



**Neudd y Cyngor
Y Rhadyr
Brynbuga
NP15 1GA**

**County Hall
Rhadyr
Usk
NP15 1GA**

17 Mehefin 2015

17th June 2015

**Notice of meeting:
Monmouthshire County Council**

***Hysbysiad o gyfarfod:
Cyngor Sir Fynwy***

**Thursday 25th June 2015, at 5.00pm
Council Chamber, County Hall, Rhadyr, Usk**

***Dydd Iau 25 Mehefin 2015, am 5.00yp
Siambwr y Cyngor, Neuadd y Cyngor, Y Rhadyr, Brynbuga,***

Prayers will be said prior to the Council meeting at 4.55pm. All members are welcome to join the Chairman for prayers should they wish to do.

AGENDA

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with adequate notice to accommodate your needs.

| Item No | Item |
|----------------|---|
| 1. | Apologies for absence. |
| 2. | Chairman's report and receipt of petitions. |
| 3. | To receive declarations of interest. |
| 4. | To confirm and sign the minutes of the following meeting: a) Annual Meeting 12 th May 2015 b) Council Meeting 14 th May 2015 |
| 5. | Public Forum items (none received). |
| 6. | Notices of motion: (a) Submitted by County Councillor D. Batrouni <i>'That it is noted in the previous financial year that there were</i> |

compensatory savings totalling £1.2m over and above the mandated savings set out. This Council further notes that these compensatory savings have not been subject to public scrutiny; that Councillors did not have a chance to vote for or against such proposals; and notes that to date no comprehensive breakdown of these savings have been provided to Councillors. The Labour opposition therefore asks that any compensatory savings in future financial years are brought to the attention of full Council and the public at the earliest opportunity and a detailed breakdown of these savings are provided as a matter of course at the end of the financial year.'

7. To receive the minutes of the following meetings:

- (a) Internal Monitoring Board 25th February 2015
- (b) Democratic Services Committee (*feb*) March

8. Recommendation from Cabinet (Special Meeting 17th June 2015):

- a) A City Deal for South East Wales

9. Report of the Chief Officer, Enterprise:

- a) Abergavenny: Vibrant & Viable Places – Town Centre Loan Fund
- b) Business Case: Monmouth Pool (to follow)

10. Report of the Chief Officer, Social Care and Health:

- a) Providing Members with an evaluation of the effectiveness of safeguarding within Monmouthshire

11. Reports of the Head of Democracy and Regulatory Services:

- a) Licensing Act 2003 Policy Statement 2015

12. Members' questions:

a) From County Councillor S. White to County Councillor B. Jones:

'The travellers uninvited stay in Monmouth last week, adds up to: their hygiene needs, loss of parking revenue, officers time, the huge amount of un recycled rubbish, to be picked up and dealt with out of working hours, so that Monmouth could accommodate the busy Friday market and parking, must amount to a considerable sum of money, this County can ill afford?

Please could you tell me and the Ratepayers of Monmouthshire, the full cost to us all?'

b) From County Councillor D. Batrouni to County Councillor E. Hackett Pain:

'What is the current situation regarding the reorganisation taking place at Chepstow School?'

c) From County Councillor D. Batrouni to County Councillor E. Hackett Pain:

'What is the total amount spent on redundancy payments at Chepstow school for the financial years (i) 2014-15 (ii) 2013-14?'

**d) From County Councillor D. Batrouni to County Councillor E. Hackett
Pain:**

'What is the present situation with the recruitment of a Headteacher at Pembroke school?'

e) From County Councillor D. Batrouni to County Councillor B. Jones:

'What is the cross-contamination rate for recyclable waste collected by the Council?'

**f) From County Councillor D. Batrouni to County Councillor E. Hackett
Pain:**

'How many SEN children were affected by the "unrealistic savings target" for SEN transport as stated in recent Cabinet papers?'

Paul Matthews

**Chief Executive
Prif Weithredwr**

Aims and Values of Monmouthshire County Council

Sustainable and Resilient Communities

Outcomes we are working towards

Nobody Is Left Behind

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

People Are Confident, Capable and Involved

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

Our County Thrives

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

Our priorities

- Schools
- Protection of vulnerable people
- Supporting Business and Job Creation
- Maintaining locally accessible services

Our Values

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

Nodau a Gwerthoedd Cyngor Sir Fynwy

Cymunedau Cynaliadwy a Chryf Canlyniadau y gweithiwn i'w cyflawni

Neb yn cael ei adael ar ôl

- Gall pobl hŷn fyw bywyd da
- Pobl â mynediad i dai addas a fforddiadwy
- Pobl â mynediad a symudedd da

Pobl yn hyderus, galluog ac yn cymryd rhan

- Camddefnyddio alcohol a chyffuriau ddim yn effeithio ar fywydau pobl
- Teuluoedd yn cael eu cefnogi
- Pobl yn teimlo'n ddiogel

Ein sir yn ffynnu

- Busnes a menter
- Pobl â mynediad i ddysgu ymarferol a hyblyg
- Pobl yn diogelu ac yn cyfoethogi'r amgylchedd

Ein blaenoriaethau

- Ysgolion
- Diogelu pobl agored i niwed
- Cefnogi busnes a chreu swyddi
- Cynnal gwasanaethau sy'n hygyrch yn lleol

Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.

Chairman's Report to Council
Chairman's Duties
16th May 2015 – 16th June 2015

| DATE | ENGAGEMENT/ VENUE |
|--------------------------------|--|
| Saturday 16 th May | Fund Raising Concert for a piano for hall Drill Hall, Chepstow |
| Wednesday 20 th May | Royal Garden Party Buckingham Palace, London |
| Saturday 23 rd May | Gwent Scouts Portcullis Jamboree 2015 Monmouth Show Ground |
| Monday 25 th May | Abergavenny Steam Rally Bailey Park, Abergavenny |
| Friday 29 th May | The Usk Tapestry - Private Viewing Usk Castle |
| Sunday 31 st May | Tractor Road Run Usk Show Ground |
| Friday 5 th June | The Bishop of Monmouth - Supper Party Bishopstow, Newport |
| Sunday 7 th June | MCC Civic Service Usk Baptist Church |
| Thursday 11 th June | The Royal Welsh Presentation of Colours Millennium Stadium, Cardiff |
| Sunday 14 th June | Usk Town Council - Civic Service St Mary's Priory Church, Usk |
| Monday 15 th June | The Young Enterprise Wales Company and Team Final 2015 |

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the Annual Meeting of Monmouthshire County Council held at County Hall, Usk, on Tuesday 12th May 2015 at 5.00pm

PRESENT: County Councillor J. Prosser (Chairman)

County Councillors: D. Batrouni, G.C. Burrows, P.R. Clarke, D.L.S. Dovey, D.L. Edwards, R.M. Edwards, D.J. Evans, P.S. Farley, Fox, J. George, R. J. W. Greenland, L. Guppy, E. J. Hacket Pain, R.G. Harris, R.J.C. Hayward, M. Hickman, R.J. Higginson, G. Howard, G. Howard, S.G.M. Howarth, D.W.H. Jones, P. Jones, S.B. Jones, P. Jordan, P. Murphy, M. Powell, V. Smith, B. Strong, F. Taylor, P.A. Watts, A.E. Webb, S. White, K.G. Williams and A.M. Wintle.

OFFICERS IN ATTENDANCE:

| | |
|------------------|---|
| Mr P Matthews | Chief Executive |
| Ms S. McGuinness | Chief Officer: Schools and Learning |
| Ms K. Beirne | Chief Officer: Enterprise |
| Mr S. Burch | Chief Officer: Social Care and Health |
| Mr R. Tranter | Head of Legal Services/Monitoring Officer |
| Mrs T. Harry | Head of Improvement & Democracy |
| Mrs S. King | Senior Democratic Services Officer |

1 APOLOGIES FOR ABSENCE

These were received from County Councillors R.F. Chapman, J. Crook, D. Blakebrough, G.L. Down, S. Jones, J.I. Marshall and A.C. Watts.

2 DECLARATIONS OF INTEREST

None

3 ELECTION OF CHAIRMAN

The Chairman, County Councillor J.L. Prosser, addressed the council and thanked all who had supported him during his year of office, particularly Heather Dash, his consort and Rev. Mark Soady his Chaplain. The Chairman referred to the privilege of serving the people of Monmouthshire as Chairman and referred to some of his highlights of his year of office, which included visits to Buckingham Palace, the Senedd and Llandaff Cathedral. Funding had been raised for the Chairman's charities, Welsh Warrior the Richard Hund Foundation and Macmillan Cancer Care and Support, Gwent.

The Leader of the Council, County Councillor P.A. Fox; the Leaders of the Political Groups, County Councillors D. Batrouni, County Councillor S.G.M. Howarth, and P.A.D. Hobson, thanked the Chairman and his consort for their work as ambassadors for the Council in difficult circumstances.

It was moved by County Councillor P.A.Fox, duly seconded by County Councillor P. Murphy, and resolved, that County Councillor B. Strong be elected as Chairman of the County Council for the Civic Year 2015/16.

**Minutes of the Annual Meeting of Monmouthshire County Council
Dated 12th May 2015 - continued**

County Councillor Strong made and signed the Declaration of Acceptance of Office, was invested with his Chain of Office by the outgoing Chairman, and took the Chair.

The newly elected Chairman thanked members, officers and his family for their support, and announced that Mrs Mary Strong would be his consort; Rev. Paul Baxter his Chaplain; and that his charities would be Wales Air Ambulance and Noah's Ark Children's Hospital Charity.

The Chairman then presented the outgoing Chairman with the Past Chairman's Badge of Office.

3 APPOINTMENT OF VICE CHAIRMAN

It was moved by County Councillor D. Batrouni and seconded by County Councillor R. Greenland, that County Councillor R.J. Higginson be appointed as Vice Chairman of the County Council for the Civic Year 2015/16.

We resolved that County Councillor R.J. Higginson be appointed as Vice Chairman of the County Council for the Civic Year 2015/16.

County Councillor Higginson made and signed the Declaration of Acceptance of Office, was invested with his Chain of Office by the Chairman, and took his position as Vice Chairman.

The Vice Chairman thanked members for their support and offered his support to the newly elected Chairman. The Vice Chairman's Consort would be Mrs P. Collier.

The programme concluded with the presentation of the Chain of Office to the incoming Chairman's Consort, Mrs Mary Strong, of a pendant to the outgoing Chairman's Consort, Heather Dash and of the Chain of Office to the incoming Vice Chairman's Consort, Mrs Pauline Collier.

4 DEFERRAL OF BUSINESS

We resolved that the remaining items of business be deferred to the meeting of the County Council to be held on 14th May 2015.

The meeting ended at 6.00 p.m.

MONMOUTHSHIRE COUNTY COUNCIL**Minutes of the meeting of Monmouthshire County Council held
at County Hall, Usk on Thursday 14th May 2015 at 5.00 p.m.**

PRESENT: County Councillor B. Strong (Chairman)
County Councillor R.J. Higginson (Vice Chairman)

County Councillors: D. Batrouni, D. Blakebrough, G.C. Burrows, D.L.S. Dovey, A. Easson, D.L. Edwards, R.M. Edwards, D.J. Evans, P.S. Farley, P.A. Fox, J. George, R. J. W. Greenland, L. Guppy, E. J. Hacket Pain, R.G. Harris, R.J.C. Hayward, M. Hickman, P.A.D. Hobson, G. Howard, S.G.M. Howarth, D.W.H. Jones, P. Jones, S.B. Jones, R.P. Jordan, P. Murphy, M. Powell, J.L. Prosser, F. Taylor, A.C. Watts, P.A. Watts, A.E. Webb, S. White, K.G. Williams and A.M. Wintle.

OFFICERS IN ATTENDANCE:

| | |
|----------------|---|
| Mr P. Matthews | Chief Executive |
| Ms K. Beirne | Chief Officer, Enterprise |
| Mr S. Burch | Chief Officer, Social Care and Health |
| Mrs J. Robson | Head of Finance/Section 151 Officer |
| Mr R. Hoggins | Head of Operations |
| Mrs T. Harry | Head of Democracy and Regulatory Services |
| Mr R. Tranter | Head of Legal Services/Monitoring Officer |
| Mrs S. King | Senior Democratic Services Officer |

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from County Councillors R.F. Chapman, P.R. Clarke, G.L. Down, S. Jones, J.I. Marshall and V.E. Smith.

2. CHAIRMAN'S ANNOUNCEMENTS AND PETITIONS

County Councillor S.G.M. Howarth presented a petition, from residents of Clydach-North which related to the building of a new road. The petition was passed to the relevant officer.

3. DECLARATIONS OF INTEREST

County Councillor D. Evans declared a personal non-prejudicial interest pursuant to the Members Code of Conduct, as a school governor in relation to item 16a Severnside 3G Pitch.

County Councillor L. Guppy declared a personal, non-prejudicial interest pursuant to the Members Code of Conduct, as a school governor and as she has a family member attending the school, in relation to item 16a Severnside 3G Pitch.

4. MINUTES

We received the minutes of County Council meetings as follows:

- i)* We resolved that the minutes of the meeting of the County Council held on 26th March 2015 be approved as a correct record and signed by the Chairman.

**Minutes of the meeting of Monmouthshire County Council dated Thursday 14th
May 2015 continued**

- ii) We resolved that the minutes of the Special Meeting of the County Council held on 23rd April 2015 be approved as a correct record and signed by the Chairman, subject to the following amendments:

Item 6. (page 18 second bullet point) – during discussion of gap in achievement at KS4 add ‘free school meals’:

‘In response to a question raised regarding achievement at KS4 and the gap in terms of achievements for pupils in receipt of free school meals, we were informed that Monmouthshire had the largest gap in Wales, however, performance was average and not the worst in Wales. It was recognised that the gap was too large and had to be addressed.

**5. ELECTION OF LEADER AND NOTIFICATION OF LEADER DELEGATIONS
(CABINET APPOINTMENTS)**

County Councillor R.J.W.Greenland moved that County Councillor P.A.Fox be elected as Leader of the Council. This was duly seconded by County Councillor A. Webb.

On being put to the vote, the proposal was carried.

We resolved that County Councillor P.A.Fox be elected as Leader of the Council.

Councillor Fox expressed thanks to the Council for his re – election stating that it was a privilege to lead Monmouthshire County Council and highlighted that there were challenges and opportunities ahead.

The Leader announced that Cabinet portfolios and personnel would remain unchanged until further notice:

R.J.W. Greenland: Innovation, Enterprise and Leisure
(Deputy Leader)

P.A.D Hobson: Community Development
(Deputy Leader)

E.J. Hackett Pain Schools and Learning

G. Howard Environment, Public Services and Housing

G. Burrows Social Care and Health

P. Murphy Resources

S.B. Jones County Operations

The Leader expressed sincere thanks to his Deputy Leaders and Cabinet for their support and dedication.

6. REPRESENTATION OF POLITICAL GROUPS

**Minutes of the meeting of Monmouthshire County Council dated Thursday 14th
May 2015 continued**

The Council was required to review at, or as soon as practicable following, the Annual Meeting, the representation of different political groups on the bodies to which the Council makes appointments.

76 seats

| Committee | Cons | Lab | Lib Dem | Ind |
|-----------------------------|-------------|------------|----------------|------------|
| Select (x4) (9) | 17 | 9 | 2 | 8 |
| Licensing & Regulatory (12) | 5 | 3 | 1 | 3 |
| Planning (16) | 7 | 4 | 1 | 4 |
| Democratic Services (12) | 5 | 3 | 1 | 3 |
| Aggregate Entitlement (76) | 34 | 19 | 5 | 18 |

- Some concerns were expressed that attendance was poor on Select committees and numbers should be increased to maximise attendance.
- Council were reminded that the constitution had been changed in 2014 and there was a mechanism in place in order to make changes accordingly.
- It was confirmed that Select committees were required to be politically balanced.
- We agreed that the issue of attendance should be considered by Political Leadership Group.

Upon being put to the vote we agreed to approve recommendations within the report.

We resolved:

1. That the report and appendices be accepted as a review under Section 15 of the Local Government and Housing Act 1989.
2. That ordinary committees be appointed with the numbers and adjustments indicated below:

| Committee | Cons | Lab | Lib Dem | Ind |
|-----------------------------|-------------|------------|----------------|------------|
| Select (x4) (9) | 17 | 9 | 2 | 8 |
| Licensing & Regulatory (12) | 5 | 3 | 1 | 3 |
| Planning (16) | 7 | 4 | 1 | 4 |
| Democratic Services (12) | 5 | 3 | 1 | 3 |
| Aggregate Entitlement (76) | 34 | 19 | 5 | 18 |

7. APPOINTMENT OF SELECT COMMITTEES

The report set out the terms of reference for Select Committees, which had been agreed by the previous Council.

We resolved:

**Minutes of the meeting of Monmouthshire County Council dated Thursday 14th
May 2015 continued**

(1) That the following Select Committees be appointed with the terms of reference set out below. Committee membership to be notified by the political groups:

Economy and Development Select Committee (9 members)

Terms of reference

To undertake overview and scrutiny in line with statutory responsibilities on the following:

- Budget Scrutiny, performance scrutiny and risk monitoring
- To review, constructively challenge and hold the Council and other relevant public bodies and partner organisations to account in addressing key priorities through the planning and delivery of services to ensure that they are responsive to the needs of businesses, residents and visitors and promote economic activity, including:
 - Scrutiny of the Management of Regeneration and Culture Directorate.
 - Strategic economic development, place shaping and enterprise.
 - Promoting and sustaining economic growth.
 - Job creation and ensuring opportunities for skills and vocational training.
 - Public Health, Environmental Health and Trading Standards.
 - Public realm – Culture, libraries, museums and theatre.
 - The Planning Function – Building Control, Development Control, Local Development Plans, Economic Development and Housing.
 - Scrutiny of collaborative initiatives such as the Shared Resource Service (SRS) and CMC2 and any others as appropriate.
 - Procurement.

Strong Communities Select Committee (9 members)

Terms of reference

To undertake overview and scrutiny in line with statutory responsibilities on the following:

- Budget Scrutiny, performance scrutiny and risk monitoring
- To review, constructively challenge and hold the Council and other relevant public bodies and partner organisations to account in addressing key priorities through the planning and delivery of services to ensure that they are responsive to the needs of residents and promote their safety and well-being.
- To ensure the Council supports the development of new and sustainable communities and supports the resilience of existing communities through Local area co-ordination.
- To review and improve the Council's links with the Voluntary Sector.

**Minutes of the meeting of Monmouthshire County Council dated Thursday 14th
May 2015 continued**

- To scrutinise the delivery of the Single Integrated Plan, allocating specific scrutiny areas to other select committees where appropriate.
- To scrutinise key services provided in partnership to local communities to ensure effective multi-agency action is delivered, including amongst others:
 - Infrastructure and networks.
 - Highways (including SWTRA), Transport and Traffic Management.
 - Street Lighting.
 - Waste Management.
 - Community Safety.
 - Estates and Sustainability.
 - Facilities and Accommodation Management.
 - Citizen Engagement.
 - Community Safety.
 - Chief Executive Function.
 - Revenues, Council Tax, Non-Domestic Rates and Finance.
 - Corporate Costs / Levies.
 - Appropriations (including external debt costs from earmarked reserves, costs resulting from fixed asset disposal).
 - Financing (including core funding from WG, council tax income).

Children and Young People Select Committee (9 members)

Terms of reference

To undertake overview and scrutiny in line with statutory responsibilities on the following:

- Budget Scrutiny, performance scrutiny and risk monitoring
- To review, constructively challenge and hold the Council and other relevant public bodies and partner organisations to account in addressing key priorities through the planning and delivery of services to ensure that services are relevant and responsive to the needs of young people and promote their health and well-being, including amongst others, the following relevant areas:

**Minutes of the meeting of Monmouthshire County Council dated Thursday 14th
May 2015 continued**

- Safeguarding Children, including social care and health, services for vulnerable children and families, Child Protection, Children in Public Care, Home Finding, Family Centres and Aids & Adaptations for disabled children.
- Youth Justice and youth offending service.
- Youth clubs and leisure facilities for young people.
- Special Support Services, Pupil Support Services.
- Education, including School Performance Management, Resource Management, Management, Governor Support, Health & Safety, Financial and ICT Services, School Planning, Transport, Admissions, Student Grants and School Meals.
- Management of Individual Schools Budgets, Schools Delegated Budgets, the Authority's Schools Individually Managed Budgets.

Adults Select Committee (9 members)

Terms of reference

To undertake overview and scrutiny in line with statutory responsibilities on the following:

- Budget Scrutiny, performance scrutiny and risk monitoring
- To review, constructively challenge and hold the Council and other relevant public bodies and partner organisations to account in addressing key priorities through the planning and delivery of services to ensure that services are relevant and responsive to the needs of Adults and promote health and well – being including amongst others the following relevant areas:
 - Safeguarding Adults, including Mental Health services and Disability services.
 - Adult Social Care, including Domiciliary Care, Residential Care, Nursing Home Care, Community Care, Occupational Therapy, Re-ablement, Assistive Technology, Community Meals Service, Sensory Impairment Services.
 - Support to Families and Carers, including Respite and Short Breaks.
 - Adult Education, including Learning Disability Services.
 - Integrated Adults Services with Health Partners.
 - Joint Strategic Needs Assessment.
 - Protecting and supporting vulnerable Adults.
 - "Transition agenda" from young people to Adults.
 - Protecting vulnerable Adults (POVA) and Supporting People.
 - Homelessness prevention.
 - Domestic Violence Service, Drug and Alcohol Services.
 - Public health and wellbeing promotion through Single Integrated Plan.
 - Leisure services in terms of health outcomes.

**Minutes of the meeting of Monmouthshire County Council dated Thursday 14th
May 2015 continued**

- Welfare Rights.
- Community Legal Service.

(2) That the following members be co-opted onto the Children and Young People Select Committee:

Voting on Education Issues only

Revd. Dr. S. James (Church in Wales)
Mr M. Fowler (Parent Governor Representative)
Mr C. Robertshaw (Parent Governor Representative)
Vacancy (Catholic Church)

Non-Voting

Vacancy (ASCL)
Mr. G. Murphy (NAHT)
Vacancy (NASUWT)
Vacancy(NUT)
Vacancy (Free Church Federal Council)
Mr K. Plow (Association of School Governors)

(3) That two members of Action 50+, one from Abergavenny and one from Monmouth be co-opted onto the Adults Select Committee, for the term of this Council, subject to them agreeing to abide by the Council's Code of Conduct (note: the current co – opted members are Mr David Hill and Mrs Delia Hudson).

8. APPOINTMENT OF AUDIT COMMITTEE

We received a report which appointed the Audit Committee, together with terms of reference and membership.

We resolved:

1. That the Audit Committee be appointed, with the terms of reference attached as appendix A of the report.
2. That the membership of the Committee comprise 11 members of the Council, to be appointed in accordance with political balance, plus one lay member.
3. That it be noted that the Chair of the Audit Committee will be appointed by the Committee

9. APPOINTMENT OF REGULATORY AND OTHER COMMITTEES

We resolved that the following committees, together with their terms of reference, be appointed, with membership to be notified by the political groups.

(a) Planning (16 Members)

With delegated powers:

- Planning and conservation

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May 2015 continued**

Functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001 ('the Functions Regulations') save in relation to footpaths and bridleways.

- Powers relating to the preservation of trees, the protection of important hedgerows and the power to make limestone pavement order.

(b) Licensing and Regulatory (12 Members)

With delegated powers:

- To determine traffic orders.
- To act as the Licensing Committee designated for the purpose of Section 6 of the Licensing Act 2003.
- To carry out all other functions and powers specified in Schedule 1 to the Functions Regulations, save in relation to the duty to approve the Authority's Statement of Accounts etc., the power to make Standing Orders, to appoint staff and to consider adverse reports from the Local Commissioner, all of which shall be reserved to Full Council.
- To carry out all other Licensing functions in accordance with Part 2 of the Licensing Act 2003.

(c) Sub-Committees under the Licensing Act 2003

- three sub-committees of three members to be established to meet on Monday, Wednesday and Friday.
- the Chairman, Vice Chairman and Opposition spokesman of the Licensing and Regulatory Committee to be appointed as Chairman of each sub-committee
- the nine remaining members be called to attend sub-committee meetings on a rota basis in discussion with the Chairman of the relevant sub-committee.

With delegated powers to discharge all functions relating to licensable activities as described in the Licensing Act 2003.

(d) Appeals Committee (3 members to be nominated on an ad hoc basis)

With delegated authority to determine appeals in accordance with the County Councils' constitution, e.g. School Transport Appeals, Discretionary Housing Payments Appeals.

(e) Appointment of Local Authority Governors Committee (7 Members)

With plenary powers to act in accordance with the Code of Practice set out below:

1. LEA Governors are appointed representatives of the LEA on a school's governing body. They are not delegates, but can be removed at the discretion of the LEA. Appointments are made on merit, irrespective of political persuasion and in the best interests of the children and school. Nominations of elected members will be viewed in exactly the same way as any other nominations.

**Minutes of the meeting of Monmouthshire County Council dated Thursday 14th
May 2015 continued**

2. They may represent the LEA view, but in all cases the interests of the school are paramount and all governors shall abide by the governing body's rules and code of conduct.
3. A governor appointed by the LEA must, like all governors be in a position to:
 - Offer time, commitment and energy to the role.
 - Become well informed about current educational thinking.
 - Know about the needs of the school, its staff and pupils.
 - Visit the school with purpose, sensitivity and understanding.
 - Undertake training as necessary.
 - Attend meetings regularly.
 - Conform to agreed procedures at meetings, including the need for confidentiality concerning certain matters discussed in Governing Body meetings especially in relation to individual staff, pupils and parents.
 - Undertake appropriate preparation and reading.
 - Work co-operatively as a member of a team, accepting collective responsibility for decisions made.
 - Share responsibilities including service on committees
 - Find out as much as possible about the community served by the school.
 - Understand that the position does not offer a personal or political platform.
 - Offer commitment to raising education standards to enable every child and young person to reach their full potential
4. When an LEA governor vacancy occurs, the school may advise the LEA of its needs in terms of balance of skills, gender or other considerations for the good of the school. It shall have the right to submit names for consideration.
5. When an LEA Governor vacancy occurs, the County Councillor in whose electoral area the school is situated will be informed. (All other County Councillors will be advised of the vacancy for information.) They should consult the school's head teacher and chairman of governors as well as fellow Councillors in cases where pupils are drawn from beyond their electoral division. They may recommend names for consideration.
6. The LEA will appoint the persons most suitable to be governors according to the criteria set out above. The appointment will be made as soon as possible after the vacancy arises, recognising the serious operational difficulties which may occur when governing bodies are incomplete.
7. The LEA may remove governors which it has appointed. Any motion or request to remove, setting out reasons, will be considered by the appointing body. The Governor will have the opportunity to make written or oral representations but otherwise the procedure to be adopted will be at the absolute discretion of the appointing body. The LEA will only remove a governor for good reason and in the interests of the school and not because of the way the governor has voted or is likely to vote in governors' meetings. Any resolution to remove will be notified to the governor, with reasons within 7 days.

**Minutes of the meeting of Monmouthshire County Council dated Thursday 14th
May 2015 continued**

**(f) Standing Advisory Council on Religious Education (SACRE)
(6 Members)**

Persons representing such Christian denominations and other religions and denominations in such religions as in the opinion of the County Council will approximately reflect the principal religious traditions in the area.

Persons to represent such associations representing teachers as in the opinion of the County Council ought to be represented, having regard to the circumstances of the area.

| | |
|---|------------|
| (a) Monmouthshire County Council | 6 members |
| (b) Christian denominations and other religions and denominations as set out below: | 12 members |
| The Church in Wales | 1 member |
| The Roman Catholic Church | 1 member |
| Free Churches | 4 members |
| Baha'i Faith | 1 member |
| Buddhist Faith | 1 member |
| Hindu Faith | 1 member |
| Muslim Faith | 1 member |
| Jewish Faith | 1 member |
| Sikh Faith | 1 member |
| Teachers' Associations | 7 members |
| Co-opted | 2 members |

SACRE-TERMS OF REFERENCE

1. Function

- (a) To advise the Local Education Authority (LEA) upon matters connected with religious worship in county schools and religious education (RE) to be given in accordance with an agreed syllabus for the Authority.
- (b) It can require the LEA to review the RE agreed syllabus and establish an agreed syllabus at a formal meeting called an Agreed Syllabus Conference.
- (c) To consider any application made by a head teacher for their school to be released from the requirement that collective worship be wholly or mainly of a broadly Christian character for some or all of the pupils in that school (determination).

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The main role, therefore, is to support effective provision of collective worship, and religious education in accordance with the Agreed Syllabus.

Each LEA should work with its SACRE to review the existing provision for RE and consider with the SACRE whether any changes need to be made in the Agreed Syllabus or in the support offered to schools.

Similarly it should work with its SACRE to monitor the provision of daily collective worship and to consider with it any action which might be taken to improve provision.

It is for the LEA to decide what matters it wishes to refer to its SACRE, but these should include methods of teaching, the choice of teaching material and the provision of teacher training.

A SACRE is not confined to advising on matters referred to it by its LEA; it may offer advice on any matters related to its functions as it sees fit.

The advice offered by a SACRE carries no statutory force. However, the LEA or school should always give careful consideration to advice offered.

LEAs are encouraged to keep their SACRE fully informed on all matters relating to RE and collective worship in their schools. This should include, where appropriate, information on individual schools following inspection by Estyn.

2. Annual Reports

SACRE must publish an annual report on its work. This should:

1. specify any matters on which it has advised the LEA
2. broadly describe the nature on that advice; and
3. set out its reasons for offering advice on any matters which were not referred to it in the first place by the LEA.

A copy of the annual report must be sent to DCELLS (by 30th December).

LEAs are encouraged to send copies of the annual report to schools and local teacher training institutions.

3. Composition

SACRE shall consist of representation from:

- Christian denominations and other religions and religious denominations, to broadly reflect the proportionate strength of the denomination in the area. It is recognised that there will be occasions when the interests of efficiency override the requirement for directly proportionate representation;
- Such associations representing teachers as, in the opinion of the authority, ought to be represented; and
- The local education authority.

It may also appoint co-opted members if required although these members have no voting rights.

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It is for the LEA to appoint the members of the three groups.

Each group has a single vote on any matter to be decided by SACRE.

4. Chair

Legislation does not prescribe how the chair should be appointed. It is open to the authority to appoint the chairperson, or to allow a SACRE to appoint its own chair from its members.

5. Meetings & Business

Monmouthshire SACRE normally meets each term (3 meetings per annum) but meetings can be arranged as required.

A member from each group must be present for SACRE to be quorate.

The LEAs duty to convene a SACRE implies a duty to fund this body satisfactorily. The LEA should provide a clerk and sufficient funds for it to perform its functions.

SACRE is required to provide an annual report of its work which must be submitted to DCELLS (by 30th December).

A review of the Agreed Syllabus must be carried within every five year period.

6. Attendance *

Apologies should be made in advance if a member cannot attend a meeting.

Any member who has not attended three consecutive meetings without apology will lose the right to his/her place.

Supply cover will be paid for teachers' attendance at meetings.

Religious representatives may claim expenses from their respective organisations.

7. Membership of WASACRE

Monmouthshire SACRE is a member body of the Welsh Association of SACREs. Four SACRE representatives are nominated for attendance at WASACRE but these may be substituted as required.

The RE Adviser to SACRE shall act for the LEA at WASACRE meetings.*

Supply cover and travel expenses will be paid to teacher representatives attending meetings.

Religious representatives may claim expenses from their respective organisations.

(h) Appointment Committee (5 members)

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Note: under the Council's Constitution, this Committee must include at least one member of the Executive but must not comprise a majority of members of the Executive.

Appointed to take all decisions relevant to the recruitment of posts created as part of the management structure 2010. This Committee will appoint non – statutory Chief Officers and Deputy Chief Officers.

(i) Coordinating Board

Chairman of each Select Committee; the Leader and Deputy Leader; the Chairman of each Area Committee; the Scrutiny Champion; the Chief Executive. The Chairman of the County Council will also be invited to attend.

- To manage the business processes and the relationship between the constituent parts of the Council's business machinery.
- To review Council, Cabinet and Committee work programmes with a view to improving co-ordination and avoiding duplication.
- To enable Chairs to keep the Board informed of progress eg on Select Committee and other reviews.
- To share best practice across Committees and identify training and development needs
- To enable the Chief Executive to brief Chairs about forthcoming issues

(j) Remuneration Committee (Chief Executive) (5 members)

To make recommendations to the Council on pay and remuneration issues relating to the Chief Executive.

The Committee will meet at least annually.

(k) Investigation Committee (3 members)

Appointed pursuant to the Council's Officer Employment Procedure Rules relating to the Head of Paid Service, Chief Finance Officer and Monitoring Officer

(l) Disciplinary Committee (3 members)

Appointed pursuant to the Council's Officer Employment Procedure Rules relating to the Head of Paid Service, Chief Finance Officer and Monitoring Officer

10. APPOINTMENT OF DEMOCRATIC SERVICES COMMITTEE & APPOINTMENT OF CHAIR OF THE COMMITTEE

The Local Government (Wales) Measure 2011 requires the Council to appoint a Democratic Services Committee.

The Measure also states that the Council must appoint a Chair, who must not be a non – executive member.

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The report recommended that:

1. A Democratic Services Committee be appointed with the following terms of reference;
 - (a) to exercise the function of the local authority under section 8(1)(a) (designation of head of democratic services),
 - (b) to review the adequacy of provision by the authority of staff, accommodation and other resources to discharge democratic services functions, and
 - (c) to make reports and recommendations to the authority in relation to such provision.
 - (d) To fully support the non-executive role of councillors.
 - (e) To undertake pieces of work aimed at improving the democratic function, in line with the ethos of the Local Government Measure 2011.
 - (f) To draw up a job description for elected members and improve clarity, transparency and public engagement.
 - (g) To review the ICT policy for members.
2. That the membership of the Committee comprise 11 members of the Council, politically balanced.
3. That the Chair of the Democratic Services Committee be appointed by the Council.

County Councillor D. Batrouni proposed that the recommendations be accepted and that County Councillor D. Evans be appointed as Chair of the Committee. This was duly seconded by County Councillor R. Harris.

On being put to the vote we unanimously agreed the proposal.

We resolved that:

1. A Democratic Services Committee be appointed with the terms of reference as previously stated.
2. The Committee comprise 11 members of the Council, politically balanced.
3. The Chair of the Democratic Services Committee be appointed by the Council.

Councillor D. Evans was duly elected as Chairman of the Democratic Services Committee. The Chairman of the Council congratulated County Councillor D. Evans on his appointment.

11. APPOINTMENT OF AREA COMMITTEES

We resolved that the following Area Committees, together with their membership and terms of reference, be appointed, and that the Cabinet Forward Work Plan be included on the agenda for Area Committees:

Bryn y Cwm

Councillor M. Powell

Castle

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| | |
|--------------------------|-------------------|
| Councillor G. Howard | Llanelly Hill |
| Councillor D L Edwards | Grofield |
| Councillor J.L Prosser | Priory |
| Councillor J George | Lansdown |
| Councillor R G Harris | Croesonen |
| Councillor S. Jones | Llanover |
| Councillor S G M Howarth | Llanelly Hill |
| Councillor S B Jones | Goetre Fawr |
| Councillor K. Williams | Llanwenarth Ultra |
| Councillor R.F. Chapman | Mardy |
| Councillor M. Hickman | Llanfoist Fawr |
| Councillor D. Jones | Crucorney |
| Councillor R.P. Jordan | Cantref |

Central Monmouthshire

| | |
|----------------------------|----------------------|
| Councillor G C Burrows | Mitchel Troy |
| Councillor P R Clarke | Llangybi Fawr |
| Councillor P. Jones | Raglan |
| Councillor R Edwards | Llantilio Crossenny |
| Councillor R J C Hayward | Dixton with Osbaston |
| Councillor E J Hacket Pain | Wyesham |
| Councillor B. Strong | Usk |
| Councillor V E Smith | Llanbadoc |
| Councillor D. Blakebrough | Trellech United |
| Councillor S White | Overmonnow |
| Councillor A M Wintle | Drybridge |

Lower Wye

| | |
|----------------------------|------------------|
| Councillor D. Batrouni | St Christopher's |
| Councillor D.L.S. Dovey | St Kingsmark |
| Councillor G L Down | Shirenewton |
| Councillor R J W Greenland | Devauden |
| Councillor P.A.D.Hobson | Larkfield |
| Councillor P.Murphy | Caerwent |
| Councillor P. Farley | St Mary's |
| Councillor A C Watts | Thornwell |
| Councillor Mrs. A.E.Webb | St. Arvans |

Severnside

| | |
|--------------------------|-----------------|
| Councillor A. Easson | Dewstow |
| Councillor D.J.Evans | West End |
| Councillor P A Fox | Portskewett |
| Councillor L. Guppy | Rogiet |
| Councillor J. Crook | The Elms |
| Councillor R J Higginson | Severn |
| Councillor F. Taylor | Mill |
| Councillor J. Marshall | Green Lane |
| Councillor P. Watts | Caldicot Castle |

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Area Committees terms of reference:

The Council may appoint area committees as it sees fit, if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.

The Council has recognised the need to engage the community in Area Working which in its early stages has involved establishing 4 Area Committees with the following roles and functions:

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

Additional Representation

Each Area Committee may identify and agree 'communities of interest' within its area from which a representative may be invited to participate at meetings of the committee. Such invitees will not be co-opted members of the committee but may speak (not vote) on matters whenever the press and public are able to attend.

12. APPOINTMENT OF STANDARDS COMMITTEE

We resolved that the Standards Committee, together with membership and terms of reference set out below, be appointed:

Membership

Three members of the Authority other than the Leader, five voting co-optees and one community member.

| | | | |
|--------------------------------|---------------------------------|---------------------------|-----------------------------|
| County Councillors: | Independent Members: | Term of Office | Community Member |
| D.L.Edwards | Mr M Sutton | (July 2019) | Mrs I. Cameron |

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| | | |
|------------|--------------|------------|
| D.J Evans | Mr T.Auld | (Jan 2016) |
| R P Jordan | Mr.G.Powell | (Jan 2016) |
| | Mrs P.Reeves | (Jan 2016) |
| | Mr.G.Preece | (June2015) |

Terms of reference

Chairing the Committee.

- i. Only an independent member of the standards committee may be the Chairman.
- ii. The Chairman will be elected by the members of the standards committee for a period not exceeding one year. The Chairman is eligible for re-election.
- iii. The election of a Chairman will be the first item of business for the standards committee at the commencement of each municipal year.

Role and function (as set out in Part 9.03 of the constitution)

The Standards Committee will have the following roles and functions:

- (a) promoting and maintaining high standards of conduct by councillors, co-opted members and church and parent governor representatives;
- (b) assisting the councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) monitoring and from time to time reviewing the operation of the Members' Code of Conduct and protocols which apply to members of the Council, employees, contractors and other parties or organisations associated with Council activity;
- (e) advising, training or arranging to train councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct;
- (f) granting dispensations to councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct;
- (g) dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Local Commissioner in Wales.
- (h) mentoring and supporting the Council's Monitoring Officer in the discharge of his/her role
- (i) receiving and investigating (where statute permits) reports and complaints relating to the Members' Code of Conduct and protocols approved by the Council from time to time;
- (j) the exercise of (a) to (i) above in relation to the town and community councils wholly or mainly in its area and the members of those town and community councils.
- (k) ensuring the Council's whistle blowing procedures operate effectively
- (l) ensuring the Council's complaints procedures operate effectively and publishing an annual report on the operation of the system.

Other functions as set out in Part 3 of the constitution

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Functions relating to standards of conduct of members under any relevant provision of, or regulations made under, the Local Government Act 2000. Other functions delegated to the Committee by the Council in accordance with section 54(3) of the Local Government Act 2000, in accordance with any regulations made under that Act.

13. STANDARDS COMMITTEE – RE-APPOINTMENT OF INDEPENDENT MEMBER

We resolved to re-appoint Mr G. Preece as an independent member of the Council's Standards Committee.

14. APPOINTMENTS TO OUTSIDE BODIES

We resolved that members be appointed to outside bodies, as set out in the schedule attached to these minutes, as an approved duty, with the exception of Joint Committees listed in category B, which are Cabinet appointments.

We agreed that clarification would be obtained from outside bodies as follows:

- National Resource Wales (previously Internal Drainage Board)
- Institute of Welsh Affairs
- South Wales Regional Aggregates Working Party
- Welsh European Funding Office Objective 3 Monitoring Committee
- Pension Fund Management Group
- Capital Regional Tourism
- Association of Severnside Relevant Authorities
- Severn Estuary Partnership
- Coleg Gwent corporation

15. MEMBERS' SALARIES AND PAYMENTS

The report set out the determinations of the Independent Remuneration Panel for 2015/16 and invited the Council to determine the scope of senior salaries. The Council would be able to pay up to 17 senior salaries plus 2 civic salaries (to the Chairman and Vice-Chairman of Council).

Some Members queried why the Leader of the Independent Group, of more than 5 Members was not salaried.

It was moved by the Leader of the Council and seconded that senior and civic salaries be paid at the levels determined by the IRP for Wales for 2015/16 in respect of the following posts:

Senior Salaries

Leader

Deputy Leaders(x2)

Cabinet Members (x5)

Main Opposition Leader

Select Chairs (x4)

Planning and Licensing Chairs(x2)

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Democratic Services Chair(x1)

Civic Salaries

Chairman of Council

Vice Chairman of Council

Maximum Senior and Civic Salaries:19

Upon being put to the vote it was duly carried.

