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Tuesday, 31 May 2016

Dear Councillor

CABINET

You are requested to attend a **Cabinet** meeting to be held at **Council Chamber - Council Chamber** on **Wednesday, 8th June, 2016, at 2.00 pm.**

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. To consider the following reports (Copies attached):
 - i. **Contaminated Land Inspection Strategy** 1 - 88
Division/Wards Affected: All

Purpose: To consider the options for revising the Authority's Contaminated Land Inspection Strategy

Author: *Paul White, Specialist Environmental Health Officer, Huw Owen, Principal EHO*
Contact Details: paulwhite@monmouthshire.gov.uk;
huwowen@monmouthshire.gov.uk
 - ii. **Review of Sundry Debtors Policy** 89 - 138
Division/Wards Affected: All

Purpose: To agree the updated Sundry Debtor Policy, to ensure that the Authority continues to adopt a consistent and transparent approach to the management of its sundry debts.

Author: Ruth Donovan – Assistant Head of Finance: Revenues, Systems & Exchequer

Contact Details: ruthdonovan@monmouthshire.gov.uk
 - iii. **Revenue and Capital Monitoring 2015/16 Outturn Forecast Statement** 139 - 256
Division/Wards Affected: All

Purpose: The purpose of this report is to provide Members with

information on the forecast revenue outturn position of the Authority at the end of reporting period 4 which represents the financial outturn position for the 2015/16 financial year.

This report will also be considered by Select Committees as part of their responsibility to assess whether effective budget monitoring is taking place; monitor the extent to which budgets are spent in accordance with agreed budget and policy framework; challenge the reasonableness of projected over or underspends; monitor the achievement of predicted efficiency gains or progress in relation to savings proposals.

Author: Mark Howcroft – Assistant Head of Finance, Dave Jarrett – Senior Accountant Business Support

Contact Details: markhowcroft@monmouthshire.gov.uk

- iv. **Monmouthshire Carers Strategy** 257 -
Division/Wards Affected: All 274

Purpose: To gain the approval of Cabinet, for the publication of the Monmouthshire Carers Strategy 2016-2019.

Author: Bernard Boniface, POVA Manager

Contact Details: bernardboniface@monmouthshire.gov.uk

- v. **Volunteering Strategy** 275 -
Division/Wards Affected: All 324

Purpose: To introduce the Draft Volunteering Strategy 2016-19

Author: Owen Wilce, Programme Lead, A County That Serves

Contact Details: owenwilce@monmouthshire.gov.uk

- vi. **Capital Programme Report** 325 -
Division/Wards Affected: All 336

Purpose: To seek member approval for highway and transportation schemes as part of Welsh Government transport grants and Section 106 agreements associated with new developments throughout Monmouthshire as shown in appendix A and B.

Author: Paul Keeble, Traffic and Network Manager

Contact Details: paulkeeble@monmouthshire.gov.uk

- vii. **Section 106 Funding, Newport Road, Caldicot** 337 -
Division/Wards Affected: All 348

Purpose: To consider re-allocating up to £30,000 from the S106 Newport Road Improvement fund to the Caldicot Linkage Scheme

Author: Debra Hill-Howells, Head of Community Delivery

Contact Details: debrahill-howells@monmouthshire.gov.uk

- viii. **Hydrogen Car Trial** 349 -
Division/Wards Affected: All 366

Purpose: To approve the hosting of a twelve month trial of 20 Riversimple Hydrogen cell cars in Monmouthshire

Author: Roger Hoggins, Head of Operations; Ben Winstanley, Estates Manager

Contact Details: benwinstanley@monmouthshire.gov.uk

- ix. **Changes to the EAS business arrangements** 367 -
Division/Wards Affected: All 446

Purpose: To seek approval to formally agree the Supplemental Agreement to the Collaboration and Members Agreement (CAMA) for the Education Achievement Service (EAS) April 2016. This supplemental agreement seeks changes on the following three levels Governance; EAS operation outside of SEWC and Funding

Author: Sarah McGuinness

Contact Details: sarahmcguinness@monmouthshire.gov.uk

- x. **To exclude the press and public from the meeting during consideration of the following item of business on the grounds that they involve the likely disclosure of exempt information** 447 -
448

- xi. **Caerwent House** 449 -
Division/Wards Affected: Caerwent 464

Purpose: To update Cabinet on project progress and proposed action with regards to the Compulsory Purchase Order in relation to Caerwent House.

To seek Cabinet's endorsement of the proposed heads of terms for the legal agreement with Spittalfields Trust and of the proposed financial arrangements.

To seek Cabinet's endorsement that the Head of Planning be authorised to enter into the back-to-back agreement with Spittalfields Trust and to undertake any associated work in concluding the Compulsory Purchase Order proceedings.

Author: Amy Longford – Heritage Manager, Mark Hand – Head of Planning

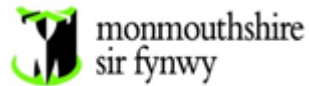
Contact Details: amylongford@monmouthshire.gov.uk

Yours sincerely,

Paul Matthews
Chief Executive

CABINET PORTFOLIOS

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



Sustainable and Resilient Communities

Outcomes we are working towards

Nobody Is Left Behind

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

People Are Confident, Capable and Involved

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

Our County Thrives

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

Our priorities

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

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.

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REPORT

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

1. PURPOSE:

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

2. RECOMMENDATIONS:

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

3. KEY ISSUES:

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

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

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

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

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

4. REASONS:

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

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

5. RESOURCE IMPLICATIONS:

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

6 Future Generations Evaluation:

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

7. CONSULTEES:

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

8. BACKGROUND PAPERS:

Nil

9. AUTHOR:

**Paul White, Specialist Environmental Health Officer
Huw Owen, Principal EHO**

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monmouthshire
sir fynwy

Public Protection

Environmental Health Department

**Monmouthshire County Council's Contaminated Land Inspection
Strategy – Progress Summary**

May 2016

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Introduction

Monmouthshire County Council's Contaminated Land Inspection Strategy was written in September 2002 to fulfil the Council's legal obligations under Part IIA of the Environmental Protection Act 1990, and the Welsh Assembly Government's Part IIA Statutory Guidance on Contaminated Land.

The Strategy details the arrangements and procedures that the council will use to inspect potentially contaminated land in the County.

The strategy details the aims and objectives of the strategy and provides timescales for achieving priority actions. It also details how the information gathered during the inspection process will be managed and what action would be taken after interpretation of the inspection results.

The 2002 Contaminated Land Inspection Strategy is available on request or on M.C.C's website:

<http://www.monmouthshire.gov.uk/home/for-businesses/advice-and-legislation/contaminated-land>

Progress with the Strategy

In September 2008 Environmental Health undertook a review into progress with the Strategy and concluded that insufficient progress had been made, with a number of timescales for achieving priority actions having been missed.

To make up this lost time an enhanced strategy was approved by Cabinet that allowed Environmental Health to significantly speed up the process by identifying all potentially contaminated land sites based on historical maps dating back to 1800's and digitally mapping all of these (approximately 2,500) onto an integrated GIS/risk assessment software program. Once mapped each of these was prioritised into six levels of risk by undertaking a Phase 1 risk assessment based on potential hazards/harm from the historical or current usages and the sensitivity of the current use. Each site had four risk assessments undertaken to assess potential risk to the four main receptors that Local Authorities have a duty to inspect under Part IIA. These are Human Health, Groundwater, Surface Water and Ecology/property.

This enabled the authority to significantly progress the Strategy by producing a prioritised list of sites to be investigated further based on the basic risk assessment.

This list was then further refined, and additional sites added that were not shown on historical mapping, for example the closed landfill sites and licensed petrol stations.

In addition the forty five highest risk sites (A priority) were subdivided into two categories, A1 (Very high risk) and A2 (High Risk), as there was a clear divide in terms of the final risk score (FRS) as nine of the sites scored 72 (now called A1) and the remaining thirty six scored between 49 and 61 (now called A2). This will enable a more targeted approach to investigation of the 9 top scoring sites.

As such the first two stages of the Contaminated Land Inspection Strategy have been completed, by identifying all (so far as possible) potential contaminated land sites, risk assessing them and prioritising them into a list for further investigation. When further sites are identified they are mapped, risk assessed and prioritised.

The next stage would be to undertake full desktop studies on each of the sites to gain a better understanding of the risk. To date one desktop study has undertaken on one of the highest risk sites currently occupied by eight to ten residential properties.

Prioritisation of Monmouthshire contaminated land sites

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

Risk Category	Category Name	FRS range	Number of sites
A1	Very High	70+	9
A2	High	49 - 69	36
B	Medium-High	36 - 48	87
C	Medium	20 - 35	264
D	Low-Medium	10 - 19	393
E	Low	0 - 9	1691

A closer analysis of the historical nature of the sites and the current land use for the 45 sites in the two High Risk band shows the following detail.

Former Land use	Current Land Use	FRS	No. of sites
Metal manufacturing: Iron and steelworks	Housing with gardens	72	5
Gas works, coke works, coal carbonisation plants	Housing with gardens	72	2
Oil refineries & bulk storage of crude oil and petroleum products	Housing with gardens	72	1
Chemical manufacturing general	Housing with gardens	72	1
Waste: Landfills and other waste treatment & disposal sites	Recreation/sports ground	61	2
Pulp and paper manufacturing works	Housing with gardens	60	4
Machinery: engines, building & general industrial [manufacture]	Housing with gardens	60	4
Textile works and dye works	Housing with gardens	60	1
Dry-cleaners	Housing with gardens	60	1
Waste: Landfills and other waste treatment & disposal sites	Grass area (public or private)	49	15
Waste: Landfills and other waste treatment & disposal sites	Woodland	49	7
Waste: Landfills and other waste treatment & disposal sites	Fields/Farm land (unspecified)	49	2
Total			45

Of the above A2 sites, there are currently seven former landfill sites still in ownership of Monmouthshire County Council, which were used between 1940's to 1980's. In 1991 and 1992 Council officers undertook gas monitoring and reported that they did not identify any gas offsite within 250m. However given the former landfill use there remains the possibility of offsite leachate and landfill gas generation and in view of this and that the records retained by the Council are not very detailed Environmental Health have taken a precautionary approach and raised them to the A2 from the B category. Currently none of the sites have sensitive receptors built on the landfill site footprint and Environmental Health is not aware of any current issues with these sites.

Further Stages in the Strategy

As mentioned above, the next stage of the existing strategy would be to:

- Undertake desktop studies to produce a conceptual model and further refine the risk assessment of the highest risk sites to attempt to further identify the hazards;
- Undertake a full intrusive site investigation. This would include carrying out a full sampling regime of soil, ground gas, groundwater, and vapour and undertaking a detailed quantitative risk assessment.
- Once completed this investigation would provide confirmation if a "contaminant linkage" exists or not.

A contamination linkage requires:-

- a contaminant – a substance which has the potential to cause significant harm to a receptor;
- a receptor - something that could be adversely affected by a contaminant; and
- a pathway - a route by which a receptor is or might be affected by a contaminant.

All three elements must exist before the land can be considered potentially to be contaminated under Part 2A of EPA 1990.

Once determined as Contaminated Land, a remediation strategy could be produced and work began to clean the site up to make it suitable for its current use. Following remediation a validation scheme would be required to ensure the remediation had the worked.

Contaminated Land Capital Fund

Between 2005 and 2011 the Welsh Government provided Capital Support to Local Authorities for the Intrusive site investigations (which aim to establish the contamination linkage), the remediation strategy and remediation.

Monmouthshire County Council had progressed its inspection Strategy to the point where funding could be applied for to undertake intrusive investigation of its highest risk site, however in April 2011 this Capital Fund was discontinued. This had a major implication for the Council as the 2008 review of the Strategy provided updated timescales to progress the inspection strategy; however these were based on the potential for resources to be obtained by bidding for money from the Capital Fund. Securing this funding would have allowed the Environmental Health Department to progress the inspection strategy by undertaking intrusive site investigation, determining Contaminated Land and then undertaking remediation of high risk contaminated sites, should the Class A person (the original polluter) not be found.

Options for Progressing the Strategy

As a result of the withdrawal of Capital Funding any further progress with the Inspection Strategy now has substantial resource implications for the Council. Without appropriate funding the Environmental Health Department cannot proactively progress the Inspection Strategy. As such a further report was presented to Cabinet in February 2012, to explain this situation, and determine how the Inspection Strategy should be progressed.

It was also noted in the report that the Government were in the process of reviewing their Contaminated Land Statutory Guidance, and as such the recommendations of the report (which were accepted by Cabinet) were to defer progress of the existing inspection strategy until a revised strategy could be developed taking account of the revised Statutory Guidance. The policy of consultation between Environmental Health and Development Control concerning developments on potentially contaminated land was also endorsed by Cabinet to ensure appropriate investigations and if necessary, remediation works, would be undertaken by the developer.

The Statutory Guidance is now available and in addition the results of a study by Welsh Government and the Welsh Contaminated Land Working Group into a review of contaminated land in Wales. This is therefore an appropriate time for Monmouthshire County Council to review the 2002 Contaminated Land Inspection Strategy, and if necessary write a revised strategy.

Revised Statutory Guidance

The Government undertook an Impact Assessment on the simplification and shortening of the Guidance, it was concluded that the original Guidance had major flaws that "undermined the effectiveness of the regime and created considerable regulatory uncertainty". As a result revised Statutory Guidance was issued in April 2012.

In particular, the Guidance failed to adequately explain how a local authority should decide whether land is contaminated. Other areas of concern were that the determination that a site is low risk took too long; that higher-risk sites were not targeted sufficiently; and that some local authorities set the standard for remediation too high, resulting in the under-use of brownfield sites.

The contaminated land regime was therefore causing results that were inconsistent with the Government policy to "ensure brownfield land is developed first [...] reducing the need for development of greenfield land."

The new guidance goes some way to remedy these issues. It clarifies for example that where normal levels of contaminants are found in soil this "should not be considered to cause land to qualify as contaminated land" and that land should be considered no further under the Part 2A regime. This clarification should reduce the unnecessary time spent by local authorities investigating small amounts of contamination and should also "reduce potential blight on land with only normal levels of contamination".

The Guidance sets out a four-category framework for deciding whether land is contaminated, where Category 1 land is the most contaminated and Category 4 land is uncontaminated.

The contaminated land risk assessment/prioritisation software that Environmental Health have, is capable of reclassifying the sites from A-E into the new Category 1-4 system, however to do so would require sampling of sites to determine actual levels of contaminants present (i.e. an intrusive site investigation). If this was undertaken all sites defined as Category 4 could be considered not contaminated. To date the government have produced Category 4 screening Levels (C4SL's) for 6 contaminants. If samples were taken they could be compared to these C4SL's. If levels were below the C4SL's then the site could be considered not contaminated for those 6 contaminants.

Local Authority Inspection Duties

The Local authorities' legal duties under Part 2A remain the same as they were originally written, that is to:-

- Cause its area to be inspected from time to time for the purpose of identifying contaminated land; and
- In performing these functions to act in accordance with statutory guidance.

The Statutory Guidance gives guidance that there are generally two types of inspection:-

- Strategic inspection, for example collecting information to make a broad assessment of land and then identifying priority land for more detailed consideration; and
- Carrying out the detailed inspection of particular land to obtain information on ground conditions and carrying out the risk assessments which support decisions under the Part 2A regime relevant to that land.

Updating the Inspection Strategy

Monmouthshire County Councils' original Contaminated Land Inspection Strategy laid out the strategic approach to carrying out its inspection duty. The council reviewed the Strategy in 2008 and provided updated timescales and a series of required actions to ensure all land in its area had been identified (as far as possible) and prioritised ready for undertaking the detailed inspections.

With the publication of the new Statutory Guidance and the withdrawal of the Capital Funding (which the 2008 review relied upon to progress the inspection strategy into carrying out the detailed inspections) the Strategy should now be reviewed and updated. This is stipulated in the April 2012 Statutory Guidance "Strategies produced in accordance with previous versions of this Guidance should be updated or replaced to reflect this Guidance".

When the Strategy is updated the Statutory Guidance states that the strategy should include:-

- (a) Its aims, objectives and priorities, taking into account the characteristics of its area.
- (b) A description of relevant aspects of its area.
- (c) Its approach to strategic inspection of its area or parts of it.
- (d) Its approach to the prioritisation of detailed inspection and remediation activity.
- (e) How its approach under Part 2A fits with its broader approach to dealing with land contamination. For example, its broader approach may include using the planning system to ensure land is made suitable for use when it is redeveloped; and/or encouraging polluters/owners of land affected by contamination to deal with problems without the need for Part 2A to be used directly; and/or encouraging problematic land to be dealt with as part of wider regeneration work.
- (f) Broadly, how the authority will seek to minimise unnecessary burdens on the taxpayer, businesses and individuals; for example by encouraging voluntary action to deal with land contamination issues as far as it considers reasonable and practicable.

Before the strategy can be updated the costs associated with paragraph (d) above (detailed inspection and remediation activity) need to be considered. Even if a Class A person (original polluter) was identified, and M.C.C. was successful in proving liability and requiring that person to undertake Remediation, the legislation/Statutory Guidance does not make provision for the local authority to recover the potentially high cost of the initial site investigation.

Therefore options need to be considered by Cabinet for their approval of the most appropriate.

Options

Four options are presented below as A-D.

Option A: Keep under review & work within the planning regime.

This is the option that has been followed since the 2012 Cabinet Report where Environmental Health would not progress detailed inspections of the 2,500 sites, unless they are re-developed through the planning regime.

The revised Statutory Guidance places an emphasis on local authorities dealing with land contamination, where ever possible, through the planning regime. In Monmouthshire, Environmental Health work closely with the Planning Authorities (Monmouthshire County Council and Brecon Beacons National Park) to ensure that the contamination legacy of a site is appropriately addressed at the planning stage to make sure the site is fit for the proposed end use. In this way new Contaminated Land sites (requiring action under Part IIa of EPA) are not created and redeveloped sites are investigated and remediated, thereby ensuring public health is safeguarded.

Should a planning application involving the development of a sensitive receptor (e.g. housing, schools etc.) and be located on or near potential contaminated land, the Planning Authority specifically consult with Environmental Health.

The Specialist Environmental Health Officer will then review all available evidence to determine if there is a potential risk for the development and if so recommend planning conditions be attached involving site investigation and (if necessary) remediation and validation. The Environmental Health Officer will then review all submitted site investigations, risk assessments, statistical analysis, laboratory reports, and remediation and validation reports and provide advice on the discharge of conditions or require further work to be undertaken. In this way a more robust system is now in place to prevent development and re-development on land likely to give risk to harm and prevent future Contaminated Land (i.e. land with a source, pathway and receptor linkage).

Since 2012 Environmental Health has consulted on 91 planning applications for developments on or near potential contaminated land, therefore sites are being considered and where appropriate detailed inspections and remediation undertaken (by the developers). However it is possible that by limiting its approach to this the Council could be open to challenge that its "approach to prioritisation of detailed inspection and remediation activity" is not sufficient and that it is not "inspecting from time to time for the purpose of identifying contaminated land" i.e. by proactively undertaking detailed inspections to determine a contaminate linkage.

Option B: Limited Intrusive Site Investigation

Currently one of the 45 High risk sites has been progressed to the third stage of the Strategy and been subjected to a desktop investigation. It was identified that a potential risk does exist, therefore the next step would involve the afore mentioned limited site investigation. This would include site

visits by an Environmental Health Officer and obtaining hand dug soil samples which would be sent to an independent laboratory for analysis.

It would not be possible to undertake a full "detailed inspection" as heavy machinery and specialist equipment is required for deep soil sampling, groundwater monitoring, and to undertake a ground gas/vapour monitoring regime. A detailed inspection is presented as Option C.

Should a contaminant linkage be identified from the hand dug soil samples, further risk assessments would be required to determine if the levels of the contaminants are high enough to satisfy SPOSH (Significant Possibility of Significant Harm). These are known as Detail Quantitative Risk Assessments and require the use of specialised risk assessment software.

Should no contaminants be found, or if it can be shown that SPOSH is not met, and a statistically representative number of samples/monitoring locations were taken/used, the site could be re-risk rated and would be lowered down the prioritisation list. It is unlikely that the site could be considered "not contaminated" however, due to the unavailability of gas, and water sampling and deeper soil samples.

The cost is estimated to be approximately £150 per soil sample analysed to cover the range of potential contaminants associated with the site. The number of samples that would be required could vary depending on how robust the sampling strategy is designed to be. Possible options could range from taking one sample through to designing a strategy that enabled a statistically representative number of samples to be taken.

If the limiting factor is cost a sampling strategy would have to be designed to determining the number and pattern of sampling locations that enabled the least amount of samples to be taken, whilst still providing the required degree of confidence that all hazards have been identified.

As the receptors (houses with gardens) are sensitive and the potential contaminants represent a high hazard, a high degree of confidence is needed in the outcome of the sampling. In addition the nature of the former land use means that the site would probably have heterogeneous contamination; therefore a limited number of samples might not give a true representation of either the type of contamination present or its levels.

While initial sample costs for one limited site investigation may amount to a few thousand pounds, should contamination be identified a full site investigation is likely to be required (See Option C) with costs increasing significantly.

Should this option be progressed, residents would have to be made aware at the outset, thereby potentially causing concern over health and property depreciation/blight. Therefore if begun, it would be vital that a clear route through to full remediation and validation be identified, and funds put in place from the outset.

Option C: Undertake a full detailed site inspection in accordance with BS 10175:2011

BS 10175:2011 is the British Standard and Code of Practice for the investigation of potentially contaminated sites.

When the Capital Fund was available Local Authorities would have been required to fund the cost of Option B themselves and provide the results as evidence within the bidding process to demonstrate risk to health. If successful in the application the fund could then be used to undertake a detailed inspection

A full Site investigation would require installing boreholes and monitoring wells to significant depth and therefore would have to be undertaken by an external company (e.g. contaminated land consultancy). A statistically representative number of samples would be taken from a number of depths at each location and both groundwater and gas/vapour would be monitored.

A Detailed Quantitative Risk Assessment would be produced along with a remediation proposal identifying possible remediation measures. The cost of this is likely to be in the tens of thousands of pounds for one site investigation alone. However a much higher degree of confidence could be placed in the results than from a limited investigation.

Should a contaminate linkage be identified that resulted in the site being Declared Contaminated Land under the legislation, all the properties would be placed on the Public Register and a plan for remediation of the site would be required. This could put a significant financial burden on either the Council or the property owners as well as potentially causing land blight, depreciation of property value and anxiety (and possibly associated health conditions). Typical cost for remediation is

approximately £250,000 per hectare, but is very site specific (i.e. level and type of contamination, accessibility to the site, number of pathways etc.).

Under Part 2A there are generally two classes of person responsible for remediation. Class A is the original polluter and Class B is the current owner. Unfortunately there may be a number of Class A persons if the land has had a number of uses and determining liabilities can become legally complex. In addition it is likely that the original polluter no longer exists as an entity. If the Class B person is a home owner requiring them to remediate could present them with very significant financial burdens. Monmouthshire County Council could choose to take the remediation cost on themselves even if they are not the Class A and/or Class B person.

Undertaking one site investigation and remediation would only address one out of nine Very High (A1) risk sites and thirty six High (A2) Risk sites. Therefore should the resources be found to fully investigate and (if necessary) remediate one site; consideration must be made for how the remaining forty three sites are progressed, but at least some progress would have been made through the inspection strategy.

Option D: Undertake further desktop studies

Further desktop studies can be undertaken for the remaining eight A1 and then the thirty six A2 site to further refine the prioritisation list. This might obtain a better spread of risk over the 45 sites, to ensure that any intrusive investigation undertaken in the future is targeted at the highest risk sites first. It might also allow some of the sites to have their risk rating lowered.

An Environmental Health Officer could progress the desktop studies, however there would be little time to commit to the work, therefore the investigation would be progressed slowly, unless it is determined that the work should take priority over other Environmental Health functions (all of which the council has a legal obligation to undertake). A typical desktop study could be completed in approximately two weeks if undertaken on a full time basis. If fitted in around current workloads it would be unlikely that any more than one study per year could be completed.

Alternatively an additional member of staff to undertake the desk top studies, either full time or part time for quicker progress (i.e. one every two weeks if full time).

Clearly this approach would be contributing to the progression of the Inspection Strategy, however the detailed inspections would not be undertaken. In addition the more evidence available that a site is likely to be causing significant harm or Significant Possibility of Significant Harm (SPOSH), the greater is the weight of responsibility from a public health perspective to further investigate the site. A desktop study, whilst helping improve the knowledge about a site, cannot necessarily prove or disprove harm or SPOSH. As information held about the site is subject to public scrutiny, it is possible that Desktop Studies would increase potential for land blight without being able to provide any firm evidence (i.e. soil/water analysis) to actually confirm if the site is Contaminated or not.

In addition there is an inevitable outcome of completing all high risk desktop studies, in that at some point option B and C will have to be considered again.

Contaminated Land Regime in Wales

Prior to preparing this report for consideration of the above options and revising the Inspection Strategy, it was considered prudent to determine what other local authorities in Wales were doing.

In 2014 a report was commissioned by DEFRA which examined the contaminated land sector in Wales since the withdrawal of the Capital Fund in 2011. In summary the report determined that:-

- Land contamination in Wales is mainly dealt with through planning application (92% of the sites). Around 4% of contaminated sites are dealt with under Part 2A and similarly under voluntary action.
- All local authorities have produced and published their inspection strategy for contaminated land. Eleven local authorities published the most recent version of their strategy pre-2007 and seven published their strategy post 2007.
- The majority of the local authorities (61%) have not changed their priorities within their inspection strategy since it was first drafted. For those that changed their priorities, the main reason invoked was the move towards a greater emphasis via the planning system.
- Seventeen local authorities have established a list of potentially contaminated sites
- By end of December 2013, half of the local authorities reported that they are behind target towards achieving the objectives of their inspection strategy.
- Between 1st April 2001 and 31st December 2013, 788 potentially contaminated sites have had a detailed inspection. The detailed inspections have been funded by central funding (90%) and local authority funding (10%).

- By the end of December 2013, 45 sites had been determined as contaminated land under Part 2A, including 2 designated Special Sites. Of the 43 (non-special) contaminated land sites, local authorities reported that 34 have been completely remediated.
- Twenty-eight (28) sites have been fully remediated by the local authorities and the estimated cost is in the region of £1.9 million. Two Special Sites have been fully remediated at a cost of around £1.2 million.
- Site remediation has been mainly paid for by the Contaminated Land Capital Grants Scheme (74%) prior to its withdrawal, and via other public funding (e.g. local authority funding because no liable party was found).
- No Local Authority has determined a site as Contaminated Land since 1st April 2012

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MONMOUTHSHIRE COUNTY COUNCIL

Environment Directorate

Community Protection Section

Contaminated
Land
Inspection
Strategy

September, 2002

18th September, 2002

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This Contaminated Land Inspection Strategy has been prepared by Monmouthshire County Council to fulfil its legal obligations under Part IIA, Environmental Protection Act 1990. It details the arrangements and procedures that the Council will use to inspect potentially contaminated land in the County.

The document, currently in draft form, details the overall aims and objectives of the strategy and provides timescales for achieving priority actions. It also provides for review of the document. The Strategy lays out how the information, gathered during the inspection process, will be managed and what action, if any, would be taken after interpretation of the inspection results. It also provides for liaison with other organisations and communication with the wider community in order to achieve its aims.

In accordance with The Welsh Assembly Government (W.A.G.) guidance it is the Council's intention to take a rational, ordered and efficient approach to the inspection.

A five-year programme of inspection will be undertaken, running from September, 2002 to April, 2007. An inspection programme based on population-density is proposed, with the largest towns being inspected first, followed by the smaller towns and villages. Priority will be given to inspecting land owned by the Council and land scheduled for development. Controlled waters and protected areas of the environment will also be examined and a final prioritisation exercise undertaken to establish the order in which sites found during the inspection process should be remediated.

It is recognised that some sites may be identified outside this general approach to inspection that will require urgent attention. These sites will be dealt with as they arise. The Council will support parties wishing to undertake voluntary remediation and will encourage re-use of brownfield land for development in preference to Greenfield development.

The County Council is the lead regulator on contaminated land but, wherever necessary, the Council will work in partnership with other organisations particularly the Environment Agency. Detailed consultation will be undertaken with Community Councils, the Brecon Beacons National Park (B.B.N.P.) and all statutory consultees. Details are provided of contacts at the County Council who are dealing with the inspection strategy.

The legislation and statutory guidance set clear criteria that must be met before land can be formally designated as contaminated land. The Council must also maintain a public register that must contain certain information.

It is important to note that:

- This document is an inspection strategy to ascertain whether any contaminated land, as defined by the legislation, is to be found in the County and is not a report on the present level, if any, of such land, and
- Within this document the term "contaminated land" means land which has been defined as contaminated land in accordance with the definition contained in Section 78A(2) of the Environmental Protection Act 1990. It does not mean land that might have been considered to be contaminated under any previously held understanding of the term nor necessarily land on which a potentially contaminating process has taken place.

This Contaminated Land Inspection Strategy (usually referred to as the Strategy in this document) has been prepared by Monmouthshire County Council (the Council) to fulfil its obligation under Part IIA of the Environmental Protection Act 1990 (E.P.A. 1990). This requirement came into force on 1st July, 2001 under provisions of the Contaminated Land Regulations (Wales) 2001 (the Regulations).

The Council's approach to dealing with any contaminated land in the County emphasises the need to be open and accountable for its actions. The document was first published as a draft for consultation in July, 2002 and copies circulated to those persons and organisations listed in Appendix III and IV. The responses received from this consultation exercise resulted in the Strategy being amended.

The Strategy details how the inspection of land in the County will be undertaken. The information received as a result of the inspection process will have to be managed and interpreted to ensure appropriate action, if any, is taken under the terms of Part IIA.

It is important to note that this is not a report on the state of contaminated land in Monmouthshire but deals with the strategy to inspect for such land as defined in the Regulations.

Appendix III set out the enforcement policy of the Environmental Health Section. Section 78P (2) of the Act requires that the County Council not only take into account the statutory guidance issued by the Assembly on matters of enforcement but also any hardship which the recovery of costs may cause to a person from whom the cost is recoverable.

Land contamination should be considered more generally in the wider context of Monmouthshire County Council's declared policies and objectives as well as published plans relevant to this topic. Prevention of further contamination is also an important factor in this Strategy.

Public access to information on contaminated land will be secured by provision of a Public Register (paragraph 5.11 refers) and through the consultation procedure carried out in the publication of this Strategy.

A critical aspect of consultation is the involvement of community groups and businesses and details are given in Appendix IV of non-statutory consultees.

1.1 Statutory Guidance and Technical Advice on Contaminated Land

Statutory Guidance (the Guidance) was issued in November 2001 to the Councils in Wales by The Welsh Assembly Government (W.A.G.) in relation to implementation of Part IIA of the E.P.A. 1990 concerning:

The Definition of Contaminated Land - Chapter 1 sets out guidance issued under Section 78A(2) and (5);

The Identification of Contaminated Land - Chapter 2 sets out guidance issued under Section 78B(2);

The Remediation of Contaminated Land - Chapter 3 sets out guidance issued under Section 78E(5);

Exclusion from, and Apportionment of, Liability for Remediation - Chapter 4 sets out guidance issued under Section 78F(6) and (7); and

The Recovery of the Costs of Remediation - Chapter 5 sets out guidance issued under Section 78P(2).

In May, 2001 a local authority guide to councils in England was issued jointly by the previous D.E.T.R. [now D.E.F.R.A.] and the Environment Agency entitled Contaminated Land Inspection Strategies, Technical Advice for Local Authorities.

The guide set out a procedure for the formulation of inspection strategies, and was intended to assist local authorities in fulfilling their statutory obligations and complying with the underlying principles of the Part IIA regime. It was not intended to be mandatory, but provided advice to local authorities on good practice in developing and writing an inspection strategy.

The W.A.G. has suggested that local authorities in Wales utilise the document in writing their Contaminated Land Inspection Strategies. This advice has been followed in compiling Monmouthshire County Council's Strategy.

1.2 Monmouthshire County Council Corporate Aims and Key Objectives

The Strategy should be considered in the context of the County Council's Improvement Plan for 2002 - 2003.

The Plan lists the Council's aims and values. One of the Key Corporate aims is "to ensure that people and communities enjoy a good quality of life, now and in the future by protecting, maintaining and using responsibly the natural assets and resources of the area". The aim goes on to state "we will work with others to help create a clean, green and sustainable environment in Monmouthshire".

One of the key values that should run through everything the Council does is the need to promote sustainable development. These Corporate aims and values are promoted by the production and implementation of a Contaminated Land Strategy.

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1.3 Monmouthshire County Council Local Agenda 21 Strategy

As stated above Monmouthshire County Council has sustainable development as one of its core values which should underpin everything we do as a local authority. To help achieve this goal, the first version of Monmouthshire's Local Agenda 21 Strategy was published in

2000, and following consultation with people who live in the County the final version was published in March, 2002. This local action plan sets out how we are going to work towards a more sustainable future for Monmouthshire.

One of the 13 themes is Pollution, and the vision for this theme is as follows:

"Local, national and global pollution is limited to a level which the natural environment can cope with, without damage. Air, soil, water and noise pollution are all decreased, resulting in a cleaner, healthier environment for everyone."

The Council's Contaminated Land Inspection Strategy will play a vital role in working towards this vision.

1.4 Regulation of Contaminated Land

Contaminated land regulation has been under development since the early 1990's. Consultations on a 1993 White Paper : "Paying for our Past" resulted in Part IIA being inserted into the E.P.A. 1990. This amendment introduced a new regulatory regime and the requirement for Councils to produce a contaminated land inspection strategy.

1.5 The Role of Monmouthshire County Council

The prime regulatory role for contaminated land rests with local authorities and complements existing functions under statutory nuisance powers and their role as a planning authority.

The Council has a duty:

- (a) to cause its area to be inspected to identify contaminated land,
- (b) to determine whether any particular site meets the statutory definition of contaminated land,
- (c) to act as enforcing authority for all contaminated land unless the site meets the definition of a "special site" (see paragraph 1.6 below and Appendix 1).

1.6 The Role of the Environment Agency (E.A.)

The E.A. will make an important contribution to the inspection of land in the following manner:

- (a) the provision of information,

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- (b) provision of specific advice where it has particular expertise (i.e. in relation to the pollution of controlled waters, rather than general contaminated land issues), and
- (c) inspection of land on behalf of the County Council, which if determined as contaminated land is anticipated to be designated as a Special Site (i.e. a potential Special Site).

It is important to note that the E.A. does not identify contaminated land sites. This is the role of Monmouthshire County Council.

The E.A. will however act as the enforcing authority for any contaminated land designated as a Special Site and will publish periodic reports on the state of contaminated land in Wales.

1.7 Defining Contaminated Land

A legal definition of contaminated land is given in Section 78A(2) of Part IIA of the E.P.A. as:

"any land which appears to the local authority, in whose area it is situated, to be in such a condition, by reason of substance in, on or under the land, that

- (a) significant harm is being caused or there is a significant possibility of such harm being caused; or
- (b) pollution of controlled waters is being, or is likely to be, caused"

and Section 78A(5) requires that the local authority shall act in accordance with guidance issued by the W.A.G.' (see paragraph 1.2).

1.8 Pollution Linkage

In addition to the requirements set out in the previous sub paragraph, for a site to meet the definition set out in the Act of contaminated land, a pollutant linkage must be established. A pollutant linkage consists of three parts:

- (i) a source of contamination in, on or under the ground,
- (ii) a pathway by which the contaminant is causing significant harm, or presents, a significant possibility of such harm being caused, and
- (iii) a receptor of a type specified in the Regulations.

1.9 Receptors

The receptors recognised in Part IIA as being potentially sensitive to harm are:

- (i) Human beings
- (ii) Ecological systems or living organisms forming part of a system within certain protected locations, including

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- Sites of Special Scientific Interest (S.S.S.I.'s)
- National Nature Reserves
- Marine Nature Reserves
- Nature Reserves
- Special Areas of Conservation (S.A.C.'s)
- Special Protection Areas (S.P.A.'s)

- Candidate S.A.C.'s
 - Ramsar Sites
 - Areas of special protection for birds.
- (iii) Property in the form of buildings, including
- Ancient Monuments
- (iv) Property in other forms
- Crops
 - Livestock
 - Home-grown produce
 - Owned or domesticated animals
 - Wild animals subject to shooting or fishing rights
- (v) Controlled Waters
- Surface waters (e.g. rivers, lakes, streams)
 - Drinking water abstractions
 - Source protection zones
 - Groundwater - private abstractions
 - Groundwater - major aquifers

1.10 Harm

It should be noted that the Guidance sets out specific advice on what local authorities should consider as "harm" to a receptor and when such harm should be considered "significant".

1.11 Risk Assessment

If the three components of the pollutant linkage set out in sub paragraph 1.6.2 are shown to exist, a risk assessment will have to be undertaken. In the Guidance the risk is identified as a combination of:-

- (i) the probability, or frequency, of occurrence of a hazard; and
- (ii) the magnitude and seriousness of the consequences if the predicted event actually occurs.

Land can only be designated contaminated land if a significant risk has been proven.

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1.12 Development of the Strategy

In carrying out inspections under Part IIA of the E.P.A. 1990, the Council will adopt a strategic approach. The Guidance says that the approach should:

- (a) be rational, ordered and efficient,

- (b) be proportionate to the seriousness of any actual or potential risk,
- (c) seek to ensure the most pressing and serious problems are located first,
- (d) ensure that resources are concentrated on investigating areas where the local authority is most likely to identify contaminated land,
- (e) ensure that the local authority efficiently identifies requirements for the detailed inspection of particular areas of land.

This Strategy has been developed to meet these requirements.

1.13 Procedure and Timetable for Development of the Contaminated Land Inspection Strategy

- (a) This draft Strategy for consultation has been prepared by the Specialist Environmental Health Officer who is the Council's lead officer on contaminated land in the Community Protection Section of the Environment Directorate. (September, 2001 - January, 2002).
- (b) Other officers of the Council concerned with contaminated land issues have commented on this draft. These include divisions of the Environment Department, including Planning and Building Control, together with Legal Services (Chief Executive's Unit). (May, 2002).
- (c) The agreed draft will be submitted to the Council's Environment Cabinet member in June, 2002.
- (d) The agreed consultation draft arising from (c) above will be circulated inviting comments from consultees. Community Councils are seen as a particularly important source of local information on possible contaminated land in their area. Details of other consultees are in Appendix II
- (e) Any comments received as part of the formal consultation referred to at (d) will be considered. Any accepted corrections or amendments will be made to the draft Strategy. A final version will be presented to Environment Cabinet member in September, 2002 so that the Strategy can be submitted to W.A.G. and copied to the E.A. by end of September, 2002.

2. Characteristics of Monmouthshire

2.1 Geographical Location

Monmouthshire County Council is located in south-east Wales. It lies on the Welsh border and is bounded by the Forest of Dean District Council, Herefordshire County Council, Powys County Council, Blaenau Gwent County Borough Council, Torfaen County Borough

Council and Newport County Borough Council. The landscape is varied and comprises high hill ranges and a predominantly rural area of countryside with market towns. The County covers an area of 852 sq. km. (329 sq. miles). The Brecon Beacons National Park (B.B.N.P.) covering 120 sq. km. (46 sq. miles) and is situated in the north of the County. Much of the Lower Wye Valley within the County is designated as an Area of Outstanding Natural Beauty (A.O.N.B.).

2.2 History of the County

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

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

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

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

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

2.3 Population Distribution

As at mid 2000 the (estimated) population of the County was at 87,433 with approximately 50% living in the five towns

Town	Population
Caldicot	9,784
Abergavenny	14,493
Chepstow	9,422

Monmouth	7,724
Usk	2,113

based on 1991 Census

2.4 Land owned by the County Council

The Council owns various areas of land within the County including housing estates, sites of some commercial businesses and industrial estates, parks and open spaces. In certain instances where the opportunity arises, and in collaboration with, the Welsh Development Agency, the Council may purchase land for reclamation or development and to improve the quality of the area in which it is situated.

2.5 Current Land Use Characteristics

The main use of land in the County, other than residential, is agriculture and forestry. Current industrial activity is restricted to a number of small to medium sized industrial estates and a limited number of separately established manufacturing companies. The majority of industrial estates and companies are located in or adjacent to the main settlements in the County, i.e. Caldicot, Chepstow, Abergavenny and Monmouth.

Coal mining, previously carried out in the north west part of the County in Llanely Hill, ceased in 1930. The consequences of this activity are mentioned in paragraph 2.10 (h) of the Strategy.

2.6 Protection of the Natural Environment

Increasingly the international importance of the County's habitats, flora and fauna are being recognised. The Rivers Usk and Wye have been put forward to Europe as candidate Special Area of Conservation. In 1995 the Government designated the Severn Estuary as a Special Protection Area (S.P.A.) under the E.C. Birds Directive, and listed the site as a Wetland of International Importance under the Ramsar Convention (a "Ramsar Site"). The site is also a candidate Special Area of Conservation (C.S.A.C.). In addition five additional sites have candidate status: River Usk; River Wye; Wye Valley Bat Roosts; Usk Bat Sites; Sugar Loaf Woodlands; and Cwm Clydach Woodlands. The Wye Valley Woodland is also being considered as a candidate S.A.C. The Council have stated that they will afford the designated area the appropriate protection in accordance with international obligations.

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Work is currently underway to produce the Monmouthshire Biodiversity Action Plan which will identify actions to be carried out by the relevant organisations or groups to protect and enhance priority species in the County.

CADW (the Welsh Historic Monuments Executive Agency) compiles a register of landscapes, parks and gardens and lists 42 in the County. In a register of landscapes of Outstanding Historical Interest, Blaenavon, the Gwent Levels and the Lower Wye Valley are listed.

2.7 Conservation and the Historic Environment

There is much evidence of human occupation from the prehistoric to modern day surviving in the County. Neolithic burial places are among outstanding memorials of the prehistoric period. The County has three examples of these chambered tombs, Thornwell (Chepstow), Gaer Llwyd (four miles north of Caerwent) and Heston Brake (Portskewett). Megaliths set up at this time include standing stones at Trellech and Grey Hill, near Llanfair Discoed, amongst others.

Fortified settlements from the Iron Age or earlier period have been investigated at Llanmelin, near Llanfair Discoed, and Sudbrook. There are also several promontory forts, camps of simple banked enclosures and hill tops barrows.

The four hundred years of Roman occupation left the County with more than a transitory mark; a civil town was set up at Caerwent, the only Roman walled town in the Principality. Other centres were at Abegavenny, Usk and Monmouth and many camps and sites of Roman farmsteads have been found.

The coming of the Normans after the middle of the 11th Century brought the Romanesque style of architecture, apparent in the early castles and many of the County churches. The ruins of Llanthony and Tintern Abbeys are reminders of this period.

Medieval castles in the County exhibit a variety of styles and in most of them original design is still apparent. The fortresses of the greater barons were the first to be constructed, Chepstow or Striguil Castle being the earliest with Monmouth a close second. Abergavenny and Usk followed next with Caldicot being added at a later date.

Up to the late 15th Century most habitations were built of timber, but with a period of peace in the Welsh borderland, the building of many residences of stone occurred. This resulted in many semi-defended habitations of wood being replaced by houses of stone, some of which remain to this day.

There are many mansions of a later period that add to the architectural interest including Mathern Palace, St. Pierre, Itton and Clytha. Some of the industrial heritage of the County can still be seen in many places. Most of the industry of this period was based around water-powered mills, such as those in Whitebrook.

There are thirty Conservation Areas, made under the provisions of the Civic Amenity Act 1977, in the County.

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Buildings of architectural and historic interest, which are considered worthy of preservation, are included in statutory lists compiled by the W.A.G. At the 1st January, 2001 there are a total of 1,767 listed buildings in the County:-

Grade I	49
Grade II*	146
Grade II	1,548

There are also a further 212 locally listed buildings. These are of local architectural importance and may be placed on the statutory list if they are threatened. Ecclesiastical buildings are given the Grade A or B in decreasing order of importance. There are 1 Grade A and 12 Grade B buildings of this description in the County.

2.8 Geological Characteristics of the County

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

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

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

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

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

2.9 Information on Land Possibly Affected by Contamination

This part of the Strategy concerning the manner in which the Council will consider information on possibly contaminated land already in its possession or available from previous published sources:

- (i) The Council holds some information on land affected by contamination or land on which a previous potentially contaminating process has taken place. Much of this information has been made available as part of the development control process through planning applications made to the Council in recent years.

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If the development has been proposed on land where past use may have resulted in contamination, the Council has often requested a site investigation as a planning condition. If the development proceeded on such sites, remedial work will often have been carried out to improve site conditions. Conditions may be attached to any planning permission. County Council planning application records will therefore form a valuable resource during the inspection process.

Land possibly affected by contamination is also identified through the development plan process, e.g. when researching the suitability of sites for potential housing or employment uses.

- (ii) In accordance with the Protocol on Land Contamination between the Local Government Association and the E.A., the Council has been provided with a CD Rom that contains detailed environmental information. Table I lists the contents.

Table I

Activities or source of possible contamination which require consideration in the Strategy	Details provided by E.A.
Catchment Plan showing location of water courses, settlements, etc.	LEAP boundaries, available at 1:50,000 scale
Landfill sites	Active Landfill Sites at 1:10,000 Other known Landfill Sites at 1:50,000
Bathing Waters	Bathing Water Quality
Water Abstraction	Licensed Water Abstractions
Discharge Consents	Active Licensed Water Discharges Revoked licences
River Quality Objectives	GQA Biology and GQA Chemistry
Waste Management Licences	Licensed waste disposal/processing sites
IPC & IPPC authorisations	Sites under IPC (Integrated Pollution Control) & IPPC
Licensed Nuclear Sites	Sites under RAS (Radioactive Substances) control
Source Protection Zones	Areas for which Groundwater Protection zones are in force

Notes: 1) Full descriptions of each section are included in a Microsoft Access database on the CD Rom. This database can be used to view information relating to copyright, Version dates, any restrictions on use, data quality (see Note 4 below), column descriptions etc.

2) The data is supplied in G.I.S. format (Arcview Shape Files) and data formats which can be imported into Microsoft Excel or Access if required.

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3) The data includes the whole of Wales (political boundary), plus areas that the Environment Agency Wales has operational responsibility. It will be necessary for the Council to retrieve data sets within the County or adjacent to its boundaries if relevant to the inspection strategy.

4) The data provided has been collected from E.A. records during December, 2001. Data must be used with some caution as not all the data has been subject to detailed quality assurance. It is the current best data set available to the E.A. and it is important to note that data quality assurance is an ongoing process within the Agency. Some of the data is ~~the~~ **Page 35** variable as new licenses/consents are issued,

surrendered or amended. The E.A. have stated that a revised data set will be made available in the future.

- (iii) The Council's Community Protection section hold records of pollution incidents and reports of land contamination arising from complaints, inspections and environmental monitoring which environmental health staff have been involved in recent years.
- (iv) Sites of past and present petroleum storage tanks in the County have been compiled.
- (v) In August, 1988 the Welsh Office published a report "Survey of Contaminated Land in Wales" (I.S.B.N. 0 86348 828 5) which gave details of some sites in the Council's area, e.g. previous industrial sites using chemicals associated with land contamination, sewage works etc.
- (vi) The previous Monmouth Borough Council received a list of former gas work sites in that district provided by British Gas Properties p.l.c.
- (vii) A report was commissioned jointly between the previous Monmouth Borough Council and the Ministry of Defence in 1994 into the condition of land at R.A.F. Caerwent. The brief was to undertake a study into the dereliction, geological and ecological issues associated with the previous operation at the base, to assess the cost of any remedial work and to evaluate the potential of the site for new uses. Some site investigation and an ecological survey was undertaken at that time. The report was submitted to the joint committee in 1995. The report by Veryards, consulting engineers in Cardiff, detailed contaminating processes carried out at the site and noted certain geological features which could result in pathways for contamination.
- (viii) As previously noted in the section of the Strategy dealing with the geology of the County, coal extraction has historically taken place in the north western section of the County. The Coal Authority Mining Record Office provided in December, 1999 a list of such sites.

2.10 Key Water Resource Protection Issues and Hydrogeological Characteristics

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

Located to the south east of the County, the Carboniferous Limestone is considered to be a major aquifer and is classified as such under Policy & Practice for Protection of groundwater (E.A., 1998) and an important source of industrial and public water supply.

Much of the Gwent Levels is designated in the Adopted Local Plan as a Coastal Protection Zone (aimed at protecting the coastal landscape). A Severn Estuary Strategy has also been drafted to consider the social, economic and nature conservation interests of the estuary and surrounding coastal lands.

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

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

2.11 Action Already Taken to Deal With Land Contamination

Monmouthshire County Council, which has only been in existence since re-organisation of Local Government in 1996, has not undertaken any remedial action to deal with contaminated land (as determined in the Act). As outlined in the Strategy and in the Council's U.D.P., the Council has encouraged development on derelict land/brownfield sites.

3. The Aims of the Monmouthshire County Council's Inspection Strategy

The reasons for writing this strategy are outlined in Section 1. Details of how the Council will meet its objectives are given in this Section, by prioritising actions, setting specific objectives and identifying milestones.

3.1 Priorities

The Council proposes to prioritise inspection of land in the County according to the degree of potential contamination present and the sensitivity of identified receptors. Prioritisation will be given to towards the protection of human health and a risk-based approach will be used. The Council will also take into account information provided by the E.A. on the vulnerability of controlled waters. **Page 37** Table 11 shows the Council's priorities and will aid decision making in this task.

Table II

<p>The Council's priorities in dealing with contaminated land will be:</p> <ol style="list-style-type: none">1. To protect human health2. To protect controlled waters3. To protect designated eco-systems4. To prevent damage to property5. To prevent any further contamination of land6. To encourage voluntary remediation7. To encourage re-use of brownfield land <p>This list is presented in priority order and in all cases will have regard to significance and likelihood of the land being contaminated with the meaning of Part IIA of the Act.</p>
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3.2 Strategic Approach

In developing and adopting its strategic approach the statutory Guidance (see para. 1.2) requires the County Council to consider the following:

- (a) any available evidence that significant harm or pollution of controlled waters is actually being caused;
 - (b) any receptor listed in Table III;
 - (c) the extent to which any of these receptors is likely to be exposed to a contaminant, for example as a result of the use of the land, or of the geological and hydrogeological features of the area;
 - (d) the extent to which information on land contamination is already available;
 - (e) the history, scale and nature of industrial or other activities which may have in different parts of its district led to contamination of land;
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- (f) the extent to which remedial action has already been taken to deal with land contamination problems, or is likely to be taken as part of an impending re-development; and
 - (g) the extent to which other regulatory authorities are likely to be considering the possibility of harm being caused to particular receptors or the likelihood of any pollution controlled of waters being caused.

3.3 Risk Assessment - Potentially Sensitive Receptors

Table III reproduced from the Guidance shows receptors to be considered when inspecting land for contamination under Part IIA of the Act and can be compared with Table II when considering priorities.

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

Table III details the type of receptors that the County Council is required to consider and their potential locations. There is no guidance available which gives priority to these receptors, however, the County Council has considered that it is appropriate to rank them as in the Table.

The receptors will be investigated in light of their proximity to any land identified in light of its existing or former potentially contaminative use. The significance of the risk to the receptors will be considered in light of the descriptions of significant harm and the condition for there being a significant possibility of significant harm which are contained in Part C of Chapter I of the statutory Guidance.

This process forms the back bone of the County Council's risk assessment for contaminated land.

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It should be noted that in the event of an incident leading to contamination the initial response will be in accordance with the Council's existing emergency procedures. However any longer term contaminative efforts will be assessed, prioritised and dealt with under this Strategy.

(i) Human Beings

The County Council is required to ensure that its strategic approach is proportionate to the seriousness of any actual or potential risk. The Council considers that risk to human receptors has the highest priority. The human health effects include death, disease, serious injury, genetic mutation, birth defects or the impairment of reproductive functions. Exposure to a contaminant can be via inhalation, ingestion, direct physical contact, or other physical injury, for example from explosion. Such exposures can take place in a variety of situations which can have an influence on the vulnerability of exposed persons, for example in the home, at school, at work, in

hospital or at recreation and is illustrated under "Land Use Types" (column 2) in Table III,

(ii) Ecological Systems

Ecological systems listed in Column 2 of Table III, will be considered for the possible effects of contaminated land. Significant harm to an ecological system is defined as harm which results in an irreversible adverse change, or in some other substantial adverse change, in the functioning of the ecological system within any substantial part of that location; or harm which affects any species of special interest within that location and which endangers the long-term maintenance of the population of that species at that location.

(iii) Ancient Monuments

Ancient monuments are, because of their unique historical interest, irreplaceable. It is therefore appropriate to afford them a higher priority than other buildings/premises. Occupied buildings will be dealt with under 3.4 (i) above. A building effect in relation to a scheduled Ancient Monument is structural failure or substantial damage. The latter is regarded as occurring when the damage significantly impairs the historic, architectural, traditional, artistic or archaeological interest by reason of which the monument was scheduled.

(iv) Livestock and other Owned or Domesticated Animals

In accordance with Table III, the County Council will consider significant harm to be: in respect to domestic pets, death, serious disease or serious physical damage. For other animals in this category, significant harm will be a substantial loss in its value resulting from death, disease or other serious physical damage.

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Monmouthshire County Council will regard a substantial loss in value as occurring only when a substantial proportion of the animals are dead or otherwise no longer fit for their intended purpose. Food should be regarded as being no longer fit for its purpose when it fails to comply with the provisions of the Food Safety Act 1990. Where a diminution in yield or loss in value is caused by a pollutant linkage, a 20% diminution or loss should be regarded as a benchmark for what constitutes a substantial diminution or loss.

(v) Controlled Waters

The Water Resource Act 1991, Section 104 defines what is to be considered as controlled waters. In the case of Monmouthshire this will include inland fresh waters, being the waters of any lake or pond or of so much of a river or watercourse as is above the freshwater limit as well as groundwater which is water contained in an underground strata.

As noted in para. 2.10 there are 15 Source Protection Zones within the County Council's area. The protection of the major aquifer also referred to in that paragraph is of great importance in this Strategy. Other controlled waters will predominantly relate to surface water, e.g. rivers, streams and lakes. The County Council's surface waters are considered to have a generally improving water quality. To assist the continuance of this trend, land adjacent to controlled waters will be considered for the potential of a contaminant in, on, or under the land to cause pollution of waters. The County Council will liaise with the Environment Agency as early as practicably possible in such circumstances.

3.4 Risk Assessment - Sources of Contamination

Land within Monmouthshire will be investigated in light of its former and potential contaminative use. Rankings and risk categories will be based on the perceived risk associated with each land use. This does not necessarily mean that all sites used in the past for such purposes will have suffered from contamination as defined in the Act.

