Consultation on School Admission Arrangements 2025/26 - Monmouthshire](#)

The Council raised awareness of the consultation through directly targeting those affected by proposals. Usk Church in Wales Primary School and Charles Williams Church in Wales Primary school also arranged for the circulation of correspondence to all of their parents.

Consultees were advised of the following opportunities to respond to the consultation proposals:

- 1) Attending one of the dedicated public consultation sessions.
- 2) Completing the consultation questionnaire, which was made available on our website at [Consultation on School Admission Arrangements 2025/26 - Monmouthshire](#)

Consultees were also advised that they could contact us via 01633 644508 or by emailing accesstolearning@monmouthshire.gov.uk if they had any questions on the proposals.

Public Consultation Meetings

During the consultation process, the Council facilitated public consultation sessions with the communities likely to be affected by these proposals. The purpose of these sessions were to engage with the community who may wish to hear more about the proposals, ask any questions or share their views.

The public consultation sessions took place on the following dates:

Review Area	Date	Venue
Tredunnoch, Llanhennoch and Llandegveth	6 th February 2024. Open drop in session between 4pm – 6pm	County Hall, Usk
	7 th February 2023. Open drop in session between 1pm – 4pm	County Hall, Usk

All of the consultation meetings were attended by officers of the councils' directorate for children and young people, and provided interested parties with an opportunity to learn more about the proposals and ask any questions / raise any concerns.

Copies of the full consultation document and feedback proformas were made available at each of the consultation sessions.

Unfortunately, there were no consultees in attendance at either of the above sessions.

7. Formal responses to this consultation

The Council have received a number of formal responses to this proposal, submitted either via the online survey. The table below offers a broad profile of the consultees responding to the consultation, together with a view on whether they are in support of or against the proposals.

Respondent category	Total number of responses	Total number in support of proposals	Total number not in support of proposals
Parent / Carer	10	7	3
School Governor	5	5	0
Councillor	1	1	0
Other	1	0	1
Total	17	13	4

Officers have studied the formal responses received in relation to this proposal and has extracted the key themes for consideration in determining how the proposal moves forward. A copy of the full responses can be found under appendix 1.

The themes coming through from those in favour of the proposals are:

Theme	Comment
1. Connecting Communities	A view that the affected area has a greater association with Usk than it does with Newport, with an increasing number of children wishing to attend Usk CIW Primary School
2. Access to Monmouthshire Schools	A view that children residing within Monmouthshire should be able to access a school within Monmouthshire
3. Benefit to Usk CIW Primary	A view that the numbers on roll at Usk CIW primary school are reducing and are likely to continue to reduce over coming years, so extending the catchment for the school will have a positive impact
4. Increase in choice	A view that residents of the affected area will have an increase in the options available to them, with both Charles Williams CIW Primary and Usk CIW Primary being options should proposals be implemented
5. Home to school transport	A view that the proposals would provide equity, with Monmouthshire children able to receive free home to school transport to a Monmouthshire Primary School, as this isn't currently the case under existing arrangements
6. Ministerial Links	A view that the affected areas are at the heart of the ministerial area of the church in Wales, which has many other churches which feed into Usk CIW Primary School. The proposals would provide a Church commonality for children, parents and grandparents.

The themes coming through from the consultation from those who were not in favour of proposals were:

Theme	Concern summary	LA Response
1. Capacity of Usk CIW	A concern Usk CIW primary school is currently overflowing and it can already be difficult to obtain a place without adding to the catchment	<p>The capacity of Usk CIW Primary School is currently 280, with an intake number of 40 per year group. There are currently 256 children on roll, with only 2 of the 7 classes that have met its admission number of 30. There are presently no children of the waiting list for Usk CIW Primary School.</p> <p>Within the consultation document, the Council published projected numbers for Usk CIW Primary School that gives some confidence that children residing within the affected area (who are eligible to start Reception over the coming years) can be accommodated.</p>
2. Secondary travelling distances	A concern that travelling distances to secondary schools in particular is significant for the affected area which creates environmental issues	<p>This consultation is relevant to the primary provision within the county. The affected area already has a designated secondary catchment school for a school within the county. However, there is currently no primary school catchment for a Monmouthshire school.</p> <p>The Secondary School catchments were reviewed in 2019 and following an extensive consultation, affected areas were</p>

		assigned either Monmouth or King Henry VIII Schools as their new catchment. This decision did not and still does not remove the opportunities for parents to apply for a school that is closer to their home address.
3. Increased travelling times and distances	A concern that Charles Williams CIW Primary School is significantly closer for some children within the affected areas and encourages active travel rather than transporting children to Usk CIW Primary via bus / car. Requiring children to travel to Usk daily would not comply with the Well Being and Future Generations Act	The Council's proposals have been formed to enable children living in Monmouthshire to access a school within the county, should they wish to do so. There would be no requirement for any child living within the affected area to attend Usk CIW Primary School, as families will continue to have the right to express a preference for their child's school. The Council's proposals are unable to amend the admission arrangements for Charles Williams Primary School, so the existing admission arrangements for this school would continue to operate.
4. Accessing the proposed new catchment school	A concern that some parents may not wish for their young children to travel on school transport to Usk and would be required to inherit the travelling costs of taking them themselves. Also, concern re increase in congestion around the school as a result	The Council is proposing these changes so that families residing in Monmouthshire have access to a Monmouthshire school. Parents residing within the affected area can continue to express a preference for their child's school, and we respect that travelling arrangements may have an impact on a parent's decision.

		<p>The governing body of Charles Williams CIW Primary School are responsible for the admission arrangements for the school, and this consultation does not impact on those arrangements. Therefore, parents who wish to attend this school can apply for places in the same way that families previously have.</p>
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8. Consultation with Newport City Council

The Council consulted with Newport City Council as a key party affected by these proposals. Whilst Newport City Council are not the admission authority for Charles Williams Church in Wales Primary School, it is a school that resides within their City.

The closing date for consultation responses was 19th February 2024 and a response has not been received from Newport City Council in relation to this consultation.

9. Consultation with Charles Williams Church in Wales Primary

The Council consulted with the Headteacher and governing body of Charles Williams Church in Wales Primary School. The governing body are the admission authority for Charles Williams Church in Wales Primary School and determine the catchment for their school.

As mentioned in the consultation document, these proposals are unable to amend the admission arrangements (including catchment) for Charles Williams CIW Primary but proposes to amend the catchment for Usk Church in Wales Primary School.

The closing date for consultation responses was 19th February 2024 and a response has not been received from the governing body of Charles Williams Church in Wales Primary School in relation to this consultation.

10. Financial Implications

Charles Williams CIW Primary School is currently the designated catchment school for the affected area. Should the children known to be residing within the affected

area chose to attend their catchment school and require home to school transport assistance, the home to school transport costs would be in the region of £41,580 per annum. However, there are no children currently receiving transport from the affected area to Charles Williams CIW Primary School so the costs of current provision is zero.

Usk CIW Primary School is the proposed new catchment school (in line with Monmouthshire's admission arrangements) for the affected area. Should the children known to be residing within the affected area chose to attend their proposed new catchment school, they would receive an entitlement to free home to school transport, with the costs estimated to be in the region of £41,580 per annum.

In light of the above, the immediate financial impact associated with this proposal is thought to be £41,580.

Important: It is important to note that the above costs are estimates provided on the basis of current home to school transport costs, which are likely to increase by the implementation date of September 2025. It is also important to note that the Council will still have a duty to provide transport to Charles Williams CIW Primary School in circumstances where it is deemed nearest and there is a parental preference. This will increase the costs over those quoted above.

11. General overview and consensus

The consultation process undertaken by the Council has without question been a useful exercise, providing a full and open opportunity to test and critic the proposals put forward.

Through analysis of the feedback received from the formal consultation responses, the Council can confidently draw an overall conclusion of general support for the following proposal:

To amend the catchment area for Usk Church in Wales Primary School to incorporate the villages of Tredunnoch, Llanhennock and Llandegveth

Whilst this consultation has overall been able to evidence support from the majority of those responding to the consultation, it is acknowledged that there were some concerns towards the proposals as identified under section 7 of this report. This report has enabled us to remind consultees that the existing arrangements for obtaining places at Charles Williams CIW Primary School are not impacted by these proposals and parents can therefore continue to apply for places should this be their preference.

Whilst we acknowledge that some children and young people may be travelling further to access a place at Usk Church in Wales Primary, such a decision would be

in line with a parent' preference of wishing for their child to access a school within the county.

The concluding matter arising from this report is that a recommendation to proceed to implement the proposals as consulted upon (with effect from September 2025) should be put forward to the Councils Cabinet on 10th April 2024. Such a decision will ensure that the arrangements for both primary and secondary education within the affected area are aligned, and will provide equity across the county through ensuring that all children and young people across the county fall within the catchment area for a Monmouthshire School.