We resolved:

(1) That the determination of the IRP, that an annual basic salary of £13,300 be paid to all members with effect from 14th May 2015, be noted

(2) That senior salaries be paid at the levels determined by the IRP for 2015/16 in respect of the following posts:

| <u>Post</u> | <u>Senior Salary as determined by IRP</u> |
|----------------------------------|---|
| Leader | 29,700.00 |
| Deputy Leaders(x2) | 16,700.00 |
| Cabinet Members (x5) | 12,700.00 |
| Main Opposition Leader | 8,700.00 |
| Select Chairs (x4) | 8,700.00 |
| Planning & Licensing Chairs (x2) | 8,700.00 |
| Democratic Services Chair(x1) | 8,700.00 |

(3) That civic salaries of £5,700 and £700 per annum be paid to the Chairman and Vice Chairman of the Authority respectively.

(4) That care allowance shall payable for actual and receipted costs up to a maximum of £403 per month.

(5) That daily fees of £256 (pro rata for ½ days) be paid to co-opted Chairs of Standards and Audit Committees.

(6) Daily fees of £198 (pro rata for ½ days) be paid to ordinary co-opted members of Standards, Education Scrutiny, Crime and Disorder Scrutiny and Audit committees.

(7) That travel and subsistence allowances be paid as set out below:

Reimbursement of travel and subsistence for “official business” (formerly approved duty)

Mileage

| | |
|--------------------------------------|---------------------------|
| All vehicle sizes up to 10,000 miles | 45p per mile |
| Over 10,000 miles | 25p |
| Passenger supplement | 5p per passenger per mile |
| Private motor cycles | 24p per mile |

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Bicycles 20p per mile

Other travel

All other claims for travel will only be reimbursed on production of a receipt showing the actual expense. Members and co-opted members should always be mindful of choosing the most cost-effective method of travel.

Subsistence

| | |
|-----------------------------------|-------------|
| Max day allowance (with receipts) | £28 per day |
| Overnight | £95 |
| (London) | £150 |
| Overnight with friends | £25 |

The Panel have determined that “subsistence expenses for official business which takes place in county or authority shall not be reimbursed.”

16. RECOMMENDATION FROM CABINET ON 18TH MARCH 2015

We received a recommendation from Cabinet as follows:

a) **SEVERNSIDE 3G PITCH CALDICOT**

We received recommendations from Cabinet in relation to Severnside 3G pitch Caldicot. The purpose of the report had advised Cabinet of an overspend on the project for the new 3G pitch at the Caldicot School/Leisure Centre site and which recommended to elected members the use of balances accrued from another Section 106 Agreement in the area to offset the overspend, so that it did not impact on other projects in the Capital Programme.

We resolved to agree recommendations within the report:

1. Cabinet recommends to Council that the gross expenditure budget for the Severnside 3G project is increased from £660,000 to £718,000
2. Cabinet recommends to Council that this is funded by
 - a contribution of £5,000 from Caldicot Comprehensive School;
 - a contribution of £53,000 from the balances held by the County Council in respect of the Church Road (3) Caldicot (Taylor Wimpey) development site

17. ANNUAL REPORT CHIEF OFFICER SOCIAL CARE AND HEALTH

We received the Director’s Annual Report which informed Council on the effectiveness of Social Care Services in 2014/15 and the priorities for the coming year.

Council were informed that there was a duty for a report to be presented and adopted by Council. The report had been considered jointly by the Adults and Children and Young People Select committee.

We debated the report and noted the following points:

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- Members expressed thanks to the Director and commended staff within the team.
- We thanked the officer for a concise and readable report.
- The Cabinet member thanked the office for the report. Members recognised the needs and pressures, and the sensitive nature of the role of the service. We recognised that vulnerable children were a priority.
- The report provided an insight into the direction of the service.
- We thanked the Chief Officer, Social Care and Health for the report.

We resolved that the report be endorsed.

18. EXCLUSION OF PRESS AND PUBLIC

The Chairman agreed to accept an urgent item, which contained exempt information.

We resolved that members of the press and public would be excluded from the meeting during consideration of the following item, on the grounds that it contained confidential information.

19. SOCIAL CARE AND HEALTH HEADS OF SERVICE

We resolved that the report would be adopted with recommendations as stated within.

The meeting ended at 8.05 pm.

MONMOUTHSHIRE COUNTY COUNCIL

REPRESENTATION ON OUTSIDE BODIES (MAY 2015)

Appendix A

Category A - Regional/National

| No. | Body | Term of Office | Source of Members Allowances / Expenses | No. of Reps | Name of Councillor Appointed | Appointed at Council on |
|------------|--|-----------------------|--|--------------------|--|---|
| 1 | Brecon Beacons National Park Authority | Term of Council | National Park | 2 | Cllr. A.E. Webb Cllr. M. Hickman | 17th May 2012 17th May 2012 |
| 2 | Caldicot and Wentloog Levels Drainage Board | Term of Council | Drainage Board | 2 | Cllr. A. Easson Cllr. P. Murphy | 16th May 2013 17th May 2012 |
| 3 | Appointments Panel for East Wales Valuation Tribunal | Term of Council | Council | 3 | Cllr. R.J. Higginson Cllr. G.L. Down Cllr. R.P. Jordan | 17th May 2012 17th May 2012 17th May 2012 |
| 4 | Oldbury Power Station Stakeholder Group | Term of Council | Council | 1 | Cllr. D.L. Dovey | 17th May 2012 |
| 5 | Gwent Police and Crime Panel | Term of Council | Police & Crime Commissioner | 2 | Cllr P.R. Clarke Cllr Mrs F. Taylor | 21 st June 2012 21 st June 2012 |
| 6 | Joint Council For Wales (Previously Provincial Council for Wal | 1 Year | Council | 2 plus 1 Sub. | Cllr. P. Murphy Cllr. R.J.Higginson (Substitute: none appointed) | 15th May 2014 27 th July 2012 |
| 7 | National Resources Wales | 4 Years | Drainage Board | 9 | Cllr. P. Murphy Cllr. A.E. Easson (substitute) Advisory Group: Cllr. E.J. Hacket Pain Cllr. A.E. Webb Cllr. S. White Cllr. R.J.C. Hayward Cllr. A.M. Wintle Cllr. G.L. Down | 17th May 2012 17th May 2012 17th May 2012 17th May 2012 17th May 2012 17th May 2012 17th May 2012 |

| No. | Body | Term of Office | Source of Members Allowances / Expenses | No. of Reps | Name of Councillor Appointed | Appointed at Council on |
|-----|---|-----------------|---|-------------|---|--|
| | | | | | | 17th May 2012 |
| 8 | Local Government Association | 1 Year | L.G.A. | 2 | Leader Deputy Leader | 17th May 2012 17th May 2012 |
| 9 | Local Government Association-Rural Commission | 1 Year | L.G.A | 2 | Cllr. Mrs. R. Edwards Cllr Mrs. A.E. Webb | 17th May 2012 17th May 2012 |
| 11 | South Wales Fire Authority | Term of Council | Council | 2 | Cllr. Mrs V.E. Smith Cllr. Mrs. M.E.Powell | 17th May 2012 16th May 2013 |
| 12 | WJEC/ CBAC Ltd | Term of Council | W.J.E.C. | 1 | Rep. Director - Cllr. Mrs.E.J.Hacket Pain | 17th May 2012 |
| 13 | Wye Valley Area of Outstanding Natural Beauty Joint Committee | Term of Council | Council | 4 | Cllr. D. Dovey Cllr. Mrs E. Hacket Pain Cllr. Mrs. A. Webb Cllr. D. Blakebrough | 15th May 2014 17th May 2012 17th May 2012 17th May 2012 |
| 14 | Welsh Local Government Association | Term of Council | W.L.G.A. | 2 | Leader Cllr. R. Greenland | 17th May 2012 15th May 2014 |
| 15 | W.L.G.A. Co-ordinating Committee | Term of Council | Council | 1 | Leader | 17th May 2012 |
| 16 | Flood Risk Mangt Committee Wales | | | | See Category G-WLGA Appointments | |
| 19 | Welsh Centre for International Affairs | Term of Council | Council | 1 | Chairman of Council | 17th May 2012 |
| 20 | Institute of Welsh Affairs | Term of Council | Council | 1 | Chairman of Council | 17th May 2012 |
| 22 | Reserve Forces and Cadets Association for Wales | Term of Council | The Association | 1 | Cllr. J. Prosser | 17th May 2012 |
| 23 | S.E. Wales Strategic Planning Group | Term of Council | Council | 2 | Cabinet Member for Environment, Public Services & Housing (Cllr G. Howard) and the Chairman of Planning(Cllr R Edwards) | 16th May 2013 17th May 2012 |
| 25 | Welsh Books Council | Term of Council | Council | 1 | Cllr. R. Greenland | 15th May 2014 |
| 26 | South Wales Regional Aggregates Working Party | Term of Council | Council | 1 | Cllr B. Strong | 17th May 2012 |

| No. | Body | Term of Office | Source of Members Allowances / Expenses | No. of Reps | Name of Councillor Appointed | Appointed at Council on |
|-----|--|-----------------|---|-------------|------------------------------|-------------------------|
| 27 | Welsh European Funding Office Objective 3 Monitoring Committee | Term of Council | Council | 1 | Cllr R.P. Jordan | 17th May 2012 |
| 29 | Scrutiny Champions Wales Network | Term of Council | Council | 1 | Cllr J. Prosser | 15th May 2014 |
| 30 | Monmouthshire Adoption Panel | Term of Council | Council | 1 | Cllr. P. Jones | 17th May 2012 |
| 31 | Monmouthshire Fostering Panel | Term of Council | Council | 1 | Cllr. R.G. Harris | 17th May 2012 |

Category 'B' – Joint Committees - Appointments made by the Cabinet

| No. | Body | Term of Office | Source of Members Allowances | No. of Reps | Name of Councillor Appointed | Appointed at Cabinet |
|-----|---------------------------------|-----------------|------------------------------|-------------|---|--|
| 1 | Gwent Joint Records Committee | Term of Council | Council | 2 | Councillor D. Edwards Councillor R.J.Higginson | 6 th June 2012 6 th June 2012 |
| 2 | Gwent Joint Cremation Committee | Term of Council | Council | 2 | Councillor S.B.Jones Councillor K.G.Williams <i>Note: at least one Cabinet member necessary</i> | 6 th June 2012 5 th June 2013 |
| 3 | Wales Purchasing Consortium | Term of Council | Council | 1 | Councillor P.Murphy | 6 th June 2012 |
| 4 | Prosiect Gwyrdd Joint Committee | Term of Council | Council | 2 | Councillor S.B.Jones Councillor P.Murphy | 6 th June 2012 |

Category ‘C’ – Joint Committees and Local Authority Companies – Appointments Made By The Council

| No. | Body | Term of Office | Source of Members Allowances | No. of Reps | Name of Councillor Appointed | Date Appointed at Council |
|-----|---|-----------------|------------------------------|-------------|--|--|
| 1 | Pension Fund Management Group (Joint Committee with Torfaen) | Term of Council | Council | 3 | Cllr. P. Hobson Cllr. P. Clarke Cllr. A.Easson | 15th May 2014 15th May 2014 15th May 201 |
| 2 | Monitor (The Board of the County Hall Joint Company) | Term of Council | Council | 3 | Cllr. P. Clarke Cllr. R. Edwards Cllr. A.E. Webb | 17th May 2012 17th May 2012 17th May 2012 |
| 3 | Capital Regional Tourism (previously known as Tourism South Wales Ltd) | Term of Council | Council | 2 | Cllr. R.J.W. Greenland 1 Officer | 17th May 2012 17th May 2012 |
| 4 | Aneurin Bevan Community Health Council | Term of Council | Council | 3 | Cllr. A.Easson Cllr. K. Williams Cllr. V.E. Smith | 16th May 2013 14th May 2015 17th May 2012 |
| 5 | Aneurin Bevan Local Health Board-Stakeholder Reference Group | Term of Council | Council | 1 | Cllr. J.L. Prosser | 17th May 2012 |
| 6 | Board of Monmouthshire Housing Association | Term of Council | | 4 | Cllr. P.R. Clarke Cllr Mrs S.White Cllr. A.E. Webb Cllr A Wintle | 17th May 2012 17th May 2012 17th May 2012 16th May 2013 |
| 7 | Education Achievement Service | Term of Council | Council | 2 | Cllr E.J. Hackett Pain (Cabinet Member for Schools and Learning-as representative member of the company. Cllr R. Greenland -to Board of Directors | 21 st June 2012 |
| 8 | SRS Business Solutions Ltd | Term of Council | Council | 2 | County Councillor P. Murphy (Cabinet Member with portfolio responsibility for finance) appointed as the representative member to the company and County Councillor R.J.W. Greenland to the Company’s Board of Directors. | 21 st June 2012 |

| No. | Body | Term of Office | Source of Members Allowances | No. of Reps | Name of Councillor Appointed | Date Appointed at Council |
|-----|------------------|-----------------|------------------------------|-------------|--|---------------------------|
| 9 | CMC ² | Term of Council | Council | 2 | County Councillor P.A. Fox (Leader) as the representative member to the company and County Councillor R.J.W. Greenland to the Company's Board of Directors. | 21st June 2012 |
| | | | | 1 | One opposition member as observer: Councillor A.C.Watts (Board suggest that this can be done on a rotating basis so CMC2's messages can be circulated wider.) | 16 th May 2013 |

Category 'D' - Voluntary Organisations

| No. | Body | Term of Office | Source of Members Allowances | No. of Reps | Name of Councillor Appointed | Date Appointed at Council |
|-----|--|-----------------|------------------------------|-------------|--|--------------------------------|
| 1 | Borough Theatre Voluntary Management Committee | Term of Council | Council | 1 | Cllr R. Greenland | 15th May 2014 |
| 2 | Monmouthshire and Brecon Canal Working Party | Term of Council | Council | 1 | Cllr. D.Edwards | 16th May 2013 |
| 3 | Wales Council for the Blind | Term of Council | Council | 2 | Cllr. R.J.C. Hayward Cllr. R.P. Jordan | 17th May 2012 17th May 2012 |
| 4 | Disability Wales (previously known as Wales Council for the Disabled) | Term of Council | Council | 2 | Cllr. S. Jones Mr. A. James | 17th May 2012 17th May 2012 |
| 5 | ASERA (Association of Severnside Relevant Authorities) | Term of Council | Council | 2 | Cllr. P.R. Clarke Cllr. A.E. Webb | 17th May 2012 17th May 2012 |
| 6 | Severn Estuary Partnership | Term of Council | Council | 2 | Note: should have the same two members as ASERA(see above) Cllr. P.R. Clarke Cllr. A.E. Webb | 17th May 2012 17th May 2012 |
| 7 | Coleg Gwent Corporation | Term of Council | Council | 1 | Cllr.P.R.Clarke (Note: the College prefer appointments to be made for a 4 year period) | 16th May 2013 |

Category 'E' Local Interest

| No. | Body | Term of Office | Source of Members Allowances | No. of Reps | Name of Councillor Appointed | Date Appointed at Council |
|-----|--|--------------------------|------------------------------|-------------|---|---|
| 5 | Monmouthshire County Citizens Advice Bureau | Term of Council | Council | 2 | Cllr P. Murphy Cllr P. Farley Two observers at trustee board meetings | 15 th May 2014 |
| 6 | Chepstow Senior Citizens Centre Management Committee | Term of Council | Council | 3 | Cllr.P.Farley Cllr D. Dovey | 16th May 2013 15 th May 2013 |
| 7 | Llandogo Village Hall Committee | Term of Council | Council | 1 | Cllr. D. Blakebrough | 17th May 2012 |
| 8 | Llanellen Village Hall Committee | Term of Council | Council | 1 | Cllr. M. Hickman | 17th May 2012 |
| 9 | Llanfoist Villagers Association | Term of Council | Council | 1 | Cllr. M. Hickman | 17th May 2012 |
| 11 | Raglan Community Centre Committee | Term of Council | Council | 1 | Cllr. P. Jones | 17th May 2012 |
| 12 | Monmouth School and Haberdashers' Monmouth School for Girls | Term of Council | Council | 1 | Cllr. S. White | 17th May 2012 |
| 13 | Abergavenny Educational Foundation of King Henry VIII- Governors | Term of Council | Council | 5 | Mr. C.D. Woodhouse Mr. R. Hill Cllr.M. Hickman Cllr.R.P. Jordan Cllr. M. Powell | 17th May 2012 17th May 2012 17th May 2012 17th May 2012 17th May 2012 |
| 14 | Wye Navigation Advisory Committee | Term of Council | Council | 1 | Cllr. A Webb | 17th May 2012 |
| 15 | Pratts Charity, Mathern | 4 years from appointment | Council | 2 | Cllr G.L. Down Cllr P. Murphy | 21 st June 2012 16 th November 2011 |
| 16 | Gwent Police Animal Welfare Committee | Term of Council | Council | 1 | Cllr. D. Blakebrough | 17th May 2012 |
| 17 | Monmouthshire Local Access Forum | Term of | Council | 1 | Cllr. A. Webb | 15th May 2014 |

| No. | Body | Term of Office | Source of Members Allowances | No. of Reps | Name of Councillor Appointed | Date Appointed at Council |
|-----|--|-----------------|------------------------------|-------------|------------------------------|---------------------------|
| | | Council | | | | |
| 18 | Clydach Ebenezer Chapel Fund Committee | Term of Council | Council | 1 | Cllr. G. Howard | 17th May 2012 |

| No. | Body | Term of Office | Source of Members Allowances | No. of Reps | Name of Councillor Appointed | Date Appointed at Council |
|-----|---|-----------------|------------------------------|-------------|--|--|
| 1 | Best Kept Village Competition | Term of Council | Council | 6 | Cllr. P.R. Clarke Cllr. D. Evans Cllr. B. Strong Cllr. S. White Mr. J. Major Cllr J Crook | 17th May 2012 17th May 2012 17th May 2012 17th May 2012 17th May 2012 16 th May 2013 |
| 2 | Wales Home Safety Council now known as "Home Accident Prevention Wales" | Term of Council | Council | 2 | Cllr. V.E. Smith 1 Officer <i>(enquiries into status of this body are continuing)</i> | 17th May 2012 |
| 3 | Gwent Association of Voluntary Organisations | Term of Council | Council | 1 | Cllr. A. Wintle | 17th May 2012 |
| 4 | Monmouthshire Sportlot Community Chest Committee | 2 years | Council | 3 | Cllr. S. Jones Cllr. S. Howarth Cllr. P. Hobson | 17th May 2012 15th May 2014 14th May 2015 |
| 5 | Local Government Flood Forum | Term of Council | Council | 1 | Cllr. P.R. Clarke | 17th May 2012 |
| 6 | Armed Forces Champion | Term of Council | Council | 1 | Cllr. J.L. Prosser | |

Category 'G' - Appointments Determined by W.L.G.A

| No. | Body | Term of Office | Source of Members Allowances | No. of Reps | Name of Councillor Appointed | Nominated at Council |
|-----|--|-----------------|------------------------------|-------------|------------------------------|----------------------|
| 1 | Flood Risk Management Committee Wales (in rotation with Powys and Torfaen) | Term of Council | WLGA | 1 | Councillor S.B.Jones | 16th May 2013 |

ACTION LIST
MEETING OF MONMOUTHSHIRE COUNTY COUNCIL
14TH MAY 2015

| MINUTE NUMBER AND SUBJECT | ACTION TO BE TAKEN | TO BE ACTIONED BY | PROGRESS |
|---|--|---------------------|--|
| 2. PETITION | <ul style="list-style-type: none"> • Passed to relevant officer | Democratic Services | <ul style="list-style-type: none"> • Completed – passed to Head of Operations. |
| 4. MINUTES | <ul style="list-style-type: none"> • Minute amendment and action sheet required | Democratic Services | <ul style="list-style-type: none"> • Completed. |
| 14. APPOINTMENT TO OUTSIDE BODIES | <ul style="list-style-type: none"> • Delete outside bodies that had disbanded • Contact to be made with outside bodies where membership was to be clarified • Outside bodies list updated | Democratic Services | <ul style="list-style-type: none"> • Completed. • Letter written to listed outside bodies. • Completed. |
| 15. MEMBERS' SALARIES AND PAYMENTS | <ul style="list-style-type: none"> • Payroll to be notified of salaries/payments | Democratic Services | <ul style="list-style-type: none"> • Completed. |

MONMOUTHSHIRE COUNTY COUNCIL
Minutes of the meeting of the Internal Monitoring Board
held at County Hall, Usk on Wednesday 25th February 2015 at 9.30am

PRESENT: County Councillor P. Fox (Chairman)
County Councillors: P. Farley, L. Guppy, E.J. Hackett Pain and P. Jones

OFFICERS IN ATTENDANCE:

Mr. P. Matthews: Chief Executive
Ms. S. McGuinness: Chief Officer, Children and Young People
Mrs. D. Mountfield: Head of Resources, Children & Young People Directorate
Ms. S. Randall-Smith: Children & Young People Directorate
Mr. R. Williams: Democratic Services Officer

1. APOLOGIES FOR ABSENCE

County Councillors D. Blakebrough, D. Batrouni and F. Taylor.

2. MINUTES

We received and noted the minutes of the Internal Monitoring Board dated 15th January 2015.

3. DECLARATIONS OF INTEREST

None.

4. SCHOOL REPORTED PROGRESS TOWARDS TARGETS

We received a report outlining school reported progress towards targets.

In doing so, the following points were noted:

- Schools were on track to achieve the targets that had been set. Where not on track there were clear indications outlining the reasons for this.
- Key Stage 2 – targets were where they needed to be.
- Key Stage 3 – the targets gap between Monmouthshire and Wales was closing.
- Key Stage 4 – The targets remained positive.
- Schools were not yet required to provide the Education Achievement Service (EAS) with details of pupil information.
- Overall, targets were indicating a positive position for Monmouthshire's schools. However, more accurate data will be available by the spring term.
- It was noted that the progress being made was being monitored.

**Minutes of the meeting of the Internal Monitoring Board
Dated 25th February 2015 continued**

- Key Stage 4 – there were a relatively small number of Free School Meal (FSM) children. However, it was necessary to ensure that more of the FSM children were achieving at the expected levels.
- Overall outcomes have improved significantly compared to Wales as a whole.
- All children with additional learning needs (ALN) achieved Level 1.
- FSM Children – last year there were about 100 Key Stage 4 FSM children. About 25% of these children had additional learning needs. About 25% of the cohort achieved Level 2. About 65% of the cohort achieved five good GCSE results. There was a positive trajectory occurring with a view to further improvements anticipated this year.
- In response to a question raised regarding school interventions it was noted that schools would identify the individual needs of the children before deciding on the type of intervention required.
- Positive work was being undertaken with the EAS to help teachers identify children's needs.
- Next step in growth – This was about growing the next raft of people / leaders to ensure there were senior and middle leaders in schools.
- Flying Start was providing parenting programmes for teenage mothers.
- Extra Curricular Activities – Monmouthshire was good at providing wrap around care for families. The Youth Service offered wrap around provision.
- Cross over provision regarding the key stages was an area that required further focus. Chepstow Cluster was a good example of cross over provision.
- The two new secondary schools will focus on community use. The strategic Review will incorporate community use of Monmouthshire's schools. Community use of Monmouthshire's schools was beginning with the Authority looking to provide the resources to support it.

We resolved to receive the report and noted its content.

5. EXCELLENCE IN LEADERSHIP STRATEGY AND PROGRAMME

We received a briefing paper from the Education Achievement Service (EAS) regarding the Excellence in Leadership Strategy and Programme.

In doing so, it was noted that Caldicot Comprehensive School had been identified as an Excellence in Leadership School.

We resolved to receive the briefing paper and noted its content.

**Minutes of the meeting of the Internal Monitoring Board
Dated 25th February 2015 continued**

6. SELF EVALUATION UPDATE – ESTYN RECOMMENDATION 6

We received the Self Evaluation update report – Estyn Recommendation 6.

In doing so, the following points were noted:

- The evaluation of the political process has been inserted into the document.
- There has been a forensic look at performance management and the evidence indicates that the Authority knows its business in readiness for the Estyn revisit.

We resolved to receive the report and noted its content.

7. POST INSPECTION ACTION PLAN

We received the Post Inspection Action Plan (PIAP).

In doing so, the following points were noted:

- Recommendations 1-5 will be updated over the coming months in line with recommendation 6.
- By September 2015 the PIAP will become the Self Evaluation document.

We resolved to receive the report and noted its content.

8. CHANGE TO THE SERVICE PROVISION FOR ADDITIONAL LEARNING NEEDS FOR SCHOOLS

We received the consultation document regarding the change to the service provision for Additional Learning Needs (ALN).

In doing so, the following points were noted:

- The policy Strategy will be implemented on 1st April 2015.
- Review of ALN provision was a three stage process.
- Stage 1 has been completed.
- Stage 2 – Changes to the service provision for ALN to include a service level agreement for the provision of Educational Psychology. This paper has been subject to consultation with a view to providing equality across the County with regional provision in the north and south of the County.
- A three year commitment with schools has been requested. Early indications show that all schools were signing up to the proposal.
- At the point of roll out, officers will be able to monitor pupils in the system, improving the service to the school.

**Minutes of the meeting of the Internal Monitoring Board
Dated 25th February 2015 continued**

- The ALN Team was meeting with schools to support the needs of the children within schools.

We resolved to receive the report and noted its content.

9. NEXT MEETING

The aims of the Internal Monitoring board would be reviewed at the next Internal Monitoring Board meeting.

The meeting ended at 11.33am.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of the Democratic Services Committee held at Council Chamber, County Hall, Usk on 16th March 2015 at 2.00 p.m.

PRESENT: County Councillor D. Blakebrough (Chairman)

County Councillors: D.L. Edwards, J. Higginson, P.Jones, J.L. Prosser, V.E. Smith and A. Webb.

OFFICERS IN ATTENDANCE:

| | | |
|--------------|---|---|
| Mrs T. Harry | - | Head of Democracy and Regulatory Services |
| Mrs S. King | - | Senior Democratic Services Officer |

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from County Councillors R. Harris, S.G.M. Howarth and S. Jones.

2. PUBLIC OPEN FORUM

There were no questions raised during the public open forum.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. CONFIRMATION OF MINUTES

We resolved that the minutes of the meeting of the Committee held on 9th February 2015 be confirmed and signed as an accurate record.

During discussion of the minutes we noted action points as follows:

- Cabinet support – ongoing discussions were held with members
- SRS Support – survey circulated to all staff and meeting held with the Organisational Development Lead, issues raised by members were similar to those being raised by staff. A small report would be compiled with checklist which would identify issues and possible resolutions. We agreed that the officer would be invited to attend the next meeting with summary of issues and check list of how these could be resolved.
- We requested that a technical officer could also be invited to attend the next meeting.
- Members highlighted that the Democratic Services Committee needed to ensure that members were able to access systems when required and that solutions were quick and effectively dealt with.

**Minutes of the Democratic Services Committee
Dated 9th February 2015 - continued**

- An item would be included on the next agenda, the Organisational Development Lead and technical officers would be invited to attend. Information would be provided regarding detail of associated costs for 24/7 support.
- Casework manager – we agreed that a demonstration of a casework management system would be arranged for a future meeting.
- Meeting information – following a committee request, meeting information was displayed on a board in Usk reception. Some members welcomed the information whereas some others preferred details to be displayed via a television screen. Cost options would be considered and alternatives would be investigated.
- The committee were informed that meeting information was static and the TV screen in reception was utilised for promoting the message of Monmouthshire.
- Building and chamber issues – we noted that these were ongoing and would be monitored.
- Telephone directory – a small phone directory was being progressed. We noted that detailed contact information was available via the Hub.
- Promoting local democracy – a number of councillors had visited towns with the events trailer to promote democracy.
- Training The Hub – a number of drop in sessions had been arranged which would provide members with an opportunity to attend training.
- Communications – the Communication and Engagement Manager had attended the previous meeting. Members were advised that considerable work had been undertaken on the website and members were encouraged to contact Democratic Services with any additional details that were required on web pages.

5. WLGA PROFESSIONAL DEVELOPMENT

We received the WLGA Continuing Professional Development for Councillors 2015, the competency framework described the range of skills and knowledge required by elected members and a set of associated effective behaviours.

We discussed the document and noted the following points:

- We noted that there was still opportunity for a response to be submitted.
- Members agreed that the competency framework was clear and concise.
- The committee recognised that the document provided guidance and framework for the ideal councillor and role.
- Council had endorsed the annual review and development for members, it provided an opportunity for assessment of training and development needs.
- General refresher training was provided for members in relation to performance, scrutiny, health and safety. This was supplemented with briefings and seminars on specific issues.

6. DISCUSSIONS ON TIME CHANGE OF FULL COUNCIL TO 5PM INSTEAD OF 2PM

We discussed the effects of changing the start time of Council meetings from 2pm to 5pm. This followed a proposal agreed at full Council meeting on 26th February 2015.

**Minutes of the Democratic Services Committee
Dated 9th February 2015 - continued**

We noted that the purpose was for times to be considered, in order for increased diversity and accessibility for public and residents.

A survey had been distributed to members, which consisted of the following questions:

- **Do you support changing the start time of Council from 2pm to 5pm?**
- **What do you believe are the benefits of changing the start time to 5pm?**
- **What do you believe are the benefits of retaining a 2pm start?**
- **Would a 5pm start clash with existing commitments?**
- **Would you want a trial period and for how many meetings?**

In general, responses highlighted that most members preferred meetings to remain at 2pm and that 5pm meetings would clash with existing commitments. Members welcomed a trial period and additional comments were included.

Information was provided in relation to meeting times of other authorities and there appeared to be no conclusive evidence between increased diversity and meetings being held later in the day.

During discussion we noted:

- The committee highlighted that there were positive and negative aspects to time changes.
- We discussed the possibility of a trial of one meeting with alternative time.
- A member noted that some employers provided time off for elected members to undertake council duties. We noted that this was guidance.
- The Head of Democracy and Regulatory services advised that officers worked on an agile basis and would be flexible in meeting requirements. The time of meetings would need to be decided by members.
- We thanked officers for evidence and comparisons against other authorities that had been provided. The information informed the committee and were minded to remain at 2pm start times. However, we considered whether further work was required.
- We agreed that there was no conclusive evidence to show that a change of times affected increased diversity.
- Some members were totally opposed to the change of time and some members supported the proposal.
- We recognised that 5pm meeting times may clash with some school governor meetings.
- The committee agreed that a recommendation would be submitted to Council for debate.

We recommended that on the evidence presented, the Committee could not find any substantial reason to change the time at this stage but open to further debate as and when.

We resolved to agree the recommendation and that it would be presented to full Council on 26th March 2015.

**Minutes of the Democratic Services Committee
Dated 9th February 2015 - continued**

7. INDEPENDENT REMUNERATION PANEL WALES REPORT

We received the Independent Remuneration Panel Wales, seventh annual report since it was established in 2008 and the fourth annual report since the approval of the Local Government (Wales) Measure 2011.

We discussed the care and child care allowance payments that were available to members, however, the committee were concerned that many members do not claim because of the requirements to make the payment known publically.

The committee requested that this issue should be considered by the panel, and members should be encouraged to claim the allowance.

We noted that the type of information to be published was prescribed, however, the authority could write to the panel to explain that there was a perceived stigma to this type of claim and there seemed to be a reluctance to claim amongst members.

We resolved that a letter would be sent to the panel, outlining concerns raised and highlighting that members should be encouraged to claim for care and childcare allowance.

We received and noted the report.

8. ANY OTHER BUSINESS

Engagement with Welsh Government

At the last meeting an issue had been raised regarding being proactive and further engagement with the Welsh Assembly, in influence and communication on future bills.

We agreed that this issue would be discussed at the coordinating board, so that member input from could be maximised.

Members were frustrated that that Welsh Government had arranged events without local members being consulted. Concerns were expressed that consultation was not being undertaking regarding events which affected local wards.

The issue would be considered on a future agenda.

Youth engagement

The Democratic Services Committee Chair highlighted that a youth forum existed in Monmouthshire and suggested that communication and engagement was developed with them.

We noted that the Chairman's cadet was introduced for the term of office and this contributed to engagement. It would be useful to look at what process was operated by other authorities.

**Minutes of the Democratic Services Committee
Dated 9th February 2015 - continued**

We agreed that engagement with youth representatives and examples of best practice would be included on a future agenda.

The committee would be presented with a report which identified achievements throughout the year.

9. DATE AND TIME OF NEXT MEETING

We noted that the next meeting would be held on Monday 11th May 2015 at 2.00pm.

The meeting ended at 3.20pm

REPORT

| | |
|--------------------------------|---|
| SUBJECT | A CITY DEAL FOR SOUTH EAST WALES |
| DIRECTORATE | Chief Executive's Unit |
| MEETING | Cabinet |
| DATE | 17th June 2015 |
| DIVISIONS/WARD AFFECTED | All Authority |

1. PURPOSE

- 1.1 To provide an update on recent work to attract a City Deal for South East Wales and to seek authority to be a partner in progressing towards the preparation of a formal City Deal proposal.

2. RECOMMENDATION

- 2.1.1 That Cabinet agree that Monmouthshire should become an active partner in progressing a City Deal for South East Wales and participate in preparatory work that may / will lead to the negotiation of a City Deal with UK Government, Welsh Government and surrounding authorities.
- 2.1.2 The Cabinet agree a sum of £30,300 to be taken from the Priority Investment Reserve as a contribution to an overall fund of £500,000 being established by the ten South East Wales Councils to take forward necessary specialist preparation of a detailed proposal over the next 18 months.
- 2.1.3 That Cabinet agree to this report being presented to full Council on 26 June 2015 to ensure all Members are aware of this work and have an opportunity to debate it.
- 2.1.4 That updates are brought to Cabinet / Council at appropriate times to enable Cabinet to decide whether they wish to remain part of this process.

3. BACKGROUND

- 3.1 The 'City Deal' process was initiated in late 2011 as part of the UK Government's broader devolution and growth agenda. City Deals provide bespoke agreements between Government and cities that seek to empower localities to drive economic growth by providing additional freedoms and resources. In return the Government has sought new local governance arrangements, which have taken a variety of forms including combined authorities, city mayors, and other forms of local government led partnerships.
- 3.2 The Government's stated aim of the City Deal programme is to devolve control to cities to:

- Take charge and responsibility of decisions that affect their area
 - Do what they think is best to help businesses grow
 - Create economic growth
 - Decide how public money should be spent
- 3.3 A common theme in the larger deals has been a 'Payment by Results' approach. The 'Payment by Results' approach is in effect a new form of Tax Increment Finance. Tax Increment Finance is based on retaining a share of business rate uplift which is typically around 2% of total Gross Value Added (GVA¹) uplift to pay back finance raised for infrastructure investment. A 'Payment by Results' approach provides access to a share of the total tax receipt from GVA uplift resulting from infrastructure investment which typically equates to circa 40%.
- 3.4 On 18th March 2015 the Chancellor of the Exchequer announced in his Budget Statement that *'We're giving more power to Wales. We're working on a City Deal'*. The announcement effectively moves the current discussion about a potential City Deal for South East Wales on to the next stage where the Government has now offered to begin the formal process of negotiation.
- 3.5 The announcement follows on from the decision made in the run up to the referendum on Scottish independence to award a City Deal for Glasgow. This was the first deal with a city in a devolved nation of the UK. Up until that point the opportunity had only been made available to English cities: the first round was with the 8 largest English cities outside of London, known as the Core Cities; and the second round was with the next 14 largest cities outside of London and the 6 cities with the highest recent population growth.
- 3.6 A City Deal could unlock significant new money to support capital investment in major infrastructure priorities for the city-region. However, every deal done to date has been bespoke with the eventual size and scope of the deal dependant on a number of important local factors.

4 REASONS

- 4.1.1 The development of a successful proposal relies on agreement of a set of minimum objectives for participant areas. This means that there must be a minimum guaranteed outcome for all participant areas, typically in terms of access to job opportunities. To that end, the Infrastructure Fund created by a City Deal is required to invest according to a strict set of criteria. Essentially, eligible projects are evaluated against the net economic impact they would have on the City Deal area and also the contribution they would make towards meeting the agreed minimum objectives. The crucial requirement of city leaders therefore is to set, and agree with UK Government, the 'rules' by which the Infrastructure Fund invests. In many areas this has led to a drastic change to the order of priority for capital investment, and typically it has seen transport investment focus on projects that bring people and jobs closer together.
- 4.2 Overall the effective building blocks required by local authorities to deliver a coherent City Deal proposal include:
- Agreeing appropriate and sound objectives and minimum outcomes
 - Identification of resources to support the development of the City Deal as well as to contribute to the overall fund and cover the cost of financing requirements
 - Operationally effective governance that also fits in with the UK Government's agenda in terms of the devolution of powers to city-regions

¹ GVA measures the contribution to the economy of each individual producer, industry or sector.

- Effective tools for prioritisation that provide rigour to the expected levels of impact in terms of jobs and GVA, as well as reducing the risk that local authorities are exposed to in terms of meeting the required objectives to trigger payments from the UK Government
- Functional economic geography consistent with effective decision making and ensuring that a scale where net impact can be maximised
- An element of local financial risk taking that shows the commitment of partners.

4.3 The scale of impact anticipated from some of the largest deals is significant:

- Greater Manchester's £2.75bn Transport Fund is expected to deliver up to £3.6bn in annual GVA and 37,000 jobs;
- Leeds City Region's £1.45bn Transport Fund is expected to deliver up to £2.6bn in annual GVA and 23,000 jobs;
- Glasgow City Region's £1.13bn fund is expected to deliver up to £2.2bn in annual GVA and 28,000 jobs.

Governance Arrangements

4.4 Effective local partnership/governance arrangements are at the heart of successful City Deals and will determine the extent to which Government is prepared to invest in a locality. The deals agreed by Government to date have been based on a variety of approaches reflecting local circumstances. The largest deals have clearly been achieved where the strongest local partnership arrangements exist and in most cases these have been local authority led. That is the case for both Greater Manchester and West Yorkshire, the largest of the City Deals in England, and is the case for Glasgow.

4.5 In all cases, the private sector has had an important role to play. Inherently, local business is at the heart of the concept of a City Deal. City Deals are intended to grow the local economy, to increase GVA, by providing the infrastructure for business to flourish. It is therefore imperative to engage with local business in shaping priorities and supporting delivery. More to the point, the public sector funding provided to deliver key infrastructure projects will always require significant private sector investment.

4.6 The potential scale of the deal will rely on many factors including the extent of match funding contributions available from local sources and the appetite for taking risk. In terms of potential, based on a pro-rata calculation of the Glasgow deal, to achieve the same percentage of GVA uplift (5%) it would require an infrastructure fund in the region of £800m.

4.7 The initial stage is to submit an outline proposal to the UK Government that will provide a high-level proposition, outlining the key aims and objectives of the Deal, and an initial summary of proposed governance arrangements. This will represent only the start of a detailed process that is likely to take up to 12 – 18 months to complete. It will require a significant level of technical expertise in developing appropriate economic modelling tools by which projects and programmes can be prioritised.

5 RESOURCE IMPLICATIONS

5.1 The process involved in getting to a final submission is resource intensive and will require participating partners to support the allocation of a number of staff and a budget for the provision of appropriate specialist advice.

- 5.2 A key factor in determining the scale and scope of City Deals has been the level of maturity of existing partnership/governance arrangements. There seems to be a clear correlation between the scale of funds negotiated and the level of local trust and co-operation that can be demonstrated to be in place.
- 5.3 In the South East Wales context, it is clear there will need to be a significant role for Welsh Government in taking forward a City Deal proposal not least to ensure adequate funding is available to match any new monies provided by Central Government. There may also be a role for EU funding as part of the mix.
- 5.4 In all cases, the business community has played a role in the City Deal process. In some cases local business has led the process through Local Enterprise Partnerships. The larger agreements have been led by consortia of local government, strongly supported in close partnership by the local business community.
- 5.5 The latest and largest Deals have required a significant element of local risk taking both in terms of the 'Payment by Results' approach and a requirement for local capital investment. The Payment by Results approach potentially introduces cash-flow consequences in terms of upfront costs being locally funded in advance of any Government contribution which is dependent on agreed outcomes being achieved.
- 5.6 At this initial stage, an allocation of £30,300 as a contribution to a wider funding pool of £500k to enable preparatory work. This work will move a 'high level concept' to a 'detailed proposal'. Cabinet are not at this point committing beyond participating in this necessary preparatory work.

6 EQUALITY AND SUSTAINABLE DEVELOPMENT IMPLICATIONS

- 6.1 The decisions highlighted in this report have no equality and sustainability implications per se.

7 SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

- 7.1 The decisions highlighted in this report have no safeguarding or corporate parenting implications per se.