Such rankings will be used in the context of the environmental sensitivity of the individual site in question and its surroundings. For example, land with a former potentially contaminative use sited adjacent to a school, residential area, watercourse or site of nature conservation interest will be given greater priority than similar land which is not in an environmentally sensitive location.

The proximity of receptors, referred to and prioritised in Table III, to the land in question will also be considered to assist the Council to target its resources to deal first with those situations considered to give rise to the greatest risk.

In addition, areas of the County where there is a greater concentration of potential sites will, subject to the environmental sensitivities of the location, be considered as areas of priority for inspection

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The Environment Health section will also review all available information with respect to pollution incidents that have occurred, within available knowledge, and that may have had a residual contaminative effect. Again, the proximity of receptors to the land in question will be considered to assist the Council to target its resources to deal with situations considered to give rise to the greatest risk.

3.5 Work Programme

The Guidance does not detail how quickly the work must be completed, other than requiring the inspection strategy document to be published within 15 months of the Guidance and the W.A.G. has asked that this be 31st September, 2002. It does require each authority to set out what it considers appropriate timescales for inspection of different parts of its area. Consequently the Council has set specific targets for progression of inspection and regulatory action work as outlined in Section 3.7.6.

The inspection timetable sets out a programme of work for the overall inspection of the Council's area in assessing potentially contaminated land. In developing the timetable the Council has

sought to reflect reasonable targets for completing the preliminary inspection of its area, inspecting priority sub-areas/sites and implementing regulatory actions.

Clearly the programme is dependent upon many factors including:-

- financial and human resources available to the Council;
- availability/provision of information or services from third parties;
- the nature and scale of defined sites or areas subject to detailed inspection and
- progress with regulatory action.

The Council in acknowledging the impact that such uncertainties can have on programmed works, intends to review and, where necessary, publish an up-dated inspection programme. This review process will be undertaken on a regular basis.

The Council also recognises that alongside this timetable, action might commence on urgent sites brought to the County Council's attention outside the inspection programme and also on sites that have been identified as having the pollutant linkage present and which are posing a significant risk or have the possibility to cause significant harm. Resources channelled into the investigation and assessment of these sites may mean that the general inspection programme may be delayed as a result and will require re-assessment. This will be done through the periodic reviews.

The Council has no intention to consider land for which it is currently responsible or has been responsible, through ownership or management, any differently than other land within the Council's area. Any Council owned land will be considered in accordance with the priorities identified in this Section.

3.6 Contaminated Land Inspection Timetable

The inspection process has been broken down into a series of important stages and dates in the process and are described in the Work Programme.

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Stage 1 Examination of Available Data November 2001 - February 2002

To begin the process of investigation the Council has purchased a set of historic ordnance survey maps from the Landmark Information Group Ltd., as which can be used with the Council's Geographical Information System (G.I.S.)

The historic map data has been supplied for four epoch layers covering the periods 1869 - 1943 in Standard Group 4 Tiled Tiff format.

The historical land use data base identifies areas of potentially contaminated land within the meaning of the Act, from analysis of historic ordnance survey maps, following Governmental advice on the identification and classification of potentially contaminative land uses.

It is to be expected that only a small proportion of sites previously subjected to potentially contaminated land use will meet the strict definition of contaminated land. Due to the past uses of the land, many of these sites will contain substances in, on, or under the ground,

which have the potential to cause harm. However It is worth emphasising that in order to be designated as contaminated land, within the meaning of Part IIA of the Act, these sites must have both a pathway by which significant harm may be caused and a receptor on which significant harm can be inflicted. If either the pathway or the receptor is missing from the pollutant linkage, the site may be land in a contaminative site but cannot be designated as contaminated land.

Stage 2 Consultation on Draft Inspection Strategy March 2002 - June 2002

(i) An internal document was drawn up by the officer in the Environment Directorate dealing with the Council's duties for contaminated land in the County. This draft document (CLIS2) was circulated within the Council to all Departments but with particular reference to Sections which would have a role or could advise on specialist aspects of the Inspection Strategy. These included:

(a) within the Resources & Customer Services Directorate;

Contract & Property Services

(b) within the Environment Directorate;

Building Control
Environmental Health
Construction & Projects
Development & Traffic
Highway Maintenance
Countryside
County Farms
Development Control
Development Plans

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(c) within the Lifelong Learning & Leisure Directorate;

Community Learning

(d) within the Chief Executive Unit;

Health & Safety
Policy Unit
Legal Services
Land Charges

(e) within the Social & Housing Services;

Housing Services.

Having completed this internal consultation the advice received was incorporated into the document (CLIS3) and any necessary amendments and/or amendments made.

(ii) Consultations with Outside Organisations.

The data sources cited in Section 2.10 may not identify all potentially contaminated sites. It is feasible that an area of land might be used for a high-risk contaminative activity (e.g. waste disposal) without ever being recorded on a map. Consultation therefore played a major role in identifying the gaps in this data base.

As an integral part of this stage of the consultation, copies of the draft (CLIS3) were circulated to Community Councils in Monmouthshire and the B.B.N.P. and to other consultees listed in Appendices III & IV. In particular the Community Councils and the B.B.N.P. were asked to provide any relevant information or local knowledge they might possess on potentially contaminative land uses that have occurred within their area.

Monmouthshire County Council has adopted a Corporate Consultation Strategy and the consultation undertaken as part of this Contaminated Land Strategy has been carried out in accordance with this policy. Local amenity groups were contacted as another potential sources of information (see Appendix IV). Consultation on the Strategy was also publicised in the local press and it was hoped that residents and other members of the public, persons, organisations or companies operating businesses in the county would come forward with comments or advice including information on past land uses.

The Guidance also requires that the Council should consult with appropriate public bodies such as the Environment Agency, the Welsh Development Agency, the Countryside Council for Wales and CADW and those consultees listed in Appendix III were sent a copy.

Having completed this external consultation, the advice and comments received were incorporated into the document and any necessary additions and/or amendments made.

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Stage 3 Publish the Contaminated Land Strategy (Document CLIS4)
(Sept. 2002)

Provided the previous consultation stages are completed on schedule, the Strategy will be finalised in September 2002 and submitted to the Environment Agency. A copy will also be sent to the W.A.G. and published on the Council's internet web site (www.monmouthshire.gov.uk). Appropriate local publicity will be given to the final document.

Stage 4 Dealing with Urgent Sites (September 2002 and ongoing)

If there is any verifiable report of contaminated land sites causing significant harm that are identified through consultation process, the general approach to the inspection strategy will be secondary to dealing with such sites. The Regulations recognise this possibility and this proposal is in line with the Guidance.

This stage may include declaring some "special sites" and passing the regulatory role for these sites to the Environment Agency.

Stage 5 Inspections (October 2002 - October 2006)

The Council has not yet begun to actively inspect its area for the purposes of identifying contaminated land. Furthermore the development and implementation of the Strategy will be a learning process for all the parties concerned. It is therefore likely that priorities will change as the Council's knowledge and understanding of the scale, if any, of contaminated land issues increase through information acquisition.

It is therefore difficult to accurately predict the amount of work which will have to be undertaken, whether the necessary competency of staff to carry out such work will be available in-house and the time it will take to complete. It is anticipated that the Strategy will be reviewed from time to time and the timescales given in this Section updated accordingly.

The Council's first priority in dealing with contaminated land is to protect human health. (See Table II). Land within the County will therefore be inspected in order of population density.

The County towns have the largest potential number of receptors (in this case human beings) and will be given the highest priority by the Council. Towns also have the highest risk of having all three elements of a pollutant linkage (source, pathway and receptor) which could cause significant harm to human health.

The 5 towns in the County (Chepstow, Abergavenny, Usk, Caldicot and Monmouth) will therefore be inspected first, followed by the villages and smaller settlements, prioritised on the basis of population.

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Stage 6 Council Owned Land (October 2002 - April 2006)

The Council has some land holdings within the County. There are other areas of land within the County that the Council (or its predecessors) have owned at some stage in the past where potentially contaminative activities (e.g. waste disposal) may have occurred. The Council may also have deliberately pursued the acquisition of derelict or "brownfield" land in order to develop this and improve the overall quality of an area.

Within the general population-based approach to investigation, it is appropriate that these types of sites are subjected to investigation and if necessary, remediation, as a priority.

In consequence the Council could be what the Act calls the "appropriate person" who is liable to pay for any remediation process or is a member of a "liability group" for the significant pollutant linkage.

Secondly the Council will be responsible for remediation when no person or group can be found.

Stage 7 Unitary Development Plan Land (November 2002 - April 2006)

As a planning authority the Council must prepare a Unitary Development Plan (U.D.P.). At the time of writing (March 2002) a new U.D.P. has recently been developed and is currently on deposit.

The B.B.N.P. has also published, as a consultation draft, a Unitary Development Plan (April, 2002).

If the Council or the B.B.N.P. is making recommendations about land use, it is logical to undertake investigation of this "development plan land" as a priority within the general population based approach to contaminated land investigation. This land will therefore be specifically considered as each area of the County is investigated.

Stage 8 Threats to controlled waters, protected areas of the environment, ancient monuments and other buildings (April 2006 - April 2007)

It is anticipated that the investigation of towns and villages could bring to light information that would reveal any threats posed by contaminated land to controlled waters, protected areas of the environment, scheduled ancient monument or other buildings. If the evidence demonstrates a need for urgent action, this will be taken as soon as practicable alongside the rolling programme of town-by-town inspection.

If, however, the evidence is not conclusive then these areas will be included in a specific investigation of such hazards, to be undertaken once the investigation of the towns and villages is complete.

The Environment Agency will be informed of any potential pollution of controlled waters but the circumstances of the problem will determine whether the contaminated land is regulated by the E.A. or the Council. Only Special Sites however will be regulated by the E.A. (see paragraph 1.6 and Appendix 1).

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Liaison will also be undertaken with Countryside Council for Wales (C.C.W.) in the case of threats to protected areas of the environment and with CADW in the case of threats to scheduled ancient monuments. The advice of these statutory bodies will also be sought if significant contamination is identified that may impact on areas that do not enjoy statutory protection, recognising the expertise these bodies have in protection of these resources.

Stage 9 Final Prioritisation (October 2006 - April, 2007)

The Regulations require the remediation of contaminated land sites to be prioritised. This prioritisation can only take place once all sites have been identified and this will therefore occur at the end of the investigation stage, currently timetabled for October 2006.

4. Procedures

The Guidance requires that procedures be drawn up to describe how contaminated land issues will be handled within the Council. This Section also details the level of service that businesses and members of the public can expect from the council in dealing with these issues.

4.1 Internal Management Arrangements for Inspection and Identification

Within the County Council, the Environmental Health Section of the Environment Directorate has responsibility for the implementation of Part IIA E.P.A. 1990. As part of the Environmental Health team a Specialist Environmental Health Officer (E.H.O.) is the lead officer for contaminated land, reporting to the Environmental Health Manager.

The E.H.O. will deal with the day-to-day implementation of the Strategy once approved by elected members. The E.H.O. will also be responsible for serving Remediation Notices, subject to consultation with the Environmental Health Manager and the Council's Legal Section.

Elected members will be informed at the earliest opportunity of any plans to designate any contaminated land, any area of Council-owned land or land where the Council would be the "appropriate" person and may be liable for remediation costs.

4.2 Considering Local Authority Interests in Land

As indicated in paragraph 3.5, investigation of Council-owned and will be carried out alongside the town-by-town inspection schedule and such land in Council ownership will be amongst the first investigated in each area.

4.3 Information Collection

Many sources of information will be required to identify potential sources of contamination and potential receptors. Some of the resources are detailed below:

Data Source	Comments	Use
Historic Maps	Digital maps purchased from Ordnance Survey (through Landmark)	To identify sources, pathways and receptors
Geological Maps	1 : 50 000 solid and drift geology maps are available from the British Geological Society	To characterise pathways
Groundwater Vulnerability Maps	The Groundwater Vulnerability Maps produced by the National Rivers Authority and the Soil Survey and Land Research Centre in 1993 can be used to assess the potential for contamination of groundwater (1 : 100 000)	To identify controlled waters as receptors
Soil Maps	A soil map of the Gwent region can be purchased from the Soil Survey and Land Research Centre at Cranfield University	To characterise pathways
Groundwater Protection Zones	Areas of groundwater that receive special protection by the Environment Agency are identified on the E.A. website, and can be used with a G.I.S.	To characterise controlled waters as receptors
Environmental Health Records	The County Council maintains records of complaints, requests for service and investigations	To identify known information on contamination
Planning Records	The County Council holds detailed planning records of development in the area, including information on ground conditions presented in surveys	To identify known information on contamination
LANDMAP	The County Council's landscape assessment	Identifies particular qualities of an area for maintaining,

		protecting and enhancing the landscape
U.D.P.	A new plan has been written to be put on deposit in September 2001 and is a source of up-to-date information on land use	To identify receptors, particularly historic monuments and protected areas of the environment
E.P.A. 1990 Part I Registers	The Council has maintained a Public Register containing details of authorised industrial processes since 1990	To identify sources of contamination
Waste Management Licences	The Environment Agency maintaining a public register of sites licensed for waste management activities and have produced relevant information relating to sites in the County	To identify sources of contamination
Register of Closed Landfill Sites	The Environment Agency has provided details of closed landfill sites	To identify sources of contamination
The County Records Office	The County Records Office have a number of sources describing land-use in the County suitable for researching site histories	To identify sources of contamination
Drainage Network Plans	Held by M.C.C. and Wessex Water p.l.c,	To identify pathways
Air Photos Archive 1945 - to date	Held by W.A.G.	To identify sources and receptors
Council Staff	Many have local knowledge of potential sources	To identify sources, pathways and receptors

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Reference should also be made to paragraph 2.10 of the Strategy concerning information sources.

4.4 Information Management

The Council's Geographical Information System (G.I.S.) will be the primary tool used to manage contaminated land information. This system will be used to correlate all information and determine the proximity of potential receptors (e.g. human beings, controlled waters) to sources of contamination. It is anticipated that as a result of publicity or for other reasons the Council will receive complaints regarding possible contaminated land from members of the public businesses or amenity groups. Information may also be voluntarily supplied relating to land contamination in the County not directly affecting local people or businesses. These complaints or information provision may have an impact on the approach to inspection and so the procedures to be adopted are detailed in this Part of the Strategy.

4.5. Dealing with Complaints or Service Requests

A complaint or service request regarding contaminated land will be dealt with following the same procedure as currently used by the Environmental Health Section to deal with statutory nuisance complaints.

All complainants may expect:

- their complaint or service request to be logged and recorded
- to be contacted by an officer regarding their complaint or service request within three working days of receipt
- to be kept informed of progress towards resolution of the matters raised.

Every effort will be made to resolve complaints or provide service request details quickly and efficiently. However the legislative framework presents a number of prescribed steps which will have to be taken before any remedial action can be implemented:

- (i) there has to be proof of a pollutant linkage before any designation as contaminated land is permissible, which will only be possible following a detailed investigation
- (ii) there is a requirement for the Council to identify "the persons who ... has caused or knowingly permitted a pollutant to be in, on or under the land" (or "Class A" person)
- (iii) it is necessary that there is prior consultation with interested parties before the designation as contaminated land can take place
- (iv) there is a minimum of a three month period between designation and the serving of a Remediation Notice

The Regulations allow conditions (iii) and (iv) to be waived in extreme cases, but not conditions (i) and (ii).

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4.6 Confidentiality

Persons contacting the Council will be asked to supply their names and addresses and, if appropriate, the details of the land, etc., giving rise to the complaint. The identity of the person will however remain confidential if this is requested. The only circumstance in which the information might be made public would be in the case of an appeal against a Remediation Notice where an important reason for the contaminated land designation was an adverse effect on the complainant's health.

4.7 Voluntary Provision of Information

If a person or organisation provides information relating to contaminated land that is not directly affecting their own health, the health of their families or the condition of their property, this will not necessarily be treated as information and will be recorded and may be acted upon. There will, however, be no obligation for the Council to keep the person or organisation informed of progress towards any resolution, although it may choose to do so as general good practice.

4.8 Anonymously Supplied Information

In most circumstances it is the Council's policy not to respond to anonymous complaints from the public. However with regard to information relating to potentially contaminated land, any information received will be recorded and assessed in particular with respect to

existing information on the site in question. Any further action in relation to information from an anonymous complaint will then be made at the discretion of officer concerned.

4.9 Anecdotal Evidence

Any anecdotal evidence provided to the Council relating to contaminated land will be noted but no designation of contaminated land can occur without the scientific evidence and the following of legal procedures set out in the Act. In such cases, the E.H.O. will use knowledge and experience to decide what, if any, further investigation is required following such a complaint or a provision of such information.

4.10 The Environmental Information Regulations 1992

It should be noted that under the provisions of these Regulations, information given to the Council regarding a particular site must be treated as confidential if the information consists of:

- (i) Personal information where an individual has not given consent to its disclosure.
- (ii) Information disclosed voluntarily by a third party who has not given consent.
- (iii) Information which would increase the likelihood of damage to the environment if disclosed.

Other information given to the Council regarding a particular site may be treated as confidential at the Council's discretion if the information consists of:

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- (i) Information affecting national security, public defence or international relations.
- (ii) Information which is or has previously been the subject of an inquiry.
- (iii) Information from internal communications or unfinished documents.
- (iv) Commercially confidential information.

In all other cases the Council will honour any obligations under the Regulations.

4.11 Risk Assessment

For the purpose of identifying contaminated land, all three stages of the pollutant linkage i.e. source, pathway and receptor must be present. During each stage of data acquisition, any risk caused by the possible presence of a pollutant linkage will be identified and evaluated. This focused process is known as risk assessment.

Risk assessment is a systematic process consisting of four key stages:

1. Hazard Identification

Identification of associated problems.

2. Hazard Assessment

Assessment of the extent of the hazard

3. Risk Estimation

Determination of the potential adverse effects which may result from exposure to the hazard.

4. Risk Evaluation

Evaluation of the significance of the estimated risks.

The W.A.G. Guidance defines 'risk' as the combination of:

- (a) the probability, or frequency, or occurrence of a defined hazard (for example, exposure to a property of a substance with the potential to cause harm); and
- (b) the magnitude (including the seriousness) of the consequences.

Risk assessment techniques will be used by the Council in order to prioritise sites for further inspection and to select the most appropriate remediation actions.

4.12 Risk Assessment Models

There are a number of risk assessment models currently available. These models range from simple tick boxes where site data is measured against fixed standard values for various pollutants to the modelling of more complex site specific characteristics. However, each model has a number of limitations and may not be suitable for use on particular sites in relation to different receptors. The Council's Environmental Health Section will therefore consider each site investigation report it receives, in order to assess whether the most appropriate model has been used.

(i) The C.L.E.A. Model

As part of the preparation to introduce in the U.K. the new contaminated land regime, the (previous) DETR produced its own risk assessment model for use on contaminated land. Following publication in March 2002, due consideration will be given by the Council to the Contaminated Land Reports CLR 7 - 10, the C.L.E.A. (Contaminated Land Exposure Assessment) methodology used to determine direct human health risks resulting from contaminated sites.

The main purpose of preparing the Guideline Values is to establish whether a site poses actual or potential risks to human health, in the context of the existing or intended usage of the site. **Page 52** should be noted that prior to use of the guideline values, due consideration should be given to determine whether the risk assessment

criteria and pathways used to derive the guideline values are appropriate for individual site specific conceptual models.

If contaminant concentration is below the Guideline Value, then the site is considered safe. Conversely if values are higher than the appropriate Guideline Value, then further site investigation will be required.

The advantage of the C.L.E.A. derived Guideline Values are

- they are based on risk assessment
- they specifically provide for uncertainty
- they provide an objective basis for decision making

The first set of Guideline Values cover; arsenic, cadmium, chromium, cyanide, inorganic lead, inorganic mercury, nickel, phenol, Polycyclic Aromatic Hydrocarbons (P.A.H.) and selenium. Reports are also being prepared on other substances as well.

Whilst the use of C.L.E.A. Guideline Values is not mandatory, the Council intends to utilise the model wherever possible. This consistency of approach will result in a high degree of transparency. However, in certain circumstances, for example in the case of groundwater and ecosystem protection, the C.L.E.A. model will not apply and therefore the most appropriate alternative will have to be used.

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- (ii) I.C.R.C.L. (Inter-departmental Committee on Re-development of Contaminated Land) Values

The I.C.R.C.L 'Guidance on the Assessment and Re-development of Contaminated Land', (2nd Edition, July 1987) is currently the most widely used model in the U.K. This document sets 'trigger' and 'action' soil target values for a number of substances, above which remedial action may be required.

4.13 Risk Assessment for other substances

Risk assessments may also be required for substances not covered by I.C.R.C.L. or C.L.E.A. guidelines. In these cases, reference may be made to occupational exposure levels issued by the Health and Safety Executive or to other authoritative sources of information, such as guidelines adopted in other countries. If guidelines from other countries are referred to however it will be important to bear in mind the significant difference in remediation standards between the U.K. and these other countries and the different assumption used in formulating the standards (e.g. lower organic content of the soil in one country compared with another).

4.14 Risk Assessment for Controlled Waters

Advice will be sought from the Environment Agency on risk assessment if controlled waters are the receptor in a particular pollutant linkage. It is anticipated that risk assessments and remediation will be carried out in accordance with Environment Agency guidance as laid

down in "Methodology for the Derivation of Remedial Targets for Soil and Groundwater to Protect Water Resources" (E.A. R. & D. Publication 20, 1999).

5. Liaison and Communication in Dealing with Contaminated Land Issues in the County

Section 3.7 (Stage 2) referred to the internal consultation of the draft Strategy clearly a number of external organisations and individuals will be involved with the County Council in the practical implementation of the Inspection Strategy. The Council has already made links with certain agencies and will be establishing further links to ensure efficient consultation, transfer of information and where relevant to ensure transfer of regulatory control of Special Sites to the Environment Agency.

5.1 Liaison with Statutory Bodies

To fulfil the County Council's statutory duty, the Council will establish formal liaison procedures with:

- (a) the Environment Agency, Wales,
- (b) the Countryside Council for Wales,
- (c) CADW,
- (d) the Welsh Development Agency
- (e) the Food Standards Agency, Wales
- (f) the Health & Safety Executive

Appendix III lists the details of the statutory bodies the Council will liaise with in carrying its duties to deal with contaminated land.

As previously mentioned these organisations will be invited to comment on the consultation draft of the Inspection Strategy and will also be available to advise on any proposed action by the County Council under Part IIA of the Act in dealing with land subsequently found to be contaminated.

It should be noted however that as the Guidance states (Part D paragraph 2.31) "the local authority has the sole responsibility for determining whether any land appears to be contaminated land" (under the terms of Part IIA of the Act).

5.2 Liaison with Other Local Authorities

Co-operation and liaison with other local authorities is important in ensuring a consistent approach to regulation and avoiding duplication of effort in establishing procedures to deal with contaminated land issues.

5.3 Regional Liaison

The Council is participating in meetings of the South East Wales sub-group of the joint Welsh Local Government Association and Environment Agency Wales Contaminated Land Working Group. Officers specialising in pollution control in the previous Gwent and Glamorgan authorities attend to deal with common issues concerning contaminated land.

5.4 Cross-boundary Contaminated Land

Neighbouring local authorities will have to work together on cross border contamination issues where a source of contamination in one local authority's area is causing a significant risk to a receptor in another local authority's area. This is especially true when dealing with controlled waters where contamination can affect receptors over relatively large distances.

The co-operation now established by the sub-group mentioned in the previous paragraph will assist in dealing with neighbouring Welsh authorities. In the case of Herefordshire and the Forest of Dean District Council to the north west of the County, arrangements have been made to ensure that a similar pattern of co-operation is established with the relevant officers.

5.5 Interaction with Other Regulatory Regimes

There are other regulatory actions that can be taken to deal with contamination on land. Overlaps with planning, water pollution and I.P.P.C. legislation are considered the most important. Any issues of land contamination that may previously have been dealt with under the statutory nuisance regime under Part III of the E.P.A. 1990 will now be dealt with through Part IIA of the Act.

5.5 (i) Planning

The majority of contaminated land issues are currently addressed through the planning regime, where contamination can be a material consideration. Whilst the introduction of Part IIA should now deal with the issue of previously contaminated land sites, it is anticipated that the re-development of some brownfield sites, and the associated planning controls will remain the primary mechanism for dealing with contaminated land. It should be noted that any remediation agreed as a planning condition will be dealt with under planning controls and not under Part IIA but should be carried out within a reasonable time frame.

The County's Environmental Health section currently works closely with development control and building control in the Environment Directorate and the B.B.N.P. on all issues relating to pollution and the current arrangements for consultation are considered to be sufficient to deal with contaminated land issues.

(ii) Water Pollution

The Water Resources Act 1991 gives the Environment Agency powers to deal with harm to controlled waters being caused by contaminated land. While Part IIA legislation does not revoke these powers, the W.A.G. have indicated that such problems should now be dealt with under the new contaminated land regime. The following steps will be taken:

- The Council will consult with the Environment Agency before designating any contaminated land resulting in a significant risk to controlled waters and will take into account any comments made with respect to the remediation.
- If the Agency identifies a risk to controlled waters from contaminated land, the Council will be notified to enable designation of the land and take remedial action under Part IIA.

(iii) Integrated Pollution Prevention and Control (I.P.P.C.)

Under new legislation to regulate pollution from certain industrial processes, site operators are required to undertake a site condition survey prior to receiving a permit from the Environment Agency to operate. If the site condition is such that areas of land meet the definition of contaminated land, then submission of a site survey as part of the I.P.P.C. application may trigger action by the Council under Part IIA. Existing processes which require permits will be brought under this legislation in stages over the next seven years, although it will apply immediately to any new processes covered by the legislation or any substantial change to an existing process.

(iv) Waste Management Licensing

Irresponsible practices in the disposal of waste on to or in to land may lead to contamination. A regime of waste management licensing is already in place and is enforced by the Environment Agency. A site cannot be subjected to regulatory action under the contaminated land regime if waste management activities are already licensed by the E.A., unless the contamination is clearly unrelated to the licensed activity on the site.

5.6 Non-statutory Consultees

The consultation exercise to be undertaken with Community Councils has already been described in Section 2. There is also great scope for members of the public, businesses and voluntary organisations to play an important role in dealing with contaminated land in the County. Efforts will therefore be made to encourage full participation in the process of identifying and investigating contaminated land, recognising the valuable contribution of these sectors.

5.7 Communicating with Owners, Occupiers and Other Interested Parties

The County Council's approach to its regulatory duties is to seek voluntary action before taking enforcement action. This approach will be adopted for issues of land

contamination, recognising that in many cases as much or more effective remediation can be achieved by agreement than by enforcement. The Regulations provide an incentive to undertake voluntary action, in that any materials that requires disposal as a result of voluntary remediation can be exempted from Landfill Tax. This exemption does not apply to materials generated as a result of a remediation notice having been served.

This approach requires effective communication with owners, occupiers and other interested parties. The E.H.O. (para. 4.1) will be the central contact point within the Council on contaminated land issues and as such will work to keep owners, occupiers and other interested parties informed at each stage of an investigation, regardless of whether there is a formal designation of contaminated land.

(i) Where formal designation of contaminated land is required, the following actions will be undertaken:

- Write to the owner and/or the occupier of the land at least 5 working days prior to designation, explaining in summary the reason for designation
- Write to owner and/or the occupier explaining the land has been designated as contaminated land and seeking appropriate remediation without service of a notice
- If requested, dispatch a copy of the written risk assessment to the owner and/or occupier of the land within 5 working days of receipt of a request
- Write to the owner/occupier of neighbouring properties and/or the complainant within 5 working days of designation
- Inform the Environment Agency of the designation at the same time as the owner/occupier is informed, using the form supplied by the E.A.

(ii) Serving a Remediation Notice

- Provide a written remediation notice to the owner/occupier specifying action required
- Write to the owner/occupier of neighbouring properties and/or the complainant within 5 working days of notice being served

Should an urgent designation of contaminated land be required, these steps will be observed as far as practicable although some deviation from the timescales specified is to be expected.

5.8 Powers of Entry

Under Section 108(6) of the Environment Act 1995, the Council has been granted power of entry to carry out investigations. At least 7 days notice will be given of proposed entry onto any premises, unless there is an immediate risk to human health or to the environment.

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5.9 Enforcement Action

The Environmental Health Section has adopted an enforcement policy (Appendix III) to ensure consistent, fair and transparent practices are used when taking enforcement action. Contaminated land investigations will be carried out in accordance with this policy.

5.10 Risk Communication

The complex nature of contaminated land issues does not lend itself to easy explanation to the lay-person. Development of effective methods of risk communication is therefore essential.

The Council will treat any concerns raised by a member of the public seriously and with respect, recognising the importance of the issue to the individual. In all instances, the Council will recognise and try to overcome the critical barriers to effective risk communication:

- familiarity - increased concern about unfamiliar issues
- control - increased concern if the individual is unable to exert any control over events
- proximity in space - increased concern about nearby events
- proximity in time - increased concern about immediate consequences rather than long term effects
- scale - particularly in terms of media coverage, where one large incident appears much worse than several small incidents
- "dread factor" - lack of understanding can lead to stress and make further explanation more difficult

These concepts are explained in a publication by the Scotland & Northern Ireland Forum for Environmental Research on communicating risks from contamination land.

The Regulations and Part IIA grant only limited powers to the Council to deal with hazardous or potentially contaminating materials present in, on or under the ground. Members of the public may believe that any material that is not naturally present in the ground should be removed, especially if it is in the vicinity of their homes. It will be important to explain this can only be done under the powers given to the Council in Part IIA where there is a risk of significant harm and it is to be expected that some members of the public will have difficulty accepting this.

It is therefore important to appreciate that the expectations of the public will not always be met by the powers the Council may exercise under contaminated land legislation.

5.11 The Public Register

Under the Regulations, the council is required to maintain a public register of contaminated land. The register will be held by the Environmental Health Section at the Council's head office at County Hall, Cwmbran. It will be paper-based and be accessible

on request by members of the public during office hours, Monday to Friday. Subject to the appropriate technology being available, the Council will make provision for the register to be available in electronic form.

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

- Remediation Notices
- details of site reports obtained by the Council relating to Remediation Notices
- Remediation Declarations, Remediation Statements and Notifications of Claimed Remediation
- designation of sites as "special sites"
- any appeals lodged against Remediation and Charging Notices
- convictions

The public register will not include details of historic land use and other records used in the investigation of potentially contaminated land. These are research documents and as such will not necessarily be made available to the public.

5.12 Provision of Information to the Environment Agency

The Environment Agency is required to prepare an Annual Report for the Secretary of State and the W.A.G. on the State of Contaminated Land in England and Wales. This report will include:

- A summary of local authority inspection strategies, including progress by Councils with the strategy and its effectiveness
- The amount of contaminated land and the nature of the contamination
- Measures taken to remediate land

As local authorities are the lead regulators on contaminated land, with the E.A. regulating only some categories of sites, the national survey will clearly be reliant on information provided by local authorities. A memorandum of understanding has been drawn up between the Environment Agency and the Local Government Association that describes how information will be exchanged between the local authority and the Environment Agency. The Council will therefore provide information to the Environment Agency following the guidelines agreed through this forum.

The Council must also provide information to the Environment Agency whenever a site is designated as contaminated land, and whenever a Remediation Notice, Statement or Declaration is issued or agreed. The Environment Agency has provided standard forms, allowing this information to be provided in a consistent format and the Council will adopt these to fulfil its reporting requirements.

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5.13 The Role of the Welsh Development Agency

The County Council aims to work in partnership with other organisations, and their programmes, where there is the potential for overlap with its responsibilities under Part IIA E.P.A. 1990. Of particular relevance is the Welsh Development Agency (W.D.A.)

Land Reclamation Programme, which is available to both the public and private sectors where the W.D.A.'s objective is to secure beneficial re-use of derelict land through reclamation. This task is seen by the W.D.A. as central to the regeneration of the Welsh economy. For grant purposes, derelict land is defined as "land so damaged by past industrial or other activity that it is incapable of beneficial use without treatment". The site must, therefore, have had some type of development previously which has ceased and is in need of clearing or reclaiming before any further development or use can take place. The grant does not extend to sites that have dereliction of natural origin or works that are covered by enforceable restoration conditions or statutory requirements, including remediation notices. The W.D.A. will, however, consider grant aiding any additional eligible works necessary to achieve complete reclamation of a contaminated site for a defined new use. The W.D.A. evaluates all applications with a view to local needs, value for money, priority of the project and budget availability for such projects in the financial year in which the grant is paid.

6. Programme for Inspection

6.1 Arrangements for Carrying out Detailed Inspections

The earlier processes within this Strategy will assist the County Council in identifying land where there is a possible pollutant linkage. A detailed inspection of the land will then have to be carried out in order to obtain sufficient information to:-

- (a) to provide evidence of the presence of a pollutant linkage and to determine, in accordance with the Guidance, whether the land is contaminated; and
- (b) to decide whether the land requires designation as a special site within the terms of the Contaminated Land (Wales) Regulations 2001.

The nature of the detailed inspection will vary from site to site. Chapter 2 of the Guidance gives statutory guidance. The inspection may include the following:-

- (a) the collation and assessment of documentary information and other information, from other bodies and organisations relating to the particular site;
- (b) a visual inspection of the site and its environs;
- (c) limited sampling of the site, for example, of surface deposits or sampling of adjacent water courses;
- (d) the intrusive investigation of the land by exploratory excavation, bore-holes, etc., and any associated sampling.

These inspections will be undertaken in accordance with the following code of practice and guidance documents:

- British Standard 10175 : 2000. Investigation of Potentially Contaminated Sites. Code of Practice
- A Framework for Assessing the Impact of Contaminated Land on Groundwater and Surface Water. Contaminated Land Research Report (C.L.R. 1)
- Guidance on Preliminary Site Inspection of Contaminated Land. Contaminated Land Research Report (C.L.R. 2)
- Documentary Research on Industrial Sites. Contaminated Land Research Report (C.L.R. 3)
- Sampling Strategies for Contaminated Land. Contaminated Land Research Report (C.L.R. 4)
- Prioritisation and Categorisation Procedure for Sites which may be Contaminated. Contaminated Land Research Report (C.L.R. 6)
- Model Procedures for the Management of Contaminated Land. Contaminated Land Research Report (C.L.R. 11)

6.2 Health and Safety Requirements

Site investigations will be undertaken in accordance with the County Council's health and safety policies and procedures. Officers involved in site investigation will receive appropriate training and be provided with suitable and sufficient protective clothing. In

addition regard shall be had to the following documents in order to ensure safe working practices when undertaking site investigations.

6.3 Statutory Guidance to be followed when using Statutory Powers of Entry

(i) In undertaking inspections of land, officers of the Council will seek to work with the owners and occupiers of land, "appropriate persons" and other interested parties to facilitate the inspections. However, Section 108 (6) of the Environment Act 1995 gives the County Council the power to authorise a person to exercise specific powers of entry.

(ii) Chapter 2, Part C, Paragraph 2.22 - 2.25 of the Guidance provides statutory guidance to local authorities, which the Council will follow, when exercising powers of entry.

(a) Prior to carrying out an inspection using its statutory powers of entry the Council will satisfy itself, on the basis of information already obtained:

in all cases, that there is a reasonable possibility that a pollutant linkage exists on the land, and

in cases involving intrusive investigation that it is likely that the contaminant is actually present and, given the current use of the land, that the receptor is actually present or is likely to be present.

(b) Special Considerations with Respect to Intrusive Investigations

The County Council will carry out any intrusive investigations in accordance with appropriate technical procedures for such investigations. It undertakes to take all reasonable precautions to avoid harm, water pollution or damage to natural resources or features of historical or archaeological interest.

The Council will not carry any intrusive investigation under its statutory powers of entry if:

it has already been provided with detailed information on the condition of the land which provided an appropriate basis to enable it to determine whether the land is contaminated in accordance with the statutory guidance; or

a person offers to provide such information within a reasonable and specified time and then provides the information within that time period.

(iii) Sites of Special Scientific Interest (S.S.S.I.)

The statutory guidance requires the County Council to consult with Countryside Council for Wales before **Page 63** but any intrusive investigation on any area notified as a site of special scientific interest (S.S.S.I.) The County Council will also

consult with the appropriate organisation, for example Gwent Wildlife Trust as well as the Council's own countryside and biodiversity officers with regard to such sites and other ecologically sensitive area of the County.

(iv) Sites of Historical or Archaeological Interest

Before carrying out any intrusive investigation on any area encompassing a site of historical or archaeological interest the council will consult with CADW.

(v) Controlled Waters

Prior to carrying out any intrusive investigation which may affect controlled waters the County Council will consult with the Environment Agency Wales.

(vi) Special Sites

Where land is determined by the County Council to be contaminated land and it also falls within the description of a special site contained within the Contaminated Land (Wales) Regulations 2001 then it is required to be designated as a special site (Appendix 1). The Environment Agency is the enforcing authority for special sites. In these circumstances it is prudent for the Agency to have a formal role at the earliest stage with regard to such land.

Prior to authorising or carrying out any inspection of land using its statutory powers of entry the County Council will consider whether, if the land is found to be contaminated, it would require designation as a special site. If the Council is already in possession of information indicating this then it will make arrangements for the Environment Agency to carry out the inspection on their behalf.

Where the Council considers that there is a reasonable possibility of the presence of a pollutant linkage which would necessitate designation as a special site then arrangements will be sought for the Environment Agency to carry out the inspection.

Where necessary the Council will authorise a nominated person from the E.A. to exercise the powers of entry under Section 108 of the Environment Act 1995 and carry out inspections on its behalf. Before being provided with this authorisation the E.A. must satisfy the Council that it has met the conditions for use of the statutory powers of entry outlined in 7.3 - 7.4.

6.4 Appointment of Consultants and External Contractors

From time to time the County Council may need to appoint consultants or external contractors to undertake specific work with respect to contaminated land. For example, site investigations, sampling and analysis, supervision and the undertaking of site remediation works or as an expert witness. Any such appointments will be carried out

under the terms of the Council's standing orders and financial regulation for the procurement of such services.

7. Review Mechanisms

This Strategy outlines the general approach to be taken in inspecting land in the County for contamination. This Section will describe instances when inspections will occur outside this general inspection framework, circumstances under which previous inspection decisions should be reviewed and measures to be taken to ensure the Strategy remains effective and up-to-date.

7.1 Triggers for Undertaking Inspection

The Strategy has already recognised there may be occasions where inspections may have to be carried out outside of the general inspection framework.

Triggers for undertaking non-routine inspection will include:

- (a) Unplanned events - e.g. if an incident such as a spill has occurred.
- (b) Introduction of new receptors - e.g. if housing is to be built on a potentially contaminated site, designation of a new protected ecosystem, persistent trespass onto a site by young people.
- (c) Supporting voluntary remediation - e.g. a potentially liable party wishing to undertake clean-up before their land has been inspected by the local authority.
- (d) Identification of localised health effects which appear to relate to a particular area of land.
- (e) Responding to information from other statutory bodies, owners, occupiers, or other interested parties.

While these occurrences may trigger non-routine inspections, if this Strategy is to prove effective they must not be allowed to significantly interfere with the milestones laid down in the contaminated land inspection timetable. (See paragraph 3.7) It will be important to consider this issue in all Strategy reviews.

7.2 Triggers for Reviewing Inspection Decisions

In addition there may be occasions where the findings of previous inspection decisions should be reviewed. This might occur, for example, if there were:

- (a) Significant changes in legislation.
- (b) Establishment of significant case law or other precedent.
- (c) Revision of Guideline Values for exposure assessment. (See paragraph 4.7.2 (i)).

It is important therefore that all decisions are made and recorded in a consistent manner that will allow efficient review.

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7.3 Reviewing the Strategy

As part of the overall quality management of this work, it is important to consider the need to review the Strategy from time to time.

Following consultation the Strategy will be finalised during October 2002 and work will then begin on site inspections. In the Council's opinion it will be appropriate to review progress of the inspection strategy after the first full year of operation. This review will therefore take place in October 2003 and the findings will be reported to the Council's

Environment Executive. If there are significant changes to the Strategy, it may be appropriate to carry out further annual reviews in following years.

If the Strategy is found to be operating satisfactorily throughout the period of the five-year work plan, the next review date will be October 2007 when the first inspection of the County has been completed and any remediation of contaminated sites has been prioritised.

8. Contact Details

8.1 Reporting Contaminated Land

- (i) The Council's Environmental Health Section will deal with any complaints or enquiry concerning contaminated land.

Postal Address: Environmental Health Section,
Environment Directorate,,
Monmouthshire County Council,
County Hall, CWMBRAN. NP44 2XH

Tel: 01633 644112

Fax: 01633 644105

E.mail bernardtyson@monmouthshire.gov.uk

Website: www.monmouthshire.gov.uk

- (ii) While the Environmental Health Section will accept all initial reports, if the matter involves development on a potentially contaminated site, it may be more appropriately dealt with through the planning process. In this case, the matter will be passed on to the Development Control section of either Monmouthshire County Council or the B.B.N.P. and liaison established to ensure the condition of the site is suitable for its intended use.
- (iii) Any provisional information concerning the transfer of ownership of land and property (i.e. local land charges search questionnaires), should be made in the first instance to the Council's Legal Services Section, telephone 01633 644244, fax number 01633 644061 or e.mail brendachandler@monmouthshire.gov.uk.

Legislation and Guidance:

The Environment Act 1995 H.M.S.O. (1995)

The Contaminated Land (Wales) Regulations 2001 H.M.S.O. (2001)

Remediation of Contaminated Land. The Welsh Assembly Government (W.A.G.) Guidance to Enforcing Authorities under Part IIA of the Environmental Protection Act 1990 (November 2001)

Contaminated Land Inspection Strategies, Technical Advice to Local Authorities D.E.T.R./E.A. (April 2000)

References:

Communicating Understanding of Contaminated Land Risks. Scotland and Northern Ireland Forum for Environmental Research (S.N.I.F.F.E.R.) (1999)

Industry Profiles. Department of the Environment, (1995 and 1996)

Inter-departmental Committee on the Redevelopment of Contaminated Land (I.C.R.C.L.). Guidance Note 59/83 (1983)

W.D.A. Manual on the Remediation of Contaminated Land 1993 (under review)

Local Environment Agency Plan (L.E.A.P.)

1. The Wye Area
2. The Rural Usk Area
3. The Eastern Valleys Area. Environment Agency (2000)

Monmouthshire County Council Publications:

Unitary Development Plan (Deposit Version) September, 2001

Performance Plan 2001 - 2002

Monmouthshire Local Agenda 21 2000 Strategy, Second Version, March, 2002

B.B.N.P. Publications:

Local Plan. Adopted 1999

Consultation Draft of Unitary Development Plan April, 2002

Biodiversity Action Plan May 2002

Appendix I

Special Sites

While the Monmouthshire County Council is the lead regulatory authority dealing with contaminated land in its district, there may be some instances when regulation will be passed to the Environment Agency. This will only occur once the Council has designated a site as contaminated land and it meets one of the criteria of a "special site" as laid down in the Regulations.

There are three categories of sites when the E.A. will assume regulation:

1. Water pollution cases.
2. Industrial cases.
3. Defence cases,

Regulation 3 of the Contaminated Land (Wales) Regulations 2001 contains the legal definition of what constitutes Special Sites.

Appendix II

Enforcement Policy of the Environmental Health Section

The Environmental Health Section's aim of protecting the public and the environment from harmful activities and risks in Monmouthshire, is achieved through education, advice and regulating the activities of others to secure compliance with legal requirements.

Our work is transparently open, subject to necessary discretion in gathering evidence and confidentiality given to those seeking our help. Due allowance is made where difficulty with compliance is voiced.

To prevent pollution, help and guidance is given when asked by individuals, businesses, planners and others. All documents name the relevant staff and give full contact details. Where service falls below expectations, staff and the Environmental Health Manager seek to resolve complaints, and where this is not achieved complaints are referred to the Head of Community Protection.

Our requirements and actions are targeted to be proportional to risks, circumstances and attitudes, avoiding unnecessary expense where practicable. Consistency, fairness and equitability are achieved through team meetings, reviews and by focusing on service delivery.

Our procedures are to investigate complaints and programme our visits according to a priority system that targets more severe pollution. The person responsible is informed why remedial work is required, normally by letters inviting response and, when further investigation may lead to action, explaining the consequences. Complainants are asked to assist by keeping a record of non-continuous pollution. We liaise with community organisations, other regulatory agencies and services, and encourage self-regulation by business.

Whenever there is sufficient, admissible and reliable evidence of serious pollution or persistent breaches of regulatory requirements, an enforcement notice is served. Our notices incorporate explanation of both rights of appeal and the reasons for their service. Where there are serious and/or immediate consequences from failure to comply with an enforcement notice we will apply to a magistrate for a warrant to enter premises and undertaken the work in default, such as by seizure of equipment, or seek other legal remedy, such as injunction.

We will prosecute providing there is a realistic prospect of conviction and subject to an assessment of the public interest, to prevent serious pollution recurring, punish wrongdoing and act as a deterrent to others. Before deciding on prosecution we will also take into account the offender's intent, attitude, history, ability to foresee and the effect on the community and environment. Alternatives to prosecution, such as formal caution or warning will also be considered.

Appendix III

Details of Consultation Contacts at Government Agencies

Richard Jones,
Senior Conservation Officer - East,
Countryside Council for Wales,
4 Castleton Court,
Fortran Road,
St. Mellons,
CARDIFF. CF3 0LT

Mr. P. Roche,
CADW,
Ancient Monuments Administration,
Crown Buildings,
Cathays Park,
CARDIFF. CF10 3NQ

The Health and Safety Executive,
Government Buildings,
Phase I,
Ty Glas,
Llanishen,
CARDIFF. CF14 5SH

Mr. G. Griffiths,
Director of Land Reclamation,
Welsh Development Agency,
(South East Division),
Q.E.D. Centre, Treforest Estate,
PONTYPRIDD. CF37 5YR

Sarah Coe,
Area Contaminated Land Officer,
Environment Agency Wales,
Abarus House,
St. Mellons Business Park,
St. Mellons, CARDIFF. CF3 0EY

Dr. Sarah J. Rowles,
C.C.A.F. Division,
Foods Standards Agency,
Aviation House,
125 Kingsway,
WC2B 6NH
Appendix III

Details of Other Persons or Organisations Consulted

Gwent Health Authority,
Mamhilad House,
Mamhilad Park Estate,
PONTYPOOL.
NP4 0YP

Dr. A. Blake,
Wye Valley Area of Outstanding Natural
Beauty Office,
Hadnock Road,
Mayhill,
MONMOUTH,
Monmouthshire. NP25 3NG

K. Blackwell,
Abergavenny Chamber of Commerce
c/o Standby Secretarial Services,
Nevill Street,
ABERGAVENNY.
Monmouthshire. NP7 5AA

A. Barnfarther,
Chepstow Chamber of Commerce,
Stuart House,
The Back,
CHEPSTOW,
Monmouthshire.

H. Hodges,
Chepstow Amenity Society,
3 Mount Pleasant,
CHEPSTOW,
Monmouthshire.
NP6 5PS

Mr. M. Morgan,
The Open Spaces Society,
2 Woodside,
MONMOUTH,
Monmouthshire.
NP5 3RS

S. Hewitt,
Forestry Authority,
Victoria Terrace,
ABERYSTWYTH.
SY23 2DQ

T. Bevan,
Monmouth Chamber of Commerce,
c/o Singleton Court Business Centre,
Wonastow Road,
MONMOUTH,
Monmouthshire.

S. Bayliss,
Caldicot Chamber of Commerce,
c/o Barclays bank,
Beaufort Square,
CHEPSTOW,
Monmouthshire.
NP6 5XL

N. Attewell,
Usk Chamber of Commerce,
c/o Home Electrical Services,
Bridge Street,
USK,
Monmouthshire.

Gwent Consultancy,
Gwent House,
Albany Street,
NEWPORT.
NP9 5GH

Janet Rawlings,
Chepstow Friends of the Earth,
14 The Paddock,
CHEPSTOW,
Monmouthshire.
NP16 5BW

Barry Greenwood,
Abergavenny Crickhowell Friends of the
Earth,
3 Cefn Pendegar,
Old Monmouth Road,
ABERGAVENNY,
Monmouthshire. NP7 8BU

Brecon Beacons National Park Authority
7 Glamorgan Street,
BRECON,
Powys.
LD3 7DP

F.A.O. Scott Webster,
Regulation Scientific Assistant,
Dŵr Cymru/Welsh Water,
Dinas,
Llanwnda,
CAERNARFON,
Gwynedd. LL54 5UD

Glossary

Note: 1 An entry in this glossary is an interpretation of a word, term or phrase provided to assist a lay person reading the Strategy. For any legal definition the Guidance or the Act will be authoritative.

2 References to section numbers refer to sections within the Environmental Protection Act 1990.

A.O.N.B.	Area of Outstanding Natural Beauty
Appropriate Person	"Any person who is an appropriate person, determined in accordance with Section 78F ..., to bear responsibility for any thing which is to be done by way of remediation in any particular case".
Aquifer	A body of underground water
Brownfield Site	A site that has been generally abandoned or under-used where re-development is complicated by actual or perceived environmental contamination. Only a small proportion of brownfield sites will meet the definition of contaminated land.
Building	Any structure or erection and any part of a building including any part below ground, but not including plant or machinery within the building.
CADW	The Welsh Historic Monuments Executive Agency.
C.L.E.A.	Contaminated Land Exposure Assessment, a criteria for determining the risk of chronic human health effects.
Contaminant	A substance which is in, or under the land and which has the potential to cause harm or to cause pollution of controlled waters.
Contaminated Land	Any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances, in, on or under the land that: a) significant harm is being caused or there is a significant possibility of such harm being caused; or b) pollution of controlled waters is being, or is likely to be caused.
Controlled Waters	Defined in Section 79a(9) by reference to Part III of the Water Resources Act 1991, Section 104 and includes: a) inland fresh waters (rivers streams, underground streams, canals, lakes and reservoirs), b) groundwaters (any water contained in underground strata, wells or boreholes), c) territorial waters (the sea within three miles of a baseline), d) coastal waters (the sea within the baseline up to the line of highest tide, and tidal waters up to the fresh water limit.
County Council	Monmouthshire County Council.

Current Use:	Any use which is currently being made, or is likely to be made, of the land and which is consistent with any existing planning permission or is otherwise lawful under town and country planning legislation.
D.E.T.R.	Department of the Environment, Transport and the Regions (now Department of the Environment, Agricultural and Rural Affairs (D.E.F.R.A.))
E.A.	The Environment Agency.
Enforcing Authority	(a) in relation to a special site, the Environment Agency; (b) in relation to contaminated land other than a special site, the local authority in whose area the land is situated.
G.I.S.	Geographical Information System.
Groundwater	Any water contained in underground strata, wells or boreholes.
Harm	Defined in Section 78A(4) as: "harm to the health of living organisms or other interference with the ecological systems of which they form part and, in the case of man, includes harm to his property".
Hazard	A property (of a substance) or situation with the potential to do harm.
I.C.R.C.L.	Inter-departmental Committee on Remediation of Contaminated Land.
Intrusive Investigation	An investigation of land (for example by exploratory excavations) which involves actions going beyond simple visual inspection of the land, limited sampling or assessment of documentary information.
Local Agenda 21	A local action plan for sustainable development, developed as a response to the Agenda 21 document produced at the 1992 Rio Earth Summit.
Owner	A person (other than a mortgagee not in possession) who either in his own right or a trustee for any other person, is entitled to receive the rack rent of the land, or where the land is not let at a rack rent, would be so entitled if it were so let.
Part IIA	Part IIA of the Environmental Protection Act 1990.
Pathway	One or more routes or means by, or through which a receptor: (a) is being exposed to, or affected by, a contaminant, or (b) could be so exposed or affected.
Pollutant	A contaminant which forms part of a pollutant linkage.
Pollutant Linkage	The relationship between a contaminant (source), a pathway and a receptor.
Pollution of Controlled Waters	Defined in Section 78A(9) as "The entry into controlled waters of any poisonous, noxious or polluting matter or any solid waste matter".
Possibility of Significant Harm	A measure of the probability, or frequency of the occurrence of circumstances which would lead to significant harm being caused.
Ramsar Site	A site protected under an international convention on protection of wetlands of international importance, especially as habitats for waterfowl.

Receptor	Sometimes referred to as "a target", being the health of a person, controlled waters, ecosystem or a property type that could be affected by contamination
Remediation	Generally the carrying out of works to prevent or minimise effects of contamination. In the case of this legislation the term also encompasses assessment of the condition of the land and subsequent monitoring of the land.
Risk	The combination of: (a) the probability, or frequency of occurrence of a defined hazard (for example, exposure to a property of a substance with the potential to cause harm) and (b) the magnitude (including the seriousness) of the consequences.
Risk Assessment	The study of (a) the probability, or frequency of a hazard occurring; and (b) the magnitude of the consequences.
Sustainable Development	Development which meets the need of the present generation without compromising the ability of future generations to meet their own needs.
S.A.C.	Special Area of Conservation.
Significant Harm	Any harm which is determined to be significant in accordance with the Guidance in Chapter 1, Part C.
Significant Pollutant	A pollutant which forms part of significant pollutant linkage.
Significant Pollutant Linkage	A pollutant linkage which forms the basis for a determination that a piece of land is contaminated land.
Significant Possibility of Significant Harm	A possibility of significant harm being caused which, by virtue of Section 78A(5), is determined to be significant in accordance with the statutory Guidance in Chapter 1, Part C.
S.N.I.F.F.E.R.	Scottish and Northern Ireland Forum for Environmental Research.
Source Protection Zone	Protection zones around certain sources of groundwater used for public water supply. Within these zones, certain activities and processes are prohibited or restricted.
Special Site	Defined by Section 73A(3) as "Any contaminated land ; (a) which has been designated as such a site by virtue of Section 78C(7) or 78D(6) ... , and (b) whose designation as such has not been terminated by the appropriate Agency under 78Q(4)..." (also see Appendix 1).
S.S.S.I.	Site of Special Scientific Interest.
Substance	Any natural or artificial substance, whether in solid or liquid form or in the form of a gas or vapour.
W.A.G.	Welsh Assembly Government.

REPORT

SUBJECT:	CONTAMINATED LAND INSPECTION STRATEGY
DIRECTORATE:	REGENERATION AND CULTURE
MEETING:	CABINET
DATE:	1ST FEBRUARY, 2012
DIVISION/WARDS AFFECTED:	All

1. Purpose:

1.1 To consider the Authority's Contaminated Land Inspection Strategy.

2. Recommendations:

2.1 Note the content of the attached report entitled '*Monmouthshire County Council's Contaminated Land Inspection Strategy – Progress Report*', December 2011

2.2 Defer progress of the existing inspection strategy until a revised strategy is developed.

2.3 To receive a future report, to enable consideration of a revised inspection strategy following the publication of revised statutory guidance.