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12. Appendix 1 - full consultation responses

Respondents in favour of proposals:

Respondent	Full response
1.	In the 7.5 years we've lived in the area, we're not aware of any children that have actually attended Charles William school and instead they have attended Usk. It is the case that residents of Tredunnoch tend to associate themselves more with Usk than Caerleon for shopping, healthcare, leisure etc. and so that probably informs parents choices of where they want their children to go to school. From this perspective it makes perfect sense for Tredunnoch to come into catchment for Usk primary.
2.	People living within Monmouthshire, should be attending schools within their county.
3.	Usk Primary School has falling roll and would benefit from more students. It is also good for students that live in Monmouthshire to attend a school in Monmouthshire where they can be fully support.
4.	I'm very pleased to see this consultation, and I offer my support to the proposals. I feel its important for Monmouthshire residents to have access to Monmouthshire schools.
5.	I think there should be more options for children living in this area, I think the secondary school catchment needs careful consideration- travelling half hour each way to a school isn't ideal
6.	We live in the Monmouthshire county and as a resident of Monmouthshire I feel it is only correct that our children go to a Monmouthshire school, the closest at Primary age being Usk Church in Wales Primary School. I did initially have issues with the passenger transport not wanting to let my children go onto the school bus even though they go to Usk Primary school, apparently it was out of catchment area but eventually due to them not 'getting in' to Charles Williams they were then allowed to use the school bus, i wouldn't want any other parent to have to experience this.
7.	The proposal will give parents the choice of Primary School with both providing opportunity to receive home to school transport therefore a better option for families. The proposal will also increase the potential intake for

	Usk CiW Primary School which will assist in the management of provision going forwards with reducing intakes over the next few years.
8.	Treddunock, Llanhennock and Llandegfedd are part of the Heart of Monmouthshire ministry Area which also includes Usk. As a foundation Governor I welcome the opportunity for pupils to attend a CIW school within Monmouthshire and the Ministry Area
9.	Would allow access to an excellent School, and assist with the school admission numbers. Children would not be disadvantaged by attendance at the Usk CiW Primary School and it should not inconvenience parents/ children if transport is provided.
10.	the villages affected are in the Heart of Monmouthshire Ministry Area of the Church in Wales which has many other churches in its catchment area, which also feed Usk primary school. Therefore there is a Church commonality for children, parents and grandparents.
11.	No reason provided
12.	No reason provided
13.	No reason provided

Respondents not in favour of proposals:

Respondent	Full response
1.	usk is at overflowing currently and can be difficult for a child to get a place. can the school and its facilities cope with more children there is no option to extend, and however many children currently qualify please consider the fact that the areas could easily be built on.
2.	Caerleon is within easy cycling distance from Llanhennock - approximately 2 miles. Most days, therefore we are able to cycle to school. Usk is approximately 6.5 miles away. Getting to school would either require use of a car, or provision of a school bus.

	<p>There are numerous infant and primary aged children within Llanhennock. To the best of my knowledge all of the local children either attend CWP, or private school.</p> <p>Given the significantly closer distance from Llanhennock to CWP, shorter travel times and ability to easily travel using active travel, I would argue that changing the school catchment to Usk, is neither reasonable nor sustainable.</p> <p>For a number of reasons, requiring children in Llanhennock, to travel daily to Usk for school, would have a negative impact on them and does not comply with the Well Being of Future Generations Act.</p>
3.	<ol style="list-style-type: none"> 1. Distance the children will travel. Primary school is a good distance but secondary schools in Monmouthshire is considerably further. 2. Cost for the travel, as stated about. The current distance to a Newport school warrants travel as it is over the suggested miles but as you are moving the catchment to a school within Monmouthshire the mileage is considerably more. 3. Environmental issues with travel. Again linked with my two points above, as we are living in a society where we are trying to reduce the carbon foot print the amount of travel adds to this considerably. I am not just thinking of the primary provision within MCC but the secondary provision. Both King Henry in Abergavenny and Monmouth Comp are a very long way from the villages you are considering. I very much doubt school transport will be electric, so an old diesel mini bus chugging around the authority will have an impact.
4.	<p>Increased distance of travel and subsequent cost of providing transport. Accessing the entitled school transport is a difficult process for those who wish to use it.</p> <p>Parents of children that are of reception age and young primary may feel the children are too young to travel on school transport and would have increased costs for transporting children to a school further away and worries regarding safety of the children.</p> <p>Usk is exceptionally busy with heavy traffic at school start and finish times increasing air pollution and no adequate system for dropping off & collecting young children means people park dangerously and encroach upon private residential parking areas.</p>

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2025/26

School Admissions Policy



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1. INTRODUCTION

The School Admissions Code (2013) gives parents the right to express a preference for their child to be admitted to any school maintained from public funds. The Authority's admission policy sits within the parameters of the School Admissions Code of Practice and School Admissions Appeals Code of Practice July 2013

This policy is in place to cover the following:

i) Admission Round applications

- The application process to be followed for children that are eligible to start Nursery
- The application process to be followed for children that are eligible to start Primary School
- The application process to be followed for children eligible to transfer from Primary to Secondary School.

ii) In year transfers between Schools

The application process to be followed for children that are already of school age, but wish to transfer from one school to another.

1.1 Summary of proposed changes

The Local Authority is required to consult on its admission arrangements on an annual basis. The content of this policy is relevant for implementation for the 2025/26 academic year. The proposed changes to existing arrangements can be summarised as:

- 1) To extend the catchment area for Usk Church in Wales Primary School to include the areas of Tredunnoch, Llanhennock and Llandegveth

1.2 Consultation process

In accordance with the School Admissions Code of practice (2013) the Local Authority consults upon its admission arrangements on an annual basis, attempting where possible to mirror the admission round timescales of neighbouring admission authorities.

The coordinated admission arrangements will determine the date at which application forms are sent to parents as well as the publication of an agreed closing date. The Authority will ensure that this timeframe between distribution and closing date is no shorter than six weeks.

Consultation will take place between 1st September and 1st March beginning two years before the school year in which the arrangements will apply. The arrangements will then be confirmed by 15th April and published within 14 days of this date.

The Local Authority will ensure that the following information is provided during the consultation process:

- i) Admission numbers for each school
- ii) Application procedures and the timetable for the admission process
- iii) The criteria to be applied to applications in the event that there are more applications than places for a School
- iv) Arrangements for waiting lists and how they operate
- v) Arrangements for the processing of late applications
- vi) Details of how parents will be notified of a decision on their application, as well as appeal procedures should their application be unsuccessful.

The Local Authority will consult with the following parties on its admission arrangements:

Governing body of relevant Schools	All governing bodies of community Schools in Monmouthshire
All neighbouring Local Authorities within the area	Torfaen County Council Newport City Council Powys County Council Blaenau Gwent County Council Gloucestershire County Council Herefordshire County Council
Admission Authorities for all other schools in the area	All governing bodies of voluntary Aided schools in Monmouthshire Brynmawr Foundation School St Albans RC School St Joseph's RC School
In the case of Schools with a religious character, such body or person representing the religion or religious denomination in question	Diocesan Director, Church in Wales Diocesan Director, Roman Catholic

Consultees may respond to this consultation by completing the response proforma available [here](#). The closing date for responses is **19th February 2024**.

1.3 Admission Numbers

Prior to the consultation, the admission numbers for all schools are determined and form part of this consultation. The admission numbers for the schools are derived from the physical capacity of the school which is calculated in accordance with the Welsh Government’s ‘Measuring the Capacity of Schools in Wales’.

2. PROVISION OF EDUCATION IN MONMOUTHSHIRE

The Local Authority offers the following provision for children and young people wishing to be educated within the County:

2.1 Nursery Education

The Local Authority has twelve nursery units attached to mainstream schools. The Authority maintains these nurseries that provide free part time early years education for pupils from the term following their third birthday, if there are spaces available. Monmouthshire also supports many private day nurseries, pre-prep Schools,

playgroups, crèches and cylch meithrin (playgroups using the medium of welsh). These settings are approved providers of early year's education.

2.2 Primary School provision (4-11)

The Local Authority offers a number of educational establishments at Primary level:

Primary Community (English) - 20
Primary Community (Welsh) - 2
Primary Church in Wales VC - 4
Primary Church in Wales VA - 2
Primary Roman Catholic VA - 2

The Local Authority is the admitting authority for all Primary Community Schools (English and Welsh) and Voluntary Controlled Schools within Monmouthshire, and are responsible for the admission arrangements at each of these Schools.

The Governing Bodies of the 4 Voluntary Aided Schools in Monmouthshire are responsible for the admission arrangements within their schools.

2.3 Secondary School Provision (11-19)

All mainstream secondary schools in Monmouthshire are mixed Comprehensive Schools and serve 11 – 19 year olds. These are situated close to the four major towns in Monmouthshire.

2.4 Special Education

Overmonnow Primary School (Monmouth), Pembroke Primary School (Chepstow), King Henry VIII 3-19 School (Abergavenny), Monmouth Comprehensive School and Caldicot School all have Specialist Resource Bases to accommodate those children whose needs cannot be met in mainstream education.

Admission to these settings will be determined via the Local Authority Statutory Panel.

2.5 Welsh Medium Secondary Education

Monmouthshire have developed close links with neighbouring Authorities, in particular Torfaen County Council with Ysgol Gymraeg Gwynllyw and Newport City Council with Ysgol Gyfun Gwent Is Coed, to ensure that Welsh Medium Education is available at Secondary level to the children within our County.

3. PARENTAL RESPONSIBILITY

Only persons holding parental responsibility for the named child are able to make an application and they will be required to make a declaration to this effect as part of the application process.