8 CONSULTEES

Strategic Leadership Team
All Cabinet Members
Blaenau Gwent County Borough Council
Bridgend County Borough Council
Caerphilly County Borough Council
Cardiff City Council
Merthyr County Borough Council
Newport City Council
Torfaen County Borough Council
Vale of Glamorgan Council
Rhondda Cynon Taff County Borough Council

9 BACKGROUND PAPERS

9.1 None.

10 AUTHORS

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11 CONTACT DETAILS

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SUBJECT: Abergavenny: Vibrant & Viable Places - Town Centre Loan Fund

MEETING: FULL COUNCIL

DATE: 25/06/2015

DIVISION/WARDS AFFECTED: Bryn y Cwm

1. PURPOSE:

1.1 To seek Full Council's approval to:

- Set up a budget within the capital programme to manage the Welsh Government Vibrant and Viable Places repayable funding award of £1,250,000.

2. RECOMMENDATIONS:

2.1 Full Council agree to the setting up of a capital budget of £1,250,000 within the capital programme to manage the repayable loan funding award.

3. KEY ISSUES:

3.1 Monmouthshire County Council has been successful in drawing down £1,250,000.00 of repayable funding under the Welsh Government's 'Vibrant and Viable Places' initiative.

3.2 Full Council agreed to accept the award and associated terms on 26th February 2015.

3.3 The award enables the Authority to establish a Fund that can provide 'interest free', town centre loans, for a period of 5 years to enable the redevelopment of redundant sites and premises in Abergavenny Town Centre.

3.4 Key terms of the award include:

- Repayable funding would need to be repaid in full by 31st March 2030. If the funding repayable is less than the award (ie from loan default) then Welsh Government will share 50% of the reduction to a maximum amount of 2.5% of the funding awarded.
- Any repayable funding not being utilised 6 months after April 2016 must be returned.
- The maximum repayable period for Town Centre Loans is 5 years (to allow recycling).
- Funding can only be used to bring back into productive use vacant, underutilised and redundant sites and premises.

- Funding must be administered by a 'Board' established in the Local Authority area, the governance arrangements for which were agreed by Individual Cabinet Member report on 20th May 2015.
- Interest accrued by holding repayable funding must be recycled into the fund.
- Funding cannot be used for management, administration or operational purposes.
- However, as allowed by the terms, a one off fee of 5% will be charged for administering the loans applied for, as agreed within Individual Cabinet Member report approved on 20th May 2015.

3.5 The award presents a significant opportunity for Abergavenny, key risks and mitigation measures are highlighted as follows:

Financial Risk – The principal risk is the potential for repayment default. The terms allow for 'capped' sharing of risk with the Welsh Government, but only to 50% of any shortfall in the Fund up to a maximum of 2.5% of the Repayable Funding received.

The Local Authority through the application process will minimise the risk of loan default by:

- Ensuring that all loans are secured against the property – through formal registration of a legal charge against the property renovated and/or second property offered as security. Legal Charges will either be first, or where the Authority receives confirmation from the first charge holder that it consents to a second charge, a second charge. Third or subsequent charges will not be accepted.
- Undertaking appropriate ID checks in line with money laundering and Land Registry requirements.
- Undertaking affordability and creditsafe checks on all applicants to verify they can afford to repay the loan. In the case of individuals, evidence of core income and outgoings will be required (simple self-certification will not be relied upon). In the case of Business applicants, appropriate submission of accounts will be required.
- Ensuring that any loan secured as a charge will be up to a maximum of 80% of the equity in the property secured against.
- Where not evident, verifying the value of the property secured against, through a valuation undertaken by a RICS surveyor.
- Requiring two estimates for the cost of the works.
- Apply a default fee of 6% in the event of breach of loan repayment in addition to establishing processes to enable prompt monitoring or repayments.
- Ensuring all applications recommended by the Loan Board are referred to Cabinet for approval.
- Allowing regular scrutiny of the loan fund through Capital Programme reporting at Cabinet and Select Committee.
- Staging the release of loan payments in accordance with works progress – where appropriate.

Resource Risk – Most skills exist ‘in house’ from similar schemes applied across the authority (eg Houses to Homes and RDP grant experience) but costs would need to be charged to enable existing roles and commitments to be met.

An evaluation of anticipated involvement, based on similar schemes previously undertaken, has resulted in a suggested, one-off, fee of 5%. This fee will need to be reviewed in light of experience.

4. REASONS:

- 4.1 To manage the repayable funding award which will enable the process of allocation of funds to bring back to life redundant and underutilised sites and premises in Abergavenny Town Centre to commence.

5. RESOURCE IMPLICATIONS:

- 5.1 Experience and most skills exist ‘in-house’ to provide acceptable arrangements to deliver. A one-off administration fee of 5% has been agreed and will be charged against each application. This fee will be reviewed over time.
- 5.2 It is proposed that the Project will be co-ordinated by Housing and Communities with support from the Whole Place Team (remarketing) with Financial Services, Estates, and Legal Services providing time charged support.
- 5.3 The anticipated demand is, as yet, uncertain, but the expectation is that the loan requirements will be for larger projects and therefore low in actual application numbers.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

- 6.1 The significant equality impacts identified in the assessment (Appendix 1) are summarised below for members’ consideration:

No negative impacts identified

- 6.2 The actual impacts from this report’s recommendations will be reviewed every year and criteria for monitoring and review will include:

No of re-utilised sites and premises

No of new residential units in the town centre

Impact on locality - Footfall figures/Retail composition/Vacancy rates

7. CONSULTEES:

All Cabinet Members

Leadership team

Head of Community Delivery – Debra Hill-Howells

Head of Legal Services – Rob Tranter

Local Members – All Bryn y Cwm

8. BACKGROUND PAPERS:

Abergavenny: ‘Vibrant & Viable Places - Town Centre Loan Fund’ Reports

Cabinet - 4th February 2015
Full Council Report – 26th February 2015
Individual Cabinet Paper - 20th May 2015

9. AUTHOR:

Rachel Rawlings, Whole Place Officer

10. CONTACT DETAILS:

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E-mail: rachelrawlings@monmouthshire.gov.uk



Equality Impact Assessment Screening Form

and

Sustainable Development Checklist

EQUALITY IMPACT ASSESSMENT SCREENING FORM

| | | |
|-------------------------------------|----------------------------|------------------------|
| Assessor(s): | Directorate: | Department: |
| Rachel Rawlings | Enterprise | Community Led Delivery |
| Policy author / service lead | Date of assessment: | |
| Debra Hill-Howells | 5 th June 2015 | |

1 Purpose of Policy/Service:

To set up a budget within the capital programme to manage the Welsh Government Vibrant and Viable Places repayable funding award of £1,250,000.

2 Are there any people or groups of people with protected characteristics that this policy/service is likely to affect in a **negative** way?
Please tick appropriate boxes below and move on to question/s **4** and/or **5** below

Or does the policy/service have a **neutral or positive (good)** effect? Please tick appropriate boxes below and move on to question **3** below.

Negative
Neutral
Positive
Negative
Neutral
Positive

| | | | | | | | |
|------------|--|---|---|--------------------|--|---|--|
| Age | | X | | Race | | X | |
| Disability | | | X | Religion or Belief | | X | |

| | | | | | | | |
|-------------------------------|--|---|--|--------------------|--|---|--|
| Gender reassignment | | X | | Sex | | X | |
| Marriage or civil partnership | | X | | Sexual Orientation | | X | |
| Pregnancy and maternity | | X | | Welsh Language | | X | |

- 3 If you have assessed that the impact is either **neutral or positive** could you please give some detail below to justify/evidence this. Once you have done this there is **no requirement to carry on completing this part of the form**. Please move on to complete the **Sustainable Development checklist** on page 9

In accepting repayment funding to establish low cost loan opportunities in Abergavenny, it will be possible to assign reasonable accessibility conditions to the applications criteria.

- 4 What evidence (actual or perceived) do you have that this policy/service etc has a negative impact on any **external group(s)** or individuals with protected characteristics? Please tick any relevant characteristics below that may be affected and describe the negative impact/s.

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

5 What evidence (actual or perceived) do you have that this policy/service etc has a negative impact **on individuals or groups of staff (internal)** with protected characteristics? Please tick any relevant characteristics below that may be affected and describe the negative impact/s.

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

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

7 Please indicate below whether you consider this policy/service to have a high, medium or low risk of **negative** impact.

| | Negative Impact | | |
|---|-----------------|--------|-----|
| | High | Medium | Low |
| Are a large number of people affected? | 3 | 2 | 1 |
| Is the potential impact significant? | 3 | 2 | 1 |
| Is the scale/cost to the Authority significant? | 3 | 2 | 1 |
| Score | 3 | | |

Scoring

- 3 Low No significant impact No further action required
- 4 - 6 Medium Some impact Further consultation to decide whether a full impact assessment is necessary
- 7 - 9 High Significant impact A Full impact assessment is required

8 Is a full equality impact assessment required?

Using the matrix and scoring information above:

- A **low** rating means that there is no further action required
- A **medium** rating will require, as a first stage, further consultation in order to determine whether a full impact assessment is required
- A **high** rating in question 6 will mean that a Full impact assessment is required.

No

SUSTAINABLE DEVELOPMENT CHECKLIST

| PEOPLE IN MONMOUTHSHIRE BENEFIT FROM AN ENVIRONMENT THAT IS DIVERSE, VIBRANT AND SUSTAINABLE | | | | | |
|--|--------------|---|---|--|-----------------------|
| Elements | Contribution | | | Evidence | Ideas for Improvement |
| What contribution does this make to: | - | 0 | + | | |
| Reduce, reuse and recycle waste and water | | X | | | |
| Reduce carbon dioxide emissions by increasing energy efficiency or use of renewable energy | | X | | | |
| Prevent or reduce pollution of the air, land and water | | X | | | |
| Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces) | | X | | | |
| Protect or enhance visual appearance of environment | | | X | Opportunity to improve presentation of existing underutilised and redundant sites and premises | |
| Reduce car and road freight mileage, and encourage public transport, walking and cycling | | X | | | |
| Have a positive impact on people and places in other countries | | X | | | |
| | | | | | |
| | | | | | |

| PEOPLE IN MONMOUTHSHIRE LIVE HEALTHY AND FULFILLED LIVES | | | | | |
|--|--------------|---|---|---|-----------------------|
| Elements | Contribution | | | Evidence | Ideas for Improvement |
| What contribution does this make to: | - | 0 | + | | |
| Ensure that more people have access to healthy food | | X | | | |
| Improve housing quality and provision | | | X | Fund will allow conversion of empty premises to residential accommodation. Planning Building regs will set min improvements to standards. If social housing WG standards will apply | |
| Reduce ill health | | X | | | |
| Improve facilities and choice of health care provision | | X | | | |
| Encourage physical activity | | X | | | |
| Promote independence | | X | | | |

PEOPLE IN MONMOUTHSHIRE LIVE SAFELY AND ARE PROTECTED FROM HARM

| Elements | Contribution | | | Evidence | Ideas for Improvement |
|--|---------------------|----------|----------|--|------------------------------|
| What contribution does this make to: | - | 0 | + | | |
| Encourage community participation/action | | X | | | |
| Targets socially excluded | | | X | Potential for social housing development within some projects | |
| Help reduce crime and fear of crime | | X | | | |
| Improve access to local facilities for all local people, regardless of age, gender, ability etc. | | | X | Provision of housing within town centre – improving access to services | |

PEOPLE IN MONMOUTHSHIRE BENEFIT FROM EDUCATION, TRAINING AND SKILLS DEVELOPMENT

| Elements | Contribution | | | Evidence | Ideas for Improvement |
|--|---------------------|----------|----------|-----------------|------------------------------|
| What contribution does this make to: | - | 0 | + | | |
| Improve access to education and training | | X | | | |
| Value and support voluntary work | | X | | | |
| Increase and improve access to leisure and recreation facilities | | X | | | |
| Increase and improve access to cultural facilities | | X | | | |
| | | | | | |

PEOPLE IN MONMOUTHSHIRE BENEFIT FROM AN ECONOMY WHICH IS PROSPEROUS AND SUPPORTS ENTERPRISE AND SUSTAINABLE GROWTH

| Elements | Contribution | | | | Ideas for Improvement |
|--|--------------|---|---|--|-----------------------|
| What contribution does this make to: | - | 0 | + | | |
| Protect local shops and services | | | X | Maximising opportunity for town centre residency. Contributing to footfall and overseeing of town centre | |
| Link local production with local consumption | | X | | | |
| Improve environmental awareness of local businesses | | X | | | |
| Increase employment for local people | | X | | | |
| Preserve and enhance local identity and culture | | | X | Through encouraging vibrancy in a town centre | |
| Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc | | X | | | |

| | |
|---------------------------------|---|
| SUBJECT: | Monmouth Swimming Pool Six Lane Provision. |
| MEETING: | County Council |
| DATE: | 25th June 2015 |
| DIVISION/WARDS AFFECTED: | Monmouth |

1. PURPOSE:

- 1.1 To inform members of the six lane pool option for replacement of the current pool at Monmouth Comprehensive and Leisure Centre site. To explain and agree the business case to deliver this facility.
- 1.2 Revised costs for a 6 lane pool make the business case more affordable than originally presented.

2. RECOMMENDATIONS:

- 2.1 That the Council considers the revised costs and business case associated with a 6 lane replacement pool at Monmouth, of £5.168million.
- 2.2 That Council accepts the financial risk of £50,000-£60,000 to entertain more detailed and tender work to introduce cost certainty and for this to be borne by the 21c feasibility budget.
- 2.3 And subject to that certainty

Cabinet approves the addition of up to £1.168 million to the 2015-16 capital programme (in addition to the £4million subsumed with 21c schools initiative), to be funded by borrowing initially and ultimately by loan repayments afforded by Leisure services through cost reduction and income generation.

3. KEY ISSUES:

- 3.1 At Council on September 25th a preferred option for a 25m 4 lane pool was agreed on the basis that more detailed work would be completed to examine the possibility of a six lane facility. The estimated costs of providing the pools at that time was £6 million for a four lane pool and £7.73 million for a six lane pool.
- 3.2 The planning application for the new school and leisure facilities has been submitted with a four lane option so amendments to the scheme is pending consultation prior to planning committee in July.
- 3.3 Previous pool costs were indicative and since the previous report a scheme has been proposed configuring the new pool inside the footprint of the new school building. Previously the replacement pool was to be built adjacent to the existing leisure centre. The result of the new plans have significantly reduced the cost of a six lane pool from £7.73 million to a cost of £5.168 million bringing it below the original four lane option.
- 3.4 The change of plan will provide a new pool however the build time will be increased to approximately two years, in line with the school building programme. The option of a four lane or six lane offer has been debated by officers, clubs and users and the

opportunity to deliver a 6 lane facility is the preferred option for the service following analysis of a feasibility study and outline business case.

- 3.5 Cabinet have subscribed to an approach that any new schemes volunteered to the capital programme will either need to be ,
- a..self financing
 - b. or displace a scheme already within the programme.
- 3.6 The 21st Century Schools Full Business Case which has been agreed by Welsh Government included like for like replacement involving £4 million costs, there is an additional £1.168 million cost consideration for an enhanced facility. The Council's long term borrowing costs for such an additional investment equates indicatively to £88k per annum for twenty five years.
- 3.7 The Leisure Service are confident to report additional net income from the facility of £87,637 per annum and the feasibility study and also officer workings support this. There has been a reduction in Welsh Government free swimming for the service. The service will introduce additional paid sessions to recoup the deficit in funding and this is reflected in the figures supplied in the business case.
- 3.8 To mitigate the extent of funding provided by Leisure services, there is also a potential to utilise in part a significant sc106 in Monmouth area attributable to Leisure facilities. This should not be regarded as a certainty and would need to be subject to a separate report once that receipt has crystallised.

4 REASONS:

- 4.1 The service has provided sound reasons for the 6 lane pool in the business case attached. The overview of the 6 lane pool was highlighted in the options report of 25th September 2014.
- 4.2 The new facility would meet current ASA, Sport Wales, Curriculum and club /competition requirements. It will also be DDA compliant, the revenue costs will be reduced and changing facilities, spectator facilities would meet current requirements.

5 RESOURCE IMPLICATIONS:

- 5.1 The indicative pool costs for a 25 metre 6 lane facility is £5,168 million.
- 5.2 The cost of £4 million is agreed in the 21st Century/Capital expenditure plan leaving £1.168 million to be funded by MCC.
- 5.3 *Based on the current borrowing to fund this using a 7.5% rate (4% principle and 3.5% interest) would cost £87,637 pa. Whilst financing costs may be incurred during the construction phase, MRP payments attributable to particular assets generally start when assets become operational. Leisure would not incur the financing liability for the additional investment until asset is operational in two years' time.*
- 5.4 The Leisure Service would strive to generate additional income at the level of £87,637 to service the loan but would also hope that in principle the amount could be decreased by agreeing use of some future capital or Section 106 receipts in Monmouth when this money becomes available. A further report would be required.

5.5 Leisure Services would use existing mobile equipment however there would also be a need to purchase new lanes ropes and suitable equipment for a pool of this nature. Modern pools usually are equipped with a pool cover but the design of the pool infrastructure would determine the need. The service would look to work with Sport Wales and the local community to ensure grants and potential funding streams are identified, the indicative cost alone for a pool cover for such a facility is circa £25,000.

5.6 There will be a loss of revenue of £140k for the first year the pool is closed and a budget has been identified to cover the shortfall. The extended build time will leave a pressure of 140k for the second year of the build and this needs to be factored into the pressures for MTFP

6 SUSTAINABILITY AND EQUALITIES IMPLICATIONS:

6.1 The significant equality impacts identified in the EQI assessment are summarised below for members' consideration:

6.2 Overall the proposals will have a positive impact by providing facilities that are DDA and BS8300, improve access to education and training for pupils and community. The facility will have changing rooms that are of modern design which will meet all cultural, ethical and personal requirements.

6.3 The negative impact with the proposals is that the facility will be closed for a 18-24 month period.

6.4 The actual impacts from this report's recommendations will be reviewed every 2 years.

7 SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

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

8 CONSULTEES:

Strategic Leadership Team
Cabinet Members
Head of Legal Services
Head of Finance
Assistant Head Of Finance
Head of Planning
21st Century Programme Manager

9 BACKGROUND PAPERS:

Council Paper Monmouth Swimming Pool 25th Sept 2014
MCC Leisure Services Business Case
Monmouth Leisure Centre Feasibility Study 2014

10 AUTHOR:

Ian Saunders

11 CONTACT DETAILS:

iansaunders@monmouthshire.gov.uk
Phone number 01633 644499 Mob 07876545793

The “Equality Initial Challenge”

| Name: Ian Saunders Service area: Tourism, Leisure & Culture Date completed: 01 April 2015 | | Please give a brief description of what you are aiming to do. Monmouth swimming pool six lane provision. | |
|---|---|--|--|
| Protected characteristic | Potential Negative impact Please give details | Potential Neutral impact Please give details | Potential Positive Impact Please give details |
| Age | The closure of the swimming pool for 18-24 months will negatively impact on all protected characteristics during that time. However the service will look to re-provide where possible with other local pools and our own facilities. We have around 50,000+ visits recorded to the pool per year excluding primary and secondary schools. This will apply to all below characteristics | | Opportunities to develop bespoke packages for younger people through our aquatic pathways. The new 50 week swim lesson format will give further opportunities for young people to learn to swim and continue to swim on a weekly basis. The vision for Wales is for every young person to become a swimmer. The new provision will give access and increased opportunity to ensure children in Monmouthshire are not left behind. There will be greater opportunity for our Primary and Secondary education school swim programme to access more sessions. |
| Disability | | | One of only a small number of Local Authorities recognised for insport Bronze accreditation. Recently been identified by Disability Sport Wales as part of a National pilot of insport facility. New facilities would create an inclusive |

| | | | |
|------------------------------|--|-----------|--|
| | | | <p>environment; reduce the potential of any barriers to access and provide an opportunity for all.</p> <p>Work is ongoing to promote our swimming inclusive offer through Monmouthshire sport developments aquatics plan and community club engagement plans.</p> |
| Marriage + Civil Partnership | | Not known | |
| Pregnancy and maternity | | | <p>Opportunities to develop and extend our pre and postnatal exercise provision to all leisure centres including dryside activities.</p> <p>Currently Monmouth has no ante natal wet side provision however through our links with Health and our partners in Early Years we know that there is a need.</p> <p>The additional capacity will allow sessions in the daytime when new parents are mostly likely to access these sessions.</p> |
| Race | | | <p>Overall the proposals will have a positive impact by providing facilities that are DDA and BS8300, improve access to education and training for pupils and community. The facility will have changing rooms that are of modern design which will meet all cultural, ethical and personal requirements.</p> |
| Religion or Belief | | Not known | As Above statement. |
| Sex (was Gender) | | | As Above statement. |
| Sexual Orientation | | Not known | As Above statement. |

| | | | |
|----------------|--|-----------|---|
| Transgender | | Not known | As Above statement. |
| Welsh Language | | | <p>Further development of literature and signage will be installed to promote the Welsh Language.</p> <p>Increased possibilities to work with Welsh Language partners in youth to create bilingual settings via sporting opportunities.</p> |

| Please give details about any potential negative Impacts . | How do you propose to MITIGATE these negative impacts |
|---|---|
| <ul style="list-style-type: none"> ➤ The loss of the existing pool and provision whilst the works are being carried out during a 18-24 month period (planned to start Dec 2015). | <ul style="list-style-type: none"> ➤ Work is ongoing with the Private Girls School to accommodate some of our existing users in particular the Primary school educational swim programme and disability community swim club. ➤ We are looking to provide additional swimming lessons at our other leisure centres to accommodate some of the children learning to swim. |
| <ul style="list-style-type: none"> ➤ | <ul style="list-style-type: none"> ➤ |

Signed

Designation

Dated

EQUALITY IMPACT ASSESSMENT FORM

| | |
|--|----------------------------------|
| What are you impact assessing | Service area |
| Monmouth swimming pool six lane provision. | Tourism, Leisure & Culture |
| Policy author / service lead | Name of assessor and date |
| Ian Saunders | Ian Saunders 01/04/15 |

1. What are you proposing to do?

- Rebuild the swimming pool at Monmouth Leisure Centre to include a new six lane provision.

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

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

3. Please give details of the negative impact

None identified.

The build process and closure of the existing swimming pool for up to two years will have a negative effect on all users and groups.

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

The development of the new site for the 21st Century School build has been explored in depth. It has been inevitable that the current swimming pool cannot remain at its current position on the site.

A series of consultation exercises and business case has been developed to ensure the new six lane swimming pool is viable.

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

A user and non-user consultation was carried out from August to October 2014 (results included within the business case template).
Monthly monitoring income and expenditure reports and analysis of business unit performance.
Clear accountability of business unit performance.
Regular user and non-user feedback and fully engaged with social media channels for promotion and feedback.
New business opportunities relevant to the business case.

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

The “Sustainability Challenge”

| | | | |
|--|--|--|--|
| Name of the Officer completing “the Sustainability challenge” Ian Saunders | | Please give a brief description of the aims proposed policy or service reconfiguration Monmouth swimming pool six lane provision. | |
| Name of the Division or service area Tourism, Leisure & Culture | | Date “Challenge” form completed 01/04/2015 | |
| Aspect of sustainability affected | Negative impact Please give details | Neutral impact Please give details | Positive Impact Please give details |
| PEOPLE | | | |
| Ensure that more people have access to healthy food | | | The ongoing work of the Gwent Child Obesity Strategy and Monmouthshire Creating an Active and Healthy Monmouthshire group looks to identify the data and seek to address some of the issues presented in Monmouthshire through interventions and partnership working. The National Food Wise Scheme adopted by the Exercise Referral Team in Monmouthshire has exceeded expectations and retention is high. Increase usage and opportunities in swimming has been created, further development and access to daytime provision will benefit this area of |

| | | | |
|--|--|------------|--|
| | | | wellbeing. |
| Improve housing quality and provision | | No impact. | |
| Reduce ill health and improve healthcare provision | | | <p>New initiatives such as the wellness journey for communities is key to long term adherence to exercise and essential life style changes.</p> <p>The learn to swim programme is developed to ensure life skills are achieved at a very young age and individuals are encouraged to continue on the pathway of every child a swimmer and in Monmouthshire swimming is fun.</p> <p>Sport and physical activity and the creation of new programmes to attracting families and very young children who we will prepare to become hooked on sport.</p> <p>Data from Sport Wales School Sport Survey 2013 tells us children hooked on sport are above the National average however there is still work to be done to stretch these targets.</p> <p>The Welsh Health Survey also indicates adults in Monmouthshire are active above the National average however through improved provision in our infrastructure and</p> |

| | | | |
|---|--|--|--|
| | | | <p>facilities will ensure our populations continue to participate in exercise and activity.</p> |
| Promote independence | | | <p>Monmouthshire National Exercise Referral programme is a corner stone of health promotion in Monmouthshire and is exceeding all expectations above the National performance targets. Key stakeholders, practitioners and clinicians are working with us at developing long term interventions.</p> <p>The Monacademy training programme will enable individuals to access doorstep opportunities for their own continual professional development, hobby and interest or even change of career. Courses such as 'swimming teaching' and 'National Pool Lifeguard Qualification' enables individuals to gain recognized qualification and the potential to increase employment opportunities.</p> |
| Encourage community participation/action and voluntary work | | | <p>Sport 4life leadership and volunteering programme have exceeded all expectation. We have built solid foundations and continually delivered over 1000 volunteer hours through sport in the previous eighteen months. We aim to develop over 150 Young</p> |

| | | | |
|----------------------------------|--|--|---|
| | | | <p>Ambassadors through Sport by 2015 who will directly deliver a saving in excess of £23,000. Our latest scheme starting at the age of 10 years old encourages, supports and mentors young leaders to become our coaches of the future.</p> <p>This financial year we have identified 21 young people who we will train to become our future workforce through training them in swim leader qualifications. Having gained these qualifications will enable young people to become more confident, show leadership and organizational skills and accreditation towards National education programmes such a Duke of Edinburgh and Welsh Baccalaureate.</p> |
| <p>Targets socially excluded</p> | | | <p>Take up of existing projects such as our Passport to Leisure Scheme for children who receive free school meals and individuals who receive benefits has increased through greater promotion and awareness of the scheme.</p> <p>Our insport programme and plans are seeking to continually address inclusive opportunities through sport and access to facilities.</p> |

| | | | |
|--|--|------------|--|
| Help reduce crime and fear of crime | | | Through our Local Area Plan for Sport, Positive Futures and The Police Crime Commissioner we have identified funding to use sport as an engagement. We have set-up a multiagency task and finish sub group of the Youth Offer to map current data and hotspots and to develop a referral scheme for Monmouthshire. |
| Improve access to education and training | | | The leisure center through the Monacademy arm is looking to develop further opportunities for existing programmers that are taking place within our settings such as, modern apprenticeships and back to work schemes, MyDay MyLife and regular CPD for staff. |
| Have a positive impact on people and places in other countries | | Not known. | Welsh Government through their free swimming initiative encourages free swimming for service men and women. In Monmouthshire we have seen in flux in the take up of this opportunity. The new facility will enables us to increase our offer. |
| PLANET | | | |
| Reduce, reuse and recycle waste and water | | | The new facility will see advanced energy efficiency and improvements compared to our current provision. |
| Reduce carbon dioxide | | | The new facility will see advanced energy efficiency and improvements |

| | | | |
|---|---|--|--|
| emissions | | | compared to our current provision. |
| Prevent or reduce pollution of the air, land and water | | | The new facility will see advanced energy efficiency and improvements compared to our current provision. |
| Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces) | | Not known. Specific ecology impact assessments will be carried out as part of the whole site build. | |
| Protect or enhance visual appearance of environment | | Not known. Specific ecology impact assessments will be carried out as part of the whole site build. | |
| PROFIT | | | |
| Protect local shops and services | | | Maintain and develop core leisure centre assets and encourage support of local economy and businesses. |
| Link local production with local consumption | | | Continue to exploit opportunities to promote local schemes, National interventions and major events. |
| Improve environmental awareness of local businesses | | Not known. Specific ecology impact assessments will be carried out as part of the whole site build. | |
| Increase employment for local people | The initial swimming pool closure could have an effect on the reduction of part time hours. | | The increase in provision will ultimately create new opportunities for employment. The majority of |

| | | | |
|---|---|--|---|
| | However this is unknown at this stage as some hours will be accommodated at our other leisure centres to cope with the increased demand, for example more swimming lessons. | | increase in employment will be through part-time work. However this is anticipate to be above the current level of staffing due to the increase in facility and provision. |
| Preserve and enhance local identity and culture | | | Maintain and develop core leisure services/offer to enhance local sense of place and connections. |
| Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc. | | Not known. Specific ecology impact assessments will be carried out as part of the whole site build. | |
| Increase and improve access to leisure, recreation or cultural facilities | | | Maintain and develop core leisure services/offer to enhance local sense of place and connections. Ensure the service is fit for purpose. Continually invest in buildings, fabric, new ideas and technology and the continual professional development of staff. Overall the proposals will have a positive impact by providing facilities that are DDA and BS8300, improve access to education and training for pupils and community. The facility will have changing rooms that are of modern design which will meet all cultural, ethical and personal requirements. |

| What are the potential negative Impacts | Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments) |
|---|--|
| <ul style="list-style-type: none"> ➤ The service doesn't survive the current financial challenges and closes all together. | <ul style="list-style-type: none"> ➤ Adopt the proposals and measures that have been suggested. Ensure our leisure services are a priority of the Council as this exercise demonstrates that although a discretionary service it touches most if not all parts of the community in a positive way and a key delivery of the Councils priorities, core values and aspirations. |

The next steps

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

- | |
|---|
| <ul style="list-style-type: none"> • More streamlined management and delivery teams with clear focus and accountability for business units. • Fit for purpose facility that will sustain the current financial pressures and increase income at a very challenging time. • Delivery of operational efficiency savings ensuring best value is sourced and the appropriate level of support is received to achieve our outcomes. |
|---|

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

- | |
|---|
| <ul style="list-style-type: none"> • The initial loss of the swimming pool will have an immediate effect on those users that are affected. • A swift decision and response to this proposal is imperative: <ul style="list-style-type: none"> ○ to ensure staff has enough time to inform users of plans and timeframes. ○ to give all users every opportunity to plan their alternative provision in the time the swimming pool is not accessible. For some this will inevitably be no swimming provision. ○ to ensure staff that are misplaced have every opportunity to prepare themselves for employment. |
|---|

Signed Ian Saunders

Dated 01/04/2015

Monmouth Pool
Headlines:

2013/14 20m 4 Lane (Checked by Natalie Davies)

Actual Income £244,100.01
Actual Expenditure £158,960.00
Surplus £85,140.01

2016/17 25m 6 Lane (Projected figures)

Potential Income £422,422.00
Proposed Expenditure £249,644.99
Surplus £172,777.01

Difference in income between both options
£178,321.99

Difference in profit between both options
£87,637.00

Actual Income: (Confirmed by Natalie Davies)

Direct income generated for the pool in 2013/14 at Monmouth:

Swimming Lessons = £71,003.77

Swimming Lessons 1-2-1 = £3,644.90

Sauna = £1,967.37

Swimming Pool General = £32,392.36

Hire of Swimming Pool = £3,854.56 – includes pool party element but not money lost for dry side hire following that or catering.

Grant monies and WG funding = £22,750.00 (WG Free Swimming) / £13,476.00 Primary School Swimming £31,059.50 as a portion from the secondary school SLA money.

Secondary spend i.e. vending, pool party catering, room hire, swimming goods for resale = £63,951.55

Total Income for 2013/14 £244,100.01

Actual Expenditure:

Lifeguard costs based on middle SCP = £64,613.00 includes 28% on costs and enhancements

Swimming teacher costs based on highest SCP = £32,600.00 includes 28% on costs and enhancements

1 full time Duty Officer = £31,900.00

The lifeguard costs are based on term time and 105 hours per week

105 hours split by Monday-Friday 77 hours, Saturday 14 hours and Sunday 14 hours

77 hours x 8.4047 x 52 weeks + 28% = £43,075.00

14 hours x 8.4047 x time and a quarter x 52 weeks + 28% = £9,790.00

14 hours x 8.4047 x time and a half x 52 weeks + 28% = £11,748.00

Total cost £64,613.00

Pool chemicals and other pool related items = £2,447.00

Energy Costs as provided by Gareth Bowen £27,400.00 per annum (includes gas, electric, water and trade effluent DCWW charge). This should be accurate as we provide meter readings every month and our pool is on its on meter for some utilises.

Total Expenditure £158,960.00

Total projected Income for new 25 Metre 6 Lane Pool £422,422.00

Swimming Lessons = £122,129.47 – A 25m 6 lane pool would allow for more lessons to be run at any one time than at present. It would also allow the pool to be utilised by both school and public at any one time. Monmouth do not currently run adult lessons, parent and child and have limited preschool classes due to lack of space. This figure is based on an average of 8 children per class, 4 lessons per ½ time slot running over 6 days of the week and having an uptake of 90% capacity.

Workings – 3 extra lessons during 1.5 hours of lessons in the evening x 6 days x 8 children x 50 weeks x £4.25 = £45,900

1 extra 1-1 lesson per day for 104 days (2 days per week) x £15.20 = £1,580.80

Last year £71,003.77 in lessons and £3,644.90 in 1-1's Total £74,648.67

Swimming Pool General = £185,341.53 – this would include general admissions and includes a potential increase of 14,000 visits as detailed in the feasibility study, pool hire from clubs based on 12 hours per week over 50 weeks of the year, additional pool parties due to increased opportunities and grant income from WG for Free Swimming and school SLA's.

Additional £26,941.74 added to swimming pool general to realise the £87,637.00 profit to cover the additional funding required for 6 lanes. This would equate to an additional 10,525 adult swims per year at £2.52 (net cost)

Workings – Swim club 8 hrs per week (4 days x 2 hours) x 50 weeks x £42.25 per hour = £16,900

10,000 extra visits (Currently 45,000, feasibility projects total swimmers of 59,604) x £2.50 (average between cost of adult and junior/senior) = £25,000

50 new adult aqua memberships x £22 x 10 months = £11,000

Last year £1,967.37 sauna, swimming pool admissions £32,392.36, hire of pool £3,854.56, WG £22,750, Primary Schools £13,476 SLA Comprehensive £31,059.50 Total = £105,499.79

Secondary spend = £69,951.55 i.e. vending, café, pool party catering, room hire, swimming goods for resale. There will be opportunity to reconfigure and provide a designated area for resale of equipment/clothing and vending. As well the café will see greater footfall and utilisation due to the location of the new pool.

Vending extra income £3,000 (additional machines on landing)

Goods for resale - £3,000 (shop display upstairs/downstairs) plus increase in swim badges due to increase number of lessons.

Last year – catering £22,532.55, vending £34,285.00, goods for resale £7,134.00 Total = £63,951.55

Membership = £45,000.00 Growth in the fitness suite due to Latent demand in Health and Fitness based on local demographics assuming 150 new members staying for an average of 10 months (based on current membership retention). This retention figure may well improve due to targeted efforts with the team concentrating on our member journey and contact manager model.

Total projected Income for new pool £422,422.00

Total Projected Expenditure for a new 25 Metre 6 Lane Pool:

Staffing costs based on Monmouth 2013/14

Additional Swim Teacher costs of £6,088.00 (1.5 hrs x 1 teachers x 6 days x 50 weeks x £10.57 + 28% on costs).

Additional lifeguard costs of £44,869.00

Last year swim teacher costs £32,623.40 (off budget builder), lifeguards £64,612.65 (based on 106.5 hrs) Duty Officer £31,861.76

£180,054.81

Utilises including chemicals based on Monmouth 2013/14 plus an additional £5k for water and 5% extra for increased utility costs (based on detail provided in Feasibility Study)

£36,590.18

Additional costs based on figures from feasibility study including marketing, repairs/maintenance, cost of sales for vending and cafe. Additional salaries and utilities included above

£33,000.00

Total Expenditure around £249,644.99

Benefits of new 6 lane 25m pool.**1. General Swimming**

- 1.1 Improved changing facilities with separate public and group changing will give greater opportunity for the pool to be utilised by both community and school during the day at the same time.
- 1.2 Current maximum bathing load could be increased significantly and this would benefit users during busy times as currently users are being turned away.
- 1.3 A new pool will attract new customers from a wider area, giving us the opportunity to sell other facilities and memberships.

2. Swimming Lessons

- 2.1 The pool would offer greater flexibility in how it is configured for lessons. Currently it is difficult to offer higher levels the option to swim lengths due to the lower levels taking up part of the pool. A 6 Lane pool would allow for lower and higher level classes to be on at the same time giving a better experience for users and allow us to generate greater income.

3. Competitive Swimming

- 3.1 The new pool will be very attractive to competitive swimming clubs. With the correct design and facilities in place this will give Monmouth a fantastic do develop it already successful competitive swimming club.
- 3.2 With the correct investment, the pool will be an attractive venue for club, county and National competitions, including Masters swimming, Triathlons and water-polo events and courses.

4. Pool Parties

- 4.1 New options would be available as well as the pool being shared by parties and public which would increase the party slots available and increase income streams.

5. School Swimming

- 5.1 The 6 lane pool would support the school in allow them to run double lessons which is currently difficult. The pool could also be used by public and school at the same time strengthening the community focused approach.

6. Membership

- 6.1 Improving the offer to our existing members with enhanced facilities and greater access to the swimming pool, especially during the daytime.
- 6.2 Increasing the membership base by 100 people through our range of membership packages. Members are currently lost to nearby competitors due to the current pool size and limited access.

| | |
|---------------------------------|---|
| SUBJECT: | Providing Members with an evaluation of the effectiveness of safeguarding within Monmouthshire |
| MEETING: | County Council |
| DATE: | 25th June 2015 |
| DIVISION/WARDS AFFECTED: | All |

1. PURPOSE:

To provide members with information and analysis regarding the safeguarding of children and young people. Comprehensive strategic and operational information is provided via a suite of four cross referenced reports:

- i. **Strategic Report for Safeguarding April 2015**; this provides an evaluative overview for Members on progress, areas for further work and includes case studies. **Pages 1-5 of this report will enable Members to obtain a good summary of the current safeguarding agenda.**
- ii. **Safeguarding Report Card April 2015**; this provides detailed evidence and analysis for Members wishing to review safeguarding performance in more depth.
- iii. **Service Improvement Plan for Safeguarding 2015 – 2016**; this is the annual plan for the safeguarding unit and lists the priorities and actions for the year.
- iv. **Children’s Services Improvement Plan 2015 – 2016**; this contains the priorities and actions for Children’s Services, including the actions in response to the CSSIW inspection.

2. RECOMMENDATIONS:

That Council receives the attached reports, noting the progress and areas for further work and using them as the basis for challenge.

3. KEY ISSUES:

3.1 Safeguarding children and young people is a key responsibility for the Council. These duties apply to all officers and members of council and include the specific child protection duties carried out via Children’s Services; the corporate parenting responsibilities of the Council and the whole authority duty to ensure children are safeguarded across all services areas.

3.2 In November 2012 Estyn carried out an inspection of the Local Authority and found that the arrangements for safeguarding were unsatisfactory.

A monitoring visit in February 2014 found that whilst the Local Authority had made some good initial progress the shortcomings identified in the strategic management of safeguarding had not been addressed well enough. This judgement was echoed by a Welsh Audit Office inspection in March 2014. It was partly as a result of this that the

current suite of reports were commissioned to ensure that Members had access to comprehensive and thoughtful analysis of the state of safeguarding in Monmouthshire.

3.3 CSSIW carried out inspections of Monmouthshire Children's Services in April and November 2014. Whilst confirming that children involved in the child protection process were safeguarded, CSSIW did identify some key deficits and areas for improvement including the consistency and quality of management oversight within Children's Services and the effective embedding of performance management and quality assurance arrangements.

4. REASONS:

Safeguarding and child protection concerns some of the most vulnerable children in Monmouthshire. This is an important opportunity for the Council to receive and consider the current arrangements for safeguarding.

5. RESOURCE IMPLICATIONS: None directly from this report

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

These reports focus on enhancing safeguarding of children and young people. No negative implications have been identified and if there are actions that subsequently require decision, EQIA's will be undertaken at that stage.

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

Throughout the reports consideration has been given to how the Local Authority promotes safeguarding and corporate parenting.

8. CONSULTEES:

- CYP Select Committee (meeting held 23/6 so verbal feedback will be provided from committee chair)
- Simon Burch – Chief Officer Health & Social Care
- Tracy Jelfs – Head of Children's Services

9. BACKGROUND PAPERS: None

10. AUTHOR: Jane Rodgers, Safeguarding and Quality Assurance Manager

11. CONTACT DETAILS:

E-mail: janerodgers@monmouthshire.gov.uk

Monmouthshire County Council

Strategic Report for Safeguarding April 2015

Summary Information

Leaders can be assured that children and young people in Monmouthshire are protected from harm and abuse because:

- There is increased [cross directorate and political involvement](#) with safeguarding supported by strong leadership. This means that safeguarding is increasingly understood as ‘everybody’s responsibility’.
- There is an overarching [Monmouthshire Safeguarding and Child Protection Policy](#) in place that gives clear guidance for all settings detailing roles and responsibilities in safeguarding and child protection.
- There is an [audit programme in place](#) to ensure that individual settings adhere to the requirements of the policy and provide information regarding how they meet their child protection and safeguarding responsibilities in practice. This has led to increased challenge and development of safeguarding practices at a service unit level; as a result, individual children and young people are kept safer.
- There is a system in place whereby the Local Authority maintains [central oversight of safe recruitment and an increased focus on developing safe work force practices](#). New employees understand, right from the start, that safeguarding children is integral to the authority’s values and ethos and part and parcel of their work.
- There is a [robust system in place within the authority to respond to any concerns arising from professional allegations or organised abuse](#). This ensures that the individuals working with children and young people are suitable and do not pose a risk.
- [Staff within Monmouthshire are informed regarding their individual responsibilities to report any concerns and are trained in how to recognise basic signs and symptoms of abuse](#).
- The recent CSSIW inspection confirmed that child protection processes safeguard children.
- We are gaining [confidence in self-evaluation using a wide range of sources to assist with on-going improvement](#) in safeguarding at a whole authority level. There is a comprehensive action plan within the Children’s Services Improvement Plan that responds to the deficits identified in the CSSIW report and through our own analysis.
- We have been able to use self-evaluation and our analysis of operational and higher level information [to identify aspects of family need and vulnerability and have used this to identify areas for improvement in services and practice](#).