2.4 Adopt as formal policy the current approach of consultation between Development Control and Environmental Health Sections with respect to developments on potentially contaminated land.

3. Key Issues:

3.1 The authority has duties under Part 11A of the Environmental Protection Act 1990 to inspect its area for contaminated land in line with statutory guidance - which includes the development of an inspection strategy. In 2002 the Council approved a Contaminated Land Inspection Strategy setting out its plans for identifying potentially contaminated land and prioritising any identified sites for remediation action. A report in January 2009 provided a revised and detailed work programme for implementing this strategy. A further report was considered in November 2009 and members requested future updates.

3.2 The attached report provides a summary of progress since that time and members' attention is drawn to the following key points:

- 2480 potentially contaminated sites in the authority have now had an initial desk top risk assessment, which has enabled sites to be placed into risk category bands.
- Identifying these potentially contaminated sites enables effective consultation between the Development Control Section and Environmental Health with respect to potential developments in areas of concern requiring, for example, investigation or remediation works to be undertaken by the developer.
- Since 2005 Welsh Government has provided Capital Support to local authorities to fund intrusive investigations at potentially contaminated sites and towards the cost of remediation. This funding stopped in April 2011.
- There are potentially very significant resource implications for the Council in funding any further progress in the programme of identifying whether or not the high risk sites are contaminated.

- If a site is identified as contaminated, the land would have to be declared as 'Contaminated Land' and placed on public register. The legislation allows for the Council to serve notice on the original polluter to require remediation, but in the quite likely event of the company no longer being in existence, the options remaining would be to serve notice on the current property owners to remediate or for the council to undertake the work. Remediating land is very expensive typically costing around £250,000 per hectare, although the costs do vary widely according to the nature of the site.

3.3 In developing its Inspection Strategy the Authority is obliged to follow statutory guidance. Welsh Government has indicated its intention to revise existing Statutory Guidance on contaminated land and published public consultation in December 2010. WG advises that it is not planning major changes to the regime, more a case of fine tuning existing guidance. However, authorities will be expected to update their strategies to ensure they are in line with the revised guidance.

3.4 In view of the current resource implications for progressing MCC's Inspection Strategy programme, it would be prudent to await this revised Guidance before consideration of a revised Contaminated Land Strategy.

4. Reasons:

4.1 Members previously requested an updated progress report.

4.2 The financial implications of the current strategy are potentially significant, particularly in the light of Welsh Government having withdrawn funding.

4.3 New statutory guidance to which the authority must have regard is imminent.

4.4 It is important that information held by the Council on potentially contaminated land is consulted and acted upon at the time of any planning application.

5. Resource Implications:

5.1 The recommendations of this report do not have any financial implications. However, members are asked to note potential implications of options contained within the progress report and these options will need to be considered at a future date, possibly as future budget pressures.

6. Sustainable Development and Equality Impact Implications:

6.1 The recommendations within this report are not considered to have any Equality Impact implications.

6.2 The development of a contaminated land strategy has implications for sustainable development. In particular, the identification of potentially contaminated sites makes a +ve contribution by helping ensure that such sites are not developed without contamination issues being addressed. The potential impact of future decisions regarding the authority's approach in the light of anticipated revised guidance will need to be considered at that time.

7. Consultees:

Corporate Management Team
 Cabinet Members
 Chairs of Select Committees
 Head of Legal Services
 Head of Finance
 Head of Public Health & Culture
Equality@monmouthshire.gov.uk

8. Results of Consultation:

No adverse comments received.

9: Background Papers:

- Attached Report:- Monmouthshire County Council's Contaminated Land Inspection Strategy – Progress Report December 2011

10. Authors:

Huw Owen
Principal Environmental Health Officer

Paul White
Specialist Environmental Health Officer

Email:- huwowen@monmouthshire.gov.uk paulwhite@monmouthshire.gov.uk

Tel: 01873 735433

Tel: 01873 735449

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Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p>Name of the Officer: Huw Owen</p> <p>Phone no: 01873 735433 E-mail: huwowen@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>For members to note progress with regard to the Council's Contaminated Land Inspection strategy and to comment on the options presented for revising the Strategy prior to consideration by Cabinet.</p>
<p>Name of Service: Environmental Health</p>	<p>Date Future Generations Evaluation form completed: 17th May 2016.</p>

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




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



Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Positive: An up to date strategy provides direction to the work of officers implementing it. Impact very much depends on the option(s) progressed but at the minimum it reinforces close working with colleagues in Development Control and developers of potentially contaminated land.</p>	

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)		
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood Page 82	Positive: Degree of impact depends on the option(s) decided upon but at the minimum will ensure that the contamination legacy of a site is appropriately addressed at the planning stage to make sure the site is fit for the proposed end use. In this way new Contaminated Land sites are not created and redeveloped sites are investigated and remediated, thereby ensuring public health is safeguarded on those sites.	A potential negative impact of revised strategy is that the more progressive options may not be pursued because of potential substantial resource implications. Strategy to be revisited a minimum of every 5 years so a change in financial landscape can be taken into account.
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Positive: as above for 'a healthier Wales' with regards to safety.	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive: setting an example that at a minimum developments are not on contaminated land and protecting the health of future generations.	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation		
A more equal Wales People can fulfil their potential no		

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
matter what their background or circumstances		

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

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

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

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

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

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

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

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

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

- **MCCs Contaminated Land Inspection Strategy 2002**
- **Welsh Government Contaminated Land Statutory Guidance 2012**

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

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

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

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

The revised Strategy will as a minimum continue the approach of consultation between Development Control and Environmental Health Sections with respect to developments on potentially contaminated land ensuring new Contaminated Land sites are not created and remediating redeveloped sites where necessary – safeguarding the health of future generations using the sites. Other impacts will very much depend on the decision of members on how they want the strategy progressed.

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

What are you going to do	When are you going to do it?	Who is responsible	Progress
Strategy to be revised following report to Cabinet and revised Strategy to be brought back to Cabinet for approval.	Revised Strategy to be put before Cabinet for approval within 6 months of Cabinet having considered and commented on options available.	Paul White – EHO Huw Owen Principal EHO	

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

The impacts of this proposal will be evaluated on:	Within 5 years of revised Strategy approved by Cabinet
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REPORT

SUBJECT: Sundry Debtors Policy - update

DIRECTORATE: Chief Executives - Finance

MEETING: Cabinet

DATE: 8th June 2016

DIVISION/WARDS AFFECTED: County Wide

1. PURPOSE:

- 1.1 To agree the updated Sundry Debtor Policy, to ensure that the Authority continues to adopt a consistent and transparent approach to the management of its sundry debts.

2. RECOMMENDATIONS:

- 2.1 That Members approve the updated Sundry Debtors Policy attached to this report.

3. KEY ISSUES:

- 3.1 In September 2011 Cabinet approved the Sundry Debtor Policy, subject to review on a five year cycle.
- 3.2 Over this period the policy has been imbedded in the way we work and has been used by our Internal Audit Department as a tool to measure compliance.
- 3.3 A copy of the updated Policies can be found in Appendix 1. Due to the nature of some debts alternative management and recovery arrangements continue to operate. In accordance with the original policy, policies covering these exceptions are included as:

Appendix 1(i) – Debtor Policy for Social Care and Health

Appendix 1(ii) - Debtor Policy for Car Parking Fines

- 3.4 Each of these policies have been reviewed and updated by the respective service lead. Changes have been made to reflect the latest day to day operations, feedback from our customers and Internal Audit Department. Fundamentally however the principles of these policies remain unaltered.
- 3.5 The Council continues to charge and collect income from a diverse range of activities, with Customers ranging from other public bodies, private businesses, to individuals. This income is managed and administered through the Accounts Receivable system on Agresso. The Sundry Debtors Team, which is based within the Revenues, Systems and Exchequer Team, oversee and administer the system; whilst officers from a wide range of Council services are involved in keeping the system up to date.

3.6 The updated Sundry Debtor Policy sets out the way the Council intends to continue to collect monies due. The Policy emphasizes the continued importance of :

- Seeking payment in advance wherever possible, preferably using the Authority's preferred payment method of Direct Debit
- Invoices being raised and sent to customers promptly, within 10 days of the service/facility provision
- Proof of debt being provided when the invoice is raised and referencing or attaching this to the account on the debtor system
- Timely reminder letters and recovery action
- The continued involvement of Service departments in the debt recovery process
- Cancelling the service provided if an account remains unpaid
- Using external collection agents, trace agents, visits and telephone debt chasing to recover any outstanding debts
- Undertaking legal recovery action on debts over £500
- Writing off debts in accordance to the policy, where all forms of recovery have been exhausted and/or it is considered that the debt is no longer economic to pursue

3.7 The level of outstanding debt for Sundry Debtors (excluding Social Care Debtors) is monitored on a monthly basis with the information reported and collated on The Hub.

3.8 **The table below shows the value of outstanding sundry debts and the collection rates at 31st March 2016.**

	Value of invoices raised in year	Balance at 31.03.16	% written off	% outstanding	collection rate
Pre					
2011/12	£143,296,402.19	£84,471.12	0.78%	0.06%	99.16%
2011/12	£22,582,335.06	£21,536.63	0.22%	0.10%	99.68%
2012/13	£20,700,874.88	£45,224.77	0.64%	0.22%	99.14%
2013/14	£20,622,850.25	£83,221.15	0.09%	0.40%	99.51%
2014/15	£32,516,041.71	£169,337.02	0.01%	0.52%	99.47%
*2015/16	£20,353,690.49	£6,621,860.85	0.00%	32.53%	67.47%

* Invoices raised late in the 2015/16 financial year contributed the large balance outstanding at 31st March 2016 and a collection rate of 67.47%. However, payments received by 30th April 2016 saw an improved collection rate of 74.77%. This collection rate will continue to improve as further recovery processes are undertaken.

- 3.9 The table above confirms that collection rates continue to be around the 99% mark with minimal write offs.
- 3.10 Another key indicator is the age debt profile. The table below illustrates that 77.61% of this debt is under 1 month old with only 5.51% of the debt being older than 12 months

Age of debt	Value, £	%
Up to 1 month old	5,452,708.60	77.61%
1 to 3 months old	619,589.78	8.82%
3 to 6 months old	290,732.29	4.14%
6 to 12 months old	275,184.92	3.92%
12 months +	387,435.95	5.51%
	7,025,651.54	100.00%

- 3.11 This confirms that the policy is continuing to consolidate good practice and is helping to ensure that debt is being managed effectively.
- 3.12 Social Care Debt is reported slightly differently with reports presented to their Departmental Management Team on a quarterly basis. The debt position at the 31st March 2016 is as follows:

	£
2010/11	144.62
2011/12	436.88
2012/13	2,366.93
2013/14	7,642.55
2014/15	39,988.11
2015/16	265,182.53
Customers Paying by Instalment	48,484.73
Awaiting Power of Attorney	55,660.92
Customers Deceased (unsecured)	105,014.40
	<u>524,921.67</u>

This is also showing an improving position, having reduced from £683,503 in 2011/12.

4. REASONS:

To ensure there are proper arrangements in place to cover the administration of sundry debts

5. RESOURCE IMPLICATIONS:

None arising directly from this report

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

The Future Generations process has been completed and can be found in Appendix 2.

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:

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

8. CONSULTEES:

Strategic Leadership Team
Cabinet Members
Head of Legal Services
Head of Finance

9. BACKGROUND PAPERS

None

10. AUTHOR:

Ruth Donovan – Assistant Head of Finance: Revenues, Systems & Exchequer

11. CONTACT DETAILS:

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Appendix 1

Monmouthshire County Council

Sundry Debtor Policy

**MONMOUTHSHIRE COUNTY COUNCIL
SUNDRY DEBTOR POLICY**

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MONMOUTHSHIRE COUNTY COUNCIL
SUNDRY DEBTOR POLICY

1. INTRODUCTION

- 1.1 The Head of Finance has responsibility, under Section 151 of The Local Government Act 1972, for the proper administration of the financial affairs of the Council. One such area of administration is that relating to Sundry Debtors and it is this that the Policy covers.
- 1.2 This Policy supplements the Financial procedural rules found in the Council's Constitution. Timescales in the policy for payment terms, billing and account collection, together with performance reporting, are set out to ensure a consistent approach to debt management is applied across the Council.
- 1.3 This Policy has been developed to help the Council meet its commitment to providing Value for Money. Particularly, it provides a framework for service delivery that recognises debt occurs for a variety of reasons; in some cases there may be a deliberate intention not to pay and in others non-payment may be as a result of an oversight or a change in personal circumstances.
- 1.4 The framework also facilitates the move towards a Performance Management operating model that fully supports the Council's Improvement agenda and which provides a methodology for generating information that can be used to drive continuous improvements and ensure excellence in Customer Services.
- 1.5 The Policy sets out the way in which the Council intends to collect monies due to it from both individuals and businesses.
- 1.6 The Council will use the most effective method of debt recovery, appropriate to each case, in order to maximise income.
- 1.7 The Council will keep under constant review advances in technology that may facilitate/improve or reduce the cost of the prompt payment of sums due to the Council.
- 1.8 Equality and related considerations will be taken into account in accordance with the Council's Sustainable Development and Equalities Policy, current at the time of dealing with each case. Specifically staff seeking to recover debts will ensure information is accessible as appropriate to the needs of the debtor.
- 1.9 This Policy will be supported by, and provides support, to any Policies connected with social and financial inclusion.
- 1.10 Application of the Policy will be monitored by the Head of Finance and will be subject to periodic scrutiny and review.

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SUNDRY DEBTOR POLICY

2. DEFINITION OF SUNDRY DEBTS

- 2.1 The Council charges and collects income from a diverse range of activities. Customers range from other public bodies, private businesses, through to individuals. Sundry debt does not include council tax and business rates collection.
- 2.2 The value of invoices raised can range significantly from a few pounds to many thousands of pounds, and therefore, taken together the value of all these sundry debts is considerable.

3. OBJECTIVES OF THE POLICY

- 3.1 The function and objectives of this Policy are to protect the Council's investment in debtors, ensure a good overall control of debt, maximise cash flow and to provide a cost effective service. This is achieved by:
- Ensuring debtors are made aware of the Council's terms and conditions
 - Ensuring debtors, wherever possible satisfy the Council of their ability to pay
 - Raising invoices in a timely and accurate manner
 - Ensuring invoices raised are valid and reflect services provided
 - Raising invoices only if it is cost effective to do so
 - Ensuring customers pay in accordance with the agreed terms
 - Maintaining and developing good customer relationships by adopting three principles considered to be best practice in enforcement activity, namely that at all times the Council's actions will be proportional, consistent and transparent
 - Taking a similar approach in cases with similar circumstances to achieve similar ends by aiming to achieve consistency in the advice given, use of powers available to the Council and recovery procedures used. Consistency does not mean uniformity and staff must take account of all relevant factors when dealing with individual cases such as the family and social circumstances of the debtor, their payment history, income and ability to pay and health and age
 - Securing prompt payment and therefore minimising bad debts
 - Protecting a major Council asset - Debtors
 - Developing a good professional credit reputation
 - Dealing with and resolving queries promptly
 - Offering efficient and flexible payment methods
 - Taking prompt and efficient recovery action
 - Terminating services for non-payment where appropriate
 - Controlling responsibilities and internal authority levels
 - Developing teamwork with all Service Areas
 - Regular management reporting and performance measurement
 - Consistently implementing the Policy

MONMOUTHSHIRE COUNTY COUNCIL SUNDRY DEBTOR POLICY

- 3.2 It is inevitable that from time to time the Council will be required to pursue recovery from persons and or businesses experiencing genuine difficulty in making payment. An agreed and transparent policy of how the Council manages and collects debts is considered a key element in ensuring consistency, sensitivity and best practice in such situations.
- 3.3 The reasons for any action taken will be explained clearly, without jargon and to *Plain English* standards and will include the appropriate timescales. Such information may be given in writing or verbally and will be published on the Council's website. Braille or translation services will be used when considered necessary.
- 3.4 The procedures defined in this policy and the documentation illustrated, are designed to achieve these objectives. It is essential that the defined procedures are consistently implemented by all concerned.

4. RESPONSIBILITY FOR THE POLICY

4.1 In broad terms, the relevant responsibilities are as follows:

- **The Cabinet** – setting and approving the policy.
- **The Head of Finance/Assistant Head of Finance** – advising and providing guidance on setting the policy and ensuring that the policy is implemented and overall management of the policy.
- **The Revenues Manager** - in respect of sundry debt recovery, the day-to-day administration of the Policy, through the Debt Recovery Team based in the Council's Revenues Section.
- **The Senior Recovery Officer** – Invoice production and debt recovery, the provision of reports, reconciliations, performance information, and the financial account maintenance of the computerised system.
- **Legal Services** – legal debt recovery, providing advice and support as necessary.
- **All other Council Departments** – applying the policy as defined in this document.

4.2 Exceptions to the Policy

Due to the nature of some debts alternative arrangements are in place for their management and recovery. Policies covering these exceptions are included as

Appendix i: Debtor Policy for Social Care and Health

Appendix ii: Car parking fines

MONMOUTHSHIRE COUNTY COUNCIL

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5. RAISING AN INVOICE – GENERAL PRINCIPLES

- 5.1 A more commercial attitude should be adopted whereby fees and charges are obtained in advance or at the time of service provision. Where goods or services provided need to be paid for after this, then the Council offers credit facilities wherever it is considered prudent to do so.
- 5.2 By raising an invoice, the originating Department agrees that approval to take appropriate recovery action, including Court action when necessary, is granted at the time that the debt is raised.
- 5.3 However, the following points should be considered before raising an invoice:
- Fees and charges are payable in advance or at the time of using a facility or service, etc.
 - It should not be used as a mechanism for negotiating sums due to the Council.
 - They should not be raised for amounts less than £15.
There are exceptions to this such as licenses, rents and leases connected with occupying Council land and property.
- 5.4 The amount below which invoices should not be raised will be determined periodically by the Head of Finance.

6. CREDIT ASSESSMENTS

- 6.1 Due to the type of services and facilities the Council provides and the duties it is obliged to undertake, it is not possible or feasible to assess all the customers of the Council.
- 6.2 However, there are certain areas of the Council's business where a credit check should be undertaken of potential customers before the service or facility is provided.
- 6.3 This is in relation to potential leaseholders of commercial and industrial property where a satisfactory bank and trade reference or other suitable credit check, should be obtained prior to a letting.
- 6.4 This is undertaken by the Estates section and may comprise of the following checks being made:
- (i) The customer being asked to provide two trade references and their bank details so that references can be obtained. This will give some indication as to their trading experience and payment history with other suppliers.

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- (ii) A bank reference will give an indication as to the customer's ability to pay the amount of the contract/service to the agreed terms stated in the contract. The clearing banks currently charge an Administration Fee which is payable by the enquirer.
- (iii) Access through an Information Database which means that a search can be undertaken on every address registered in the United Kingdom for any detrimental information which is held against the persons registered as living at the property address provided. This information shows whether the customer has any other credit commitments and if so whether these have been discharged satisfactorily. It will also show whether any County Court judgments are registered against the address and if so, when they were registered and for what value.

If the potential customer is a registered Public Limited Company (PLC) or Private Limited Company (Ltd) then where possible a more detailed credit assessment may be undertaken.

7. OPENING NEW ACCOUNTS

7.1 Due to the variety of services and facilities that the Council provides, it is the responsibility of each Department to ensure that all of the required details to raise an account are obtained from the customer. The required details are listed below:

- The identity of the customer, i.e. a PLC or Limited Company, sole trader, partnership, public body, voluntary organisation, club or society.
- In the case of a limited company, the Registered Office address of the company and the address of the Company Secretary where invoices should be sent.
- In the case of a partnership or sole trader, their full names and their trading name, together with their home and trading addresses.
- In the case of members of the public or voluntary organisations, club or society, their full name, home address, email address, telephone number, status of the person in the organisation and written confirmation that they take personal responsibility for any invoice raised against the organisation, club or society.
- In general, the invoice address if different, together with the contact details of where the invoice is to be sent.

7.2 These details should be obtained by the relevant Department prior to the provision of the service or use of a facility, etc. Where possible, the Department should obtain written confirmation from the customer stating they understand they will be responsible for full payment of the service or use of a facility prior to it being provided by the Council. Form 1 is attached to this Policy for this purpose.

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- 7.3 All details should be checked on the Sundry Debtor system to ensure that there is no duplication or conflict with similar customers already set up.
- 7.4 At this time, Departments should make new customers aware of the Council's standard payment terms and refer any possible request to deviate from this to the Debt Recovery Team.
- 7.5 If the service or facility being provided is on a contractual basis then each Department must ensure that the customer:
- (i) Reads and understands all the terms of the contract.
 - (ii) Is informed both verbally and in writing of the Council's payment terms i.e. payment is due immediately on receipt of the invoice.
 - (iii) Is informed that if payment is not received then the person who has signed the contract is personally liable for the debt.
 - (iv) Is age 18 years or over.
 - (v) Must sign and date the contract and a copy is given to them for their records.
 - (vi) Is informed that an invoice will be sent for the charge of the service/facility.
 - (vii) Is aware of the VAT implications relating to that particular contract.

8. PAYMENT TERMS

- 8.1 The Council's standard terms require payments to be made immediately upon receipt of the invoice and these terms apply to all sundry debtor accounts raised within the Authority. Any deviation from these standard terms needs to be approved by the Head of Finance.
- 8.2 Payment by instalments is considered if requested. This applies mainly to the on-going provision of services with an associated annual charge.
- 8.3 In such circumstances, payment must be received by each due date in the agreed instalment plan.

9. BILLING

- 9.1 All invoices should be raised on the central Sundry Debtors system. To aid efficient debt collection and prompt settlement, invoices should be raised and sent to customers within 10 days of the service/facility provision. For tax purposes an invoice issued by a local authority must be issued within 60 days of the basic tax point arising i.e. the date the goods were sent or made available for use or the date the service was performed or completed. This

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limit can be extended if the invoice cannot be issued until an invoice is received from the Council's own sub contractors/suppliers. Failure to raise invoices within the period contravenes the VAT rules. To aid recovery procedures it is essential that dates of service provision are given when invoices are raised.

- 9.2 Again, any deviation from this needs to be approved by the Head of Finance. An exception is for rechargeable works where the exact cost of the service may not be known nor evidenced immediately. However, in any case, an invoice should be raised within 2 weeks of completing the works.
- 9.3 Prompt invoicing is essential to efficient debt collection; the longer the period, the less likely is prompt settlement.
- 9.4 The content (narrative) on the invoice should be concise but of sufficient clarity to ensure that the customer fully understands the bill. This must include the nature of service, date, periods of time, location, full contact details and a purchase order number (if applicable). If there is additional proof of debt this should be filed on the debtor system at the time of raising the invoice.
- 9.5 The bill ultimately raised should show clearly the Council's terms and conditions, including the payment terms and methods of payment.
- 9.6 All relevant information relating to a bill (proof of debt) should be kept in scanned image format until at least six years after it is first issued. If at the end of that six-year period the bill remains unpaid, the supporting documentation should be retained until final settlement of the debt.

10. METHODS OF PAYMENT

- 10.1 The Council's preferred method of payment is in electronic form and this is encouraged as much as possible.

These payment methods are as follows:

- Automated Telephone Payments
- The Council's website
- Direct Debit

Other forms of payment accepted by the Council are as follows:

- Credit and Debit cards over the telephone
- At a Post Office
- Cheques
- Standing orders

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11. ACCOUNT CONTROL

- 11.1 The Council aims to be more proactive in the collection of sums due from its major debtors. This involves liaison with these debtors on a regular basis.
- 11.2 Adopting a more pro-active approach to the collection of sums due to the Council and ensuring follow up contact after the issuing of the invoice ensures the payment of larger sums within the terms of this Policy. The Debt Recovery will assess accounts on individual merit and circumstance.
- 11.3 The Council will work alongside welfare and advice agencies in dealing with debts due to the Council (either singly or as part of a multiple debt scenario that may include other organisations) and actively signpost, with the debtor's approval, such cases as are considered appropriate to those organisations.
- 11.4 In the case of multiple debts due to the Authority the staff within the Debt Recovery Team will coordinate recovery activity and balance repayment profiles across all debts due to the Council.

12. ACCOUNT COLLECTION

- 12.1 Where an account is not settled by the due date, based on best practice guidance, the following process shall apply:
- 28 days after the invoice date – a reminder 1 letter is sent.
 - 14 days later – reminder 2 letter is sent
 - Departments are contacted to confirm next step, contact debtor, ensure POD is sufficient, and resolve any disputes
 - 28 days later - a notice of legal proceedings is sent and gives the debtor a further seven days in which to make payment or to inform the Council as to the reason for non-payment – Letter Before Action
 - 28 days later – legal proceedings commence i.e. County Court Action
- 12.2 Reminder letters are generated by the Sundry Debtor system automatically. Recovery action can be suspended (parked) at any time after the date of the invoice to prevent a reminder letter being raised. This facility should only be used in exceptional circumstances the majority of debts should be actively managed. The Debt Recovery Team has access to a report which details all “parked” invoices and this report should be reviewed on a regular basis.
- 12.3 Prior to statutory methods of enforcement being taken, the Debt Recovery Team may use, where cost effective to do so, external collection agents, trace agents, visits to the debtor's home and telephone debt chasing as alternative means of recovering debts.

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12.4 The cycle can be changed depending on specific circumstances. The timescale should not be increased only reduced or a stage eliminated if the debtor is considered to be a high risk.

12.5 This process is co-ordinated by the Debt Recovery Team and supported or undertaken by the Council's Legal Services Unit, where necessary for undefended matters. In relation to defended matters, these matters are referred to Legal Services when it becomes evident that the matter is to be defended by the debtor.

13. DISPUTED INVOICES

13.1 Where a customer disputes an invoice, the Debt Recovery Team shall refer the matter to the Department that originated the request for an invoice. It is the responsibility of that Department to resolve the issue of the dispute and to ensure that they have all the required information to substantiate any sundry debtor account which is issued by their Department. The contact name and direct line telephone number appear on invoices.

13.2 At all times, the Department that originated the request for an invoice must keep the Debt Recovery Team informed of the status of the dispute and whether the collection of debt should be suspended or re-commenced by the Debt Recovery Team. This will ensure that the collection cycle is managed appropriately.

13.3 To help customer service and efficient debt collection, all disputes should be resolved within 28 days in accordance with best practice guidance.

13.4 Where an incorrect charge to a customer has been made by the Department that originated an invoice, or the address provided for the invoice was incorrect, the Department must inform the Debt Recovery Team within 3 days of discovering the error and provide instructions as to how the matter is to be resolved.

13.5 Where the dispute relates to a charge of sub standard work, goods not received or service not provided, then these may take longer to resolve.

13.6 However, they should never be left unresolved and it is the responsibility of departmental managers providing the service, to review on a regular basis any disputes under their responsibility and bring to a conclusion as soon as possible.

13.7 In any event, after 28 days, it is expected that the account is either paid or recovery action recommended. If no action to resolve the dispute is taken within the 28 days a credit note will be raised and this is charged back to the relevant departmental cost centre. A correct invoice should then be raised if appropriate.

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- 13.8 A dispute is not resolved unless it meets one of the following conditions:
- Customer is correct and gets full credit
 - Customer is partly correct, gets partial credit and accepts revised charge
 - Customer is incorrect and accepts the charge
 - Customer is not correct but does not accept the situation and the Council is prepared to commence legal proceedings.

14. CREDIT NOTES

- 14.1 Some invoices raised may ultimately be incorrect and require cancelling or the charge reduced. This could arise from a customer dispute or be identified internally.
- 14.2 Where a corresponding credit note is required, the relevant service area should authorise Sundry Debtors to deal with this by completing a Credit Note Request Form, (see attached Form 2 at the end of this Policy) setting out a brief explanation of why the change is required.
- 14.3 The Debt Recovery Team may initiate a credit note for invoices raised that contravene this Sundry Debtor Policy at any stage of the recovery process. These will be authorised by the Head of Finance.
- 14.4 The above does not preclude the debt from being reinstated if circumstances change.

15. SANCTIONS

- 15.1 Where an account remains unpaid and is not subject to dispute or any other agreement regarding its status, then cancellation of the service provided or future access to a facility, etc. should be seriously considered.
- 15.2 This should be reviewed before legal proceedings are commenced and is a decision for the service department following advice and guidance from the Head of Legal Services and Head of Finance.
- 15.3 Each case should be considered on its own merits.

16. ACCOUNTS SUBJECT TO LITIGATION

- 16.1 All unpaid accounts over £500 in value, which become overdue are subject to potential recovery through the courts. The decision to use legal recovery for lower value accounts is that of the Debt Recovery Team in conjunction with Legal Services.
- 16.2 The minimum amount on which court action will be taken will be subject to annual review by the Head of Finance in conjunction with the Head of Legal Services, having regard to County Court fees.

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- 16.3 The Department should consider whether cancellation of the service is possible. In addition, a credit check is undertaken to further determine whether it will be cost-effective to pursue the debt in this way.
- 16.4 It is the responsibility of the service department to ensure that it has the necessary supporting evidence. Unless Departments make sufficient evidence available, then it may not be possible for legal action to be initiated.
- 16.5 All statutory methods of enforcement of debts shall be available for use in relation to Civil Enforcement in the County Court.
- 16.6 The costs of enforcement action/litigation to recover sundry debtor invoices will be charged against the budget of the service raising the invoice. Any costs recovered from the debtor will be credited against these sums.
- 16.7 Enforcement agents and Council staff shall comply with relevant advice from the Lord Chancellor's Department that is, at any time, currently in force.
- 16.8 Where legislation permits, the Council will seek to levy and recover from the debtor any and all costs/fees that are legitimately due from the debtor to the Authority or its agents. In exceptional cases, where it would not be in the public interest to pursue residual costs/fees only following settlement of the original debt will they be waived. This will be the decision of the Head of Finance.
- 16.9 Departments should have provided proof of debt when the invoice was raised, if the Legal Section requires further information departments have 10 days to supply any relevant information to the Legal Team for Legal action to commence. After a full consideration of this documentation the Legal Team may commence the process towards Court action. If this step is to be taken it will be actioned within 10 days of receiving the relevant documentation. Please note this information should substantiate the invoice which has been raised. This information will be disclosed to the Debtor at an early stage and it will form the evidence which the Council will rely on should the matter proceed to Court. If there are any inconsistencies between the information provided and the invoice raised the matter will have to be considered for cancellation as the Council may not be successful in a claim against the Debtor due to the lack of evidence.
- 16.10 The Debt Recovery Team will credit note invoices where no backing papers have been received 30 days from when requested or where they will not stand up to court scrutiny and County Court recovery is no longer an option.
- 16.11 The Legal Team will instigate Court action, and, where the case is defended, Legal Services will represent the Council.
- 16.12 Unfortunately in some instances, despite a County Court Judgment being obtained and enforcement action being taken, legal action fails to produce a

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payment towards some or all of the debt due. In these circumstances, further action is limited and in most situations the invoice will be submitted for write off. However, if any individual Department / Service Area has any information which may suggest that the debtor could have any assets then consideration may be given to the issuing of bankruptcy proceedings. This option will only be exercised if there is additional information available which indicates the debtor may have assets which could be distributed via appointing the official receiver to declare the Debtor bankrupt and distributing any assets accordingly. The Council is treated as an unsecured creditor in such an action and consequently it may be at the end of a very long chain of creditors. As bankruptcy proceedings are expensive and the prospect of return is low, such proceedings will only be considered if there is additional financial information. In this case it may be that the Debtor is willingly choosing “not to pay” rather than “not affording to pay”. In such circumstances consideration of this method of recovery will be undertaken.

17. DEBT FOR WRITE OFF

- 17.1 The Council recognise that where a debt is irrecoverable, prompt and regular write off of such debts is good practice as it maintains the accuracy of the collection databases. The same principles apply to accounts in credit.
- 17.2 The Debt Recovery Team will seek to minimise the cost of write-offs by taking all necessary action to recover what is due within a timely manner. All debts will be subject to the full recovery, collection and legal procedures as outlined in this policy.
- 17.3 Where bills and reminders are returned as ‘Gone Away’ consideration will be given to the use of a Tracing Agent on a ‘no success no fee basis.
- 17.4 Where all forms of recovery on outstanding debt have been exhausted and/or it is considered that the debt is no longer economic to pursue, it should be written off. Depending on the limits set out below:
- Up to £5,000 and any bankruptcies – Revenues Manager
Between £5,000 and £10,000 – Section 151 officer
Over £10,000 - Section 151 officer and Cabinet Member for Finance
- 17.5 Where the debt has been subject to litigation, the Debt Recovery Team, in conjunction with Legal Services, should discuss whether the debt is reasonably recoverable and future action to be taken in respect of the matter.
- 17.6 The Debtors Team Manager should review outstanding debt on a monthly basis with the aim of identifying any uncollectible debt sitting on the Council’s ledger for an indefinite period. All write offs should be processed within the time limit to allow VAT to be reclaimed on the bad debt (debt that is more than 6 months old and less than 3 years 6 months old), unless instalment arrangements are in place.

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- 17.7 All accounts that are considered and subsequently approved as being irrecoverable will be written off against the appropriate account. Where possible the VAT on written-off sundry debt accounts will be recovered by the Authority in accordance with the rules and procedures laid down by HM Revenue and Customs.
- 17.8 Debt written off does not preclude arrangements for pursuing and accepting payment at a later date. Therefore, the record will remain on the system with all other relevant documents.
- 17.9 Credit notes are written back to the relevant departmental cost centre, therefore, a more proactive use of credit notes where disputes are not resolved and where backing paperwork for County Court action will not stand up to court scrutiny should reduce the amounts to be written off.

18. INSOLVENCY

- 18.1 Where the Council is aware or notified of a customer falling into receivership or liquidation, etc. then the Debt Recovery Team should be made aware immediately. Subsequently the Revenues Manager should determine whether a receiver or liquidator has been appointed. The Debt Recovery Team will submit the proof of debt.
- 18.2 Under no circumstances should a service or facility be provided to a company that is in receivership or any individual who is in the process of being declared bankrupt. Suitable checks on Companies who have voluntary agreements that allow them to continue trading should be made. A Company Search should be undertaken by the Debt Recovery Team at Companies House to elicit the relevant information.
- 18.3 Similar rules should apply to individuals who are attempting to clear debts under voluntary arrangements. Advice should be sought from Legal and credit checks made.
- 18.4 Where notification is received that a debtor has absconded without providing a forwarding address, then a trace facility is available. The Debt Recovery Team will weigh up the cost of undertaking a trace against the size of the debt.
- 18.5 The Council is likely to become a low rated creditor in any insolvency proceedings. Therefore, such debts should be written off as soon as a proof of debt has been lodged.

19. PERFORMANCE MEASUREMENT AND MANAGEMENT REPORTING

- 19.1 The Council recognises that prompt recovery action is key in managing its debt and maximising income. The following performance information should be compiled:

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- Days Revenue Outstanding (DRO or Debtor Days) provided by the Senior Recovery Officer on a monthly basis. This is a standard and commonly used indicator that identifies the average number of days for the organisation to receive payment for its invoices. The Council should aim to achieve a period-on-period reduction in average debtor days.
- The proportion of outstanding debt that is more than 30 days old from date of invoice provided by the Senior Recovery Officer on a monthly basis. This indicator examines the ability of the Council to recover outstanding debts from customers and adopts the commonly used 90-day credit period. The Council should aim to achieve a period-on-period reduction in the proportion and this indicator should be used in tandem with Days Revenue Outstanding (DRO or Debtor Days).
- The cost of the invoicing function per customer invoice processed provided by the Senior Recovery Officer on an annual basis. This is a standard and commonly used indicator that examines the efficiency of the invoicing function by identifying the cost of raising each customer invoice. The Council should aim to achieve a period-on-period reduction in the cost of invoice processing. This indicator can additionally be used to suggest a minimum value for which an invoice should be raised.
- Monthly reports on recovery activity to originating departments provided by the Debt Recovery Team.

The Revenues, Systems & Exchequer Service Improvement plan also includes annual performance targets for the Sundry Debtors Team.

19.2 Therefore, the Council will:

- Set clear targets for the recovery of debt.
- Have clear written recovery procedures.
- Have in place regular and formal reviews with partners and agents
- Set priorities for specific areas of debt and assess recovery methods to ensure maximum efficiency and recovery levels.

19.3 The performance information should be produced by the Senior Recovery Officer for the Head of Finance on a monthly basis. Information should be reported regularly to Members alongside some narrative to explain the figures, trends, actions required, etc.

19.4 The main benchmark is the Council's own past performance and trends, etc and these are the indicators on which improvement should be based. However, wherever possible, comparisons are made with other local authorities and local government generally, through published information or benchmarking clubs, etc.

19.5 Where either national or local performance indicators exist the Council will strive to be the best in class and publish actual performance against these

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targets regularly. Progress reports will be monitored monthly by the Head of Finance.

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Form 1

<u>Sundry Debtors - Supply/Service/Booking Agreement</u>

Company, Organisation, Club or Individual	
Name (please give full name(s) of partnerships & sole traders where applicable) _____	
Invoice Address:	_____

Trading Name & Address:	_____

Home Address (of partners, sole traders, representatives of clubs/organisations & members of the public):	
<i>If a limited company please also provide:</i>	
Name of Company Secretary	_____
Company Registration Number	_____
Registered Address:	_____

Description of Supply/Service/Booking including dates

I (print name) _____, on behalf of _____ (enter company name, organisation name, etc, where necessary) will accept responsibility for paying any invoice raised in connection with the above supply/service provided, and will ensure that payment is made in accordance with the terms specified.	
Signed _____	Date _____
Status / Job title of signatory _____	
Contact Details	- Telephone no. _____ Fax no. _____
	- E-mail address _____

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Form 2

CREDIT NOTE REQUEST/INVOICE CANCELLATION

Customer Name

Address

Town

County

Postcode

Contact Telephone Number

Product Code (if known)	Description	Account No.	Cost Centre	Detail	Location	Quantity	Unit Price	Total Net Price	VAT Code

Total Vat
Total Credit Amount

Invoice Number(s) this credit relates to

Reason for credit/cancellation

Entered by:

Entered by Extension Number

Authorised by Head of Service

The Council department providing the supply/service is responsible for getting their customer to complete this form. It should then be passed to the Accounts Section together with a completed Sundry Debtor Invoice Request Form.

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Appendix (i)

Monmouthshire County Council

Debtors Policy for Social Care Debt

**MONMOUTHSHIRE COUNTY COUNCIL
DEBTORS POLICY FOR SOCIAL CARE DEBT**

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MONMOUTHSHIRE COUNTY COUNCIL

DEBTORS POLICY FOR SOCIAL CARE DEBT

1. INTRODUCTION

- 1.1 The Head of Finance has responsibility, under Section 151 of The Local Government Act 1972, for the proper administration of the financial affairs of the Council. One such area of administration is that relating to Debtors. This Policy specifically covers the area of Social Care & Health Debtors and is in addition to the Sundry Debtor Policy.
- 1.2 The Policy sets out the way in which the Council intends to collect monies due to it from individuals who receive Residential and Non Residential services under the Social Services and Wellbeing Act 2014, Careline Alarm Services and Community Meals. These services are administered within both the Social Services and Corporate Debtor Systems and encompass the Directorates of Social Care & Health and Regeneration & Culture.
- 1.3 Financial procedural rules covering this area are to be found in the Council's Constitution. Timescales set out in the policy for payment terms, billing and account collection, together with performance reporting, are set out to ensure a consistent approach to debt management is applied across the Council.
- 1.4 This Policy has been developed to help the Council meet its commitment to providing Value for Money. Particularly, it provides a framework for service delivery that recognises debt occurs for a variety of reasons; in some cases there may be a deliberate intention not to pay and in others non-payment may be as a result of an oversight or a change in personal circumstances.
- 1.5 The framework also facilitates the move towards a Performance Management operating model that fully supports the Council's Improvement agenda and which provides a methodology for generating information that can be used to drive continuous improvements and ensure excellence in Customer Services.
- 1.6 The Directorates will use the most effective method of debt recovery, appropriate to each case, in order to maximise income.
- 1.7 The Directorates will keep under constant review advances in technology that may facilitate/improve or reduce the cost of the prompt payment of sums due to the Council.
- 1.8 Equality and related considerations will be taken into account in accordance with the Council's Equalities Policy, current at the time of dealing with each case. Specifically staff seeking to recover debts will ensure information is accessible as appropriate to the needs of the debtor.
- 1.9 This Policy will be supported by, and provides support, to any Policies connected with social and financial inclusion.

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DEBTORS POLICY FOR SOCIAL CARE DEBT

1.10 Application of the Policy will be monitored by the Head of Finance and the Finance Manager for Social Care & Health and will be subject to periodic scrutiny and review.

2. DEFINITION OF SOCIAL CARE DEBTS

2.1 The Council charges and collects income from Clients who receive a range of Social Care services. With the exception of Community Meals and Careline Alarms, these services are defined by the Social Services and Wellbeing Act 2014 as non-residential and residential services which are subject to a means test to determine a client's ability to pay.

2.2 Invoices for these services are generated through both the Social Services and Corporate Debtors Systems depending on the service received.

2.3 The value of invoices raised can range significantly from a few pounds to many thousands of pounds, and therefore, taken together the value of all these debts is considerable.

3. OBJECTIVES OF THE POLICY

3.1 The function and objectives of this Policy are to protect the Council's investment in debtors, ensure a good overall control of debt, maximise cash flow and to provide a cost effective service. This is achieved by:

- Ensuring debtors are made aware of the Council's terms and conditions
- Ensuring debtors, satisfy the Council of their ability to pay by completing a Financial Assessment Form (FAF) – with the exception of Community Meals and Careline Alarms
- Raising invoices in a timely and accurate manner, at present on a 4 weekly cycle
- Ensuring invoices raised are valid and reflect services provided
- Raising invoices only if it is cost effective to do so
- Ensuring customers pay in accordance with the agreed terms
- Maintaining and developing good customer relationships by adopting three principles considered to be best practice in enforcement activity, namely that at all times the Council's actions will be proportional, consistent and transparent
- Taking a similar approach in cases with similar circumstances to achieve similar ends by aiming to achieve consistency in the advice given, use of powers available to the Council and recovery procedures used. Consistency does not mean uniformity and staff must take account of all relevant factors when dealing with individual cases such as the family and social circumstances of the debtor, their payment history, income and ability to pay and health and age
- Securing prompt payment and therefore minimising bad debts
- Protecting a major Council asset - Debtors
- Developing a good professional credit reputation

MONMOUTHSHIRE COUNTY COUNCIL DEBTORS POLICY FOR SOCIAL CARE DEBT

- Dealing with and resolving queries promptly
- Offering efficient and flexible payment methods
- Taking prompt and efficient recovery action
- Controlling responsibilities and internal authority levels
- Regular management reporting and performance measurement
- Consistently implementing the Policy
- Adhere to the financial regulations as laid down in the Social Services and Wellbeing Act 2014

3.2 It is inevitable that from time to time the Directorates will be required to pursue recovery from persons experiencing genuine difficulty in making payment. An agreed and transparent policy of how the Council manages and collects debts is considered a key element in ensuring consistency, sensitivity and best practice in such situations. Social Care and Health staff will also refer to the Social Services and Wellbeing Act 2014 for guidance.

3.3 The reasons for any action taken will be explained clearly, without jargon and to *Plain English* standards and will include the appropriate timescales. Such information may be given in writing or verbally and will be published on the Council's website. Braille or translation services will be used when considered necessary.

3.4 The procedures defined in this policy and the documentation illustrated, are designed to achieve these objectives. It is essential that the defined procedures are consistently implemented by all concerned.

4. RESPONSIBILITY FOR THE POLICY

4.1 In broad terms, the relevant responsibilities are as follows:

- **The Cabinet** – setting and approving the policy.
- **The Head of Finance** – advising and providing guidance on setting the policy and ensuring that the policy is implemented and overall management of the policy.
- **The Finance Manager for Social Care & Health/Community Care Accountant** - in respect of debt recovery, the day-to-day administration of the Policy, through the Debt Recovery Team based in the Council's Social Care & Health Finance Unit.
- **The Debt Recovery Officer/Senior Recovery Officer** –Debt recovery, the provision of reports, reconciliations, performance information, and the financial account maintenance of the computerised system.
- **Finance Assistants** - Invoice production.

MONMOUTHSHIRE COUNTY COUNCIL DEBTORS POLICY FOR SOCIAL CARE DEBT

- **Legal Services** – legal debt recovery, providing advice and support as necessary.
- **Teams** – applying the policy as defined in this document. This includes the Community Care and Community Meals Teams based within the Social Care & Health Directorate and the Careline Team based in the Regeneration and Culture Directorate.

5. RAISING AN INVOICE – GENERAL PRINCIPLES

- 5.1 All fees and charges are in arrears of the service provision.
- 5.2 By raising an invoice, the Departments agree that approval to take appropriate recovery action is granted at the time that the debt is raised.
- 5.3 However, the following points should be considered before raising an invoice:
- Fees and charges are payable if receiving a service.
 - The service user must be assessed to pay for the service through the completion of a Financial Assessment Form (FAF) or have signed a Declaration thereby declining a financial assessment but agreeing to pay the full charge for the services they receive. (excluding Community Meals and some Careline services, which are flat charges).
 - Or failure by the service user to complete and submit a FAF in the timescales as laid down by the Social Services and Wellbeing Act 2014 can result in a maximum charge or being unable to receive Council funding.
 - It should not be used as a mechanism for negotiating sums due to the Council.
 - They should not be raised for amounts less than £10.
- 5.4 The amount below which invoices should not be raised will be determined periodically by the Head of Finance.

6. CREDIT ASSESSMENTS

- 6.1 Due to the type of service provided, all customers are subject to a Financial Assessment, which will determine the amount a client can pay towards their care (excluding Community Meals and Careline Alarms).
- 6.2 No credit checks are undertaken.

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DEBTORS POLICY FOR SOCIAL CARE DEBT**

7. OPENING NEW ACCOUNTS

7.1 It is the responsibility of each Team to ensure that all of the required details to raise an account are obtained from the customer. The required details are listed below:

- The name and address of the customer and the service they are to receive.
- Where someone else is to act on their behalf, whether it is through a formal arrangement e.g. an Appointee ship or informally through a family member their full name, home address and status of the person must be received in writing.
- Where the invoice is to be sent to a different address to where the service is being received then full contact details of where the invoice is to be sent to will be required.

7.2 These details should be obtained by the relevant Team prior to the provision of the service or use of a facility, etc. For Community Care Services only, once the completed and validated Financial Assessment Form (FAF) has been received, the Social Care and Health Finance Team will write out to the service user and/or their representative to advise them of the charge that will be levied. Wherever possible, this needs to be in accordance with the time limits as laid down in the Social Services and Wellbeing Act 2014.

7.3 All details should be checked on the Sundry Debtor system to ensure that there is no duplication or conflict with similar customers already set up.

7.4 At this time, the Teams should make new customers aware of the Council's standard payment terms and refer any possible request to deviate from this to the Debt Recovery/Senior Recovery Officer in either the Social Care & Health Finance Team or Corporate Debtor Team.

7.5 If the service being provided is on a contractual basis (e.g. Residential Care) then each Community Care Team must ensure that the customer/representative:

- (i) Reads and understands all the terms of the contract.
- (ii) Is informed both verbally and in writing of the Council's payment terms i.e. payment is due immediately on receipt of the invoice.
- (iii) Is informed that if payment is not received then the person who has signed the contract is personally liable for the debt.
- (iv) Must sign and date the contract and a copy is given to them for their records.
- (v) Is informed that an invoice will be sent for the charge of the care.

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DEBTORS POLICY FOR SOCIAL CARE DEBT

8. PAYMENT TERMS

- 8.1 The Council's standard terms require payments to be made immediately upon receipt of the invoice and these terms apply to all sundry debtor accounts raised within the Authority. Any deviation from these standard terms needs to be approved by the Head of Finance.
- 8.2 Payment by instalments is considered if requested. This applies mainly to the repayment of unpaid monies where a payment plan has been agreed.
- 8.3 In cases where property is involved and can be considered in the financial assessment, a legal charge will be placed on the property and invoices will be raised in line with the invoicing timetable. At such time that the property is sold, full repayment of monies owed will be required.

9. BILLING

- 9.1 With the exception of Careline Alarms and Community Meals, all invoices should be raised on the Social Care element of the Sundry Debtors system (i.e. customer account numbers starting with a 2 or 3). To aid efficient debt collection and prompt settlement, invoices should be raised and sent to customers in line with the Directorate's invoicing timetable:
- Residential and Non-residential care: Four weekly in arrears
 - Adhoc invoices: within 10 days of receipt of the necessary paperwork.
- 9.2 Careline Alarms and Community Meal invoices are raised via the Corporate Debtor System (see main Sundry Debtor Policy for further details).
- 9.3 Prompt invoicing is essential to efficient debt collection; the longer the period, the less likely is prompt settlement.
- 9.4 The content (narrative) on the invoice should be concise but of sufficient clarity to ensure that the customer fully understands the bill. This must include the nature of service, date, periods of time, location and full contact details.
- 9.5 The invoice ultimately raised should show clearly the Council's terms and conditions, including the payment terms and methods of payment.
- 9.6 All relevant information relating to an invoice should be kept in paper/scanned image format until at least six years after it is first issued. If at the end of that six-year period the bill remains unpaid, the supporting documentation should be retained until final settlement of the debt.

**MONMOUTHSHIRE COUNTY COUNCIL
DEBTORS POLICY FOR SOCIAL CARE DEBT**

10. METHODS OF PAYMENT

10.1 The Council's preferred method of payment is in electronic form and this is encouraged as much as possible.

These payment methods are as follows:

- Automated Telephone Payments
- The Council's website
- Direct Debit

Other forms of payment accepted by the Council are as follows:

- Credit and Debit cards over the telephone to the Cashiers Department
- At a Post Office
- Cheques
- Postal Orders

11. ACCOUNT CONTROL

11.1 The Directorates aims to be more proactive in the collection of sums due from the clients who are receiving services. This involves liaison with these debtors on a regular basis.

11.2 Adopting a more pro-active approach to the collection of sums due to the Directorates and ensuring follow up contact after the issuing of the invoice ensures the payment of larger sums within the terms of this Policy. The Debt Recovery Officer/Senior Recovery Officer will assess accounts on individual merit and circumstance.

11.3 The Council will work alongside welfare and advice agencies in dealing with debts due to the Council (either singly or as part of a multiple debt scenario that may include other organisations) and actively signpost, with the debtor's approval, such cases as are considered appropriate to those organisations.

11.4 In the case of multiple debts due to the Authority the Debt Recovery Officer/ Senior Recovery Officer will coordinate recovery activity and balance repayment profiles across all debts due to the Council.

12. ACCOUNT COLLECTION

12.1 Where an account is not settled by the due date, based on best practice guidance, the following process shall apply:

- 28 days after the invoice date – a statement of account with covering letter will be issued.

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- 28 days later – another statement of account and a letter requesting contact be made with the Debt Recovery Officer; discussions will then be opened up with the relevant Team Manager
- 28 days later – another statement and letter stating possible further action and request to visit, followed up by the Debt Recovery Officer with a phone call and/or visit and refer back to Team Manager
- Thereafter discuss with the relevant Team Manager on the next course of action.

12.2 Statements/reminders are generated by the Debt Recovery Officer/Corporate Debtors Team through the Agresso system. Recovery action can be suspended (parked) at any time after the date of the invoice to prevent a statement being raised. This facility is used where the client has died and the department is awaiting the settlement of their estate. The Community Care Accountant has access to a report which details all “parked” invoices and this report should be reviewed on a regular basis.

12.3 The cycle can be changed depending on specific circumstances. The timescale should not be increased only reduced or a stage eliminated if the debtor is considered to be a high risk.

12.4 This process is co-ordinated by the Community Care Accountant/Revenues Manager and is supported by the Council’s Legal Services Unit, where necessary for legal matters.

13. DISPUTED INVOICES

13.1 Where a customer disputes an invoice, the Debt Recovery Officer/Senior Recovery Officer shall refer the matter to the relevant Care Team and Community Care Accountant. It is the responsibility of that Team to resolve the issue of the dispute and to ensure that they have all the required information to substantiate any sundry debtor account which is issued.

13.2 The affiliated Social Worker/officer and/or Team Manager are expected to help resolve queries and improve the efficiency of debt collection. Wherever possible all disputes should be resolved within 28 days in accordance with best practice guidance.

13.3 Where an incorrect charge to a customer has been made, or the address provided for the invoice was incorrect, the Care Team must inform the Social Care Finance/Corporate Debtors Team within 3 days of discovering the error and provide instructions as to how the matter is to be resolved.

13.4 A dispute is not resolved unless it meets one of the following conditions:

- Customer is correct and gets full credit
- Customer is partly correct, gets partial credit and accepts revised charge
- Customer is incorrect and accepts the charge

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- Customer is not correct but does not accept the situation and the Council is prepared to either review the service or in exceptional circumstances commence legal proceedings.

14. CREDIT NOTES

- 14.1 Some invoices raised may ultimately be incorrect and require cancelling or the charge reduced. This could arise from a customer dispute or be identified internally.
- 14.2 Where a credit note is required, the Finance Manager (or Community Care Accountant)/Revenues Manager should authorise the Credit Note Schedule.
- 14.3 The Finance Assistant and/or Debt Recovery Officer may initiate a credit note for invoices raised that contravene this Sundry Debtor Policy at any stage of the recovery process. These will be authorised by the Senior Finance Officer.
- 14.4 The above does not preclude the debt from being reinstated if circumstances change.

15. SANCTIONS

- 15.1 Where an account remains unpaid and is not subject to dispute or any other agreement regarding its status, then cancellation of the service provided should be seriously considered.
- 15.2 This should be reviewed before legal proceedings are commenced and is a decision for the Head of Service and Team Manager following advice and guidance from the Head of Legal Services.
- 15.3 Each case should be considered on its own merits. Due to the nature of the services being provided this is considered to be a very rare occurrence.

16. ACCOUNTS SUBJECT TO LITIGATION

- 16.1 Where a client is assessed as requiring Community Care Services, the Authority has a duty to provide these services even when a client refuses to pay their assessed contribution.
- 16.2 However where possible the Department should consider whether cancellation or review of the service is possible.
- 16.3 Consideration should also be given as to whether legal action is the appropriate route to take, given the full circumstances of the case.
- 16.4 Where legal action is deemed appropriate, it is the responsibility of the Teams to ensure that they have the necessary supporting evidence to assist with any legal action, should it become necessary.

MONMOUTHSHIRE COUNTY COUNCIL DEBTORS POLICY FOR SOCIAL CARE DEBT

16.5 Unfortunately in some instances, despite rigorous debt recovery action, recovery fails to produce a payment towards some or all of the debt due. In these circumstances, further action is limited and in most situations the invoice will be submitted for write off.