It is expected that parents will agree on school preferences for a child before an application is made. The Local Authority is not in a position to intervene in disputes between parents over school applications and will request that these are resolved privately.

If parents are unable to agree to an application for a preferred School, the Local Authority will be unable to proceed with the application until such time that a mutual agreement has been made, or alternatively legal proceedings determine which parent should make the application for a school place.

4. EXPRESSING A PREFERENCE FOR A COMMUNITY / VOLUNTARY CONTROLLED SCHOOL OR NURSERY IN MONMOUTHSHIRE

In line with the School Admissions code of practice (2013), parents must complete an application form in order to obtain a nursery / school place. Parents / carers will have the opportunity to complete an application online or alternatively via a paper application. The local authority will only accept an application request submitted by the person(s) that hold parental responsibility for the child concerned.

All parents will be invited to express a preference on a common application form, regardless of the status of the schools for which they wish to apply and whether the school is in/out of county. The application form will provide an opportunity for parents to give reasons for their preferences. All completed online application forms will be submitted directly to the Local Authority. Paper application forms should be sent directly to the School & Student Access Unit (SSAU). **An exception to this is if parents wish to apply for a School that resides within Newport City Council – in such circumstances the parent is required to apply directly to Newport City Council under their admission arrangements.**

Although individual school admission authorities (Voluntary Aided) may require you to complete their own admission forms, all applicants must also complete a “Common Application Form”.

The Local Authority operates an equal preference scheme, which means that all preferences are considered equally in line with the Local Authority’s oversubscription criteria, and not on the basis of the order in which they are listed on the application. In the event that more than one preference can be met, the highest rank preference as declared on the application form will be offered.

4.1 Timetable for the Normal Admission Round

The Local Authority will consult and agree on a timetable for the Admission Round intake on an annual basis. This will outline the date by when application forms will be made available to parents, the closing date for applications, as well as the date by when parents will be informed of a decision on their application.

The dates for the September 2025 Admission Round will be:

Admission Phase	Admission round commences	Closing Date	Local Authority Allocation Period	Parents informed by
Primary to Secondary	25th September 2024	13th November 2024 at 17:00	14.11.24 – 02.03.25	3rd March 2025
Reception	6th November 2024	9th January 2025 at 17:00	10.01.25 – 15.04.25	16th April 2025
Nursery	4 th July 2024	12th September 2024 at 17:00	12.09.24 – 10.11.24	11th November 2024 (September 2025 intake) 11th November 2024 (Rising 3 children eligible for January 2025 intake) 6 th March 2025 (Rising 3 place)

				eligible for April 2025 intake)
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4.2 Distribution of application forms

Nursery

Applications for admission into a Local Authority nursery will be made available to parents in line with the dates specified in the above table. Parents will have the opportunity to apply via our online application system or alternatively request a paper application form from the School and Student Access Unit.

In addition to the above, parents / carers can request admission into one of our approved non maintained settings, details of which can be found via www.monfis.org.uk. Applications will need to be made directly to the provider(s) in this instance.

Primary / Secondary School

The Local Authority will distribute application letters directly to home addresses on the dates published above. Parents/ carers will be given the opportunity to choose to apply online or to complete a paper form. Details of how to apply online will be included in the application pack circulated to parents.

Whilst the Authority endeavours to capture the details of those parents / carers who have children that are eligible for admission to school, it still remains the parent's / carer's responsibility to obtain an application pack to apply for a school place within the required timescales.

5. ALLOCATION OF NURSERY SCHOOL PLACES

Children will be admitted to nursery in the September of the academic year in which they become four years old. This place can be in a school or in a non-maintained setting, which may be a playgroup or a private day nursery. The Council is responsible for admission to community nursery schools but for a nursery place in a non-maintained setting, enquiries should be made directly to the provider.

The local authority is unable to consider nursery applications for only part of a school week and therefore admission to nursery schools is offered for a half-day session, either morning or afternoon, 5 days per week. Schools expect pupils attending the nursery to

take up all the sessions available to them. If parents do not wish their child to attend all five sessions each week, it might be preferable to seek a place at a non-maintained setting that can more easily accommodate these flexible arrangements.

Once allocated a September nursery place, children born between 1 September and 31 March may be offered an early start in the term following their third birthday, if places are available. This is commonly referred to as a **Rising 3** place. Children born between 1 April and 31 August are not eligible for a Rising 3 place.

If Rising 3 places are available, eligible pupils will be offered an early start at their allocated nursery as follows:

- On 11th November 2024 for January 2025 Rising 3 places
- On 6th March 2025 for April 2025 Rising 3 places

5.1 *Oversubscription criteria - Nursery*

It is the Council's policy to meet parental preference where possible; however in some cases there may be more applications for a particular nursery than there are places. In determining which children should be admitted to nursery, the Council will apply the following oversubscription criteria in order of priority.

Priority rank	Criteria
<i>Children in receipt of a Statement of special educational needs / Individual Development Plan (IDP) (statutory requirement for admission)</i>	
1.	Looked after children or previously looked after children i.e. children that are in the care of or have previously been in the care of a local authority, will be afforded priority over those fulfilling points 2-4 below. (Please see section 10.0)
2.	Children with exceptional medical circumstances, will be afforded priority over those fulfilling points 3-4 below (please see section 8.5)
3.	Children who have relevant sibling in attendance at the preferred nursery (not main school) at the point of admission, will be afforded priority over those fulfilling point 4 below. (Please see section 8.6)
4.	After applying the categories above, or should the school continue to be in a position of over-subscription

	in any of the above categories, priority will be based on closeness to the preferred school, measured using the shortest safe walking route. (Please see section 8.9)
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Please note:

- 1) There is no right of appeal against the Council's decision to refuse a nursery place.
- 2) Nursery age pupils do not qualify for free home to school transport.
- 3) The allocation of morning and afternoon sessions is the responsibility of the Headteacher of the relevant school.
- 4) A child's start date at nursery may be delayed if they are not fully toilet trained. This can be discussed with the nursery once a place has been allocated to the child.
- 5) Attending a nursery class does not guarantee admission nor give any advantage to the child's application for Reception. Parents must make a separate application for admission to Reception at the appropriate time

6. ALLOCATION OF SCHOOL PLACES - COMMUNITY AND VOLUNTARY CONTROLLED PRIMARY SCHOOLS

The Authority will admit a child to a maintained primary/infant school at the start of the academic year in which he/she will turn 5 years old. The legal requirements confirm that parents are able to delay the admission of their child until the term following their 5th birthday; however, it is a Local Authority Policy that the child will continue to follow their chronological year group unless exceptional circumstances apply.

When considering admission into the Reception year group as part of the admission round, parents should be aware that attendance at a nursery provision within the preferred School does not exclude the need for parents to make an application for a Reception place. The Local Authority is unable to guarantee that children within the nursery can be guaranteed a place in Reception.

When the number of applications received for a preferred School is less or equal to the number of available places, all children will be admitted assuming that the school concerned can meet the needs of the children concerned.

However, when there are more applications than places in a school, the admission number is exceeded and the oversubscription criteria will be applied to select which children are to be offered places at the School concerned. For children with a

Statement of Special Educational Needs / IDP, the Authority must admit the child concerned to the School specified on their statement.

When applying the oversubscription criteria to determine who is to be awarded places, all parental preferences will be considered equally and allocated in line with the criteria below. The highest preference school, as listed on the application form, will be offered in the event that one or more preferences can be met.

6.1 Oversubscription criteria - community and voluntary controlled schools

When considering the remaining available places, the following criteria will be used to determine the children that are to be offered places:

Priority rank	Criteria
<i>Children in receipt of a Statement of special educational needs / Individual Development Plan (IDP) (statutory requirement for admission)</i>	
1.	Looked after children or previously looked after children i.e. children that are in the care of or have previously been in the care of a local authority, will be afforded priority over those fulfilling points 2-8 below. (Please see section 10.0)
2.	Children with exceptional medical circumstances, will be afforded priority over those fulfilling points 3-8 below (please see section 8.5)
3.	Children residing within the catchment area for the preferred school who have relevant siblings will be afforded priority over those fulfilling points 4-8 below (please see sections 8.6 and 8.7)
4.	Children residing outside of the catchment area for the preferred school, but with relevant siblings who will continue to be in attendance at the preferred school due to being unsuccessful in their application for a place at their catchment school. will be afforded priority over those fulfilling points 5-8 below (please see explanatory notes below, and section 8.6)
5.	Children residing inside the catchment area for the preferred school will be afforded priority over those fulfilling points 7-8 below (please see section 8.7)
6.	Children residing outside of the catchment area for the preferred school, with a relevant sibling (who will be in attendance at the preferred school at time of admission) that does not meet criteria points 4 and 5 above (please see section 8.6)
7.	After applying the categories above, or should the school continue to be in a position of over-subscription in any of the above categories,

priority will be based on closeness to the preferred school, measured using the shortest safe walking route.
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To clarify, any over-subscription in the above criteria will result in the final determination of the allocation of a place being made on distance. So for example, if there are more applications than places available after applying point 6 above, places will be allocated to those children whose home address is determined to be closer to the preferred school.

Explanatory Notes

Priority rank 4 - This criteria would apply only in the event that a parent has been unsuccessful in obtaining a place for their child at their catchment school, and is subsequently attending an alternative school with a younger sibling eligible to attend.