The key areas requiring development over 2015 – 16 to further ensure the safety and well-being of children are:

- Further develop self-evaluation and critical challenge in respect of the impact of safeguarding activity across the authority [\(in progress\)](#).
- Use the external validation review of safeguarding as an opportunity for further learning and to help us in setting direction, prioritising and improvement planning [\(review in progress\)](#).
- Listen and respond to the outcomes from the Young People’s Safeguarding Survey 2015 [\(survey in progress\)](#).
- Implement the 2nd phase of the SAFE and analyse outcomes [\(implementation commenced March 2015\)](#).
- Develop the training programme for Monmouthshire to ensure that all staff have access to safeguarding / child protection training at a suitable level [\(in progress\)](#).
- Support the development of the Well-Being group under the partnership including cross authority work around anti-bullying, self-harm and mental health pathways [\(Well-being group in early stage of development\)](#).
- Use a range of sources to analyse and report on the issues that compromise the safety and welfare of children and /or potentially expose them to harm through abuse and neglect. Work with others to respond to / reduce areas of need particularly regarding domestic abuse, parental substance misuse, child neglect and young people with complex risk taking behaviours [\(in progress\)](#).
- Prioritise key areas of safeguarding practice where it has been identified that practice can be improved particularly regarding the thresholds and interface between services areas; section 47 investigations and working with risk [\(in progress\)](#).
- Ensure that performance management and quality assurance arrangements are effectively embedded within all operational safeguarding processes [\(in progress - see children’s services SIP\)](#).
- Increase the line of sight between senior leaders and front-line practice of child protection services [\(in progress - see children’s services SIP\)](#).

The evidence base and further information regarding the above statements are located within:

| Report | Purpose |
|---|--|
| The current Strategic Safeguarding Report (April 2015) | To provide higher level overview and evaluation of key areas |
| The Safeguarding Report card and Performance Information (April 2015) | Analysis of evidence and data |
| The Service Improvement Plan for Safeguarding (2015/16) | To set out the delivery of actions at an operational level |
| The Children's Services Service Improvement Plan (2015/16) | To provide further detail about how Children's Service contribute to the overall safeguarding system |

Introduction and Background Information

This is the third strategic overview report for safeguarding. The report discusses the key areas of activity that have been undertaken in respect of safeguarding over the last twelve months, highlighting progress and setting the direction of travel for the year ahead. The report evaluates how well we are pursuing our central goal: that children and young people in Monmouthshire are as safe as they can be and are protected from harm and abuse. In this sense it is concerned with the cornerstones of safe systems and practices as well as, where relevant, focusing on particular aspects of practice / service improvement or specific aspects of need and vulnerability.

In February 2014 an Estyn monitoring visit recognised that we had appropriately prioritised safeguarding and 'set the foundations well for recovery' particularly at service and practitioner level. This reflected our 'operational' focus up to that point in ensuring that the right systems and processes were securely in place. However, our monitoring visit also told us that we did not have 'effective enough management information systems and processes to enable us to receive appropriate and evaluative management information about safeguarding'. These criticisms were echoed by a subsequent Welsh Audit Office review of safeguarding in March 2014. We needed to draw information together from a range of sources and widen our self-evaluation processes to include a whole authority perspective that was 'owned' from the top right through the whole organisation.

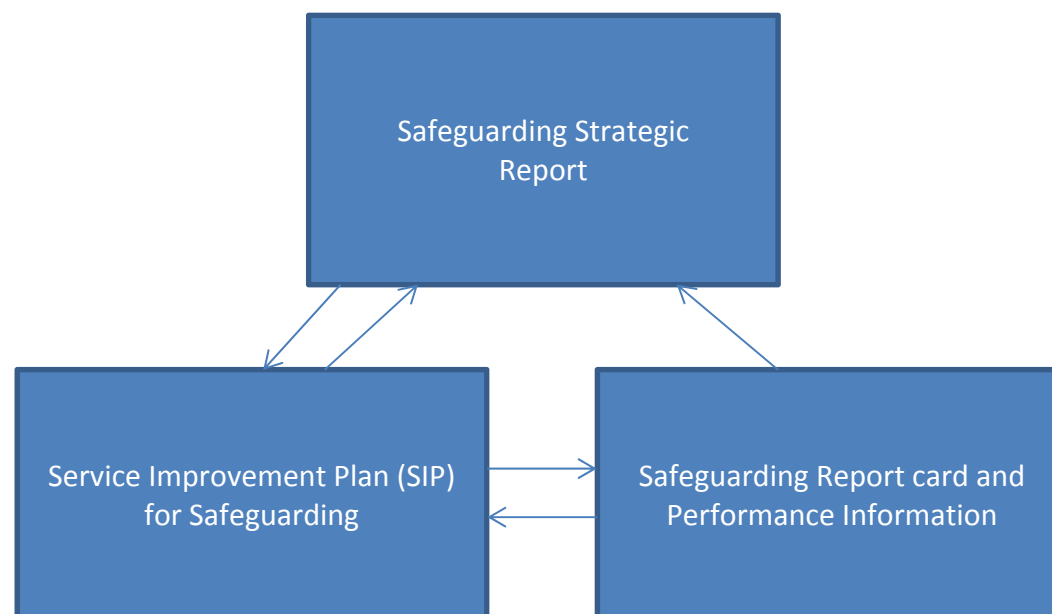
Over the last year we have sought to respond to this in a number of ways. Strong leadership at a political and officer level has set the expectation that safeguarding is part and parcel of Monmouthshire's culture and is 'everyone's responsibility'. We have established a whole authority leadership group and are using this to generate internal challenge based on increased knowledge and understanding of safeguarding at a local and regional level. This has helped us identify areas where directorates can work together around responding to need and strengthening safeguarding practices. We are developing confidence in self-evaluation making connections from different sources of information (both qualitative and quantitative) to set direction and guide safeguarding activity. Recent outcomes from this has included seeking a better alignment between preventative services and identified needs, reviewing practices around older children at risk and improving practice and understanding around threshold criteria.

This last year has also seen two linked inspections of Children's Services by CSSIW (April and November 2014). CSSIW were able to confirm that "Children and young people who are, or are likely to be at risk of harm, were identified and protected." However, some key deficits and areas for improvement were identified: Significantly for safeguarding this included the consistency and quality of management oversight within children's services and the effective embedding of performance management and quality assurance arrangements. During this coming period, one of our key areas of focus will be in ensuring that our 'response' system, supporting and protecting children who are *directly* at risk, is further developed and improved. Safeguarding and Children's Services are working closely to ensure that through the Service Improvement Plans priorities and resources are clearly aligned. The Children's Services Plan is one of the supporting documents to this strategic report.

Recommendations within the CSSIW inspection reports have helped to shape and confirm our intention to focus on key areas of service / practice improvement including the interface between children's services and referring agencies, the further development of preventative services, management of risk and the development of inter-agency working within child abuse investigations and early decision-making. The strong alignment between safeguarding and children's services has assisted in ensuring that as we implement service improvement plans these complement and dovetail each other, with safeguarding taking the lead around multi-agency arrangements and where there is a connection to the work of the South East Wales Regional Safeguarding Board.

Purpose of the Strategic Report

The purpose of the strategic overview report is to inform leaders within Monmouthshire County Council of the bigger picture of safeguarding and the overall impact of safeguarding and child protection activities across the authority. The report should enable leaders to consider the implications of these at a strategic level including being able to set / confirm direction of travel, consider and manage risk and allocate / confirm resources. This 6-monthly safeguarding report is the top tier of wider reporting framework as illustrated below. The next step actions arising from the strategic overview are detailed in the Service Improvement Plan and monitored through quarterly reviews. The Safeguarding Report card contributes to the evidence base from which both reports draw and provide the analysis and discussion of performance information. The strength of this approach is that leaders have clear high level oversight whilst also being able to challenge evidence or further detail as required.



Summary of the Key Areas of activity and Score Table

| Key Priority Area | Evaluation at April 2014 | Evaluation at Sept 2014 | Evaluation at April 2015 |
|---|--------------------------|-------------------------|--------------------------|
| 1. Safeguarding children and young people is understood as 'everyone's responsibility' | N/A | 4 | 5 |
| 2. Monmouthshire's Safeguarding and Child Protection Policy is embedded across all settings and services | 4 | 4 | 4 |
| 3. Through our Audit Framework we are assured that all settings and services meet their roles and responsibilities in safeguarding /child protection | 3-4 | 4 | 4 |
| 4. Safe recruitment and safe work force practices are operating effectively and embedded across the authority. | 2 | 3 | 4 |
| 5. All workers and volunteers in contact with children and families are trained at the appropriate level | 5 | 5 | 5 |
| 6. There is a system in place that identifies and addresses any professional allegations or concerns about individuals who may pose a risk. | 4 | 5 | 5 |
| 7. We are well-informed about the issues that compromise the safety and welfare of children and /or potentially expose them to harm through abuse and neglect and can demonstrate how we respond to and reduce areas of need. | 3 | 3 | 4 |
| 8. We operate best safeguarding practices and can demonstrate how we identify and address areas where improvement is needed. | 3 | 3 | 3 |
| 9. Engagement with children and young people is at the heart of our safeguarding and child protection activity. | 3 | 3 | 4 |

The Corporate Evaluation Framework

| The evaluation score from 1-6 | The evaluative context |
|-------------------------------|---|
| Level 6 Excellent | Excellent or outstanding |
| Level 5 Very | Good Major strengths |
| Level 4 Good | Important strengths with some areas for improvement |
| Level 3 Adequate | Strengths just outweigh weaknesses |
| Level 2 Weak | Important weaknesses |
| Level 1 Unsatisfactory | Major weakness |

Case Studies

In these case examples I have sought to convey some of the ways in which areas of activity overlap and develop over time illustrating safeguarding as an on-going process of both vigilance and practice development. For this report I have additionally sought to provide illustrations of where our self-evaluation processes have helped to shape practice.

1. The impact of the role of the Lead Officer for Safeguarding in Education (LOSIE) in providing professional guidance and advice regarding individual children

One of the 'softer' outcomes of the extensive training and audit work that has taken place across the authority is the opportunity to strengthen inter-agency working and the provision of an 'open door' for discussion and advice around matters affecting the welfare of individual children. Here are two anonymised examples from the LOSIE:

"A netball coach working in one of our Leisure Centres made contact with me when a young person disclosed a concern that her friend was self-harming. We talked the situation through and I offered advice and sent through the Regional Guidance information for professionals working with self-harm. This resulted in the coach feeling confident enough to raise the subject directly with the young person (without breaching the friend's confidentiality) and guiding her to support options and in turn building her confidence to speak with her parents. The young person was subsequently described as being much happier and contented." This example shows a worker recognising and responding to a concern, seeking advice and intervening proactively to support a young person in distress.

"The head teacher of a primary school contacted me to discuss a situation that had arisen following a complaint from a parent alleging that a teacher had mishandled a child when breaking up a fight. I talked the situation through and liaised with children's services to ensure that a referral was made and that an initial assessment was undertaken. This established that there was no professional allegation and that the matter could be dealt with internally to the school. I remained involved to provide additional advice and support to the school regarding arrangements for safe handling of children." This example shows how the LOSIE can help 'oil the wheels' at points of referral and threshold discussions as well as supporting schools to manage wider safeguarding arrangements.

The profile of the safeguarding unit within the authority offers this continuous opportunity to support agencies to work preventatively with families and vulnerable children whilst increasing understanding of situations that would require a child protection referral. This will remain an on-going focus of our work.

2. The impact of developing approaches in managing young people at risk at cross directorate level

Over the last months we have continued to highlight the needs of vulnerable 'risky' adolescents and how we can best respond to individual young people at a multi-agency and cross-directorate level. As an authority we are learning more about joined up approaches, building on some good practice examples of partnership meetings, and beginning to draw information from a range of sources to help us scope numbers and need more accurately. We have drawn on practitioner learning events around self-harm and neglect as well as formal audits and case reviews (particularly Case B).

Here is an example of how this has helped to shape our responses to individual young people: Our education welfare officers identified a 15 year old young person at risk through the impact of substance misuse and raised this within her own department and through safeguarding. *A specific multi-agency meeting was agreed and arranged to share information, develop our understanding of the young person and his family's needs and to plan a co-ordinated response. This process quickly helped to establish that the threshold for significant risk of harm had been reached and that child protection procedures should be initiated.* The young man was registered under the category of physical and emotional abuse at the age of 16 years. In practice this means that there is now a core group of professionals involved *to support the whole family to feel safer.* For the young man this means that he has access to drug and mental health services, alternative provision to education is in place and there is a coordinated approach to help him maximise his chances in life. This demonstrates the authority's drive to respond to need, to build on and extend good practice and to use preventative and statutory processes effectively to manage risk. Over and above this it is a clear statement about the authority's value base and our collective responsibility to all children up to their 18th birthday.

3. The impact of monitoring professional allegations and working together to develop safe workforce practices

Over the last year we have managed some complex professional allegations some of which have been pursued through the criminal courts. One of these cases in particular attracted scrutiny from our regulators. We were ultimately able to satisfy our inspectors that all safeguarding processes were followed, however, such complex cases do enable on-going development and learning. Similarly, in respect of developing safe work-force practices we used information arising from CSSIW (regarding an employee's DBS certification) to evaluate current practice, review guidance and learn lessons which are now being implemented across the authority. This has led to increased awareness of the requirement to risk assess where questions of suitability arise; increased rigour and consistency in the quality of risk assessment processes; and increased joint working between employers, People's Services and the safeguarding unit. All of these contribute directly to the maintenance of a safe and suitable workforce.

In safeguarding we continually oversee the management of professional allegations at a multi-agency level pursuing referrals through to their ultimate conclusion and ensuring that any risks posed by individuals are managed appropriately and that organisations are actively supported to address any wider safeguarding issues. Recently this has included supporting a residential care home in training their staff on child sexual exploitation; reviewing a case with a nursery to ensure they understood the statutory process and working with a local college to develop safe workforce practice which is compliant with statutory guidance.

OUR OVER-RIDING GOAL - Children and young people in Monmouthshire are as safe as can be and are protected from harm and abuse

Operationally this will be achieved through:

- Creating and maintenance safe practices, systems and networks across all learning, leisure & play services and settings across the authority
- Ensuring that any safeguarding risks to children and young people are recognised and addressed;
- Ensuring that concerns about possible abuse or neglect are recognised and responded to appropriately and in accordance with procedures;
- Ensuring that risks and needs for vulnerable children, including those at risk of significant harm, are reduced through multi-agency plans and interventions.

This is an on-going objective which is continually assessed to identify where improvements are required

NOTES:

Areas of key development are highlighted in GREEN.

Future actions identified in column 6 will broadly correlate with operational activity set out in the Service Improvement Plan

| What is our final destination / Where do we want to be & by when? | What have we done so far to get there / is this where we expected to be? | What difference have our actions made so far? (impact - evaluative judgement) | How do we know? (Data and Information-Evidence) | What difference should our activities make in the long term | What next / Future actions? (Consequence of evaluation) | What are the barriers / risks? | Our score between 1-6 (Impact judgement) |
|--|---|--|--|---|--|--|--|
| <p>1. In Monmouthshire we will ensure that safeguarding children and young people is understood as 'everyone's responsibility' across all directorates and at a political level. We want this to be culturally embedded within the authority at a 'hearts and minds' level.</p> <p>Senior Leaders and Members will understand, in general terms, the work, priorities and developmental changes in Children's Services</p> <p>Previously the concept of safeguarding was not well understood across the whole authority.</p> <p>CSSIW has highlighted the need for increased 'line of sight' in child protection services.</p> | <p>Cross directorate safeguarding leadership group established (led by CEO).</p> <p>There is a framework for strategic reporting to provide information about safeguarding at a number of levels. This has enabled shared analysis and planning with cross directorate involvement.</p> <p>An impact assessment of Safeguarding / Corporate parenting is now included on all reports for council. Guidance is in place to support staff undertaking these assessments.</p> <p>Chief officer briefings are in place monthly.</p> | <p>Evidence of connections with safeguarding being made (top down and bottom up) include active engagement with:</p> <ul style="list-style-type: none"> - Passenger Transport - Leisure services - Commissioning - Partnership services - Employee Services <p>Level 1 training for cabinet members has been implemented.</p> | <p>Returned safeguarding audits and action plans.</p> <p>Safe Recruitment work through People's Services.</p> <p>Take up of level 1 and 2 safeguarding training from outside education and social care.</p> <p>Evidence from WAO: when questioned 76% individuals understood that safeguarding was 'everyone's responsibility' 12% higher than the Welsh average response.</p> | <p>This widening of safeguarding, together with the opportunity for internal challenge and accountability permeating out from strong leadership, will keep children in Monmouthshire safer.</p> | <p>Support the development of the safeguarding leadership group to ensure that the group continues to drive safeguarding at a cross-directorate level, and provides an additional mechanism for internal challenge.</p> <p>Use the external validation review of safeguarding as an opportunity for further learning and to help us in setting direction, prioritising and improvement planning</p> <p>Ensure that elected members receive appropriate training and learning opportunities to enable effective challenge.</p> <p>See also Children's Services SIP response to Rec 10 CSSIW</p> <p>Implement staff level 1 safeguarding survey.</p> | <p>Competing agendas and differing priorities can affect how much time is given to child protection and safeguarding at a strategic level.</p> | <p>5</p> |

| What is our final destination / Where do we want to be & by when? | What have we done so far to get there / is this where we expected to be? | What difference have our actions made so far? (impact - evaluative judgement) | How do we know? (<i>Data and Information-Evidence</i>) | What difference should our activities make in the long term | What next / Future actions? (Consequence of evaluation) | What are the barriers / risks? | Our score between 1-6) (Impact judgement) |
|--|--|---|--|--|--|--|---|
| <p>2. Monmouthshire’s Safeguarding and Child Protection Policy will be embedded across all settings and services operating within Monmouthshire or providing services to Monmouthshire children.</p> <p>The policy will be reviewed on a regular basis (biennially) to ensure that it is up to date with any changes in legislation and/ or any developments in safeguarding practice.</p> <p>Prior to November 2012 there was no over-arching safeguarding policy in place in Monmouthshire.</p> | <p>An over-arching safeguarding policy was implemented for all settings and services in November 2012.</p> <p>We undertook a first review of the policy in Autumn 2013 to broaden its scope and make it more applicable across all areas of the authority (WAO recommendation).</p> <p>At April 2015 all schools, early years, leisure, community and youth services within Monmouthshire have adopted the revised policy.</p> | <p>Having this policy in place helps us keep children safe by:</p> <ul style="list-style-type: none"> - Being clear about everyone’s roles and responsibilities to listen to children and how to report concerns; - Ensuring that all settings have the appropriate safeguarding policies and operational procedures in place; - Ensuring all staff and settings are accountable for their safeguarding practices; - Providing a benchmark for good practice in individual settings and for governing bodies. | <p>Information about policy implementation is collated within the safeguarding unit and is addressed as part of the audits.</p> <p>The safeguarding unit maintains a central record of when the policy has been adopted by services in the local authority and by relevant governing bodies.</p> | <p>Having a high-profile over-arching safeguarding policy establishes standards and expectations across all learning, leisure, play, housing and social care services within Monmouthshire.</p> | <p>Work in partnership with services and regulators to review the policy on a biennial basis and ensure that it remains fit for purpose – next review due by end Sept 2015.</p> <p>Raise awareness of the Monmouthshire policy through the audit work and through level 1 training.</p> | | 4 |
| <p>3. Through a robust audit framework will be assured that all settings and services meet their roles and responsibilities in safeguarding /child protection, and settings are held to account where there are any failings.</p> <p>Prior to the Estyn inspection the LA had little detailed knowledge or understanding of how individual settings and</p> | <p>We have commenced the 2nd phase of implementation (2015 – 2017) using a revised audit tool (the SAFE).</p> <p>The revised version is intended to focus more on impact and outcomes from a child perspective.</p> <p>Progress through the second year of the 1st phase was limited (see score card). This has</p> | <p>The information gathered from the audit provided us with base-line information about the strengths and weaknesses within individual settings.</p> <p>We have used this information as a starting point for strengthening practice for example by:</p> <ul style="list-style-type: none"> - Increasing training and learning | <p>The safeguarding unit holds records of individual audits and improvement plans.</p> <p>Records in the safeguarding unit demonstrate that there is an increase in advice and professional support being provided regarding individual children and potential referrals.</p> | <p>This activity aims to ensure that all settings and services continually develop their child protection practices to ensure that we are all working together to keep children safe. This is now in place but has the potential to get more detailed and focused over time.</p> <p>The SAFE identifies potential areas where development work is required to strengthen safeguarding arrangements, and creates a pathway for open</p> | <p>We will work in partnership with others to implement the audit programme in grant funded and commissioned services, and undertake a further analysis of the outcomes from the first phase.</p> <p>We will work with others to promote better engagement with voluntary sector organisations.</p> <p>We will implement the revised the audit framework for the second round commencing in 2015. The second round of implementation to</p> | <p>For the process of on-going improvement to be as effective as possible there needs to ‘buy-in’ throughout settings (governors / leaders / staff etc) which could be difficult to achieve.</p> <p>Accountability and audit process is less clear cut for third sector.</p> | 4 |

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| services met their child protection and safeguarding responsibilities in practice. | <p>helped us to glean a better understanding of some of the barriers and how these might be overcome.</p> <p>We have recognised that a different approach may be required to engage with voluntary organisations effectively.</p> | <p>opportunities;</p> <ul style="list-style-type: none"> - Developing improvement plans; - Providing advice / consultation to individual services where required regarding individual child protection situations and potential referrals. | | <p>communication about individual children of concern.</p> <p>We know from national and local serious case reviews that open challenge and the sharing of information - 'putting the pieces of the jigsaw together' – is a vital component in keeping children safe and ensuring that 'no child slips through the net'.</p> | <p>include follow up to the original action plans.</p> <p>We will develop the audit process so that it is better embedded within the overall monitoring, review and appraisal processes for schools and other settings beginning by using school secure.</p> | | |
| <p>4. We will ensure that safe recruitment and safe HR practices are operating effectively and embedded across the authority.</p> <p>We will ensure that in Monmouthshire staff and volunteers working with children are suitable, child-focused and clear about their responsibilities to report concerns and keep children safe.</p> <p>Previously there was insufficient central oversight or accountability to the LA regarding safe recruitment and work-force practices.</p> | <p>In September 2014 the authority implemented a change of policy with a consequent re-focus onto safe recruitment rather than re-checks.</p> <p>Training is now in place across all the directorates regarding safe recruitment and HR practices and there is a monitoring system established to ensure that all appropriate checks are undertaken prior to employment.</p> <p>Feedback from staff has highlighted a need to build consistency across the LA in the use of volunteers.</p> | <p>We now have better information systems for monitoring safe recruitment and HR practices.</p> <p>People management leads are able to follow up / address issues in a more targeted way.</p> | <p>The revised DSB policy issued Sept 2014.</p> <p>People's Services audit reports and numbers of individuals trained in safe recruitment.</p> <p>Information about HR practices obtained from the SAFE and through training.</p> | <p>Our aim is to ensure that HR practices are such that all staff members and volunteers are suitable and do not pose a risk to children.</p> <p>DBS checking at the pre-employment stage will remain central to this.</p> | <p>We will refine and develop our central monitoring and reporting system for DBS checks, references and professional registration.</p> <p>We will deliver safe recruitment across all directorates and support development of good safeguarding practice within workforce management.</p> <p>We will maintain close links between safeguarding unit and People's Services in respect of any conduct issues that potentially cross into safeguarding.</p> <p>We will work to ensure that volunteers are supported to operate safely across the LA.</p> | <p>We need to ensure that we are open to developments around the impact of our change in policy direction regarding 3 yearly re-checks.</p> | 4 |

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|---|--|--|---|--|---|--|---|
| <p>5. We will ensure that in Monmouthshire all workers and volunteers in contact with children and families are trained at the appropriate level and are confident in understanding their roles and responsibilities in respect of safeguarding including a good understanding of the importance of information sharing and inter-agency working.</p> <p>The first year of our audit programme highlighted that not all staff were trained at the appropriate level for their role, and that there was inconsistency in respect of the training being accessed.</p> <p>We will increase our understanding of the impact of level 1 training in terms of worker confidence and knowledge around basic awareness.</p> | <p>We have significantly increased opportunities in child protection and safeguarding training and learning for workers in Monmouthshire at all levels.</p> <p>We have trained approx. 2000 individuals at level 1 to date.</p> <p>34 designated officers are trained to deliver their own level 1, and most schools are 'self-sufficient' in ensuring level 1 is implanted on a rolling programme.</p> <p>Links with SEWSCB regional training are well established and the LOSIE role has been instrumental in promoting level 2 & 3 training opportunities.</p> <p>Additional resources have been utilised to respond to additional training needs where these have been identified.</p> <p>More work is needed to get accurate reporting of training and a better understanding of training needs so that future resources can be planned.</p> | <p>More staff, governors and volunteers are trained to recognise the signs and symptoms of abuse and know what to do if they have a concern (level 1).</p> <p>More designated officers have been trained in their decision making and inter-agency roles (level 2).</p> <p>We have worked within individual settings to offer training / learning opportunities relevant to their needs (e.g. passenger transport unit, individual schools, private residential establishments).</p> | <p>Local and regional training records.</p> <p>Learning objectives from training material.</p> <p>Composite evaluation reports that consistently report learning outcomes being achieved. Evidence of training courses directly influencing Safeguarding and Child Protection practice.</p> | <p>Continuing to develop, monitor and deliver training across the LA will ensure that all workers recognise and respond to concerns, feel confident in their CP roles at whatever level, and further develop multi-agency understanding and cooperation.</p> | <p>Analyse the outcomes from the SAFE to identify future training needs and respond to training needs and develop / implement our local programmes.</p> <p>Work with SEWSCB business unit to increase Monmouthshire access to level 3 regional courses.</p> <p>Implement staff level 1 safeguarding survey.</p> <p>Work with the SEWSCB and GAVO to respond to the need for voluntary organisations to access a range of level 1 training opportunities (including on-line).</p> | <p>Currently training places a heavy demand on a small number of key individuals.</p> <p>There are no specifically identified administrative resources to support CP training at a local level within CYP.</p> | <p>5</p> |
| <p>6. In Monmouthshire we will maintain a robust multi-agency system that identifies and addresses any professional allegations</p> | <p>In 2013 we implemented the regional practice guidance within Monmouthshire.</p> | <p>Our activity in this area has ensured that we have responded to allegations effectively so that children and</p> | <p>Monitoring compliance with regional guidance for allegation management.</p> <p>Minutes of liaison meetings</p> | <p>A robust system for managing professional allegations is an essential aspect of keeping children safe. This system needs to be monitored and reviewed</p> | <p>We will analyse performance information about PSMs and ensure that wider themes and issues are addressed.</p> | <p>Any failure within the system for recognising and responding to professional issues will pose a risk both within Monmouthshire and in a wider</p> | <p>5</p> |

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| <p>or concerns about individuals who may pose a risk. We will ensure that any themes, trends or issues that might compromise the safety of children at an organisational level are recognised and responded to.</p> <p>WAO recommended that a local protocol is developed to support the regional implementation at a regional level.</p> | <p>This has strengthened processes for the management of professional allegations and the system for tracking cases through to conclusion (see report card).</p> <p>In 2014 we have continued to raise awareness of the role of the Safeguarding Unit in respect of providing advice and support regarding any conduct issues where there is an element of safeguarding even if this does not reach the statutory threshold.</p> <p>Under the SEWSCB we work with partners across the region to benchmark our practices against others and identify regional themes.</p> <p>Our oversight of individual cases together with our safeguarding audits have indicated that further work is required to raise awareness of statutory process.</p> | <p>young people are protected from individuals who may pose a risk.</p> <p>We monitor professional concerns and allegations so that any broader safeguarding / child protection themes or issues can be recognised and resolved (e.g. awareness raising work with taxi drivers regarding CSE).</p> <p>We have developed a multi-agency training programme to increase awareness of roles and responsibilities in this area of practice.</p> | <p>between employee services and safeguarding.</p> <p>Minutes / recordings of PSM meetings and discussions.</p> <p>Case tracking information within SGU.</p> <p>Performance information including nature, numbers and outcomes of PSMs undertaken (see report card).</p> | <p>in the longer term.</p> | <p>We will report this within the wider authority so that information regarding professional issues inform the overall monitoring, review and appraisal processes for schools and other settings. This will form part of the audit framework for 2015.</p> <p>We will ensure Monmouthshire has a lead role in the SEWSCB's work regarding PSMs, and develop a protocol that supports local implementation.</p> <p>We will implement multi-agency training for all settings / service areas responsible for referring cases of professional concerns.</p> | <p>sense.</p> | |
| <p>7. In Monmouthshire we will be well-informed about the social issues that compromise the safety and welfare of children and /or potentially expose them to harm through abuse and neglect and can</p> | <p>We have strengthened our collation and analysis of information from a range of sources regarding vulnerability and need. This has helped us understand more about the issues affecting</p> | <p>Services have worked together to identify and address the needs of individual young people, particularly young people at risk of CSE.</p> | <p>Performance information from a wide range of children's services including early intervention.</p> <p>Minutes from domestic abuse forum and action plan.</p> | <p>In Monmouthshire we want to ensure that limited resources are well-aligned to needs so that vulnerability is reduced. We want to ensure that the right services are in place to help and support children at risk and their families.</p> | <p>We will review and ensure that necessary resources are allocated to preventative and response services for children at risk of harm because of domestic abuse and parental substance misuse.</p> <p>We will continue to analyse and</p> | <p>The arrangements for domestic abuse coordinators have changed to a regional configuration.</p> <p>Undertaking strategic assessment of needs and of jointly planning services is a</p> | <p>4</p> |

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| <p>demonstrate how we respond to and reduce areas of need.</p> | <p>children and families including domestic abuse; parental substance misuse; mental ill-health (parents and children); older children with complex risky behaviours.</p> <p>We have started to review how our commissioned services meet needs.</p> <p>We have developed a young people’s well-being group under the partnership and are developing a self-harm ‘app’ for Monmouthshire.</p> <p>We have worked with our regional partners to ensure that there is a CSE action plan in place that is implemented at a local level through CSE lead officers.</p> | <p>There is a preventative programme in place within schools regarding domestic abuse and developing healthy relationships.</p> <p>We have developed additional play-therapy provision for children who have been exposed to domestic abuse.</p> <p>We have begun to develop more coordinated approaches to responding to need and risk management for older children.</p> <p>We have identified additional resources for recruiting specialist foster carers.</p> | | | <p>report on local needs at a strategic level so that it builds our shared understanding of where we need to target resources.</p> <p>We will ensure that resources align with needs and engage with wider partners to achieve this.</p> <p>We will ensure that services commissioned by the local authority align with identified needs.</p> | <p>complex process.</p> | |
| <p>8. We will operate best safeguarding practices across all services areas.</p> <p>We will use a range of sources, including messages from our regulators, to identify and address areas where practice / service improvements are required, so that:</p> <p>i) All concerns about possible abuse or neglect are recognised and responded to appropriately and</p> | <p>We have strengthened our collation and analysis of performance information to help us understand more about safeguarding / child protection practice. This includes both quantitative and qualitative data.</p> <p>We have used case reviews / audits to generate qualitative data. Reviews to date have included: children on the register for neglect; inter-agency practice in section 47 inquiries; inter-agency</p> | <p>The impact of our work to date has included:</p> <ul style="list-style-type: none"> Additional monitoring and oversight of children registered for over 15 months has maintained good management of children on the register. Implemented multi-agency supervision to help prevent of drift in neglect cases. Implemented training in section | <p>Case review reports and recommendations</p> <p>Joint learning events</p> <p>Minutes from Monmouthshire Learning and Review Group</p> <p>Key performance information from children’s services.</p> <p>Performance management reports.</p> | <p>Both currently and in the longer-term we want ensure that those children who need to be referred within a child protection framework are referred; and that once referred the subsequent response effectively protects children and reduces risk.</p> | <p>We will develop good practice across services in respect of working with young people with complex risk taking behaviours.</p> <p>We will promote good practice around early recognition and referral for neglect cases.</p> <p>We will implement multi-agency training in section 47 process, child protection planning and working with neglect.</p> <p>We will support the implementation of multi-agency consultation for complex cases.</p> | <p>Serious case reviews alert us to the notion that there is no fail-safe system and that good practice within child protection is never a ‘done-deal’.</p> <p>Children’s services depend on partnership working with other key statutory agencies particularly health and police. Developing shared priorities around practice improvement is complex.</p> | <p>3</p> |

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| ii) Multi-agency plans and interventions reduce risks and needs for all vulnerable children including those at risk of significant harm. | working for serious self-harm; inter-agency working with children at risk of CSE. We have a better understanding of some of the barriers to multi-agency working within Monmouthshire. | 47 work <ul style="list-style-type: none"> Working with others to increase the level of inter-agency involvement. Working directly with partners in education and the police to increase the quality of referrals and the response to cases that do not progress within children's services. | | | We will support development and understanding of thresholds between preventative and statutory services. | | |
| 9. In Monmouthshire we want <i>engagement with children and young people</i> to be at the heart of our safeguarding and child protection activity. | We have listened to what children and young people are saying about their perceptions of safety and well-being. A young people's safeguarding survey is undertaken within Monmouthshire every 18 months to 2 years. <i>We are currently implementing the 2015 survey and have reported interim findings around bullying and safe use of internet.</i> | Young people told us that they were concerned about keeping safe on line, bullying and feeling safe on the streets. The survey confirmed that the numbers of YP citing bullying as an issue for them does not correspond with reported figures. We are continuing to increase YP's access to learning opportunities for keeping safe on-line. <i>We have developed a well-being group to support anti-bullying work for young people at a cross directorate level.</i> | The safeguarding survey report. Records of activities within Monmouthshire Youth Service. Minutes of the Well-being group. | We want to continue to listen and engage with young people in respect of safeguarding to ensure that what we do is in keeping with what young people think and feel, and is relevant to the issues they face. | <i>We will further develop anti-bullying work in Monmouthshire through the Well-being group.</i> We will increase foster carer training to support them in keeping Looked After Children safe on-line. In partnership with the SEWSCB we will continue to increase young people's participation in safeguarding. <i>We will report on outcomes from the Safeguarding survey in 2015 across a range of for and ensure that actions are taken forward.</i> <i>We will ensure that young people are given feedback about the survey.</i> | Asking for the views of YP can become tokenistic. Monmouthshire needs to build on the survey work to increase opportunities in participation. This takes time and a pooling of resources across service areas that can be difficult to achieve. | 4 |

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Safeguarding Report Card and Performance Information April 2015

1. Purpose

- To present information about safeguarding in a way that provides a line of sight between our activities and our outcomes.
- To provide and analyse quantitative and qualitative information in a way that will enable us to evaluate the progress we are making against some key areas of safeguarding activity.
- To use a comprehensive range of performance information - from a broad base of safeguarding activity to more specific information regarding child protection case work - to help us evaluate the central questions:

Are all children and young people in Monmouthshire as safe as they can be?

Are vulnerable children in Monmouthshire protected from harm and abuse?

2. Background Information

The report should be read in conjunction with the Service Improvement Plan (SIP) for Safeguarding 2015/16 and the Strategic Report for Safeguarding April 2015. Its purpose is to offer a 'whole system' perspective into how we meet our responsibilities for keeping children safe and to analyse the impact of our performance information. It is **not** a report card on the performance and impact of Children's Services; however, there are links, and where relevant key performance indicators from within Children's Services are highlighted in green. Further detail about how Children's Service contribute to the safeguarding system is to be found in the SIP found in the Children's Services SIP.

3. Priority Areas and Performance Information

i) Safeguarding Audits

Why we focus on this: All settings and services operating within Monmouthshire are asked to self-assess against safeguarding standards set out in the SAFE (Safeguarding Assessment Framework for Evaluation) and to make improvements where these are required.


The impact of this is that it **ensures that safe systems and practices are in place across the authority and that all services are operating in ways which promote the welfare and safety of children**. The assessment process exposes potential gaps so that these can be addressed. The conversations that happen as a result create pathways for open communication about individual children of concern.


Performance Information:

During 2013 / 2014 our target was to work with services that fall directly under the Local Authority.

For 2014/15 our target was to extend the audit so that we incorporated grant-funded, commissioned and third sector organisations.

From April 2015 we are now back at the start of our two year rolling programme and will be implementing the revised SAFE in 2015/16 initially across all schools, educational and leisure settings.

| 1st Implementation Year 1: Services that fall directly under the Local Authority | | | |
|--|--------------------------------------|--|----------------------|
| April 2013 | Service Area / Organisation | Numbers of audits expected and returned | Comments |
|  | Primary Schools | 31/31 | |
| | Secondary Schools | 6/6 | includes PRS and MHS |
| | Maintained Early Years | 29/29 | |
| | Leisure Centres | 4/4 | |
| | Youth Service | 1/1 | covered all sites |
| | Family Learning Centres and Adult Ed | 2/2 | |
| | Flying Start | 1/1 | |
| | Passenger Transport | 1/1 | |
| June 2014 | | | |

| 1st Implementation Year 2: Grant-funded, commissioned and third sector organisations | | | |
|--|--|--|--|
| April 2014 | Service Area / Organisation | Numbers of audits expected and returned | Comments |
|  | Coleg Gwent | 4/4 | Mon sites |
| | Families First commissioned services | 5/6 | Young carers currently being completed |
| | WAIMON | 1/1 | |
| | Action for Children | 2/2 | |
| | Supporting People and housing services | 3/11 | 11 projects / 6 organisations |
| | Independent Children's Homes | 0/6 | |
| | After school clubs | Still to be scoped | |
| | Voluntary Organisations working with children & Families | Approx 141 | |
| May 2015 | | | |

| What the Audits Have Told Us So Far | What We have Done |
|--|---|
| <ul style="list-style-type: none"> • We needed to provide more training at level 1 (basic awareness) and level 2 (referrals to case conference) • Some service areas required bespoke training and support that covers issues of particular relevance or concern to their roles • There is inconsistency in the material / quality of level 1 training across 3rd sector organisations • Organisations operating within our boundaries do not always recognise the role of the Local Authority • More Monmouthshire workers do not make full use of courses provided via the South East Wales Safeguarding Children Board • The role of the designated officers is not always clearly understood • Designated officers can feel isolated dealing with complex issues • There is a lack of awareness regarding the statutory guidance for the management of professional allegations and regional guidance is not always followed • Job descriptions are not always sufficiently clear around safeguarding responsibilities | <ul style="list-style-type: none"> • Trained over 1800 individuals in level 1 basic awareness training some of which is bespoke to individual settings • Trained 34 designated officers to deliver training within their own settings • Provide group supervision for designated officers • Support organisations to improve their multi-agency working • Provided additional links and access to SEWSCB information and training courses • Provide safeguarding updates for early years cluster groups • Provide additional support for settings dealing with complex safeguarding concerns • Provide information regarding legislation and guidance • Given guidance to help organisations develop their child protection operational procedures • Given guidance in the inclusion of safeguarding statements for job descriptions. |

Impact Analysis and Outcomes:

The first year of the audit shows 100% compliance with settings and service areas that fall directly under the auspices of the Local Authority. The process has facilitated much closer links between safeguarding and individual service areas with an increased understanding of strengths and weaknesses. We have been able to focus resources and attention onto settings that require more support from a developmental perspective.

Progress has been made in terms of scoping and developing relationships with organisations that do not fall directly under the auspices of the authority. This requires a very different approach and the numbers can sometimes underplay the benefit that is to be gained through building the links and opening the dialogue. For example, although none of the 6 private residential homes have completed their SAFE our direct contact with the units have led to:

- Level 1 training being delivered in 3 of the settings;

- Ensuring that 6/6 units have a copy of the MCC Safeguarding and CP Policy and are aware of the AWCPP 2008 and links to the SEWSCB protocols particularly around allegations against professionals;
- Providing 6/6 units with regular safeguarding updates via the LOSIE including training opportunities;
- 6/6 units having at some point in the last year sought informal safeguarding advice in relation to a concern about an individual child.

In respect of our reach into the voluntary sector this has been more problematic. There has been much discussion around how we can ensure good safeguarding practice (from a Monmouthshire perspective) within those organisations and groups who are aligned with GAVO and who are operating within our area. The Safeguarding Unit will continue to work with GAVO and the regional SEWSCB to find the best way forward.

The extension of the audit work during the second year of delivery demonstrates the local authority's reach in respect of developing safeguarding links across the authority. However, it indicates that there is further scoping and mapping work to be done, including engagement with the voluntary sector and establishing a clearer link between commissioning and safeguarding.

ii) Child Protection and Safeguarding Training

Why we focus on this: We aim to ensure that in Monmouthshire all workers and volunteers in contact with children and families are trained and confident in understanding their roles and responsibilities in respect of safeguarding including a good understanding of the importance of information sharing and inter-agency working.