17. DEBT FOR WRITE OFF

17.1 The Council recognise that where a debt is irrecoverable, prompt and regular write off of such debts is good practice as it maintains the accuracy of the collection databases. The same principles apply to accounts in credit.

17.2 The Debt Recovery Officer/Senior Recovery Officer will seek to minimise the cost of write-offs by taking all necessary action to recover what is due within a timely manner. All debts will be subject to the full recovery, collection and legal procedures as outlined in this policy.

17.3 Where all forms of recovery on outstanding debt have been exhausted and/or it is considered that the debt is no longer economic to pursue, it should be written off. All write offs require the following approval:

Up to £5,000 – Finance Manager for Social Care and Health/Revenues Manager

Between £5,000 and £10,000 – Section 151 Officer

Over £10,000 – Section 151 Officer & Cabinet Member for Finance

17.4 Where the debt has been subject to litigation, the Debt Recovery Officer/Senior Recovery Officer, in conjunction with Legal Services, should discuss whether the debt is reasonably recoverable and future action to be taken in respect of the matter.

17.5 The Debt Recovery Officer/ Senior Recovery Officer should review outstanding debt on a monthly basis with the aim of identifying any uncollectible debt sitting on the Council's ledger for an indefinite period.

17.6 All accounts that are considered and subsequently approved as being irrecoverable will be written off against the appropriate Bad Debt provision.

17.7 Debt written off does not preclude arrangements for pursuing and accepting payment at a later date. Therefore, the record will remain on the system with all other relevant documents.

17.8 Credit notes are written back to the relevant departmental cost centre, therefore, a more proactive use of credit notes where disputes are not resolved and where backing paperwork for County Court action will not stand up to court scrutiny should reduce the amounts to be written off to the corporate debt provision.

18. INSOLVENCY

18.1 Where the Council is aware or notified of a customer falling into receivership or liquidation, etc. then the Debt Recovery Officer/ Senior Recovery Officer should be

MONMOUTHSHIRE COUNTY COUNCIL DEBTORS POLICY FOR SOCIAL CARE DEBT

made aware immediately. Subsequently the Community Care Accountant should determine whether a receiver or liquidator has been appointed.

18.2 Where notification is received that a debtor has absconded without providing a forwarding address, then a trace facility is available. The Debt Recovery Officer/ Senior Recovery Officer will weigh up the cost of undertaking a trace against the size of the debt.

18.3 The Council is likely to become a low rated creditor in any insolvency proceedings. Therefore, such debts should be written off as soon as a proof of debt has been lodged.

19. PERFORMANCE MEASUREMENT AND MANAGEMENT REPORTING

19.1 The Department recognises that prompt recovery action is key in managing its debt and maximising income. The following performance information should be compiled:

- Each year the Social Care & Finance Team set a target for the reduction of the Directorate's Debt position by way of the Service Improvement Plan. This is then translated into an individual plan for each member of staff through the Check In Check Out scheme.
- Monthly reports by way of Supplementary Report packs are sent to each Team Manager.
- The Debt Recovery Officer meets with the Team Managers on a regular basis to discuss performance and detailed cases.
- On a monthly basis the Community Care Accountant provides a written report to the Finance Manager detailing recovery action taken, amounts recovered etc.
- On a quarterly basis this information is reported to the Social Care and Health Departmental Management Team in a report by the Finance Manager for review as part of the formal budget monitoring process.

19.2 Therefore, the Department will:

- Set clear targets for the recovery of debt.
- Have clear written recovery procedures.
- Have in place regular reviews with Team Managers
- Set priorities for specific areas of debt and assess recovery methods to ensure maximum efficiency and recovery levels.

19.3 The main benchmark is the Council's own past performance and trends, etc and these are the indicators on which improvement should be based. However, wherever possible, comparisons are made with other local authorities and local government generally, through published information or benchmarking clubs, etc.

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Monmouthshire County Council Car Parking Appeals and Write off Procedure

Monmouthshire County Council has in place arrangements for dealing with appeals and cancellation of a Penalty Charge Notice (PCN). They include details of how mitigating circumstances will be taken into account and set out the limits of officer discretion.

In dealing with appeals the Council aims to exercise a fair and consistent application of procedures.

What is an appeal?

Appeals are the formal stage for the driver of a vehicle to appeal or challenge against a PCN issued to their vehicle. All appeals must be made in writing within 7 days of the PCN issue date. They are dealt with on an individual case by case basis. The first stage of review is carried out by the Car Parking Assistant, followed if necessary by a review from the Car Parking Manager and finally if required assessment by the Transport Manager.

For those appeals which are reviewed we would aim to provide a final decision within 21 days of the original appeal

Appeals will normally only be considered if received within the 7 day period from issue of the Penalty Charge Notice. If the appeal is not upheld and is not reviewed by other officers, the motorist will still have the opportunity to pay the discounted PCN fee, on condition they do so within 14 days of the appeal decision. If 14 days elapses after the appeal decision, the penalty will revert to the full rate.

If no payment is received, keeper details are sought from DVLA and correspondence to the keeper of the vehicle will be issued 28 days after the date of the service of the PCN. The keeper then has 14 days to make a representation or advice of the driver details. Such cases would normally only be reviewed once. If the appeal is successful the PCN will be cancelled or waived.

If an appeal is rejected, the owner is liable for the charge at the discounted rate which will be available for a further 14 days. If the charge is not paid the recovery of the outstanding debt will be recovered via legal proceedings which are detailed below.

Legal Process

If a PCN remains unpaid and no appeal has been received within 28 days a letter will be sent to the owner of the vehicle informing them that as the PCN remains outstanding, MCCs legal debt recovery process will commence. The debt could

then be pursued by the Car Parking Section through the Magistrates Court system.

The PCN will remain as an outstanding debt on MCCs Car Parking Budget for a period of 6 months from the date of issue. After which time if the PCN remains outstanding, consideration will be given to legal action being instigated against regular and persistent offenders or those with outstanding PCN debt totalling over £200. Other debts will be pursued through alternative debt recovery methods such as the use of debt collection agencies, with the support of the Council's Debt Recovery and Legal sections. After 12 months if the debt remains outstanding consideration will be given to processing the debt for formal write off in accordance with the Council's Debtor Policy.

Dealing with appeals

In considering both objections and representations, the Council will exercise discretion in dealing with mitigating circumstances however it is important to have a level of consistency when making appeal decisions. Examples are detailed in Table A which follows. The Parking Assistant or Car Parking Manager will check the Parking Officers notes/statements and photographic evidence prior to making the decision.

Table A

Contravention Offence	Decision
Failure to display a valid parking ticket.	<ul style="list-style-type: none"> • If a ticket is produced, and its validity can be checked against the details of the PCN. Appeal upheld - Waive. • All Other Cases – PCN Upheld
Ticket Expired	<ul style="list-style-type: none"> • If a valid overstay ticket is presented – Appeal upheld - Waive • If no overstay or a late overstay ticket is presented – PCN Upheld, unless there are mitigating circumstances (e.g. hospital, doctors appointment) raised during the appeal process.
Not parked wholly within a marked bay	<ul style="list-style-type: none"> • If photographic evidence is not adequate and does not show a wheel of the vehicle to be completely over white line – Appeal upheld - Waive • All Other cases – PCN Upheld
For not displaying a valid disabled badge when parked in a marked disabled bay	<ul style="list-style-type: none"> • If Motorist is displaying their blue badge incorrectly (i.e. not showing valid date), but then produces the valid disabled badge - Appeal upheld - Waive • If the badge holder completely fails to display a badge– PCN Upheld
For obstructions/parking in roadway	<ul style="list-style-type: none"> • Where road markings end/or signs are not adequate to inform the motorist. – Appeal upheld - Waive • All Other cases – PCN Upheld

The contravention did not occur	Appeal upheld - Waive
Not the owner of the vehicle at the time of the contravention	<ul style="list-style-type: none"> If we cannot trace the owner of the vehicle after two attempts, Case to be processed for formal write off.
PCN issued to hire/lease vehicle	<ul style="list-style-type: none"> If the hire firm supplied the name of the hirer, the actual driver will be pursued via the normal process. – PCN Upheld
PCN already paid	<ul style="list-style-type: none"> If the penalty charge has been paid, either in full or at a discounted rate within the 14 day discounting period. – Case automatically closed through payment process.

Definitions

Waive – This applies when a PCN is valid, but the owner of the vehicle has produced sufficient evidence and documentation to the satisfaction of Officers in the Car Parking Section not to pursue payment.

PROPOSAL: Responsibility for this sits with the Car Parking Section

Reduce – This applies where the PCN is valid but Officers in the Car Parking Section consider there are circumstances in which a discounted or reduced payment rate would be appropriate. It would also require the provision of sufficient evidence and documentation from the appellant.

PROPOSAL: Responsibility for this is proposed to sit with the Car Parking Section.

A record will be kept of PCNs that are waived and inspected by senior officers, for 12 Months.

Write Off – Where the PCN is valid but it is considered that the debt is unrecoverable and there is insufficient evidence to pursue enforcement. This will only be an option after the normal PCN appeals process has been completed, including contacting the DVLA for Notice to Owner details has been followed, and after that timeline the PCN remains unpaid.

Considering factors would include incorrect address details obtained via the DVLA and if the costs of pursuing the PCN debt through the legal system are in excess of the outstanding debt.

PROPOSAL: Responsibility for writing off of outstanding PCN debt will be in accordance with the main sundry debtor policy.



Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p>Name of the Officer completing the evaluation Ruth Donovan</p> <p>Phone no: 01633 644592 E-mail: ruthdonovan@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>To agree the updated Sundry Debtor Policy, to ensure that the Authority continues to adopt a consistent and transparent approach to the management of its sundry debts.</p>
<p>Name of Service</p> <p>Revenues, Systems & Exchequer</p>	<p>Date Future Generations Evaluation form completed</p> <p>19th May 2016</p>

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


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

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Positive – ensuring resources are used efficiently</p>	<p>n/a</p>
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>n/a</p>	<p>n/a</p>

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	n/a	n/a
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	n/a	n/a
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	n/a	n/a
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	n/a	n/a
A more equal Wales People can fulfil their potential no matter what their background or circumstances	n/a	n/a

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	<p>Yes – the proposed policy aims to manage the level of money owed to the Authority. This helps to secure the Authority’s finances for the future and reduce the potential burden on the tax payer.</p>	<p>-</p>
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>Ensuring other Local Authorities and Public bodies pay their invoices in a timely manner</p>	<p>-</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>n/a</p>	<p>-</p>
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>The policy aims to keep the level of debt to a minimum and ensures regular reviews are undertaken.</p>	<p>-</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	n/a	-

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

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Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	n/a	n/a	n/a
Disability	n/a	n/a	n/a
Gender reassignment	n/a	n/a	n/a
Marriage or civil partnership	n/a	n/a	n/a

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Pregnancy or maternity	n/a	n/a	n/a
Race	n/a	n/a	n/a
Religion or Belief	n/a	n/a	n/a
Sex	n/a	n/a	n/a
Sexual Orientation	n/a	n/a	n/a
Welsh Language	n/a	n/a	n/a

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

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	n/a	n/a	n/a
Corporate Parenting	n/a	n/a	n/a

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

This is an update of the Policy that was approved in 2011. Very little has changed since then, system and process wise. Although the overall debt position for the Authority has improved, as these policy guideline have become in bedded across the Authority.

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

Provides consistency throughout the Authority and ensures that unpaid debts are proactively managed

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

What are you going to do	When are you going to do it?	Who is responsible	Progress
Regular monitoring	Monthly reports to Managers and quarterly monitoring as part of team SIP	Assistant Head of Finance, Finance Manager SCH and Recovery Teams	-

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

The impacts of this proposal will be evaluated on:

March 2017

9. **VERSION CONTROL:** The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration

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REPORT

SUBJECT	REVENUE & CAPITAL MONITORING 2015/16 OUTTURN STATEMENT
DIRECTORATE	Chief Executive's Unit
MEETING	Cabinet
DATE	8th June 2016
DIVISIONS/ WARD AFFECTED	All Authority

PURPOSE

The purpose of this report is to provide Members with information on the forecast revenue outturn position of the Authority at the end of reporting period 4 which represents the financial outturn position for the 2015/16 financial year.

This report will also be considered by Select Committees as part of their responsibility to,

- assess whether effective budget monitoring is taking place,
- monitor the extent to which budgets are spent in accordance with agreed budget and policy framework,
- challenge the reasonableness of projected over or underspends, and
- monitor the achievement of predicted efficiency gains or progress in relation to savings proposals.

2. RECOMMENDATIONS PROPOSED TO CABINET

- 2.1 That Members consider a net revenue outturn underspend of £676,000, an improvement of £878,000 on quarter 3 outturn predictions.
- 2.2 Members consider a capital outturn spend of £18.3m against a revised budget of £18.8million, after proposed slippage of £43.7 million, resulting in a net underspend of £508k, of which circa £433k is available for recycling onto other projects/priorities which it is recommended will be held pending review of the additional pressures identified in paragraph 3.6.3.

- 2.3 Consider and approve the £43.7m capital slippage recommended, paying attention to those schemes included in paragraph 3.5.4 where slippage has been requested by the service manager but is not being recommended to slip (£170k), and notes the significant level of slippage required at outturn not manifest earlier in the year highlighting a concern in managers capital forecasting going forward.
- 2.4 Considers the use of reserves proposed and notes the significant decline on earmarked reserve levels at end of 2015-16 and the likely indication at end of 2016-17.
- 2.5 Approves the reallocation of reserve balances, as per paragraph 3.9.5 following the actuarial review of the insurance reserve and review of other small reserve balances, in order to address reserve pressures and the apportionment of general underspend in supplementing reserve levels as follows:
- £1,037 million to Redundancy and Pensions reserve
 - £419k to IT reserves
 - £350k to Invest to Redesign reserve
- 2.6 Approves the use of the Invest to Redesign reserve during 2016-17 totalling £30,835 as MCC's additional contribution to enable the work on the City Deal initiative to continue.

3. MONITORING ANALYSIS

3.1 Revenue Position

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

3.1.2 Responsible Financial Officer's Summary of Overall Position Period 4 : Final outturn

Table 1: Council Fund 2015/16 Outturn Forecast Summary Statement at Period 4 (Month 12)	Actuals at Outturn	Revised Annual Budget @ Outturn	Over/ (Under) Spend @ Outturn	Variance Over/ (Under) Outturn to Month 9	Forecast Over/ (Under) Spend @ Month 9	Forecast Over/ (Under) Spend @ Month 6	Forecast Over/ (Under) Spend @ Month 2
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Social Care & Health	39,530	38,247	1,283	55	1,228	1,101	519
Children & Young People	51,265	51,351	(86)	(226)	140	197	274
Enterprise	10,070	10,140	(70)	(92)	22	601	338
Operations	15,818	16,216	(398)	(238)	(160)	339	634
Chief Executives Unit	6,634	7,001	(367)	(175)	(192)	(31)	(120)
Corporate Costs & Levies	18,020	18,215	(195)	(95)	(100)	(61)	63
Net Cost of Services	141,337	141,171	166	(771)	938	2,146	1,708
Attributable Costs – Fixed Asset Disposal	138	233	(95)	(13)	(82)	(51)	0
Interest & Investment Income / losses	(165)	(51)	(114)	(65)	(49)	(33)	(30)
Interest Payable & Similar Charges	3,295	3,663	(368)	19	(387)	(382)	(202)
Charges Required Under Regulation	5,566	5,806	(240)	1	(241)	30	74
Contributions to Reserves	389	95	294	299	(5)	0	0
Contributions from Reserves	(2,031)	(2,773)	742	(169)	911	108	(90)

Capital Expenditure financed from reserves	272	272	0	0	0	0	0
Amounts to be met from Government Grants and Local Taxation	148,800	148,416	384	(700)	1,084	1,818	1,460
General Government Grants	(67,642)	(67,642)	0	0	0	0	0
Non-Domestic Rates	(26,737)	(26,737)	0	0	0	0	0
Council Tax	(61,003)	(60,094)	(909)	(159)	(750)	(600)	(500)
Council Tax Benefits Support	5,906	6,097	(191)	(19)	(172)	(152)	(93)
Net Council Fund (Surplus) / Deficit	(676)	40	(716)	(878)	162	1,066	867
Budgeted Contribution from Council Fund	0	(40)	40	0	0	0	0
	(676)	0	(676)	(878)	162	1,066	867

3.1.3 The bottom line underspend situation of £676k requires further analysis to understand the underlying net cost of services position which is artificially benefitted by a reduced draw on reserves, and compromised by net redundancy costs not funded by reserves that the services have had to accommodate, as these wouldn't normally be budgeted transactions.

3.1.4 The net cost of services overspend position of £166k reported above includes £702k of reserve funded projects which are now going to be deferred to 2016/17, and also a net £209k additional contributions to reserves which were unbudgeted. Whilst this has no effect on the outturn position overall, it artificially improves the net cost of services by this amount and for transparency taking this into account results in an overspend of circa £1.077m. This is still a good result for services considering the financial challenges that have been absorbed in relation to a £1.4 million overspend in Social Care Children's Services, accommodating £717k in redundancy costs as well as making ad hoc saving to compensate for mandate pressures that were unachievable or delayed (in para 3.3 below) of £537k. However the need to make such considerable ad hoc savings per annum will continue to introduce an unhelpful volatility to service budget monitoring, and compromise robust and sustainable service re-engineering

3.1.5 The analysis in the table below takes the “simple” outturn for services and adjusts for the level of redundancy costs incurred by Directorates this year, includes the effect of replenishment to reserves that are accounted for within Appropriations rather than service Directorates and adjusts for budgeted expenditure to be funded from reserves where costs have not been incurred during 2015-16 and instead a request has been received to transfer such spending to 2016-17, that have the effect of introducing artificial underspends.

Directorate Cost	Reported Outturn Variance	Redundancy costs (excl schools) absorbed by Directorates unbudgeted for	Unbudgeted Contributions to Reserves recorded in Appropriations	Reserve funded expenditure requested deferred	Revised Services Outturn
Social Care & health	1,283	(11)		48	1,320
Children and young people	(86)	(43)	104	49	24
Enterprise	(70)	(562)	63	586	17
Operations	(398)	(76)			(474)
Chief Executives	(367)	(25)	42	19	(331)
Corporate Costs & levies	(195)				(195)
Net Cost of Services	166	(717)	209	702	361

3.1.6 Given the financial challenges that will continue to face the Authority for the foreseeable future, Chief Officers continue to be tasked with ensuring that services live within the budgets and savings targets set for the current financial year and deliver on the periodic recovery plan agreed by Cabinet.

3.1.7 Slippage on Reserve funded projects

The following table indicates the extent of budgeted reserve funding utilised by Directorates and that element of approved expenditure they request to be deferred. These include,

Directorate	Project	Reserve Source	Reserve funding utilised in 2015-16	Reserve funding deferred to 2016-17
Enterprise	Superfast Broadband facilitation	IT transformation	73,200	0
	Centre of Innovation funding was £130k no longer required, compensates for £110k Circuit of Wales expenditure	Invest to Redesign/Priority Investment	110,500	0
	Reserve funding to facilitate 14-15 mandates	Invest to Redesign	0	49,000
	Eisteddfod	Priority Investment	72,700	372,300
	Local development plan	Priority Investment	0	100,000
	HR restructure	Invest to Redesign	22,500	0
	Innovation and marketing assistance to deliver mandates	Invest to Redesign	51,300	13,700
	Informing the future of Cultural services	Invest to Redesign	24,000	0
	City Deal Contribution	Priority Investment	30,300	
	CMC2 shortfall 14-15	Priority Investment	140,000	
	Alternate Deliver model consideration		9,300	50,700
	Museums Acquisitions	Museum acquisitions	3,000	
Sub Total Enterprise			536,800	585,700
Social Care & Health	Service Transformation Adult Social Care	Invest to Redesign	111,900	48,200
	Children's Services Temporary Staff	Priority Investment	153,300	
	Youth Offending Team Partnership	Trading Account	57,200	
Sub Total Social Care			322,400	48,200

Children & Young People	Innovation and marketing assistance to deliver mandates	Invest to Redesign	10,600	49,400
	CYP development fund	Priority Investment	273,400	
	Restorative Approaches	Priority Investment	61,000	
	Raising Education standards	Priority Investment	56,000	
Sub Total Children & Young People			401,000	49,400
Sub Total Operations	Bus lease repayments	Grass Routes Buses	25,900	0
Chief Executives	Council Tax Recovery	Invest to Redesign	28,800	0
	Innovation and marketing assistance to deliver mandates	Invest to Redesign	66,200	18,800
	Reserve funding to facilitate 14-15 mandates	Invest to Redesign	13,000	0
	NNDR hardship case	Priority Investment	18,750	
Sub Total Chief Executive's			126,750	18,800
Sub Total Corporate	Redundancy Strain Costs	Redundancy & pension	325,400	0
Appropriations	Fixed asset disposal	Capital receipts generation reserve	138,000	95,400
	Vehicle leasing	Invest to Save Advances	69,300	
	Prudentially borrowed vehicle repayments	Invest to Redesign	0	0
Sub Total Appropriations			207,300	95,400
Total			1,945,550	797,500

3.1.8 Redundancy costs

In support of the summary table redundancy column included in para 3.1.5 above, the following provides greater detail for members of the redundancy costs incurred by Sections during the year.

Directorate	Service	Redundancy Costs 2015-16
Enterprise	Strategic Management	85,279
	Strategic Property	17,136
	Community Hubs	289,709
	Community Education	96,317
	Leisure	18,081
	Markets	24,519
	Whole Place	31,392
	Sub total	562,443
Operations	Transport	9,131
	Building Cleaning	1,091
	Resources	7,271
	Grounds	54,154
	Highways	3,978
	Sub total	75,625
Social Care & Health	Supporting People	1,932
	My Day	8,783
	Sub total	10,715
Chief Executives	Revenues	24,918
	Sub total	716,647
Children & Young People	Schools	465,728
Total		1,085,241

3.1.9 When managers initially highlight the re-engineering of services, there is often a potential for redundancy payments, but it is not possible to quantify the extent of these costs without prejudicing the outcome of the interview process or the success of redeployment. A second report is required to quantify these costs prior to being incurred for member approval. Ignoring the schools aspect which is either funded by the CYP revenue budget, or proportionate

schools contribution, it is commonplace for managers to make requests for reserve funding to afford redundancy costs caveated on services looking to afford such costs in the first instance. Given the revenue account's net underspend, it is not necessary to utilise reserves to afford such costs in 2015-16, which is a fantastic and welcome achievement by services.

3.1.10 A summary of main pressures and under spends within the Net Cost of Services Directorates are presented here:

Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
Social Care & Health (SCH)					
ADULT SERVICES					
Severn View DC & My Day DC	(35)	0	(35)	(12)	Underspend due to low Superannuation take up, manager temporarily reduced to a three day week
Mardy Park Rehabilitation Unit	(10)	0	(10)	(12)	Section 33 income increased throughout the year
Mardy Park	74	0	74	14	Due to low level of income as a result of falling long term clients. A recently approved transformation model will look to readdress this position in 2016-17.
Severn View Residential	112	0	112	19	Overspend mainly in salaries & wages due to sickness cover and backfilling of posts due to ICF schemes. Supplies & Services budget also overspent by £27k.
Direct Care	(110)	0	(110)	(39)	Reflects increased income from client referrals and Management vacancy
Transition Co-operative	(24)	0	(24)	0	Relates to income from staff seconded to an external agency.
Adult Services Man/Support	(124)	0	(124)	(21)	Current Disabilities team manager vacancy plus ICF grant meeting costs of the Direct Care team manager.
Other Adult Services	(8)	0	(8)	(18)	See Appendix 6
CHILDREN SERVICES					
Fostering Allowances and Payments For Skills	150	0	150	6	Reflects financial support to the current number and age mix of children in foster care and skills payments to carers with SGO's
Younger People's Accommodation	(72)	0	(72)	(6)	This budget is prone to volatility and since month 9 further work has been undertaken to control costs.

Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
Ty'r Enfys	(52)	0	(52)	0	This facility with now remain closed for the entire year.
Counsel Costs	111	0	111	93	Increased legal costs in regard to Solicitor / Barrister fees not expected to crystallise within 2015-16 at M9
Therapeutic Service	(26)	0	(26)	2	Under spend due to vacant Play Therapist post being filled on a part time basis from 07/09/15
External Placements – LAC	1,038	0	1,038	(56)	Outturn activity resulted in 71 placements compared to 70 at month 9. We are seeing a full year effect of placements that only entered the system in the latter part of last year.
External Placement - Non-LAC	(96)	0	(96)	0	This cost centre is generally used to fund the over spend within S026 – External Placements LAC.
GWICES (Gwent Wide Integrated Community Equip Services)	(24)	0	(24)	(2)	Based on the costs associated with the GWICES costs incurred from the hosts -Torfaen
Other Children's Services –appendix 6	(10)	0	(10)	(8)	See Appendix 6 Children's Services
SCYP - Placement & Support Team	150	0	150	28	Over spend due to use of agency staff, contact and assessment costs and home to school transport. More recently this budget has funded building work to create in house contact centres.
Children Services Safeguarding Unit	(32)	0	(32)	(5)	Under spend relates to a vacant part time Independent Reviewing Officer post not expected to be filled until 2016/17.
SCYP - Supporting Children & Young People Team	250	0	250	17	Overspend relates to the employment of 7 agency workers to cover staff sickness and capacity issues and a 77% increase in transport costs since last year.
Disabled Children	84	0	84	(7)	Large part of overspend relates to the continued use of agency staff to cover sickness and the employment of a Student Placement Social Worker, improved since M9.
FRS – Family Support Team	(8)	0	(8)	(50)	This budget is currently employing the services of social workers to cover for various staff absences.
Bus Cases / Temp Funding - Cabinet 06/05/15	(45)	0	(45)	22	Underspend relates to delayed appointment to social worker posts connected with approved business cases

Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
Other Children's Services	12	0	12	32	See Appendix 6
COMMUNITY CARE					
Aids for Daily Living	44	0	44	22	Based on GWICES report received from the host Torfaen CBC
Adult Transformation	(48)	0	(48)	(56)	Head of Service to make formal reserve slippage request to take underspend into 2016-17 to close off the scheme in June.
Other Community Care / Adult teams	287	n/a	287	274	Chepstow area of the county has suffered from a low framework provider take up of domiciliary care packages resulting in more costly providers being used. Residential numbers have increased in the year with a lack of in house provision in this area. See appendix 6 for detailed explanation on adult care teams. The overspend in this area needs to be read collectively with the underspend to "contingency in the line below.
Contingency	(242)	0	(242)	(242)	To plan for the £1.2m budget mandate saving for Practice Changes, budgets were moved from teams into this cost centre to accelerate developments ready for 2016/17
Frailty	(62)	0	(62)	(62)	Reflects the deferment of the loan repayment until 2016/17
Other Com Care	1	0	1	12	See appendix 6
COMMISSIONING					
Drybridge Gardens	(22)	0	(22)	(9)	Vacancy at unit has led to underspend
Commissioning Strategy	(42)	0	(42)	(26)	Reduction in Contract and Diesel costs for Minibuses
Other Commissioning	4	0	4	20	See appendix 6
PARTNERSHIP	57	0	57	57	Overspend will be funded from the specific Youth Offending Service reserve
RESOURCES	(16)	0	(16)	(18)	See appendix 6
Total SCH at Outturn	1,284	0	1,284	56	Total SCH Outturn at 2015-16 financial year end

Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
Children & Young People (CYP)					
ISB	129	0	129	14	Additional costs of protection at schools and additional professional fees for legal services
Service Level Agreement	(159)	0	(159)	(149)	Savings in Maternity, Premature Retirement and Supply Compensation
Management	50	n/a	50	26	Professional fees relating to schools moved to ISB and additional recovery board costs
Financial Management Services	36	n/a	36	6	vacancy has been temporarily filled earlier than previously anticipated
Support Services	20	n/a	20	11	Additional Health & Safety assessment costs for pupils
Additional Learning needs	(320)	n/a	(320)	(168)	Additional savings of £140k for out of county placements and an increased level in recoupment income of £68k. These were not known at month 9, due to the decision of a tribunal and the de-statementing of a pupil. In addition, more pupils were admitted to Mounton House, therefore increasing the recoupment income.
ALN Management	42	0	42	42	Cost of redundancy which maybe met from reserves
Community Education Youth General	0	116	116	5	Funding from Torfaen Training has since reduced in 15-16, however the ESF grant will now start in 2016-17. The departmental recovery plan anticipated a further £60,000 in grant income, notification has been received that this has been delayed until 2016-17 financial year.

Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
Other CYP	0	n/a	0	(13)	See Appendix 7
Total CYP at Outturn	(202)	116	(86)	(226)	Total CYP Outturn at 2015-16 financial year end

Enterprise (ENT)					
Sustainability	65	18	83	(15)	Sections' inability to achieve the expected full income targets. Though increased income from PV schemes
Strategic Property Management	(65)	0	(65)	(15)	Under spend relates partly to a staff vacancy, and a reduction in budgeted professional fee's.
Cemeteries	(76)	n/a	(76)	0	Increase in budgeted income during the financial year along with lower than anticipated expenditure,
County Farms Unit	(16)	n/a	(16)	(1)	Due to a reduction is expected maintenance along with higher than anticipated income.
Markets	105	28	133	(5)	Overspend on employee costs due to delayed implementation of restructure along with unbudgeted overtime. The alternative delivery plan of reducing maintenance work has produced some savings
Community Education	147	0	147	(31)	£50,262 relates to one off redundancy costs which the section requests reserve funding. The remaining £40,000 due to the reduction in franchise income. Educational leisure course income has increased during the final 3 months of the year
Community Hubs	255	125	380	(6)	due to £328k one off redundancy costs which have already been incurred at month 9 and £58k of redundancy costs which will be incurred by year end, Slight reduction since M9 due to savings on restructure
Eisteddfod	(502)	0	(502)	(72)	This year's spend is £73k but there is still uncertainty around the final costs with the remaining £372k needing to be rolled forward into 16-17 as the agreed project runs over two financial years. At present Community fund raising totals circa £130k, which avoids an equivalent underwriting from reserves.
Homelessness	(52)	0	(52)	(7)	Funding of the Financial Inclusion Officer coming from the Implementing the Housing Act Grant £28,000 and a reduction

Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
					in expenditure against B&B accommodation offset by bad debt write offs since M6 Also £7k saving on professional fees
Renovation Grants	5	0	5	(12)	Overspend relates to unbudgeted overheads on DFG grant income
Lodgings Scheme	(96)	0	(96)	(55)	The under spend is due to occupancy levels being at a high level than predicted/budgeted therefore increasing the amount of rental income and HB benefit.
Spend to Save	(29)	0	(29)	(2)	Saving due to unexpected one-off grant funding
Whole Place	(17)	n/a	(17)	3	Increased event costs since M9
People Services, Innovation & Business	(77)	0	(77)	123	This is mainly the effect of underspends in the Innovation services compensating for overspends in Business Growth and Enterprise, People Services and IT.
General Overheads	(22)	100	78	(35)	The 100k savings that were to be achieved through in-house software development and the sale of products will not occur. This formed part of the departmental recovery plan set at month 6 and it is currently anticipated that none of these savings will be achieved. Movement due to staff savings since M9.
Development Plans, Mgmt and Business Control	(221)	0	(221)	(71)	LDP savings as scheme not implemented in 2015-16 and savings on Professional fees not manifest at M9
Cultural Services, incl. Museums & Shirehall,	168	30	198	163	117k relates to a service assumption to treat significant adhoc expense (replacement of vehicles and equipment) as part of simple trading deficit, when instead that reserve funding should have been subject to a formal request of Members. The museums section overspend relates to 10k green screen savings that couldn't be achieved and 20k conservation income that couldn't be achieved.
Leisure Services	12	30	42	2	20k over spend from Children's Services. 30k relates to a learning Co-ordinator post that is not grant funded anymore, 15k 3G pitch income issues with the lighting and electricity supply. The £35,000 saving built into the departmental

Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
					recovery plan from increased income has not materialised see Appendix 8 for further detailed comments
Tourism, Caldicot Castle & Country Parks	83	15	98	(46)	Most significantly caused by continuing net overspend at Caldicot castle, which has struggled for last 2 years to reconcile activity with budget. Situation compromised still further by separate managers at Old Station and Castle, where service budget presumes a sharing/halving of such resource costs. TIC costs affected by a need to "double man" facility due to threatening and abusive behaviour from a member of the public which has contributed to the total overspend, a cost situation improved by the closure of facilities during winter months.
Other Enterprise	(82)	0	(82)	(10)	See Appendix 8
Total ENT at Outturn	(415)	346	(69)	(92)	Total ENT Outturn at 2015-16 financial year end

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Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
Operations (OPS)					
Transport Policy	(67)	0	(67)	(48)	Increase in income due to favourable winter weather conditions
Green Car Scheme	(12)	0	(12)	(12)	The scheme has produced an under spend due to the increased uptake in staff joining the scheme.
Highways	(405)	50	(355)	(46)	SWTRA and Mechanical infrastructure has underspent by £301,000, an improvement of £51,000 from Month 9. Income activity shows that our Annual Activity programme came in as expected but we had an increase in the last 3 months of the year in Task order and Emergency response work. These are both reactive functions and are difficult to predict and is the reason for the variance from M9.

Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
Public Transport Subsidy LTSG Grant	59	0	59	22	Un-budgeted staff costs, mainly on salaries and overtime and an increase in transport costs.
Public Transport Subsidy Grant	(39)	0	(39)	5	Administering the Bus Services Support Grant is claimable against the grant £50,000, this has been offset by small over spend on vehicle and transport costs of £11,000 at Outturn.
Home To School Transport	201	0	201	(133)	Similar to Caldicot Castle above, the net budget for these services presumes historic savings endorsed by Council that have not been made, in particular the assumed ALN transport savings have proven unachievable, budgeted increased income levels were not made whilst at the same time corporate budget decisions regarding reductions in overtime costs were imposed. However, the variance from month 9 is due to an increase in forecast private hire income, a decrease in fuel costs and additional income from the collaborative arrangement with NCC on an integrated Transport Unit. This situation has been addressed in setting the 2016-17 budget.
School Transport – External	(112)	0	(112)	(20)	The under spend is due to a saving from a vacant post £9,000 and reductions in transportation costs due to pupils moving and savings made from the retender of some contracts £104,000. The variance from month 9 is due to the value of retendered contracts not being known at month 9.
Special Educational Needs	(61)	0	(61)	(29)	Vacant post £11,000 and reductions in transportation costs and season tickets £21,000 and some retendered contracts.
Passenger transport	63	0	63	72	The over spend primarily relates to overtime.
Procurement	(102)	0	(102)	(102)	Saving due to not needing to fund joint procurement venture
Schools Catering	24	n/a	24	(18)	Variance from month 9 due to increased school meals income, meal number have continued to increase in the last qtr. above expectations leading to an improved outturn position
Resources	213	n/a	213	93	Forecasted deficit position is due to a reduction in income as a result of a shortfall in capital fees.
Accommodation	(125)	n/a	(125)	34	Underspend due to a continued reduction in premises and supplies and services costs on all accommodation though reduced from M9
Grounds Maintenance	(54)	0	(54)	(44)	Variance from month 9 relates to lower than predicted reactive maintenance costs. This partly relates to a reduction on non-

Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
					essential unnecessary expenditure being incurred along with the profile of expenditure being higher during winter months this winter was particularly mild resulting in reduced costs.
Refuse & Cleansing Operations	(35)	25	(10)	(10)	pressures of the budget mandates are still real, however have been mitigated by a reduction in fuel costs (£80k benefit from budget) and a reduction in Superannuation as about 20 staff have opted out of the Council provided pension (£96k). Managers are to engage with staff to ensure that their decision to opt out of the pension is what they want to do, so this may not be a recurring saving. All of the £30k listed in the departmental recovery plan is expected to be found by year end.
AG Training	39	0	39	(7)	Has seen demand fall due to both increasing competition from other training providers and Council's facing major budget pressures only undertaking mandatory training.
Grounds Operational Management	(68)	0	(68)	6	Grounds operational management savings
Other Operations	9	0	9	0	See Appendix 9
Total OPS at Outturn	(472)	75	(397)	(237)	Total OPS Outturn at 2015-16 financial year end

Chief Executive's Office (CEO)					
Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
Customer Relations	10	0	10	(2)	Professional fees incurred during a complaint investigation.

Members Costs	5	0	5	(12)	Improvement from month 9 due to savings realised from the Committee Chair.
Democratic Services	(84)	0	(84)	(24)	Savings in supplies & services and Cabinet office grants
Legal	(19)	0	(19)	(1)	Savings in supplies & services and unfilled staff vacancy
Public Protection	(58)	0	(58)	(23)	Savings in supplies & services and increased income
Audit	(22)	0	(22)	(12)	Savings in supplies & services and unfilled staff vacancy
Benefits	(182)	n/a	(182)	(114)	Savings in Housing Benefit awarded and reduced administration costs.
Council Tax & NNDR Administration	39	0	39	(17)	Overspend due to shortfall in Court summons income and redundancy costs for Officer
Cashiers	9	0	9	(5)	Overspend is largely attributable to increased annual card fees
Revenues Systems Administration	(32)	0	(32)	0	Vacant post, reduced petrol costs and reduced system costs as proportion now charged to Housing Benefits
Policy and Partnership Management	(39)	0	(39)	15	Movement due to contribution to Modern Government project and additional supplies and services costs
Other CEO	6	0	6	19	See Appendix 10
Total CEO at Outturn	(367)	0	(367)	(176)	Total CEO Outturn at 2015-16 financial year end

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Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
Corporate (COL)					
Audit Commission Fees (Certification Grant Claims)	(41)	n/a	(41)	(9)	Mainly savings in relation to the auditing of grant claims and statutory inspection fees
Drainage Levies	10	0	10	0	Drainage Levy original budget insufficient for service cost
Coroner Fees	16	0	16	0	Original budget insufficient for service costs
Gwent Crematorium	(138)	0	(138)	(48)	Increased income from activity at the Gwent Crematorium
Early Retirement Pension Costs	202	n/a	202	35	Additional pension strain cost of notified in latter part of 2015/16

Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
Insurance Premium Payment(Direct)	(98)	n/a	(98)	(31)	Based on reduction in premium costs as a result of the tender completed in September 2015.
Insurance Settlement Expenditure	(2)	0	(2)	(2)	Insurance settlement claims predicted to be lower due to reduced claims activity
Indirect Revenue Gains Reserve	(138)	0	(138)	(41)	Rate rebates from MCC Properties
Other Corporate	(5)	0	(5)	2	See appendix 11
Total COL at Outturn	(194)	0	(194)	(94)	Total COL Outturn at 2015-16 financial year end

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Appropriations (SAPP)					
Attributable Costs - Fixed Asset Disposal	(95)	0	(95)	(13)	12 Schemes delayed mainly due to a rethink of disposal strategy to optimise receipts. The balance on this budget is requested as slippage into 1617
Interest and Investment Income	(52)	0	(52)	(3)	Increased cash income due to increased cash balances - in turn due to temporary borrowing taken out when rates were advantageous to prevent concentrated borrowing at difficult times.
Interest Payable and Similar Charges	(368)	n/a	(368)	19	Saving against budget due to long term debt not being taken out and temporary borrowing being at a lower rate than budgeted
Charges Required Under Regulation	(240)	n/a	(240)	1	Consistent with recovery plan intentions, a planned set aside of £6m of capital receipts in 2016/17 will be brought forward a year from 16/17 as there is a balance of receipts available to do this and this has achieved a saving on MRP payments due.
Earmarked Contributions Reserves (Revenue)	1,035	n/a	1,035	130	See separate reserves section
Other Appropriations	(62)	0	(62)	(62)	Other investment income

Directorate / Service area	Outturn Position exclusive of savings not achieved £'000	Targeted 2015-16 Savings not realised £'000	Outturn Position <u>net</u> of savings not realised £'000	Movement since Period 3 Red= Adverse (Green) = Favourable	Headline Comment
Total APP at Outturn	218	0	218	72	App Outturn at 2015-16 financial year end

Financing (FIN)					
Council Tax	(910)	n/a	(910)	(160)	Surplus due to projected better Council Tax Collection rates and an increased Council Tax base.
Benefit Support	(191)	n/a	(191)	(20)	The outturn reflects the current commitments within the system. As caseloads continue to reduce,
Total Financing	(1,101)	0	(1,101)	(180)	
Grand Total @ Outturn	(1,213)	537	(676)	(878)	Total Outturn at 2015-16 Financial Year End

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

3.2 SCHOOLS

3.2.1 Each of the Authority's Schools is directly governed by a Board of Governors, which is responsible for managing the school's finances. However, the Authority also holds a key responsibility for monitoring the overall financial performance of schools. Below is a table showing the Schools' balances outturn position for 2015-16.

Council Fund Outturn 2015/16– Schools position (Period 4)	(A) Opening Reserves (Surplus) / Deficit Position 2015/16 £'000	(B) Budgeted Draw on School Balances 2015-16 £'000	(C) Variance on Budgeted Reserve Draw £'000	(D) Draw on School Balances @ Outturn £'000	Reserve Balances at 2015-16 Outturn (A+D) £'000	(D) Draw Forecasted on School Balances @ Month 9 £'000	Variance Month 9 To Outturn £'000	Draw Forecasted on School Balances @ Month 6 £'000	Draw Forecasted on School Balances @ Month 2 £'000
Clusters									
Abergavenny	(412)	124	(305)	(181)	(594)	46	(227)	(19)	100
Caldicot	(426)	275	(439)	(164)	(590)	112	(276)	153	252
Chepstow	98	36	84	120	218	80	40	63	45
Monmouth	(424)	166	(41)	125	(299)	138	(13)	154	193
Special	24	(18)	103	85	109	116	(31)	105	(28)
Total	(1,140)	583	(598)	(15)	(1,156)	491	(507)	457	562

3.2.2 School balances at the beginning of the financial year amounted to £1,140,000. The Schools will contribute a net £15,000 to school balances for 2015/16, therefore leaving £1,156,000 as the closing reserve balances. This is against a declining collective school reserves position both budgeted for and reported in previous 3 quarters. The same volatility in outturn has been experienced as in 2014-15. CYP regard their forecasting compromised by the ad hoc release of funding from Education Achievement Service during the last quarter. By way of illustration, unanticipated grant awards to Monmouthshire schools amounted to £315k in just March 2016 alone. CYP regard pragmatically there is very little structured improvement that can be achieved in such a volatile funding arrangement, and that such awards will tend to compensate for project costs already being progressed, so having a generally beneficial effect on the schools usage of their reserves. It is not an ideal situation, but one that is being addressed with EAS colleagues.

3.2.3 Within these summary figures, of particular note, is the deficit reserve position forecasted for the Chepstow Cluster. Chepstow Comprehensive School does have a recovery plan in place, however it has missed its recovery target by circa £100k for 2015-16. This simplistically is due to the contribution to redundancy costs that the school has incurred and additional water rates demands. The formal school budget submitted for 2016-17 proposes an improvement on reserve levels of £200k. Governors accept a proposition to make a further £56k savings, to keep on track with the reserve improvements supplied and endorsed in their original recovery plan. This would rectify the effect of 2015-16 position in full. They are working through the detail of that at the moment and intend to communicate intentions to CYP colleagues for consideration of their continued support.

- 3.2.4 5 Five schools exhibited a deficit position at the start of 2015/16; Llanvihangel Crucorney, Castle Park, Chepstow Comprehensive, Llandogo and Mounton House Special School. Of these five schools, the following three have seen an increase in their deficit at outturn and their balances are as follows: Chepstow School (£414,067) due to water charges and an increase in exam fees; Llanvihangel Crucorney (£23,605) as a result of having to employ an additional teacher due to increased pupil numbers; and Mounton House Special School (£154,854), due to significant staffing changes and a delay in grant funding through the ESF project. The other two schools have seen a decrease in their deficit balance. One additional school, Overmonnow Primary, is now also exhibiting a deficit (£19,101), taking the total number of schools in a deficit position to six at the end of 2015/16.
- 3.2.5 Schools balances are exhibiting a fluctuating trend with some schools showing a continuing reduction in schools balances which is of concern and others a more balanced trend.

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

- 3.2.6 There has been a significant reliance on reserve balances to supplement school spending plans in the last 4 years across individual schools with a certain amount of replenishment, to the extent that a number of balances now exceed Welsh Government guideline levels of no more than £50,000 for a primary school and £100,000 for a secondary school. CYP colleagues are intent to undertake a more in-depth review into extent of individual balances in conjunction with recent 2016-17 reported reserve usage with a view to ensuring levels do not exceed WG guidance levels. The results of this exercise will be reported alongside 2016/17 qtr1 activity.
- 3.2.7 Further information on Schools is provided in Children & Young People Select Appendix 5. Individual School Balances are available in Appendix 14 CYP School Select.

3.3 2015/16 Savings Progress

3.3.1 This section monitors the specific savings initiatives and the progress made in delivering them in full by the end of 2015/16 financial year as part of the MTFP budgeting process.

In summary they are as follows:

2015/16 Mandated Budgeted Savings Outturn

DIRECTORATE	Specific Savings Initiatives 2015/16 £'s	Savings Identified @ Outturn £'s	Percentage of Savings Achieved %	Delayed Savings to 2016/17 £'s	Savings Unachievable in 2015/16 £'s
Children & Young People	1,514,000	1,398,000	92%	0	116,000
Social Care & Health	274,000	274,000	100%	0	0
Enterprise	1,392,983	1,046,728	75%	125,000	221,255
Operations	1,513,000	1,463,000	97%	75,000	0
Chief Executives Office	85,000	85,000	100%	0	0
Total Budgeted Savings	4,778,983	4,266,728	89%	200,000	337,255

3.3.2 Mandated savings of 89% were achieved by outturn, with £337,255 being deemed as unachievable, a further £200,000 is expected to crystallise in 2016-17. This is an improvement on month 9 data which concluded 83% savings being made collectively.

3.3.3 The savings appendix also has a traffic light system to indicate whether savings are likely to be achieved or have reasons explaining the mandates delayed implementation against the original and revised delivery recovery plans. The following comments are in regard to savings mandates that have not been met.

Operations (OPS)

- Highways advertising income is forecasting a £50,000 delayed saving due to planning issues in regard to the implementation of the scheme. The saving against budget has been achieved through other means to compensate for these delayed savings.
- Trade Waste cannot reach the extra trade waste re-cycling bags target of £25,000, expectations are that this can be achieved in future periods.

Enterprise (ENT)

- Utility supply issues at the Caldicot 3G sports pitch has resulted in reduced income of £15,000 and £15,000 for caretaker charges at Abergavenny Leisure Centre. Delayed Lighting installed at the 3G pitch resulted in only partial income being reached against alternative delivery plans amounting to £5k since month 6 in total.
- Sustainable Energy Initiatives is reporting £18,110 of unachievable income targets though this has been offset by additional Cemetery income.
- Museums, Shirehall & Castles and Tourism – £15,000 shortfall due extra staffing requirements at Chepstow TIC which was closed for the winter and unattainable green screen savings (£10,000) and conservation income (£20,000). There has been no positive impact as a result of the alternative delivery plan at Outturn.
- In House development of ICT systems and associated income generation through future sales estimated at £100,000 will not occur.
- MCC Markets has reported that the extra income of £28,145 from the Markets has been unachievable due to budget pressures relating to the Borough theatre. The service has achieved £42k against the alternative delivery plan of ceasing all repair and maintenance work to the asset portfolio.
- The delayed implementation of the Community Hubs project to 2016-17 has led to a £125,000 savings shortfall.

Children and Young People (CYP)

- The Youth Service are forecasting to achieve £84,000 of the mandated savings (£200,000) and have identified the shortfall as being two grants that have been delayed until 2016/17 that were also part of the alternative delivery plan agreed in December by Cabinet

Social Care & Health (SCH)

- The Mandates for Adult Social Care Service re-design and the transfer of SCH Transition project staff to Bright New Futures are forecast to be fully achieved.

- All current financial year savings have been identified within the Chief Executive's section of responsibility.

3.4 Capital Position

3.4.1 The summary Capital position as at Outturn is as follows

MCC CAPITAL BUDGET MONITORING 2015-16 AT Outturn by SELECT COMMITTEE						
CAPITAL BUDGET SELECT PORTFOLIO	Actual Outturn	Slippage Brought Forward	Total Approved Budget 2015/16	Provisional Capital Slippage to 2016/17	Revised Capital Budget 2015/16	Capital Expenditure Variance
	£'000	£'000	£'000	£'000	£'000	£'000
Children & Young People	11,276	7,267	51,330	(39,731)	11,599	(323)
Adult	321	35	353	(30)	323	(1)
Economic & Development	88	531	759	(680)	79	9
Strong Communities	6,637	2,940	10,073	(3,243)	6,831	(193)
Capital Schemes Total	18,322	10,773	62,515	(43,684)	18,832	(508)

MCC CAPITAL BUDGET MONITORING 2015-16 AT Outturn BY SCHEME CATEGORY

CAPITAL BUDGET SCHEME	Actual Outturn	Slippage Brought Forward	Total Approved Budget 2015/16	Provisional Capital Slippage to 2016/17	Revised Capital Budget 2015/16	Capital Expenditure Variance
	£'000	£'000	£'000	£'000	£'000	£'000
Asset Management Schemes	2,710	889	3,603	(604)	2,999	(289)
Future Schools	10,022	6,699	48,896	(38,875)	10,022	0
Other School development Schemes	171	219	1,075	(847)	227	(56)
Infrastructure & Transport	3,135	671	4,566	(1,408)	3,158	(23)
Regeneration Schemes	517	947	1,654	(1,096)	558	(41)
Sustainability Schemes	4	81	81	0	81	(77)
County Farm Schemes	208	152	352	(144)	208	0
Inclusion Schemes	1,235	348	1,354	(119)	1,235	0
ICT Schemes	181	188	288	(107)	181	0
Other Schemes	142	580	646	(483)	162	(20)
Capital Schemes Total	18,323	10,773	62,515	(43,684)	18,831	(508)

3.5 Proposed Slippage to 2016-17

3.5.1 Slippage volunteered in relation to Future Schools programme amounted to £38.875m at outturn. Other service managers have volunteered a further £4.809m. This is actually higher than 2014-15 levels which is worrying given the motivations and communications made to reduce in year slippage.

3.5.2 At quarter 3 it was highlighted that service managers had requested far lower slippage levels £2,433,000 and £38,000 for services managers and property services respectively. The risk that managers would struggle to convert the extent of commitments during the last quarter into actual expenditure has been borne out, and raises a concern about the quality of their forecasting.

3.5.3 The same discipline has been applied to the consideration of slippage at outturn as in 2014-15 to recommend appropriate slippage levels to Members, i.e.

- whether there has been little or no progress in previous 12 month,
- the level of expenditure incurred this year has been less than in year budget and slippage b/fwd., to consider any opportunity to realign the budget to more realistic levels or reprofile budget more accurately over multiple years,
- or where there are identified problems/barriers to progress e.g. no agreement over scheme, archaeological considerations, planning considerations not yet satisfied or where the manager hasn't clearly evidenced why this should be slippage in the request made.

3.5.4 The following services have made requests for slippage, which are categorised into those proposed to Members for endorsement and those not.

Service Officer	Project Narrative	Amount Proposed for endorsement £'000	Amounts not proposed for endorsement £'000
S Kneafsey	Future Schools	38,875	
P Mullen	Connected Worker application	38	
	Retaining wall & bridges	30	
	Carriageway resurfacing	196	
	Public Realm improvements	443	
	Rockfield Car Park	265	
	Sub total	972	
R Joy	Energy Efficiency Street Lighting	434	
S Hayward	ICT Schools	827	
	SharePoint/active directory purchase	11	
	Intranet/internet functionality	35	
	EPOS Museums		(10)
	Sub total	873	(10)

L Widenham	Agresso upgrade	10	
	Revenues online facilities	13	
	Sub total	23	
I Bakewell	DFGs	7	
S Wiggam	Low cost home ownership	112	
D Hill Howells	Woodstock Way Linkage (sc106)	177	
	Community Hubs Infrastructure	60	
	Farms Portfolio maintenance	138	
	Area Management	20	
	Caerwent House	300	
	Town Centre partnership	2	
	Sub total	697	
R Rawlings	Abergavenny Town Team	30	
R Hoggins	Granville St & Wyebridge St Car park	185	
R O'Dwyer	Property – combined	207	
	ESR Access for all schools		(49)
	Replacement cattle market	173	
	Provision of gas interlocks school kitchens		(11)
	Asbestos removal		(45)
	Sub total	380	(105)
M Lewis	Caldicot Castle Kitchen improvements	34	
	Public rights of way improvements	40	
	Sub total	74	
M Moran	Monmouth Sports Ground Drainage	23	
	MUGA Byfield Lane (sc106)	5	
	Magor & Undy (sc106)		(32)
	Recreation Croesonen (sc106)	40	
	Caldicot 3g pitch (sc106)	27	
	Combined 3 Monmouth Developments (sc106)	314	
	Caerwent offsite recreation (sc106)	300	
	Sub total	709	(32)
P Keeble	Croesonen Infant Site (sc106)		(23)

M Davies	Pedestrian Improvements land off Sudbrook Way (sc106)	28	
B Winstanley	County Farms disposal	7	
	Non county farms disposal	278	
	Sub total	285	
	TOTAL	43,686	(170)

3.5.5 The section 106 unendorsed slippage provides no net saving to the authority and will be returned to sc106 balances for subsequent recommendation for subsequent reallocation by officers and consideration by Cabinet.

3.5.6 The net underspent funding envelope for Future schools is being slipped forward in full but as yet scheme specific costs identified still fall significantly outside this limit, pending further consideration by Project Board.

Page 168 3.3 Capital Outturn

3.6.1 After allowing for most of the indicative slippage volunteered by services, the capital programme for 2015-16 is £508k underspent, a significant improvement on £76k reported underspend at month 9, and is predominantly the effect of underspends to Thornwell sewer diversion works £231k, slippage requests proposed to be declined totalling £170k, and £80k underspends in development schemes under £250 (mainly abortive PV schemes). £13k underspend Rogiet carpark and £10k unspent road safety grant expenditure.