7. ALLOCATION OF SCHOOL PLACES - COMMUNITY SECONDARY SCHOOLS

Attendance at a Primary or Junior school does not guarantee that a place will be made available for your child at the feeder Comprehensive school. Although every effort will be made to accommodate parental preference, where the number of applications for a school exceeds the number of available places, the over-subscription criteria will be applied.

When the number of applications received for a preferred School is less or equal to the number of available places, all children will be admitted assuming that the school concerned can meet the needs of the children concerned.

However, when there are more applications than places in a school, the admission number is exceeded and the over subscription criteria will be applied to select which children are to be offered places at the School concerned. For children with a Statement of Special Educational Needs / IDP, the Authority must admit the child concerned to the School specified on their statement / IDP.

When applying the oversubscription criteria to determine who is to be awarded places, all parental preferences will be considered equally and allocated in line with the criteria below. The highest preference school, as listed on the application form, will be offered in the event that one or more preferences can be met.

7.1 Oversubscription criteria - community secondary schools

Priority rank	Criteria
<i>Children in receipt of a Statement of special educational needs / Individual Development Plan (IDP) (statutory requirement for admission)</i>	
1.	Looked after children or previously looked after children i.e. children that are in the care of or have previously been in the care of a local authority, will be afforded priority over those fulfilling points 2-9 below. (Please see section 10.0)
2.	Children with exceptional medical circumstances, will be afforded priority over those fulfilling points 3-9 below (please see section 8.5)
3.	Children residing within the catchment area for the preferred school who have relevant siblings will be afforded priority over those fulfilling points 4-9 below (please see sections 8.6 and 8.7)
4.	Children residing outside of the catchment area for the preferred school, but with relevant siblings who will continue to be in attendance at the preferred school due to being unsuccessful in their application for a place at their catchment school. will be afforded priority over those fulfilling points 5-9 below (please see explanatory notes below and section 8.6)
5.	Children residing inside the catchment area for the preferred school will be afforded priority over those fulfilling points 7-9 below (please see section 8.7)
6.	Children residing outside of the catchment area for the preferred school, with a relevant sibling (who will be in attendance at the preferred school at time of admission) that does not meet criteria points 4 and 5 above, will be afforded priority over those fulfilling points 8-9 (please see section 8.6)
7.	Children currently on roll at a primary school that is designated to be a feeder school for the preferred secondary school will be afforded priority over those fulfilling point 9 (please see section 8.8)
8.	After applying the categories above, or should the school continue to be in a position of over-subscription in any of the above categories, priority will be based on closeness to the preferred school, measured using the shortest safe walking route. (please see section 8.9)

To clarify, any oversubscription in the above criteria will result in the final determination of the allocation of a place being made on distance. So for example, if there are more applications than places available after applying point 6 above, places will be allocated to those children whose home address is determined to be closer to the preferred school.

Explanatory Notes

Priority rank 4 - This criteria would apply only in the event that a parent has been unsuccessful in obtaining a place for their child at their catchment school, and is subsequently attending an alternative school with a younger sibling eligible to attend.

8. PROCESS FOR VALIDATING APPLICATIONS

The local authority will undertake thorough checks against the information declared on an application request for school / nursery admission.

8.1 Home address validations

Parents / Carers must submit their application using their child's permanent home address. Parents / Carers are required to submit their Council Tax reference number on their child's admission application form. The Local Authority will use this information to validate that the address submitted on the application form coincides with the information held on the Local Authority's Council Tax database.

If the information provided by the parent does not coincide with the council tax database the Local Authority will contact the parent for further evidence. An examples of evidence accepted for this purposes will be a valid UK driving licence.

Any decision on the offer of a nursery / school place will be based upon the applicant being resident at the address declared on the application form, as at the published offer date.

Any offer of a nursery / school place could be withdrawn if it is found that a parent / carer has moved from the address declared on the application form without notifying the Local Authority, if a place has been offered on the basis of home address.

8.2 Parents in the process of moving property

Parents / Carers who are in the process of moving property will be required to notify the Local Authority **at the time of application** of the proposed move and submit evidence to validate their new address, in order for this address to be considered. Suitable evidence would be a copy of the exchange of contracts (for purchases) or long term tenancy agreement (for rental arrangements).

The application and notification of an intended change of address must be submitted prior to the published closing date in order to be considered as an in time application.

Failure to notify the Local Authority of an intended move to a new address prior to the published closing date will result in the application being determined as a “late application” if this change impacts on their position within the oversubscription criteria.

Parents/ Carers who are in the process of moving, but are not able to validate the move prior to the closing date, will need to ensure that their completed application is submitted prior to the published closing date, and that the application provides information on the intention to move. The Local Authority will liaise with parents/carers regarding the proposed move in order to obtain confirmation that residence at the new property has been secured. However, parents will need to provide the Local Authority with evidence that secures their change of address no later than 6 weeks prior to the published offer date in order for the new address to be considered for allocation purposes.

Where the Local Authority accepts evidence to validate a property move and uses the new property for allocation purposes, the offer of a school place will be based on the applicant and child being resident at this property at the time of the child’s entrance into the School. Any offer of a school place could be withdrawn if it is found that the applicant is not resident at the property at the time of child’s entrance into the school.

Any offer of a nursery / school place could be withdrawn as a result of non-compliance with the above.

8.3 Unexpected change of home address

Should a parent, who has submitted an application prior to the published closing date, notify us of an unexpected change of address that has occurred since submission of their application, the Local Authority will consider on a discretionary basis the circumstances of the unexpected change of address prior to determining the application as being late. **It is a parent’s responsibility to notify us of any such circumstances that may require a discretionary decision.**

Unfortunately, such discretion can only be exercised if notification and evidence of the change of address is provided no later than 6 weeks prior to the published offer date in order for the new address to be considered for allocation purposes.

It is a parent’s responsibility to notify the Local Authority of a change of address that takes place during the application process. Failure to do so could result in any offer of a school place being withdrawn.

8.4 Shared residency

In the event that the residency of a child is shared between two parents, the address where the child concerned resides for the majority of the school week will be used for allocation purposes. This is the address that should be declared on the application.

However, if the residency with both parents during the school week is equal, the address for where the child benefit is paid will be used for allocation purposes.

8.5 Applications on the grounds of medical needs

Applicants wishing for their application to be prioritised on the basis of their child's medical needs must provide evidence to support their application under this criteria e.g. a medical consultant's report (obtained by the parents at the time of application).

The Local Authority will only offer priority to applications under this criteria where it can be evidenced that the preferred School is the only viable option when compared with other Schools that the Authority may be able to offer.

8.6 Siblings

Brothers and sisters, whether half, full, step or foster, will be considered relevant siblings where living in the same household and where they are registered at the preferred school when the application is determined, and will still be registered at the school when the applicant is eligible to attend.

The sibling criteria is considered relevant in years Reception to year 12 only. The admission of a child to a school does not guarantee that a place will be available at a later date for other children in the family.

For admission into Nursery, a sibling is only considered relevant where the child concerned is permanently resident at the same address and attending the nursery (not main school).

8.7 School Catchment Areas

Whilst residing within the catchment area for a School forms an element of the oversubscription criteria, it does not guarantee a placement on this basis. The Local

Authority will refuse to admit above the School's admission number, unless the application complies with the permitted exceptions listed on page 29.

The Local Authority offers a priority within its oversubscription criteria to children whose home address is within the Schools catchment area. The child's home address is considered to be the place where the child resides for the majority of the School week. Please refer to section 8.4 for information concerning applications where shared residency arrangements are in place.

Details of your school catchment areas can be found by visiting [Local Info - Monmouthshire](#).

8.8 Feeder Schools

The Local Authority offers a priority within its Secondary School oversubscription criteria for children who are in attendance at a feeder Primary School for the preferred secondary school.

Feeder schools are determined as being the schools that have formal transitional arrangements with a secondary school. The details of the feeder schools for each secondary school in Monmouthshire can be found below:

<p><u>King Henry VIII 3-19 School</u> Cantref Primary School Llantilio Pertholey CIW Primary School Gilwern Primary School Goytre Fawr Primary School Llanfoist Primary School Llanvihangel Crucorney Primary School Our Lady and St Michaels RC Primary School Ysgol Gymraeg Y Fenni *</p>	<p><u>Caldicot School</u> Archbishop Rowan Williams CIW Castle Park Primary School Dewstow Primary School Durand Primary School Magor CIW Primary School Rogiet Primary School Undy Primary School Ysgol Gymraeg Y Ffin *</p>
<p><u>Monmouth Comprehensive School</u> Cross Ash Primary School Kymin View Primary School Llandogo Primary School Overmonnow Primary School Raglan Primary School Trellech Primary School Osbaston CIW Primary School Usk CIW Primary School</p>	<p><u>Chepstow School</u> Pembroke Primary School Shirenewton Primary School St Marys RC Primary School The Dell Primary School Thornwell Primary School</p>

* Ysgol Gymraeg Y Fenni is a feeder primary school for Ysgol Gymraeg Gwynllyw and Ysgol Gymraeg Y Ffin is a feeder primary school for Ysgol Gyfun Gwent Is Coed. However Monmouthshire LA are not responsible for the admissions to these schools so whether priority will be offered is the responsibility of Torfaen and Newport Councils.