Performance Information:

Level 1 training provides information about basic recognition of signs and symptoms with an emphasis on the importance of reporting concerns, sharing information and being aware of operational policies within individual service areas. All staff in contact with children and their families need to be trained at level 1.

In 2013/14 **818** individuals were trained at level 1 predominantly staff based within schools and / or staff within the Children and Young People's (CYP) directorate.

In 2014/15 **730** individuals were trained at level 1 with more than half of these **non-school based staff**.

Level 2: Under MCC Safeguarding and Child Protection Policy Designated Officers require level 2 training which provides a more in-depth knowledge of child protection including making referrals and the statutory process.

2014/15 **105** designated officers were trained at level 2.

All designated and deputy designated officers in school settings are trained; where new heads are appointed the LOSIE is informed.

Level 2 courses are accessed via regional arrangements with an additional two courses per year organised by the Monmouthshire safeguarding unit. This is sufficient to meet training needs at level 2.

The courses are consistently well-evaluated in terms of meeting the learning needs of candidates. The most common feedback received has been that professionals feel more confident in the multi-agency arrangements to safeguard children at each stage including being able to contribute at child protection conferences.

34 designated officers are now trained to deliver level 1 training within their own settings.

Level 3: level 3 and above courses cover specific aspects of child protection in more depth and includes courses on Neglect, Working with Child Sexual Exploitation, Child Protection Planning and Early Infant Mental Health. Designated officers and those working directly with child protection services are encouraged to attend for their on-going professional development. Course are accessed predominantly through the regional SEWSCB, however, where specific training needs are identified the safeguarding unit has been able to run additional courses.

In 2014/15 **27** individuals from a range of agencies were trained in child protection planning and **50** individuals attended the annual safeguarding conference (November 2015)

There is still a lack of information from the SEWSCB regional business unit regarding access to level 3 and above courses. A new training management system is in place which should assist with this. An initial look at the data available indicates that access to level 3 courses regionally within Monmouthshire is comparatively lower than other authorities.

Impact Analysis and Outcomes:

A comprehensive time-table of level 1, level 2 and level 3 training is in place.

Further work is required to understand the profile and needs of Monmouthshire workers accessing level 3 and above courses.

There has been a change of delivery pattern during this second year regarding level 1 with a wider range of job roles accessing basic awareness training. Training over this last year has included commissioned services, adult social care workers, direct carers and workers within private settings, SRS services, kerbside and pedestrian training teams.

There are now 34 designated officers trained to deliver level 1 within their own settings. Our initial figures indicate that these trainers have trained 262 individuals at level 1. This is allowing schools in particular to become self-sufficient in meeting their level 1 training requirements, thereby freeing resources within the safeguarding unit to concentrate on other directorate areas. (Note: provision of level 1 training within schools is reviewed via the SAFE audit).

Further scoping work is being undertaken to identify potential numbers and gaps in access to level 1 training. It is known that the current MCC workforce is 4,200; however, work is needed to ensure that we risk assess and target our level 1 resources appropriately.

Evidence from the WAO survey found that 95% of individuals responded positively to the question: 'I know what to do if I have concerns about the safety and well-being of a child'.

Our intention is to confirm and test this further through the implementation of a staff safeguarding survey.

iii) Professional Allegations and Concerns

Why we focus on this: Ensuring that **staff and volunteers are suitable and child focussed** is one of the cornerstones of safeguarding. We need to be assured that any professional allegation or concern is referred, investigated and responded to effectively on a multi-agency basis. This ensures that children and young people accessing services are protected from any individuals who may pose a risk. Similarly it ensures **that any themes, trends or issues that might compromise the safety of children at an organisational level are recognised and responded to.**

Performance Information:

From **1st April 2014 to March 2015** there have been 28 new incidents of professional allegations involving 32 individual workers. This compares with 27 incidents from the previous year indicating that the referral rate for professional allegations has remained stable.

Of the 32 individuals 18 concerns were referred because of incidents within the workplace and 14 because of child protection concerns arising within their own family / personal context.

An additional 6 cases referred into safeguarding were deemed not to meet the statutory threshold and were managed as a conduct issue with joint working between the employers, employee services and safeguarding.

During this period 26 cases have concluded including 2 cases from the previous period. In **8/26 cases the risks were substantiated:** 2 individuals were managed via a child protection process in respect of their own children; 2 individuals were managed via a child in need process; 1 individual was managed via an internal disciplinary; 2 individuals were dismissed and referred to DBS (both are now also subject to sex offender registration) 1 individual was referred to the DBS.

4 cases currently remain open: 3 for further inquiries to be made within the police and 1 awaiting for the outcome of an internal disciplinary process.

Breakdown of worker designation and allegation reason

| Designation | Number |
|--------------------------|-----------|
| Teacher / LSA | 8 |
| Head Teacher | 2 |
| Vol sport's coach | 2 |
| School Support Staff | 2 |
| Residential care workers | 7 |
| Health Practitioners | 4 |
| Foster Carer | 3 |
| Youth Worker | 1 |
| Creche Worker | 1 |
| Drivers | 2 |
| | 32 |

Impact Analysis and Outcomes:
The

| Allegation Reason (Work Place) | Number |
|---|-----------|
| Physical Assault (2 arising following physical interventions) | 11 |
| Emotional Abuse | 2 |
| Sexualised Behaviour | 4 |
| Sexual Abuse | 1 |
| Allegation Reason (Family) | |
| Physical Assault | 5 |
| Emotional Abuse | 6 |
| Neglect | 1 |
| Sexual Abuse | 2 |
| | 13 |

professional allegation process identified 8 risky individuals and ensured that the risks they posed were minimised. In terms of impact this means that:

- Children and young people accessing services in Monmouthshire are protected from unsuitable/ unsafe individuals;
- Children, young people and their parents / carers can be assured that where concerns are expressed they will be taken seriously and investigated;
- Employers and governors can be assured that they will be provided with advice and support in a multi-agency context to ensure that they act in accordance with their statutory responsibilities and maintain a safe workforce.

The pattern of referral for professional issues demonstrates a wide breadth of referral sources and reasons indicating that the statutory process is widely understood and implemented. Equally the link between professional / personal conduct and the need to share information of this nature within a wider safeguarding context is being recognised. However, outcomes from the SAFE indicate that there is still work to be done to raise awareness regarding the statutory process for managing professional allegations.

The development of the role of the LOSIE is demonstrated with evidence of conduct issues being referred (where there is an element of safeguarding). This provides the opportunity both to 'test' threshold and ensure that a safeguarding perspective can be brought to bear on any internal disciplinary process / investigation.

iv) Patterns of referrals and child protection registrations

Why we focus on this: Within a 'safe system' we need to be assured that **where individual children are at risk the system reacts appropriately to refer, investigate and respond to concerns as they arise.** We also need to be able to use referral information as a springboard for analysis and further inquiry as part of our on-going planning and development work.

Performance Information:

During April 2014 – March 2015 **71** cases (101 children) were referred to coordinated early intervention services through JAFF (Joint Assessment Family Framework), 59 cases of which went on to have a family plan of intervention (TAF). The majority were referred through education (58%). 5 of these cases went on to be referred to social services because the concerns about the family escalated. 7 cases closed due to positive progress being made within the family.

During April 2014 to end of February 2015, Children’s Services received 3,885 contacts of which we made a decision that 482 of these would become referrals, that is they required further action rather than being noted or resulting in information or advice. The contact was reviewed by a manager and a decision made within 1 working day on how to proceed (SCC/006) for 99.2% of all contacts into children’s services.

13.5% (65/482) of the referrals were re-referrals within 1 year of the original (SCC/010) which is an appropriate level comparatively with other authorities.

Chart 1 Numbers and Progression for Contacts into Children’s Services



The majority of referrals have been received from education workers (24%), police (21%), and health (11%). This is broadly in keeping with previous periods though a slight increase in referrals from education.

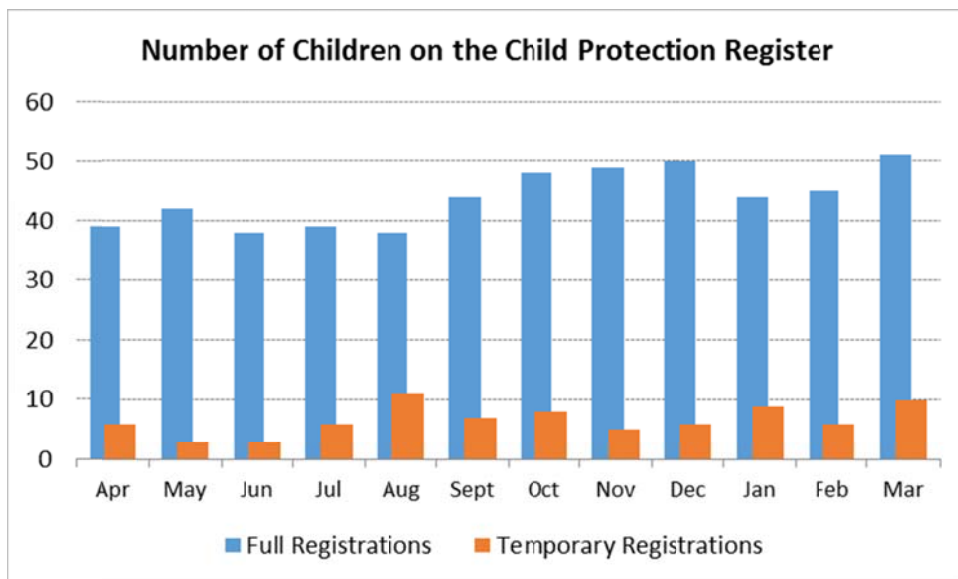
Substance or alcohol misuse is the most commonly observed issue affecting parenting capacity within Monmouthshire, present in 31% of cases (Source: CIN Census). The second most common parenting issue within Monmouthshire is domestic abuse. **Substance misuse and domestic abuse** are recognised as the key issues impacting on parental capacity in Monmouthshire.

From the 482 referrals generated, 237 of these referrals led to strategy discussions being held (concerning 198 children) and initial child protection conferences were convened for **76** children. The decision in 68 cases was to register the child. 100% of children on the register have an allocated

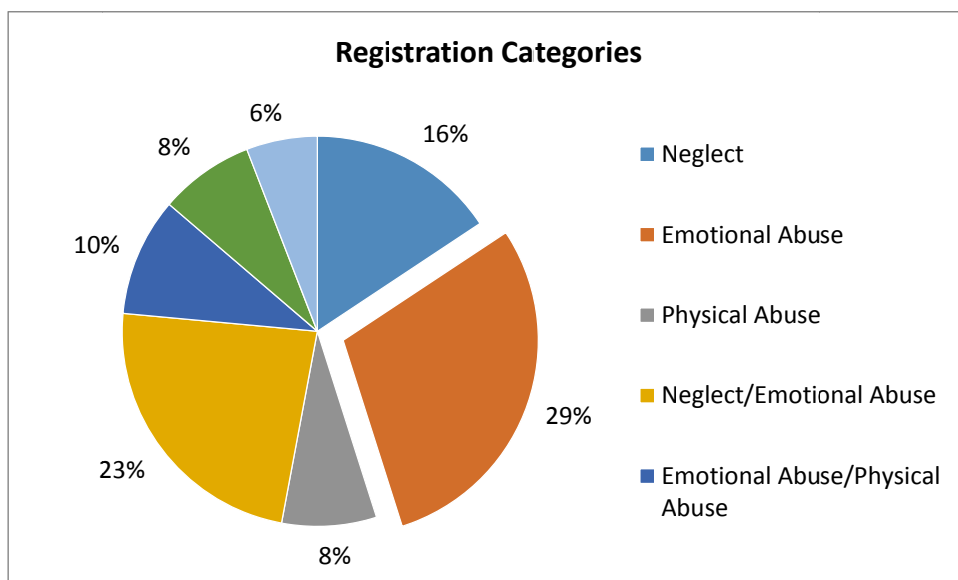
social worker (SCC/013a). The percentage of initial child protection conference held within 15 days of the strategy discussion was 75.0% (SCC/014) meaning that this remains short of the target of 93.4%. There main reasons for this are issues around ensuring multi-agency attendance (i.e. to be quorate) and the availability of the chair for re-scheduled conferences.

At the end of year 51 children from 28 households are registered on the Child Protection Register with an additional 10 under temporary registration. This is an increase on the 37 full registrations at the end of 2013/14 and continues to reflect the upward trend (Chart 2).

Numbers of Children on the Register



Breakdown of Registration Category



Impact Analysis and Outcomes:

Contacts / referrals into children's services come from a variety of sources which is a good indication that the messages about safeguarding and child protection are being disseminated.

The respective gaps between contact – referral – strategy discussion (3885 – 482 - 237) has been subject to further inquiry. Further scoping of this work has confirmed potential areas for on-going development regarding: -the quality of referrals; the quality of response to contacts that are not progressed through formal protective services (children's services); the understanding of the threshold between early intervention and statutory services; and the quality of the initial information gathering process following referrals.

Emotional abuse being the highest category confirms the link between domestic abuse and significant harm and corresponds to the impact of domestic abuse on children and families within Monmouthshire.

Registration patterns for neglect continue to appear comparatively low in relation to reported parenting issues of substance misuse and mental ill-health. This together with the pattern of neglect cases being those most often subject to re-registration and remaining on the register for longest continues to indicate that referral rates for neglect should probably be higher.

v) **Patterns of child protection interventions and outcomes**

Why we focus on this: We want to ensure that our **child protection activity and interventions promote positive outcomes for the most vulnerable children** (i.e. those who are deemed to be at risk of significant harm through abuse or neglect).

Performance Information:

Of the 74 children added to the register this year 5 children (6.8%) were previously registered which is a slight decrease and continues to be lower than the recorded Welsh average of 15% during 2012-13 (the latest all Wales data available). Never-the-less these cases will be under review through the child protection co-ordinator.

At the end of the year 8 children from 3 families have been on the register for over 1 year. This has remained relatively stable since the end of 2013 (56% at year-end 2012, 14% at year-end 2013, 16% at year-end 2014). This correlates to the appointment of a permanent child protection coordinator who continues to review and monitor any child who has been on the register for longer than a year.

Core group members for 2/3 of these families have been subject to a multi-agency supervision process to assist with the case-work and decision making. Of the 8 current children 2 are now progressing towards de-registration, 2 have been escalated via applications for care orders. Work is still to be done with 3 of the children (1 family) in terms of ensuring their needs are met via the child protection process.

Children are removed from the register when they are no longer at risk of significant harm or when they become looked after. 60 children were de-registered in the year, 8 of whom became looked after children. This means that 52 children were de-registered because the family had successfully

engaged with the child protection process and effected change so that the risks of them abusing or neglecting their children were sufficiently reduced.

Child protection plans are managed through a 'core group' of multi-agency professionals and the parents. 87.1% of initial core groups were held on time within 10 working days after registration (SCC/015) and 95.4% of review conferences were held with the statutory timescale (SCC/034). Although these figures did not hit our targets, it is felt that the positive outcomes in the 52 cases correlates with on-going improvements within core group working evidenced through case reviews and statutory audits of case work. Improving child protection planning and core group working has been a focus of inter-agency development work, including training / learning events, within Monmouthshire over the last year.

Impact Analysis and Outcomes:

The performance information indicates that once children are registered they are actively managed and monitored and that there are mechanisms in place to identify and support cases which may be at risk of drift.

The successful outcomes for 52 children demonstrate evidence of effective multi-agency planning and engagement with families in order to support sustained change and reduce risk.

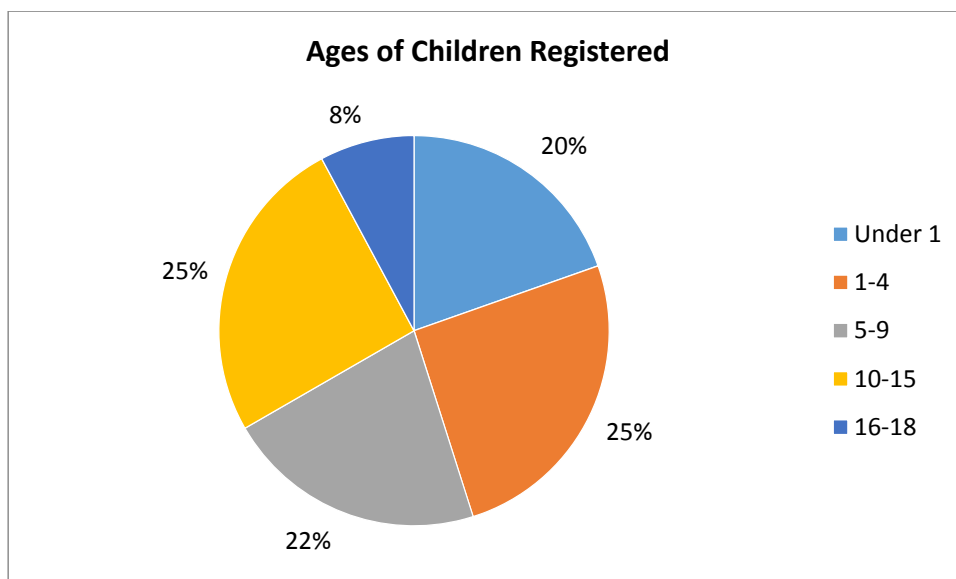
vi) Thematics / Working with Adolescents and Risk

Why we focus on this: One of the issues that we have been focussing on over the last 12 months is work around vulnerable adolescents and risk management. The management of risk for older children has been highlighted within recent CSSIW inspections; has featured in some recent child practice reviews within the region and is a current priority of the SEWSCB.

Performance Information:

At the end of the period 54/108 Looked After Children were aged between 11 – 17.

At the end of this period a third (17) of the children on the register were over 10 with 4 individuals aged 16 +.



Information from cases indicates that older young people are potentially more likely to remain on the register for 12 months or more. This reflects that safeguarding older children can present different challenges for professionals in terms of behaviours being more entrenched; difficulties in balancing wishes and feelings of the child with professional concerns and the views of other family members; difficulties in engaging young people in support services.

One of the indicators of vulnerability for young people is concerns over child sexual exploitation (CSE). The number of Multi-agency strategy meetings held about individuals where there are concerns about Child Sexual Exploitation (CSE) are listed below. Although slight, there has been an increase in numbers of children referred over the last year. This could be attributable to increased prevalence, but equally might be explained by increased awareness and / or a better adherence to national practice guidance.

Numbers of Young People at risk of CSE discussed at Multi-agency Strategy Meetings

| | 2014/15 | 2013/14 | 2012/13 |
|---------------------------------|-----------|----------|----------|
| Total Number of Children | 12 | 4 | 3 |

From the table above, out of the 12 individual cases 9 were living at home, 1 child was in foster care and 2 children were residing in private children’s homes. 3 of the children subsequently became looked after because of their high levels of risk taking behaviours.

The number of adolescents across the authority who are vulnerable and / or presenting with risk taking behaviours is not known; however, there is an emerging picture that services are being required to respond to more teenagers with increasingly complex needs. There are a number of ways in which they come to the attention of services.

- The number of multi-agency meetings held for teenagers felt to be at risk have increased. These meetings have been held under different frameworks and exact numbers of children discussed are not known.
- Over half of the children referred for early intervention are referred through education. The most common themes are the impact of mental health on families and the link between mental health and difficulties in school.
- Between April 2014-March 31 2015 there were **179** reports of children going missing.
- Contact with secondary schools and youth / health services continue to confirm that self-harming affects significant numbers of children within Monmouthshire. This corresponds to an increase in the numbers of looked after children where there are concerns around their self-harming behaviours.

Impact Analysis and Outcomes:

The information suggests that the safeguarding needs of vulnerable young people in Monmouthshire are recognised and that these children are understood as requiring of services and interventions. There is further work to be done around profiling the numbers, needs and issues of young people within Monmouthshire and in ensuring that the right processes and services are in place to promote their safety and well-being.

4. Recommendations for future work

- Share the report in whole authority safeguarding group for further discussion and development of wider actions;
- Continue to develop the scope of SAFE audit work particularly around commissioned and third sector organisations including increasing the level of engagement with voluntary organisations;
- Continue to develop analysis of training needs particularly at level 1 and 3;
- Implement level 1 evaluation / impact method;
- Develop data to better inform us about the numbers and needs of vulnerable adolescents and young people with risk taking behaviour in Monmouthshire;
- Develop data to better inform us of the quality and impact of safeguarding interventions at all stages.

Service Plan 2015/18

| | |
|---|------------------------------|
| Service: | SAFEGUARDING |
| Service Manager: | Jane Rodgers |
| Directorate: | Social Care and Health |
| Head of service | Tracy Jelfs |
| MCC Priority: <i>Please choose as appropriate</i> | Protecting Vulnerable People |
| MCC and Single Integrated Plan (SIP) Outcome: <i>Please choose as appropriate</i> | People feel safe |

Our Purpose

Complete this from the end users' perspective (Customers may be internal or external / Citizens)

Our purpose in Safeguarding is to ensure that children in Monmouthshire are as safe as they can be and are protected from harm. We want all children within Monmouthshire to live free from the damaging impact of abuse or neglect.

We will achieve this through responding to local need and through addressing aspects of safeguarding practice that can be further improved. We will continue to implement and review safe systems, processes and practices for safeguarding and child protection across all settings and service areas. The foundation for this is the on-going implementation of our comprehensive safeguarding and child protection policy which sets out clear lines of accountability, good systems for support, advice and consultation and effective operational procedures. Alongside of this, we will continue to ensure that workers are suitable, trained and confident in undertaking their safeguarding responsibilities including a good understanding of the importance of inter-agency working. Within this broader framework, we will aim to ensure that where individual children are at risk the system reacts appropriately to refer, investigate and respond to concerns as they arise. We want to ensure that the child's experience remains central to this and that our safeguarding and child protection activity and interventions promote positive outcomes for children.

Within Monmouthshire we recognise that safeguarding is something that needs to run through the whole organisation from the top down and the bottom up. Keeping children safe depends on a joined-up, partnership approach across directorates and service areas where everyone knows the part they play and the importance of recognising and raising concerns. There is now a whole authority safeguarding leadership group in place to drive the safeguarding agenda across the council and provide additional internal challenge. Embedding safeguarding at a 'hearts and minds' level within the authority is something that we will continue to invest energy in during the year ahead.

As a Safeguarding Unit we will support the local authority and its partners in achieving best safeguarding practice. The unit was established in Autumn 2012 and has a stable work-team comprising of the Safeguarding Manager, Lead Officer for Safeguarding In Education (LOSIE), Child Protection Coordinator, Independent Reviewing Officer, Senior Practitioner for Court and 2 Child Protection Administrators. There is a 0.5 vacancy in the unit for a Safeguarding Officer, and we will

be seeking to fill this post by September 2015. Safeguarding is strongly aligned with children's services at both an operational and strategic level. This alignment ensures that as we implement service improvement plans these complement each other, with safeguarding taking the lead around multi-agency arrangements and where there is a connection to the work of the South East Wales Regional Safeguarding Board. Many of the actions within the safeguarding SIP dovetail into the children's services SIP which carries them forward at a more operational 'social work' level.

The development of the current Safeguarding SIP rests on two sister reports namely the Safeugarding Report Card (April 2015) and the Safeguarding Strategic Report (April 2015). The operational priorities and activities set out in the Service Improvement Plan broadly correlate with the future actions identified through the Safeguardding Strategic Report.

| Evaluation of last years performance | | | |
|---|---|--|---|
| What did we want to achieve? (Aspiration) | What have we done so far? | What difference has this made? (Impact) | What is your evidence? |
| We wanted to ensure that safeguarding was culturally embedded within the whole authority | <p>Developed an whole authority safeguarding group.</p> <p>Developed a 6-monthly reporting framework for safeguarding.</p> | Increased connections to safeguarding across all directorates. | <p>Minutes</p> <p>Training numbers</p> <p>Referral Patterns</p> <p>Safeguarding reports</p> |
| We wanted to ensure that all settings and services operating in Monmouthshire understood their roles and responsibilities in keeping children safe. | <p>Safeguarding and Child Policy in place and disseminated.</p> <p>Implemented an audit framework via 2 year rolling programme.</p> | <p>We have been able to identify strengths and weaknesses across a range of services.</p> <p>We have been able to address gaps in knowledge / training needs and provided consultation and advice regarding safeguarding practice.</p> <p>We have extended the reach of safeguarding into the 3rd sector – and identified areas that we have not yet covered.</p> | Outcomes from the audit framework in the safeguarding report card. |

| | | | |
|---|--|---|--|
| <p>We wanted to ensure that in Monmouthshire staff and volunteers working with children are suitable, child-focused and do not pose a risk to children.</p> | <p>Continued to coordinate and provide oversight in instances where there have been professional concerns or allegations.</p> <p>Commenced implementation of a multi-agency training programme.</p> <p>Worked with People’s Services to implement safe recruitment training and develop good practice safe workforce management.</p> | <p>We have ensured that individual issues of professional concern have been responded to and that risks have been appropriately managed vis statutory and inter-agency processes.</p> | <p>Minutes from HR liaison meetings</p> <p>Safeguarding report card around professional allegations</p> <p>Training numbers for individuals trained in Safe Recruitment.</p> |
| <p>We wanted to ensure that in Monmouthshire all workers and volunteers in contact with children and families were trained at the appropriate level and were confident in understanding their roles and responsibilities in respect of safeguarding</p> | <p>We have continued to extend safeguarding training programme at all levels (1, 2 & 3).</p> <p>Developed a better understanding of safeguarding training needs across the authority.</p> <p>Responded to identified training needs in individual service areas.</p> | <p>We have ensured that staff have access to appropriate training relevant to their roles to help them to fulfil their safeguarding responsibilities.</p> | <p>Training numbers (safeguarding report card).</p> <p>Evaluations from participants.</p> |

| | | | |
|---|---|---|--|
| <p>We wanted to promote good safeguarding practice particularly in neglect, undertaking section 47 investigations and for adolescents with complex risks.</p> | <p>We have shared outcomes from the neglect audit via a practitioner forum. We have implemented a process for multi-agency supervision. We have maintained an active oversight of the child protection register and reduced the average length of time children are exposed to risk. We have implemented practice development sessions in child protection processes.</p> | <p>Individual children have been safeguarded through adherence to good practice.</p> | <p>Child protection reports Performance information from children's services. SEWSCB strategic plan Evidence from CSSIW inspections.</p> |
| <p>We wanted to ensure that services to minimise the impact of domestic abuse within the authority were in place.</p> | <p>Supported the local domestic abuse forum in the development and implementation of its local action plan. Identified potential service gaps and started to work with others about how these can be addressed.</p> | <p>The local authority is tackling domestic abuse at a range of levels from preventative to response.</p> | <p>Domestic abuse action plan.</p> |
| <p>We wanted to ensure that we listened directly to young people regarding safeguarding and that their concerns were responded to.</p> | <p>We have begun to implement the Safeeguarding Survey 2015. We have developed a well-being group to take forward an anti-bullying agenda; assist with mapping mental health pathways; and developing an 'app' to support young people affected by self-harm.</p> | <p>We are listening to and responded to the concerns of young people about their safety and well-being.</p> | <p>Safeeguarding Survey</p> |

What does this tell us we need to do for the next three years?

The key areas requiring development over 2015 – 16 within the county to further ensure the safety and well-being of children and young people are:

- To develop self-evaluation and critical challenge in respect of the impact of safeguarding activity across the authority.
- Use the external validation review of safeguarding as an opportunity for further learning and to help us in setting direction, prioritising and improvement planning.
- Listen and respond to the outcomes from the Young People's Safeguarding Survey 2015.
- Promote increased engagement with voluntary organisations.
- Implement the 2nd phase of the SAFE and analyse outcomes.
- Develop the training programme for Monmouthshire to ensure that all staff have access to safeguarding / child protection training at a suitable level (in progress).
- Support the development of the Well-Being group under the partnership including cross authority work around anti-bullying, self-harm and mental health pathways (Well-being group in early stage of development).
- Use of range of sources to analyse and report on the issues that compromise the safety and welfare of children and /or potentially expose them to harm through abuse and neglect. Work with others to respond to / reduce areas of need particularly regarding domestic abuse, parental substance misuse child neglect and young people with complex risk taking behaviours (In progress).
- Prioritise key areas of safeguarding practice where it has been identified that practice can be improved particularly regarding the thresholds and interface between services areas; section 47 investigations and working with complex risk (in progress).

Action Plan

The most important activities your team/s will be working on – ensure any existing actions are included.

| Action | Expected impact of this action | Strategic Plan it aligns to (If directly applicable) | Outcome it contributes to (If directly applicable) | Timescale | Funding | Officer responsible | Q1 Performance appraisal (Include progress and impact made) | Q2 Performance appraisal (Include progress and impact made) | Q3 Performance appraisal (Include progress and impact made) | Q4 Performance appraisal (Include progress and impact made) |
|---|---|--|--|--|---------|------------------------------|---|---|---|---|
| Review the Monmouthshire Safeguarding and Child Protection Policy on an biennial basis. Ensure that the Policy is implemented across the LA through the SAFE (see below). | The policy is up to date with any changes in legislation and / or any developments in safeguarding practice particularly Keeping Children Safe in Education and the Social Care and Well-Being Act. There is clear guidance in place across the authority regarding safeguarding and child protection practices, roles and responsibilities. | Single Integrated Plan | People feel safe | By Sept 2015 | Core | LOSIE / Safeguarding Manager | Select Progress | Select Progress | Select Progress | Select Progress |
| Support the development of the Whole Authority Safeguarding Group. Use the external validation review of safeguarding as an opportunity for further learning and to help us in setting direction, prioritising and improvement planning. | Strong leadership and cross directorate ownership of safeguarding, together with the opportunity for internal challenge will help to keep children in Monmouthshire safer. | Single Integrated Plan | People feel safe | On-going External Validation to complete end of July 2015 | Core | Safeguarding Manager | | | | |
| Implement Phase 2 of the Safeguarding Assessment Framework for Evaluation (SAFE): Year 1 all settings and service areas operating directly within the LA Year 2 all grant funded and commissioned services Analyse the outcomes from the audits and address any issues / themes that arise either within individual settings or at a wider whole authority level. (This to include completing the analysis and mapping from the Phase 1 / year 2). | Further information about how individual settings and service meet their child protection and safeguarding responsibilities in practice. Our aim is to embed a developmental and continuous approach to improving child protection practice and to ensure that all agencies are working together effectively to keep children safe. | Single Integrated Plan | People feel safe | Year 1 by end of March 2016 Year 2 by end of March 2017 | Core | LOSIE | Select Progress | Select Progress | Select Progress | Select Progress |

| | | | | | | | | | | |
|--|---|-------------------------------|-------------------------|-----------------|-------------|-------------------------------------|------------------------|------------------------|------------------------|------------------------|
| <p>Work with others to promote a better engagement with voluntary sector organisations operating within Monmouthshire including promoting the implementation of a safeguarding audit framework for all voluntary organisations.</p> | <p>Ensuring that voluntary sector organisations fully understand and are supported to meet their safeguarding responsibilities.</p> | <p>Single Integrated Plan</p> | <p>People feel safe</p> | <p>On-going</p> | <p>Core</p> | <p>LOSIE / Safeguarding Manager</p> | <p>Select Progress</p> | <p>Select Progress</p> | <p>Select Progress</p> | <p>Select Progress</p> |
|--|---|-------------------------------|-------------------------|-----------------|-------------|-------------------------------------|------------------------|------------------------|------------------------|------------------------|

| | | | | | | | | | | |
|---|--|--|-------------------------|--|-------------------------------|-------------------------------------|------------------------|------------------------|------------------------|------------------------|
| <p>Deliver and develop safeguarding and child protection learning and training opportunities across the authority.</p> <p>Increase the numbers of MCC staff accessing level 3 regional training.</p> <p>Identify training needs from a whole authority approach and develop of a core programme for safeguarding training.</p> <p>Further work to develop the network of good quality level 1 trainers across the local authority.</p> <p>Implement a staff survey to guage the impact of level 1 learning and on-going mapping of training needs.</p> | <p>Children will be safeguarded because workers are trained to recognise and respond to concerns and feel confident in their CP roles at whatever level.</p> | <p>Single Integrated Plan</p> <p>SEWSCB strategic plan</p> | <p>People feel safe</p> | <p>On-going Staff Survey by end of Sept 2015</p> | <p>Core / SEWSCB resource</p> | <p>LOSIE / Safeguarding Manager</p> | <p>Select Progress</p> | <p>Select Progress</p> | <p>Select Progress</p> | <p>Select Progress</p> |
|---|--|--|-------------------------|--|-------------------------------|-------------------------------------|------------------------|------------------------|------------------------|------------------------|

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|--|--|---|-------------------------|---|-------------|--|------------------------|------------------------|------------------------|------------------------|
| <p>Work in partnership with Employee Services to ensure that safe recruitment and HR practices are embedded within the authority through training, appropriate policy and guidance and monitoring / audit.</p> <p>Build consistency across the LA in the use of volunteers.</p> | <p>All staff members and volunteers are suitable and do not pose a risk to children or young people</p> | <p>Single Integrated Plan</p> | <p>People feel safe</p> | <p>On-going</p> | <p>Core</p> | <p>People Management Leads / Safeguarding manager</p> | <p>Select Progress</p> | <p>Select Progress</p> | <p>Select Progress</p> | <p>Select Progress</p> |
| <p>Lead and co-ordinate the statutory response to any professional allegations.</p> <p>Analyse and report on performance information regarding professional allegations.</p> <p>Raise awareness of the management of professional allegations through training and learning opportunities.</p> | <p>Professional allegations are responded to effectively so that children and young people are protected from individuals who may pose a risk.</p> | <p>Single Integrated Plan SEWSCB strategic plan</p> | <p>People feel safe</p> | <p>On-going Training programme implemented by Sept 2015</p> | <p>Core</p> | <p>Child Protection Coordinator / Safeguarding Manager</p> | <p>Select Progress</p> | <p>Select Progress</p> | <p>Select Progress</p> | <p>Select Progress</p> |
| <p>Develop our monitoring, review and analysis of safeguarding and child protection using a range of information sources including:</p> <ul style="list-style-type: none"> - External validation of safeguarding - Inspection reports - Young people's safeguarding survey (2015) - Published case reviews from within the region and nationally - Local performance management information - Local case review audit | <p>Ensure that information is used effectively to continually identify and respond to aspects of local need and set target areas for service / practice improvement.</p> | <p>Single Integrated Plan</p> | <p>People feel safe</p> | <p>6-monthly reports</p> | <p>core</p> | <p>Safeguarding Manager</p> | | | | |
| <p>Review and ensure that necessary resources are allocated to preventative and response services for children at risk of harm because of domestic abuse and parental substance misuse.</p> <p>Ensure that where services are commissioned these align with local needs.</p> <p>Continue to support local implementation of domestic abuse work following the regional re-structure.</p> | <p>Children's vulnerability is reduced by aligning services and resources to needs in key areas.</p> | <p>Single Integrated Plan Children's Services SIP</p> | <p>People feel safe</p> | <p>Targets not set yet</p> | <p>Core</p> | <p>Head of Children's Services / Safeguarding Manager</p> | | | | |

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|---|--|-------------------------------|-------------------------|---------------------------------------|-------------|--|------------------------|------------------------|------------------------|------------------------|
| <p>Support and develop work across the LA in addressing and responding to the needs of adolescents with complex risks including:</p> <ul style="list-style-type: none"> - Completion of self-harm app - Mapping for mental health pathways; - Further awareness raising and training for responding to child sexual exploitation - Strengthening risk assessment and management processes within single agencies and through partnership approaches. | <p>That vulnerable teenagers within Monmouthshire are safeguarded and protected and that services are responsive to their needs as <i>children</i> in their own right.</p> | <p>Single Integrated Plan</p> | <p>People feel safe</p> | <p>On-going / Targets not yet set</p> | <p>Core</p> | | | | | |
| | | | | | | | <p>Select Progress</p> | <p>Select Progress</p> | <p>Select Progress</p> | <p>Select Progress</p> |

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|--|---|------------------------|------------------|---|------|--|------------------------|------------------------|------------------------|------------------------|
| Support the implementation of the anti- bullying action plan via the Well-being group through development of good practice, better use of information and reporting systems and training. | Risks to children and young people caused through the impact of bullying are reduced. | Single Integrated Plan | People feel safe | Cross Ref anti-bullying plan / Well-being group | core | Partnership manager / Safeguarding Manager | | | | |
| | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |

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|--|--|--|-------------------------|--|------|--------------------------------------|-----------------|-----------------|-----------------|-----------------|
| Work in partnership with Monmouthshire Youth Service and education services to promote on-line safety for all children and young people in Monmouthshire through provision of general and targeting information and training. | Children feel safer on-line and parents and professionals are enabled to promote on-line safety and minimise risks. | Single Integrated Plan | People feel safe | Targets not set yet | core | Youth service / safeguarding manager | | | | |
| | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| Report on the outcomes from the young people's Safeguarding Survey 2015 | There is cross directorate awareness and action planning in response to the issues that concern young people. | Single Integrated Plan | People feel safe | By end July 2015 | Core | | | | | |
| Promote good practice regarding working with children at risk of neglect including: <ul style="list-style-type: none"> - Working with preventative services regarding early recognition and making good quality referrals; - Promoting the alignment of preventative services to parental needs; - Continued implementation of 'Neglect' and 'Child protection planning' training within Monmouthshire. | Good understanding and inter-agency working around thresholds and referrals will ensure that risk and need is responded to at the appropriate level. | Single Integrated Plan SEWSCB strategic plan Children's Services SIP | People feel safe | On-going | Core | | | | | |
| | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| Implement multi-agency training in section 47 process and to support multi-agency involvement and joint working during Section 47 inquiries. Provide oversight to children on the child protection register and to support the implementation of multi-agency consultation for complex cases. | Best outcomes for children are achieved through the development of good practice when undertaking child abuse investigations. Best outcomes for children are achieved through active, inter-agency child protection planning. | Single Integrated Plan SEWSCB strategic plan Children's Services SIP | People feel safe | Further 2 training sessions by end July 2015 | Core | | | | | |
| | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| Support the development and understanding of thresholds between preventative and statutory services . | Good understanding and inter-agency working around thresholds and referrals will ensure that risk and need is responded to at the appropriate level. | Single Integrated Plan | People feel safe | | | | | | | |

A balanced scorecard to measure service performance / impact (Some standard measures of performance on staff, finance and customers have been included that all services must report)

Staff (Key infrastructure)

| Indicator | Actual 2012/13 | Actual 2013/14 | Actual 2014/15 | latest Wales Av | Target 2015/16 | Actual 2015/16 Q1 | Actual 2015/16 Q2 | Actual 2015/16 Q3 | Actual 2015/16 Q4 | Context/ Comment |
|---|----------------|----------------|----------------|-----------------|----------------|-------------------|-------------------|-------------------|-------------------|------------------|
| The percentage of open cases of children on the Child Protection Register who have an allocated social worker (SCC/013ia) | 100% | 100% | 100% | 99.9% | | | | | | |
| Average days lost to sickness absence per FTE employee | | | | | | | | | | |
| Percentage of employees who leave the department | | | | | | | | | | |
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Budget (Key infrastructure)

| Indicator | Actual 2012/13 | Actual 2013/14 | Actual 2014/15 | latest Wales Av | Target 2015/16 | Actual 2015/16 Q1 | Actual 2015/16 Q2 | Actual 2015/16 Q3 | Actual 2015/16 Q4 | Context/ Comment |
|--|----------------|----------------|----------------|-----------------|----------------|-------------------|-------------------|-------------------|-------------------|------------------|
| Forecase overspend or underspend on budget | | | | | | | | | | |
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Processes (How Much and How Well?)

| Indicator | Actual 2012/13 | Actual 2013/14 | Actual 2014/15 | latest Wales Av | Target 2015/16 | Actual 2015/16 Q1 | Actual 2015/16 Q2 | Actual 2015/16 Q3 | Actual 2015/16 Q4 | Context/ Comment |
|---|------------------|------------------|---------------------|-----------------|----------------|-------------------|-------------------|-------------------|-------------------|------------------|
| Number of referrals created as % of contacts received into children's services | | | 12.4% (482/3885) | - | | | | | | |
| Number of section 47 investigations undertaken as % of referrals | | | | | | | | | | |
| Number of children on the child protection register at the end of the period | 55 | 37 | 51 | - | | | | | | |
| Number (%) of children on the child protection register for 1 year of more at the end of the period | 56% (31/55) | 14% (5/37) | 16% (8/51) | - | | | | | | |
| Percentage of initial child protection conferences within timescales (SCC/014) | 84.8% (56/66) | 93.4% (57/61) | 75.0% (57/76) | 89.9% | | | | | | |
| Percentage of initial core groups held on time (SCC/015) | 34.0% (16/47) | 96.2% (51/53) | 87.1% (54/62) | 90% | | | | | | |
| Number of child protection review conferences hold on time (SCC/034) | 90.5% | 93.9% | 95.4% | 98.1% | | | | | | |
| Number of professional strategy meetings held | | 27 | 28 | - | | | | | | |
| Numbers of Monouthshire workers trained at level 1 | | 818 | 730 | | | | | | | |

| | | | | | | | | | | |
|--|--|--|-----|--|--|--|--|--|--|--|
| Numbers of workers trained at level 2 | | | 105 | | | | | | | |
| Numbers of workers trained at level 3 | | | N/K | | | | | | | |
| Numbers of young people surveyed in 2015 | | | | | | | | | | |

| Customers (Outcome / Is anyone better off?) | | | | | | | | | | |
|--|-------------------|-------------------|-------------------|-----------------|----------------|-------------------|-------------------|-------------------|-------------------|------------------|
| Indicator | Actual 2012/13 | Actual 2013/14 | Actual 2014/15 | latest Wales Av | Target 2015/16 | Actual 2015/16 Q1 | Actual 2015/16 Q2 | Actual 2015/16 Q3 | Actual 2015/16 Q4 | Context/ Comment |
| Number of de-registrations from the child protection register during the period | 87 | 78 | 60 | - | | | | | | |
| Number of de-registrations entering the looked after system during the period | 29 | 23 | 8 | - | | | | | | |
| Number (%) of children added to the register during the period who had been previously re-registered | 12.7% (8/63) | 20% (12/60) | 6.8% (5/74) | - | | | | | | |
| The % of referrals that are re-referrals within 12 months (SCC/010) | 16.2% (69/425) | 13.3% (55/415) | 13.5% (65/482) | 22.2% | | | | | | |
| Average length of time (months) that children spend on the register | 11.8 | 7.7 | 6.5 | - | | | | | | |
| Number (%) of PSMs where concerns are substantiated | | | 8/26 | | | | | | | |
| Number of staff trained who can demonstrate that level 1 learning aims are achieved (survey) | | | | | | | | | | |

Risk Register 2015-18

| Risk | Strategic Operational | Reason why identified (evidence) | Risk Level (See corporate risk matrix to complete) | | | | Respon - sible Officer | Actions proposed to mitigate the risk | Progress & impact of actions 2015/16 Q1 | Progress & impact of actions 2015/16 Q2 | Progress & impact of actions 2015/16 Q3 | Progress & impact of actions 2015/16 Q4 |
|--|-----------------------|---|---|--------|---------------|-------|------------------------|---------------------------------------|---|---|---|---|
| | | | Year | Impact | Proba- bility | Level | | | | | | |
| There is an on-going risk that an individual child or children will be significantly harmed through abuse and / or neglect | operatio- nal | <ul style="list-style-type: none"> - In 2014 – 2015 3885 contacts received by children’s services - Evidence from national reviews and research indicates that not all children who are at risk of significant harm come to the attention of statutory child protection services. | 2015/16 2016/17 2017/18 | | | | | | | | | |
| | | | 2015/16 2016/17 2017/18 | | | | | | | | | |

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|--|--|--|-------------------------------|--|--|--|--|--|--|--|--|--|
| | | | 2015/16 2016/17 2017/18 | | | | | | | | | |
| | | | 2015/16 2016/17 2017/18 | | | | | | | | | |
| | | | 2015/16 2016/17 2017/18 | | | | | | | | | |

Service Plan 2015/18

| | |
|---|---------------------------------|
| Service: | Children's Services |
| Service Manager: | |
| Directorate: | Social Care and Health |
| Head of service | Tracy Jelfs |
| MCC Priority: <i>Please choose as appropriate</i> | Protecting Vulnerable People |
| MCC and Single Integrated Plan (SIP) Outcome: <i>Please choose as appropriate</i> | Select the relevant SIP outcome |

Our Purpose

Complete this from the end users' perspective (Customers may be internal or external / Citizens)

PURPOSE:

- Working alongside people to enable them to live their own lives
- Enable families and communities to keep children and young people safe and to reach their full potential.