3.6.2 Of this £508k underspend, considering the financing sources below, £433k is available to be reallocated to other schemes, with the balance either being returned to Sc106 pot, or resulting in an underspend in grant income which cannot be re-utilised

3.6.3 There are number of capital pressures that are not currently captured in the capital programme:

- The tendered prices on the Future Schools programme are currently being worked through and may result in a capital pressure
- The demand for Disabled Facility Grants is currently running ahead of the annual £600k budget. There is an indicative backlog totalling circa £350k.
- The Community Hub in Abergavenny - the previous decision made by Members in de-committing the Abergavenny Library project recommended that specific capital budgets to develop a Community Hub along with projects to improve the public realm that supports regeneration of the town centre (the Better Bryn Y Cwm Plan) be brought forward to be financed from the funding released.
- There has been a proposal that the Council vacate Innovation House and sell the asset, to generate a capital receipt and generate revenue savings. This necessitates work to J and E block at the Usk HQ to convert to office space and early indications suggest costs of circa £1.2m
- Long list of capital pressures presented at Cabinet and Council when setting the Capital MTFP in January 2016, including considerable backlogs in Infrastructure, property, compliance with DDA, and Public Rights of Way.

3.6.4 It is recommended that Members hold the available balance of circa £433k resources, until there is cost certainty with the Future Schools programme as this remains the Council's top priority.

3.7 Capital Financing and Receipts

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

MCC CAPITAL FINANCING BUDGET MONITORING 2015-16 AT Outturn BY FINANCING CATEGORY								
CAPITAL FINANCING SCHEME	Annual Financing Forecast	Slippage Brought Forward	Original Budget	Budget Revisions	Total Approved Financing Budget 2015/16	Provisional Budget Slippage to 2016/17	Revised Financing Budget 2015/16	Increase / Reduction 2015/16 Capital Financing
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Supported Borrowing	2,420	0	2,420	0	2,420	0	2,420	0
General Capital Grant	1,462	0	1,462	0	1,462	0	1,462	0
Grants and Contributions	5,366	3,952	16,816	672	21,441	(16,050)	5,391	(25)
S106 Contributions	379	690	0	619	1,309	(880)	429	(50)
Unsupported Borrowing	10	1,274	15,311	(5,023)	11,563	(11,553)	10	0
Earmarked Reserve & Revenue Funding	920	409	490	622	1,520	(590)	930	(10)
Capital Receipts	7,689	4,414	11,134	7,062	22,611	(14,500)	8,112	(423)
Low Cost Home Ownership Receipts	77	33	0	156	189	(112)	77	0
Unfinanced	0	0	0	0	0		0	0
Capital Financing Total	18,323	10,773	47,633	4,108	62,515	(43,684)	18,831	(508)

3.8 Useable Capital Receipts Available

3.8.1 In the table below, the effect of the changes to the forecast capital receipts on the useable capital receipts balances available to meet future capital commitments is shown. This is also compared to the balances forecast within the 2015/19 MTFP capital budget proposals.

Movement in Available Useable Capital Receipts Forecast

TOTAL RECEIPTS	2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000
Balance b/f 1 st April	17,440	5,312	11,815	(2,684)	(1,751)
Deferred Capital Receipts	4	4	4	4	4
Less: Set aside Capital Receipts	(6,250)	0	0	0	0
Less: Receipts to be applied – General	(2,397)	(2,009)	(509)	(509)	(509)
Less : Receipts to be applied - 21C Schools	(5,292)	(5,918)	(17,662)	(3,962)	0
TOTAL Actual / Estimated balance c/f 31st March	3,501	(2,615)	(6,356)	(7,155)	(2,260)
Receipts forecast to be received in year as 2015/19 MTFP	10,235	25,220	2,150	0	0
Increase / (decrease) in forecast receipts forecast at month 6	(8,428)	(3,520)	3,250	5,400	5,500
Less Set Aside Capital receipts (end of Year)	0	(7,274)	(1,732)	0	0
Anticipated Capital Receipt Levels	5,312	11,815	(2,684)	(1,751)	3,244
TOTAL Estimated balance reported in 2015/19 MTFP Capital Budget proposals	11,660	21,104	11,542	10,388	10,388
Increase / (Decrease) compared to MTFP Capital Receipts Forecast	(6,348)	(9,290)	(14,227)	(12,139)	(7,144)

Points to note:

- The net reduction in the capital receipts forecast in 15/16 is due to the delay in an LDP receipt & the Coed Glas receipt from 15/16 to 16/17 (£8.1m).
- The deposit received against the old Abergavenny cattle market sale is not included in 2015-16 receipts (£1.6m), and has been subsumed alongside the balance of receipt in 2016-17.
- The decrease in receipts in 16/17 is due to a delay in LDP receipts offset by delayed Coed Glas receipt.

- The increase in forecast receipts in 17/18 is due to slippage of LDP receipts from 16/17 to 17/18.

- 3.8.2 The decrease in the Capital receipts balance of £6.3m compared to the MTFP at 31/3/2016 is due to: the reduction in forecast receipts (£8.4m); an increase in receipts applied to the 21C schools program (£6.2m) and corresponding decrease in borrowing - approved in the 16/17 capital mtfp; and a set aside of capital receipts to reduce MRP payments (£6.2m) approved by Cabinet; Offset by slippage of capital receipts funded budgets (mainly 21C schools) to 16/17 (£14.6m).
- 3.8.3 The balance of receipts forecast to be available at the end of the mtfp window, 31/3/2019 is reduced against the forecast in the 15/16 MTFP by £7.1m mainly due to the increase in total set aside of capital receipts from £10.5m to £15.2m and an increase in budgets funded by capital receipts, including virements from borrowing within the 21C schools program (£5.0m).
- 3.8.4 It is normal practice to only utilise capital receipt balances received in previous years. Although this was planned in the Capital mtfp, it is necessary to utilise receipts within the year of receipt. This introduces a considerable risk around the impact of delayed receipts.
- 3.8.5 The Council has agreed to the inclusion of Future Schools initiative within the Capital Programme and this relies on utilising £29.7 million of capital receipts during this next 4 year MTFP period. Consequently the balance of capital receipts available for other schemes during this MTFP window has considerably reduced. There is increasing concern given the apparent slippage in realising receipts, that the funding of Future schools may be compromised, and necessitate unbudgeted borrowing costs as borrowing replaces receipts, thereby requiring greater revenue savings from Directorates.

Reserve Usage

- 3.9.1 Revenue and capital monitoring reflects an approved use of reserves. Building upon the inclusion of a reserve summary provided as part of 2014-15 monitoring the following table indicates the anticipated position both at the end of 2015-16 but also the predicted position for 2016-17 based on decisions already made. It also includes the reserve recommendations being made as part of this report.

SUMMARY EARMARKED RESERVES POSITION 2015-16 AT Outturn

Earmarked Reserves	2014-15	Revenue Approved Usage		Capital Usage	2015-16	Revenue Approved Usage		Capital Usage	2016-17
	b/fwd	Replenishment of Reserves	Draw on Reserves			Replenishment of Reserves	Draw on Reserves		c/fwd
Invest to Redesign	(1,483,522)	(399,431)	406,883	177,915	(1,298,155)	(72,508)	507,357	233,363	(639,943)
IT Transformation	(639,840)	(418,674)	73,200	98,479	(886,835)			248,862	(637,974)
Insurance & Risk Management	(2,250,388)	(30,000)	1,043,992		(1,236,396)				(1,236,396)
Capital Receipt Regeneration	(460,342)		137,981		(322,361)		95,376		(226,985)
Treasury Equalisation	(990,024)				(990,024)				(990,024)
Redundancy & Pensions	(599,936)	(1,036,754)	325,434		(1,311,256)		592,521		(718,735)
Capital Investment	(1,620,945)	(15,500)		371,846	(1,264,599)			619,236	(645,363)
Priority Investment	(1,973,294)	(62,717)	915,942		(1,120,069)		703,914		(416,155)
Museums Acquisitions	(59,798)		3,038		(56,760)				(56,760)
Elections	(83,183)	(25,000)			(108,183)	(25,000)	100,000		(33,183)
Grass Routes Buses	(160,615)	(5,000)	25,913		(139,702)	(5,000)			(144,702)
Sub Total	(10,321,888)	(1,993,076)	2,932,383	648,239	(8,734,342)	(102,508)	1,999,168	1,091,461	(5,936,499)
Restricted Use Reserves									
Chairman's	(36,754)		36,754		0)				0
Youth Offending Team	(382,226)		57,226		(325,000)				(325,000)
Building Control Trading	(490)	(11,518)			(12,008)				(12,008)
Outdoor Education Centres	(190,280)				(190,280)				(190,280)
CYP Maternity	0	(104,000)			(104,000)				(104,000)
I Learn Wales	(48,674)		48,674		0				0
Total Earmarked Reserves	(10,980,311)	(2,108,594)	3,075,037	648,239	(9,365,628)	(102,508)	1,999,168	1,091,461	(6,377,507)

3.9.2 This indicates that by the end of 2016-17 the Council is likely to utilise about 42% of the useable earmarked reserves brought forward from 2014-15, based on approvals to use reserves so far. This is a small improvement on the reported levels at month 9 and is a mixture of revised delayed usage together with the welcome effect from Enterprise Directorate activities. This Directorate's activities no longer necessitates £130k funding for innovation services allowing the effect of MCC's Circuit of Wales costs (£110k) to be absorbed (subject to a separate report for Member approval of this) without

further compromising reserve levels. In addition, the community fundraising levels in relation to Eisteddfod of £130k so far, has the effect of reducing the Council's exposure and obligation to bankrolling the shortfall in community funding targets of £300k. This latter revision is based on the extent of fundraising achieved at the end of 2015-16, it may be possible to reduce this obligation still further during 2016-17 based on further community success.

3.9.3 Given the forecast use of earmarked reserves, Cabinet approved the following change in practice to ensure adequacy of reserves for the MTFP:

- Increase workforce planning and redeployment to reduce the need for reserves to cover redundancies
- Any request for reserve funding must first explore whether existing budgets, or external funding sources can be used for the proposal accepting this may require a change in priorities if existing budget are used
- Use of reserves to implement budget savings must use the saving first to repay the reserve
- IT investment bids will need to be considered in the core capital programme when the IT investment reserve is extinguished, this may necessitate displacing some of the core capital programme allocations depending on the priorities agreed

3.9.4 If action is not taken to slow down the use of ear marked reserves through the above mechanisms, consideration will increasingly need to be given to budgeting to replenish reserves or including in the base budget requests that would normally have been funded by reserves, both of which will increase the resource gap in the MTFP and the need for a greater extent of revenue savings and upheaval to services.

3.9.5 An actuarial assessment on the Council's insurance provision allows earmarked reserve levels to be realigned largely to part replenish redundancy reserve, invest to redesign and IT reserve. The iLearnWales (£49k) reserve is recommended to be transferred to the IT reserve to help fund schools IT replacement as Raglan underspend hasn't manifested itself to extent proposed. The Chairman's Reserve (£37k) has not been used for several years and therefore it is recommended that it is released to enable replenishment of other reserves. The recommended replenishment of reserves is indicated in the table below:

Sources of Reserve Replenishment	£'000	Proposals	£'000
General underspend	677	Redundancy reserve top up	1,037
Chairman's reserve extinguishment	37	IT reserve top up	419
Ilearn Wales extinguishment	49	Invest to redesign top up	350
Release of 201516 MMI reserve contribution	168		
Reallocation of insurance provision balance	876		
Total	1,806	Total	1,806

- 3.9.6 The extent and nature of reserve replenishment is based on a trend in pressure rather than explicit costs anticipated. The only exception to this being a recent understanding that City Deal considerations will require an additional top up contribution of £500,000 from partner Councils. Our anticipated proportion necessitates a payment of £30,832 which is proposed to be an additional budgeted draw on the invest to redesign reserve.

4 REASONS

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

5 RESOURCE IMPLICATIONS

- 5.1 The forecast overspend and use of earmarked reserves, requires action to be taken to ensure that the budget is kept on track and earmarked reserves are maintained at an adequate level for the MTFP.

6 WELL BEING OF FUTURE GENERATIONS IMPLICATIONS AND CORPORATE PARENTING

The decisions highlighted in this report have no future generations and corporate parenting implications.

CONSULTEES

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

8 BACKGROUND PAPERS

- 8.1 Outturn monitoring reports, as per the hyperlinks provided in the Appendices

9 AUTHOR

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Appendices (attached below)

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

Appendix 2C to 5C (click link to reports page on Hub)

[Appendix 2C M9 Capital Monitoring Strong Communities Select 2015-16](#)

[Appendix 3C M9 Capital Monitoring Economic & Development Select 2015-16](#)

[Appendix 4C M9 Capital Monitoring Adult Social Care & Health Select 2015-16](#)

[Appendix 5C M9 Capital Monitoring Children & Young People Select 2015-16](#)

Appendix 6 to 14 (click link to reports page on Hub)

[Appendix 6 M9 Social Care & Health Revenue Budget Monitoring 2015-16](#)

[Appendix 7 M9 Children & Young People Revenue Budget Monitoring 2015-16](#)

[Appendix 8 M9 Enterprise Revenue Budget Monitoring 2015-16](#)

[Appendix 9 M9 Operations Revenue Budget Monitoring 2015-16](#)

[Appendix 10 M9 Chief Executive Office Revenue Budget Monitoring 2015-16](#)

[Appendix 11 M9 Corporate Revenue Budget Monitoring 2015-16](#)

[Appendix 12 M9 Appropriations Revenue Budget Monitoring 2015-16](#)

[Appendix 13 M9 Financing Revenue Budget Monitoring 2015-16](#)

[Appendix 14 M9 School Movement on Reserves 2015-16](#)

[Appendix SM M9 Savings Mandates 2015-16](#)

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Budgeted Service Savings Mandates Progress 2015/16

DIRECTORATE	Saving included in 2015/16 Budget £'000	Savings reported achieved month 2 £'000	Savings reported achieved month 6 £'000	Savings reported achieved month 9 £'000	Savings achieved @ outturn £'000	Percentage progress in achieving savings % %	Delayed savings £'000	Savings not achievable £'000
Children & Young People	1,514	1,400	1,377	1,377	1,398	92%	0	116
Social Care & Health	274	274	274	274	274	100%	0	0
Enterprise	1,393	1,025	975	1,015	1,047	75%	125	221
Operations	1,513	1,211	1,258	1,438	1,463	97%	75	0
Chief Executive's	85	85	85	85	85	100%	0	0
Total Mandated Service Savings 2015-16	4,779	3,995	3,969	4,189	4,267	89%	200	337

CHILDREN & YOUNG PEOPLE											
Budget proposals 2015/16	Mandate No.	Savings Mandate Narrative	Saving included in 2015/16 Budget	Value of Saving Forecast at Month 2 £s	Value of Saving Forecast at Month 6 £'s	Value of Saving Forecast at Month 9 £'s	Value of Saving achieved at Outturn £'s	Delayed savings £'s	Savings not achievable £'s	Assessment of progress	Risk of current forecast saving NOT being achieved (High / Medium /
Schools delegated budgets	16	Proposal is about finding opportunities to reduce costs in schools. Schools budgets will be protected at cash limit, this means no pay inflation and or non pay inflation is provided for in funding,	1,124,000	1,124,000	1,124,000	1,124,000	1,124,000	0	0	Fully met, the delegated funds were reduced to all schools.	
School library service - combine with general library service	18	Continuation of 2014-15 mandate. Service costs expired in 2014-15	20,000	20,000	20,000	20,000	20,000	0	0	Fully met, SLS has closed	
School Music service - reduction in subsidy	20	Continuation of 2014-15 mandate. Total MCC contribution to schools music service is £260k, exploration of alternative models to reduce the subsidy required	50,000	50,000	50,000	50,000	50,000	0	0	Fully met, Gwent music have worked very successfully on other income generation and have worked very closely with us to achieve this	

CYP Transformation Additional Needs/Mounton House	35	Review the core offer and funding for all Special Needs Resource Bases across Monmouthshire £100k, Review of service functions to create efficiencies across services and rationalise with a view to reduce expenditure £20k.	120,000	120,000	120,000	120,000	120,000	0	0	Fully met, new SLA produced and schools have brought in	
Youth Services	42	Replace core funding with other income sources	200,000	86,000	63,000	63,000	84,000	0	116,000	£84,000 the savings have been met, but the service are reporting an £116k overspend at Outturn. This is due to two grants being delayed.	High

1,514,000	1,400,000	1,377,000	1,377,000	1,398,000	0	116,000
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SOCIAL CARE & HEALTH											
Budget proposals 2014/15	Savings Mandate Narrative	Saving included in 2015/16 Budget	Value of Saving Forecast at Month 2 £s	Value of Saving Forecast at Month 6 £'s	Value of Saving Forecast at Month 9 £'s	Value of Saving achieved at Outturn £'s	Delayed savings £'s	Savings not achievable £'s	Assessment of progress	Risk of current forecast saving NOT being achieved (High / Medium / Low)	Risk of current forecast saving NOT being achieved (High / Medium / Low)
SCH Transition project staff transfer to Bright New Futures	Combining our initiative with Bright new futures to establish a shared service model	14,000	14,000	14,000	14,000	14,000	0	0	Savings Achieved	N/A	Low
Sustaining Independent Lives in the community	Cabinet report and business case presented on 2nd Oct 2013, aim is to divert people from needing statutory services through Local Area Co-ordination and small local enterprises	260,000	260,000	260,000	260,000	260,000	0	0	Savings Achieved	N/A	Low
		274,000	274,000	274,000	274,000	274,000	0	0			

ENTERPRISE											
Budget proposals 2015/16	Mandate No.	Savings Mandate Narrative	Saving included in 2015/16 Budget	Value of Saving Forecast at Month 2 £s	Value of Saving Forecast at Month 6 £'s	Value of Saving Forecast at Month 9 £'s	Value of Saving achieved at Outturn £'s	Delayed savings £'s	Savings not achievable £'s	Assessment of progress	Risk of current forecast saving NOT being achieved (High / Medium / Low)
DEVELOPMENT OF LEISURE SERVICES	1	Leisure centre staffing remodelled £115k, admin and clerical review £66k, support services review £20k, reduction caretaking Abergavenny £15k, outdoor education reduction £25k, leisure supplies and service £25k, increased income through fitness and sport offer £155k	420,983	420,983	385,983	390,983	390,983	-	30,000	15k Caretaker savings will not be achieved as the school didn't charge us until 15-16 so there is a full years charge in this year. 15k 3G pitch income will not be achieved due to delays in the implementation of the lighting and electricity which had affected the number of bookings, this is a £5k improvement on the position at M6 £35K achievable in alternative delivery plans Delayed Lighting	High

Collaboration on housing services and development of careline services	2	Continuation of 2014-15 mandate involving the commercialisation of careline service, one housing solutions service with TCBC focussed on enabling wider access to housing options and providing greater	55,000	55,000	55,000	55,000	55,000	-	-	Saving fully achieved	Low
Sustainable energy initiatives	5	3 year mandate starting 2014-15, 2015-16 commitment Investing in biomass boilers £15k,sustainable energy initiatives £18k	33,000	-	-	-	14,890	-	18,110	The section has achieved £14,890 through the Alternative Delivery Plan (agreed by cabinet 2nd Dec) - £33K achievable. The remaining element of the saving that has not been achieved has been offset in the division through increased income from within the cemeteries section.	

Museums, Shirehall & Castles and Tourism	6	Continuation of 2014-15 mandate. Consolidation of tourism and culture offer throughout the County through considering shared services models; making attractions self-sustainable and income generation. This relates to the museum business plan and explores roll-out of some community ownership models.	190,000	170,000	145,000	145,000	145,000	-	45,000	Museums - 30,000 of savings will not be achieved. Green Screen savings of 10,000 and 20,000 conservation income. The Green Screens are not yet up and running and they will not generate that amount of income within 1 year. The conservation income in the mandate was higher than agreed the total income from conservation was initially agreed as 30,000 not 50,000, the museums are	
Strategic Property Review (phase 2)	26	The Accommodation Working Group is now charged with reviewing all property usage with the aim of minimising the costs and releasing any property that can be made surplus.	100,000	100,000	100,000	100,000	100,000	-	-	Achieved	

Community Hubs & Contact Centre	28	Continuation of 2014-15 mandate. Reducing staffing costs £85k, improved management of green spaces £40k	250,000	125,000	125,000	125,000	125,000	125,000	-	"Forecast overspend of £10,000 is mainly due to higher than anticipated employee costs, this has been partly off set by a reduction in supplies and services expenditure where possible. Increase staffing costs are due to the delayed implementation of the of the Community Hubs restructure the mandate savings of £250k related to a full year saving where as it is only possible to achieve 6 months of reduced costs. The community Hubs are likely to achieve savings from September 2015." This outturn includes
ICT	31	Staffing efficiencies, integrate enterprise agreement, reduce supplies and services budget	250,000	130,000	140,000	138,000	150,000	-	100,000	Savings mandate 31 - SRS have achieved their 150k saving. The 100k savings that were to be

Planning Income	40a	To reduce budget requirement in a number of areas through a range of actions including Management restructure, increased income generation, removal of part of a	24,000	24,000	24,000	24,000	24,000	-	-	Fully achieved	Low
Market Income	41a	Increased Market Income generation	70,000	-	-	37,000	41,855		28,145	The section has been unable to deliver the mandate saving of £50k for increased income, part of the savings mandate had been delivered through a reduction in Advertisement and the processes outlined in Alternative Delivery Plan (agreed by cabinet 2nd Dec) – 50k achievable Cease all repair and maintenance work to asset portfolio.	

1,392,983	1,024,983	974,983	1,014,983	1,046,728	125,000	221,255
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CHIEF EXECUTIVE'S UNIT & OPERATIONS											
Budget proposals 2015/16	Mandate No.	Savings Mandate Narrative	Saving included in 2015/16 Budget	Value of Saving Forecast at Month 2 £s	Value of Saving Forecast at Month 6 £'s	Value of Saving Forecast at Month 9 £'s	Value of Saving achieved at Outturn £'s	Delayed savings £'s	Savings not achievable £'s	Assessment of progress	Risk of current forecast saving NOT being achieved (High / Medium / Low)
OPERATIONS											
Home to School Transport - fundamental review of policy	14	Continuation of 2014-15 mandate. Fundamental policy review to nearest school, and more zealous application of free school travel criteria.	101,000	0	72,000	101,000	101,000	0	0	£72k from mandate has been found by reducing the post 16 grants awarded. £30k achievable by other means through a reduction in the fuel budget to reflect reduced diesel prices.	Low

Facilities - transfer functions to other providers	15	Continuation of 2014-15 mandate. Engaging with town and community councils, friends clubs to take on service related costs - Linda Vista, Bailey Park, Public Conveniences	100,000	10,000	10,000	100,000	100,000	0	0	Building Cleaning £50k mandate saving has been partly achieved through transfer of public conveniences to town councils the remaining proportion of the saving has been achieved through the alternative delivery plan ". Waste - "Also there is £40k resulting from the shortfall on additional external income budget, (£50k in 14-15 and a further £50k in 15-16 was introduced). We have secured an additional £60 of this increase, but a pressure still remains." £90k achievable A reduction in grounds and	
Transport Rationalisation	25	Rationalisation of transport services	62,000	62,000	62,000	62,000	62,000	0	0	Saving fully achieved	Low

Cost neutral waste service	36	Cleansing service efficiencies £50k, Trade waste recycling £40k, Grey and Nappy bag changes £180k	270,000	184,000	184,000	270,000	270,000	0	0	There are two mandates that will not be fully achieved in 15-16. £86k on mandate 36 "Route Optimisation", transport leasing costs build into the saving but we own the vehicle that we reduced from the fleet and therefore no leasing savings could be achieved. Also, the mandate originally cut 6 FTE posts, but only 5 FTE posts could be cut. Also there is £40k resulting from the shortfall on additional external income budget, (Mandate 15 above, £50k in 14-15 and a further £50k in 15-16 was introduced). We have secured an additional £60 of
Waste Management - Project Gwyrdd	37	Landfill cost reduction	250,000	250,000	250,000	250,000	250,000	0	0	Forecasted to be fully achieved
Waste Mgt - Efficiency & Realignment	37a	Staff Restructuring	50,000	50,000	50,000	50,000	50,000	0	0	Achieved - Grounds Vacancies

Waste Mgt - Modernising Trade Waste Services	37b	Modernising Waste Collection Services	50,000	50,000	50,000	25,000	50,000	25,000	0	£15K were generated through the sale of trade recycling bags and £10k from the introduction of waste transfer notes. The £25K has been mitigated through fuel and superann contributions.	
Waste Mgt - Collection changes, Grey bags and nappies	37c	Colection Changes to Waste Services	180,000	180,000	180,000	180,000	180,000	0	0	Achieved	
Highways	41	Staffing reduction £162k, materials and plant reduction £70k, procurement, stores and fuel savings £50k, trading account savings £113k, additional advertising and skip income £55k	450,000	425,000	400,000	400,000	400,000	50,000	0	No advertising savings achieved as previously reported - this shortfall has been found through other means.	Low

TOTAL

1,513,000	1,211,000	1,258,000	1,438,000	1,463,000	75,000	0
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CHIEF EXECUTIVE'S UNIT											
Budget proposals 2015/16	Mandate No.	Savings Mandate Narrative	Saving included in 2015/16 Budget	Value of Saving Forecast at Month 2 £s	Value of Saving Forecast at Month 6 £'s	Value of Saving Forecast at Month 9 £'s	Value of Saving achieved at Outturn £'s	Delayed savings £'s	Savings not achievable £'s	Assessment of progress	Risk of current forecast saving NOT being achieved (High / Medium / Low)
Democracy and Regulation Services	40a	To reduce budget requirement in a number of areas through a range of actions including Management restructure, increased income generation, removal of part of a vacant post and reduction in mileage budget.	85,000	85,000	85,000	85,000	85,000	-	-	Achieved	Low
			85,000	85,000	85,000	85,000	85,000	0	0		

Strong Communities Select Committee Portfolio Position Statement at Outturn (2015/16)

Head of Operations Commentary

The Operations Directorate outturn has continued to evidence the steadily improving situation of the previous 3 monitoring reports. It is gratifying to be able to report an underspend of £397,000 to contribute in part to the overall underspend situation.

Despite the exception of gales and flooding over Christmas and new year the winter weather has proved quite mild, which has mitigated some of the traditional volatility around winter maintenance. Notable in the underspend was the net additional contributions from Highways and Grounds maintenance external income and car park income. (However the reliance on Highways income will need to be to a lesser extent going forward following anticipated changes to the financial regime affecting trunk road agency work). Waste modelling continues to benefit from clarity on recycling costs (post tender) together with fuel saving contributions. Whilst still in overall deficit, the PTU position is significantly affected by historic savings that have not been made previously. This is addressed in the 2016-17 budget process so shouldn't prove as significant an issue going forward. But irrespective of this, the service has also made an improvement on quarter 3 activity, consequential to continued effect of retendering previously reported previously and savings in fuel costs. Schools catering and property maintenance also exhibited an adverse situation, the former being much less than the deficit levels inherited when the service came to Operations. The latter being significantly affected by restrictions on the extent of capital recharges and the amount of advice/support to Future schools programme garnered from outside the Council. These will continue to be areas of focus for 2016-17 but encouragingly the degree of overspend in both areas combined is still less than the overall saving achieved in relation to office accommodation costs by the Directorate.

1. Revenue Outturn Forecast

1.1 The combined budget and outturn forecast for this portfolio is

Strong Communities Service Area	Budget @ Month 9	Budget Revision Virements	Budget @ Outturn	Actual Outturn	Variance @ Outturn	Variance @ Month 9	Variance @ Month 6	Variance @ Month 2	Actual Movement Months 9 to Outturn
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's

Chief Executive's	7,001	0	7,001	6,634	(367)	(192)	(31)	(120)	(175)
Operations	16,308	(92)	16,216	15,819	(397)	(160)	339	634	(237)
Corporate	18,215	0	18,215	18,021	(194)	(100)	(61)	63	(94)
Appropriation	7,152	92	7,244	7,463	219	146	(328)	(248)	71
Financing	(148,376)	0	(148,376)	(149,477)	(1,101)	(923)	(752)	(593)	(178)
Total Strong Communities Select	(99,700)	0	(99,700)	(101,544)	(1,844)	(1,229)	(833)	(264)	(615)

1.2 The most significant over and under spends are

Strong Communities Service Area	Overspend	Underspend	Actual Movement Mth's 9 to Outturn (Positive)/ Negative £000's	Commentary on Outturn
	£000's	£000's		
CEO				
Benefits		181	(114)	The underspend is from £111k saving against housing benefit payments, 43k additional grant income, 21k in year saving for administration costs and a 6k underspend against the Discretionary Housing Budget (DHPs). The under spend has increased by 114k predominately due to changes in the Housing Benefit that has been awarded over the period.
Council Tax	38		17	25k relates to redundancy costs, 36k shortfall in summons income which is offset by 8k reduction in

				bad debt provision, 6k staff vacancies, 5k from reduced supplies and services expenditure and 4k additional income for NDR Admin.
Systems and Exchequer		28	0	16k from vacancies, reduced transport costs of 6k and reduced system costs of 6k.
Audit		21	(12)	Under spend due to vacancy savings and general restriction on supplies and services savings.
Corporate and Democratic Services		9	0	Savings from vacancies of 15k, the introduction of Modgov resulted in savings of printing and photocopying of 21k offset by increases in professional fees 27k
Elections		50	(28)	Extra income from cabinet office grants of 26k, savings in printing, postage and subscription costs 24k
Legal and Land Charges		18	(1)	Savings achieved mainly through vacancies and additional income
Public Protection		58	(22)	Increased income in public health 28k and commercial services of 21k and savings in professional fees and transport of 9k
Policy & Partnerships		40	(15)	19k relates to reserve funding of Digital media designer which needs to be carried forward into 16/17, 47k relates to extra grant funding (LSB and Afghan relocation) offset by inability to meet income target in communications of 16k and increased costs of 10k relating to the Modern Government project and compliance with the Welsh Standards legislation.
Total CEO	38	405	(175)	Net Underspend (367)

OPERATIONS				
Service	Overspend	Underspend	Actual Movement Mth's 9 to Outturn (Positive)/ Negative	Commentary on Outturn
	£000's	£000's	£000's	
Operations – Highways		354	(44)	Restrictions were placed on essential spend to meet the target set by the departmental recovery plan, additional income from SWTRA for non-scheduled task and emergency works, and increased income from fixed penalty notices on street works.
Operations – Fleet Transport		79	(61)	Additional car parking income through increased usage and increased income from the Green Car Scheme as numbers of staff using the scheme has increased.
Operations – Passenger Transport Unit	99		(87)	The budget assumed ALN transport savings of 150k but they have proven unachievable. Offsetting savings have been achieved through holding vacancies, reduction in transportation costs and season tickets.
Operations – School Catering	23		(18)	Increased costs to comply with Healthy Eating in Schools Agenda and a reduction in budgeted meals
Operations – Property Services	68		(61)	A reduction in fee income generated from capital projects.
Operations – Accommodation costs		124	35	Maintenance costs for Magor and Usk are underspent mainly due to reduced costs as buildings are relatively new.
Operations – Waste and street scene		30	1	40k over spend in Raglan Training Centre, where there has been a fall in demand offset by additional income of 70k in Grounds Maintenance because

				income expectations as listed in the recovery plan have now materialised.
Total Operations	190	587	(237)	Net Underspend (397)

Corporate Services	Overspend	Underspend	Actual Movement Mth's 9 to Outturn (Positive)/ Negative	Commentary on Outturn
	£000's	£000's	£000's	
CORPORATE				
Audit Commission Fees (Certification Grant Claims)		(42)	(7)	Mainly savings in relation to the auditing of grant claims and statutory inspection fees
Gwent Crematorium		(50)	(48)	Increased income from activity at the Gwent Crematorium
Early Retirement Pension Costs	202		36	Additional cost of redundancies notified in latter part of 2015/16
Indirect revenue Gains		(138)	(41)	Rate rebates from MCC Properties
Insurance Settlement Expenditure		(95)	(2)	Insurance settlement claims predicted to be lower due to reduced claims activity
Insurance Premium Payment(Direct)		(98)	(70)	Based on reduction in premium costs as a result of the tender completed in September 2015.
Other Corporate	27		38	See Appendix 11 for further details
Total Corporate	229	423	(94)	Net Underspend (194)

APPROPRIATIONS				
Attributable Costs - Fixed Asset Disposal		(95)	(69)	The balance on this budget is requested as slippage into 2016-17 on sales as yet uncompleted
Interest Payable and Similar Charges		(368)	(405)	Underspend due to reduce borrowing requirement in 2015-16 than budgeted
Charges Required Under Regulation		(241)	0	There is a balance of capital receipts available and this will achieve a saving on MRP payments due.
Interest and Investment Income		(114)	(64)	Reduction in impairment relating to the Heritable investment not included in M9 forecast
Net Contribution from Reserves	1,037		609	Estimated net draw from Reserves for approval by Cabinet 8 th June 2016
Total Appropriations	1,037	818	71	Net overspend 219
FINANCING				
Council Tax		909	(159)	Surplus due to projected better Council Tax Collection rates as a result of the increased Council Tax base.
Benefit Support		191	(19)	The outturn reflects the current commitments within the system. As caseloads continue to reduce,
Total Financing		1,101	(178)	Net Underspend (178)

6

1.2 Please see Appendix 9,10,11,12 and 13 for further analysis of the directorate expenditure at Outturn.

2. 2015-16 Savings Progress

2.1 The savings required by the 2015-16 budget mandates have not been fully secured.

Operations Budgeted savings were £1,513,000 at Outturn. Of the remaining savings, £75,000 are delayed until the 2016/17 financial year and none were unachievable.

Chief Executives budgeted savings were £85,000. These have all been achieved.

Man. No.	Mandate Description	Target Savings £'s	Actual Savings Achieved £'s	Delayed Till 2016/17 £'s	Unachievable £'s	Actual Savings Variance Since Month 9 £'s
	STRONG COMMUNITIES					
14	Home to School Policy Changes	101,000	101,000	0	0	0
15	Facilities - Transfer functions to other providers	100,000	100,000	0	0	0
25	Transport Review and Rationalisation	62,000	62,000	0	0	0
36	Cost Neutral Waste Service	270,000	270,000	0	0	0
37	Project Gwyrdd	250,000	250,000	0	0	0
37a	Waste Mgt - Efficiency & Realignment	50,000	50,000	0	0	0
37b	Waste Mgt - Modernising Trade Waste Services	50,000	25,000	25,000	0	0
37c	Waste Mgt - Collection changes, Grey bags and nappies	180,000	180,000	0	0	0
41	Highways	450,000	400,000	50,000	0	0
	Total Operations	1,513,000	1,438,000	75,000	0	0

	CHIEF EXECUTIVES'					
40a	Democracy & Regulation	85,000	85,000	0	0	0
	Total CEO	85,000	85,000	0	0	0

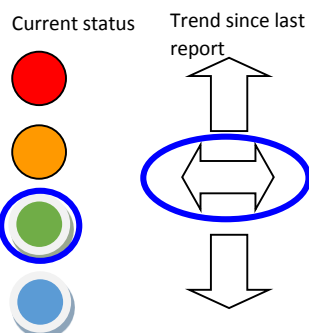
2.1.1 Please see Savings Mandate Appendix SM for further details on savings

Budget Mandates

Progress and Next Steps at Outturn

Page 206

Mandate RAG	Savings Progress at Outturn	Next Steps	Type	Year-end target	Achieved	Variance	Owner
Mandate 14 Home to School Transport	<p>Continuation of 2014-15 mandate. Fundamental policy review to nearest school, and more zealous application of free school travel criteria.</p> <p>Post 16 travel grant removed. - Green</p> <p>Removal of the non-statutory element of travel grants to post 16 students by July – Green</p> <p>Increase in post 16 charging – achieved increase in costs in 14/15, however the 29k target for the financial year 15/16 will not be delivered as already budget savings already realised.</p> <p>Transport Policy currently on hold.</p>	<p>Consultation on the transport policy is currently on hold and consequently the current budget was insufficient to operate the current 'home to school transport policy'.</p> <p>A pressure mandate was submitted and subsequently awarded for the financial year 2016/17 to address budget deficit for the service.</p>	Income Savings Total	0 101,000 101,000	0 72,000 72,000	0 29,000 29,000	Roger Hoggins/ Richard Cope

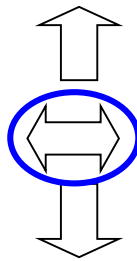
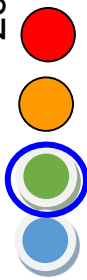


Mandate 15 *

Facilities - transfer functions to other providers

Current status

Trend sin



There is currently no progress on change of policy on statutory distances and pick up points due to members exploring other options.

Alternative Delivery Plan (agreed by cabinet 2nd Dec) - £30k achievable

A reduction in the fuel budget to reflect reduced diesel prices.

The savings within the alternative delivery plan have been achieved at outturn.

Alternative Delivery Plan revised budget –based on variance reported on mandate at month 6.

Total	29,000	29,000	0
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2014/15 mandate*

Building Cleaning / Community Services Engaging with town and community councils, 'friends of' and clubs to take on service related costs. Considerable work has already been undertaken e.g Linda Vista, Bailey Park, public conveniences. 15/16

Activities during 2015/16 have been challenging. We will not achieve full year savings on this for 2015/16. PC Cleaning - Overspend mainly due to delayed implementation of the mandate saving - transferring public conveniences to town councils".

Mandate B21 has been included in the budget proposals for the financial year 2016/17.

Engagement with the community and town councils commenced on October 2015 and further consultation is scheduled.

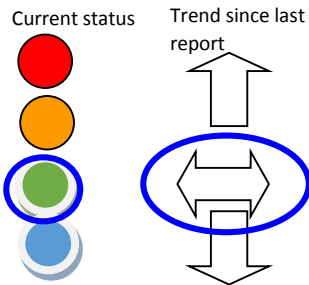
Will remain red with the limited savings until end of the year.

Income	100,000	10,000	90,000
Savings	0	0	0
Total	100,000	10,000	90,000

Roger Hoggins

Mandate 25

Fleet Rationalisation



Alternative Delivery Plan (agreed by cabinet 2nd Dec) - £90k achievable on variance reported at month 6. A reduction in grounds and highways, fuel and manpower budget (45k/45k split respectively)

The alternative delivery plan was fully delivered at outturn.

Alternative Delivery Plan – based on variance reported against original mandate at month 6.

Total	90,000	90,000	0	
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The savings for this mandate were being achieved from the reduction of fleet vehicles across the authority.

This fleet reduction was implemented. The restructure element due to protection of employment policy did not achieve 100% of the targeted savings, however the shortfall was made from other savings within the service.

There are other operational opportunities currently being considered :-

ICT 22 – the connected worker project is currently being trialled.

ICT 13– the pool car booking system – this has not progressed due to financial investment requirements.

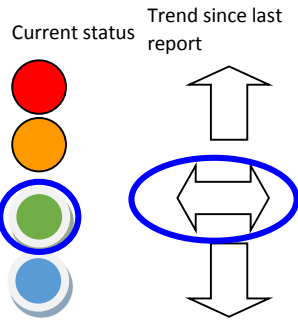
No next steps for fleet reduction as complete.

Continue to review the 2 ICT projects.

Income	0	0	0	Debbie Jackson
Savings	62,000	62,000	0	
Total	62,000	62,000	0	

Mandate 36 *

Route Optimisation



Mandate from 2014/15

Due to the changing to routes the mandate related to the reduction in fleet and staff.

£86k of the £250K will not be achieved on this mandate. Leasing costs were built into the saving yet the vehicles to be removed from the fleet were owned and therefore no revenue savings from leasing could be delivered. In addition the project established that the £250k was too ambitious and we were unable to release the number of vehicles and staff as initially projected.

Alternative Delivery Plan (agreed by cabinet 2nd Dec) – 86k achievable on variance reported at month 6.
Reduced fuel and labour budget to reflect reduced diesel prices and staff not joining the Local Government Pension Scheme. The alternative plan was fully delivered at outturn.

Review the on-going operation and budgets and re-align in line with service needs.

The pressure from this mandate has been mitigated by suppressed fuel process and savings in superannuation (pension) within the department and this is reflected in the month 6 and 9 financial monitoring reports. The route optimisation pressure will not be carried into 2016-17 as the pressure mandate rectifies this position.

Alternative Delivery Plan – based on variance reported against original mandate at month 6

Income	0	0	0
Savings	270,000	184,000	86,000
Total	270,000	184,000	86,000
Total	86,000	86,000	0

Rachel Jowitt

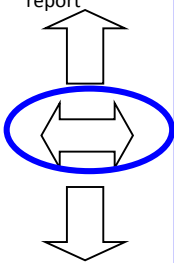
Mandate 37a

Waste Services

Current status



Trend since last report



The mandate is about re-aligning the service in order to be as customer focused and efficient as possible. To reduce duplication of services which provide clarity on responsibility and service delivery. To remove duplication and harmonise working practices.

Vacancies have been deleted therefore savings have been fully achieved at outturn.

No relevant Next Steps

Income	0	0	0
Savings	50,000	50,000	0
Total	50,000	50,000	0

Rachel Jowitt

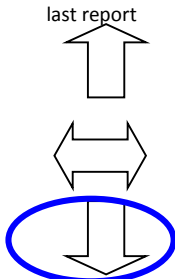
Mandate 37b

Trade Waste

Current status



Trend since last report



Modernising Trade Waste Services
 This has 2 elements:-
The introduction of trade waste recycling and realignment of 2 schedule changes.

As at outturn £15k has been generated through the sale of trade recycling bags
 Initially it was anticipated that this would increase as businesses replenished stocks
 In addition £10,000 income generated for administrative charge for issuing new Duty of Care/Waste Transfer Notice

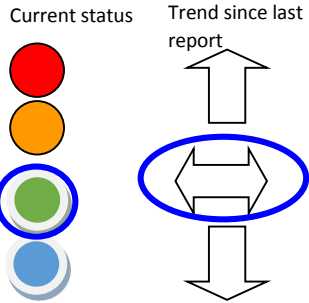
Continue to review operational impact.

Income	40,000	25,000	15,000
Savings	10,000	0	10,000
Total	50,000	25,000	25,000

Rachel Jowitt

Mandate 37c

Grey bag & nappy collection.



This mandate relates to the removal of the free supply of grey refuse bags and the removal of the hygiene/ nappy collection.

The mandate has been fully delivered at outturn.

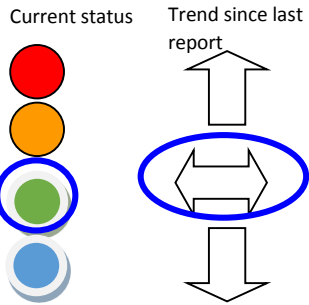
Continue to review as still early stages. No other next steps relevant.

Income	0	0	0
Savings	180,000	180,000	0
Total	180,000	180,000	0

Rachel Jowitt

Mandate 40a

Democracy



This mandate purpose was to reduce the budget requirement in a number of areas through a range of actions including :-
 Management restructure – Green.
 Increased income generation – Green
 Removal of a vacant post – Green
 Reduction in mileage budget – Green

All action plans delivered in order to achieve the savings.

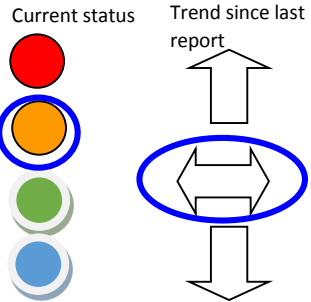
In relation to budget delivery no next steps
 Non budget Service improvements.

Income	24,000	24,000	0
Savings	85,000	85,000	0
Total	109,000	109,000	0

Tracy Harry

Mandate 41

Highways



This mandate was made up of both savings and income generation :-

- Employee restructure – Green
- Material savings – Green
- Plant saving – Green.
- Re-negotiating with sub-contractors – Green
- Additional income from skips & scaffolding – green.
- Operational fuel, stores & procurement savings - Green.
- Commercial advertising – Red.due to problems with planning.

Savings - on target to be delivered.
Income – The service have encountered planning problems with the installation of signs on the highway, delaying the opportunities to income generate.

Income	55,000	5,000	50,000
Savings	395,000	395,000	0
Total	450,000	400,000	50,000

Roger Hoggins

Summary – Outturn	Summary – Month 2	Summary – Month 6	Summary – Month 9	Traffic Light Key
				Not on target Concerns identified with delivery of target. Closely review & monitor.
				Monitoring & required to keep on track
				On target to achieve budget and action Plans.
				On target and over achieve.

Mandate Summary	RAG Outturn	RAG Month 2	RAG Month 6	RAG Month 9
14 Home to School Transport	Green	Red	Green	Green
15 Facilities	Green	Red	Red	Green
25 Fleet Rationalisation	Green	Yellow	Yellow	Yellow
36 Route Optimisation	Green	Red	Red	Green
37a Waste Services	Green	Green	Green	Green
37b Trade Waste	Red	Yellow	Green	Yellow
37c Grey Bag & Nappy Collection	Green	Green	Green	Green
40a Democracy	Green	Green	Green	Green
41 Highways	Yellow	Green	Yellow	Yellow

Capital Outturn Forecast

The budget is separated under the following headings

STRONG COMMUNITIES	Actual Outturn	Original Budget	Slippage from 2014/15	Budget Virement or Revision	Total Approved Budget @ Outturn	Provisional Slippage carried Forward 2016/17	Adjusted Budget @ Outturn	Actual Variance To Budget @ Outturn
	£000's	£000's	£000's	£000's	£000's	£000's	£'000's	£,000's
Fixed Asset Purchases from Revenue	272	0	0	272	272	0	272	0
Development Schemes Over £250k	11	0	11	0	11	0	11	0
Development Schemes under £250k - essential	370	0	373	410	783	(402)	380	(10)
Development Schemes under £250k	551	270	566	0	836	(205)	631	(80)
Infrastructure	2,754	2,112	671	1,392	4,175	(1,408)	2,767	(13)
IT Schemes – Infrastructure / Hardware	74	0	147	0	147	(72)	74	0
IT Schemes – Web Related	0	0	35	0	35	(35)	0	0
Low Cost Home Ownership	77	0	33	156	189	(112)	77	0
General Maintenance Schemes	208	201	145	0	346	(138)	208	0
Renovation Grants	647	600	54	0	654	(7)	647	0
Section 106	420	0	705	479	1,184	(716)	468	(48)
Specific Grant Funded	381	0	0	391	391	0	391	(10)
Property Maintenance Schemes	873	893	200	(43)	1,051	(147)	904	(31)
Grand Total	6,637	4,486	2,940	2,648	10,073	(3,243)	6,831	(193)

Further details of all the schemes are contained in the appendix 5C.

APPENDIX (links to Hub)

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Economy & Development Select Committee Portfolio Position Statement Outturn (2015-16)

APPENDIX 3

DIRECTOR'S COMMENTARY

The service exhibited a £70k underspend prior to consideration of deferred reserve funding and additional contributions made to reserves. The most significant aspect of reserve funding deferred reflects Eisteddfod facilitation. It has always planned to be a multi-year funding consideration with more significant expenditure elements being incurred in the year the Eisteddfod takes place. Also the extent of community fundraising in relation to Eisteddfod is such to allow a review of reserve funding demands and £130,000 previously caveated reserve funding will not be required going forward into 2016/17. Similarly an underspend of £130k reserve funding to support people and organisational development work, has effectively enabled the absorption of the net cost of our contribution to due diligence works required for the Circuit of Wales scheme, without additional pressure on reserve levels.

The Directorate has also responded to significant upheaval during the year with regard to significant mandated saving delivery and re-engineering of services, having incurred and pleasingly absorbed in full the effect of £562,000 redundancy costs without any additional call on reserve funding being necessary. This is especially important given the scale and nature of the demands placed on the service – both in terms of increased cost efficiency and additional income generation – and the implementation of significant service redesign in Community Hubs and Community Learning and introduction of significant legislation in Planning and Housing.

Looking forward, continuing cost pressures remain around markets, leisure, museums and culture, and whilst we are generating more income than ever – it remains insufficient in meeting annually uplifted targets. This reflects some of the issues we're experiencing whereby the current service formats, mean we have saturated the markets available to us and without considerable capital investment - it is not feasible to charge premium rates. This position which will not change as things currently stand, is now of the rationale underpinning exploration of alternative delivery vehicles and the Future Monmouthshire programme.

Achieving this outturn against a very unstable backdrop and increasingly challenging targets is very pleasing. It is entirely down to the exceptional abilities, willingness and efforts of the many brilliant teams and individuals who work so tirelessly and enterprisingly to maintain local services in our county.

1.1 The combined budget and outturn forecast for this portfolio is

Economic & Development Service Area	Budget @ Month 9	Budget Revision Virements	Budget @ Outturn	Actual Outturn	Variance @ Outturn	Variance @ Month 9	Variance @ Month 6	Variance @ Month 2	Actual Movement Months 9 to Outturn
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Community led Delivery	2,388	0	2,388	2,266	(122)	97	340	138	(219)
Commercial and People Development	4,032	0	4,032	3,980	(52)	(117)	127	100	65
Enterprise Management	397	0	397	412	15	5	10	0	10
Development Planning	911	0	911	691	(220)	(150)	(150)	0	(70)
Tourism, life and Culture	2,412	0	2,412	2,721	309	187	274	100	122
ENT Select	10,140	0	10,140	10,070	(70)	22	601	338	(92)

1.2 The most significant over and underspends are:

E&D Service Area	Overspend £000's	Underspend £000's	Actual Movement Mth's 9 to Outturn (Positive)/ Negative £000's	Commentary on Outturn
Asset Management	54		(42)	Redundancy costs of 25k, inability to achieve income targets for PV schemes 83k, inability to meet increased income targets for Markets of 108k offset by increased Cemeteries income 76k and savings on reduced maintenance, professional fees and vacancies of 85k
Community Education	147		(31)	Redundancy costs of 96k, additional costs of 65k arising from the delay in implementing the restructure.
Community Hubs	381		(6)	Redundancy costs of 374k and reduced supplies and services spending of 6k to mitigate overspending
Eisteddfod		502	(72)	Reserve funding not required until 2016/17 financial year
Housing		184	(70)	Savings from one off grant funding, a reduction in expenditure against B&B accommodation and through increasing occupancy levels in Lodging Schemes
Whole Place		18	2	Savings from vacancies
Business Growth & Enterprise	21		44	Costs of 110k for Circuit of Wales which is reserve funded offset by 62k underspending on RDP which is to be carried forward, 14k reserve funding for Innovation and marketing which will not be used in 2015/16 and other minor savings
Innovation		184	(31)	130k reserve funding will not be called on in 15/16 and savings of premises costs of 27k and restricted expenditure on supplies and services giving further savings of 27k
People Services	86		111	45k additional software costs, 11k agency fees and 30k termination agreement
ICT Technology	25		(59)	Inability to achieve 100k savings that were to be achieved through in-house software development offset by 49k reserve funding which will not be called on in 15/16 but needed in 16/17 and 26k savings from restricting expenditure on supplies and services

Enterprise Management	15		10	Inability to find vacancy factor, full year impact of 15/16 pay award and other minor increases in supplies and services
Development Management		56	(56)	Underspend on professional fees due to reduced number of public enquiries
Development Plans		164	(14)	Additional income 65k and reduced call on LDP reserve £100k which will need to be carried forward into 16/17
Museums and Cultural services	198		164	122k relates to Outdoor Education which will be fully recovered by reserve funding, Green screen savings of 10k and budget mandate savings of 20k from conservation income have not been achieved, further reductions in income of 39k and additional pension costs of 7k.
Leisure Services	12		1	ADM costs of 9k and redundancy costs 18k which will be reserve funded. Budget included pressure arising from closure of Monmouth Pool of 150k which will not be required in 15/16 offset by 20k budget vired to children's service but could not be found, caretaking costs of 15k, 3G pitch issues of 45k, income on 3G pitch of 15k, loss of free swimming grant of 30k and additional staff costs of 30k
Tourism	99		(45)	87k historic underfunding of Caldicot castle, additional staff costs of 72k offset by staff vacancies in Countryside and Rights of way of 60k
TOTAL	1,038	1,108	(92)	Net Total (70)

1.2 Further analysis of Economic and Development Select Expenditure can be found in Appendix 8

2015-16 Savings Progress

The savings required by the 2015-16 have not been secured.

Enterprise budgeted savings were £1,046,728 at Outturn. Of the remaining savings £125,000 are delayed and £221,255 were unachievable.






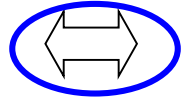

Man. No.	Mandate Description	Target Savings £'s	Actual Savings Achieved £'s	Delayed Till 2016/17 £'s	Unachievable £'s	Actual Savings Variance Since Month 9 £'s
	ECONOMY & DEVELOPEMNT					
1	Dev of Leisure & Outdoor services	420,983	390,983	0	30,000	0
2	Collaboration of Housing services	55,000	55,000	0	0	0
5	Sustainable Energy Initiatives	33,000	14,890	0	18,110	14,890
6	Museums, Shirehall, Castles & Tourism	190,000	145,000	0	45,000	0
26	Property Review	100,000	100,000	0	0	0
28	Community Hubs & Contact Centre	250,000	125,000	125,000	0	0
31	ICT Savings	250,000	150,000	0	100,000	12,000
40	Planning income	24,000	24,000	0	0	0
41a	Market Income	70,000	41,855	0	28,145	4,855
	TOTAL ENTERPRISE	1,392,983	1,046,728	125,000	221,255	31,745

1.3 Further detailed analysis of Savings mandates are contained with Appendix SM

Budget Mandates

Progress and Next Steps at Outturn

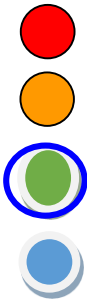
(including Recovery Plan actions agreed by Cabinet 2nd December 2015)

Mandate RAG	Outturn position	Next Steps	Type	Year-end target	Achieved at outturn	Variance	Owner
Mandate 1 Leisure. Page 222 Current status    	Trend since last report   	<p>Leisure centre staffing remodelled £115k, admin and clerical review £66k, support services review £20k, reduction in caretaking provision in Abergavenny £15k, outdoor education reduction £25k, leisure supplies and service £25k, increased income through fitness and sport offer £155k.</p> <p>Restructure process complete.</p> <p>All departments have individual service plans.</p> <p>All plans tracked and monitored by the individual service area.</p> <p>Full ownership of delivery by individual teams. 15k Caretaker savings will not be achieved as the school failed to invoice until 15-16. Consequently the full years charge in this year.</p>	<p>Continue to review the 3G pitch project and review its income generation targets.</p> <p>Review business plans for swimming and fitness to ensure mitigating pressures for 16/17 onwards.</p>	<p>Income 155,000</p> <p>Savings 265,983</p> <p>Total 420,983</p>	<p>135,000</p> <p>250,983</p> <p>385,983</p>	<p>20,000</p> <p>15,000</p> <p>35,000</p>	<p>Ian Sanders</p>

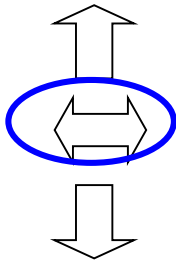
Mandate 2

Housing

Current status



Trend since last report



Alternative Delivery Plan (agreed by cabinet 2nd Dec) - £35K achievable from the variance reported at Month 6.