8.9 Distance between Home and School

Within each set of oversubscription criteria (section 5.1, 6.1 & 7.1), if the number of applications in any one category exceeds the published admission number, priority will be based on those residing closest to the preferred school.

The distance between home and school is measured as the shortest available walking route, determined using official routes known to the Local Authority and highways agencies. The Local Authority deems that a route is 'available' if a child, accompanied as necessary, can walk to school in reasonable safety.

In assessing its availability the council will follow the guidelines prescribed in Welsh Government's Learner Travel Statutory Provision and Operational Guidance June 2014 and will look at the risks and other relevant safety factors a child, accompanied as necessary, might encounter along the prescribed route (including for example, canals, rivers, ditches, street lighting, pavements and the speed of traffic along roads, etc.).

The Local Authority will calculate the distance of the route using its' own specific Geographical Information Systems (GIS) routing software, RouteFinder and MapInfo Desktop Solutions. In order to ensure fairness and consistency for all applicants, this is the only measurement tool that is used by the Local Authority.

The starting point of the calculated route will be determined as being the nearest network point to the main entrance of the home address. The main entrance of the home address is determined by the Local Authority to be where the property receives post. For clarity, this must be located on the property concerned. The finishing point of the calculated route will be determined as being the nearest official open gate adopted for use by the school.

The coordinates of an applicant's address will be determined using the LLPG and Ordnance Survey Address base data.

Where the Local Authority is unable to identify a safe walking route from the home address to the preferred School, the shortest driving route will be used to calculate home to school distances.

Where two or more applicants are being considered for the last available place, and their home to school distance calculations are exactly the same, a trundle wheel will be used to undertake an additional assessment of the distance to the main entrance of the home address.

Where two or more applicants are being considered for the last available place, and the addresses fall within the same building, i.e. a block of flats, a trundle wheel will be used to calculate the distance from the front door of the home to the main communal entrance of the property to the nearest entrance of each flat, where possible.

9. ADMISSION OF MULTIPLE BIRTH CHILDREN (E.G. TWINS OR TRIPLETS)

If when applying the over-subscription criteria to applications received requesting admission into the normal year of entry (Reception and Year 7), and the last child to be admitted is one of a multiple birth, then the Local Authority will admit the other sibling(s).

Where multiple birth applications are received for year groups other than the normal year of entry, where there is only one remaining place in the relevant year group before the Admission Number is met, the Local Authority will consider each case individually before deciding whether the admission number is exceeded. Particular consideration will need to be given to the capacity of the school and the likelihood of causing prejudice to the effective education and efficient use of resources at the preferred school.

10. LOOKED AFTER CHILDREN

Applications for looked-after children (children in public care) [as defined by Section 22 of the Children Act 1989] are given priority for School placement. This priority can also be given to previously looked-after children although the person making the application must provide evidence to confirm the previous care status, such as an Adoption Certificate.

Where applications are made for year groups other than the normal year of entry for a year group that has already met its admission number, the Local Authority will require suitable evidence as to why the preferred School is the most suitable school in comparison to other available schools.

11. CHILDREN OF UK SERVICE PERSONNEL

Children of returning UK Service Personnel are subject to frequent movement within the UK and abroad often at relatively short notice. Consequently for UK service personnel who are unable to engage in the normal admissions process, the Council will consider the residency criteria satisfied (and award catchment priority) if the application is

accompanied by the following, even if the family do not reside in Monmouthshire at the relevant date.

- Official proof of posting i.e. a posting notice;
- A copy of the Service Identity Card;
- Confirmation of the new address wherever possible.

Where the family concerned have been posted to an area through their employment and have not had the opportunity to engage in normal admissions processes, the Council will exceed the admission number at the catchment school.

12. CROWN SERVANTS

Children of UK Crown Servants (Including diplomats) are subject to frequent movement and if moving into Monmouthshire, will be determined as meeting the residency criteria for the relevant catchment school if the application is accompanied by an official Foreign and Commonwealth Office letter declaring:

- A definite return date;
- Confirmation of the new address wherever possible;
- Confirmation of the Crown Servant status.

13. GYPSY, ROMA AND TRAVELLER CHILDREN

The council is obliged, by statute, to ensure that all children of compulsory school age receive education that is appropriate to their age, abilities and any special educational needs, and promotes high standards in the provision of education and the welfare of children. These obligations apply to all children whether or not they are permanent residents in the area. Therefore, applications made in respect of such families will be dealt with in conjunction with the *Gwent Education Minority-ethnic Service (GEMS)*, with a view to placing these children as quickly as possible at the nearest available and appropriate school.

14. DEFERRED ENTRY INTO PRIMARY SCHOOL

The Local Authority will admit a child to a maintained primary school at the start of the academic year in which he/she will turn 5 years old. However, the legal requirements confirm that parents are able to delay the admission of their child until the term following their 5th birthday. The Local Authority is obliged to ensure that any offer of a school place is held for parents who wish for their child's admission into Reception to be deferred until later in the academic year.

A parent, however, is not able to defer entry beyond the term following the child's fifth birthday, nor beyond the school year for which the application was made.

15. SUMMER TERM BIRTHS

In the case of a child born during the summer term, they too are not legally required to attend School until the term following their fifth birthday / the September after the normal year of entry for a Reception age child. However, in such circumstances the Local Authority will continue to ensure that children continue to follow their chronological year group and therefore the child would be admitted into year 1 and not Reception.

It is only in exceptional circumstances that the Local Authority will authorise the admission of a summer term birth into a year group that is outside the normal year of entry. In such circumstances, there will need to be a suitable evidence base (e.g. report from an Educational Psychologist) that suggests the chronological year group is not suitably able to meet the needs of the child concerned.

16. LATE APPLICATION ARRANGEMENTS

Any application that is received after the published closing date, or applications that remain incomplete as at the closing date, will be dealt with under the late application arrangements.

A change of preference received by the Local Authority after the published closing date will result in the application being determined as late.

Applications where a change in circumstances have occurred, which have an impact upon the application's status within the oversubscription criteria (i.e. change of address), could also result in the application being treated as late if these changes are brought to the Authority's attention after the closing date. The Local Authority will consider on a discretionary basis the circumstances an unexpected change of address prior to determining the application as being late. Unfortunately, such discretion can only be exercised if notification of the change of address is provided no later than 6 weeks prior to the published offer date in order for the new address to be considered for allocation purposes.

Late applications are collated and processed monthly, with prioritisation given based on the month in which they are received. A timetable for the processing of late applications for the 2024/25 admission round can be found below:

	Month application Received	Decision issued to Parents
Applies to Secondary only	14th November 2024 – 9th January 2025	28th March 2025
Applies to Primary and Secondary	10th January – 31st January 2025	9th May 2025 (Primary) 11th April 2025 (Secondary)
	February 2025	23rd May 2025 (Primary) 25th April 2025 (Secondary)
	March 2025	30th May 2025
	April 2025	6th June 2025
	May 2025	20th June 2025
	June 2025	4th July 2025
	July 2025	8th August 2025
	1st to 8th August 2025 9th to 17th August 2025	15th August 2025 22nd August 2025
18th August onwards	Within 1 week	

In the event that the preferred School is oversubscribed, places will be allocated in line with the oversubscription criteria during the first week of the month following the month of receipt. Parents will be informed of the outcome of their applications by the end of this week.

The arrangements for late applications continue up until the last week of August. After this date, any admissions received are then processed within 1 week.

17. NOTIFYING PARENTS

Parents will be notified of a decision on their application on the published offer date. For the 2025/26 admission round, the date by when parents will be informed of decisions on their applications will be 3rd March 2025 (Secondary) and 16th April 2025 (Primary).

Any offer of a school place will be based on the applicant being resident at the address declared on the application form as at the published offer date. Parents who are aware prior to the offer date that they are unlikely to remain resident at the address declared on their application must inform us so that their application can be amended. Any offer of a school place could be withdrawn if it is later found that this is not the case.

Where parents advise us, at the time of application, that they are moving property and provide the Local Authority with evidence to validate this move, any offer of a school place on this basis would be under the circumstance that the applicant is resident at the new property at the time the child concerned commences School. Any offer of a school place could be withdrawn if it is later found that this is not the case.

18. ACCEPTANCE OF A SCHOOL PLACE

On receipt of an offer of a school place, parents are required to confirm their acceptance of this school place in writing within 14 days of notification of the school place offer. Failure to do so could result in the offer of a school place being withdrawn.

19. ADMISSION INTO OTHER YEAR GROUPS - SEPTEMBER 2025

Where requests are received for a change of school in September 2025, into year groups other than the normal year of entrance, these will not be considered until the start of the second half of the summer term i.e. after the Whitsun break. Parents will be notified no earlier than 4 weeks prior to the end of the 2025 academic year.

These requests will be collated on a monthly basis and are processed as per the oversubscription criteria, in the event that the number of applications received exceeds the number of available places. However it should be noted that preference will be given to those parents who are seeking a place during the current term as opposed to the new academic year.

20. IN YEAR TRANSFERS (ADMISSIONS OUTSIDE THE NORMAL ADMISSION ROUND)

In year transfers refer to requests from parents to transfer their children between schools outside of the normal admission round. The Local Authority will not consider applications until the requested start date is no more than a term in advance.