OPERATING PRINCIPLES:

- We will work in **partnership** to facilitate solutions, building meaningful rapport/relationships with family's individuals and partners.
- We will know/be clear about the people who we will support in a **timely** manner.
- We will have a plan of how we will support people to develop a 'whole life' plan, and have a method to track progress and **communicate** effectively.(including commissioning)
- We will take an **outcome focused** approach to future planning (long terms and short term) with families and individuals to meet their own aspirations and goals.
- We will involve the **right people** at the right time to help people in crisis and take and will take responsibility for the appropriate pace and continuity of our on- going intervention.
- We will have **honest and transparent** conversations with **all** people.
- We will work with and **respect** other colleagues and challenge systems to ensure best practice and service delivery.
- We will use 'Check' to reflect **learn** and develop on our practice and decisions.
- Everything we record will be **purposeful** and proportionate.
- We will **value and respect our staff** and trust their judgement; and promote wellbeing in the workforce.
- Our IT system will work for us.
- We will work **creatively** and equitably within **all** resources available.

| Evaluation of last years performance | | | |
|--|--|---|--|
| What did we want to achieve? (Aspiration) | What have we done so far? | What difference has this made? (Impact) | What is your evidence? |
| Whole Service approach moving away from 4 separate teams | Team has moved from two separate locations into one team base Worked to develop a service using different methods of engagement | Better communication and focus on children and young people Change in culture within the workforce | Feedback from staff group, compliments have increased to the service As above |
| Improved communication and engagement with children and young people | Trained all staff in play therapy Re-foucs on children | Better understanding of children's needs and what services are needed to support them | Compliments to the service of our child focused approach from a range of partners e.g. Courts, Psychology Service and families |
| Improved Performance Indicators particularly on 5 key indicators that were below standard, to improve our profile in Wales | Completed a Performance Indicator Workshop August 2014 Weekly monitoring of 5 key indicators | Significant improvement on the 5 key PI's | Weekly monitoring data, which is provided and scrutinised by the Performance Team |
| Engaging children and young people to understand their experinces of our services | Health and wellbeing group Football group Development of consultation and feedback with looked after young people and care leavers | Improved understanding of what children and young people need | Feedback from children and young people via their groups |

| | | | |
|--|---|--|--|
| <p>Review policies and procedures to ensure a clear plan of what needs updating, deleting and developing</p> | <p>Completed review, update completed to some procedures, deletion of pcedures no longer relevant, plan of policies that will need updating due to forthcoming planned changes. Upload of current procedures to Children's Services website</p> | <p>This has begun to streamline policies, reduce confusion as to the current policy in use and enable staff to have one point of access to policies and procedures</p> | <p>Evidence from policy information on the Children's Services website. Plan for further work on policies</p> |
| <p>Enable practitioners to return to a focus on children and young people.</p> | <p>Review training needs completed Training plan implemented</p> | <p>Staff are more confident to engage children and young people appropriately</p> | <p>Verbal feedback from CSSIW who complimented the service on the level of engagement with children- Inspection November 2014 Feedback from staff about training that they have undertaekn Evidence in assessments and verbally from staff in reviews etc.</p> |
| <p>Evaluate PLO procedures against the final agreed requirements for PLO implementation and feedback from Judges</p> | <p>Evaluation completed, procedures updated</p> | <p>Increased compliance with Court requirements. Timely completion of cases through the Court process as per Court timeframes</p> | <p>Increased compliments from Court Case audits Reduced complaints from Court and request for Head of Service to attend</p> |
| <p>Review current service resource, establish gaps in the service and develop options to address gaps</p> | <p>Vacancies recruited to, gap analysis completed, business cases completed, additional funding agreed</p> | <p>Work over a number of areas has taken place over the year to resolve issues raised in gap analysis Staff morale improved</p> | <p>Changes required from gap analysis completed e.g. accommodation, training, practice developments Awarded Innovation- Doing it Differently and runner up Outstanding Change Leadership at the All Wales Continuous Improvement Awards November 2014</p> |

What does this tell us we need to do for the next three years?

Due to the previous levels of inspection and scrutiny over the past 12 months, the majority of this plan will be completed in 12 to 18 months.

In November 2015 an inspection took place, completed by CSSIW. The inspectorate advised that overall children were safe in Monmouthshire and they confirmed that they would not be completing any further inspections outside of their current inspection framework. Although they recognised that a number of improvements had been made in the preceding 6 months, there were a number of areas that needed further improvements. These are reflected in the Service Improvement Plan for 2015/16 and include areas such as, management oversight, embedding changes to practice and development of frontline services.

Significant changes have also been undertaken to develop a more productive culture in Children's Services, this will continue over the next 12 months.

In April 2015 MCC agreed a significant investment into Children's Services as a result of the work undertaken over the past year evidencing need and supported by business cases. This resource includes additional budget into specific areas of the service e.g. legal costs and posts (see below)

The service has agreement for the following additional posts, which will be recruited to, during 2015/16:

4 Social Worker posts outside of current establishment for 18 months in the Family Support Team and Children and ?????

Duty Officer for placement team to also assist with contracts

Special Guardianship Worker

0.4 Psychologist

Social Worker permanent- Placement and Support Team

Social Worker 12 month contract- Placement and Support Team

Action Plan

The most important activities your team/s will be working on – ensure any existing actions are included.

| Action | Expected impact of this action | Strategic Plan it aligns to (If directly applicable) | Outcome it contributes to (If directly applicable) | Timescale | Funding | Officer responsible | Q1 Performance appraisal (Include progress and impact made) | Q2 Performance appraisal (Include progress and impact made) | Q3 Performance appraisal (Include progress and impact made) | Q4 Performance appraisal (Include progress and impact made) |
|--|---|--|--|---|-------------|-----------------------|--|---|---|---|
| 1. Develop and deliver training to ensure threshold understanding and good quality referral information is understood by other agencies and organisations. <ul style="list-style-type: none"> Complete development of workshop programme Deliver to education staff April 2015 Deliver to health staff July 2015 as necessary Liaise with Chief Inspector and develop with Police April 2015 Monitor quality of referrals weekly following workshops Establish rolling programme as necessary | Multi-agency professionals understand and provide quality information at the point of referral | Single Integrated Plan | CSSIW Rec 1 Families are supported and feel safe | Complete October 2015 Plan in place from January 2016 to establish rolling programme as necessary | Core | HOCS LOSIE | Complete workshop with education Complete review with Police and provide guidance to officers Complete review with health and provide guidance to staff Provide agreed guidance to other partner agencies | Review quality of referrals Review whether further assistance needs to be provided to partner agencies | | |
| | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| 2. Continue improvements in case recording practices <ul style="list-style-type: none"> Ensure all staff have completed the case recording training Continue with programme of case audits via Service Managers- specific case issues are dealt with via supervision. Themes arising from audits are highlighted via TMFG and then progressed accordingly Ensure that training is part of rolling programme in Children's Services | Children's Services case recording changes are embedded in practice. Case recording complies with practice requirements and is evident from all associated records | Single Integrated Plan | CSSIW Rec 4 Families are supported and feel safe | November 2015 Establish rolling programme of training in relation to recording | Core | Gill Cox | Draft updated case recording policy | Review themes from audits and plan further development for the rest of the year | | |
| | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| 3. Continued development of Audit Framework in Children's Services <ul style="list-style-type: none"> Agree plan for audit framework Develop introduction of peer case audits Service Managers to Audit weekly in their areas- to be reviewed August 2015 Feedback of findings to CSLT on | Provides an overview of quality of case work and decision making as per procedures | Single Integrated Plan | CSSIW Rec 8 Families are supported and feel safe | Trial model in place since October 2014 Review August 2015 | Core | SM's HOCS | Audit Framework agreed Weekly audits to continue | Introduce and implement peer audit framework Implement standing item on CSLT agenda to review audit findings Weekly audits to continue | | |

| | | | | | | | | | | |
|--|---|-------------------------------|--|----------------------|-------------|--|--|--|--|-----------------|
| a monthly basis- to advise any themes and agree plan on how they are progressed | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| 4. Further development of front end services including decision making, threshold and multi-agency working <ul style="list-style-type: none"> As per first action above Consult staff and develop an effective practitioners resource across CS Consult managers and agree process for decision making as per procedures and resource to support implementation with senior practitioners Develop consistent management oversight as per above Review and develop the strategy discussion/ meeting processes Review data of time between contact and referral and implement any identified changes to comply with practice requirements Implement changes to practice across the service | Delivery of an effective and prompt service, which is compliant with statutory requirements | Single Integrated Plan | CSSIW Rec 2, 3, 4, 6, 7 Families are supported and feel safe | October 2015 | Core | All Managers and Service Managers | | Complete consultation with staff and develop resource for staff and managers by June 2015 | Implement resource for staff | |
| | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| 5. Risk Assessment and Management <ul style="list-style-type: none"> Prioritise for audit cases that have used the varying levels of the risk management process Findings from initial audit to CSLT June 2015 Progress themes from audit via | Ensure understanding and implementation of the requirements of risk and vulnerability management are embedded throughout the service to ensure | Single Integrated Plan | CSSIW rec 5 Families are supported and feel safe | November 2015 | Core | Gill Cox Debbie Davies | Findings from audit CSLT Plan improvements to embed Finalise review for the use of Contract of Expectations | | Complete review audit of relevant cases | |

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|---|---|-------------------------------|---|--|-------------|-----------------------------------|---|---|---|----------------------------|
| supervision or team training as necessary <ul style="list-style-type: none"> Contract of expectations reviewed to ensure they are not used instead of statutory processes being followed Complete further audit October 2015 to review whether progress has been made ensuring risk management is robust and safety of children and young people is evident in all areas of planning | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| 6. Initial, Core and Parenting Assessments <ul style="list-style-type: none"> Review assessment quality via audit and identify gaps in assessments Develop programme with training department as necessary to resolve gaps in learning Assessment processes to include engaging children and overall improved quality of assessments | Consistent, good quality assessments for children and families | Single Integrated Plan | CSSIW Rec 7 Families are supported and feel safe | Complete October 2015 | Core | Debbie Davies Gill Cox | N/A | Quality of assessments and involvement of children in assessments to be reported to June 2015 CSLT as part of wider audit framework Identify training needs to training team | | |
| | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| 7. Review supervision process and practice, including management oversight <ul style="list-style-type: none"> Complete review of current procedures Identify needs re. training and development Findings to go to CSLT by June 2015 Implement changes via Catch Up, website, team meetings etc. Review management ability in relation to supervision and day-to-day decision making | Ensure effective supervision practices are in place for Children's Services staff, which evidences clear decision making and oversight | Single Integrated Plan | CSSIW 9 Families are supported and feel safe | Complete review September 2015 Implement by March 2016 | Core | Jacalyn Richards | Complete supervision procedures review | Report to CSLT June 2015 Agree changes July 2015 Review management ability in relation to supervision and day-to-day decision making | Implement changes to supervision policy | |
| | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| 8. Continue engagement with SLT and members in the work of Children's Services <ul style="list-style-type: none"> Meet with Chair of Select to | Senior Leaders and Members understand, in general terms, the work, prioritises and developmental changes in Children's Services | Single Integrated Plan | CSSIW Rec 10 Families are supported and feel safe | Complete this years process by March 2016 | Core | Tracy Jelfs | HOCS to meet with Chair of Select and agree forward plan for Select | First case study to members via Select | Second case study to members via Select | Third case study to Select |

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|--|--|-------------------------------|--|--|--------------------------------|---|---|---|---|--|
| plan work for 2015/16- March 2015 <ul style="list-style-type: none"> • Provide case studies to Select/ SLT to clarify statutory processes and work of CS • Update on CS development and issue to SLT on a monthly basis via HOCS • Offer Select and other members to meet in a focus group setting with a variety of staff 3 times per year • Provide briefings to members on CS and Safeguarding twice per year • Ensure staff are aware of requirements of Select etc. by attending and participating in committees and briefings | | | | Review with Chair of Select, Lead Member for CS and SLT January 2016, to develop programme 2016/17 | | | Select Progress | Select Progress | Select Progress | Select Progress |
| 9. Needs analysis <ul style="list-style-type: none"> • Continue to develop JAFF/ CS understanding of need with the 3 question approach • Discussion with care leavers group to develop voices of children • Partnership and Engagement Directorate to complete wider needs analysis • Complete analysis of preventative services | MCC has a clear understanding of the current and future needs of children in the county | Single Integrated Plan | CSSIW Rec 8 Families are supported and feel safe | Complete March 2016 | Core | CS and Partnership and Engagement HOCS | Review current needs and services Select Progress | Draft needs analysis Select Progress | Select Progress | Select Progress |
| 10. Implement Social Services and Wellbeing Act 2014 <ul style="list-style-type: none"> • Establish the service with the regional training programme • Continue briefings via Catch Up and CS website • Ensure staff access to appropriate resources | Children's Service staff have had the relevant training to implement the bill by April 2016 | Single Integrated Plan | Families are supported and feel safe | Complete March 2016 | External provided by WG | Tracy Jelfs | Training to be accessed by staff Ongoing updates internally Select Progress | Training to be accessed by staff Ongoing updates internally Select Progress | Training to be accessed by staff Ongoing updates internally Select Progress | Final briefings in place following publication of final version of regulations Select Progress |
| 11. Implement PLANT- Children's new IT system <ul style="list-style-type: none"> • Implement Phase 1 of the new IT system • Develop and implement Phase 2 of PLANT | IT system in place that supports the work of the service and improves service delivery to families | Single Integrated Plan | Families are supported and feel safe | June 2015 March 2016 | Existing resources | Tracy Jelfs | Select Progress | 1 st phase of PLANT implemented Select Progress | Select Progress | 2 nd phase of PLANT implemented Select Progress |
| 12. Develop strategy to engage children and young people in service development | To develop services in conjunction with those who use them, ensuring that they are fit for purpose now and in the | Single Integrated Plan | Families are supported and feel safe | March 2016 | Existing resources | Gill Cox | Initial meeting with young people's group | Draft plan by July 2015 and consult with young peoples group | Finalise and implement by December 2015 | |

| | | | | | | | | | | |
|---|---|------------------------|--------------------------------------|------------|----------------------|--------------------------|---|---|-----------------|--|
| <ul style="list-style-type: none"> Initial discussion with young peoples group to gather views Develop strategy to accomplish engagement Implement engagement | future | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| 13. Implementation of business cases to develop the service <ul style="list-style-type: none"> Advertise and recruit to jobs in critical order for fostering service phases 1 and 2 Advertise and recruit to additional social worker posts Monitor and evaluate use of additional funds via budget monitoring processes | To develop services that meet current demand for children and young people who are looked after or who are subject to Special Guardianship Orders | Single Integrated Plan | Families are supported and feel safe | March 2016 | Additional resources | Gill Cox | Advertise and recruit to 1 st phase of staff | Advertise and recruit to 2 nd phase of staff | | Evaluate progress and savings to consider future needs |
| | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| 14. Corporate Parenting <ul style="list-style-type: none"> Establish a Children in Care Council Recruit to the apprentice post Set up Children in Care Council Establish work experience and apprentice schemes for LAC and Carer Leavers | Compliance with Corporate Parenting Policy | Single Integrated Plan | Families are supported and feel safe | March 2016 | Core funding | Gill Cox | | Recruit to apprentice post by June | | |
| | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |
| 15. Finance Further develop the budget reporting processes in the service. To provide a 'real time context' to Children's Services expenditure <ul style="list-style-type: none"> Amend reporting structure to evidence spend, also expressed in the context of amount of service delivered and analysis from HOCS perspective in reports Continue to develop and update unit costs Continue to work to understand the budget causes and solutions within the service | Enable Children's Services to provide robust reporting data to Select and Council regarding use of budgets | Single Integrated Plan | Families are supported and feel safe | March 2016 | Core Funding | Ty Stokes Tracy Jelfs | | | | |
| | | | | | | | Select Progress | Select Progress | Select Progress | Select Progress |

A balanced scorecard to measure service performance / impact (Some standard measures of performance on staff, finance and customers have been included that all services must report)

| Staff (Key infrastructure) | | | | | | | | | | |
|----------------------------|----------------|----------------|----------------|-----------------|----------------|-------------------|-------------------|-------------------|-------------------|------------------|
| Indicator | Actual 2012/13 | Actual 2013/14 | Actual 2014/15 | latest Wales Av | Target 2015/16 | Actual 2015/16 Q1 | Actual 2015/16 Q2 | Actual 2015/16 Q3 | Actual 2015/16 Q4 | Context/ Comment |
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| Budget (Key infrastructure) | | | | | | | | | | |
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| Indicator | Actual 2012/13 | Actual 2013/14 | Actual 2014/15 | latest Wales Av | Target 2015/16 | Actual 2015/16 Q1 | Actual 2015/16 Q2 | Actual 2015/16 Q3 | Actual 2015/16 Q4 | Context/ Comment |
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| Processes (How Much and How Well?) | | | | | | | | | | |
|------------------------------------|----------------|----------------|----------------|-----------------|----------------|-------------------|-------------------|-------------------|-------------------|------------------|
| Indicator | Actual 2012/13 | Actual 2013/14 | Actual 2014/15 | latest Wales Av | Target 2015/16 | Actual 2015/16 Q1 | Actual 2015/16 Q2 | Actual 2015/16 Q3 | Actual 2015/16 Q4 | Context/ Comment |
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| Customers (Outcome / Is anyone better off?) | | | | | | | | | | |
|---|----------------|----------------|----------------|-----------------|----------------|-------------------|-------------------|-------------------|-------------------|------------------|
| Indicator | Actual 2012/13 | Actual 2013/14 | Actual 2014/15 | latest Wales Av | Target 2015/16 | Actual 2015/16 Q1 | Actual 2015/16 Q2 | Actual 2015/16 Q3 | Actual 2015/16 Q4 | Context/ Comment |
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Risk Register 2015-18

| Risk | Strategic Operational | Reason why identified (evidence) | Risk Level (See corporate risk matrix to complete) | | | | Responsible Officer | Actions proposed to mitigate the risk | Progress & impact of actions 2015/16 Q1 | Progress & impact of actions 2015/16 Q2 | Progress & impact of actions 2015/16 Q3 | Progress & impact of actions 2015/16 Q4 |
|------|-----------------------|----------------------------------|---|--------|-------------|-------|---------------------|---------------------------------------|---|---|---|---|
| | | | Year | Impact | Probability | Level | | | | | | |
| | | | 2015/16 2016/17 2017/18 | | | | | | | | | |
| | | | 2015/16 2016/17 2017/18 | | | | | | | | | |
| | | | 2015/16 2016/17 2017/18 | | | | | | | | | |
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| | | | 2015/16 2016/17 2017/18 | | | | | | | | | |

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

SUBJECT: Licensing Act 2003 Policy Statement 2015

DIRECTORATE: Chief Executives

MEETING: Full Council

Date to be considered: 25th June 2015

DIVISION/WARDS AFFECTED: All Wards

1. PURPOSE:

- 1.1 To consider the proposed 'Licensing Act 2003 Policy Statement 2015', as previously debated by the Licensing and Regulatory Committee, and attached as Appendix A.

2. RECOMMENDATION(S):

- 2.1 Members approve the updated Licensing Policy statement for adoption by Monmouthshire County Council, to come into force on 1st July 2015.

3. KEY ISSUES

- 3.1 Section 5 of the Licensing Act 2003 requires a Licensing Authority to prepare and publish a statement of its' licensing policy every five years. It has been nearly five years since the last policy was approved at Full Council on 18th November 2010 and the proposed updated policy statement is provided in Appendix A attached.

- 3.2 Before determining it's policy for the next five year period a full consultation must take place, with representations with the following:-

- The Chief Officer of Police for the licensing authority's area,
- The Fire Authority for that area,
- Such persons as the licensing authority considers to be representative of holders of premises licences issued by that authority,
- Such persons as the licensing authority considers to be representatives of holders of club premises certificates issued by that authority,
- Such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority, and
- Such other persons as the licensing authority considers to be representatives of businesses and residents in its area.

This consultation has been conducted, with comments received up until Friday 27th March 2015.

- 3.3 The revised policy was also considered by the Licensing and Regulatory Committee on 20th January 2015 during the consultation, which commenced on 2nd January 2015. It was reconsidered again on 21st April 2015 following completion of the consultation as in 3.2 above.

- 3.4 Following consultation the main changes proposed to the previous Licensing Act Policy have been highlighted in red and has taken into account the following legal changes in its redrafting:-

- The Police Reform and Social Responsibility Act 2011 was introduced in two stages. The first stage came into force on 25th April 2012 and the second phase came into force on 31st October 2012. The changes in April 2012 included, extending the review period for the licensing policy from 3 years to 5 years.

Licensing Authorities and Local Health Boards were able to make representations. A person no longer had to be in the vicinity to make a representation against a venue. Conditions imposed at a Licensing Sub-Committee against a premises licence no longer have to be 'necessary' but 'appropriate'. Environmental Health are able to make representations along with the Police on Temporary Event Notices (TENs) and if objections are made conditions can be imposed on the Notices. The Notices changed to allow late TENs to be submitted between 5 and 9 working days before an event. Licensing Authorities can suspend a premises licence for non-payment of annual fees. The changes in October 2012 allowed Authorities to introduce Early Morning Restriction Orders (EMROs) and Late Night Levies (LNLs). (It was agreed at Full Council on 26th September 2013 that no EMROs and LNLs be introduced for this Authority.)

- The Live Music Act 2012 came into force on 1st October 2012 which removed the need for entertainment licences, between 8am and 11pm for a performance of unamplified live music, a performance of live amplified music in a workplace or in an on-licence premises provided conditions are met.
- The Licensing Act 2003 (Description of Entertainment)(Amendment) Order 2013 came into force on 27th June 2013 which removed the need for entertainment licences, between 8am and 11pm for performances of plays and exhibition of dance, (up to an audience limit of 500 people), and indoor sport (up to an audience limit of 1000 people).
- The Licensing Act 2003 (Mandatory Licensing Conditions)(Amendment) Order 2014 came into force on 1st October 2014 which tightened up and simplified mandatory conditions on premises licences for Supply of Alcohol, Security Activity, Exhibition of Films, Irresponsible Drink Promotions, Age Policies, Drink Measures, Free Drinking Water and The Ban of the Sale of Alcohol below the Cost of Duty plus VAT.
- The Deregulation Act 2015 (Commencement No.1 and transitional Saving Provisions) Order 2015 removed the requirement to renew the Personal Licence on the 1st April 2015.
- The Legislative Reform (Entertainment Licensing) Order 2014, which came into force on 6th April 2015 increased an audience limit to 500 people for live music, removed the need for entertainment licences, between 8am and 11pm for recorded music in on-licensed premises (not workplace), live and recorded music at non-residential local authority premises, hospital premises, schools, community premises, church halls, not for profit community premises for exhibition of film (up to an audience limit of 500 people) and Greco-Roman wrestling and freestyle wrestling (up to an audience limit of 1000 people). Also travelling circuses will not require a licence for any entertainment unless they have films, boxing and wrestling.

3.5 Further changes which will come into force under The Deregulation Act 2015 (Commencement No.1 and transitional Saving Provisions) Order 2015. This will allow any person to buy liqueur confectionery and the need to report a lost or stolen licence to the Police from 26th May 2015. Also the limit on the number of temporary events that can be held at a single premise will increase from 12 to 15 per year from 1st January 2016. Section 1.12 of the policy states 'amendments to the Policy will take place without consultation where it is necessary to ensure the policy reflects national or statutory guidance'. As such amendments will be made to the policy when such change under this Order comes into force.

4. REASONS:

- 4.1 The policy is necessary to guide consistent decisions and takes account of guidance.
- 4.2 There is a need to take account of collaborative approaches.

4.3 To ensure that applications with no relevant information to consider can be dealt with without unnecessary delay.

4.4 To enforce the provisions of the Licensing Act 2003 effectively.

5. RESOURCE IMPLICATIONS:

No resource implications identified.

6. CONSULTEES:

- SLT
- Cabinet Members
- Chairs of Select Committee
- Head of Legal Services
- Relevant bodies as outlined in paragraph 3.2 above.
- The Licensing and Regulatory Committee (21st April 2015)

7. BACKGROUND PAPERS:

Licensing Act 2003

Guidance issued under section 182 of the Licensing Act 2003 – Home Office, dated March 2015

8. AUTHOR:

David H Jones, Head of Regulatory Services and Linda O’Gorman, Principal Licensing Officer

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Licensing Act 2003 Draft Policy Statement 2015

Revision 21st April 2015

Further information can be obtained from:

Licensing Section

Monmouthshire County Council

The Drama Centre

Pen-y-Pound

Abergavenny

NP7 5UD

Tel: 01873 735420

Email: licensing@monmouthshire.gov.uk

Website: www.monmouthshire.gov.uk/licensing

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Appendix A - 49

Code of Good Practice for Licensed Premises

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Geographical area of Cumulative Impact Policy in Chepstow

1. Introduction

- 1.1 The Licensing Act 2003 requires the Council, in fulfilling its role as the Licensing Authority, to publish a “Licensing Policy” that sets out the policies the council will generally apply to promote the licensing objectives when making decisions on applications made under the Act. This is that statement of policy prepared in accordance with the provisions of the 2003 Act and the latest version of Home Office Guidance issued under section 182 of the Act.
- 1.2 Monmouthshire County Council (“the Council”) is the Licensing Authority under the Licensing Act 2003 and is responsible for granting premises licences, club premises certificates, and personal licences in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment. Throughout the document, the Council will be referred to as the Licensing Authority, where appropriate to prevent confusion between this role and the other functions carried out by the Council.
- 1.3 This policy sets out how applications for licences, which are required by the Licensing Act 2003, will be considered by the Licensing Authority.
- 1.4 In developing this licensing policy, the advice of bodies such as Local Government (LG), the [Welsh] Local Government Association ([W]LGA) and various trade associations have been taken into account wherever possible. Where appropriate, the Policies of other Gwent authorities have also been taken into account, in order to achieve uniformity wherever possible and to help ensure the integration of the various policies over a wider geographical area. Other Corporate policies adopted by the Council have also been taken into account, and these will be referred to throughout this document as appropriate.
- 1.5 The Equalities Act 2010 introduced measures to tackle discrimination encountered by disabled people in certain areas including employment, and access to goods, facilities and services. The applicant shall have regard to this legislation. However, the Licensing Authority will not use licensing to pursue such issues, other than where supported by legislation and accepted good practice.
- 1.6 Monmouthshire County Council has a legal obligation to comply with all legislation that promotes equality it has a policy in place to promote equality to all. The Planning and Public Protection Service Area has its own equalities framework which is available for inspection on our website. Licensing of persons and premises under the Licensing Act 2003 will actively promote

equality of service and enforcement to all members of the community.

- 1.7 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with such a right. The Licensing Authority will have regard to the Human Rights Act when considering any licensing issues, and particularly in respect of the way in which applications are considered and enforcement activities are carried out.
- 1.8 Each application will be considered on its individual merits, and in the light of this Policy
- 1.9 The Licensing Authority acknowledges that it may need to depart from this Policy and from the guidance issued under the Act in individual and exceptional circumstances, and where the case merits such a decision in the interests of the promotion of the licensing objectives. Any such decision will be taken in consultation with the appropriate legal advisors for the Licensing Authority, and the reasons for any such departure will be fully recorded.
- 1.10 The licensing policy will not seek to regulate matters which are provided for in any other legislation and will seek to complement such regimes e.g. planning, health and safety, employment rights, fire safety, etc.
- 1.11 The Licensing Authority wishes to encourage licensees to provide a wide range of entertainment activities in Monmouthshire throughout their opening hours and to promote live music, dance, theatre, etc. for the wider cultural benefit of the community.
- 1.12 This Licensing Authority will update and publish a new Licensing Policy whenever necessary but in any case **within five years** of the date of this Policy, and will fully consult with partners, trade associations and residents groups as appropriate at that time, any representations received will be considered at that time. However where updates are required due to changes in national legislation, statutory guidance or contact details the council reserves the right to amend this policy without consultation where it is necessary to ensure the policy reflects national legislation or statutory guidance.
- 1.13 This policy revision will take into account the following matters in its re-drafting.
- The amendment's to the Licensing Act 2003 made by:
 - ❖ The Police Reform and Social Responsibility Act **2011**
 - ❖ The Live Music Act **2012**
 - ❖ **The Deregulation Act 2015**

- ❖ Statutory instruments laid
- ❖ Revised Guidance issued under S182 of the Licensing Act 2003

2. Profile of the County

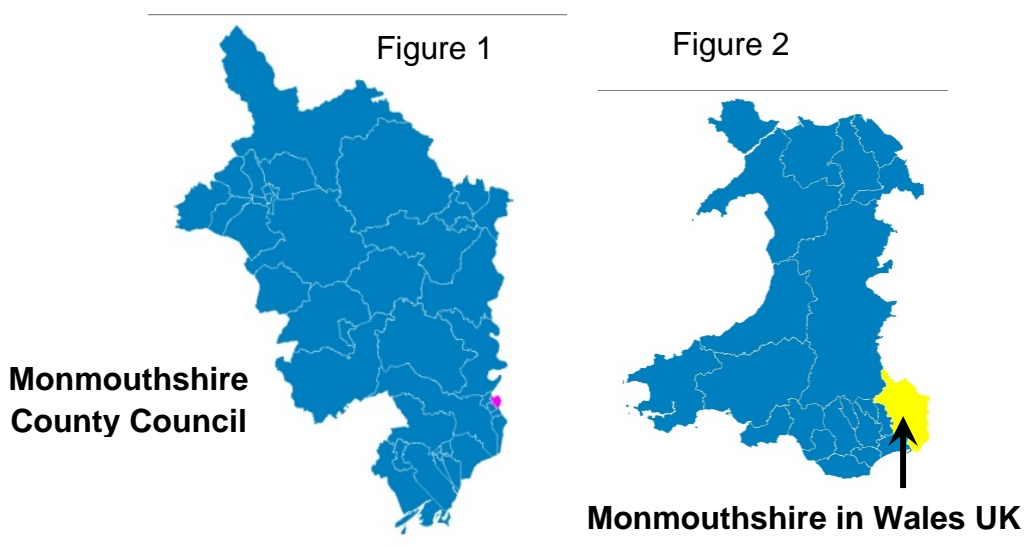
The County of Monmouthshire

The Monmouthshire County has a population of approximately 92,100 and is mainly rural in character. The five main towns of Monmouth, Abergavenny, Caldicot, Chepstow and Usk are surrounded by numerous villages, each with their own individual character.

There are a few major concentrations of premises in the County providing Regulated Entertainment and/or the retail of sale of alcohol. There are a few private clubs; a cinema and several premises which have late night extensions. However, mobile cinema showings are now active in the County. We have a few theatres in Monmouthshire. Other local venues such as village, community and school halls also provide many of the locations for cultural activities. Several open air concerts/shows provide for the larger cultural events.

There are many public houses in the County outside of the main Towns, many of these in the small, rural villages which provide the focal point for community life. In other cases this focal point may be provided by small stores and shops that sell alcohol. The main late night refreshment premises are located in the main Towns.

Because of the rural nature of the County, premises and events licensed under the Licensing Act 2003 provide an essential contribution to the local economy, through tourism and cultural development.



3. Licensing Committee

- 3.1 The Council will appoint a Licensing Committee in accordance with its constitution.
- 3.2 A Licensing Committee shall establish Sub-Committees (panels) consisting of three Members of the Committee, to consider applications where representations have been received from any person and/or Responsible Authorities.
- 3.3 The Licensing Committee will also sit to determine applications not associated with the Licensing Act 2003, such as taxi and private hire vehicle licensing.
- 3.4 In the interests of good governance, where a Councillor who is a Member of a Licensing Committee or a Licensing Sub-Committee has had a direct or indirect pecuniary or personal interest in any matter before them they will be disqualified from any involvement in the decision-making process affecting the premises licence. A Councillor will not sit on a Sub-Committee to consider an application within their 'Ward'.
- 3.5 The Licensing Sub-Committee will refer to the Licensing Committee any matter it is unable to deal with because less than three members are able to consider the matter before the Sub-Committee.
- 3.6 The Licensing Committee shall refer to the 'Licensing Authority' [the Council], any matter it is unable to deal with because less than the quorum of three Members are able to consider the matter before the Committee.
- 3.7 Every determination of a licensing decision by the Licensing Committee or a Licensing Sub-Committee shall be accompanied with reasons for the decision. A summary of the decision **to be provided in a target time of three days, to be displayed on the Council's website, or as soon as possible thereafter**, where it will form part of the statutory licensing register.
- 3.8 The Council's Licensing Officers will deal with all licence applications where either no relevant representation has been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary.
- 3.9 A periodic report will be made to Licensing Committee on the exercise of delegated powers.

- 3.10 The Council will ensure that members and relevant officers are appropriately trained to carry out their duties under the Act.
- 3.11 Matters in respect of the Licensing Act 2003 are to be dealt with as specified in the council's scheme of delegation under its constitution.

4. Fundamental principles

- 4.1 Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act, and conditions may be attached to licences, certificates and permissions that will cover matters which are within the control of individual licensees.
- 4.2 When considering these conditions, the Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
- 4.3 In this respect, the Licensing Authority recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues that can occur away from the licensed premises, including:
- Planning controls;
 - On-going measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council departments;
 - Designation of parts of the County of Monmouthshire as places where alcohol may not be consumed publicly;
 - Regular liaison with police on law enforcement issues regarding disorder and antisocial behaviour, including the issue of fixed penalty notices, prosecution of those selling alcohol to people who are drunk, confiscation of alcohol from adults and children in designated areas and instantly closing down licensed premises or temporary events on the grounds of disorder, or likelihood of disorder or excessive noise from the premises;
 - The power of the police, other responsible authority or interested party to seek a review of the licence or certificate.

5. Zoning and licensing hours

- 5.1 Licensing Authority, through the exercise of its licensing functions shall not seek to restrict the trading hours of any particular premises unless it is considered appropriate to promote one or more of the licensing objectives. Each application will be considered individually on its own merits.
- 5.2 In the absence of any specific reasons linked to the licensing objectives, the Licensing Authority will not seek to restrict licensed retail outlets ability to sell alcohol for consumption off the premises throughout their general trading hours. A possible example of an occasion when a limitation could be considered would be following Police representations that a shop was known to be a focal point for crime and disorder.
- 5.3 The Licensing Authority recognise that providing consumers with greater choice and flexibility is an important consideration and that in some circumstances flexible licensing hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided, which in turn can reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which can lead to crime, disorder and disturbance.
- 5.4 The Licensing Authority also acknowledges that licensing hours should not inhibit the development of thriving and safe evening and night-time local economies which are important for investment and employment locally and attractive to domestic and international tourists.
- 5.6 The Licensing Authority will however, where its discretion is engaged, always carefully balance the considerations in 5.3 and 5.4 above against its duty to promote the licensing objectives and protect the rights of residents and businesses.
- 5.7 The Licensing Authority also notes the Government's guidance that there is no general presumption in favour of lengthening licensing hours and that the four licensing objectives should be paramount considerations at all times. Where there are relevant representations against an application and the Licensing Committee believes that granting the licensing hours proposed would undermine the licensing objectives then it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 5.8 Irrespective of the hours of operation granted for a premises under any licence under the Act, the premises operators should ensure that they comply with any

limitation on hours imposed under any other relevant legislation in force - for example Planning law, Sunday Trading Act 1994 or Christmas Day (Trading) Act 2004.

- 5.9 The power to make an Early Morning Restriction Order (EMRO) can be considered by the Council alongside any Cumulative Impact Policy, details regarding these powers can be found in section 33 and 34 of this policy.
- 5.10 Whilst the licensing authority accepts that flexible licensing hours may reduce crime, disorder and anti-social behaviour by allowing for a more gradual dispersal of customers, experience shows that in the City/ town centre areas, the majority of new entrants request opening hours to match competitors.
- 5.11 Applicants are encouraged to include in their operating schedule not only the standard hours during which they wish to carry on licensable activities, but also special occasions such as bank holidays when they may wish to trade for an additional hour or two. Catering for these types of occasion will reduce the need to make variation applications.
- 5.12 There is no automatic special provision for New Year's Eve, therefore if applicants wish to take advantage of longer trading hours over this period this should be included in the operating schedule.

6. Commercial demand

- 6.1 The commercial demand for additional premises licences (as distinct from cumulative impact) will not be a matter for the Licensing Authority, such matters being a specific consideration for the local planning authority taking into account the demands of the licensed trade and market demands

7. Alcohol Harm

- 7.1 In June 2007 "Safe, Sensible, Social – The Next Steps in the National Alcohol Strategy" was published. This strategy covered England but was prepared in discussion with the Welsh Government and reflects the common themes within Welsh policies aimed at tackling the harm caused by alcohol misuse.
- 7.2 **Working Together to Reduce Harm – The Substance Misuses Strategy for Wales 2008-2018 (Welsh Government 2008) is the Welsh Assembly Government's 10 year strategy for tackling the harms associated with the misuse of alcohol, drugs and other substances.**

7.3 Three of the indicators of population health and used to monitor alcohol misuse trends are;

- Percentage of individuals 'drinking' over recommended levels on the heaviest drinking day in the past week
- Percentage of individuals 'heavy drinking' (binge – males over 8 units, females over 6 units) on the heaviest drinking day in the past week
- Percentage of individuals 'very heavy drinking' (heavy binge – males over 12 units, females over 9 units) on the heaviest drinking day in the past weeks.

The most recent data for the County of Monmouthshire (Welsh Health Survey, 2014) indicates that;

- 49% of adults in Monmouthshire report 'drinking' above recommended guidelines, higher than the Welsh and County of Gwent rate of 43%
- 27% of adults in Monmouthshire report 'heavy drinking' (binge), slightly higher than the Welsh average (Welsh Health Survey 2014)
- 15.1% of adults in Monmouthshire report 'very heavy drinking', slightly higher than the national average of 14.9% (Public Health Wales 2014)

NB. These figures are self-reported and likely to be under reported as typically all national survey consumption rates vary from alcohol sale figures.