Delayed Lighting installed at the 3G pitch resulted in only partial income being reached against alternative delivery plans amounting to £5K.

Increase in swimming income was not achieved.

Alternative Delivery Plan based on variance reported against original mandate at Month 6

Total	35,000	5,000	30,000
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- Commercialisation of the care line service.**
The number of clients at 1st April 2016 was 771. For Q4, the number of new clients was lower than the previous 3 quarters, resulting in a net fall in clients. Nevertheless, the mandate target for the financial year 2015/16 was achieved at outturn.
- Joint housing solutions service with TCBC.**
Year 1 and current position is currently being reviewed and evaluated. Report scheduled for Adult's Select committee on the 21st June
- Expansion of shared housing scheme & B&B reduction.**

Continue to drive marketing plan and bespoke marketing campaign being developed with Communications Team. Future intentions include to further develop the website and link in with key dates/events eg engagement forums; legislation changes.

Investigate new equipment options and re-visit the scope for Careline to support Social Care priorities eg: implementation of 'Canary' assessment tool.

Key issue continues to be the typical number of clients

Income	25,000	25,000	0
Savings	30,000	30,000	0
Total	55,000	55,000	0

Ian Bakewell

Expansion of the Shared Housing Scheme has continued. As at the 21st April, there are 55 units. B&B placements during the financial year have increased, however costs have decreased as a result in average stay times.

- **Management restructure.**
The staffing restructure took place in line with planned timeline.

leaving the service due to age related reasons, however potential younger customers will be attracted into the service with the introduction of new equipment, thus increasing income generating opportunities.

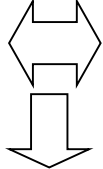
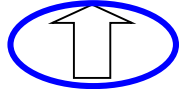
Priority going forward into 16/17 is to evaluate the impact and benefit of the Joint Housing approach, engaging with private landlords to facilitate discharging the homeless prevention duty and developing a private leasing model.

Mandate 5 *

Sustainable Energy Initiatives

Current status

Trend since last report



Mandate in 2014/15 & 2015/16 financial year
Investing in biomass boilers, solar farms and reduction in Carbon Commitment.

Expected income targets not achieved.

Solar Farm Cabinet report approved 15 July 2015

- New Rooftop solar projects have generated additional revenue in line with our projections.
- Government policy changes to the tariff render further rooftop installations unlikely.
- Impact of Tariff changes upon Solar Farm project is being reviewed.
- Biomass installed at Cross Ash operational and generating heat.

Alternative Delivery Plan (agreed by cabinet 2nd Dec) - £33K achievable.

Aim to increase income target on rental portfolio and reduce expenditure on repairs and maintenance. Increase income and reduced expenditure relating to the solar farms has led to the section being able to deliver £14,890 of the Alternative Delivery Plan at outturn.

Additional revenue streams for 2015/16 were lower than originally forecasted due to a combination of delays and changes to funding. FIT and RHI tariff reductions will affect existing installations yet to be completed and / or registered, while impending cuts have rendered new projects unviable until further review, resulting in the variance at Month 6 on original mandate target.

Alternative Delivery Plan – based on variance reported against original mandate at month 6.

Income	0	0	0
Savings	33,000	0	33,000
Total	33,000	0	33,000
Total	33,000	14,890	18,110

Ben Winstanley

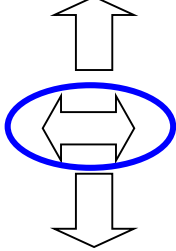
Mandate 6

Museums & Castles

Current status



Trend since last report



Fully integrate cultural services, tourism services and attractions within tourism, leisure and culture section. Maximise synergies & achieve a sustainable long term business footing.

- Income generation target for 15/16
- Weddings – Amber
- Countryside savings – Green
- Savings from Volunteers – Red
- Income made by fundraiser – Green. Fundraiser in place.
- Income from learning – Green.
- Savings from shared service model at Chepstow TIC – Red,
- Income from green screen – Red
- Income from rental of Abergavenny Red Square window - Green
- .

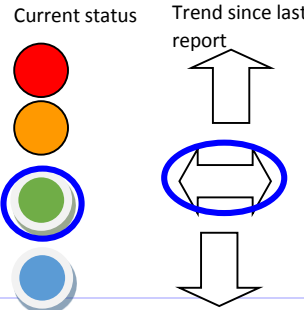
Museums – 30k of savings will not be achieved. Green Screen income of 10k and 20k conservation income. The Green Screens have yet to be utilised. The conservation income in the mandate was higher than agreed the total income from conservation was initially agreed as 30k not 50k, the museums are looking at other ways to raise this income but the additional 20k will not be achieved this year.

Castle - Achieving in year savings of 9k but reporting total overspend of 100k due to historic budget assumptions and savings from 14-15 of 20k.

Tourism – 15k savings not achievable. The use of volunteers is not available at the moment.

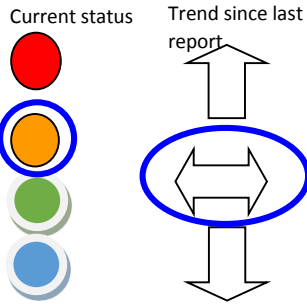
Income	81,000	51,000	30,000
Savings	109,000	94,000	15,000
Total	190,000	145,000	45,000

Ian Saunders

	<p>Alternative Delivery Plan (agreed by cabinet 2nd Dec*) - £30k achievable</p> <p>Winter closure of Chepstow TIC and application of museums acquisition reserve for purchases made in year.</p> <p>The TIC closed during the winter months which released some staff savings, however this was offset by additional staffing arrangements required to cover lone working for a period at the centre.</p> <p>Following legal advice it has been advised that the acquisition reserve can only be used to fund the purchase of artefacts and not to off-set operational expenditure.</p> <p>No movement since Month 9 forecast</p>	<p>Alternative Delivery Plan</p>	<p>Total</p>	<p>45,000</p>	<p>0</p>	<p>45,000</p>	
<p>Mandate 26</p> <p>Property rationalisation</p>  <p>The diagram shows 'Current status' with four colored circles: red, orange, green (with a blue border), and blue. The green circle is highlighted. 'Trend since last report' shows an upward arrow, a double-headed arrow in a blue circle, and a downward arrow.</p>	<p>These savings were predicted on the need to reduce the operational portfolio and maximise revenue streams from our investment holdings. Revenue savings are largely accrued through the reduction in utilities costs, rates, repairs and maintenance. The Accommodation Working Group is charged with reviewing all property usage with the aim of minimising the costs and releasing any property that can be made surplus.</p> <p>Rental of buildings – Green</p>	<p>The Accommodation Working Group continues to review all property usage and the delivery of the rationalisation plan. Disposal of Authorities Assets will be authorised through the normal Council process. Continue to work alongside agile working policy owner to explore further opportunities for greater agile working, and</p>	<p>Income</p> <p>Savings</p> <p>Total</p>	<p>20,000</p> <p>80,000</p> <p>100,000</p>	<p>20,000</p> <p>80,000</p> <p>100,000</p>	<p>0</p> <p>0</p> <p>0</p>	<p>Ben Winstanley</p>

Mandate 28

Community Hubs



Rates Savings on vacant buildings - Green Rental Grant reductions – Dedicated member of staff now responsible for this.

the potential reduction in office accommodation requirements. The overall Service area has fully achieved the mandate target at outturn.

It's about delivering services in a different way and aligning them with the Whole Place philosophy. This will introduce major changes to how the library and one stop shop services are delivered. We will create a hub in each town where face to face services will be delivered. The contact centre will sustain a reliable and informed first point of contact for people contacting us other than face to face.

Increase staffing costs are due to the delayed implementation of the Community Hubs restructure. The mandate savings of £250k related to a full year saving, however it was only possible to achieve 6 months of reduced costs as the community Hubs opened on the 5th October 2015." Delays in opening earlier were as a result of in internal processes.

15/16
No next steps

16/17 – (50K)
The Abergavenny Hub Project plan requires continuous monitoring, updating and adjusting to reflect the project developments.

Income	0	0	0
Savings	250,000	125,000	125,000
Total	250,000	125,000	125,000

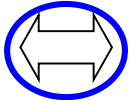
Deborah Hill-Howells

Mandate 31

ICT Savings (SRS & custom built software solutions)

Current status

Trend since last report



The mandate's aim was to :-
Drive cost efficiencies and income generation opportunities within the Shared Resource Service (SRS). This will subsequently result in MCC benefiting from reduced budget without any significant impact to service. And generate ongoing savings and user benefit from custom built software solutions being generated, then productised and sold commercially.

SRS have made all of the 150k proposed savings. The 100k savings that were to be achieved through in-house software development and the sale of products will not occur in 2016/17. However, and through other savings being achieved as part of the Enterprise recovery plan, the pressure was managed with the Enterprise Directorate reporting a balanced budget position at year end.

Alternative Delivery Plan (agreed by cabinet 2nd Dec*) – £110k achievable

Continue to do work that is required to support the sale/licencing and commercialisation of FLO.

Alternative Delivery Plan – based on variance reported against original mandate at month 6.

Work continues to generate commercial returns from the sale or licencing of FLO, the

Income	0	0	0
Savings	250,000	150,000	100,000
Total	250,000	150,000	100,000

Total	110,000	0	110,000
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Peter Davies

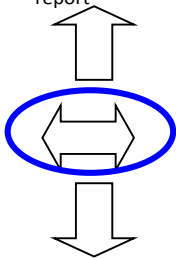
Mandate 40a

Democracy

Current status



Trend since last report



It had been hoped that work would be sufficiently progressed at year-end to realise savings or income from the sale/licencing and commercialisation of FLO. However, delays have been suffered in progressing discussions with a market vendor as a result of a recent takeover of the vendor. As a result no saving has been achieved in 15/16.

Authority's social care app. As stated delays have been suffered in progressing discussions with a market vendor. It is anticipated that progress will be made during Q1 and Q2 of 16/17.

This mandate purpose was to reduce the budget requirement in a number of areas through a range of actions including :-
 Management restructure – Green.
 Increased income generation – Green
 Removal of a vacant post – Green
 Reduction in mileage budget – Green

All action plans delivered in order to achieve the savings.

In relation to budget delivery no next steps

Non budget Service improvements.

Income	24,000	24,000	0
Savings	85,000	85,000	0
Total	109,000	109,000	0

Tracy Harry

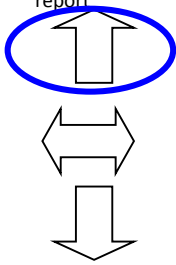
Mandate 41a

Abergavenny Markets

Current status



Trend since last report



The objective was to run additional market stalls on existing market days in Neville street and St Johns Square, Abergavenny. Expansion of flea markets and boot sales and to hold special markets/events in Cross Street Abergavenny.

The service has been unable to generate the additional income. This mainly due to operational, resource and PR challenges.

A new structure has been established from January 2016, and income generation opportunities around events and increased markets activity are being explored.

Alternative Delivery Plan (agreed by cabinet 2nd Dec) – 50k achievable from the variance reported at Month 6

Cease all repair and maintenance work to asset portfolio.





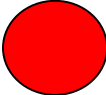















The service achieved £41,855 at outturn.





































To build an income generation plan for future years.

Alternative Delivery Plan – based on variance reported on original mandate at month 6.

Income	70,000	0	70,000
Savings	0	0	0
Total	70,000	0	70,000
Total	70,000	41,855	28,145

Ben Winstanley

Summary – Outturn	Summary – Month 2	Summary – Month 6	Summary – Month 9	Key
				 Not on target Concerns identified with delivery of target. Closely review & monitor.
				 Monitoring & required to keep on track
				 On target to achieve budget and action Plans.
				 On target and over achieve.

Mandate Summary	RAG Outturn	RAG Month 2	RAG Month 6	RAG Month 9
1 Leisure				
2 Housing				
5 Sustainable Energy Initiatives				
6 Museums & Castles				
26 Property Rationalisation				
28 Community Hubs				
31 ICT savings				
40a Democracy				
41a Abergavenny Markets				

2 Capital Outturn

A summary of this year's capital schemes are shown below: -

Economic & Development	Actual Spend @ Outturn	Original Budget	Slippage from 2014/15	Budget Virement or Revision	Slippage to 2016/17	Total Approved Budget @ Outturn	Actual Variance To Budget @ Outturn	Forecast Over / (Under) Outturn @ Month 9	Variance Since Month 9
	£000's	£000's	£000's	£000's	£000's	£000's	£,000's	£000's	£000's
Development Schemes Over £250k	86	0	527	23	(474)	77	9	0	9
Development Schemes Under £250k	0	0	0	30	(30)	0	0	0	0
Section 106	2	0	4	175	(177)	2	0	0	0
Grand Total E&D	88	0	531	228	(681)	79	9	0	9

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Adult Select Committee Portfolio Position Statement Outturn (2015-16)

DIRECTOR'S COMMENTARY

APPENDIX 4

The overall outturn position for the directorate is £1.2m after reserve funding adjustments, in line with our month 9 predictions.

In terms of the Adult division it is pleasing to deliver an under spend at year end of £204K. We need to recognise the significant achievements of managers and front line staff in meeting and exceeding budgets laid down to deliver an underspend at outturn.

We are on track and on a firm footing moving into 2016/17, but this has its own challenges with the pressures as a consequence of the demographic challenges within Monmouthshire, the SS&WB Act and delivery of the £1.2m savings mandate spanning 2016/17-2017/18.

1. Revenue Outturn Forecast

1.1 The combined budget and outturn forecast for this portfolio is

Adult Service Area	Budget @ Month 9	Budget Revision Virements	Budget @ Outturn	Actual Outturn	Variance @ Outturn	Variance @ Month 9	Variance @ Month 6	Variance @ Month 2	Actual Movement Months 9 to Outturn
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Adult Services	6,382	0	6,382	6,274	(108)	(70)	(131)	(18)	(38)
Community Care	20,320	0	20,320	20,300	(20)	(52)	(56)	(107)	32
Commissioning	1,984	0	1,984	1,924	(60)	(15)	(7)	(4)	(45)
Resources & Performance	864	0	864	848	(16)	2	(1)	(28)	(18)
SCH Directorate	29,550	0	29,550	29,346	(204)	(135)	(195)	(157)	(69)

1.2 The most significant over and underspends are

Adult Select Service Area	Overspend Predicted £000's	Underspend Predicted £000's	Actual Movement Mth's 9 to Outturn (Positive)/ Negative £000's	Commentary on Outturn
Adult Transformation		(48)	9	Part funding from ICF has led to this underspend. A request has been submitted to transfer over to 2016/17 to fund scheme termination at the end of June 2016.
Management team		(123)	(20)	Due to vacancies and ICF funding of Direct Care team manager post
Direct Care		(110)	(39)	Combination of staff vacancies and increased income
Direct Residential Care	175		34	Mainly due to backfilling for staff sickness and secondments
Commissioning Strategy		(65)	(36)	Reduction in Diesel / contract costs and spare unit at Drybridge
Transition co-operative		(24)	0	Income from post secondments to Bridges Community project
Other		(9)	(17)	See Appendix 6 for full details
TOTAL ADULT SELECT	175	(379)	(69)	Net Total (204)

Further analysis of the Costs centres contained within the Adult Select Service areas can be obtained in Appendix 6.

1 2015-16 Savings Progress


At outturn, SCH are on track to meet our mandated savings as illustrated below: -

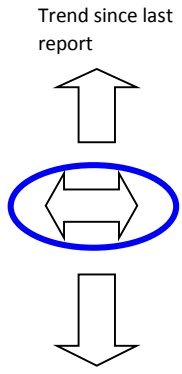
Man. No.	Mandate Description	Target Savings £'s	Actual Savings Achieved £'s	Delayed Till 2016/17 £'s	Unachievable £'s	Actual Savings Variance Since Month 9 £'s
	SOCIAL CARE & HEALTH					
24	Bright new futures	14,000	14,000	0	0	0
33	Sustaining Independent Lives in the Community	260,000	260,000	0	0	0
	TOTAL SCH	274,000	274,000	0	0	0

1.1 Further details on the savings mandates can be found in Appendix SM

Budget Mandates

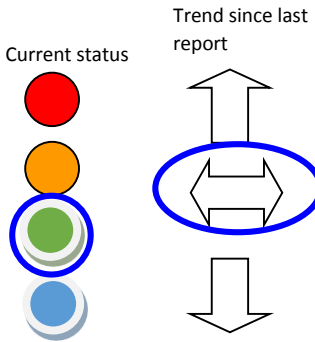
Progress and Next Steps at Outturn

Mandate RAG	Savings Progress at Outturn	Next Steps	Type	Year-end target	Achieved	Variance	Owner
Mandate 24 * Transition - Bright New Futures (SC&H) Current status 	2014/15 mandate* In 2014 we combined our Transitions Project Team within Bright New Futures Project. (based in Bridges) This has established a shared service model. No action necessary in relation to the mandate savings. We continue to deliver savings with this partnership working.	Plan to review near the end of the five year project. Review to include :- Budgets Service Resource / secondments. Etc...	Income Savings Total	0 14,000 14,000	0 14,000 14,000	0 0 0	Julie Boothroyd



Mandate 33

Adult Social Care



The service is continuing its journey on practice change and restructuring itself to meet future mandate savings with community links and innovative approaches to domiciliary care, coupled with less reliance on admissions to residential care.

The size of the saving is challenging, however the service is working together as a whole team in order to continue to review its performance in order to meet them.

Change in practice will need to continue at pace and be significant, this will continue to take time.

All targets were fully achieved at outturn.

'Dementia care matters' training roll out continues with vigour and there is full commitment that this training will support the changes in practice that are required.

Continue to review the structures and workforce to establish the resource, knowledge and skills moving forward.

Service transformation will continue to evolve and approval sought as the programme develops.

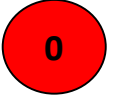
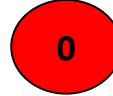
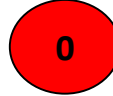
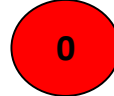
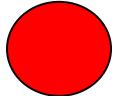
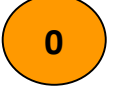
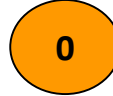
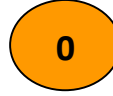
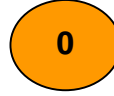











Continue to deliver and ongoing evaluation of the DCM training and other training that supports the workforce to change practice.

Continue to capture and work with teams to further develop ideas and drive practice change.

IT build continues with further developments such as reporting tools, positive feedback from users of FLO continues.

Income	0	0	0
Savings	260,000	260,000	0
Total	260,000	260,000	0

Julie Boothroyd

Summary - Outturn	Summary - Month 2	Summary - Month 6	Summary - Month 9	Traffic Light Key
				 Not on target Concerns identified with delivery of target. Closely review & monitor.
				 Monitoring & required to keep on track
				 On target to achieve budget and action Plans.
				 On target and over achieve.

Mandate Summary	RAG Outturn	RAG Month 2	RAG Month 6	RAG Month 9
24 Transition – Bright New Futures				
33 Adult Social Care (&34)				

2 Capital Outturn

A summary of this year's capital schemes are shown below: -

Social Care & Health	Actual Spend @ Outturn	Original Budget	Slippage from 2014/15	Budget Virement or Revision	Slippage to 2016/17	Total Approved Budget @ Outturn	Actual Variance To Budget @ Outturn	Forecast Over / (Under) Outturn @ Month 9	Variance Since Month 9
	£000's	£000's	£000's	£000's	£000's	£000's	£,000's	£000's	£000's
Development Schemes under £250K	171	0	0	171	0	171	0	171	0
IT Schemes – Infrastructure/Hardware	135	0	35	100	0	135	0	135	0
Maintenance Schemes - Property	15	47	0	0	(30)	17	(2)	47	(30)
Grand Total SCH	321	47	35	271	(30)	323	(2)	353	(30)

Further details of all the schemes are contained in the appendix 4C.

APPENDIX (Links to Hub)

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Children & Young People Select Committee Portfolio Position Statement Outturn (2015-16)

APPENDIX 5

CYP DIRECTOR'S COMMENTARY

The Directorate's outturn position is an under spend of £87,000; this is an improvement of £226,000 compared to Quarter 3. Taking into account requests to and from reserves, the position adjusts to reflect an over spend of £24,000, therefore resulting in a positive variance of £115,000 compared to Quarter 3. Given the challenging budget settlement, this is a very pleasing result indeed. The youth service is a volatile area having been subject to a £200,000 savings mandate. The over spend for the youth service is £116,000, which is £5,000 more than anticipated at Quarter 3. It is pleasing to note that the Additional Learning Needs service is underspent by £298,000, again an improvement of £168,000 since Quarter 3, due to higher rates of recoupment and decreased costs of placements out of county.

SCH DIRECTOR'S COMMENTARY

The overall outturn position for the directorate is £1.2m after reserve funding adjustments, in line with our month 9 predictions.

In relation to Children's Services, after adjusting for the YOS budget overspend of £57K to be reserve funding, the amended outturn overspend is £1,431m, a variance of £67K on month 9.

In January 2016, Cabinet approved a 3 year service and financial plan. A further £1 million for 2016/17 has been invested in children's services reflecting a 3 year programme to modernise the workforce, practice and commission. This was based on projected number of looked after children as at November 2015. Numbers within the looked after system have continued to rise to year end and the major contributor to the overspend position is the external placement budget of £1.038m. At the start of the year, stood at 106 but closed at 130, an increase of 24. A commissioning strategy (and workforce and practice improvement plans) will be brought forward to the next CYP Select Committee which will also update progress on the business cases approved In May 2015.

1 Revenue Outturn Forecast

1.1 The combined budget and outturn forecast for this portfolio is

Children & Young People Service Area	Budget @ Month 9 £000's	Budget Revision Virements £000's	Budget @ Outturn £000's	Actual Outturn £000's	Variance @ Outturn £000's	Variance @ Month 9 £000's	Variance @ Month 6 £000's	Variance @ Month 2 £000's	Actual Movement Months 9 to Outturn £000's
21st Century Schools	0	0	0	0		0	0	0	0
Individual School Budget	43,918	0	43,918	44,047	129	115	28	0	14
Resources	1,402	0	1,402	1,343	(59)	49	74	61	(109)
Standards	5,434	0	5,434	5,162	(272)	(136)	(42)	99	(136)
Youth	597	0	597	713	116	111	137	114	5
CYP Directorate	51,351	0	51,351	51,265	(86)	140	197	274	(226)
Children's Services	8,696	0	8,696	10,184	1,488	1,364	1,297	675	124
Total C&YP Select	60,047	0	60,047	61,449	1,402	1,504	1,494	949	(102)

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The most significant over and underspends are

Children & Young People Service Area	Overspend £000's	Underspend £000's	Actual Movement Mth's 9 to Outturn (Positive)/ Negative £000's	Commentary on Outturn
STANDARDS				
Additional Learning Needs		298	(168)	The outturn position against the contingency budget equated to an overspend of £105k. This was £40k more than anticipated at month 9 due to the award of SAPRA funding to schools late in the Spring term. Additional savings of £140k for out of county placements and an increased level in recoupment income of £68k in comparison to month 9 explain the net positive variance of £168k.

Primary Breakfast Initiative Grant	57		2	Take up continues to increase and therefore resulting in additional staffing requirements.
Early Years		45	0	Reduced distribution of funding for non-maintained settings (as per month 9).
Collaborative Arrangements		43	(5)	Contributions to joint services part-refunded due to underspends by host LA's.
ALN Management	42		42	A restructure in ALN as per the report taken to Cabinet meeting on 26 th March 2016 has resulted in a cost to the directorate – a request to fund this from reserves has been agreed.
ISB				
ISB	129		14	This includes an underspend against invest to redesign reserve funding of £49k - a request has been submitted to slip this funding into 16-17 to support the work that is ongoing. As it was assumed at month 9 that this reserve would be fully spent, the actual variance to outturn therefore equates to £63k. This is due to higher than anticipated legal (£8k), transport (£21k) and ICT (£34k) costs.
RESOURCES				
Support Services	83		14	Costs of health and safety assessments for pupils have resulted in an increased overspend in this area in comparison to the month 9 forecast. In addition, the final recovery board costs have resulted in a small further increase in the overspend reported at month 9.
Service Level Agreements		158	(148)	A request has been made to transfer £104k of the underspend for the sickness and maternity compensation schemes to a new reserve to safeguard against any potential overspends in future, given the volatility of the costs involved to the Authority. The costs of this premature retirement compensation are not known to the directorate until year end. Due to the nature of the remaining liability, it is likely that the cost will continue to reduce marginally on an annual basis.
YOUTH				
Community Education Youth General	116		5	Small negative variance to month 9 due to the further delay in commencement of ESF funded project. This has now begun in April 2016.

CHILDRENS SERVICES				
Fostering Allowances and Payments For Skills	150		6	Reflects financial support to the current number and age mix of children in foster care and skills payments to carers with SGO's
Younger People's Accommodation		(72)	(6)	A vast amount of work has been undertaken in this budget over the past two years to deliver, at present, an underspend.
Ty'r Enfys		(52)	0	This facility has remained closed for the entire year. In 2016/17 this budget has been used to deliver an alternative service.
Counsel Costs	111		93	Significant Barrister / Solicitor costs incurred that were unexpected within 2015-16 at M9
Therapeutic Service		(26)	2	Under spend due to part vacant Play Therapist post.
External Placements - LAC	1,038		(56)	Outturn activity resulted in 71 placements compared to 70 at month 9. We are seeing a full year effect of placements that only entered the system in the latter part of last year.
External Placement - Non-LAC		(96)	0	This budget needs to be considered in conjunction with External Placements - LAC
SCYP - Placement & Support Team	150		28	Mainly due to use of agency staff
SCYP - Supporting Children & Young People Team	250		18	Use of agency staff and increased child transport costs
Disabled Children	84		(7)	Large part of overspend relates to the continued use of agency staff to cover sickness.
Other		18	64	See Appendices 5 and 6 for further detail
Totals	2,200	808	(102)	Net Total 1,402

Further analysis of the Service Areas contained within CYP Select can be found in Appendix 7 and Appendix 6 for Children's Services

2 2015-16 Savings Progress

The target savings required during 2015-16 are outlined below.

Children & Young People's budgeted savings were £1,514,000 and at outturn £1,398,000 have been identified. Of the remaining savings £116,000 are deemed to be unachievable, which is an improvement on month 9 of £23,000.

Man. No.	Mandate Description	Target Savings £'s	Actual Savings Achieved £'s	Delayed Till 2016/17 £'s	Unachievable £'s	Actual Savings Variance Since Month 9 £'s
	Children & Young People					
16	Delegated Schools Budget	1,124,000	1,124,000	0	0	0
18	School Library Service	20,000	20,000	0	0	0
20	School Music Service	50,000	50,000	0	0	0
35	CYP / Additional Needs / Mounton House	120,000	120,000	0	0	0
42	Youth Service	200,000	84,000	0	116,000	(23,000)
	TOTAL C&YP	1,514,000	1,398,000	0	116,000	(23,000)





2.1 Further analysis of the Savings mandates can be found in Appendix SM.

Budget Mandates
Progress and Next Steps at Outturn
(including Recovery Plan actions agreed by Cabinet 2nd December 2015)


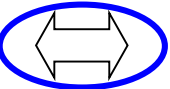

Mandate RAG	Outturn position	Next Steps	Type	Year-end target	Achieved at outturn	Variance	Owner
Mandate 18 * School library service - combine with general library service	2014/15 mandate with 2015/16 savings* Savings achieved – mandate delivered	No next steps necessary	Income Savings Total	0 20,000 20,000	0 20,000 20,000	0 0 0	Sharon Randall - Smith

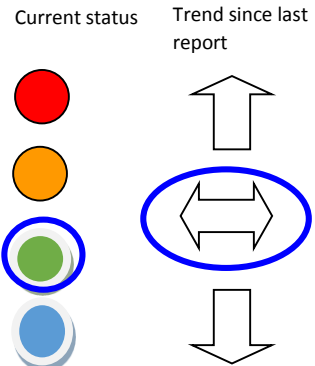
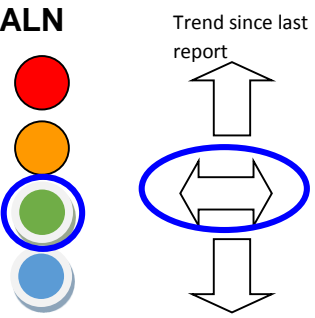
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Current status

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Trend since last report

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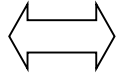
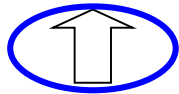
<p>Mandate 20</p> <p>Gwent Music</p> <p>Current status Trend since last report</p>  <p>Page 249</p>	<p>Gwent Music is a joint service hosted by Newport. The plan is to refocus the service to make them more efficient and increase the value by :-</p> <p>Increase charging to parents per term to bring it in line with other LA's delivering the same service i.e Newport.</p> <p>Introduce an instrument charge.</p> <p>Not fill the vacant post.</p> <p>Music access fund agreed as of 19th June by cabinet.</p> <p>Access fund launched from September 2015 which has proved to be very successful and oversubscribed. Gwent Music are administering this on our behalf and dealing direct with schools.</p>	<p>To continue to work with Gwent music to develop the music provision for Monmouthshire schools in light of the reductions.</p> <p>Gwent music have worked very successfully on income generation and very closely with Monmouthshire to achieve this.</p> <p>Gwent music continues to work with MCC to ensure the finding is used to support the need.</p>	<table border="1"> <tr><td>Income</td><td>0</td><td>0</td><td>0</td></tr> <tr><td>Savings</td><td>50,000</td><td>50,000</td><td>0</td></tr> <tr><td>Total</td><td>50,000</td><td>50,000</td><td>0</td></tr> </table>	Income	0	0	0	Savings	50,000	50,000	0	Total	50,000	50,000	0				<p>Nicky Wellington</p>
Income	0	0	0																
Savings	50,000	50,000	0																
Total	50,000	50,000	0																
<p>Mandate 35</p> <p>Transformation of ALN</p> <p>Trend since last report</p> 	<p>We are undertaking a review of Additional Learning Needs. Its forms a 3 stage process.</p> <p>Savings fully met for this year.</p> <p>Stages 1 and 2 are complete. The team have commenced consultation with families as part of the stage 3.</p>	<p>All timescales of delivery of the mandate to stay in line with the 'complete review' timetable.</p> <p>All future stages of the ALN review will be monitored via the future mandates.</p>	<table border="1"> <tr><td>Income</td><td>0</td><td>0</td><td>0</td></tr> <tr><td>Savings</td><td>120,000</td><td>120,000</td><td>0</td></tr> <tr><td>Total</td><td>120,000</td><td>120,000</td><td>0</td></tr> </table>	Income	0	0	0	Savings	120,000	120,000	0	Total	120,000	120,000	0				<p>Sharon Randall-Smith</p>
Income	0	0	0																
Savings	120,000	120,000	0																
Total	120,000	120,000	0																

Mandate 42

Youth Service

Current status

Trend since last report



Replace core funding with other income sources.
 The Youth Service is exploring new ways of working. They are embracing this opportunity in an innovative way. Small groups are exploring ideas to generate income streams and savings whilst ensuring quality service is maintained.

Sourced and secured ESF funding for pre and post 16 for a period of 3 years. 130k per year secured and runs an academic year so circa 70k will be in this financial year.

Secured 10k from Supporting People's Programme to assist with Post 16 support for 1 year

Community Kitchen in Abergavenny has been awarded 5 star rating by Environmental Health and is now operational. Taking bookings for buffets; children's parties and lunches for community members. The kitchen is going well and on average making an average of £100 per week.

Skate Park Shop in Abergavenny is near opening
 Finalising details with Legal on contract with local business
 Audit and accounts have been set up
 Marketing ready to go out. The shop is seasonal and a small amount of income was achieved for the financial year. The shop is currently closed.

Propel is steadily progressing
 Courses ready to advertise
 Staffing being trained currently to deliver

Wellbeing is steadily progressing
 Courses being written

Meetings with all schools to look at new roles for staff and outcomes required to meet funding criteria.
 Planning and writing of resources and courses to be completed over summer period
 Programme was due to commence delivery on 2nd September 2015, however this was delayed until April 2016.

Meet with SPP to finalise grant.
 Case load young people to be supported. This has commenced and is currently supporting 18 young people.

Market and promote menus and packages available
 Community Kitchen opened September 2015.


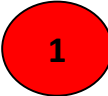
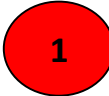

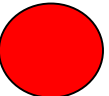

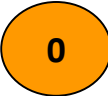
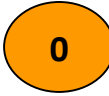












Set income targets once steady business flow is established.
 Shop to be operational by September 2015
 Set income targets once steady business flow is established





















Still awaiting for HUB section to promote courses
 Meeting with staffing team to look at where time can be found in order to free staff up to deliver specialised courses and offer more packages to families and young people.

Income	200,000	63,000	137,000
Savings	0	0	0
Total	200,000	63,000	137,000

Tracey Thomas

	<p>Staff who have expertise in this area are finding it difficult to fit in this as well as working with young people on their case load as these are the priority.</p> <p>£63k of the savings have been achieved, but the service reported an £137k overspend at month 6.</p> <p>Alternative Delivery Plan (agreed by cabinet 2nd Dec) – 60k achievable Combination of increase in Grant Income and savings on staff vacancies. £21k has been achieved on the alternative delivery plan as at outturn.</p>	<p>Courses have run and have been full and created good steady income stream.</p> <p>Amendment to delivery plan.</p>	<p>Total</p>	<p>137,000</p>	<p>21,000</p>	<p>116,000</p>	
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Summary - Outturn	Summary - Month 2	Summary - Month 6	Summary - Month 9	Key
				 Not on target Concerns identified with delivery of target. Closely review & monitor.
				 Monitoring & required to keep on track
				 On target to achieve budget and action Plans.
				 On target and over achieve.

Mandate Summary	RAG Outturn	RAG Month 2	RAG Month 6	RAG Month 9
16 Schools Delegated budgets				
18 School Library Service				
20 Gwent Music				
35 Transformation of ALN				
42 Youth Service				

3. SCHOOLS

3.1 Each of the Authority's Schools is directly governed by a Board of Governors, which is responsible for managing the school's finances. However, the Authority also holds a key responsibility for monitoring the overall financial performance of schools. Below is a table showing the outturn forecast Schools' balances position.

Draft Council Fund Outturn 2015/16– Schools Summary outturn position	(A) Opening Reserves (Surplus) / Deficit Position 2015/16 £'000	(B) Month 9 Draw on School Balances 2015-16 £'000	(C) Variance on Month 9 Reserve Draw £'000	(D) Draw on School Balances @ Outturn £'000	Forecasted Reserve Balances at 2015-16 Outturn (A+D) £'000	Forecasted Reserve Balances @ Month 9 £'000	Forecasted Reserve Balances @ Month 6 £'000	Forecasted Reserve Balances @ Month 2 £'000
Clusters								
Abergavenny	(412)	46	(228)	(182)	(594)	(366)	(431)	(312)
Caldicot	(426)	112	(276)	(164)	(590)	(314)	(273)	(174)
Chepstow	98	80	40	120	218	178	161	143
Monmouth	(424)	137	(12)	125	(299)	(287)	(270)	(231)
Special	24	116	(31)	85	109	140	129	(4)
	(1,140)	491	(507)	(16)	(1,156)	(649)	(683)	(578)

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3.1.2 School balances at the beginning of the financial year amounted to £1,140,000. The Schools budgeted draw upon balances was £620,000 for 2015/16, however at outturn the actual position saw an increase in balances overall of £16,000, therefore leaving £1,156,000 as closing reserve balances.

3.1.3 Within these summary figures, of particular note, is the deficit reserve position forecasted for the Chepstow Cluster. Chepstow Comprehensive School have a recovery plan in place, however at outturn the result is an increase in the deficit for the school, as reported at month 9. This is due to the contribution to redundancy costs that the school has incurred and additional water rates. The recovery plan is currently being reviewed and given the predicted increase in number of pupils on roll this deficit will still be met over the duration of the plan.

3.1.4 Five schools exhibited a deficit position at the start of 2015/16; Llanvihangel Crucorney, Castle Park, Chepstow Comprehensive, Llandogo and Mounton House Special School. Of these five schools, the following three have seen an increase in their deficit at outturn and their balances are as follows: Chepstow School (£414,066) due to water charges and an increase in exam fees; Llanvihangel Crucorney (£23,605) as a result of having to employ an additional teacher due to increased pupil numbers; and Mounton House Special School (£154,854), due to significant staffing changes and

a delay in grant funding through the ESF project. The other two schools have seen a decrease in their deficit balance. One additional school, Overmonnow Primary, is now also exhibiting a deficit (£19,101), taking the total number of schools in a deficit position to six at the end of 2015/16.

- 3.1.5. Schools balances are exhibiting a fluctuating trend with some schools showing a continuing reduction in schools balances which is of concern and others a more balanced trend.

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

- Page 254
- 3.1.6 There has been a significant reliance on reserve balances to supplement school spending plans in the last 4 years across individual schools with a certain amount of replenishment. As a rough guide, prior to 2010, Welsh Government advocated that school balance levels equated to no more than £50,000 for a primary school and £100,000 for a secondary school. Members may wish to seek a comfort that balances aren't being used to subsidise and sustain core costs such as staffing.

- 3.1.7 Individual School Balances are available in Appendix 14 CYP School Select.

Capital Outturn Forecast

The total Approved budget for Capital Schemes within the Children & Young People portfolio is £51,350,996 comprising an original budget of £43,100,948 together with authorised capital slippage from 2014/15 of £7,267,647 and virements or revisions of £961,552. The budget is separated under the following headings

CHILDREN & YOUNG PEOPLE	Actual Outturn £000's	Original Budget £000's	Slippage from 2014/15 £000's	Budget Virement or Revision £000's	Total Approved Budget @ Outturn £000's	Provisional Slippage carried Forward 2016/17 £000's	Adjusted Budget @ Outturn £'000's	Actual Variance To Budget @ Outturn £,000's	Forecast Over / (Under) Outturn @ Month 9 £000's	Variance Since Month 9 £000's
Development Schemes Over £250k	13	0	19	(6)	13	0	13	0	0	0
ICT Infrastructure and Hardware	59	0	0	806	806	(827)	(21)	80	0	80
Education Strategic Review	10,134	42,247	6,917	0	49,165	(38,895)	10,270	(137)	(110)	(27)
Maintenance Schemes Property	1,071	854	331	161	1,346	(9)	1,337	(266)	0	(266)
Grand Total	11,276	43,101	7,268	962	51,330	(39,731)	11,599	(323)	(110)	(213)

Further details of all the schemes are contained in the appendix 5C.

APPENDIX (links to Hub)

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Monmouthshire Carers Strategy 2016-19

Foreword – Geoff Burrows

It is a pleasure to make some introductory remarks for what is the second Carers Strategy Document during my time as both the Cabinet Member responsible and Carers Champion for Monmouthshire.

I am very proud of the fact that in Monmouthshire, Carers are truly valued for what they provide. In many cases as I have found, that the caring role can either commence in a moment or creep up on you over a period of time, either way it is vital that support is in place to not only assist for people to care well, but also to help with the pressure when it gets even more demanding.

The New Social Care and Wellbeing Act has properly acknowledged the partner role of the Carer in the collective support that those with needs require and that their contribution is just as valid and important as any other provider whether it be Health or Social Care.

Monmouthshire is a most beautiful County but as a consequence provides geographic challenges which the consequence for some people is both rurality and isolation. That can be for anyone never mind Carers and those cared for, that is why the Monmouthshire Carers Project is so important in reaching out, providing opportunities for all Carers irrespective of where they live.

I should just like to thank everybody concerned who find for ever better ways of facilitating good caring in Monmouthshire but most of all to all our Carers whether you are yet known to us or not. That we are here to help to bring yet more dignity to the great job that you do.

CClr Geoff Burrows

Cabinet member for Social Care, Safeguarding and Health”

Introduction

This is our third Carers Strategy and it is markedly different from its predecessors. Social Care services in Monmouthshire have undergone changes over the past 4 years, redefining the way we work with vulnerable people and the communities they live in. This has included changes to the way we work with carers who are valuable (in every sense of the word) partners in the care of vulnerable people. This Strategy seeks to cement those changes already made and set the foundations for further improvement to the ways we support carers in Monmouthshire.

This isn't a detailed plan of who is doing what, when by and resources needed. This was intentional. In order for a strategy to work it needs to be flexible, responsive and organic. Feedback on the previous strategy was that it was too detailed and prescriptive which meant it could not take account of major changes that occurred within its lifetime. Our aim with this Strategy was to identify the key areas of concern from carers and the people who work with them and look at the various ways we could address them. Detailed work plans will follow for each theme.

This strategy has been designed for adult carers. Whilst the definition of a carer is age blind, there are still distinct differences both in legal terms and the rights of an adult and child, therefore Young Carers in Monmouthshire will be developing their own strategy.

The Monmouthshire Carers Strategy 2016-19 will ensure partners are working together, on the key priorities and outcomes carers have said they want.

Changes in Legislation and What that Means for Carers

Care and support is changing within Wales with the introduction of The Social Services and Well-being Act (Wales) Act 2014. This new law seeks to improve the well-being of people who need care and support, and carers who need support. The Act changes the way people's needs are assessed and the way services are delivered; people will have more of a say in the care and support they receive. It also promotes a range of help available within the community to reduce the need for formal, planned support and places more emphasis on people making decisions about and taking responsibility for their own well-being. This replaces the existing law, and removes the requirement that the carer must be providing "a substantial amount of care on a regular basis". This will mean more carers are able to access an assessment, and that the duty is comparable to that for the people they support. This will also replace the existing law which applies to young carers and parent carers. Help and support will come through services being available to provide the right support at the right time; more information and advice, simpler and proportionate assessments with carers now having an equal right to be assessed for support and there will be stronger powers to keep people safe from abuse and neglect.

Who is a Carer and How does it Help Being Known as a Carer?

In the Social Services and Wellbeing Act 2014 The Welsh Government has defined a carer as a person: who is providing or intends to provide care for:

- an adult or disabled child who is ordinarily resident in the authority's area, or
- any other adult or disabled child who is within the authority's area.

The duty applies regardless of the level of the carer's needs for support, or the level of the financial resources of the carer or the person for whom the carer provides or intends to provide care.

Anyone can become a carer. There is no barrier to the background, culture, age or walk of life a carer comes from. Many people may not relate to the word carer, however it does allow someone to articulate to others why they may not have the same amount of flexibility, time, confidence, energy or money to fully participate and integrate into everyday life. Conversely if someone else is aware of a person's caring role, it will allow them to offer the right support hence carers now having the same equal rights to an assessment for support. A carer's needs assessment must be offered by the local authority when it becomes aware of the caring role. The needs assessment is an opportunity for a carer to discuss their own well-being needs and what personal outcomes they would like to achieve, for example, carrying on working or pursuing a hobby. Someone can still ask for a carer's needs assessment even when the person they care for is not receiving support from social services.

Recognising and Supporting Our Partners

Carers have the right to support and the right to decide if they are able and willing to continue in their caring role. It is estimated that carers save the UK economy £87 billion in potential care costs. Without carers there would be significant consequences for the health and social care system, which is why it is imperative that partners work together. Within Monmouthshire we not only consider organisations as partners but carers too.

Over many years Monmouthshire County Council and the Monmouthshire Carers Project have been making changes in the way it provides and delivers support and services for carers. We have been working with our partners by nurturing, growing and developing collaborative relationships. This has allowed us to evolve and implement new ways of working, with minimal disruption to carers and organisations. The ethos of all carers' services in Monmouthshire is that the carer remains the central focus.

We listen to and value the knowledge, skills and expertise that a partnership brings by sharing and inclusion, especially through our Carers Strategy Group. This group is a collective of the voluntary and statutory sector, carers, and an elected member who have a strategic overview of carers services and the delivery of the Carers Strategy.

Carers in Monmouthshire

Britain's population is aging as people are living longer through improvements in health, preventative care and diet. With the projected increase in longevity of life this will produce an increase in an aging population, with an assumption that carer numbers will also increase. Across the UK there are almost seven million carers – that is one in ten people and that number rising. It is predicted that over the next 30 years, the number of carers will increase by 3.4 million (around 60%). Approximately half of those carers are aged over 50.

Since the 2001 census there has been an increase of approximately 30,000 carers in Wales with higher levels of unpaid care in Wales than in England. In 2011, more than 12% of the population in Wales were providing the same level of care that than provided in England. Monmouthshire saw the greatest percentage increase of carers in 2011 census rising by 11.2%.

Monmouthshire is the most rural county in south east Wales, with an approximate population of 91,300 people. Monmouthshire has an ageing yet low teenage population, and with more planned housing developments the overall population will rise. We do not know the true number of carers in Monmouthshire, however in the 2011 Census 11,491 people in the county

identified themselves as a carer. The Carer Register maintained by the Carer Project has 813 people on it. The Social Services database has 600 people recorded as carers.

The majority of carers in Monmouthshire has direct contact with is from those who are 70 years plus and for the majority of the time these carers are supporting someone within the family. Carers are falling into the aging population category and those aged 70 plus see the greatest increase and projected increase in the number of hours of care they provide. Dementia and Alzheimer's is the predominant condition that carers are providing support for.

The majority needs should not exclude the minority needs, and through partnership working with the voluntary sector we are seeing an increasing number of carers providing support for a number of complex needs especially mental health problems. For carers supporting a child with a disability the focus will predominately focus around support for the child with the carer not always being recognised or recognising as having needs within their own right.

In summary Monmouthshire has an increasing aging population, supported by an increasing aging population of carers. With increased age the needs are becoming more complex. Managing the needs of the carer, and in turn the needs of the person they are caring for is challenging within the rural geographical makeup of Monmouthshire. Economies of scale in providing and financing that support are greater, especially more so for those carers living in remote and difficult to reach locations. Monmouthshire will continue to look at how it can do things better and differently to strengthen, reconfigure and be equipped to provide the right support and services for carers over the coming years.

How the Strategy was Produced

When we embarked on developing this Strategy we wanted the views, knowledge and skills of carers and those who work with them to be at its core. To ensure this we turned the normal process of producing a strategy on its head. Instead of writing a document and then consulting on it we moved the consultation process to the beginning of the process. To do this we adapted a methodology from the King's Fund called 'Community Oriented Primary Care'. The strength of this approach was that it had been tried and tested as an effective approach for maximising the involvement of professionals, grassroots workers and carers. Specifically it had proved to be a positive method of community needs assessment with primary care teams in England and when undertaking large scale participatory needs assessments previously in both Cardiff (1997) and Gwent (1998).

The first 2 stages of this methodology are community assessment and prioritising need. We adapted the methodology of these stages firstly to diagnose the needs of this community; carers and people who work with them in Monmouthshire. Then to group and prioritise those needs to produce the key themes.

On 20th November 2015, carers, health and social care professionals, community members, elected members and the third sector came together on Carers Rights Day in workshop to, in the words of the methodology, 'diagnose' our carer community then prioritise the key themes for the Strategy.

The first stage of COPC framework (Community Diagnosis) involved participants physically mapping their specific community, highlighting natural boundaries, infrastructure, local facilities and services and local demographics. This stage was purposively designed as fun and light-hearted but at the same time focussed on producing a detailed descriptive map of the specific community. This technique encouraged carers to take the lead during the exercise; often directing and informing paid workers.

This exercise resulted in a comprehensive and comparable picture of the broad issues affecting carers across the County. Focussing on a whole community approach avoided individuals from dwelling on a single issue or individual grievances but instead facilitated a consensus of the problems in Monmouthshire.

The next task was a prioritisation exercises. Facilitators combined individual scores to achieve a group consensus and to confirm that participants felt confident that the final priorities reflected both known qualitative and quantitative information. Participants provided feedback on the overarching priorities an attempt was made to group priorities where there were natural linkages or duplication. The purpose of this approach was to demonstrate visually that every group's problems/issues were captured, confirmed and considered using a transparent process. This activity resulted in encapsulating a broad spectrum of issues and priorities. Participants then undertook a final voting exercise to identify and prioritise eight overarching themes.

The Carers Project took the key themes, all the information gathered on the day and the information we already had on carers and distilled them in to this Strategy.

The 8 key themes contained within this strategy are now the mainstay of how we will all work together in Monmouthshire to support cares in Monmouthshire.

Monmouthshire Carers Strategy 2016-19 – Key Themes

1. Identifying Someone Who is a Carer

It is evident from the Census and our own data that we need to do more to identify carers in order to support them. Early identification is both desirable and effective in improving support for the carer

Carers Said

There are many reasons why someone may not identify themselves or are being recognised as a carer. One reason may be stigma, the word carer carries a label, puts someone in a box or takes away personal identity. There is an uncertainty around the meaning of the word carer because people think it may be referring to a paid care assistant. For others they may not recognise their own caring role because it's what they do. For them, caring is simply an extension of their role as husband, wife, child or sibling, even though the balance in that relationship may have changed dramatically. Conversely the reasons may be similar for the person they are caring for. Co-caring relationships may not be recognised, as both people may have health problems and care for each other. Some carers feel guilt when asking for help because the caring role is theirs to own so therefore they feel they should be able to manage. Professionals, organisations or society may not see the person who is caring as having a separate identify and separate needs, and therefore do not understand or know the importance of identifying someone as a carer. Relatively few carers are acknowledged until a crisis occurs and when they can no longer manage. Carers do not want to be labelled, they want help to understand their role and know that support is available if and when they need it.

What will be the Outcome for Carers?

To improve the identification of carers so that the appropriate level of support can be offered at the earliest stage possible within the caring role.

What we are going to do?

- Work closely with Primary Care Services (Please see separate Chapter)
- Develop stronger partnerships with the NHS
- Raise carer awareness by
 - Producing appropriate information for identifying carers with simple and multiple referral mechanisms.
 - Working with carers, organisations and professionals to ensure targeted questions identify carers
 - Working with major employers in Monmouthshire
 - Providing carer awareness training for Monmouthshire County Council staff
- Work with Social Services for improved recognition of carers and accurately record the number of carers identified
- Utilise Community Hubs by
 - Developing carers services within the emerging community hubs
 - Linking carers into place based services
- Develop internal and external links with Children Services to ensure carers are identified and supported
 - By the Children with Disabilities team
 - By organisations who work with children with disabilities

2. Information and Communication

Carers need a range of information, some generic some specific, to enable them to care effectively, look after themselves and stay involved in their community.

Carers said

Carers want to be considered partners in the caring role. They also know the people they care for better than anyone else and can help in identifying problems that may require intervention. It is therefore essential they are provided with up-to-date, timely, relevant and good quality information which is communicated in a way that is applicable to their world. Carers have to cope with the tools and resources that are available to them, which can be poles apart from the tools and resources that are available to professionals and care agencies. It is therefore essential that information and the way in which it is communicated is without jargon and with an understanding of carers. Carers want regular communication and timely information as their caring role can change at any time. Carers value professionals that have good interpersonal communication skills, who take the time to listen to them, afford them the privacy to talk, and are respected as both an individual and as a partner in care.

What will be the Outcome for Carers?

High quality, easily accessible and appropriate information which is effectively communicated to carers, professionals and the public.

What are going to do?

- Identify key situations and locations where information is critical including
 - Hospital discharge
 - Primary Care
 - Point of Diagnosis
 - Accident & Emergency
 - Medical Assessment Units

- Carers Assessment
- Website and Newsletter
 - Develop a Monmouthshire Carers website
 - Develop an on-line carers forum
 - Redevelop the carers newsletter
- Update and redesign the Carers Handbook
- Produce and distribute leaflets and posters in key locations throughout the county
- Develop information and training about communicating collaboratively with carers.
- Continue to involve carers and encourage a greater number of carers to be involved with development work
- Produce regular updates and briefings on carers/legislation for professionals

3. Primary Care

Primary care is the service that carers have direct access to and therefore utilise the greatest when they need help and support. Carers will come into contact with a range of Primary Care health professionals multiple times and during varying stages of their caring role. GP surgeries are usually the first place that carers have contact with in the NHS.

Carers said

Some carers still feel they are not being identified as a carer, or if they are they are not being supported as a carer. Their own identity and their needs as carer are often being intertwined with the person they care for. This can result in the health and wellbeing of the carer being neglected. Carers viewed their GP Surgery as the main resource they would access to get the right information at the right time to allow them continue in their caring role. However, signposting and the quality of information provided is not consistent, timely, and relevant and in a language that is relevant to their caring role or of their own needs.

What will be the Outcome for Carers?

Improved identification and timely support for carers within Primary Care.

What are going to do?

- Create better links with GP's and practices to help them identify and support carers by.
 - Working with GP practices to achieve Investors in Carers accreditation
- Work with Primary Care partners to produce targeted, up-to-date, information sheets for both carers and professionals including.
 - A guide on what a carer can expect and ask for when accessing Primary Care Services
- Simplified and accessible carer referral routes for primary care professionals
- To work with Primary Care Partners to highlight and increase their knowledge of the benefits of accessing carers support agencies

4. Carers Own Needs

Carers can neglect their own health and wellbeing at expense of looking after the person they are caring for. The caring role can be demanding of their time and energy. Carers find having to negotiate the right support and dealing with professionals to ensure the right support for the person for can be very stressful. The caring role can be: physically demanding with lifting and moving; tiring when there is little chance to have quality and

regular sleep; mentally and emotionally challenging and the psychological impact such as taking on a new identity from being viewed as a carer rather than an individual.

Carers said

Carers report they often neglected their own health check-ups and at times did not feel their own needs were being recognised by professionals who often saw the cared for as the priority, and viewed the carers as coping. It was at crisis point that many carers sought or were being recognised as needing their own needs to be identified and supported. Carers felt their independence was limited and did not allow them to pursue or maintain their own social or working life.

What will be the Outcome for Carers?

Carers will be healthier, confident and better able to manage their own health and wellbeing needs

What are going to do?

- Provide information and training for carers to look after their own mental health, health and wellbeing. Including:
 - Work with organisations and professionals to understand the importance supporting a carers mental health, health and wellbeing.
 - Work with organisations and professionals to implement initiatives that promote carers to identify and look after their own mental health, health and wellbeing needs
- Work with carers to identify and professionals to identify those needs including:
 - Carers being able to identify and access training to support them in their caring role
 - Provide training with professionals on how to work with carers in producing care plans
 - Provide training for professionals /students/health and social work education on identifying carers needs
- Work with major employers in Monmouthshire to develop their own Carers in Employment Policies
- Carers are kept up-to-date on their employment rights as a carer
- Develop carer support initiatives throughout the county including
 - Carer Cafes – an opportunity for carers to meet in an informal environment to form networks, socialise, discuss their caring role and have their own time.
 - Carer Networks and Support Group – develop carer networks that work for them, that alleviate isolation, encourage peer support and allow carers to connect with others.
- Provide and host specific events for carers including:
 - Carers Rights Day
 - Carers Week

5. Improving the Quality and Range of Respite Options

For most carers respite is a necessity allowing them to both do important every day activities or simply to recharge their batteries to cope with the caring role. However the options for respite are limited in both amount and the quality.