All in year transfers are dealt with in date order of receipt, and where more applications are received on the same day than the number of places available, the Local Authority's oversubscription criteria will be applied to determine the child(ren) to be offered places.

Applications are usually processed within 7 working days of receipt. However in certain circumstances, for example where the child has been identified as having specific needs, it may not be possible to process the admission within the timeframe. The parent will be advised of this.

As part of the consideration process, the Local Authority will contact the child's current school to obtain information to share with the receiving school. This is to ensure that the preferred school is in a position to support appropriate transition between schools.

On occasions where the admission request to transfer schools is not one that arises from a move into the area, or where perhaps there is no immediate need for transfer, the Local Authority will consider admission from the beginning of a school term to minimise the potential disruption their own and other children's education.

Allocated places will be held open for a period of 1 term from the date of authorised admission, after which time the place may be withdrawn if the child has not taken up their place during this time. Once a school place has been offered, schools will have 7 working days to arrange the enrolment of the child concerned, where an immediate start is required.

If an application is received for a Looked After Child (LAC), in accordance with the protocol that has been agreed with schools, a LAC meeting will be arranged, to which all interested parties are invited. In advance of this meeting the placing authority is required to share relevant information including the Personal Education Plan, School records and Statement of Educational Needs / IDP, if the child has one.

Where the request for admission into school is as a result of a move into the county the parent is required to send proof of residence. Until this evidence is received the application will not be processed or considered as complete. Suitable evidence would be a copy of the exchange of contracts or long term tenancy agreement. This is to ensure that parents do not apply too far in advance of their move and subsequently deny others a place requiring a more instant admission.

21. REQUEST FOR ADMISSION OUTSIDE OF CHRONOLOGICAL YEAR GROUP

It is the Local Authority's policy that children are admitted into their chronological year group. It is only in exceptional circumstances that the Local Authority will support admission into a year group that is not within the chronological year, for example, where there is an appropriate evidence base (e.g. report from an Educational Psychologist)

that suggests the chronological year group is not suitably able to meet the needs of the child concerned.

Parents submitting an application request for admission into a year group that is not within the chronological year for the child will be given the opportunity to share their reasons for the application with the Local Authority. The headteacher of the preferred school will also be consulted during the process and their views considered as part of the decision making process.

Parents refused a place at the preferred school will have a statutory right of appeal against the decision that has been made; however, there is no appeal against a decision to offer a place in the preferred school but not within the desired year group.

22. REFUSAL OF ADMISSION TO PREFERRED SCHOOL

The majority of pupils in Monmouthshire are allocated a place at the parents' first choice of school. A refusal for admission to a school is made in line with the School Admissions Code of Practice 2013 and is based on the following decisions;

- Whether to admit a child would prejudice the provision of efficient education or the efficient use of resources
- Where an Admission Number has been met
- Welsh Government Class Size Regulations

If it is not possible to allocate a place at the preferred school, an alternative school place will be offered. This will either be an alternative preference (as declared on the application form) or the next nearest available school. It is then for parents to decide whether or not to accept the place at the alternative school.

If a place is offered at the next nearest available school, the child concerned may be entitled to free home to school transport should the distance criteria between home and school address be met. For more information on home to school transport entitlement please refer to the Home to School Transport Policy.

However, it is recognised that parents may not want a place at the next nearest available school and will be provided with details of other schools with available places within the area. In these circumstances, free home to school transport would **not** normally be provided.

Following refusal of a school place, the child's details will be held on a waiting list until 31 August of the academic year for which they are applying. If any places are handed

back during this time places will be allocated from the waiting list as per the oversubscription criteria.

23. WAITING LISTS

For those applicants that have been unsuccessful in obtaining a place at their preferred school(s), waiting lists will be held up until the end of the academic year for which the application is made. After such time, the existing waiting lists will be cleared and a fresh application will be required. The child's details will automatically be added onto the waiting list for the preferred school(s) at the time of refusal.

Waiting lists will be prioritised as per the oversubscription criteria and not based upon the date that the application was submitted. **It is the responsibility of the applicant to inform The School and Student Access Unit of any change in circumstances which impacts on the oversubscription criteria and therefore their child's place on the waiting list. An example of this would be a change of address.**

Should a place become available at the preferred school(s), the waiting list will be "frozen" in order to allow the School and Student Access Unit to fill the vacancy. The date at which the waiting list is frozen shall be determined as the date that the Local Authority is satisfied that the place becomes available.

The parent concerned will be contacted by the School and Student Access Unit within 7 working days of the place becoming available, if their child qualifies for consideration of the place. The parent will be given 7 days to formally accept or decline the offer of the school place in writing. After such time, the child's name will be withdrawn from the waiting list, and the place will be offered to the next child on the waiting list, as the Local Authority will assume that the place is no longer required.

24. APPEALS

In accordance with the School Admissions Code of Practice 2013 and the School Admission Appeals Code of Practice 2013, the Local Authority will make arrangements to enable the parent of a child to appeal against a decision to refuse a place at the preferred school.

The appeal will be determined by an appeals panel established in accordance with School Admission Appeals Code 2013. The panel must consist of three to five members appointed by the Local Authority from the following categories:

- People who are eligible to be lay members (persons without personal experience in the management of a school or the provision of education in any school, disregarding experience as a governor or in any other voluntary capacity).
- People who have experience in education; who are familiar with educational conditions in the LA's area or who are parents of registered children at a school (other than the school at which the appeal is made).

Independent Appeal Panels must consider each case individually on its merits and they cannot limit themselves, in advance, to the admission of any particular number of pupils.

Consideration by an Appeal Panel should be in two distinct stages:

- A) The Factual Stage, where the panel decides as a matter of fact whether there was a lawful reason to refuse admission; if there was not, the child must be admitted; if there was, the committee must move on to:
- B) The Balancing Stage, where the panel exercises its judgement to balance the degree of prejudice to efficient education which would result from admitting the child, and the strength of the parents' case, so as to arrive at a decision which is binding on the admissions authority.

The decision of the appeal panel will be binding on the Local Authority.

24.1 Time frame for hearing appeals

Parents will receive a letter refusing admission and will be advised of their right of appeal. The decision to appeal does not prevent the parent / carer accepting a place at an alternative school whilst the hearing is convened, as the panel will determine the appeal on the basis of application.

Appeal Hearings are convened by the Chief Executive Officer's representative, and will be heard within 30 School days of the date of application for appeal.

25. INFANT CLASS SIZE INITIATIVE

The Welsh Government is committed to ensuring that no child in Key Stage 1 will be in a class where the pupil teacher ratio is more than 1:30. The Infant Class Size Initiative was a phased programme between September 1999 and September 2001 thus

ensuring that all children up to the age of 7 will be taught in classes containing no more than 30 pupils.

Two main changes arose from the class size legislation. Firstly, admission authorities must not admit a child to an infant class if in doing so would result in a class operating at a greater than 30:1 pupil/teacher ratio. An admission authority can refuse to admit a child to a school where to do so would require the school to take 'qualifying measures' (i.e. employing an additional teacher, building an additional classroom) to meet the statutory class size limit.

Secondly, when dealing with admission appeals under class size legislation, Appeal Panels do not follow the two stage process as outlined above. Instead, an Appeal Panel will be able to uphold a parental appeal only if the decision to not admit the child was due to the admission arrangements being incorrectly implemented or the decision of the admission authority was not one which a reasonable admission authority would make in that particular case.

25.1 Exceptions to the Infant class size initiative

Welsh Government Regulations require authorities to limit infant class sizes to no more than 30 pupils and to ensure that junior classes do not exceed 30 pupils. There are however exceptions to these regulations (called "excepted pupils") which may allow the 30 pupil class limit to be exceeded. Excepted pupils are:

1. Children whose statements of ALN / IDP specify that they should be educated at the school concerned, and who were admitted to the school outside a normal admission round.
2. Children who are looked after by local authorities (looked after children), or who have ceased to be looked after (previously looked after children) as a result of being adopted or being placed with a family or given a special guardian and are admitted to the school outside a normal admissions round.
3. Children initially refused admission to a school, but subsequently offered a place outside a normal admission round by direction of an admission appeal panel, or because the person responsible for making the original decision recognises that an error was made in implementing the school's admission arrangements.
4. Children admitted outside the normal admission round who:

- the maintaining local authority confirmed cannot gain a place at any other suitable school within a reasonable distance of their home because they have moved into the area outside a normal admission round, or
 - they desire a religious education, or a Welsh speaking education and the school in question is the only suitable school within a reasonable distance.
5. Children who were admitted to the school outside the normal admission round after which the school has arranged its classes, and after the first day of the school year, the effect of which would mean that the school would have to take a relevant measure if such children were not excepted pupils.
 6. Children of UK Service personnel who are admitted outside the normal admission round.
 7. Children whose twin or other sibling from a multiple birth are admitted as non-excepted pupils, as the final pupil(s) allocated a place before the admission number is reached.
 8. Children who are registered pupils at special schools, but who receive part of their education at a mainstream school.
 9. Children with SEN who are normally educated in a special unit in a mainstream school, who receive part of their lessons in a non-special class.