7.4 Harms from alcohol misuse are numerous and impact on individuals, families, communities and organisations. Harms can be immediate, such as crime, violence and anti-social behaviour to long term, which include family breakdown, hospital admission and ultimately death. Every week in Wales there are 29 deaths; around 1 in 20 of all deaths, as a result of alcohol (Public Health Wales 2014).

7.5 Licensing is the mechanism by which the availability of alcohol is regulated in the UK. This policy can play a key role in reducing the harms from alcohol misuse experienced by its population (individuals and families), communities and organisations.

7.6 In 2010, the Government outlined plans to overhaul the current licensing regime, in order to give more power to local authorities and police, to help them deal with alcohol-related crime and disorder, while also promoting responsible business published. A consultation document entitled "Rebalancing the Licensing Act - a consultation on empowering individuals, families and local communities to shape and determine local licensing" was published and resulted in additional legislation to assist regulators to control the sale and supply of alcohol and the public to make representations about

licensed premises.

- 7.7 Mandatory conditions have been imposed on all premises licenses and Club premises certificates as they are commenced, these are designed to reduce the instances of unacceptable drinking promotions and other activities that have been classed as irresponsible. The licensing Authority will closely monitor premises to ensure these conditions are followed by licence holders.

8. Drugs

- 8.1 The Licensing Authority recognises that drug misuse is not something that is relevant to all licensed premises, however it is committed to the reduction and eradication where possible of drugs from licensed premises as part of its role in promoting the crime and disorder licensing objective. The licensing authority expects all licence holders to actively support this aim in the way that they plan, manage and operate premises.
- 8.2 If relevant representations are received to an application for grant or variation of a licence special conditions may be imposed to support the prevention of the illegal supply or use of controlled drugs. Advice on conditions will be sought from the police or any other relevant organisation involved in the control of controlled drugs or the support and/or treatment of drug users.
- 8.3 In premises where drug misuse is problematic and where any responsible authority or other person apply for a review of the licence, the licensing authority will consider this as being very serious and will give appropriate consideration to the full range of options available, including suspension and revocation of the licence in accordance with the statutory guidance issued by the secretary of state. The licensing authority recognises that each case is individual and will be decided on its own facts and specific merits
- 8.4 The sale or use of new psychoactive substances (NPS) (so called legal highs) at alcohol licensed premises. The council will consider any issue with NPS in line with current legislation and government policy.

9. Licensing Objectives

- 9.1 The Licensing Authority has a duty under the Act to carry out its functions with a view to promoting the licensing objectives. The licensing objectives (of which each one is of equal importance) are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

9.2 It is recognised that the licensing function is not the primary method of securing the delivery of these objectives. The Licensing Authority will therefore continue to work in partnership with its neighbouring authorities, the police, local businesses, licensees and local people towards the promotion of the objectives.

10. Prevention of crime and disorder

10.1 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems.

10.2 The Licensing Authority will expect operating schedules (see section 27) to satisfactorily address these issues from the design of the premises through to the day-to-day operation of the business. Details of the factors that will need to be considered as part of the operating schedules are given in the Licensing Policies and matters for consideration when deciding applications, which are attached in the annex to this policy and in the Guidance notes for applicants.

10.3 Applicants are recommended to seek advice from the Licensing Authority's licensing officers and the police, as well as taking into account, as appropriate, local planning and transport policies, tourism, cultural and crime prevention strategies, when preparing their plans and operating schedules.

10.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has a duty under section 17 of the Crime and Disorder Act 1998 to exercise its various functions with due regard to the likely effect of the exercise on those functions on, and the need to do all it reasonably can to prevent, crime and disorder in the County of Monmouthshire.

11. Prevention of public nuisance

11.1 Licensed premises can have significant potential to impact adversely on persons in the vicinity and further afield through public nuisances that arise from their operation.

- 11.2 Subject to case law the Licensing Authority interprets 'public nuisance' in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in the vicinity of a licensed premises.
- 11.3 Applicants will be encouraged to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance.
- 11.4 The Licensing Authority recommends that licensees apply a high standard of control to minimise the potential for any public nuisance that may arise from their operation of the premises, particularly where:
- they are situated in a residential or noise sensitive area; or
 - extended opening hours are proposed.
- 11.5 The Licensing Authority recognises that beyond the immediate vicinity of the premises the control that a licence-holder can exert over its patrons diminishes and individuals who engage in anti-social behaviour are accountable in their own right.
- 11.6 When addressing the issue of prevention of public nuisance in their operating schedule, the applicant may identify steps to show that those factors that impact on the prevention of public nuisance objective have been considered see appendix A.

12. Public safety

- 12.1 The Licensing Authority will expect operating schedules to satisfactorily address issues concerning public safety, and applicants are advised to seek advice from various organisations, such as the health and safety enforcement officers, South Wales Fire and Rescue Service etc., before preparing their plans and schedules, particularly where regulated entertainment is to be provided.
- 12.2 The Licensing Authority will encourage applicants to conduct a risk assessment of the premises and/or activity. The authority recommends that specialists, e.g. a qualified safety officer, should be consulted to assist with the assessment.
- 12.3 Heddlu Gwent Police is promoting the use of polycarbonate drinking vessels to

reduce the injuries caused by glass drinking vessels. The council supports this initiative.

- 12.4 In order to prevent misunderstandings with conditions already imposed on licences that specify that toughened glass drinking vessels must be used in some circumstances. This condition will be taken to include approved polycarbonate drinking vessels. This will negate the need for licence holders to apply for variations to conditions on those licences.

13. Protection of children from harm

- 13.1 Nothing in this statement of policy shall limit or require access of children to premises unless there is an overriding requirement of necessity to prevent harm to children. Areas that will give rise to particular concern are highlighted elsewhere in this policy.
- 13.2 With the exception of the restrictions specified in Section 145, the 2003 Act does not prohibit children from having free access to any licensed premises. However, the Licensing Authority recognises that limitations may have to be considered where it appears necessary to protect children from harm.
- 13.3 The Licensing Authority will not impose any condition that specifically requires access for children to be provided at any premises. Where no restriction or limitation is imposed the issue of access will remain a matter for the discretion of the individual premises or club.
- 13.4 The 2003 Act details a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the police to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.
- 13.5 The Chief Officer Social Care and Housing for the authority will be consulted on issues relating to protecting children from harm.
- 13.6 Evidence demonstrates that young people are more vulnerable than adults to the adverse effects of alcohol due to a range of physical and psycho-social factors. As such, initiatives to prevent the sale and supply of alcohol to children are supported.

14. Rights of representations

- 14.1 The Licensing Authority will expect applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community, in order that those with a right to make representations or objections are able to fully assess the factors that may affect them.
- 14.2 Relevant representations may be made by a responsible authority, other persons or organisations representing them, but they should state whether they are making a representation on their own behalf or on behalf of another person.
- 14.3 Amendments to the Act has inserted the term 'other person' to replace 'interested party' as someone who can make representations, it also removed the vicinity test for residents and the specific term of councillor. This opens up the range of persons who may make representation and includes for example the following:-
- Residents living near the premises
 - Persons with an interest in the premises or locality
 - Local councillors
 - Businesses with an interest in the premises or locality.
 - Organisations with an interest in the locality, premises or licensable activities.

The council will have to decide if the representation is relevant and/or reasonable, and in making that assessment will assess the person or organisation making the representation and their relationship to the premises and or vicinity.

- 14.4 Relevant representations will be taken as those that relate to the fundamental principles of the Licensing Act, any organisation or individual wishing to object to any application will therefore need to state whether they are doing so on the grounds of:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance;
 - The protection of children from harm.

- 14.5 Unreasonable, frivolous and vexatious representations will be disregarded. Representations that have been made and considered elsewhere, for example as an objection to a planning application, may also be disregarded where consideration of such representations would be duplication.

15. Responsible authorities

- 15.1 The Licensing Act 2003 as amended specifies who is responsible authorities that may make representations on applications or apply for the review of a premises licence or club premises certificate, and they are:

- The Chief Officer of Police
- The Fire Authority
- The enforcing authority for Health and Safety at Work
- The local planning authority
- The local authority responsible for minimising or preventing the risk of pollution of the environment or of harm to human health
- The local weights and measures authority
- The Director of Social Services and the body representing matters relating to the protection of children from harm, currently the Local Safeguarding Children Board
- In relation to a vessel, a navigation authority, the Environment Agency, or the British Waterways Board
- **The Local Health Board (Aneurin Bevan University Health Board)**
- The Licensing Authority (The Council)

16. Other persons

- 16.1 **Changes to the Licensing Act 2003 by virtue of the Police Reform and Social Responsibility Act 2011 have now removed the test of “vicinity” from the 2003 Act and as a consequence, the categories of “interested party” no longer exist.**
- 16.2 Therefore, any person is able to make representations in relation to certain types of applications as an “Other Person” However; all representations must relate to the licensing objectives and may not be frivolous or vexatious.

17. Integrating strategies

17.1 There are a range of strategic influences and statutory controls which affect the licensing system in terms of policy formulation, administration and enforcement activities, when carrying out its functions the Local Authority has duties, responsibilities and considerations under other legislation and strategies, for example:

- a) Crime and Disorder Act 1998 (in particular obligations under section 17 relating to the prevention of crime and disorder);
- b) The European Convention on Human Rights, given effect by the Human Rights Act 1998;
- c) Criminal Justice and Police Act 2001;
- d) Violent Crime Reduction Act 2006;
- e) Policing and Crime Act 2009;
- f) Police Reform and Social Responsibility Act 2011
- g) **Anti-Social Behaviour, Crime and Policing Act 2014 (in particular the Public Space Prevention Order to control the consumption of alcohol in a public place outside licensed premises);**
- h) Race Relations Act 1976 (as amended by the Race Relations (Amendment) Act 2000); (e) Anti-Social Behaviour Act 2003 (in particular powers available under sections 40 and 41 relating to the closure of premises on the grounds of public nuisance caused by noise);
- i) Environmental Protection Act 1990 (as amended);
- j) Noise Act 1996;
- k) Health Act 2006;
- l) Health and Safety at Work Act 1974;
- m) Clean Neighbourhoods and Environment Act 2005 (including powers for the Local Authority to issued fixed penalty notices to licensed premises emitting noise that exceeds the permitted level between 11pm and 7am);
- n) Sunday Trading Act 1994
- o) Christmas Day (Trading) Act 2004
- p) Safety at Sports Grounds Act 1975
- q) Public Health Act 2006
- r) Any National Alcohol Strategy
- s) The Council's published procedure for dealing with petitions and its obligations under the Local Democracy, Economic Development and Construction Act 2009;
- t) The Council's published policy on Safeguarding Children
- u) Equality and diversity obligations; and
- v) European Union Services Directive.

17.2 The premises operators are normally responsible for compliance with any other statutory requirements which may apply for example the Regulatory

Reform (Fire Safety) Order 2005.

- 17.3 The Licensing Authority will as far as possible seek to avoid duplication with other regulatory regimes when dealing with the licensing function. If other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be appropriate or proportionate to impose the same or similar duties on the premises licence holder or club. Once the discretion of the Licensing Authority is engaged, it is only where additional and supplementary measures are appropriate to promote the licensing objectives that appropriate and proportionate conditions will be attached to a licence.
- 17.4 Other Local Authority and Government policies, strategies, responsibilities, and guidance documents may also refer to the licensing function, and the Licensing Authority may liaise with the relevant authorities or its directorates with regard to these. Whilst some of these may not be directly related to the promotion of the four licensing objectives, they can indirectly impact upon them.
- 17.5 For example, the Licensing Authority will liaise closely with the local Safer Neighbourhood Teams and evaluate data provided by the local health board to identify trends to ensure that the Local Authority can develop effective strategies that take full account of local crime and disorder issues.
- 17.6 It is the Local Authority's intention that it will, through its Licensing Committee monitor how these matters, set above, impact on the Authority's licensing and other functions, in order that it may seek to co-ordinate and integrate its licensing function with other relevant strategies.
- 17.7 The Local Authority may, in appropriate circumstances, consider seeking from the Licensing Authority premises licences in its own name for its own public spaces within the community. This may assist with the promotion of broader cultural activities and entertainments.
- 17.8 In respect of cultural strategies the Licensing Authority will, for example through periodic consultation with local Leisure and Cultural Services officers, consider whether the provision of live music and cultural activities and entertainments are being deterred by local licensing requirements. Where there is any indication that this is the case, the Licensing Authority may consider investigating how the situation might be reversed, and may if necessary in the light of such investigations consider a revision to the Statement of Licensing Policy.
- 17.9 Where it considers it appropriate to do so, and in order to seek proper

integration of the licensing function, the Licensing Authority may directly or indirectly provide periodic reports to the Planning Authority on the general situation regarding licensed premises in the area, which may include reference to the impact of alcohol related crime and disorder.

Relationship with Planning Process

- 17.10 Applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. However, applications for licences may be made before any relevant planning permission has been sought or granted by the Local Planning Authority.
- 17.11 It is strongly recommended that prospective licence applicants contact the Local Planning Authority in advance of making a licence application in order to check, or seek advice on, any planning consents or any conditions relevant to the use of the premises. It clearly makes operational sense to ensure that planning and licensing are compatible.
- 17.12 The Licensing Authority wishes to emphasise that the granting by the Licensing & Regulatory Committee of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control consent where appropriate.
- 17.13 The Local Authority will aim to properly separate planning, building control and licensing regimes in order to avoid duplication and inefficiency. The Licensing and Planning regimes involve consideration of different (albeit related) matters.
- 17.14 The Licensing Authority will avoid treating licensing applications as a re-run of planning applications, and will not normally:
- cut-across decisions taken by the Local Authority Planning Committee or following appeals decisions taken by that Committee; or
 - impose licensing conditions where the same or similar conditions have been imposed on a planning consent.
- 17.15 The Licensing Authority is not bound by decisions made by the Planning Committee and vice versa.
- 17.16 Where, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes that is different to the licensing hours, the licensee must observe the earlier closing time in order to avoid any breach of their planning permission - for which they may be liable to prosecution under planning law (and vice versa where the licensing hours

finish earlier than the planning permission).

18. European Services Directive

- 18.1 The EU Services Directive was introduced to develop a single market for services by breaking down barriers to cross border trade within the EU and making it easier for service providers within scope to set up a business or offer their services to other EU countries. The Directive requires that all notices and authorisations in the scope area are able to be completed electronically and via a “single point of contact”, which in the UK, is the Electronic Application Facility, part of the www.gov.uk website.
- 18.2 Although only regulated entertainment is a “service” as defined under the directive, the Government has extended the electronic application process to all regulated activities under the 2003 Act and to all authorisations and notices with the exception of applications for personal licences, reviews of licences and representations in respect of licence applications. Further information on the application process is provided in the Guidance issued under S182 of the Licensing Act 2003 by the Home Office. It should be noted that the Guidance is regularly updated and therefore references to the above paragraphs may change throughout the life of this policy. You are advised to contact the Home Office for the latest version of the Guidance before submitting any application.

19. Personal alcohol licence

- 19.1 The Council recognises it has very little discretion in the granting of a personal licence. In general provided an applicant is over 18 years of age, has an approved qualification and does not have relevant criminal convictions, the application must be granted.
- 19.2 If an applicant has a relevant conviction the Police can oppose the application. When an objection is lodged a hearing must be held. Applicants with unspent criminal convictions for relevant offences as set out in the Regulations made under the Act are encouraged to first discuss their application with the Council’s Licensing Officer and/or the Police.
- 19.3 At a hearing in respect of an objection to the granting of a personal licence, or the revocation of an existing licence, the Council will consider carefully whether the grant of, or continuation of, the licence will be in the interests of the crime prevention objective. It will consider the seriousness and relevance of any conviction(s), the period that has elapsed since the offence(s) was/were

committed and any mitigating circumstances. The Council will only grant the application, if it is satisfied that doing so will promote this objective.

- 19.4 Prevention of crime is both an objective of the Licensing Act 2003 and a responsibility of the Council under the Crime and Disorder Act 1998. A person holding a personal licence should be a person who is not only properly qualified but a person who will assist in the prevention of crime. Granting a licence to a person with a relevant criminal record could undermine rather than promote the crime prevention objective.

20. Premises licence

- 20.1 A premises licence is granted in respect of any premises, other than a private members club or similar type premises, authorised for one or more licensable activities, such as the supply of alcohol, late night refreshment or regulated entertainment.
- 20.2 There are some exemptions for the requirement of a licence and they include the exhibition of films for educational or promotional reasons, films shown as part of an exhibition, amplified live **and recorded** music to audiences of less than **500** people between the hours of 8.00 am and 11.00 pm. Applicants are advised to contact the licensing authority **on other exemptions** for further guidance.
- 20.3 Where alcohol is supplied, a Designated Premises Supervisor, who must be the holder of a personal licence, must be nominated to authorise the sale of alcohol at the premises.
- 20.4 Premises licences are issued to individuals over the age of 18 years who carry on, or propose to carry on, a business which involves the use of the premises for the activities mentioned above. In addition, charities, health service bodies, educational institutions and persons of other prescribed descriptions may apply for a premises licence.
- 20.5 A licence may be issued subject to conditions, which must be complied with at all times whilst the premise is being used for licensable activities during the times specified in the licence. Failure to comply with the terms and conditions of a licence or if licensable activities are carried out without a premises licence, may result in a fine of up to £20,000 or a term of imprisonment of up to 6 months, or both.

- 20.6 Fees for licences are based on the rateable value of a premises and although licences are usually issued for an indefinite period, an annual fee is payable.

21. Club premises certificate

- 21.1 A qualifying club, industrial and provident society, friendly society and miners welfare institute that satisfies the criteria specified in part 4 of the Licensing Act 2003 may provide licensable activities for its members and guests of a member that are authorised by a club premises certificate (CPC).
- 21.2 A CPC only authorises the use of a premises for the benefit of its members and their guests and cannot be used to provide licensable activities to non-members. If the premises are to be used to provide licensable activities for non-members an additional authorisation will be required. This may be a premises licence (PL) or a temporary event notice (TEN).
- 21.3 A premises operating under the authorisation of a CPC enjoy special privileges. If a club premises operate under the authorisation of a PL or TEN the privileges do not apply. The privileges include; restricted rights of entry, no need to have a qualified person authorising sales of alcohol. Other considerations would be different taxation rules, advice should be sought from HMRC.

22. Temporary event notices

- 22.1 Temporary Event Notices (TENs) can be used to allow licensable activities to be carried out on a one-off or occasional basis. They are the most appropriate type of authorisation for small-scale, one-off events, such as community, school and charity fundraising events, at which it is intended to:
- sell or supply alcohol;
 - provide regulated entertainment; or
 - sell hot food/drink between 11 pm and 5 am.
- 22.2 Statutory consultees, and others as appropriate, will be notified of all temporary event notices in order that they may give proper advice. Applicants should be aware that these consultees, and a number of other enforcement bodies, may be under a duty to ensure that the event in question meets certain statutory standards. In extreme cases, this could lead to an event being restricted or even prevented from taking place, and it is therefore very important that applicants contact these relevant bodies as soon as possible in

order to discuss their plans and establish what standards they will need to meet.

- 22.3 The Licensing Authority recommends that anyone wishing to submit a Temporary Event Notice, particularly where this involves the provision of regulated entertainment, gives as much notice to the Authority as possible, to ensure that proper advice can be given and any anticipated issues resolved in a planned and timely manner. A period of at least 10 weeks is recommended for this process, and a longer consultation period should be considered for larger events.
- 22.4 The Licensing Authority may notify the Council's Event Safety Advisory Group of any Temporary Event Notices involving the provision of regulated entertainment. This Panel brings together the various enforcement bodies that may be responsible for enforcement in respect of an event, along with any applicants and other organisers, and allows agreement to be reached regarding the way that the event will be organised etc. It is recommended that all applicants submitting a Temporary Event Notice go through the Events Panel when drawing up their Notice, and the Events Panel will be of particular assistance to charities, community and voluntary groups, and other event organisers who may not have access to legal advice or technical knowledge.

23. Sale and supply of alcohol

- 23.1 Licensed premises authorised under the Act for the sale and/or supply of alcohol must consider their responsibilities with regard to who they supply with alcoholic drinks, in particular:
- The sale to persons under the age of 18 years
 - The sale to persons who are delivering to persons under the age of 18 years
 - The sale to persons who are drunk
- 23.2 The council recommend that any licensed premises that is authorised to sell or supply alcohol have a policy that sets out how the sale or supply is controlled and must include staff training requirements. Records should be kept of all training provided and any incidents e.g. a refusal to sell and reasons.

24. Regulated entertainment

- 24.1 The types of regulated entertainment that are required to be licenced under the 2003 Act are listed below:

- a) film exhibitions
- b) performance of a play
- c) indoor sporting events
- d) a boxing or wrestling entertainment
- e) a contest, exhibition or display which combines boxing or wrestling with one or more martial arts (“combined fighting sports”)
- f) live music performances
- g) playing of recorded music
- h) dance performances
- i) entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance.

24.2 **Though there are exceptions within the Act, these included those changes made by the Live Music Act 2012, Licensing Act 2003 (Description of Entertainment) (Amendment) Order 2013, The Legislative Reform (Entertainment Licensing) Order 2014 and The Deregulation Act 2015 removes the licensing requirements for the following:**

1. Film exhibitions for the purposes of advertisement, information, education etc.
2. Film exhibitions that form part of an exhibit put on show for any purposes of a museum or art gallery.
3. Music whether live or recorded, which is incidental to other activities which do not require a licence.
4. Live **and Recorded** music as follows:
 - i. amplified live **and recorded** music between 8am and 11pm before audiences of no more than **500** people on premises authorised to sell alcohol for consumption on the premises;
 - ii. amplified live music between 8am and 11pm before audiences of no more than **500** people in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment); and
 - iii. Unamplified live music between 8am and 11pm in all venues
5. Use of television or radio receivers for the simultaneous reception and playing of a programme.
6. Any entertainment or entertainment facilities at a place of public religious worship.
7. Entertainment at garden fetes or similar functions unless there is an element of private gain.
 - a) Morris dancing or any dancing of a similar nature or a performance of unamplified
 - b) Live music as a part of such a performance.
 - c) Entertainment on road vehicles in motion.
 - d) Performance of a play in front of an audience of 500 persons or less

between 8:00 and 23:00

- e) Performance of dance in front of an audience of 500 persons or less (unless it is relevant entertainment within the meaning of Schedule 3 para 2A Local Government (Miscellaneous Provisions) Act 1982 - i.e. certain forms of sexual entertainment); between 8:00 and 23:00
- f) Indoor sporting events in front of an audience of 1,000 persons or less between 8:00 and 23:00.
- g) Live and recorded music at non-residential local authority premises, hospitals, schools, church halls, village halls, community halls or other similar community premises in front of an audience of 500 persons or less between 8:00 and 23:00
- h) Greco-Roman wrestling, or freestyle wrestling in front of an audience of 1000 persons or less between 8:00 and 23:00
- i) Any entertainment in travelling circuses (excluding films and a boxing or wrestling entertainment).

25. Live music, dancing and theatre

- 25.1 Generally, live music, dancing and theatre type entertainment requires a licence. However, certain exemptions apply to some of these entertainments at specific times of day. For example, unamplified live music at any venue between 8.00 am and 11.00 pm, does not require a licence, neither does the provision of a play to audiences of less than 500 people between the hours of 8.00 am and 11.00 pm.
- 25.2 There are many other exemptions in respect of regulated entertainment and applicants are advised to contact their legal advisor or the Licensing Team before submitting an application for a licence.

26. Administration

The council's licensing team administer all aspects of the Licensing Act 2003, including applications, representations and requests for assistance and advice. The council's website has detailed information on all of the services it offers for licensees, applicants, complainants and all other enquiries. Application information and forms can be downloaded from our website. The licensing teams can be contacted by any of the following means:-

Licensing Section
Monmouthshire County Council

The Drama Centre
 Pen-y-Pound
 Abergavenny
 Monmouthshire
 NP7 5UD

E-mail: licensing@monmouthshire.gov.uk
 Tel: 01873 735420
 Fax: 01633 644878
 Web: www.monmouthshire.gov.uk/licensing

27. Application procedures

- 27.1 All application requirements and procedures are specified in the Licensing Act 2003 and regulations made under the Act. Applications and notices are administered by the council's licensing team.
- 27.2 The council's website contains full information and guidance on all applications. The licensing team may be contacted for advice and guidance with an application, including pre-application advice. The council cannot assist to complete an application form; if assistance is needed applicants should contact a professional advisor, e.g. a solicitor or consultant.

28. Operating schedule

- 28.1 All new and variation applications should incorporate an 'operating schedule' which outlines how the premises will be operated. This should include details of how the applicant will promote the four licensing objectives and reduce any potential negative impact from the operation of their business on the local community, depending on the type of premises, location and profile of customers. The proposals contained in the operating schedule will form the main body of the conditions to be applied to the licence, together with any applicable mandatory conditions, any conditions agreed with responsible authorities during the application process and any conditions imposed by a licensing sub-committee where representations have been made.
- 28.2 In completing an operating schedule, applicants are expected to have regard to this statement of licensing policy and to demonstrate suitable knowledge of their local area when describing the steps that they propose to take in order to promote the Licensing Objectives.
- 28.3 The Licensing Authority will provide general advice on the drafting of operating

schedules and applicants are strongly recommended to discuss their operating schedules with the Licensing Authority and other Responsible Authorities prior to submitting them.

- 28.4 The complexity and detail required in the operating schedule will depend upon the nature and use of the premises concerned. For premises such as a public house where regulated entertainment is not provided, only a relatively simple document may be required. However for an operating schedule accompanying an application for a major entertainment venue or event, it will be expected that issues such as public safety and the prevention of crime and disorder will be addressed in detail
- 28.5 The operating schedule must be set out on the prescribed form and include a statement of the following:-
- Full details of the licensable activities to be carried on at and the intended use of the premises;
 - The times during which the licensable activities will take place;
 - Any other times when the premises are to be open to the public;
 - Where the licence is only required for a limited period, that period;
 - Where the licensable activities include the supply of alcohol, the name and address of the individual to be specified as the designated premises supervisor;
 - Whether alcohol will be supplied for consumption on or off the premises or both;
 - The steps which the applicant proposes to promote the Licensing Objectives.
- 28.6 For some premises, it is possible that no measures will appropriate to promote one or more of the Licensing Objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be:
- Precise and enforceable
 - Be unambiguous
 - Not to duplicate other statutory provisions
 - Be clear in what they intend to achieve, and
 - Be appropriate, proportionate and justifiable.
- 28.7 To assist applicants the authority has provided a Code of good practice for licenced premises, the current code can be found in Appendix A of this policy. It should be noted the code does not form any part of this policy and the

guidance and examples of control measures are simply given to assist applicants in preparing operating schedules and the on-going running of a licenced premises. The code is not exhaustive and is not to be regarded in any way as standard conditions or mandatory requirements.

29. Conditions

- 29.1 The Licensing Act 2003, as amended, imposes a number of mandatory conditions on licences. The council has the power to impose additional conditions if they consider that they are appropriate for the promotion of the licensing objectives.
- 29.2 Conditions attached to licences or certificates will be tailored to the individual style and characteristics of the particular premises, activities and/or events provided at the premises. The policy does not provide for any standard, general or blanket conditions, and will not impose disproportionate and burdensome requirements.
- 29.3 Applicants may offer conditions in the operating schedule as part of their application; the council may remove or reword any of these conditions if they are considered to be unclear, ambiguous or unenforceable, with the agreement of the applicant. This will ensure that all parties fully understand their responsibilities to promote the licensing objectives.
- 29.4 The council recognise that they can only impose conditions where relevant representations are received and it is considered appropriate for the promotion of the licensing objectives. Where a responsible authority gives evidence that it is appropriate to impose specific conditions the request will be considered by the council who may suggest the wording of the condition to ensure that it is clear, relevant and enforceable.
- 29.5 When attaching conditions, the council will also be aware of the need to avoid measures that might deter live music, dancing or theatre by imposing costs of a substantial nature, that are not in proportion to the risks.

30. Applications where representations are received

- 30.1 When an application is made for the grant, variation or review of a premises licence or club premises certificate, representations about the application can be made by responsible authorities or other persons. However the Licensing

Authority will usually give greater weight to representations that are made by people who can demonstrate that they would be directly affected by the carrying on of licensable activities at the premises concerned.

- 30.2 Representations must be made to the Licensing Authority within the statutory period of 28 days beginning on the day after the relevant application is received by the Licensing Authority. Representations must be made in writing.
- 30.3 Representations can be made either be in support of an application or to express objections to an application being granted. However the Licensing Authority can only accept “relevant representations.” A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the Licensing Objectives
- 30.4 An example of a representation that would not be relevant would be a representation from a local business person about the commercial damage that competition from a new licensed premise would do to their own business. On the other hand, a representation by a business person that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be a relevant representation.
- 30.5 In other words, representations should relate to the impact of licensable activities carried on from premises on the Licensing Objectives.
- 30.6 For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation.
- 30.7 Whilst the Licensing Authority expects representations to be evidence based, there is no requirement for a Responsible Authority or other person to produce a recorded history of problems at premises to support their representations, and it is recognised that in fact this would not be possible for new premises.
- 30.8 Responsible authorities are a group of public bodies that must be fully notified of applications and that are entitled to make representations to the Licensing Authority in relation to the application for the grant, variation or review of a premises licence or club premises certificate. A full list of contact details for the responsible authorities is provided on the Licensing Authority’s website.
- 30.9 Whilst all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each Responsible Authority to determine when they have appropriate grounds to do so.

- 30.10 The Licensing Authority recognises that every Responsible Authority can make representations relating to any of the four Licensing Objectives. However the Licensing Authority would normally expect representations about the promotion of individual Licensing Objectives to come from the most relevant Responsible Authority with expertise in that particular area. For example the Licensing Authority would expect representations about the prevention of crime and disorder to come primarily from the police and representations about the prevention of public nuisance to come primarily from environmental health.
- 30.11 The Licensing Authority recognises that the police should be its main source or advice on matters relating to the promotion of the crime and disorder licensing objective, but also may be able to make relevant representations with regards to the other Licensing Objectives if they have evidence to support such representations.
- 30.12 The Licensing Authority will accept all reasonable and proportionate representations made by the police unless it has evidence that do so would not be appropriate for the promotion of the Licensing Objectives. However the Licensing Authority will still expect any police representations to be evidence based and able to withstand scrutiny at a hearing.
- 30.13 The Licensing Authority recognises Monmouthshire County Council children's services as being the body that is competent to advise it on the licensing objective of the protection of children from harm.
- 30.14 The Licensing Authority recognises that, although public health is not a licensing objective, health bodies may hold information which other responsible authorities do not, but which would assist the Licensing Authority in exercising its functions.
- 30.15 For example, drunkenness can lead to accidents and injuries from violence, resulting in attendances at emergency departments and the use of ambulance services. Some of these incidents will be reported to the police, but many will not. Such information might be relevant to the public safety objective and in some cases the crime and disorder objective.
- 30.16 As a result of the Police Reform and Social Responsibility Act 2011, the Licensing Authority is also now a Responsible Authority and can therefore make representations if it deems it appropriate to do so.
- 30.17 However the Licensing Authority will not normally act as a Responsible Authority on behalf of other parties (for example, local residents, local

councillors or community groups) although there are occasions where the authority may decide to do so.

- 30.18 Such parties can make relevant representations to the Licensing Authority in their own right, and the Licensing Authority expects them to make representations themselves where they are reasonably able to do so.
- 30.19 The Licensing Authority also expects that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other Responsible Authority. Each Responsible Authority has equal standing under the 2003 Act and may act independently without waiting for representations from any other Responsible Authority.
- 30.20 In cases where a Licensing Authority is also acting as Responsible Authority in relation to the same process, the Licensing Authority will seek to achieve a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. This will be achieved by allocating the different responsibilities to different licensing officers or other officers within the local authority to ensure a proper separation of responsibilities.
- 30.21 Relevant representations about applications can also be made by any other person, regardless of their geographical position in relation to the relevant premises. However the Licensing Authority will usually give greater weight to representations that are made by people who can demonstrate that they would be directly affected by the carrying on of licensable activities at the premises concerned.
- 30.22 The Licensing Authority will also reject as invalid, any representations from other persons that are deemed to be frivolous or vexatious. A representation might be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause. Frivolous representations are essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 30.23 Decisions as to the validity of representations will normally be made by officers of the Licensing Authority. In borderline cases, the benefit of the doubt about any aspect of a representation will be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 30.24 Any person who is aggrieved by a rejection of their representations on either of

these grounds may lodge a complaint through the authority's corporate complaints procedure. A person may also challenge such a decision by way of judicial review.

- 30.25 Where a notice of a hearing is given to an applicant, the Licensing Authority is required to provide the applicant with copies of the relevant representations that have been made.
- 30.26 The Licensing Authority will normally provide copies of the relevant representations to the applicant in full and without redaction. However in exceptional circumstances, where a person satisfies the Licensing Authority that they have genuine reasons to fear intimidation or violence if their personal details, such as name and address, are divulged to the applicant, the copies of the representations may be redacted accordingly.
- 30.27 In such circumstances the Licensing Authority will still provide some details to the applicant (such as street name or general location within a street), so that the applicant can fully prepare their response to any particular representation.
- 30.28 Alternatively persons may wish to contact the relevant Responsible Authority or their local Councillor with details of how they consider that the Licensing Objectives are being undermined so that the Responsible Authority can make representations on their behalf if appropriate and justified.
- 30.29 Further guidance on making representations is provided on the Licensing Authority's website.

31. Exercise and delegation of functions

- 31.1 The Licensing Act 2003 requires local authorities to act as the Licensing Authority and to set up a Licensing Committee to be responsible for all matters relating to the Licensing Act 2003. The Licensing Committee further delegate to Licensing Sub Committees (Panels), or by one or more officers acting under delegated authority.
- 31.2 It is considered that many of the functions will be largely administrative in nature with no perceived areas of contention. In the interests of efficiency and cost effectiveness these will, for the most part, be carried out by officers.
- 31.3 The Schedule below sets out the presumed delegation of functions and decisions. Notwithstanding this presumption of delegation, the Council reserves the right to refer any matter to the Licensing Committee or sub-

committee.

31.4

Schedule of delegation of licensing functions and decisions

| Matter to be dealt with | Licensing Committee | Licensing Sub-Committee (panels) | Officers |
|--|----------------------------|---|--|
| Application for personal licence | | If a police objection | If no objection made |
| Application for a personal licence with unspent convictions | | All cases | |
| Application for premises licence/club premises certificate | | If a relevant representation made and not withdrawn | If no relevant representation made or representation withdrawn |
| Application for provisional statement | | If a relevant representation made and not withdrawn | If no relevant representation made or representation withdrawn |
| Application to vary premises licence/club premises certificate | | If a relevant representation made and not withdrawn | If no relevant representation made or representation withdrawn |
| Application to vary designated premises supervisor | | If a police objection | All other cases |
| Application for a minor variation | | | All cases |
| Application to vary a licence on a community premises to include alternative licence condition | | If police objection | All other cases |
| Request to be removed as designated premises supervisor | | | All cases |

| | | | |
|---|--|--------------------------------|-----------------|
| Application for transfer of premises licence | | If a police objection | All other cases |
| Application for interim authorities | | If a police objection | All other cases |
| Application to review premises licence/club premises certificate | | All cases | |
| Decision on whether a complaint is irrelevant frivolous vexatious etc. | | | All cases |
| Determination of a police or environmental health objection to a temporary event notice | | In all cases if not withdrawn. | |
| Suspension of licences following non-payment of annual fees | | | All Cases |

32. Reviews of licences

32.1 The Council can only review a licence where it is alleged by a “responsible authority”, or other person that the licensing objectives are being breached. Responsible authorities will aim to give licence holders early warning of any concerns identified at the premises. Only responsible authorities or other persons (e.g. local residents, local organisations and councillors) can apply for the review of a licence; and determine its outcome at a hearing where an evidential basis for allegations made will be submitted. It views particularly seriously applications for the review of any premises licence which involves the:

- use of licensed premises for the sale and distribution of controlled drugs and the laundering of the proceeds of drugs crimes;
- use of licensed premises for the sale and distribution of illegal firearms;
- evasion of copyright in respect of pirated films and music;
- underage purchase and consumption of alcohol;
- use of licensed premises for prostitution or the sale of unlawful

pornography;

- use of licensed premises for unlawful gaming;
- use of licensed premises as a base for organised criminal activity;
- use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;
- use of licensed premises for the sale of smuggled tobacco or goods;
- use of licensed premises for the storage or sale of stolen goods;
- the police being frequently called to attend to incidents of disorder;
- prolonged and/or repeated instances of public nuisance;
- serious risk to public safety have been identified and the management is unable or unwilling to correct;
- serious risk to children.

32.2 The Licensing Sub-committee will consider all evidence provided at the hearing and apply appropriate weight to that evidence when making their decision.

32.3 The licensing sub-committee will consider all of the sanctions available to it provided for in the Act and guidance, including taking no action if appropriate. In cases where a licensing objective is seriously undermined, that revocation of the licence, even in the first instance, will be considered where appropriate to ensure the licensing objectives are promoted.

32.4 In cases where a licensing objective is seriously undermined, the revocation of the licence, even in the first instance, will be seriously considered where appropriate to ensure the licensing objectives are promoted.

33. Cumulative impact policy

33.1 Cumulative impact is defined in the guidance as „the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises in the promotion of the licensing objectives is a proper matter for a licensing authority to consider in developing its licensing policy statement.”

33.2 The cumulative impact of the number, type and density of premises in particular areas, such as the town centre may lead to them becoming saturated with premises of a certain type making them a focal point for large groups of people together leading to severe or chronic problems of public nuisance and anti-social behaviour. The licensing authority may consider the adoption of a **cumulative impact policy** of refusing new premises authorisations within a

- defined area or areas if it is satisfied that it is appropriate and necessary to include an approach to cumulative impact in its Licensing Policy Statement. It will take the decision only after it is satisfied that there is evidence to support such a decision.
- 33.3 The effect of adopting a cumulative impact policy of this kind is to create a rebuttable presumption if relevant representations to that effect are received, that applications for new premises authorisations or club premises certificates or material variations will normally be refused, unless it can be demonstrated that the operation of the premises involved will not add to the cumulative impact already being experienced. What constitutes a material variation will depend upon the policy in place and the reasons for the area being designated as suitable for adoption of a special policy.
- 33.4 Applicants would need to address the cumulative impact policy issues in their Operating Schedules in order to rebut such a presumption. Any cumulative impact policy will stress that the presumption does not relieve responsible authorities or interested parties of the need to make a relevant representation before the local authority may lawfully consider giving effect to its cumulative impact policy.
- 33.5 The Licensing Authority recognises that many different kinds and styles of premises sell alcohol, serve food and provide entertainment. It recognises that some applications in cumulative impact areas will be unlikely to add significantly to the problems arising from saturation. Where it can lawfully make decisions on applications in cumulative impact areas, it will have full regard to the impact different premises may have on the local community.
- 33.6 The Licensing Authority must grant any application in a cumulative impact policy area subject only to conditions that are consistent with the operating schedule submitted by the applicant if it receives no relevant representation.
- 33.7 The Licensing Authority will review cumulative impact policies regularly to assess whether they are needed any longer or need expanding.
- 33.8 The absence of a special saturation/cumulative impact policy does not prevent any responsible authority or interested party making evidence based relevant representations on a new application for the grant of an authorisation on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

33.9 Having had regard to the guidance referred to above, consulted upon the issue, taken into account the views of respondents and considered the evidence the council has adopted a cumulative impact policy in respect of Chepstow Town Centre.

33.10 Reasons for the Policy

Gwent Police produced evidence to support their request that Chepstow Town Centre be designated a cumulative impact area. It remains at saturation point and the Police produced evidence for extending the area, which has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety. The policy will apply to further applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets. The main focus of the policy is likely to be on alcohol led establishments and premises that keep customers in the area at times when the promotion of the licensing objectives is most challenging (for example late night refreshment from “fast food” outlets.

33.11 The adoption of such policies should not be understood to be an absolute bar to new authorisations being issued or granting significant variations to existing licenses. Applicants are entitled to seek any of the permissions available to them in the Act and the Council does not in this policy intend to prevent applicants from exercising their statutory rights. Each application will be considered on its own merits, within the constraints of the legislation and having due regard to the relevant guidance and policy.

33.12 These cumulative impact policies are intended to be strictly applied. Applications which would seek to be allowed as an exception to a special cumulative impact policy will generally be favourably considered if they are judged to encourage a greater variety of types of entertainment than currently exists in these areas; in particular, the Licensing Authority welcomes those proposals which can be viewed as more family friendly and which offer a wider range of entertainment than that which is currently available because it is considered that such proposals will not add to the stress in the area and undermine the licensing objectives.

33.13 However, matters such as;

- the premises will not add people to the area;
- longer hours will create slower dispersal;
- history of good management;
- premises are well run;
- premises application is small in nature
- alcohol is not sold;
- clientele are a cut above the usual;

will not be considered exceptional circumstances, as the issue is crime and disorder/public nuisance in the area as a whole rather than that associated with individual premises and the promotion of the licensing objectives.