Carers said

Carers primarily associate respite in terms of replacement care for the person they are caring for rather than respite that can support them as a carer. Carers tend to ask for very little replacement support and when they do it can quite often be at crisis point. Carers recognise there might be times when they want or need a break from their caring role but first they want peace of mind that they have a choice of replacement care, that is adaptable, suitable, flexible, accessible and of high quality. They want to be confident that the replacement care is enabling and stimulating for the person they care for and that they are considered partners when planning respite. Carers want replacement care and respite that supports them to still be active in their caring role, especially during times when they have their own physical or mental health needs to consider. Carers value consistent respite and build up relationships with respite professionals and that makes their caring role less stressful. To access respite services away from the home can be problematic due to lack of suitable public and private transport.

What will be the Outcome for Carers?

Carers can access a range of quality respite options that support the caring role.

What are going to do?

- Design equitable, simpler and direct access routes to respite
- Work with professionals and organisations to
 - Increase their knowledge and understanding as to the benefits of seeing the carer as a partner.
 - Involve the carer in planning respite
- Work with service providers to redesign respite care and support that is
 - Flexible
 - Suitable for the person
 - Of high quality
 - Delivered to those in rural and remote locations
- Work with professionals and agencies to provide
 - Continuity of key workers

6. Future & Emergency Planning

It is often difficult for carers to look beyond their day-to-day caring role to plan both for emergencies and the future for themselves and the person they care for.

Carers said

Carers do not find it easy to plan for the future or make plans in case of an emergency. Some topics are uncomfortable to think about and when the caring role is a day to day reality thinking beyond that can be difficult. Carers tend to be faced with the reality of an emergency at crisis point at which time the lack of planning compounds the situation even more. Being absorbed in the caring role can take away the need of or understanding of future planning, and when plans do need to be made there can be apprehension, guilt and uncertainty as to what that future could be. Carers recognised they needed to plan but did not feel supported in this be it and wanted more emotional and practical input from professionals and agencies.

What will be the Outcome for Carers?

Carers are supported to be plan for the future dealing with transition, crisis and the end of the caring role

What are going to do?

- Work with partners to support carers in drawing up and putting contingency plans in place for both the carer and cared for by
 - Ensuring it is discussed and contained within a carers assessment
 - Emergency cards are offered
 - Improving external and internal links so there is flexibility within services when an emergency arises
 - By being creative in looking at where alternative support can be accessed

- Work with partners to support carers to discuss planning for life after caring by
 - Ensuring it is discussed and contained within a carers assessment
 - That carers are offered the appropriate support when their caring role ends
 - To improve links with agencies and professionals to ensure they are aware when the caring role ends

- Improved management of Transitional Care by
 - Designing appropriate and timely triggers for when the caring role changes be it for the carer or the cared forCarers have the support to cope with and understand transitional care

7. Mental Health

Mental illness, by its very nature, brings a unique set of challenges for carers that affect their own physical and emotional well-being. Their needs are very often not as well met as carers of people with other conditions.

Carers said

Carers have particular difficulties when they are supporting someone with mental health problems. Traditional services do not always meet these carers' needs. Carers find that information sharing is a big issue and a major barrier in allowing them to understand and provide the right support and care for the cared for. Professionals do not tend to see the carer as a partner and will exclude them from discussions around the care package, whilst at the same time expecting a carer to continue to provide support. There is a stigma facing carers who support someone with mental health problems, which tends to make them more reluctant to identify themselves as a carer and to seek help. Unfortunately this can make the caring role isolating and insular which impacts upon the carers own mental, health and emotional wellbeing. There is also a disparity in the level and range of access to mental health services for carers compared to traditional carer services. The nature, length, intensity and frequency of supporting someone with mental health illnesses can be extremely stressful for a carer so they need services and support that are responsive to that.

What will be the Outcome for Carers?

Carers are treated and valued as partners to support someone with mental health problem and are able to play a full role in the care planning for the cared for. Carers feel confident to be an individual in their own right.

What are going to do?

- Improve personalised help for carers looking after someone with mental health illnesses by
 - Providing training for mental health staff on the benefits of including carers as a partner in the care plan
 - Making stronger links with mental health services and Primary Care Mental Health Support Services through the Monmouthshire Carers Project
- Provide Information on benefit and employment issues by
 - Supporting carers to and increase the access to the welfare benefit services
 - Raising the importance of mental health awareness with employers and how they can support carers
- Work with GP's and practices to raise the awareness, increase their knowledge and understanding of the issues carers face when supporting someone with mental health issues
- Seek to improve information sharing with carers by developing consent mechanisms through
 - information sharing leaflets
 - training for carers and professionals
- Develop appropriate respite support that takes into account mental health illnesses
- Explore and develop good practice guidelines for working with the cared for and carer together
 - Including Family therapy

8. Transport

Although this is not only an issue for carers it did come out as the biggest issue in our consultations. Transport does not usually get addressed in strategies for carers but the strength of concern that has been expressed means it should be included here.

Carers said

The geographically large and rural nature of Monmouthshire posed a difficulty for carers. Getting to hospital appointments either in county or out is costly, impractical or unachievable for many because of the prohibitive costs of public or private transport. There is limited regular or direct transport links to hospitals whilst some parts of the county are not on a public transport route. Hospital transport is difficult to arrange and carers are not able to travel with the person they care for due to limited space. Carers living in rural locations can find their respite time curtailed as they have to travel greater distances to reach services and local amenities. Some carers do not get their full respite hours as not all agencies in-build the travel time into the support workers schedule.

What will be the Outcome for Carers?

Carers will have increased options to help them overcome the lack of public and private transport in Monmouthshire.

What are going to do?

- Work with Grass Routes to explore how carers can utilise their services more effectively
- Improve how we share information on transport including
 - The different types of bus passes
 - Where there are special discounts
- Work with taxi companies so they are carer aware

- Look at transport needs when implementing or changing a respite package
- Work with community coordinators as to how carers can access volunteer driving schemes
- Work with the Welsh Ambulance Service Trust to find flexible solutions for carers
- Establish links and work with Access for All
- Develop a relationship with Transport Services to discuss and explore flexible solutions for carers

Next Steps

Implementation of the Monmouthshire Carers Strategy 2016-19

In collaboration with carers and partners Monmouthshire County Council will use the key themes as their action plan. For some themes there is already work underway, for others this strategy will be the starting point. The Carers Strategy Group will work together on common and shared objectives, for other themes the Monmouthshire Carers Project will work with carers, carers groups and partner organisations. This strategy is the tool by which we can ensure the carers' voice is heard to instigate change, action and improvement for the lives of carers.

Monitoring

To ensure we are doing what carers have asked, and that we are doing it right there are a number of ways we can do this. The Carers Strategy Group formally reports and records what it is doing, how it is doing and how well it is doing and at those meetings there will be regular updates on the strategy. Individual visits to service providers by the Planning & Commissioning Officer gives a 6 monthly update, and within that the key themes will be discussed, monitored and recorded. The newsletter will ask carers for their feedback on the themes and in turn will provide updates. At the number of carers' events we will ask for feedback. We will ask our partners, internal and external for feedback. All of this data will provide us with a wealth of information that allows us to monitor how well the strategy is going.

Review

Through the whole monitoring process we will be reviewing what is going well, what is not going so well. We don't want to waste valuable resources on something that is going to produce small effect, when those resources might be best use elsewhere for greater effect. At the end of the 3 year strategy we'll look at what worked, well what didn't, lessons learned and how to take best practice and the right carers support forward, into the next strategy.

Looking towards the next strategy

The next strategy is always on the horizon. When we have a year left to run on this strategy we'll start to plan for the new one. We won't know the form and function of it yet, as we can't predict that. What we do know is the next strategy will build on the firm foundations that this one has laid, as have previous years, and the carer will always remain at the centre, and that the voice of Monmouthshire carers will be one that is heard.

Appendix 1

Below is a list of the services and support available from the Monmouthshire Carers Project. For more detailed information please refer to the Monmouthshire Carers Handbook which can be accessed on line at www.monmouthshire.gov.uk or by calling 01633 644644

Age Cymru Gwent

<http://www.ageuk.org.uk/cymru/gwent/>

01633 763330

Carers Trust, South East Wales

<https://www.carers.org/local-service/south-east-wales>

01495 769996

HAFAL

<http://www.hafal.org/in-your-area/monmouthshire/>

01633 264763

Alzheimer's Society

<https://www.alzheimers.org.uk/>

01600 719 127

Gwent Association of Voluntary Organisations (GAVO) Carer's Co-ordinator The Carers Support and Information Officers

<http://www.gavowales.org.uk/monmouthshire>

01633 241550

Carers Support and Information Officers

<http://www.monmouthshire.gov.uk/carers-assessment>

Monmouth: 01600 773041

Chepstow or Caldicot: 01291 635666

Abergavenny: 01291 635666

Include organisations logo – include ABUHB

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SUBJECT: Monmouthshire Carers Strategy 2016-19
DIRECTORATE: Social Services
MEETING: Cabinet
DATE: 8th June 2016
DIVISION/WARDS AFFECTED: Social Services

1. PURPOSE:

To gain the approval of Cabinet, for the publication of the Monmouthshire Carers Strategy 2016-2019.

2. RECOMMENDATIONS:

- i. That Cabinet approves the publication of the strategy.
- ii. That Cabinet approves the strategy as a monitoring and evaluation tool for service provision and future planning of services for carers and service providers.

3. KEY ISSUES:

What is the Monmouthshire Carers Strategy?

This Strategy aims to provide and improve preventative and support services, offered to carers in Monmouthshire to allow them to continue in their role as a carer; to discontinue that role if that is in their best interests; and to be supported when their role as a carer comes to an end. This will be achieved by improving and providing the services that support carers in line with their needs.

Outcomes for Carers

The Strategy focuses on achieving improved outcomes for carers, no matter which service they will receive, it also embraces the full range of support available, from the provision of information to intensive respite care.

Outcomes for Service Provision

The strategy will be used as a monitoring tool for current and future service provision. The strategy has clearly defined 8 themes, identified and agreed by carers, which offer carer focussed outcomes. This document will be used in partnership with carers, service providers (both statutory and third sector) and commissioners as a basis for Service Level Agreements, commissioning services, future ways of providing information and support for carers, and as an evaluation and service design tool. The Carers Strategy Group will use the Carers Strategy document as a self- evaluation tool.

4. REASONS:

- The Strategy will focus on achieving improved outcomes for carers, no matter from where and which service they will receive it.

- It clearly defines 8 key themes, as agreed by carers, with outcomes that the Monmouthshire carers partnership can collaboratively use as a template for delivering preventative and support services for carers.
- It embraces the full range of support available, from the provision of information to intensive respite care.
- It will act as a monitoring template for the provision, delivery and shaping of carers services
- It will be used to identify and record more accurate numbers of carers within Monmouthshire

5. RESOURCE IMPLICATIONS:

- The financial costs of printing the Strategy is circa £1.5k. Provision has been made to ensure this can be met from carers' budget.
- Future reprinting costs will be inbuilt into future financial years' budgets
- The production of the strategy will allow for a proactive based monitoring, consultation and engagement process with carers and service providers. It will be used as tool, where appropriate, in service redesign and reconfiguration. This will ultimately reduce the resources of time that officers and service providers currently spend when seeking agreement on implementation of new/reconfiguration of services.
- Any future redesigning and implementation of new services as a result of the Strategy will be met through existing funding streams.
- If as a result of the implementation to the strategy changes to services the carers budget and contracts have inbuilt flexibility to allow

6. FUTURE GENERATIONS EVALUATION SUMMARY: (ATTACHED)

Monmouthshire has an aging yet low teenage population, and with more planned housing developments the overall population will rise. In 2011 the Census identified 11,491 carers in Monmouthshire. Monmouthshire's carers register currently has 900 carers (Jan 2016). Over 10 years this figure has risen by 350% ie 200 carers in 2006 to 900 carers. With an aging population demographic in Monmouthshire the number of and age of carers will continue to grow, presenting their own complex health needs whilst supporting those with complex health needs too. Current average age of carers is 77 years. Carers are seen as a solution to the increasing pressure being placed upon health and social care, and therefore preventative, responsive and flexible services need to be maintained, protected and nurtured to allow carers to continue or not as the case may be in their caring role.

7. CONSULTEES:

The Monmouthshire Carers Strategy 2016-19 has been produced through consultation with:

- Carers through our various networks ie carers groups, newsletters, carers week and carers assessments
- Consultation and Engagement Event on 20th November 2016

- Attendees included adult carers, health and social care professionals, third sector and elected members.
- Carers Wales
- Providers of services for Carers, both internal and external stakeholders
- Monmouthshire Carers Strategy Group
- All carers registered on the carers register ie 900 carers.

Monmouthshire carers' have identified their needs that will maintain their own sense of health and wellbeing and the support they require to adequately meet the needs of those they care for. This strategy will help shape service provision for Monmouthshire carers.

8. BACKGROUND PAPERS: (attached)

The Monmouthshire Carers Strategy 2016-19.

9. AUTHOR:

Bernard Boniface, POVA MANAGER,

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SUBJECT: MONMOUTHSHIRE A COUNTY THAT SERVES – DRAFT VOLUNTEERING STRATEGY 2016-19

MEETING: Cabinet

DATE: 8th June 2016

DIVISION/WARDS AFFECTED: Countywide

1. PURPOSE:

1.1 To introduce the Draft Volunteering Strategy 2016-19

2. RECOMMENDATIONS:

2.1 To approve the draft Monmouthshire A County That Serves - Volunteering Strategy, to allow engagement and feedback from employees, communities and Third Sector partners ahead of it being presented back to Cabinet for approval.

2.2 To endorse and promote the draft programme plan as a living document to be updated and refined as further evidence of need is established. The document needs to be adaptable to meet the ever changing needs of volunteers, as the world of volunteering is changing at a rapid pace we must ensure we can respond.

3. KEY ISSUES:

3.1 Monmouthshire ACTS is the draft version of our Volunteering Strategy, we feel it's a strong starting point, leading a different way of thinking about how 'we' – our staff teams and communities can support and enable volunteering and social action in Monmouthshire.

3.2 Our belief is that through the Volunteering Strategy and associated Delivery Plan we can 'professionalise' and improve our 'volunteering offer' which focusses on our four stage model of support for volunteers.

- Plan – Looking at how, where, when, and why we involve volunteers.

- Recruit – Providing clear, consistent guidance to ensure safe and supportive recruitment of volunteers.
- Manage – Providing volunteers with all of the tools, information, support and recognition they require.
- Develop – Challenging volunteers to learn new or build existing skills, motivating and enabling impact.

Understanding Monmouthshire's rich social capital and local activism we feel our approach will contribute to our core purpose as an organisation – to deliver sustainable and resilient communities – working together with our communities towards shared outcomes that matter to our county.

- 3.3 This strategy aims to bring together departments and projects involving volunteers from across the council, also the third sector and community together with a shared vision. It is worth noting that we already have 'pockets of brilliance' across Monmouthshire, with some volunteering activities and programmes achieving great outcomes already. Whilst other volunteering programmes are emerging, it is imperative to share best practice and learning to provide a clear consistent offer to our volunteers in Monmouthshire. This is where the Volunteering Network plays a vital role engaging and supporting our Volunteer coordinators.
- 3.4 Our people both staff and volunteers must be enabled with the right tools to operate at their best in what is a permanent state of transition and this is not an easy 'measurable' task. The aim is for this strategy to make a key contribution to embedding good volunteering standards and practices across the county, raising the level of support for volunteers is key. Our goal is to support talent development both within and outside of our organisation and to engage all the people with whom we can create value.
- 3.5 Monmouthshire ACTS gives the story of our ambitious evolution – formed as a direct result of the People and Organisational Development Strategy – it describes our journey through the various necessary stages of growth and development. Lessons learned from mapping, consultation and rapid prototyping gives us the confidence and evidence base to scale our volunteering model up across the county.
- 3.6 Monmouthshire ACTS outlines measures that will allow us to capture information and importantly measure impact. They are not all quantitative methods, we have found success qualitative methods which can convey emotion for example through recent video interviews. The positive impact was publicised and as such more volunteers have expressed an interest in engaging with us.
- 3.7 The strategy is importantly built upon a number of key themes and priorities. These describe the ethos of our work. The five key principles we promote are: -

Support - Excellent support, management and training for volunteers is essential for wellbeing and retention.

Choice - Volunteering is a free choice made by an individual to offer their time and support, there is no contractual agreement but the volunteer does have rights and responsibilities.

Equality - Volunteering should be open to all, welcoming and supporting diversity to promote equality.

Recognition – Volunteers offer their time without financial gain to contribute to personal, organisational, economic or community benefit but should receive appropriate and timely recognition.

Participation - Volunteering is a way in which individuals can participate and shape the activities of their community.

3.8 The strategy is intentionally draft at this stage. Approval and release of the draft strategy will result in a programme of communication and engagement being undertaken with staff and communities over coming weeks such as to seek feedback and ideas on all aspects of the strategy. A final strategy will be brought back to Cabinet for approval before the end of the calendar year.

3.9 A draft programme plan is provided at appendix 2 and provides an overview of targeted priorities and activity over the next 12 months.

4. **REASONS:**

4.1 We are lucky to be supported by almost two thousand volunteers currently, our people both on and off our payroll are vital to the success of our council and county. We are facing unprecedented economic and public service delivery challenges with constraints. We feel that with increased engagement with our people we can allow us to meet these challenges as a county.

4.2 Against the backdrop of continued economic constraint, local government reform and a growing awareness of the areas in which to make sustained improvements – we must equip our people with the mind-sets and tools to meet the changing demands of our organisation and society.

4.3 Volunteering development directly impacts our ability to be innovative and forward thinking and we must create the conditions in which everyone is enabled to flourish.

5. **RESOURCE IMPLICATIONS:**

5. **RESOURCE IMPLICATIONS:**

- 5.1 There are no negative resource implications associated with this draft strategy at this stage, with all resource requirements in the interim being met from existing budgets. For any projects that cannot be subsequently met from existing budget individual business cases will be developed.
- 5.2 We have focussed on creating the conditions for volunteering to take place as efficiently and effectively as possible. Investing in our communities to build sustainability and resilience, allowing volunteers to be better equipped to support us to meet the ever changing needs of our community. This is a necessary and crucial stage in our journey that will enable us to be in the best position possible to face the challenges and opportunities that the future of Monmouthshire will gift us both in terms of development and scalability.
- 5.3 Volunteers supporting public service delivery adds value and increased outcomes to services. Volunteering enables services to sustain or enhance delivery of services and contributes to the vision of the Authority to build sustainable and resilient communities.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

- 6.1 There are no negative equality impacts identified in the equality impact assessment and the sustainability challenge identifies only positive impacts (Appendix 3).
- 6.2 The actual impacts from this report's recommendations will be reviewed every year and criteria for monitoring and review will include the monitoring of performance indicators through relevant service improvement plans.

7. CONSULTEES:

Peter Davies – Head of Commercial and People Development
Lisa Knight-Davies - Organisation Development Lead
Sally Thomas – Interim HR Lead
Jen Bradfield – Support Team Lead
People Board
Monmouthshire Volunteer Network
Joining up Volunteering in Monmouthshire

Senior Leadership Team
Volunteers and Volunteer Groups
Gwent Association of Volunteer Organisations
Wales Council for Voluntary Action
Talent Lab Training
Cities of Service Coalition
Team London – Volunteering Department
Portsmouth Together – Volunteering department.

8. BACKGROUND PAPERS:

Appendix 1 – Draft Volunteering Strategy
Appendix 2 – Draft Action Plan
Appendix 3 – Future Generations Evaluation
Appendix 4 – Forms of volunteering

9. AUTHOR:

Owen Wilce – Programme Lead, A County That Serves

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SUPPORT • RECOGNITION
ACTS
Volunteering In Monmouthshire
PARTICIPATION • EQUALITY

**Monmouthshire, A County That Serves
Draft Volunteering Strategy 2016-2019**

A County That Serves – Volunteering Strategy 2016 – 2019

Elected Member Foreword

Monmouthshire's people are our greatest asset and are vital to our success as an organisation and county moving forward in such challenging times. We must support, enable and value our people, both on and off our payroll, to meet the changing demands of our organisation and society. The volume of support we receive from volunteers contributes extensively to the priorities of Monmouthshire County Council, so it is vital that we create the conditions for volunteerism to thrive. This involves investing in both our staff and volunteers, to equip our people with the tools and support they need to flourish.

We believe that through unlocking the potential in our rich social capital, it will allow Monmouthshire County Council and our remarkable communities to work even closer together. This relationship is something we have been focused on and working hard to improve, helping our people to be real contributors to solutions. This is part of the work driven by Monmouthshire's Single Integrated Plan and its focus on creating sustainable and resilient communities.

As part of developing Volunteering in Monmouthshire, we have been listening to our volunteers looking at expertise in both the public and third sectors as well as searching for global best practice. This has allowed us to develop a considered approach to our Volunteering Strategy. We have already achieved much success working in partnership with volunteers, there is a lot to be taken from these successes and they have significantly influenced the development of the strategy. This varied learning allows us to create an approach which is appropriate for Monmouthshire.

The Volunteering Strategy aims to provide a cohesive approach to volunteering, which will bring people together from across our organisation and our communities. Highlighting our priorities, approach and support for our volunteers. This draft strategy provides a basis for us to continue explore and open up new discussions with our people on the proposals. We will seek to progress ideas, develop current and new approaches and feedback on all aspects of the strategy and action plan. We aim to provide a far reaching, comprehensive and varied consultation and engagement process. Therefore there is also an opportunity for you to comment by utilising the link below. We look forward to hearing your thoughts.

<http://www.monmouthshire.gov.uk/training-and-volunteering>

Cllr Phil Murphy
Cabinet Member for Resources

Volunteer Foreword

Ieuan Coombes has been active as a volunteer within Monmouthshire's Leisure department for the past seven years. Ieuan has grown and developed through the programme and now supports and inspires other volunteers as part of his role.

What does Volunteering mean to you and how do you see the Volunteering Strategy helping volunteers in Monmouthshire?

Volunteering for me could fall into two categories; a huge benefit to the individual or a hindrance, as it can take up a lot of your time. It's about helping people and my biggest impact is mentoring and supporting other volunteers. For me this is giving back, because I have been where they are. Volunteering is hugely beneficial to be engaged in and can enable someone to find their niche and understand what they can offer.

If I didn't have initial contact with the Mon Leisure team and become engaged in volunteering, things could have been very different for me. From my start seven years ago volunteering and the support from the team has enabled me to gain skills, knowledge and development. This has contributed to me becoming a well-rounded sports development individual and has opened up opportunities that I wouldn't have had access to. Through volunteering I have received an increase in my own confidence and a sense of belonging. Simply having people who believe in you and your ability to lead, as well as the mental support has had a huge impact on me. It's been support and direction through some tough times, but has given me a positive profile and had a huge impact on me personally.

For me the Volunteering Strategy is crucial to bringing together the way the organisation can support volunteers. I see one of the benefits of the strategy is showing volunteers how they are valued by Monmouthshire. This changes from just getting volunteers involved to showing a clear commitment to their wellbeing, development and goals. It's worth noting that a lot of volunteers go onto be paid members of staff, through their experience of volunteering.

The strategy shows a clear plan, right from the top level to grass roots for volunteer development. Volunteers can see they are being valued, it's key to keeping volunteers engaged. It puts Monmouthshire ahead of the game and shows you what a complete package you can offer a volunteer. I hope it will encourage the whole workforce to think about how they can support the volunteer journey.

I think volunteers can help the strategy by making sure it's not a fixed idea and has maximum effect over a number of years and a sustained period of time. It's worth engaging volunteers in the strategy development as it will allow it to evolve, keep it fluid and effective over the whole organisation. We must have a journey together; from strategy to delivery, it's important for you to think how can we help volunteers and also how can they help us.

I agree with the models and priorities of the strategy and what it is trying to achieve. I know that my opportunity was through someone I knew, so publicising opportunities and the training available clearly to everyone would be a benefit. Development of volunteers is another positive to keeping them engaged in the long term, so the meetings and support are needed. The support given makes sure volunteers are coming back and the impact made is greater. Training and opportunities allow you to build a great CV and makes the volunteering package complete.



Ieuan Coombes – Volunteer with Mon Leisure

Executive Summary

The Volunteering Strategy and Action Plan 2016 - 2019 sets out the ambitions of Monmouthshire County Council to enable and develop volunteering across the county, and to encompass support by partnerships across voluntary, public and private sectors. The strategy's development was led by Monmouthshire County Council in consultation with Gwent Association of Voluntary Organisations, Wales Council for Voluntary Action and contributions from a cross sector working party.

The strategy and action plan is an integral part of the [People and Organisational Development Strategy](#) 2014 - 2017 where it states that MCC will 'enhance volunteering development and co-ordination'. The strategy directly supports Monmouthshire's Single Integrated Plan's key vision of building Sustainable and Resilient Communities. Understanding Monmouthshire's rich social capital and local activism we feel our approach and volunteering in general can make a positive impact on all of the priorities outlined in the Single Integrated Plan; nobody is left behind, people are confident, capable and involved and our county thrives.

Monmouthshire - A County That Serves Volunteering Strategy is a strong starting point, leading a different way of thinking about how 'we' – our staff teams and communities can support and enable volunteering and social action in Monmouthshire.

Our belief is that through the Volunteering Strategy and associated Delivery Plan we can 'professionalise' and improve our 'volunteering offer' which focusses on our four stage model of support for volunteers.

- **Plan** – Looking at how, where, when, and why we involve volunteers.
- **Recruit** – Providing clear, consistent guidance to ensure safe and supportive recruitment of volunteers.
- **Manage** – Providing volunteers with all of the tools, information, support and recognition they require.
- **Develop** – Challenging volunteers to learn new or build existing skills, motivating and enabling impact.

It is worth noting that in Monmouthshire we have a long history of volunteering with 'pockets of brilliance' present, with some volunteering activities and programmes achieving great outcomes already. Whilst other volunteering programmes are emerging, it is imperative to share best practice and learning to provide a clear consistent offer to our volunteers in Monmouthshire. This is where the Volunteering Network plays a vital role engaging and supporting our Volunteer coordinators.

Our people both staff and volunteers must be enabled with the right tools to operate at their best in what is a permanent state of transition and this is not an easy 'measurable' task. The aim is for this strategy to make a key contribution to embedding good volunteering standards and practices across the county, raising the level of support for volunteers is key. Our goal is to support talent development both within and outside of our organisation and to engage all the people with whom we can create value.

Monmouthshire ACTS gives the story of our ambitious evolution – formed as a direct result of the People and Organisational Development Strategy – it describes our journey through the various necessary stages of growth and development. Lessons learned from mapping, consultation and rapid prototyping gives us the confidence and evidence base to scale our volunteering model up across the county.

Monmouthshire County Council has benefitted from a long and healthy history of volunteering and local social action. For ten years our volunteer drivers have been supporting the Grass Routes

Transport Service, helping to tackle social isolation in rural communities. Mon Leisure are supported by seventy Sports Ambassadors, delivering activities directly to their own communities. Volunteers are active and effective in many departments and communities throughout Monmouthshire. This highlights that within Monmouthshire there is already a sense of civic pride and reinforces our examples of Global, National and local activism.

Globally Monmouthshire - A County That Serves is an active member of the Cities of Service coalition, sharing our learning with our counterparts in the United States. Nationally we support and learn from partners across the United Kingdom; we have been part of Cities of Service volunteer network sessions hosted by the European capital city for volunteering [Team London](#), as well as presenting our programme to the Wales Policy Network. Locally we are active members and currently chair the cross sector Monmouthshire Volunteering group, all examples of how we are helping to shape the future of and sustainability of volunteering.

At local, national and global levels volunteering is respected as a key mechanism by which communities can be strengthened. Nationally this has been highlighted by Welsh Government's Volunteering Policy Supporting Communities, Changing Lives (2015). The policy states;

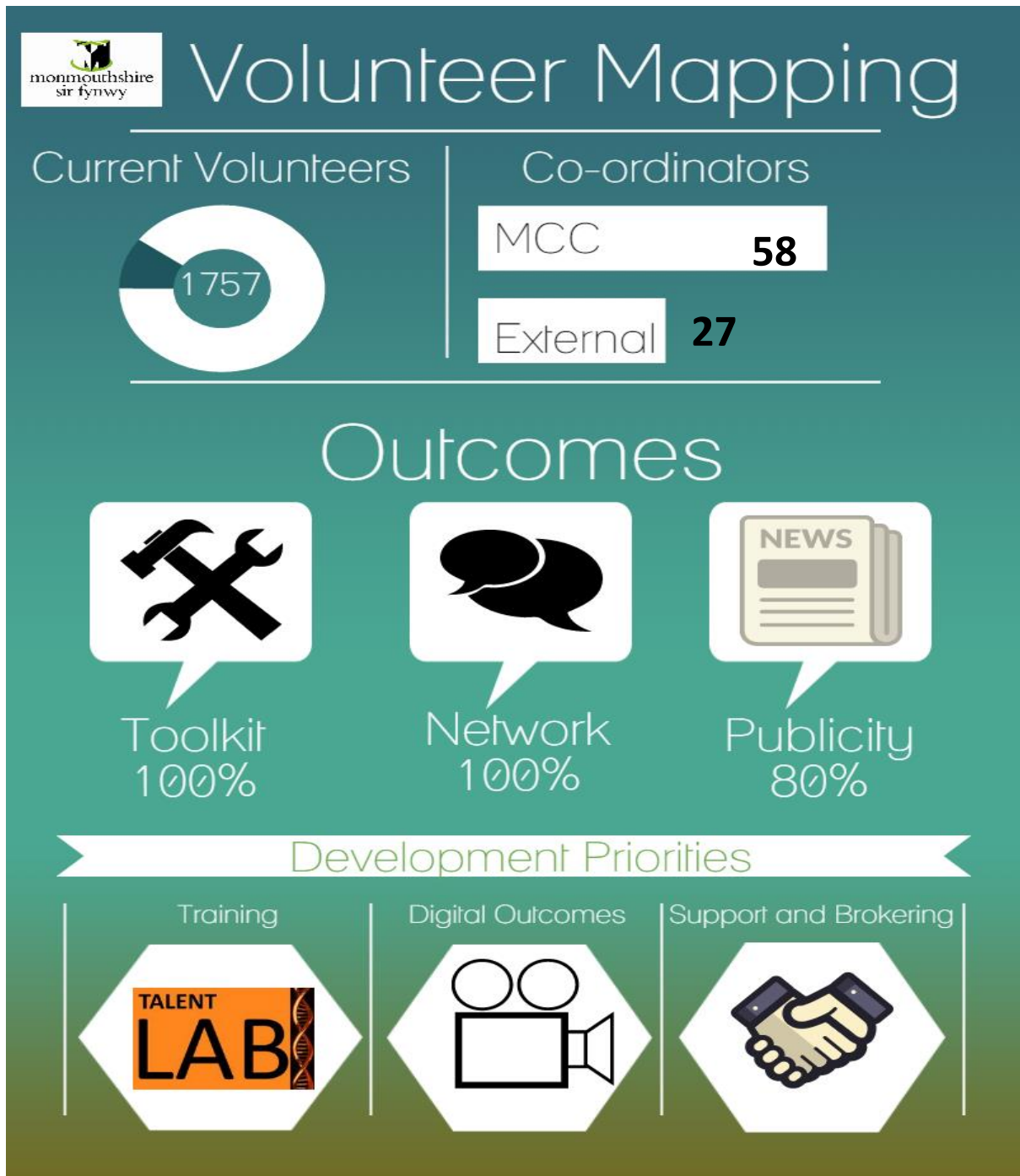
'The Welsh Government recognises the benefits in providing funding and support to volunteering. The Welsh Government values volunteering as an important expression of citizenship and as an essential component of democracy.'

The accompanying Action Plan 2016 - 2019 (APPENDIX 2) is based on findings from the initial mapping exercise (pictured below) and consultation carried out by Monmouthshire ACTS. The actions have been considered by the steering group in order to determine key priority tasks to be completed.

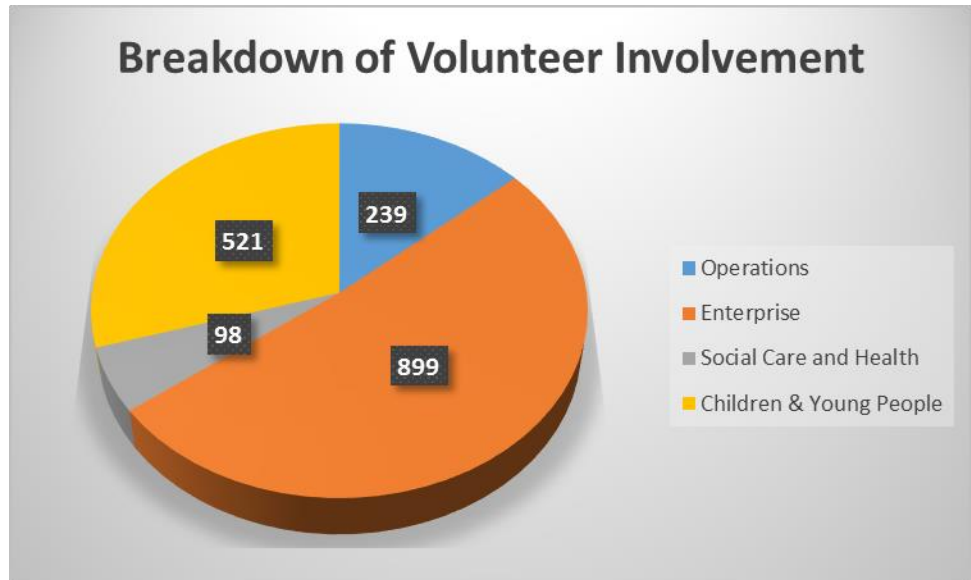
OUR JOURNEY

Monmouthshire - 'A County That Serves'

With volunteering being well established across Monmouthshire it was key to understand how volunteers were currently making an impact and where we could support further development. This initial mapping exercise is pictured below.



The delivery programme behind the Volunteering Strategy '[Monmouthshire - A County That Serves](#)' has been created with vision to invest in and mobilise our communities in order to add value to the delivery of public service in Monmouthshire. The programme received support from the Invest to Save report passed in March 2015, a significant strategic investment in



volunteering by Monmouthshire County Council. This foresight and horizon scanning means we are ahead of other local authorities in Wales in the way that we are developing cohesive and sustainable approaches to volunteering. It is a vehicle to drive the strategy and associated plan, Monmouthshire ACTS aims to support and develop volunteering in Monmouthshire, enabling volunteers to share talent, energy, passion and skills - making a measurable impact and contributing to our core purpose of creating sustainable and resilient communities.

Effective partnerships with third sector volunteer centre, Gwent Association of Voluntary Organisations and other voluntary organisations are examples of the significant developments within Monmouthshire. We have been recognised for our sector leading practice by the Wales Council for Voluntary Action for our partnership approach and have been asked to support a current work stream focussing on volunteering within Local Authorities. One example of partnership with the third sector concerns Mardy Park Resource Centre which is directly supported by the Community Connections befriending programme. A 'Volunteer Coordinator' has been appointed to the centre, as a result of collaboration with Monmouthshire County Council. With the experience and infrastructure in a befriending volunteer programme being present in the third sector it has been mutually beneficial for the partnership to develop.

Monmouthshire ACTS sets out to provide robust and coherent guidance on engaging volunteers in the organisation, focus is placed on how we provide volunteers with the volume of support they require. Preliminary work has been with individual departments supporting volunteers who have shown ambition and to further develop their volunteer programmes. Support around 'Role Profile' development, safe recruitment and impact measurement has been key to the programme achieving initial outcomes.

We have benefited considerably from the experience of our colleagues in the third sector, seeking out best practice locally and also globally with our coalition to the Cities of Service programme. This has allowed us to shape a programme that will benefit our volunteers and the communities they serve immediately and into the future. As a local authority we understand our corporate responsibility to our community and we aim to offer valuable and worthwhile volunteering opportunities to support volunteers and employability development.

Vision and Key Objectives

Monmouthshire County Council aims to assist, support and enable volunteers to make a measurable impact, contributing to our core purpose of creating sustainable and resilient communities.

We believe volunteers are vital to the development and future success of our communities. Volunteers bring optimism and enthusiasm, different opinions and points of view, create positive impact and share diverse skills and experiences that lead to enhanced outcomes for our communities.

Key Objectives: -

1. To develop a clear, consistent and collaborative approach to volunteering across Monmouthshire County Council.
2. Promote volunteering in Monmouthshire by improving the profile, quality and range of volunteering opportunities.
3. Increase the level of support, training and recognition for volunteers and volunteer coordinators.
4. Ensure volunteer impact is measured and aligned to the priorities valued by communities.
5. Supporting the delivery of our strategic priorities in different ways.

What do we mean by Volunteering?

The definition commonly accepted across the UK and used by the Welsh Government is:

'Volunteering is an important expression of citizenship and an essential component of democracy. It is the commitment of time and energy for the benefit of society and the community and can take many forms. It is undertaken freely and by choice, without concern for financial gain.'

In Monmouthshire County Council we believe,

'Volunteering to us is the sharing of one's time, skills and experience to benefit others or the wider community without financial gain. Essentially it's 'People helping people'.

There are further definitions on the different forms of volunteering provided in Appendix 3.

Key principles of volunteering

There are five key principles we promote in order to enable volunteering to take place in its many forms.

Support - Excellent support, management and training for volunteers is essential for wellbeing and retention.

Choice - Volunteering is a free choice made by an individual to offer their time and support, there is no contractual agreement but the volunteer does have rights and responsibilities.

Equality - Volunteering should be open to all, welcoming and supporting diversity to promote equality.

Recognition – Volunteers offer their time without financial gain to contribute to personal, organisational, economic or community benefit but should receive appropriate and timely recognition.

Participation - Volunteering is a way in which individuals can participate and shape the activities of their community.

Why do we need a Volunteering Strategy?

Volunteering is at the heart of community development across the world. It encourages people to be responsible citizens and provides them with an environment where they can be engaged, share their skills and make a difference. It enhances solidarity, social capital and quality of life in a society. It can serve as a means of social inclusion and integration.

This is a living breathing document which provides the robust framework to support volunteering in Monmouthshire however, it must be adaptable enough to evolve and meet the ever changing needs of our volunteers and communities. Therefore the Action Plan is written on a twelve month basis and reviewed & evaluated in order to prioritise the work streams that are current and necessitated. The strategy and associated action plan gives us focus, clarity and targets, with the aim to thoroughly embed volunteering within the county.

Benefits of Volunteering and its many Forms

In Monmouthshire we believe that the positive impact of volunteering can benefit everyone, there are personal, social, economic or community benefit reasons why community involvement is key to future success.

Individuals

- A journey of personal development, learning new and sharing existing skills, increased confidence and sense of purpose, reducing isolation,
- Feeling of pride, involvement, shared intrinsic motivation and making a difference.
- Benefit from training opportunities and potential accredited qualifications.
- Making new friends and social network, exploring and shaping your community more.
- Increased employability, trailing new careers paths, gaining new experiences, and building a CV.
- Improves health and well-being by encouraging individuals to become more active, providing opportunities for rehabilitation from illness.

- The positive feeling of ‘giving back’ to your community.

Communities

- Building sustainable, resilient and networked communities. With better integration of community members across generations and from diverse backgrounds, building understanding and reducing friction.
- Increased skills and confidence affecting employability by developing routes into employment which has an economic benefit.
- Increases inclusion and activism at a local level, with increased community spirit.
- Improves the health and wellbeing of the community with less reliance on services such as health.

Voluntary or Public Sector Organisations

- Creates conditions for collaboration and reduces the distance between the organisation and the local community.
- Allows the organisation to make more informed decisions based on the needs of the community.
- Enhances current service delivery by adding value and skills.
- Allows the possibility for growth and delivery of services in more innovative ways.

Employer Supported Volunteering

- Develop staff skills, wellbeing, customer and community knowledge.
- Improves local reputation and customer loyalty.
- Supports staff development strategies that may be in place.
- Meets corporate social responsibility objectives which supports the business ambitions.

Globally, Nationally and Locally.

Demographic trends – People are living longer, therefore challenges like social isolation and health pose threats. The introduction of volunteering programmes for the elderly have proved successful changing the mind set from ‘service user’ to ‘volunteer with skills and experiences to share’.



An example of this can be found in this video entitled ‘Dorina Hits all the right notes’ -

<https://www.youtube.com/watch?v=KYYtZhkMCy0&feature=youtu.be>

Public service budgets decreasing – Facing economic pressures with demand rising Monmouthshire is looking at different ways of delivering services in collaboration with the third sector and the community. Volunteers could play a part in these developments with the ethos of ‘People helping people’.

Direct vs Indirect Volunteering

We are lucky to be supported by volunteers in a variety of different roles across our organisation and communities. It is important to understand the volunteers supporting us can be described as two distinct groups: -

Direct volunteers are those that are enrolled on official volunteering programmes developed by Monmouthshire County Council directly under the control, supervision and therefore insurance of the council.

Indirect volunteers are those that may be contributing to our priorities whom we would be supporting however, the group does not fall under the control and therefore insurance of Monmouthshire County Council. An example of an indirect volunteer would be someone volunteering with a Friends group that develops and maintains one of our green spaces.

We value both groups of volunteers and the contributions they make to Monmouthshire, and it's important that we understand the support needs both direct and indirect volunteers. There is a role for Monmouthshire County Council to ensure that we support alongside the expertise that our third sector colleagues GAVO offer our indirect groups in Monmouthshire. As the future of public sector delivery changes there has been a rise in the amount of indirect volunteering groups that are supporting us as an organisation, we must be able to adapt to meet these changes and provide appropriate levels of support and guidance.

Cities of Service - Impact Volunteering

Monmouthshire CC has been highlighted as a leading organisation and asked to be part of the well-established [Cities of Service](#) coalition joining officially in July 2015. We are one of only 9 Authorities in the UK and the only authority in Wales. Our aim was to identify support from current global best practice of social action within public sector organisations.

The Cities of Service coalition assists and empowers mayors and city chief executives to activate impact volunteering initiatives – city-led, citizen-powered programs that target specific needs and seek measurable outcomes. Cities or in our case counties, use established, proven tools and methods to engage community

members in addressing needs such as revitalising neighbourhoods and supporting youth and education. Residents are recast as co-producers of solutions and work side by side with local government to create real and lasting change.



CITIES OF SERVICE
.ORG

With comprehensive strategic planning, meaningful partnerships, cross-sector collaboration, and best practices, local government leaders in the Cities of Service coalition design and implement service strategies to address myriad local challenges and engage city residents who want to volunteer and improve their communities.

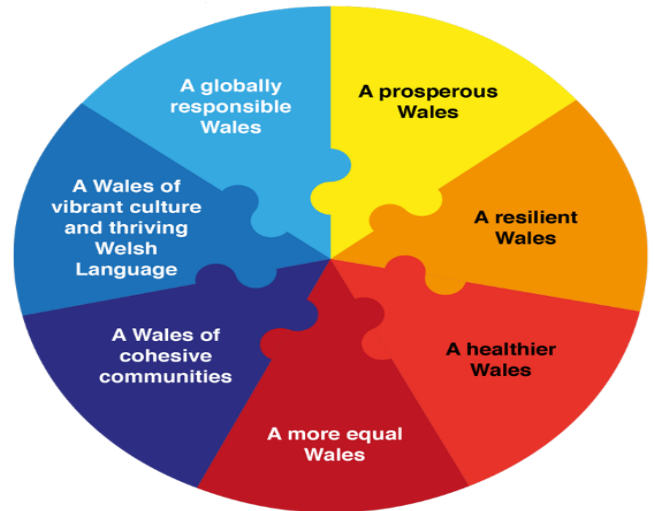
Founded in 2009 by New York City Mayor Michael R. Bloomberg, the Cities of Service coalition is comprised of more than 200 cities in the United States and United Kingdom, representing more than 50 million people in 43 states, and more than 10 million in the UK.

How does Cities of Service relate to Monmouthshire?

In Monmouthshire we want to make an impact on community priorities by supporting, enabling and mobilising volunteers to take action. From research into global best practice we found our ethos aligns directly with the Cities of Service programme. After initial discussions with the Cities of Service office in New York we were offered a place within the coalition and have received direct support and mentorship from our counterparts in the UK and America. Guidance and detailed examples of best practice have been invaluable to us whilst developing our programme.

Well-being of Future Generations (Wales) Act 2015

The strategy has been influenced by the Well-being of Future Generations Act due to the priorities of improving the social, economic, environmental and cultural well-being of Wales. It ensured we prioritise long-term the advantages of working in a more inclusive manner with people and communities, look to prevent or minimise difficulties and take a more collaborative approach. The strategy and Monmouthshire ACTS programme has been planned according to each of the seven wellbeing goals highlighted in the image to the right. The evidence for this can be found in Appendix 2 Well Being Assessment.



The most prominent being ‘*A Wales of cohesive communities*’, by bringing together our communities enabling volunteering and social action to take place. This has been shown to have a positive impact on social networks and inclusion within communities. Our own volunteers stated in our survey that seventy percent of them had influenced others to take up a positive role in their community. This is something we are keen to build on, a cohesive approach to tackling priorities between Monmouthshire County Council and the community is key. Volunteers engaged on the programme will be linked via social networks through digital media, www.Monmouthshire.MadeOpen.co.uk and arranged meetings and training. The increased social networks will contribute the goal of cohesive communities. This is supported by the regular organisation of networking opportunities for Volunteers and the staff that support them. This reduces the feeling of isolation in a voluntary role, our evidence supports this with 67% of our volunteers in Monmouthshire asking for a ‘*more active and connected network for volunteers*’. We aim to galvanise the volunteer network to increase inclusivity and increase the feeling of contributing to a common purpose and working cohesively.

OUR ENVIRONMENT

Supporting Volunteers

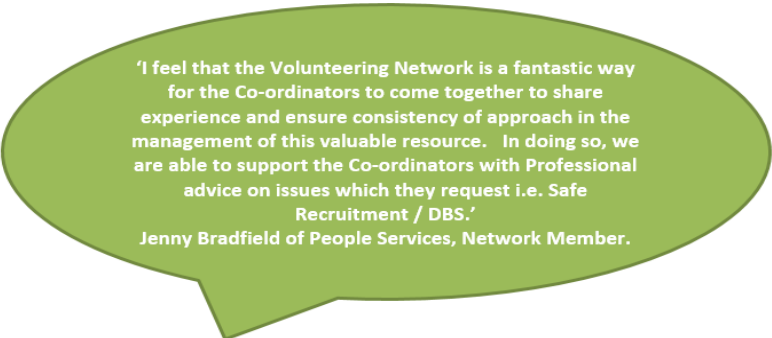
With our long history of supporting volunteers in Monmouthshire we have used various approaches to volunteering, a scattergun approach was present as an organisation. From early focus groups we quickly learned that all existing volunteers and indeed staff supporting volunteers, were looking for a transparent, trustworthy and reassuring approach to volunteering.

The way in which we support our volunteers is vital to meeting the needs of the individual and that of the organisation, there is a direct relationship between appropriate levels of support and volunteer retention. Within the Volunteer Toolkit we have developed guidance, checklists set out to ensure a volunteer has access to regular support, supervision and development. Our Leading Volunteers training delivered for volunteer coordinators focusses on raising awareness of the varying needs of volunteers, also raising the level of skill and knowledge in volunteer management.

Volunteer Network

At the request of everyone consulted for the mapping exercise, we have collectively created a volunteer network. The Volunteer Network meet quarterly to share good practices, challenges ensuring a transparent, coherent message throughout

Monmouthshire. The network is currently fifty eight members strong, consisting of public sector and third sector partners. In order to progress the network we will continue to invite industry experts in when required. As part of the Volunteer Network we aim to implement a peer mentoring programme to further promote the sharing of best practice.



'I feel that the Volunteering Network is a fantastic way for the Co-ordinators to come together to share experience and ensure consistency of approach in the management of this valuable resource. In doing so, we are able to support the Co-ordinators with Professional advice on issues which they request i.e. Safe Recruitment / DBS.'

Jenny Bradfield of People Services, Network Member.

Volunteer Toolkit

Whilst working together we have been able to develop and deliver a [Volunteer Toolkit](#) that provides the support, consistency and best practice both volunteers and those staff supporting them required. The development of the Volunteer Toolkit took priority and was shaped by Volunteer coordinators and relevant officers alike, to provide ownership and ensure content was relevant, appropriate and timely. With regards to quality assurance, the toolkit was supported by advice and resources from WCVA, Third Sector Partners, as well as mentors from the Cities of Service programme via the Volunteer Toolkit implementation experience. Each section of the toolkit has been scrutinised by the relevant officers in Monmouthshire County Council to ensure it aligns with our wider policies and procedures.

The Volunteer Toolkit sets out guidance and procedures to ensure quality opportunities for volunteers and that consistency across the organisation is present. Its functionality is continually progressing and adapting but in essence provides everything someone supporting volunteers could require, therefore saving time and increasing the efficiency of the volunteering programme in Monmouthshire.

Leading Volunteers Training

The volunteer toolkit is complemented by 'Leading Volunteers' training sessions, our ambition is to deliver this for all staff who support volunteers as part of their role. The course aims for everyone to fully understand the standards required when we plan, recruit, manage and develop our volunteers in Monmouthshire.

The training course objectives are to: -

- Raise the awareness of the Volunteer Toolkit resource.
- Promote best practice of volunteer management through the Investors in Volunteers standards.
- Develop the awareness and confidence of staff when supporting volunteers.

Understanding the benefits of partnership working, we invite third sector representatives to each course to provide a masterclass on volunteering support in their respective areas. This brings in external expertise and experience and allows the opportunity for networking and again, the sharing of best practice.



I found the session very useful and I always love that I come away from such workshops feeling re-enthused for volunteering. I plan to get together with my colleagues in the New Year to work on a unified approach to our volunteers in Tourism, Leisure and Culture.

Kate Edwards – Volunteer Coordinator

The leading volunteer training also enables us to ensure the Volunteering Strategy is highlighted and communicated, giving us the opportunity to further promote clear, consistent guidance on the future of volunteering development.

OUR PEOPLE

The model below identifies and underpins our approach to supporting volunteers in Monmouthshire and forms the basis for the Leading Volunteers training delivered to Volunteer Coordinators.



People Services Offer

Currently under development out of the People and Organisational Development Strategy is the 'People Services Offer', this offer allows us to provide our people with a cohesive pathway throughout their time supporting our organisation both on and off our payroll. It focusses on the way we plan for, support and develop our people. It is important to highlight that the Volunteer Journey posted above is exactly the same as the ones for employees and leaders in our organisation. The very fact that Monmouthshire ACTS was part of the research, development and now delivery of the People Services Offer is imperative. Also as an organisation we are now planning our support with the volunteers being part of the team is a milestone. This mind set change demonstrates the way we value our considerable volunteer impact and our desire to support them in the way that they need throughout their time with Monmouthshire.

Volunteer Training Pathway

Our belief is that if you contribute to the priorities of Monmouthshire you should have access to a volunteer training pathway, which allows you to gain or further improve skills, proficiency and expertise. We feel that the implementation of a robust training offer allows us to equip volunteers and our communities with the fundamental tools they need to make a positive impact. Raising confidence, knowledge and aspirations whilst also supporting development, for some volunteers can contribute to improving their employability and move them closer to achieving their personal goals. Understanding the skills, knowledge and behaviour required to effectively volunteer across our county allows us to build a training offer that meets the needs of our volunteers, subsequently giving Volunteers access to interesting, relevant, appropriate and varied training opportunities that can benefit both within and outside the volunteering commitment to Monmouthshire. Through our partnership work we aim to increase the amount and diversity of training opportunities for our volunteers, looking to improve access to opportunities that meet the needs of our volunteers.

Potential of Speed Volunteering

Volunteering and social action has long been part of the fabric of Monmouthshire, as mentioned above our organisation and communities have been effective at recruiting thousands of volunteers. Many methods are used with word of mouth being seen as the most effective method, our recent survey carried out with 198 Volunteers from November 2015 – February 2016 demonstrated that '70% of volunteers believe they influence others to take up volunteering'.

Despite this successful history we feel that with the growth of the digital generation and widespread digital migration there is unlocked potential. We base this opinion on the fact we piloted a futuristic approach with success on Micro Volunteering Day, which was highlighted nationally and now has been embedded in other programmes, it can be found here <http://www.helpfromhome.org/micro-events-2015.pdf>. This emerging trend identified as 'micro' or 'speed' volunteering opportunities are growing in popularity. Understanding that we must look to the future - our digital presence must be bold, professional and engaging. Time poor, skills rich volunteers are looking to become involved quickly without barriers on a short term or ad hoc basis. Research currently being led on Micro Volunteering by Help from Home <http://helpfromhome.org/> and the introduction of a Speed Volunteering application by Team London – European Capital for volunteering suggests belief and acceptance in such future developments. Collaborative digital platforms such as our own www.monmouthshire.madeopen.co.uk and WCVA's www.volunteering-wales.net have proved successful and have a vital role to play in the future of volunteering.

Recognition

We understand that Volunteers don't start their volunteering because they're expecting a reward, however it is important that we celebrate and value what the volunteers have achieved, their input and commitment. We aim to create a culture of thanks and in doing so ensure volunteers feel valued and supported, for this we need a mixture of formal and informal recognition methods. We understand if volunteers feel appreciated they are more likely to continue making an impact with our organisation. From our experience in Monmouthshire recognition needs to be personal, regular, and available to all volunteers across the county. It is important that we continue to support and raise the awareness of existing recognition schemes in Monmouthshire. Two formal accredited examples are the Millennium Volunteers framework for people under 25 and also Gwent Association of Voluntary Organisations accreditation for volunteers over 25.

We aim to provide our volunteers with a Monmouthshire wide formal recognition event on a yearly basis, in partnership with GAVO. This will be part of a programme of recognition which will include localised events in development and those currently run by areas or volunteer programmes. We also value the informal recognition that goes in in the county and seek to develop this approach to include all of our volunteers. Simply taking the time to say thank you or holding an informal coffee morning have proved successful in the past.

How will we know we are making a difference?

Measuring impact is a key development point of the Volunteering strategy, we aim to capture impacts made by volunteers across Monmouthshire. We understand that there is no 'one size fits all' approach to impact measurement that we can instantly apply to our organisation. Over the past few years we have been trialling methods of measuring volunteer impact, we have used elements like distance travelled tools and return on investment frameworks. These trials have allowed us to shape a framework that is developed to meet the needs of Monmouthshire and the diverse range of ways that volunteer are involved with our organisation.