26. KEY STAGE 2 CLASS SIZE LIMITS

Whilst there are no regulations to limit class sizes to 30 in Key Stage 2, the Local Authority is committed to complying with the Welsh Government target to ensure that the 1:30 pupil teacher ratio in Key stage 2 is maintained.

Appendix A - Coordinated Admission Scheme Primary Schools

MONMOUTHSHIRE COUNTY COUNCIL

DIRECTORATE FOR CHILDREN AND YOUNG PEOPLE

CO-ORDINATED ADMISSION SCHEME FOR SEPTEMBER 2025 PRIMARY SCHOOLS

INTRODUCTION

This scheme applies to all admission authorities, (Local Authority (LA) and Voluntary Aided Schools (VA), in the area with regard to parents with children wishing to join the normal year of entry at a maintained primary school in Monmouthshire from September 2025. (A glossary of terms is also shown in Appendix C).

All parents will be invited to express a preference on a common application form, regardless of the status of the schools for which they wish to apply and whether the school is in/out of county. The application form will provide an opportunity for parents/carers to give reasons for their preferences. All completed forms should be sent directly to the School & Student Access Unit (SSAU). **An exception to this is if parents wish to apply for a school that resides within Newport City Council – in such circumstances the parent is required to apply directly to Newport City Council under their admission arrangements.**

Although individual school admission authorities (Voluntary Aided) may require you to complete their own admission forms, all applicants must also complete a “Common Application Form”.

Pupils with a Statement of Special Education Needs / Individual Development Plan (IDP) will be admitted to the school named on their Statement / IDP.

1. Consideration of Applications and Allocation of Places (Normal Admission Round)

When applying the oversubscription criteria to determine who is to be awarded places, all parental preferences will be considered equally and allocated in line with the criteria on page 12. The highest preference school will be offered in the event that one or more preferences can be met.

If none of the preferences can be met, the Local Authority will ensure that as far as is reasonably possible, an offer can be made.

The closing date for the first stage of applications is **5pm on 9th January 2025** and written notification of the outcome of each application will be given via the School & Student Access Unit by **16th April 2025**.

If a parent applies for a place outside Monmouthshire, the Authority to which they have applied will inform the parent and Monmouthshire of the decision to offer or refuse.

Late applications or changes to the order of preference will be considered after the first stage has been completed. Where a parent expresses a preference within the first stage and then changes a preference after 5pm on 9th January 2025, this will be deemed as a late application.

Similarly, applications where a change of circumstance have occurred, which have an impact upon the application's status within the oversubscription criteria, will result in the application being treated as late if these changes are brought to the Authorities attention after the closing date.

TIMETABLE FOR PRIMARY CO-ORDINATED ADMISSIONS FOR SEPTEMBER 2025

PRIMARY SCHOOL (including Voluntary Aided Schools)

2.1 Stage 1

Applications made available to parents	6 th November 2024
Applications received either paper or on line	By 9 th January 2025
Details of applications sent to Voluntary Aided Schools and other LAs, as appropriate. Details of applications made to Voluntary Aided Schools returned to School and Student Access Unit	By 24 th January 2025
Voluntary Aided Schools and neighbouring LAs return ranked lists of pupils to School & Student Access Unit indicating the over-subscription criterion that each child has been considered under and identifying refusals	By 1 st March 2025
School & Student Access Unit / Voluntary Aided Schools allocate the highest preference place available and notifies other LA's, as appropriate	By 21 st March 2025
School & Student Access Unit allocates places to Monmouthshire children without an offer	By 4 th April 2025

School & Student Access Unit sends list of pupils to be offered places to each Monmouthshire School	By 11 th April 2025
School & Student Access Unit / Voluntary Aided Schools send notifications to parents/carers	On 16 th April 2025
Appeals	May – July 2025

Stage 2

Following the first stage of allocations, late applications will be considered and slotted in where possible using the admissions criteria. However there is no guarantee that late applications will be dealt with before **16th April 2025**.

At this stage, parents/carers will be able to apply for reconsideration to a school they placed as a higher preference to the one offered.

The processing of late applications will be done on a monthly basis, so, for example, applications received in April 2025 will be collated and processed during the first full week in May 2025 with schools and parents being notified by the end of the second full week. These will be processed as per the oversubscription criteria.

Appendix B - Coordinated Admission Scheme Secondary Schools

INTRODUCTION

This scheme will apply to all schools in the area for parents with children wishing to join the normal year of entry at a secondary school in Monmouthshire from September 2025.

All parents will be invited to state three preferences on a common application form, regardless of the status of the schools for which they wish to apply and whether the school is in/out of county. The form will provide an opportunity for parents/carer to give reasons for their preferences. All completed secondary transfer forms should be returned directly to the School & Student Access Unit. **An exception to this is if parents wish to apply for a School that resides within Newport City Council – in such circumstances the parent is required to apply directly to Newport City Council under their admission arrangements.**

Pupils with a Statement of Special Educational Needs / Individual Development Plan (IDP) will be admitted to the school named on their statement / IDP.

Consideration of Applications and Allocation of Places (Normal Admission Round)

When applying the oversubscription criteria to determine who is to be awarded places, all parental preferences will be considered equally and allocated in line with the criteria on page 14. The highest preference school will be offered in the event that one or more preferences can be met.

If none of the preferences can be met the Local Authority will ensure, as far as is reasonably possible, that an offer can be made at the next nearest available School.

The closing date for the first round of applications is **5pm on 13th November 2024** and written notification of the outcome of each in county application will be given via the School & Student Access Unit on **3rd March 2025**.

For preferences to attend a school outside of Monmouthshire, written notification on the decision to offer / refuse a place at the chosen school will be given by the relevant Local Authority / Admission Authority in line with their offer date.

Monmouthshire will have regard to any offer made by another Local Authority. If the other Local Authority can offer a higher preferred school, Monmouthshire will not make an offer.

Late applications or changes of order of preference will be considered after the first stage has been completed. Where a parent expresses a preference within the first

stage and then changes a preference after **13th November 2024**, this will be deemed as a late application.

Applications where a change of circumstance have occurred, which will have an impact upon the application's status within the oversubscription criteria, will result in the application being treated as late if these changes are brought to the Authorities attention after the closing date.

TIMETABLE FOR CO-ORDINATED ADMISSIONS FOR SEPTEMBER 2025 SECONDARY SCHOOLS

Stage 1

Applications available to Parents	25 th September 2024
Applications received	By 13 th November 2024
Details of applications sent to Monmouthshire schools and other LA's, as appropriate	By 1 st December 2024
Consultation with neighbouring LAs on cross border preferences	By 13 th December 2024
School & Student Access Unit allocates the highest preference place available and notifies other LA's, as appropriate	By 3 rd February 2025
School & Student Access Unit allocates places to Monmouthshire children without an offer	By 10 th February 2025
School & Student Access Unit sends list of pupils to be offered places to each Monmouthshire school	On 21 st February 2025
School & Student Access Unit sends notifications to parents/carers	On 3 rd March 2025
Appeals	May – July 2025

Stage 2

Following the first round of allocations, late applications will be considered and slotted in where possible using the admissions criteria. There is no guarantee that late applications will be dealt with before the **3rd March 2025**.

The processing of late applications is undertaken on a monthly basis, so applications received in April 2025 will be collated and processed during the first full week in May

2025 with schools and parents/carers being notified by the end of the second full week.
These will be processed as per the oversubscription criteria.

Appendix C - Admission Authorities

- Monmouthshire County Council
- Voluntary Aided Schools (Monmouthshire)
 - Archbishop Rowan Williams Church in Wales Primary School
 - Magor Church In Wales Primary School
 - Our Lady & St Michaels Roman Catholic Primary School
 - St Mary's Roman Catholic Primary School, Chepstow
- Blaenau Gwent County Borough Council
- Gloucestershire County Council
- Herefordshire County Council
- Newport City Council
- Powys County Council
- Torfaen County Borough Council
- Brynmawr Foundation School
- St Albans RC School
- St Joseph's RC Schools

Glossary

Normal Year of Entry	The year in which a pupil is scheduled to commence / change school
Maintained School	A school maintained either by the LA or the Diocese
Common Application	Pre-printed form with pupil details and unique pupil reference Number

Appendix D - Admission Numbers for Schools

Secondary

SCHOOL	Capacity	AN
King Henry VIII 3-19 School	1290	215
Caldicot Comprehensive	1500	253
Chepstow Comprehensive	1282	193
Monmouth Comprehensive	1725	270

SCHOOL	Capacity	AN
Archbishop Rowan Williams C in W Primary	210	30
King Henry VIII 3-19 School	420	60
Cantref Primary	210	30
Castle Park Primary	261	37
Cross Ash Primary	210	30
Dewstow Primary	210	30
Durand Primary	210	30
Gilwern Primary	210	30
Goytre Fawr Primary	210	30
Kymin View Primary	210	30
Llandogo Primary	111	15
Llanfoist Fawr Primary	210	30
Llantilio Pertholey C in W Primary	210	30
Llanvihangel Crucorney Primary	79	11
Magor C in W Primary	317	55
Osbaston C in W Primary	210	30
Our Lady & St. Michael's RC Primary	210	30
Overmonnow Primary	390	51
Pembroke Primary	210	30
Raglan C in W Primary	210	30
Rogiet Primary	210	30
Shirenewton Primary	210	30
St. Mary's RC Primary	210	30
The Dell Primary	420	60
Thornwell Primary	330	47
Trellech Primary	207	29
Undy Primary	359	54