33.14 Existing licensees who wish to materially alter and/or extend the premises to which the authorisation relates are required to seek a new authorisation. This is because the Act prohibits the use of a variation application to substantially alter the premises to which the authorisation relates. Where the only change is to the physical extent or material layout of the premises themselves (i.e. in the absence of additional features such as change in style of operation, capacity etc) it is highly unlikely this would trigger the special policy, but of course this policy cannot restrict the right of any responsible authority or interested party to make relevant representations in that regard and if such are forthcoming they will be diligently considered. Where other change is envisaged then the presumption may arise. Applicants in such circumstances are entitled to seek a Provisional Statement.

33.15 The geographical area for the Cumulative Impact Policy in Chepstow is attached as Appendix B.

34. Early morning restriction orders

34.1 Whilst the Licensing Act 2003 introduced a single integrated scheme for licensing premises used for the sale or supply of alcohol, regulated entertainment and late night refreshment, one of its primary purposes has been to tackle problems associated with misuse of alcohol.

34.2 It has now been recognised by Government, through statutory guidance, that longer hours were not necessarily an answer to all problems. As a result licensing authorities have been given greater discretion in their approach to the management of licensed premises in their areas. On 31st October 2012

- amendments to the Police Reform and Social Responsibility Act were implemented, which allows licensing authorities to adopt new measures for the management of their night time economies
- 34.3 One of these measures is an Early Morning Restriction Order (EMRO), which allows local authorities to look at restricting the sale of alcohol at a specified time between the hours of midnight and 6:00am.
- 34.4 EMROs are intended to deal with alcohol-related crime & disorder, anti-social behaviour, and serious public nuisance, which is not directly attributable to licensed premises. LAs are encouraged to look at the relationship between their existing cumulative impact area, if one is in place, and a proposed EMRO area;
- 34.5 An EMRO restricts the time within which alcohol can be supplied. Alcohol supply can be prohibited between 0000-0600 and applies to Premises Licences, Club Premises Certificates and Temporary Event Notices. There are no exceptions save that which authorise supply of alcohol to residents with overnight accommodation via minibars and room service;
- 34.6 An EMRO can apply to a specific area or even single street – it does not need to be borough-wide. It can apply to specific days of the week, can specify different times for different days of the week, and can apply to limited periods of the year or for an unlimited period. But it cannot apply on New Year's Eve/New Year's Day;
- 34.7 EMROs do not affect authorised hours for regulated entertainment or late night refreshment
- 34.8 The adoption of an EMRO is subject to a process involving the collection and analysis of relevant evidence and a consultation exercise with the public and holders of licences and/or club premises certificates. The decision to adopt an EMRO has to be taken by a meeting of the Council;
- 34.9 EMROS must be periodically reviewed to ensure they remain appropriate to promote the licensing objectives and can be varied or revoked via the same process as adoption
- 34.10 Alcohol supply during the time when an EMRO is in force is treated as a Section 136 offence under LA03 (unauthorised licensable activity).
- 34.11 Alcohol supply during the time when an EMRO is in force is treated as a Section 136 offence under LA03 (unauthorised licensable activity).

- 34.12 The council currently does not have an EMRO and resolved not to adopt one at its Full Council meeting held on 26th September 2013. If considered necessary they will conduct a full consultation before the provision is adopted.

35. Hearings

- 35.1 Applications for licences and certificates will be determined following consultation with relevant responsible authorities. Where no representations are received, they will be issued administratively by the Licensing Team, however, contentious applications must be referred to the Council's Licensing Sub-Committee (panel) for determination, unless it is agreed by all parties that a hearing is not necessary
- 35.2 The period of notice of a hearing that must be given to all relevant parties, and the information which may be disclosed, varies depending on the type of application, subject to regulations. A Licensing Sub-Committee (panel) of three Elected Members will determine a contentious application and will either grant a licence, grant a licence with amendments or refuse an application. Any party can appeal against the Council's decision to a Magistrates' Court.
- 35.3 At any time during the period of a licence, any responsible authority or other person can ask for the review of a licence or certificate. All review applications will be determined by the Licensing Sub-Committee.

36. Appeals

- 36.1 Entitlements to appeal for parties aggrieved by decisions of the Council are set out in Schedule 5 of the Act. Other than in the case of personal licences, an appeal has to be made to the local Magistrates' Court. In the case of personal licences, the appeal must be made to the Magistrates' Court for the area in which the licensing authority which has considered the application (or any part of it) is situated.
- 36.2 An appeal has to be instigated by giving notice of the appeal by the appellant to the
The Clerk to the Justices,
Newport Magistrates' Court
The Law Courts
Faulkner Road

Newport

Gwent

NP20 4PR

DX 311301 Newport (Gwent) 19,

Within a period of 21 days beginning with the day on which the appellant was notified by the Council of the decision appealed against.

36.3 On determining an appeal, the Court may:

- dismiss the appeal
- substitute any other decision which could have been made by the Council or
- remit the case to the Council to dispose of it in accordance with the direction of the Court.

The Court may make such order as to costs as it thinks fit.

36.4 In anticipation of such appeals, the Council will give comprehensive reasons for its decisions. On making findings of fact in its reasons, the Council will ensure that they address the standard of proof and the burden of proof that they have adopted. The Council will also address the extent to which decisions has been made with regard to its statement of licensing policy and the Guidance issued by the Secretary of State under section 182 Implementing the determination of the Magistrates' Courts

36.5 Where appropriate, the Licensing Authority will provide applicants and objectors etc. with information concerning their rights of appeal.

36.6 Where appropriate, the Licensing Authority will provide applicants and objectors etc. with information concerning their rights of appeal.

37. Implementing the determination of the Magistrates' Court

37.1 As soon as the determination of the Magistrates' Courts has been promulgated, the Council will not delay its implementation and necessary action will be taken forthwith unless ordered by a higher court to suspend such action [for example, as a result of an on-going Judicial Review]. The Act provides for no further appeal against the determination of the Magistrates' Courts.

38. Enforcement

- 38.1 The Licensing Authority has established joint enforcement protocols with the police and other enforcing authorities. These protocols will provide for the targeting of agreed problem and high-risk premises, but with a lighter touch being applied to low-risk premises, which are shown to be well run.
- 38.2 The Licensing Authority intends that enforcement visits will be made to licensed premises as appropriate, to ensure that any conditions imposed as part of the licence are being complied with. These visits may be either proactive planned inspections based on the risk presented by the premises, history of non-compliance etc., or reactive visits as a result of complaints.
- 38.3 In general, action will only be taken in accordance with agreed enforcement principles and in line with the Council's own enforcement policy. To this end the key principles of consistency, transparency and proportionality will be maintained.
- 38.4 In general, action will only be taken in accordance with agreed enforcement principles and in line with the Council's own enforcement policy. To this end the key principles of consistency, transparency and proportionality will be maintained.

39. Fees Generally

- 39.1 All fees are currently set by statute and the council is obliged to charge the fees as detailed in the Fees Regulations.
- 39.2 The Police Reform and Social Responsibility Act 2010 have provisions to give councils to set their fees locally, however at this time the relevant sections have not been commenced. When commenced the councils will calculate fees to recover the costs of the service and then consult on their implementation before asking the Licensing Committee to approve any changes.

40. Annual Fees for Premises Licences and Club Premises Certificates

- 40.1 The Licensing Act 2003 and regulations made under the Act set out requirements for annual fees and require that the fee is paid on the due date which is every year on the anniversary of the original grant of the licence. The

fee is currently set by regulations, however amendments made by the Police Reform and Social Responsibility Act 2010 will when commenced give the council the ability to set fees locally to recover costs associated with the administration and compliance of the Act.

41. Licence suspension for non-payment of annual fee

- 41.1 Amendments made to the Licensing Act 2003 by the Police Reform and Social Responsibility Act 2010 give councils the power to suspend premises licences and club premises certificates where the annual fee required by regulations is not paid.
- 41.2 The council will suspend any licence or certificate where the required fee is not paid by the 'due date', which is annually on the anniversary of the date that the licence was first granted. The council will follow the below procedure:-
- 41.3 Upon notification/discovery that an annual fee is not paid, the council will give notice to the licence/certificate holder, in writing,
- that the licence/certificate will be suspended 14 days from the date of the notice.
 - It will also state that the suspension will not become effective if the fee is paid prior to the suspension date.
 - If an administration error is claimed, the suspension date may be 21 days from the due date; or the date of suspension on the 14 day notice, whichever is later.
 - A copy of the notice will also be served on the designated premise supervisor/premises manager if they are not the premises licence holder.
- 41.4 If the fee is not paid by the date specified on the notice the licence/certificate will be deemed suspended. The licence/certificate holder and DPS/Manager will be immediately notified of the suspension becoming effective, and informed that the premises may no longer offer any licensable activities until such time as the fee is paid and the suspension lifted. When the full payment is made the council will immediately lift the suspension, and confirm this in writing.
- 41.5 Where a licence/certificate is suspended and licensable activities are provided the council will consider prosecuting the provider for offences under section 136 of the Licensing Act 2003.

42. Late night levies

- 42.1 A Late Night Levy (LNL) is an optional power, introduced by the Police Reform and Social Responsibility Act which allows Licensing Authorities (LAs) to raise a contribution towards the costs of policing the night time economy (NTE) by charging a levy to holders of Premises Licences and Club Premises Certificates authorised to sell alcohol. A LNL must apply across the whole borough and also applies to all on- and off-licences. TENs are not included.
- 42.2 A LNL would require that a levy be paid by those persons who are authorised to sell alcohol between the period specified in the LNL (the 'late night supply period') regardless of whether they are actually open during that period. This can be no earlier than 0000hrs and no later than 0600hrs, and must be the same period every day;
- 42.3 At least 70% of the Levy must be paid to the Police and Crime Commissioner. There are no restrictions on what the police portion can be used for. The Local Authority portion can be used to tackle alcohol-related crime and disorder and to support management of the NTE in line with the: reduction of crime and disorder; promotion of public safety; prevention of public nuisance; street cleansing;
- 42.4 The implementation of a LNL is subject to public consultation and, if it is to be introduced, must be adopted at a meeting of the Council.
- 42.5 The Licensing Authority may deduct the costs of preparing, publicising & administrating the levy (subject to regulations) before paying the police proportion; however an estimate of these costs must be published on the website;
- 42.6 Licensing Authority's should consider the potential financial risk (eg lower than expected revenue – the police portion must be paid regardless of whether the levy has been collected in full) prior to implementation;
- 42.7 Holders of authorisations affected by the levy may make a free variation application such that they may avoid being affected by the levy. The Licensing Authority should allow at least 2 months to make such applications;
- 42.8 The levy will apply indefinitely however it must be reviewed at regular intervals and may be ceased at the end of a levy year;
- 42.9 The council resolved not to adopt one at its Full Council meeting held on 26th

September 2013. If considered necessary they will conduct a full consultation before the provision is adopted.

44. Further information

Further information about the Licensing Act 2003 and the Council's licensing policy can be obtained from:

*The Licensing Section
Monmouthshire County Council
The Drama Centre
Pen-y-Pound
Abergavenny
NP7 5UD*

Tel: 01873 735420

Fax: 01633 644878

E-mail: licensing@monmouthshire.gov.uk

Website: www.monmouthshire.gov.uk/licensing

Responsible Authorities

*The Chief Officer of Police
Licensing Department
Abergavenny Police Station
Tudor Street
Abergavenny
NP7 5YL
[rachael.honey-
morris@gwent.pnn.police.uk](mailto:rachael.honey-morris@gwent.pnn.police.uk)*

*Licensing Section
Monmouthshire County Council
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kellyturner@monmouthshire.gov.uk*

*Environmental Health Manager
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NP5 9AN
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*Dr G Richardson
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Aneurin Bevan Gwent Public
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Victoria House
136-140 Corporation Road
Newport
NP19 0BH
publichealth.aneurinbevan@wales.nhs.uk*

*For applicants wishing to use boats
for licensable activities must also
send copies of the application to;
Maritime and Coastguard Agency
Cardiff Marine Office
Anchor Court
Keen Road
Cardiff
CF24 5JW*

*For HSE enforced and council
owned premises only:
Health & Safety Director of Wales
Government Buildings
Phase 1, Ty Glas
Llanishen
Cardiff CF14 5SH*

Appendix A -

Code of Good Practice for Licensed Premises

Introduction

The Licensing Act 2003 (the Act) focuses on the promotion of four statutory licensing objectives which must be addressed when licensing functions are undertaken. The four licensing objectives are:

- **The prevention of crime and disorder**
- **Public safety**
- **The prevention of public nuisance**
- **The protection of children from harm**

Aim of the code

The aim of this code is to provide applicants and licensees with guidance on good practice for the promotion of the four licensing objectives which are paramount considerations at all times. The code is consistent with the Home Office guidance issued under section 182 of the Act and with the Councils statement of licensing policy. It outlines what the licensing authority and its responsible authority partners expect in practical terms from applicants when completing their operating schedules and from licensees when operating their premises under the terms of a premises licence. Applicants and licensees are expected to make a proactive commitment to preventing problems from occurring at licensed premises through the adoption of this code.

Risks associated with licensed premises

Risks associated with licensed premises can vary dependent on the premises type and characteristics, the design, layout and general environment, the location, the policies in place and the events being held there.

This code identifies many of the possible risks associated with the sale of alcohol and the provision of entertainment or late night refreshment and sets out good practice measures to mitigate those risks. It provides a key mechanism for the promotion of the licensing objectives, for well-run premises and a responsible approach to the provision of alcohol, entertainment and late night refreshment.

It is recognised that not every risk will be relevant to every premises and it is unlikely that any one premises will need to address all of the measures. Indeed some premises may only need to introduce one or two measures or in many cases the premises

already has in place a number of good practices so as to promote the Licensing Objectives.

The code cannot anticipate every possible risk, problem or circumstance that may arise from licensed premises. Neither does the code restrict an applicant or licence holder from promoting the licensing objectives through alternative means.

How will the code be used?

Applicants and licensees

A proactive and preventative approach is a key aspect of good management at licensed premises. The licensing authority therefore expects applicants to have regard to this code when completing their operating schedule. The Licensing authority expects licensees to have regard to this code when considering additional operational measures.

The licensing authority and responsible authorities

The code is not a statutory document but it will be taken into consideration and used by the licensing authority and responsible authorities as follows: when offering advice to applicants either at the design and planning stage ordering pre-application discussions;

- when responding to licence applications where the licensing objectives have not been adequately addressed in the operating schedule;
- as a first point of dealing with licensed premises encountering problems, to raise standards to promote the licensing objectives in those premises and avoid further problems; and
- for the review of licences where there is evidence that licensees have not promoted the licensing objectives.

Dealing with problem premises

Problems or concerns with licensed premises will be identified and flagged up at an early stage and advice will be offered to licensees with a view to improving standards at their premises and to prevent or minimise subsequent problems.

Where problems have been identified, the licensing authority and responsible authorities will agree appropriate measures from the code with the licence holder to be implemented at the premises this sometimes called an "Action plan". The aim of the

code is to avoid the need for enforcement action such as prosecution or review but it will not replace enforcement action where it is necessary.

General – all four licensing objectives

This section provides guidance on good practice for the general promotion of all four licensing objectives at licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the general promotion of the licensing objectives after a licence has been granted.

Licensees and their staff have responsibility for the effective and safe management of their premises and the promotion of the four licensing objectives. Training is the key to giving licence holders, premises managers and staff the knowledge and skills to deal with and manage risks associated with licensed premises. Training should be provided to all staff and should be about both preventing and managing problems occurring at premises. Training should be regularly updated.

| Risk | Good Practice measure |
|---|---|
| <p>Lack of knowledge or understanding of the Licensing Act 2003</p> | <p>Well trained staff will contribute to well-run premises and a responsible approach to the sale of alcohol, provision of entertainment and late night refreshment.</p> <p>Formal qualifications for your staff, either to Personal Licence level or to another appropriate standard recognised by bodies such as the British Institute of Innkeepers (BII) would be preferential.</p> <p>All staff should be advised of licensing law in writing before they are allowed to serve alcohol.</p> <p>Training should also be provided on premises specific policies relevant to the operation of the business.</p> <p>Staff should be briefed on the Licensing conditions attached to a premises licence and fully understand the terms of the licence.</p> <p>A record should be kept of the date and name of person trained or advised and be made available for inspection by the police or licensing authority.</p> |

Prevention of crime and disorder

This section provides guidance on good practice for the prevention of crime and disorder from licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the prevention and management of crime and disorder from their premises after a licence has been granted.

The main causes of crime and disorder in licensed premises arise from inadequate security provisions, poor design and layout, the type of event being promoted, overcrowding and customers being drunk or under the influence of drugs. This can result in theft, conflict, violence and anti-social behaviour. It is therefore recommended that applicants and licensees take a proactive approach to preventing and managing crime and disorder from their premises.

All applications for new licences and variations should address the steps proposed to prevent crime and disorder and this is best achieved through a premises risk assessment. Alcohol can be a significant contributory factor to levels of crime and disorder in an area. Good management and good practice along with adequate physical controls can make an important difference to the level of alcohol related crime at premises. Such measures should be reflected in the operating schedule.

For new premises or the refurbishment of existing premises, preventative measures should be factored in during the planning and design stage. Consideration should be given to the design and layout of the premises to minimise the potential for crime and disorder. Useful information can be found in documents such as 'Secured by Design'.

Licence holders should have clear documented policies and procedures in place which identify all crime and disorder risks associated with their premises and the measures implemented to prevent, manage and respond to those risks.

| Risk | Good practice measure |
|--|---|
| Security in and around the premises | <p>Emergency exits should be alarmed when the premises are open to the public so that staffs are immediately notified of unauthorised opening or tampering.</p> <p>CCTV should be installed inside and outside the premises. The cameras should cover all internal areas accessible to the public and areas immediately outside the premises. The date and time settings on the system must be correct. The recordings should be in real time and on hard drive with the availability to copy disks for other agencies such as the police. Recordings should</p> |

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| <p>Crime including conflict, violence or aggression in</p> | <p>be kept for a minimum period of 28 days. Staff should be trained in the maintenance and operation of such systems with a record kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority. A trained member of staff should be on duty to operate the system whenever the premises are open.</p> <p>External lighting provides an obvious means of crime deterrence. Care should be taken so that lighting does not impact on neighbours.</p> <p>Door staff and/or stewards should be employed at the venue to supervise admissions and customers inside the venue.</p> <p>Any person performing the role of a door supervisor must be licensed with the Security Industry Authority (SIA) and SIA badges must be clearly displayed whilst working</p> <p>Door staff should be easily identifiable by wearing a uniform, high visibility jackets or arm bands.</p> <p>Door staff should sign into a register detailing their full SIA licence number, their name, contact details and the time and date their duty commenced and concluded.</p> <p>Stewards and other staff at the premises should also be easily identifiable. Stewards must not be used for supervision of the door.</p> <p>Daily staff briefing and debriefing will enable licensees to improve working practices in their premises.</p> <p>Briefings can be informal but any problems identified and remedial action taken should be recorded with records kept in the main office.</p> <p>Proper management of the door will depend on the size and type of venue. The number of door supervisors should be determined by a risk assessment taking into account the size of</p> |
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| <p>and around the premises</p> | <p>venue and the type of crowd the entertainment is likely to attract, but at the very least on a ratio of 1 door supervisor per 100 customers.</p> <p>Consideration should be given to a sufficient provision of male and female door supervisors, but at least one female door supervisor should be used.</p> <p>Door admissions policy including any age restrictions, expected dress standards or the screening of hand bags should be widely publicised on any promotional material or website and clearly displayed at the entrance to the premises.</p> <p>Ejecting or refusing entry to persons from the premises if they do not meet your admissions standards or they are known to be violent or aggressive. In such cases, an entry should be made in an incident or log book.</p> <p>Policy to manage capacity should be adopted to prevent overcrowding and patrons possibly becoming aggressive through accidental jostling.</p> <p>Consideration should be given to deliberately running below capacity to afford a comfort factor to your patrons and avoid conflict, violence or aggression within the premises.</p> <p>Alternatives to glass drinking vessels should be considered to prevent glassware being used as an assault weapon, particularly during promoted events or sporting events.</p> <p>Where alternatives are not used, there should be a robust glass collection policy in place. This should include regular collection of glassware by staff and prevention of glassware being removed from the premises.</p> <p>Staff training in conflict management should be provided to give them the knowledge and confidence to deal with difficult situations and reduce crime and disorder at the premises. Training should also cover dealing with, logging and reporting incidents if they occur.</p> |
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| <p>Drugs and weapons being brought into the premises</p> | <p>Records should be kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p> <p>Sharing of information with others in the industry. Regular meetings, the use of local radio networks or membership of a local pub/club watch scheme will enable information to be passed on about trouble makers and common problems in the area.</p> <p>A zero tolerance policy to the use of drugs and carrying of weapons in the premises should be adopted with a clear “no search no entry” message.</p> <p>Posters can be displayed throughout the premises to remind customers of zero tolerance policy especially in the toilet areas of the premises.</p> <p>Effective search policies will minimise the opportunity for drugs and weapons to be brought into licensed premises and lead to drug and weapon seizure if attempts are made.</p> <p>Search policies should be formulated in consultation with Gwent Police, currently the police have formulated such a policy.</p> <p>Searches should always be carried out in public areas and covered by CCTV.</p> <p>All staff must be trained on search policies with a record kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p> <p>Calling the police if customers are suspected of being in possession of drugs or weapons. All staff must be made aware of this requirement.</p> <p>Seizing, retaining and documenting any drugs or weapons found with a clear audit trail and a process for surrendering them to the Police. Currently Gwent Police has a written procedure)</p> <p>Supervising toilet areas can be effective in discouraging drug</p> |
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| <p>Disorder from Customers queuing to enter the premises or when leaving the premises</p> | <p>selling or use. Toilet attendant may be appropriate for promoted events or on busy nights such as Friday and Saturday.</p> <p>Security or staff should can check the toilet areas every 30 to 60 minutes or so and this should be recorded.</p> <p>Removal of flat surfaces in toilet areas can reduce the likelihood of drug misuse.</p> <p>Drug awareness training should be provided for all staff. A record should be kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p> <p>Reduce the potential for excessive queue lines with a well-managed and efficient door policy. Long queuing times can cause people to become agitated or aggressive. Searches should therefore be conducted as quickly and effectively as possible.</p> <p>A customer dispersal policy can minimise the potential for disorder from customers leaving the premises. A policy should clearly set out measures to avoid a mass exit at the end of the evening such as a gradual change in music style and increasing lighting levels.</p> <p>Sufficient staff should be available at the end of the evening to manage a controlled shut down of the premises and maintain good order as customers leave.</p> <p>Staff training in preventing disorder should be provided to give them the knowledge and confidence to deal with difficult situations. Records should be kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p> |
| <p>Customers getting drunk and dealing with drunken</p> | <p>Drinks promotions should be socially responsible and not encourage excessive drinking. A documented policy on responsible drinks promotions should be in place at the premises and should adhere to industry codes such as those</p> |

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| <p>customers</p> | <p>recommended by the British Beer and Pub Association (BBPA) and The Portman Group. This is in addition to adherence with the mandatory licensing condition regarding irresponsible promotions.</p> <p>Staff training on the effects of alcohol and how to spot early signs of customers becoming drunk should be provided to give them the knowledge and confidence to deal with drunken patrons.</p> <p>Staff should be aware of their responsibilities under the Licensing Act 2003 and be able to recognise appropriate 'cut off' points for serving drunken customers, so as to reduce the likelihood of fights or aggressive behaviour.</p> <p>Duty of care policy regarding persons suffering adversely from the effects of drink should be in place at the premises. The policy should clearly express that every effort will be made by staff to prevent patrons from deteriorating to an uncontrolled intoxicated extent. All staff must be briefed on the policy.</p> <p>Drink-aware posters can be displayed in the premises to remind customers of the unit content in alcoholic drinks and the safe alcohol consumption limits.</p> |
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Public Safety

This section provides guidance on good practice for the promotion of public safety at licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the promotion and management of public safety at their premises after a licence has been granted.

The carrying on of licensable activities in particular the provision of alcohol and some types of entertainment can increase risks to the safety of the public (including performers) attending licensed premises. It is therefore recommended that applicants and licensees take a proactive approach to protecting and managing public safety at their premises.

All applications for new licences and variations should address the steps proposed to promote public safety and this is best achieved through a premises risk assessment.

For new premises or the refurbishment of existing premises, preventative measures should be factored in during the planning and design stage. Consideration should be given to the design and layout of the premises to achieve the highest possible standard of safety.

Licence holders should have clear documented policies and procedures in place which identify all public safety risks associated with their premises and measures implemented to prevent, manage and respond to those risks.

| Risk | Good practice measure |
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| <p>General safety of Staff and customers.</p> | <p>Full risk assessment taking into account public safety should be carried out at the premises to identify potential hazards posed to staff or customers and setting out precautions to manage the hazards.</p> <p>Templates can be found on the Health and Safety Executive website and on the Communities and Local Government website. A risk assessment should be regularly reviewed at least every 12 months. All staff should be made aware of the risk assessment and precautionary measures therein. A copy of the risk assessment should be kept at the premises and made available for inspection.</p> <p>Recognised qualification in first aid should be held by at least one member of staff who should be on duty at all times the premises licence is in use.</p> <p>First aid room or quiet room should be made available to anyone requiring medical attention.</p> <p>Temperature levels and humidity in venues should be controlled for the comfort and safety of customers. An environment that is too hot or too cold can make customers irritable. In larger venue where people are dancing air condition can be used to ensure people overheat.</p> |
| <p>Overcrowding</p> | <p>A policy to manage the capacity should be adopted to prevent overcrowding and localised overcrowding.</p> <p>(b) The use of electronic clocking systems, clickers, ticket sales or</p> |

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| <p>Accumulation and disposal of glasses/drinking vessels</p> | <p>head counts may be appropriate.</p> <p>(c) Consideration should be given to deliberately running below capacity to afford a comfort factor to your patrons.</p> <p>A glass collection policy should include provisions for regular collection of glassware by staff and the prevention of glassware from being taken into external areas. Glassware should not be allowed to accumulate or cause obstruction.</p> <p>Perimeter checks should be made outside the premises for any glasses or bottles. All staff must be made aware of the glass collection policy and their responsibility for the task.</p> <p>Spillages and broken glass should be cleaned up immediately to prevent floors from becoming slippery and unsafe.</p> <p>The use of plastic or polycarbonate glasses are recommended where there is provision of dancing.</p> |
| <p>Drug use or drink Spiking.</p> | <p>A zero tolerance policy to the use of drugs in the premises should be adopted.</p> <p>Posters can be displayed throughout the premises to remind customers of the zero tolerance policy.</p> <p>Refusing entry to anyone who appears to be showing signs of drug use and contacting the emergency services in appropriate circumstances. In such cases, an entry should be made in an incident log book.</p> <p>A duty of care policy regarding persons suffering adversely from the effects of drugs should be in place at the premises. The policy should include drug awareness training for all staff so that they can recognise the effects of controlled drugs and provide medical attention where necessary. All staff must be briefed on the policy. A record should be kept of the date and name of person trained.</p> <p>Prevent the possibility of drink spiking by offering various anti drink spiking products to customers.</p> <p>If a customer suspects that their drink has been spiked, you should report it to the police immediately. A process for this</p> |

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| <p>Safety of customers when leaving the premises</p> | <p>should be clearly set out in your duty of care policy.</p> <p>'Chill out' area should be provided. This should be cooler and quieter than rest of venue.</p> <p>First Aid Room may also be made available.</p> <p>A 'chill out' or wind down period at the end of an evening can allow a slow dispersal from the premises allowing door staff to gain a handle on problem individuals, preventing arguing over taxis or congregation at takeaways and clashes with groups from other venues.</p> <p>Provision of food and non-alcoholic drinks during a chill out period can be effective in allowing customers to sober up before leaving the premises.</p> <p>Increased lighting inside the premises should be considered towards the end of an evening to affect the alertness of customers before they leave the premises.</p> <p>Increased external lighting particularly in car parks under the direct control of the licence holder will provide added safety for customers as they leave the premises.</p> <p>Care should be taken so that lighting does not impact on neighbours, particularly in and close to established residential areas.</p> |
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Prevention of public nuisance

This section provides guidance on good practice for the prevention and management of public nuisance from licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the prevention and management of noise and other public nuisance issues from their premises after a licence has been granted.

Excessive noise and nuisance from licensed premises is a major concern for persons living or working in the area. It is therefore recommended that applicants and licensees take a proactive approach to preventing and managing public nuisance from their premises.

All applications for new licences and variations should address the steps proposed to prevent public nuisance. Where entertainment or other potentially noisy activity is planned, a noise assessment should be carried out. For some premises, the assessment will need to be carried out by a suitably qualified consultant.

For new premises or the refurbishment of existing premises, preventative measures should be factored in during the planning and design stage. Consideration should be given to the structure and layout of the premises and equipment both internally and externally, to ensure that the premises are fit for purpose. Sound attenuation measures can include wall linings, acoustic curtains and acoustic treatment to mechanical ventilation or air conditioning systems. Consideration should also be given to historical noise problems at the premises with measures put in place to prevent them from recurring.

Licence holders should have clear documented policies and procedures in place which identify all public nuisance risks associated with their premises and measures implemented to prevent, manage and respond to those risks. Licence holders should also engage with local residents and businesses on a regular basis to ensure that they are being good neighbours and dealing with problems as they arise.

| Risk | Good Practice measure |
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| Entertainment and Patrons noise. | <p>A noise management policy should be in place that sets out sound attenuation measures to prevent or control music, singing and speech noise breakout from the premises.</p> <p>The policy should be based on the findings of an acoustic consultant's assessment.</p> <p>All staff should be trained on the content of the policy to ensure a commitment to good noise management. A record should be kept of the date and name of person trained and made available for inspection by the licensing authority or environmental health responsible authority.</p> <p>DJs, event promoters or other entertainment providers should be made aware of the policy in advance of any performance.</p> <p>Windows and doors should be kept closed whilst the premises licence is in use to prevent noise breakout. Ventilation should be provided by mechanical means. Windows should be sound insulated. Emergency exits should be sealed acoustic doors. A</p> |

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| | <p>lobbied area should be provided at the entrance and exit to the premises. Doors should be fitted with self-closing devices.</p> <p>Sound limiting device should be installed, set and sealed at a level approved by an acoustic consultant. The sound limiting device should be used at all times that relevant regulated entertainment is taking place, including all externally promoted events. Only the premises licence holder or a nominated deputy and the designated premises supervisor should have access to the sound limiting device.</p> <p>Locate entertainment facilities such as DJ booth, stage and loud speakers away from doors and windows. Rubber speaker mounts can be used to minimise structure borne noise.</p> <p>Methods for monitoring noise should be included in a noise policy. Methods could range from simple perimeter checks and listening tests by the licence holder/staff to a detailed measurement taken by a qualified consultant using sound measuring equipment.</p> <p>Noise monitoring should actively be carried out on a regular basis and in particular when a new form of entertainment is introduced at the premises, when alterations are made to the premises or when a complaint is made directly to the venue.</p> <p>A log book should be kept of any noise monitoring carried, the findings and any remedial action taken. The log should indicate whether it was routine noise monitoring or the result of a complaint.</p> <p>The log book should be made available for inspection by the licensing authority or environmental health responsible authority.</p> <p>A contact telephone number should be made available to local residents and businesses which they can use to report noise disturbances to a responsible person at the venue as and when they occur. The phone line should be available at all times the licence is in use.</p> <p>Reduce the potential for excessive queue lines with a well-managed and efficient door policy.</p> |
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| <p>Noise in external areas such as beer gardens or smoking areas.</p> | <p>Long queues should be avoided and any queues should be directed away from residential properties.</p> <p>Queues should be actively managed by door staff, especially later in the evening, to keep noise to a minimum. Rowdy behaviour from people queuing to get in should not be tolerated. Door staff should refuse entry to anyone behaving in an anti-social way. Restrict admittance or re-admittance to the premises.</p> <p>Customer dispersal policy can minimise noise disturbance to local residents from customers leaving the premises. A policy should clearly set out measures to avoid a mass exit at the end of the evening.</p> <p>A gradual change in music style and reduction in volume, for example quiet or mellow music towards the end of an evening and increasing lighting levels can help to reduce the potential for rowdy behaviour.</p> <p>Sufficient staff should be available at the end of the evening to manage a controlled shut down of the premises and maintain good order as customers leave.</p> <p>Display prominent notices close to the exit doors, requesting patrons to leave the premises and quickly and quietly.</p> <p>Display notices in car parks reminding patrons that they are in a residential area and to leave quickly and quietly and not to slam doors, rev engines, sound horns or play loud music.</p> <p>Make announcements at the end of an evening, requesting patrons to leave the premises and area quickly and quietly.</p> <p>Provide a free taxi phone service and an internal waiting area for customers to prevent noise disturbance to neighbours.</p> <p>Steps should be taken to ensure that any taxi operators used and all their drivers are aware that they should arrive and depart as quietly as possible and should not sound their horns or leave engines idling unnecessarily.</p> <p>Display prominent signs in external areas such as beer gardens</p> |
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| <p>Noise and disturbance caused by deliveries, collections and waste disposal</p> <p>Litter and waste around the premises</p> | <p>and forecourts asking customers to keep noise to a minimum.</p> <p>Restrict the use of external areas after 11pm if premises are in a residential area.</p> <p>Door supervisors or staff should regularly monitor and manage external areas to ensure that customers are not causing a disturbance to local residents.</p> <p>Limit the number of smokers permitted outside at any one time after a certain time.</p> <p>Discourage smokers from loitering outside by not permitting them to take their drinks with them and removing external furniture after a certain time.</p> <p>Locate smoking areas away from residential premises.</p> <p>Do not permit customers to congregate on and block the public highway to passers-by.</p> <p>Commercial deliveries, collections and storage/ disposal of waste, including beer deliveries, refuse collections and storage / disposal of waste and recyclables in external areas should be restricted to normal working hours between 8am and 6pm Monday to Friday.</p> <p>Flyers should not be distributed outside the premises by the licence holder or any staff employed by the licence holder.</p> <p>If flyers are distributed they should be littered picked at the end of trading.</p> <p>Procedures should be in place for the prompt collection of street litter generated by the premises for example flyers, cigarette butts or food wrappers.</p> <p>Regular patrols of the area outside the premises should be undertaken by staff to clear any litter attributable to the premises.</p> <p>Use wall or floor mounted cigarette bins in designated smoking areas for customers.</p> |
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Protection of children from harm

This section provides guidance on good practice for the protection of children from harm at licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the protection and management of children from harm at their premises after a licence has been granted.

The carrying on of licensable activities in particular the provision of alcohol and some types of entertainment can increase risks of harm to children attending licensed premises. It is therefore recommended that applicants and licensees take a proactive approach to protecting and managing the well-being of children at their premises.

All applications for new licences and variations should address the steps proposed to protect children from harm and this is best achieved through a premises risk assessment.

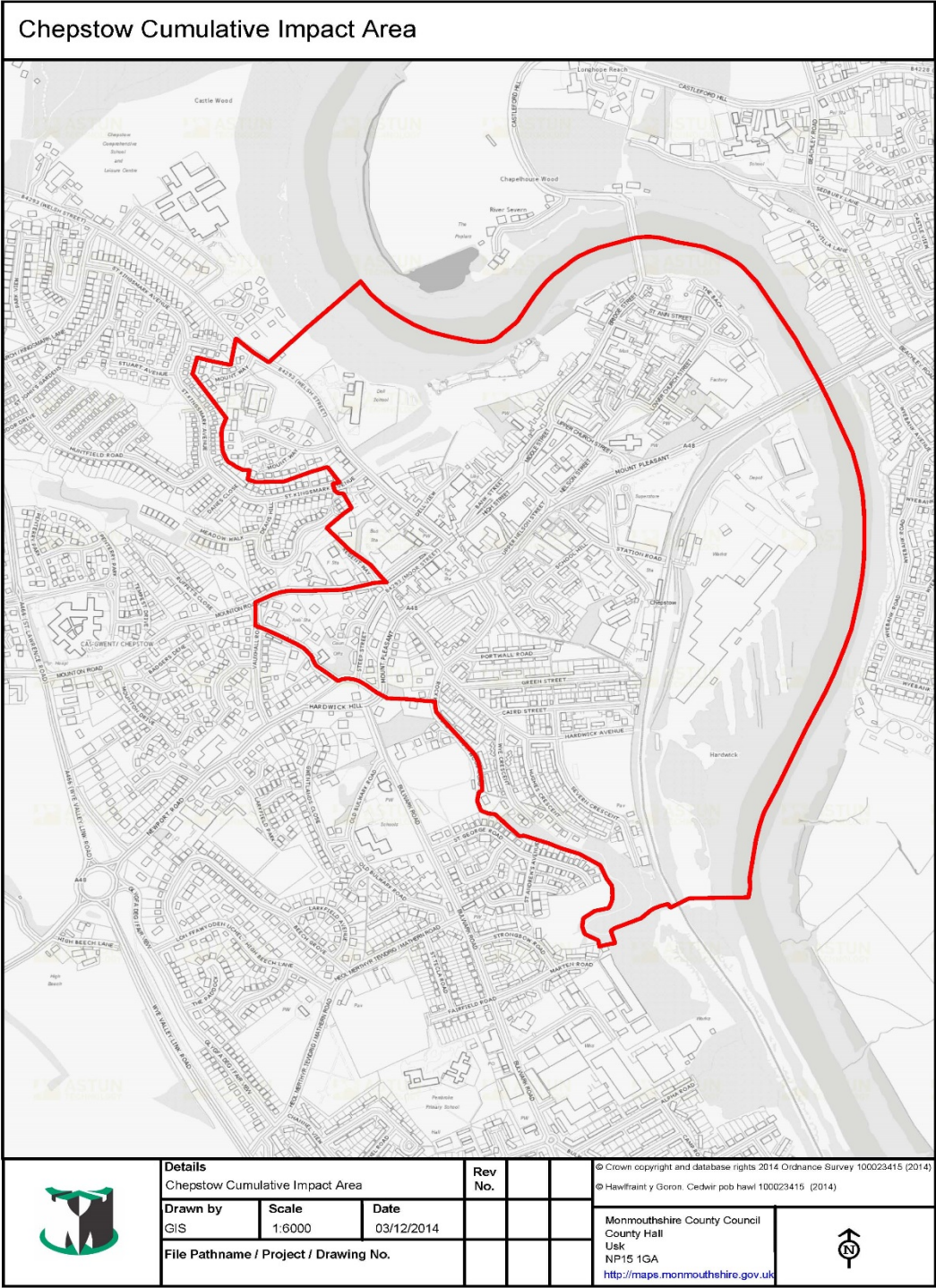
Licence holders should have clear documented policies and procedures in place which identify all age restricted risks at their premises and measures implemented to prevent, manage and respond to those risks.

| Risk | Good Practice measure |
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| <p>Children accessing licensed premises</p> | <p>A documented policy setting out measures to protect children from harm should be in place at the premises. The policy should consider all activities associated with the premises including the sale of alcohol and the provision of regulated entertainment and when children should be allowed on or restricted from the premises. All staff including door staff and bar staff should be trained on the policy.</p> <p>Restrict access to children depending on the nature of the business and / or circumstances. The admission of children can be restricted up until a specified time in the evening.</p> <p>The admittance of children can only be permitted if they are accompanied by an adult.</p> |
| <p>Underage sales of alcohol</p> | <p>Operate a strict ‘No ID – No Sale’ policy. ‘Challenge 21’ scheme serves as a reminder to staff of the need to be vigilant in preventing underage sales and to customers that it is against the law for anyone under 18 to purchase alcohol.</p> |

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| <p>Access to age restricted films.</p> | <p>'Challenge 25' scheme gives staff additional support and encouragement to ask for ID from any person appearing to be under 25 years of age to prove that they are over 18.</p> <p>Only accept photographic driving licences, passports or PASS (Proof of Age Standards Scheme) cards approved as means of ID.</p> <p>Use till prompts to remind staff to ask for proof of age.</p> <p>Prominently advertise the scheme in your premises so that customers are aware, in particular, display proof of age signs at the point of sale.</p> <p>Display posters at the premises stating that it is an offence to purchase alcohol on behalf of an underage person (proxy sales).</p> <p>Keep a refusals book (or refusal button on EPOS –Electronic Point of Sale) on the premises and ensure it is completed whenever a sale is refused to a person who cannot prove they are over the age of 18.</p> <p>The book should contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused.</p> <p>The book should be made available to Police and authorised Council officers on request.</p> <p>The book should be reviewed on a regular basis to see if any patterns emerge.</p> <p>Staff training in the age related sections of the Licensing Act 2003 should be provided to all door, bar and till staff. This includes the ability to competently check customers' identification where necessary.</p> <p>A record should be kept of the date and name of person trained.</p> <p>Adequate provisions for restricting children from viewing age restricted films should be in place at the premises. Staff</p> |
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| | should be trained to check ages at point of sale and prior to entry to a screening room to ensure that admission of children to films is in accordance with the recommendations of the British Board of Film Classifications (BBFC). |
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Appendix B - Geographical Area of Cumulative Impact Policy in Chepstow



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| Details | | | Rev |
| Chepstow Cumulative Impact Area | | | No. |
| Drawn by | Scale | Date | |
| GIS | 1:6000 | 03/12/2014 | |
| File Pathname / Project / Drawing No. | | | |

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