Usk C in W Primary	280	40
Ysgol Gymraeg Y Fenni	420	60
Ysgol Y Ffin	210	30

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Integrated Impact Assessment document

(incorporating Equalities, Future Generations, Welsh Language and Socio Economic Duty)

<p>Name of the Officer Matt Jones</p> <p>Phone no:01633644508 E-mail: matthewdjones@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>The majority of primary school catchment areas have been in place in their current form since prior to local government reorganisation. A review of primary school catchment areas is necessary to ensure that they are suitable and reflective of current demand. Any proposed changes to catchment areas must follow a consultation process in line with the School Admissions Code Wales (July 2013)</p>
<p>Name of Service area Children and Young People</p>	<p>Date November 2023</p>

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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	The proposals are to consult with families in the affected areas on changes to primary school catchment areas. The current catchment schools and proposed catchment schools offer the same age range	No impact	
Disability	The proposals involve allocating a primary school catchment that is within the county to families resident in Monmouthshire. The	The proposed new catchment schools are in some cases further away which	Parents will continue to have the opportunity to express a preference the school that they would like their child to

	proposed new catchment schools are compliant to meet the needs of mainstream pupils with disabilities.	may not be a welcome change for those with disabilities	attend. This means that they will still be able to apply for places at the current catchment school. In most cases, the affected families will be eligible for free home to school transport.
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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?
Gender reassignment	No impact	n/a	n/a
Marriage or civil partnership	No impact	n/a	n/a
Pregnancy or maternity	No impact	n/a	n/a
Race	No impact	n/a	n/a
Religion or Belief	For the areas of Tredunnoch, Llanhennock and Llandegveth, the current catchment school is a church in wales school. As the proposed new catchment school is Usk Church in Wales Primary School, the affected families will continue to have access to a church in wales school	n/a	n/a

Sex	The current catchment schools and proposed catchment schools are suitable for all genders	n/a	n/a
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?
Sexual Orientation	No impact	n/a	n/a

The Socio-economic Duty and Social Justice

The Socio-economic Duty requires public bodies to have due regard to the need to reduce inequalities of outcome which result from socioeconomic disadvantage when taking key decisions This duty aligns with our commitment as an authority to Social Justice.

	Describe any positive impacts your proposal has in respect of people suffering socio economic disadvantage	Describe any negative impacts your proposal has in respect of people suffering socio economic disadvantage.	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
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<p>Socio-economic Duty and Social Justice</p>	<p>The proposals are formed around providing Monmouthshire families with access to a Monmouthshire school, allowing the opportunity for greater connections within the county.</p> <p>Families residing within the affected areas will have an equal opportunity to claim free home to school transport to the proposed new catchment schools.</p>	<p>The proposals will mean a change in primary school catchment areas for affected families.</p> <p>We acknowledge that proposals may result in a change to existing connections with the current catchment school community and associate support networks</p>	<p>For those residing in the catchment area for Charles Williams CIW Primary, they will remain within catchment under the governing body's admission arrangements, but within Usk CIW Primary under Monmouthshire's admission arrangements. Parents will therefore continue to be able to express a preference for their current catchment school should they wish to do so</p> <p>The purpose behind this consultation is to seek the views of those affected by the proposals, and such views will be considered prior to any formal decisions being made.</p>
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3. Policy making and the Welsh language.

<p>How does your proposal impact on the following aspects of the Council's Welsh Language Standards:</p>	<p>Describe the positive impacts of this proposal</p>	<p>Describe the negative impacts of this proposal</p>	<p>What has been/will be done to mitigate any negative impacts or better contribute to positive impacts</p>
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<p>Policy Making</p> <p>Effects on the use of the Welsh language,</p> <p>Promoting Welsh language</p> <p>Treating the Welsh language no less favourably</p>	<p>The proposals are relevant to amending the catchment area for the english medium primary school within the affected areas. These areas also have a designated catchment area for welsh medium primary schools should parents wish for their children to be educated through the medium of welsh.</p> <p>Any policy change will consider the impact on the Welsh language and will be in line with the council's Welsh language standards.</p>	<p>n/a</p>	<p>n/a</p>
<p>Operational</p> <p>Recruitment & Training of workforce</p>	<p>No impact</p>		
<p>Service delivery</p> <p>Use of Welsh language in service delivery</p> <p>Promoting use of the language</p>	<p>Children wishing to be educated through the medium of welsh will not be affected by these proposals. The affected areas will continue to have a welsh medium catchment school and will receive free home to school transport to that school</p> <p>All information relating to this consultation will be available in Welsh</p>		





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. There's no need to put something in every box if it is not relevant!

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 will increase the opportunities for children to have access to a school within the county and ensures ongoing sustainable education provision	
A resilient Wales Maintain and enhance biodiversity and land, river and coastal ecosystems that support resilience and can adapt to change (e.g. climate change)	The proposal will result in some families having a catchment school that is further away than their current catchment school, meaning increased travelling times and an inability to walk to school, meaning more use of vehicles to get to and from school	The area is a rural community and many of the families would be unable to walk to their current catchment school. However, proposals are not removing the opportunities for parents to express a preference and they will be able to continue to apply for places at their nearest school should they wish to do so.
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	The affected areas are rural communities with limited opportunities to walk to their current catchment school. The proposed new catchment schools are in many cases further away which will not improve their opportunities to walk to school	The affected areas are rural and in most instances result in families living in excess of 2 miles to their nearest schools, making walking to and from school more challenging.
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	The proposals are formed in support of connecting communities. There are currently families that do not have a primary catchment school within the county so these proposals will contribute to them feeling connected with the monmouthshire community	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	The proposals are likely to result in families having to travel to their catchment school by vehicle.	This is the status for many with their current designated catchment school, but families will be able to be transport via the local authority services rather than by individual family vehicles.

<p>A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People</p>	<p>There are no specific proposals in this report to promote and protect the Welsh language. However the provision for fully immersive welsh medium provision will still be available for the families residing in the affected areas through their designated welsh medium catchment school(s).</p>	<p>The affected areas have a designated catchment area for those wishing for their children to be educated through the medium of welsh.</p>
<p>Well Being Goal</p>	<p>Does the proposal contribute to this goal? Describe the positive and negative impacts.</p>	<p>What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?</p>
<p>are encouraged to do sport, art and recreation</p>		
<p>A more equal Wales People can fulfil their potential no matter what their background or circumstances</p>	<p>The proposals will provide equity to the families residing within the affected areas as they will join all other monmouthshire residents in having a primary catchment school that is within the county.</p>	

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

<p>Sustainable Development Principle</p>	<p>Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.</p>	<p>Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?</p>
 <p>Balancing short term need with long term and planning for the future</p> <p>Long Term</p>	<p>The proposals will enable children residing within the affected areas to join a primary school that is within the county, and therefore ease their arrangements for transition to a secondary school within the county</p>	

 <p>Collaboration</p>	<p>Working together with other partners to deliver objectives</p>	<p>n/a</p>	
<p>Sustainable Development Principle</p>	<p>Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.</p>	<p>Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?</p>	
 <p>Involvement</p>	<p>Involving those with an interest and seeking their views</p>	<p>The proposals are to launch a consultation with those affected by proposals so that their views can be incorporated prior to any decisions for change being made</p>	
 <p>Prevention</p>	<p>Putting resources into preventing problems occurring or getting worse</p>	<p>The proposals will increase the opportunities for affected families to obtain a place at a Monmouthshire School. Current arrangements would mean that families may not be able to access their nearest monmouthshire school should the school become oversubscribed</p>	
 <p>Integration</p>	<p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>The proposals will have a positive impact on the wellbeing of the families residing within the affected areas, as they will form part of the community and transitional process between primary and secondary schools.</p>	

6. Council has agreed the need to consider the impact its decisions has on the following important responsibilities: Corporate Parenting and Safeguarding. Are your proposals going to affect any of these responsibilities?

	Describe any positive impacts your proposal has	Describe any negative impacts your proposal has	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	Children will have access to a school that is within the county and therefore within the Council's control for safeguarding arrangements		
Corporate Parenting	Current arrangements for children who are looked after will remain in place		

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

- Surplus places data
- Planning places data
- Information from LDP for known housing developments

The consultation will also enable us to obtain information from the families residing within the affected areas on whether they are supportive of the proposals put forward

8. 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 proposals to consult on amendment the primary school catchment for the areas of Tredunnoch, Llanhennock and Llandegveth will complete our goal of ensuring that all Monmouthshire families have access to a school that is within the county. The affected areas have an allocated secondary school within Monmouthshire, so the proposals will help to align the transitional arrangements between primary and secondary education for the affected area.

9. 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
N/A		

10. VERSION CONTROL: The Equality and Future Generations Evaluation should be used at the earliest stage, such as informally within your service, and then further developed throughout the decision making process. It is important to keep a record of this process to demonstrate how you have considered and built in equality and future generations considerations wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1	CYP DMT	27/11/23	No adjustments made
2	Cabinet – permission to consult	13/12/23	
3	Cabinet – consultation feedback and final decision making	10/11/23	