We will look at impact assessment by measuring inputs, activities, outputs, outcomes and therefore impact. We have recently received training in and access to the widely acclaimed Impact Assessment Toolkit developed by Institute for Volunteering Research and the National Council for Volunteering Organisations. This knowledge will be passed on to our volunteer coordinators and volunteers to support them in measuring the difference they are making in our communities.

DIVERSITY AND INCLUSION

Volunteering and social activism help promote social inclusion by providing opportunities for marginalised groups, to engage in participatory development processes. Volunteers serve as important reservoirs of knowledge for development programmes and can help ensure that development-related priorities are relevant and legitimate. By participating in volunteering or social activism, or both, people can be empowered with the confidence, skills and knowledge necessary to effect change in their community. The challenge of increasing and sustaining participation depends on creating new, diverse and varied opportunities for involvement.

An example of this is our volunteer programmes. We can help to expand opportunities for engagement offered to the public. Investments in good volunteer management and the recognition of volunteers can result in more impactful change. The public, private and third sector wider community all have a role to play in fostering an enabling environment for people's participation

Volunteering Variety in Monmouthshire - Case Study on Volunteer Impact

Volunteer impact has been evidenced in many areas across Monmouthshire, one example of this is the annual firework display in Caldicot. Due to the previous local fireworks display disbanding the community identified this as a priority need for development. The priority was successful through community action, one hundred and fifty Volunteers from the local community joined forces with Monmouthshire County Council Officers to plan, set up and deliver the most successful fireworks display Caldicot had ever experienced, with eight thousand people attending the event. This group of Volunteers continue to run the ever-popular event supported my Monmouthshire County Council yearly.



Another example of such success is the Grassroots scheme.

GrassRoutes is the community transport service for residents in Monmouthshire. The service is supported by volunteer drivers who provide transport for isolated members of the community. The service has run since 2004 and has made a considerable impact on social isolation in Monmouthshire.



“It’s really rewarding. I am 71 and I wouldn’t do this if I didn’t love it. It helps to get people out of their homes and socialising with other people. Some people wouldn’t get out and see anyone otherwise.”
Dave Morgan, Volunteer driver.
Grass Routes.

Volunteer Video Case Studies

Please find links below for a range of volunteer case studies to support the proposal in the strategy



'Harry Helps at the Hub' -

https://www.youtube.com/watch?v=R2C6q2K_2E&feature=youtu.be



Mike - Volunteering at the Castle -

https://www.youtube.com/watch?v=FJkciVXOT_4&feature=youtu.be



Ian – Youth Service Volunteer – <https://youtu.be/tl4diCtVJKg>

Action Plan 2016 - 2019

The Volunteering Action Plan 2016 – 2019 is based on key findings from local, national data and initial mapping exercises focussed on volunteering in Monmouthshire. The Action Plan is grouped into the five key objectives which are: -

1. To develop a clear, consistent and collaborative approach to volunteering across Monmouthshire County Council.
2. Promote volunteering in Monmouthshire by improving the profile, quality and range of volunteering opportunities.
3. Increase the level of support, training and recognition for volunteers and volunteer coordinators.
4. Ensure volunteer impact is measured and aligned to the priorities valued by communities.
5. Support the development and delivery of a 'Council of the Future'.

The key themes to note are to:

- Promote and raise awareness of volunteering within Monmouthshire supporting the www.volunteering-wales.net database of opportunities in Wales.
- Increase the level and quality of training opportunities for Volunteers in Monmouthshire in partnership approach.
- Support and inform volunteer development within Monmouthshire.
- Indicate opportunities and restrictions which influence the work of the volunteer programme.
- Reflect best practice as identified by Investing in Volunteers Standards.
- Scope opportunities and new ways of engaging volunteer support.

In aiming to fulfil this plan Monmouthshire ACTS will work collaboratively with Elected Members, Senior Leadership Team, Managers, Volunteers, Staff, cross sector partner organisations and Trade Union Representatives through a collaborative partnership approach.

Action	Expected Impact of the Action	Officer Responsible and Timescale	MCC Strategic plan and priority this contributes to	Funding	National Wellbeing Goal this relates to <i>(from list below where applicable)</i>	SD principles (X as appropriate)					Q1 Progress Update	Q2 Progress Update	Q3 Progress Update	Q4 Progress Update
						Long-term	integrated	collaborative	involvement	prevention				

OUR ENVIRONMENT

1. To develop a clear, consistent and collaborative approach to volunteering in Monmouthshire.

<p>Develop and promote the Volunteer Toolkit</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 301</p>	<p>Clear consistent guidance and expectations on volunteering available for both staff and volunteers.</p> <p>Volunteers experience Effective, safe and quick recruitment.</p> <p>Increased use of the shared Volunteering space on 'The Hub'.</p> <p>Volunteer coordinators increased awareness of volunteer management expectations.</p>	Owen Wilce – July 2016	People & Organisational Development. Volunteering Strategy		<p><i>A prosperous Wales</i></p> <p><i>A resilient Wales</i></p> <p><i>A Healthier Wales</i></p> <p><i>A More equal Wales</i></p> <p><i>A Wales of Cohesive Communities</i></p> <p><i>Vibrant Culture and Thriving Welsh Language Globally Responsible Wales</i></p>	X	X	X	X	X	Update by 31 July 2016	Update by 31 October 2016	Update by 31 Jan 2017	Update by 31 March 2017

	Volunteers increased awareness of what support is available to them.													
Offer Leading Volunteers training for all staff supporting volunteers.	Staff trained on using the volunteer toolkit, raised awareness of volunteer best practice and increased confidence. Third sector representatives delivering a masterclass as part of the training.	Owen Wilce, MCC Training December 2016	People & Organisational Development. Volunteering Strategy		<i>A prosperous Wales</i> <i>A resilient Wales</i> <i>A Healthier Wales</i> <i>A More equal Wales</i> <i>A Wales of Cohesive Communities</i> <i>Vibrant Culture and Thriving Welsh Language</i> <i>Globally Responsible Wales</i>	X	X	X	X	X				
Potential barriers which may prevent access to volunteering have been identified and overcome.	Percentage increase in departments who implement the Volunteering Toolkit guidance in line with best practice. Understanding and Implementation of the Volunteer recruitment principles within the Volunteer Toolkit - 'the	Owen Wilce – September 2016	People & Organisational Development.		<i>A prosperous Wales</i> <i>A resilient Wales</i> <i>A Healthier Wales</i> <i>A More equal Wales</i> <i>A Wales of Cohesive Communities</i> <i>Vibrant Culture and Thriving Welsh Language</i> <i>Globally Responsible Wales</i>	X	X	X	X	X				

	<p>right volunteer in the right role’.</p> <p>Implement robust Volunteer digital database in all areas to ensure effective tracking and screening of volunteers.</p> <p>Creation and implementation of a digital software solution to support all aspects of volunteer management.</p>													
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2. Promote volunteering in Monmouthshire by improving the profile, quality and range of volunteering opportunities.

<p>Implement marketing strategy which promotes the opportunities available and tells the positive volunteer stories across the county.</p>	<p>Increased Variety of opportunities, increased social media reach. Increased awareness of available opportunities.</p> <p>More volunteers in opportunities including a blog and area to host and promote videos.</p> <p>Volunteering website developed to</p>	<p>Owen Wilce – September 2016</p>	<p>People & Organisational Development. Volunteering Strategy</p>		<p><i>A prosperous Wales</i> <i>A resilient Wales</i> <i>A Healthier Wales</i> <i>A More equal Wales</i> <i>A Wales of Cohesive Communities</i> <i>Vibrant Culture and Thriving Welsh Language</i> <i>Globally Responsible Wales</i></p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>				
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	<p>input and capture stories.</p> <p>Add all available MCC Volunteering Opportunities onto WCVA's Volunteering Wales website. Volunteer Blog and area to host and promote videos.</p> <p>Monmouthshire ACTS Logo and brand awareness increased.</p> <p>Volunteers are engaged and consulted on what matters to them using questionnaires and focus groups to collect evidence and data.</p> <p>Increased use of Monmouthshire Made Open by volunteer coordinators and volunteers as a tool to collaborate with communities.</p>										
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Develop and promote volunteering opportunities in fields where gaps are found based on evidence.	Staff and community members recognise the role and added value of volunteering. Increased number of volunteering case studies in the media.	Owen Wilce - December 2016	People & Organisational Development.		<i>A prosperous Wales</i> <i>A resilient Wales</i> <i>A Healthier Wales</i> <i>A More equal Wales</i> <i>A Wales of Cohesive Communities</i> <i>Vibrant Culture and Thriving Welsh Language Globally Responsible Wales</i>	X	X	X	X	X				
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Support Volunteers that are looking for employability style Volunteering opportunities.	Expand on our current number of placements. Build more links with volunteering programmes. More departments understand our responsibility and the benefits of involving volunteer placements.	Owen Wilce / MCC Training- December 2016	People & Organisational Development. Volunteering Strategy. Single Integrated Plan.		<i>A prosperous Wales</i> <i>A resilient Wales</i> <i>A Healthier Wales</i> <i>A More equal Wales</i> <i>A Wales of Cohesive Communities</i> <i>Vibrant Culture and Thriving Welsh Language Globally Responsible Wales</i>	X	X	X	X	X				
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OUR PEOPLE

3. Increase the level of support, training and recognition for volunteers and volunteer coordinators.

Implement a coordinated training pathway for	Volunteers are aware of the training	Owen Wilce / MCC Training- December 2016	People & Organisational Development.		<i>A prosperous Wales</i> <i>A resilient Wales</i>	X	X	X	X	X				
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<p>volunteers where they have the necessary skills knowledge and support to develop their activities.</p>	<p>available to them.</p> <p>Increased number of volunteers accessing training</p> <p>Increased range of courses on offer to volunteers.</p> <p>Online Training and Induction modules available for staff and volunteers.</p> <p>Number of Volunteers achieving Level 1 Safeguarding Training who come into contact with Children, young people and families.</p>		<p>Volunteering Strategy.</p> <p>Single Integrated Plan.</p>		<p><i>A Healthier Wales</i> <i>A More equal Wales</i> <i>A Wales of Cohesive Communities</i> <i>Vibrant Culture and Thriving Welsh Language</i> <i>Globally Responsible Wales</i></p>									
<p>To sustain an effective Volunteering Network within MCC</p>	<p>Quarterly Volunteer Network meetings.</p> <p>Quarterly Volunteer Co-ordinators newsletter to efficiently promote</p>	<p>Owen Wilce - December 2016</p>	<p>People & Organisational Development. Volunteering Strategy</p>		<p><i>A prosperous Wales</i> <i>A resilient Wales</i> <i>A Healthier Wales</i> <i>A More equal Wales</i> <i>A Wales of Cohesive Communities</i></p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>				

	<p>developments and encourage engagement.</p> <p>Volunteer Coordinators have the opportunity to benefit from volunteering specific supervision.</p> <p>All Volunteer Coordinators have access to a Peer Mentoring Programme</p>				<p><i>Vibrant Culture and Thriving Welsh Language Globally Responsible Wales</i></p>									
<p>Improve the level of recognition for Volunteers and the staff that support them.</p>	<p>Delivery of an annual recognition event for volunteers in partnership with GAVO.</p> <p>Digital badge recognition supported by software solution. Increased engagement in recognition from council departments.</p> <p>More volunteers being recognised for their support.</p> <p>Volunteers feel more valued and more likely</p>	Owen Wilce - November 2016	People & Organisational Development. Volunteering Strategy		<p><i>A prosperous Wales</i> <i>A resilient Wales</i> <i>A Healthier Wales</i> <i>A More equal Wales</i> <i>A Wales of Cohesive Communities</i> <i>Vibrant Culture and Thriving Welsh Language Globally Responsible Wales</i></p>	X	X	X	X	X				

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	to contribute to their community in the future.													
4. Ensure volunteer impact is measured and aligned to the priorities valued by communities.														
Page 308	Implement an impact assessment framework to understand the impact of volunteering in Monmouthshire.	Create and deliver training on impact measurement and return on investment structure. Implement the Outcomes Star Distance Travelled Tool for volunteers. Develop an automated Volunteer Information Management System. Impact assessment aligned with local development plans and whole place programmes.	Owen Wilce December 2016	People & Organisational Development. Volunteering Strategy		<i>A prosperous Wales</i> <i>A resilient Wales</i> <i>A Healthier Wales</i> <i>A More equal Wales</i> <i>A Wales of Cohesive Communities</i> <i>Vibrant Culture and Thriving Welsh Language Globally Responsible Wales</i>	X	X	X	X	X			
5. Supporting the delivery of our strategic priorities in different ways.														
	Supporting emerging work focussing on different ways of public sector delivery.	To support different ways of working, exploring where volunteers could make a positive impact. Ensure volunteers are involved in	Owen Wilce March 2016	People & Organisational Development. Volunteering Strategy		<i>A prosperous Wales</i> <i>A resilient Wales</i> <i>A Healthier Wales</i> <i>A More equal Wales</i> <i>A Wales of Cohesive Communities</i>	X	X	X	X	X			

	shaping the future of public service delivery. Offer our support and guidance on volunteering to the emerging work streams.				<i>Vibrant Culture and Thriving Welsh Language Globally Responsible Wales</i>									



monmouthshire
sir fynwy

Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p>Name of the Officer completing the evaluation Owen Wilce</p> <p>Phone no: 01633 644420 E-mail: owenwilce@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal To develop a comprehensive programme which supports, enables and develops volunteering in Monmouthshire.</p>
<p>Name of Service A County That Serves – Volunteering in Monmouthshire</p>	<p>Date Future Generations Evaluation form completed 6/03/16</p>

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


Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>The aim of the project is to create the conditions in which volunteers can thrive. Enabling and mobilizing our rich social capital by matching volunteer’s intrinsic motivations with effective volunteer opportunities aligned with community priorities. The quality volunteering opportunities will give the volunteers the chance to share and gain skills and experiences. Opportunities that promote development through our Individual training pathway for all volunteers in Monmouthshire. Volunteering opportunities can be stepping stone for a new interest or potential career development.</p>	<p>Developing bespoke software solutions to support both volunteers and staff supporting to improve efficiency and impact measurement.</p>
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and</p>	<p>Our Volunteers are active in a variety of different ecological projects across the county from Path care and Bridge surveys, volunteers supported by our countryside department making a positive</p>	<p>Supporting the collaboration between all parties involved with volunteers will contribute to future proofing our offer. Sharing expertise, networks and</p>




Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
can adapt to change (e.g. climate change)	impact on our county. We have been supporting voluntary groups that have taken ownership of areas in Monmouthshire and are actively reinstating wild flower gardens across the county.	resources will ensure quality is evident for our volunteers.
<p>Page 2</p> <p>healthier Wales</p> <p>People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>We aim to increase the level of support for volunteers in Monmouthshire, directly improving the experience for the volunteer through leading Volunteers training and the Volunteer Toolkit. The clear guidance ensures that we are supporting volunteers at the same standard across the authority. Within the programme we will use a distance travelled tool to measure the impact of the opportunity on the Volunteer. In 2009 the University of Ulster carried out a study looking at the impact on volunteers' health the research showing that, under certain circumstances, volunteering has a positive effect on volunteers' health. Some of these health benefits found were: -</p> <ul style="list-style-type: none"> • Volunteering supports mental and physical health by providing stimulation, something to do, exercise, as well as routine and structure in life. • The social aspect of volunteering is highly valued. It provides the opportunity to be socially connected thus buffering the effects of depression, loneliness and social isolation. • Volunteering has a positive effect on attitudes, stress and coping style • Volunteering takes people out of their own environment, helps them to gain perspective and broaden their outlook • The additional benefits in terms of positive outcomes for volunteers are the feel good 	<p>The way in which we support our volunteers through regular supervision sessions will allow us to shape the opportunity to the needs of the individual. Setting agreed goals and reinforcing recognition and achievements. Reduction of barriers to participation is a key aim to the programme, allowing more volunteers to be engaged and supported. The level of the support offered will be high and consistent.</p>


Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	factor of making a contribution to the lives of others and being appreciated and feeling valued for what they do.	
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Volunteers engaged on the programme will be linked via social networks through digital media, Monmouthshire Made Open and arranged meetings and training. The increased social networks will contribute the goal of cohesive communities.	The regular organisation of networking opportunities for Volunteers and the staff that support them. This reduces the silo mentality often found, agreeing a common purpose and working cohesively.
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	As part of the research for this project we have highlighted the Cities of Service impact volunteering model as global best practice. Now achieving coalition status with the Cities of Service programme we are supported globally and learning how being part of a global movement can benefit Monmouthshire. We also feed our learning and achievements into the Cities of Service programme therefore globally we are making an impact on wellbeing through shared learning.	The mentoring we have received through the Cities of Service programme has allowed us to foresee potential concerns. The mentors we have received are four to five years into implementing their models and happy to share their learning. We are also aware that whilst Cities of Service provides a platform we acknowledge that one size does not fit all. We will take the learning and create a bespoke adaptable model for Monmouthshire.
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	We aim to produce our literature and online presence bilingually to promote the Welsh language and conform to the Welsh Language legislation (Welsh Language) (Wales) Measure 2011 and accompanying Welsh language standards. Volunteering opportunities within Tourism Leisure and culture are strong and well established from Tourism Ambassadors to Young Ambassadors in sport, museums, libraries etc. We aim to build on this platform to improve participation with volunteers supporting the delivery of Welsh language and culture to the citizens in Monmouthshire. The Eisteddfod is located in Abergavenny in 2016 therefore we will	Clear communication within communities is key to developing a vibrant culture, enabling our residents to make impacts on the priorities within their community. For example in Caldicot they have we have just supported a community led fireworks display. Supported by 110 volunteers giving 1400 hours delivering an event for 10,000 people.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	be heavily involved in the recruitment and support of volunteers for the event.	
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Volunteering offers a platform for people to gain new skills and experiences, this can often be a taster or a transitional route into a new career. Within our programme we have equal opportunities guidance within the Volunteer toolkit and follow fair and equal recruitment procedures of our volunteers.	All of our policies and procedures are guided by the current local and national equal opportunities guidance and legislation.

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.	If not, what has been done to better meet this principle?
<div style="display: flex; align-items: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold; margin-right: 10px;">Page 313</div> <div style="text-align: center;">  <p style="color: blue; font-weight: bold; margin-top: 5px;">Long Term</p> </div> <div style="margin-left: 20px;"> <p>Balancing short term need with long term and planning for the future</p> </div> </div>	<p>With the implementation of the programme and strategy we no longer have a scattergun approach to volunteering in Monmouthshire. With strategic investment and working closely with volunteers and communities to enable our rich social capital. The programme will develop and equip our communities effectively to contribute to their priorities. This in turn contributes to our organisational priority of creating resilient sustainable communities. As the programme is linked to strategy it gives it a solid base and credibility and longevity.</p> <p>The sustainability of the programme is supported by the investment in our volunteers and the staff that support them. This investment is through training for both volunteers and staff also the infrastructure with is focused around the developing Volunteer Toolkit. This toolkit sets out guidance for both volunteers and staff and provides the framework to support both parties. Many current volunteering projects contribute to environmental</p>	<p>With the funding for the programme being two years we have the opportunity to build a sustainable programme underpinned by a robust infrastructure of support for Volunteers and community groups. The implementation of a Volunteer toolkit coupled with a training programme will give both staff and volunteer's clear guidance and improved confidence in joint working. The closer we can work with our communities the more strength and positive networks will improve the lives of Monmouthshire residents for the challenging future.</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.	If not, what has been done to better meet this principle?
 <p>Working together with other partners to deliver objectives</p> <p>Collaboration</p>	<p>The programme will collaborate firstly with communities and volunteers themselves. Internally within the council by promoting joint working and the Volunteering Managers Network supports this ethos. Our strongest partner in co-delivery is Gwent Association of Voluntary Organisations, our work is aligned and we are planning to co deliver training for volunteers in Monmouthshire. Currently a joint initiative with Community Connections has led to a Volunteer Coordinator being appointed at Mardy Park Resource Centre. We are working with other local authorities and public bodies both locally and nationally for example Aneurin Beavan Health Board. We are currently supporting WCVA with taking Volunteering forward in the public sector. The Cities of Service coalition is global and our mentoring comes from the United States so our collaboration is also global.</p>	
 <p>Involving those with an interest and seeking their views</p> <p>Involvement</p>	<p>The programme involves a variety of groups from Volunteer focus groups for development and feedback. We are linked with community networks to best understand priorities. Internally staff have been involved by conducting an internal audit of volunteering activities. Also linking in with national bodies like WCVA.</p>	
 <p>Putting resources into preventing problems occurring or getting worse</p> <p>Prevention</p>	<p>Preventative measure can be implemented and supported by the programme after identification of priorities with the community. For example social isolation in Abergavenny has been highlighted and a community car/transport scheme that is currently being developed.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.	If not, what has been done to better meet this principle?
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>With the use of descriptive well researched volunteer role descriptions and positive publicity we feel that we can ensure we have the right volunteer in the right role. Also with the help of the RESULT Coaching model we are able pair trained coaches with groups of volunteers to ensure effective support and supervision.</p> <p>With the development of MCC's Coaching Model. We have ensured that more manager, supervisors and volunteers than ever have undertaken learning and development which is underpinned by our equal opportunities policy, supports the ethos of the Future Generations Act, by ensuring that all business and personal decisions are undertaken within the wider context and recognise the impact on people.</p> <p>Volunteering has clear social, economic and environmental benefits, we are making sure our volunteering programme contributes to all of these areas. Working with our partners in the third sector such as Wales Council for Voluntary Action and Gwent association of Voluntary Organisations we ensure our approach to volunteer development is integrated with other agencies.</p>	

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3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below. For more detailed information on the protected characteristics, the Equality Act 2010 and the Welsh Language Standards that apply to Monmouthshire Council please follow this link:

<http://hub/corporatedocs/Equalities/Forms/AllItems.aspx> or contact Alan Burkitt on 01633 644010 or alanburkitt@monmouthshire.gov.uk

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	We aim to engage with all members of the community using a variety of channels without discrimination.		

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Disability	We aim to tailor the needs of the volunteering opportunity without discrimination to the needs of the individual providing the relevant support where required.		
Gender reassignment	We aim to tailor the needs of the volunteering opportunity without discrimination to the needs of the individual providing the relevant support where required.		
Marriage or civil partnership	We aim to tailor the needs of the volunteering opportunity without discrimination to the needs of the individual providing the relevant support where required.		
Pregnancy or maternity	We aim to tailor the needs of the volunteering opportunity without discrimination to the needs of the individual providing the relevant support where required.		
Race	We aim to tailor the needs of the volunteering opportunity without discrimination to the needs of the individual providing the relevant support where required.		
Religion or Belief	We aim to tailor the needs of the volunteering opportunity without discrimination to the needs of the individual providing the relevant support where required.		

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Sex	We aim to tailor the needs of the volunteering opportunity without discrimination to the needs of the individual providing the relevant support where required.		
Sexual Orientation	We aim to tailor the needs of the volunteering opportunity without discrimination to the needs of the individual providing the relevant support where required.		
Welsh Language	We aim to set up Welsh speaking volunteering opportunities within the county to add value and better meet the needs of the Welsh speaking residents of Monmouthshire.		

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

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?

Safeguarding	Safeguarding has been a priority for the programme we have implemented safe recruitment process and guidance for Volunteers across Monmouthshire also Safeguarding Level 1 and POVA for Volunteers in regulated activity. For young people volunteering under 16 we have implemented both safeguarding protocol and bespoke training.	There is a risk that Safeguarding protocol could be seen as a barrier to Volunteering, however when working with children, young people and vulnerable adults there is little room for negotiation.	
Corporate Parenting		This has not currently implemented but has been highlighted as a potential area for future development.	

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

With the population of Monmouthshire being 91,300 (2011 Census) much has been written about our rich social capital it was important for us to understand what has gone before in terms of volunteering and also understand the future needs of volunteers. At the start of the process we actioned a mapping exercise where we met with 58 Monmouthshire staff who were supporting volunteers and 28 external agencies supporting volunteers in Monmouthshire. This gave us a baseline as well as detailed information on volunteer activity and specifics around the levels of support different departments were offering volunteers. Our baseline for voluntary activity was extremely high 1757 volunteers supporting MCC, from Tourism Ambassadors to Community Bus drivers, Sports Ambassadors and Countryside volunteers volunteer input is high. The priorities for the development of the infrastructure were determined by the outcomes of the mapping exercise. One hundred percent of staff interviewed asked for clarity around procedure in the form of a toolkit, one hundred percent asked for a network to link up and share best practice. Publicity of opportunities, training for volunteers and capturing outcomes were also identified as priorities. The overwhelming drive was that everyone valued the support of their volunteers but all strived to improve the experience.

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

Monmouthshire's volunteering programme has a positive impact on all of the wellbeing goals, and has been developed collaboratively with the involvement of volunteers themselves to help enhance the experiences of our volunteers and to maximise their contribution to improving social, economic, environmental and cultural wellbeing in Monmouthshire. There are no negative impacts. We are confident that we are delivering a model that is in response to what is required by our organisation, our coordinators and our volunteers.

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

What are you going to do	When are you going to do it?	Who is responsible	Progress
Continue Volunteer Toolkit Development	By September 2016	Owen Wilce	

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

The impacts of this proposal will be evaluated on:	1 st September 2016
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9. VERSION CONTROL: The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1			

Volunteering definitions as outlined in the Welsh Government Volunteering Policy, Supporting Communities and Changing Lives

Volunteering takes many forms. Surveys tend to distinguish between ‘informal’ and ‘formal’ volunteering and volunteers of all sorts may contribute to the designed delivery of public services. It should be noted that some people may not agree that all of the examples below should be included within the definition of volunteering; they are included here for information but this annex should not be taken as definitive with regard to any such differences of opinion.

Informal Volunteering

Informal volunteering is undertaken by individuals for other people or community groups, although such individuals may not always regard themselves as volunteers. It includes help for neighbours, community action, participating in faith and community groups, helping out at local events. There are no formal processes for recruitment. This kind of volunteering is largely hidden within our communities but is strongly rooted within Welsh culture. It is to be celebrated and encouraged.

Formal Volunteering

Formal volunteering refers to situations where a volunteer’s efforts are channelled through an organisation. Such organisations are sometimes described as ‘volunteer involving organisations’.

Many volunteering opportunities are suitable for everyone, with appropriate induction and support. Some require volunteers to be trained extensively for their role (for example in advice work, youth work including scouts and guides, or emergency services). Some may require specialist expertise or prior qualification (for example many overseas volunteering opportunities). Volunteering may be a one off event, for a short period, or a longer term commitment.

Within the modern landscape of volunteering, there are some newer and changing forms, for example:

Virtual Volunteering

Virtual volunteering is also sometimes called e-Volunteering, or online volunteering, is a term describing a volunteer who completes tasks, in whole or in part, offsite from the organisation being assisted, using the Internet and a home, school, tele-centre or work computer or other Internet-connected device, such as a Smartphone. Virtual volunteering is also known as cyber service, tele-mentoring, tele-tutoring, and various other names.

Micro-volunteering

Micro-volunteering describes an un-paid task that can be done via an internet-connected device or telephone network and in small periods of time, for example sending a text or a photograph. It is distinct from virtual volunteering in that it typically does not require formal application or training and the duration is short.

Employer supported volunteering

An employing organisation may permit a number of hours of paid work time for employees to engage in voluntary activity, either through the employer’s own scheme or through the 12 employees’ personal arrangements. The benefit to the employer is that it builds brand awareness and affinity, strengthens trust and loyalty among consumers and employees and enhances corporate image and reputation. In some instances, an employer will form a partnership with a third sector organisation or school and undertake a staff teambuilding project (typically redecorating/refurbishing) which also leads to a positive outcome for the community organisation.

Volunteering for accreditation

For young people, the Welsh Baccalaureate and the Duke of Edinburgh’s Award, include a volunteering element. A growing number of vocational courses (e.g. counselling) require students

to gain relevant volunteering experience. Although volunteering is a compulsory component, which, it could be argued, compromises the principle that volunteering is undertaken by free choice, nevertheless such schemes often lead to participants deciding to continue volunteering beyond any compulsory involvement. Thus they embark on what may become their long term 'volunteer journey'.

Internships

Internships are for a defined period of time, to undertake a specific piece of work which is of benefit to the intern and to the organisation. These may be paid or unpaid and may take place within third sector, public or private organisations. Unpaid internships are a form of volunteering.

Volunteering as a work-related experience

An opportunity to volunteer may be sought by an individual as a means of gaining skills and experience to enhance a personal CV and build confidence in a working environment.

This is work-related experience. Its purpose is to increase access to employment.

Intermediary agencies may refer individuals to Volunteer Centres or volunteer-involving organisations with this in view.

Civic Volunteering

There are opportunities for residents in some communities to get involved in projects that relate to local civic life, for example town twinning projects, fair-trade movements and transition town initiatives.

The pioneering work of local activists can give rise to a range of volunteering opportunities including staffing stalls, running projects, organising events and campaigning. By and large these opportunities have no formal recruitment or management structures and are open to those who want to take part.

References

Cities of Service Play Book and associated resources -

<http://www.citiesofservice.org/content/develop-citywide-service-plan>

Welsh Government Volunteering Policy, Supporting Communities, Changing Lives

<http://gov.wales/docs/dsjlg/publications/150805-volunteering-policy-en.pdf>

Wales Council for Voluntary Action, Advice and Guidance – <http://www.wcva.org.uk/advice-guidance/volunteers>

Volunteer Toolkit, Monmouthshire County Council -

<http://corphub/initiatives/VolunteersToolkit/Shared%20Documents/Forms/AllItems.aspx>

Well-being of Future Generations (Wales) Act 2015 – <http://gov.wales/topics/people-and-communities/people/future-generations-bill/?lang=en>

International megatrends in volunteerism - Mary V. Merrill, Merrill Associates, Columbus, Ohio, USA R. Dale Safrit, Department of 4-H Youth Development, North Carolina State University, Raleigh, North Carolina, USA - http://www.ivr.org.uk/images/stories/Institute-of-Volunteering-Research/VA-Documents/VA5_2/article6_merrilletal.pdf

Institute of Volunteering Research (various dates); Free on-line library of over 200 reports into every research aspect of volunteering, <http://www.ivr.org.uk/evidence-bank>

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SUBJECT:	Transport capital grant and Section 106 Schemes
DIRECTORATE:	RER
MEETING:	CABINET
DATE:	TBA
DIVISION/WARDS AFFECTED:	All

1. PURPOSE:

To seek member approval for highway and transportation schemes as part of Welsh Government transport grants and Section 106 agreements associated with new developments throughout Monmouthshire as shown in appendix A and B.

2. RECOMMENDATIONS:

- 2.1 That capital budgets be created in 2016/17 to carry out the projects set out in 2.2 below and detailed in Appendix A and B and that these are funded by corresponding capital contributions from the respective grant claims and Section 106 balances held by the County Council and that revenue budgets are created to carry out the expenditure set out in 2.3 over the next couple of financial years;
- 2.2 That the capital projects set out below and as detailed in Appendix A be approved:

2016/17 Projects	Amount
<i>Transport Grant</i>	
A466/ A40 Wyebridge Junction Improvement Scheme	£387,000
Abergavenny – Llanfoist active travel bridge	£145,000
Active Travel Mapping	£5,000
<i>Safe Routes in Communities</i>	£60,000
<i>Road Safety Capital</i>	<i>Nil</i>

- 2.3 That the revenue expenditure set out below and as detailed in Appendix B be approved:

2019-19 Item	Amount
<i>Section 106</i>	
Support and enhancement of 74 and 75 bus routes in and around Caldicot 2016-2019	£95,000

3. KEY ISSUES:

- 3.1 Funding for capital transport schemes and Section 106 highway and transportation improvements have been awarded or received from

respective bids to Welsh Government and legal agreements with developers of land throughout Monmouthshire.

3.2 These schemes either formed part of a successful bid to Welsh Government or identified at the planning application stages of development and aim to provide improvements to the existing highway and transport infrastructure within the surrounding areas, in line with the key objectives of the Local Transport Plan and National Policy Guidance.

3.3 Bids to Welsh Government for further funding for pre-work for the A466/A40 Wyebridge Junction Improvement, St Marys School and Abergavenny – Llanfoist active travel bridge schemes for 2016/17 have been successful and will allow highways to progress with the remaining pre-works to allow the council to be in a position to bid for funding for construction in 2017/18.

4. REASONS:

To allow the Capital budget to be created for the Transport Grant schemes and the Section 106 contributions to ensure proper and effective use of these contributions for highway and transport improvements that have been received by the Council.

5. RESOURCE IMPLICATIONS:

There are no resource implications arising from this report, as the funding in question will be paid to the authority the grant issuing body or developer as per legal agreement however in line with the Council's Standing Orders these allocations will need to be included in the 2016/17 Capital and Revenue budgets respectively.

6. CONSULTEES:

Senior Leadership Team

7. BACKGROUND PAPERS:

Award letter from Welsh Government

8. AUTHOR:

Paul Keeble

9. CONTACT DETAILS:

Tel: 01633 64733

E-mail: paulkeeble@monmouthshire.gov.uk

Appendix A - New Highway / Transportation Section 106 Agreements

DESCRIPTION	SUM	SPEND DATE	PROPOSED WORKS	COMMENTS
"Sustainable transport"	£45,000	27 Feb 2020	Support and enhancement of 74 and 75 bus routes in and around Caldicot 2016-2019	Funding received. Relating to Land off Church Rd Caldicot
"Local Bus service enhancement contribution"	£50,000	25 July 2019	Support and enhancement of 74 and 75 bus routes in and around Caldicot 2016-2019	Funding received. Relating to Caldicot comp playing fields (Asda)
Sudbrook School Road Safety Improvements	£4,500	27 Jan 2018	To facility road safety improvements in the locality of this site	Funding received. Relating to new development of former Sudbrook Infants School
Caldicot School Newport Road Improvements	£200,000	25 July 2019	Improvement works by MCC to Newport Road (pedestrianised section) Caldicot Town Centre	On behalf of Highways, MCC Estates (Whole Place) to develop proposals in partnership with Caldicot Town Team

Appendix B – Transport Capital Grant funded Schemes

DESCRIPTION	SUM	PROPOSED WORKS
Active Travel	£5,000 (2016/17)	To audit draft Existing Routes Maps and Integrated Network Maps as required under the Active Travel (Wales) Act
Abergavenny – Llanfoist Active Travel Bridge	£145,00 (2016/17)	To develop proposals for walking & cycling bridge across river Usk between Llanfoist and Abergavenny
Monmouth Wyebridge Junction Improvement	£387,000 (2016/17)	To develop proposals to reduce congestion and improve pedestrian and cyclist crossing facilities at the A40/A466 Monmouth Wyebridge junction
Active Travel Quick Wins	£299,925 (2016/17)	To deliver numerous small scales walking & cycling projects across Monmouthshire, including additional cycle parking, signage, pavements, dropped kerbs, signage, etc



<p>Name of the Officer - Paul Keeble Phone no: 01633 644873 E-mail: paulkeeble@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal:</p> <p>To seek member approval for highway and transportation schemes as part of Welsh Government transport grants and Section 106 agreements associated with new developments throughout Monmouthshire</p>
<p>Name of Service – Highways/ Transport</p>	<p>Date Future Generations Evaluation – 14/05/16</p>




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



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

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Neutral</p>	
<p>A resilient Wales</p>	<p>Neutral</p>	

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)		
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Neutral	
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Positive	Highway and transport schemes identified within this report will contribute to improving access and highway safety.
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Neutral	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Neutral	
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Neutral	

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	N/A	
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	N/A	
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	Planned works have been developed in consultation with partners and statutory consultation processes will be required where orders are required in addition to further public engagement where appropriate	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	N/A	
 <p>Integration</p> <p>Considering impact on all wellbeing goals together and on other bodies</p>	N/A	

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

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Increase accessibility		
Disability	Increase accessibility		
Gender reassignment	N/A.		
Marriage or civil partnership	N/A		
Pregnancy or maternity	N/A		
Race	N/A		
Religion or Belief	N/A		
Sex	N/A		
Sexual Orientation	N/A		
Welsh Language	New works will be fully compliant with the current Welsh Language Act		

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

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	N/A	N/A	
Corporate Parenting	N/A	N/A	

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

Public consultation exercise or other forms of engagement have been held as part of the development of the proposed works and where appropriate feedback from such exercises have been incorporated within the various schemes.

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

The proposals offer positive change and will be monitored and reviewed to help identify future schemes and works.

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

What are you going to do	When are you going to do it?	Who is responsible	Progress
Implement the programme of works	A schedule of responsible officers for each scheme has been prepared and will be monitored through the design and implementation stages of the planned works	Highways/ Passenger Transport Unit/ Estates	On-going

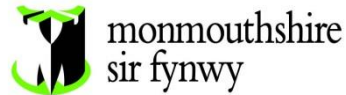
8. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	Schemes will be evaluated against their original objectives and as set out within the original bids/ legal agreements.
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9. VERSION CONTROL: The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
			<i>This will demonstrate how we have considered and built in sustainable development throughout the evolution of a proposal.</i>

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SUBJECT:	Caldicot Linkage Scheme – Proposed use of S106 Funds
MEETING:	Cabinet
DATE:	8th June 2016
DIVISION/WARDS AFFECTED:	All

1. PURPOSE:

To consider re-allocating up to £30,000 from the S106 Newport Road Improvement fund to the Caldicot Linkage Scheme

RECOMMENDATIONS:

- 1.1** That Cabinet agrees to the re-allocation of up to £30,000 from the S106 Newport Road Improvement fund to enable the Caldicot Linkage Scheme project.

2. KEY ISSUES:

- 2.1** As a consequence of achieving planning consent for the supermarket development in Caldicot, the Council committed to undertaking a number of improvement schemes within the town centre. A S106 was entered into which allocated £200,000 to the Linkage Scheme, £200,000 to Newport Road improvements and £225,000 to the Town Team.
- 2.2** The Caldicot linkage scheme involves the improvement of the Waitrose car park, service road and footways which join the Asda development to the town centre. The land is pre-dominantly in the ownership of London & Cambridge and the Council has worked with the landowner in commissioning a scheme that will create a cohesive link as well as meet the operational requirements of the car park and the service road users.
- 2.3** The agreed scheme was tendered and a value engineering exercise was undertaken to reduce the costs of the scheme as all of the tenders received were in excess of the budget available. Following this exercise the scheme was re-tendered and whilst the costs did reduce slightly we are still in a position where the budget allocation is insufficient.

2.4 The community, Town Council and traders are keen to see this scheme implemented. It is therefore proposed that up to £30,000 of the Newport Road Improvements S106 allocation is allocated to this budget to enable the scheme to proceed. The Town Team have been working with a task group to develop a visioning document on how to improve the town centre and Newport Road and this will be presented to members in due course.

2.5 For trading reasons it is essential that if the scheme is to be implemented it is done so as soon as possible to minimise the impact on the Christmas trade period for local businesses.

4. REASONS:

4.1 The development of the superstore was designed to increase footfall within the Caldicot town centre. Whilst the supermarket creates an anchor presence the pedestrian journey into the town centre involves conflicts with moving vehicles exiting the car park has poor aesthetic and environmental appeal and is poorly defined. The proposed linkage scheme will amend the vehicle flows within the car park to create an in out arrangement on Woodstock way thereby removing the majority of the vehicle conflict. The surfaces will be treated in a similar way to the public realm outside the Caldicot hub with the laying of block pavers creating a logical and clear path and environmental improvements will be made. A directional totem is also included within the design to signpost businesses.

4.2 The scheme was designed on the basis of a number of consultations and is widely supported both for its physical improvements and its potential to improve the pedestrian experience and therefore footfall into the town centre.

4.3 London & Cambridge have agreed to the scheme and are contributing to the financial costs, albeit that a shortfall remains.

5. RESOURCE IMPLICATIONS:

5.1 The S106 funding had been received by the Council, albeit that no costs have been incurred to date against the Newport Road Improvement allocation as the project has yet to be agreed.

No capital funding is available to meet the shortfall as the capital receipt received from the sale of the site was allocated to the 21st Century Schools programme in line with Council policy,

6. FUTURE GENERATIONS AND EQUALITY IMPLICATIONS:

- 6.1 The proposals will have a positive impact on the local town centre and contributes to the future generation principles.

There are no equality implications.

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

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

8. BACKGROUND PAPERS:

.None

9. AUTHORS:

Debra Hill-Howells Head of Community Delivery
Debrahill-howells@monmouthshire.gov.uk

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Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p>Name of the Officer completing the evaluation</p> <p>Debra Hill-Howells Phone no: 01633 64 4281 E-mail: debrahill-howells@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>Re-allocation of S106 funds to enable the implementation of the Caldicot Linkage Scheme</p>
<p>Name of Service</p> <p>Community Delivery</p>	<p>Date Future Generations Evaluation form completed</p> <p>18.05.16</p>

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





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

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>The re-allocation of the S106 funding would enable the implementation of a linkage scheme that has been designed to improve a pedestrian route to increase footfall into the town centre to support local businesses and minimize conflict of vehicular movements and pedestrians</p>	

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)		This scheme involves hard surface improvements and the re-configuration of a car park – it does not improve the ecosystem or bio diversity
A healthier Wales People’s physical and mental wellbeing is maximized and health impacts are understood	No impact	
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	The scheme is designed to improve the attractiveness of the town centre for local users to encourage increased footfall and improved trading for businesses.	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Neutral impact	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Neutral impact	
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Neutral impact	

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	<p>The scheme is designed to improve the long term viability of Caldicot town centre, by encouraging the community to shop locally and reducing leakage to other settlements</p>	
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>The proposal scheme is to be undertaken on London & Cambridge's land and has been designed in collaboration with them.</p>	
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>A number of consultation sessions have taken place within the local community. The feedback from these have been fed into the design principles for the development.</p>	
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>The town centre is struggling to survive with competing pressures from adjacent towns. The development of the supermarket was intended to create jobs and bring back trade into the local community. The linkage scheme is designed to encourage pedestrian flows from the supermarket into the town centre to support local businesses.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>The proposal is widely supported by the community, local businesses, Town Team and the Town Council all of which are working with the Council to find ways to improve the viability of the town centre.</p>	

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

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Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Neutral impact		
Disability	Neutral impact		
Gender reassignment	Neutral impact		
Marriage or civil partnership	Neutral impact		

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Pregnancy or maternity	Neutral impact		
Race	Neutral impact		
Religion or Belief	Neutral impact		
Sex	Neutral impact		
Sexual Orientation	Neutral impact		
Welsh Language	Neutral impact		

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

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	No impact		
Corporate Parenting	No impact		

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

Local consultation feedback
 Planning consent and S106 agreement
 Work of the Town Team
 Vote of no confidence in MCC by Caldicot Town Council given the delays in implementing this scheme due to financial issues.

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

The proposal has been the subject of consultation that was used to inform the design.

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

What are you going to do	When are you going to do it?	Who is responsible	Progress

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

The impacts of this proposal will be evaluated on:	Conclusion of the scheme
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9. VERSION CONTROL: The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1	Cabinet	8 th June 2016	

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SUBJECT: Hosting the Riversimple Hydrogen fuel cell car trial

MEETING: CABINET

DATE: 08 June 2016

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

- 1.1 To approve the hosting of a twelve month trial of 20 Riversimple Hydrogen cell cars in Monmouthshire

2. RECOMMENDATION:

- 2.1 That Monmouthshire County Council supports the trial of the Riversimple Rasa by the provision of space within a current open space or public car park to provide a refueling station and office/exhibition accommodation.
- 2.2 That the space be made available via license to Riversimple at no cost for a period of up to twelve months with an option to extend for a further twelve months (if required)
- 2.3 That the actual site (in either Abergavenny or Monmouth) and the details of the trial be approved by the Head Operations in consultation with the relevant Cabinet member following detailed discussions with Riversimple regarding safety of the vehicles and refuelling point.
- 2.4 That an invite be forwarded to all members to attend a presentation of the Riversimple Rasa car and concept. This to be held at 1.00 p.m. prior to Council on the 16th June 2016 (the car will be available at County Hall Usk for members to view).
- 2.5 That secure parking for up to 20 vehicles be provided at Raglan depot, if required, for the vehicles of motorists taking part in the trial.

3. KEY ISSUES:

- 3.1 The development of the Riversimple hydrogen car is an opportunity for Monmouthshire to be involved in the development of a completely new car concept. It is a unique opportunity and will draw a great deal of attention to the car but also to Monmouthshire as the host. (The Riversimple proposal is attached – appendix 1).

- 3.2 The trial will be open to residents and businesses from within Monmouthshire and surrounding areas.
- 3.3 The Riversimple concept of the provision of car transport is quite different to established conventions of car ownership and may herald the introduction of a new method of fuelling, acquiring and financing private transport.
- 3.4 The vehicle is powered by hydrogen so for the trial to operate a refuelling station must be created in the general vicinity of the trial. Riversimple consider a site in Abergavenny or Monmouth (car park or public open space) would provide an ideal location to place a refuelling station and office/exhibition unit. Discussions between officers of the council and Riversimple have so far focused on the provision of space in a car park or open space in Abergavenny or Monmouth (the North of the county is being favoured because the design of the Riversimple Rasa trial is biased towards a 'local' car rather than particularly aimed towards long distance motorway travel).
- 3.5 A typical layout for a Riversimple refuelling station and exhibition unit is provided in Appendix 2. Where approval of a site is on public open space/highway then there is no ongoing cost for Monmouthshire's involvement in the trial (outside of officer resource, advertising etc. to facilitate the trial and exploit the trial to the benefit of Monmouthshire). If the site is to be placed in an MCC public car park (typically the site would encompass say 6 parking spaces) then income will be lost when no alternative parking spaces are available.
- 3.6 A license would be prepared which would clearly state the companies responsibilities for insurances, maintain and compliance with statutory codes on an ongoing basis alongside the reinstatement and removal of structures at the end of the licence period.
- 3.7 Any structures that are erected will require a planning permission to be granted and will have highways considerations.
- 3.8 All civil works directly for connecting and reinstating the site following completion of the trial have been factored into the grant and will be funded by Riversimple.
- 3.9 Riversimple have secured European Funding for providing the 20 cars throughout the trial period and has approached Monmouthshire to be the host of the trial. They are able to host the project elsewhere but would like to work with Monmouthshire as Riversimple see it as a good showcase opportunity for the vehicle and demonstrates MCC's commitment to its sustainability and innovation priorities.

4. REASONS:

- 4.1 The vehicle is being developed in Wales and Riversimple would ideally wish to see the vehicle trial also being facilitated in Wales.
- 4.2 The option of hydrogen fuel cell cars are yet to become familiar to the general motoring public. A trial of such a car for a year will inevitably create interest amongst the public generally along with the motor industry. The trial being based in Monmouthshire will demonstrate Monmouthshire's commitment to new sustainable technology and Enterprise.
- 4.3 Involvement in such innovation in transport is completely in with the authority's priorities of a sustainability and compliments the principles of the Future Generations bill.

5. RESOURCE IMPLICATIONS:

- 5.1 Loss of car parking income throughout the trial. Location and layout is yet to be determined and the impact on revenue will be minimised but will need to be balanced against practical considerations. The average income is £4 per space per day based on full occupancy on the assumption of 50% occupancy throughout the year this equates to or £730 per annum per space r £4,380 for the predicted 6 spaces.
- 5.2 Officer time to assist with the planning and implementation of the trial covering legal, promotional, practical and planning considerations.
- 5.3 Costs of infrastructure works (power supply, water supply etc.) will be paid by Riversimple (this has been agreed since the production of the Riversimple document – appendix 1 which indicates that these costs are attributable to MCC).
- 5.4 Should it be required that secure parking for motorists taking part in the trial be provided at Raglan depot (up to 20 spaces).

6 RISKS:

- 6.1 The company may fail during the trial period. This risk is mitigated through the use of a licence requiring reinstatement and the possession of goods prior to that event occurring, prior to the licence being granted MCC will require confirmation that an appropriate sum has been set aside for reinstatement.
- 6.2 The trial has problems and reputational damage occurs. An appropriate termination clause will be inserted into legal documentation allowing MCC to give notice and opt out should this occur. MCC will also require updates from the trial on a regular basis in the form of meetings or written reports in order to have early warnings of any issues of this nature.

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5. CONSULTEES:

All Cabinet Members
Senior Leadership Team
Head of Legal Services
Head of Finance

6. BACKGROUND PAPERS:

Appendix 1 - Riversimple's Proposal for Partnership
Appendix 2 – Typical Layout of a refuelling point

7. AUTHORS AND CONTACT DETAILS

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Appendix 1

Riversimple's proposal for partnership with Monmouthshire County Council

Executive Summary

This is a proposal to run a 12 month trial of 20 Riversimple hydrogen fuel cell cars in Monmouthshire, with a view to expanding commercially in the region after the trial. Designed and built in Powys, the Riversimple Rasa is possibly the most promising green car in the world:

"This Hydrogen-Powered Car Could Be The Future Of Sustainable Mobility"
13/4/16

Huffington Post,



The Rasa runs on hydrogen. It resolves many of the challenges associated with battery electric cars; it has a range of 300 miles, refills in 5 minutes and there is no cost premium compared with a conventional car. It is the cleanest and most energy-efficient car yet offered for ordinary roadgoing use.

Riversimple is keen to run a trial of 20 Rasa cars with a variety of drivers in Monmouthshire, with a service hub in either Monmouth or Abergavenny.

The aims are threefold:

- 1) To test and refine the innovative service proposition. Riversimple is pioneering a different business model, offering mobility as a service instead of a car as a product. Customers will pay a monthly direct debit to cover all costs: maintenance, tyres, repairs, insurance and even fuel. Cardiff Metropolitan University has been engaged in the service design and is collaborating with Riversimple on all research angles.
- 2) To assess and refine the commercial case for investment in refuelling infrastructure. This is the first opportunity in the UK to see a cohort of hydrogen fuel cell cars used in a normal everyday way in a community. Building the business potential for the hydrogen refuelling station at the centre is a vital step in the commercialisation of the technology and infrastructure.
- 3) To act as a showcase for other Councils and authorities across the UK. The company plans to roll out across the UK one catchment at a time, in tandem with hydrogen refuelling stations placed in central locations convenient for the local community.

Riversimple has approached Monmouthshire County Council to partner in this trial in the following way:

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- Endorsement of, and engagement with, the trial
- A site for central hydrogen refuelling point and small service centre
- Long term secure parking for max 20 cars
- Collaborating with Riversimple in identifying potential participants
- Sharing experience and insight with other Councils and authorities

Timing for the trial: starting end of 2016, to run for 12 months.

The trial is supported by an EU grant of €2m and the company is currently raising matching funds.

Potential benefits to Monmouthshire

In this very dispersed county, transport is critical to employment, wellbeing and a sense of community. Safe, efficient, clean cars can contribute positively.

There is potential economic and social benefit from the Riversimple service centre, as a hub for green activities.

It adds to the Council's regional reputation as a visionary Council, technologically and environmentally.

It puts Monmouthshire at the forefront of sustainable transport development in the UK and beyond, and opens up longer term opportunities for development of integrated low carbon energy and transport infrastructure based on hydrogen.

It helps to anchor Riversimple in Wales, and Wales as the pioneering region in the UK for hydrogen technology.

Appeal of Monmouthshire to Riversimple

The diverse topography and regular short distances between the towns are ideal for testing the Rasa cars, which are designed for local, non-motorway use (max speed 60 mph).

It is close to Riversimple's R&D HQ in Llandrindod Wells, so easy to monitor and service. And close to the border, so easily visible for the rest of the UK.

MCC are Early Adopters of the Wellbeing of Future Generations Act - Riversimple is keen to learn from the Council's experience of delivering and auditing improvements to wellbeing in the community.

Shared values: open and transparent governance, protecting and balancing benefit streams for multiple stakeholders. Riversimple answers to 6 Custodians, representing Customers, Staff, Investors, Commercial Partners, the Environment, and the Community.

Background about Riversimple

Riversimple Movement Ltd is headquartered in Llandrindod Wells and was awarded a £2m Research Development and Innovation grant from the Welsh Government in 2015 towards the prototype of its 2 seat hydrogen car.

The road legal engineering prototype of the Rasa, built to full EU type approval standards, was launched on 17th February to great acclaim. For vehicle specification and performance, please see appendix.

On top of the Welsh grant, the company has secured a €2m grant from the EU for a commercial trial of 20 cars, to begin by the end of 2016 and run for 12 months.

Following the trial, Riversimple intends to go into production late 2018. The company is currently in discussion with the Welsh Government about manufacturing locations, looking in the first instance in Powys. The company is pursuing a distributed manufacturing model of small-scale plants, with a capacity of 3,750-5,000 cars per annum, distributed around a central service hub. Each plant will employ c.220 people.

The Rasa is just the first vehicle that Riversimple intends to bring to market. It will be followed by light commercial vehicles and ultimately 5 seat intercity cars. Each vehicle will have its own plant.

The details about the trial

3 – 6 month contracts will be offered to c. 60-80 users over a period of 12 months, and 20 Rasa cars will be hand built for their use.

We are aiming for a variety of users - younger and older, men and women, with and without children, urban and rural, personal, corporate and car-sharing.

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Triallists will all be invited to place a data logger in their current cars to track their normal car use for 3 months prior to the trial to give us a usage benchmark.

They will be expected to go through the sign-up procedure and to pay the deposit and monthly fee. They will also be offered secure parking for their current cars for the duration of the trial.

Regular gatherings, shared feedback, dialogue with designers and engineers, and 24/7 technical support will form part of the trial. The onsite support team will comprise 3 people.

Driving data, including observed changes in driver behaviour, will be assessed, as well as satisfaction with the Riversimple experience, and perceptions of pricing and value.

Handovers after 3 months (or 6 months, in some cases) will be occasions for technical software updates, refining the sign-up process and trying out different pricing models; for example, including a fixed number of miles in a monthly tariff.

We will be tweaking and refining the offer until we are confident that we have the best possible brief for the production cars and the launch service.

Refuelling site

Discussions have focused on placing a mobile hydrogen refuelling point in one of the Council car parks. The refuelling point would be self-service. The refuelling procedure is very similar to petrol or diesel, in that a hose is attached to the tank and the gas is transferred, although in this case under pressure, with a fill taking less than 5 minutes. Users would be identified by card or PIN number.

Expected Costs

Riversimple will incur costs for the following:~

1. Supply of 20 cars
2. Staff to man refuelling site
3. All running costs for the car including fuel, insurance, repairs, service, tyres etc.
4. Temporary building for Riversimple experience centre
5. Management of customer relationship, billing and data collection

It would be helpful if Monmouthshire County Council could provide the following:~

1. Site in Monmouth for temporary building, re-fueller, car parking for 6 cars
2. Hard standing and service (Water, 3 phase electricity, mains, foul drain)
3. Officers' time to help build awareness and encourage citizen engagement
4. Help with planning application and any necessary planning requirement
5. Promotion of the trial, and customer feedback should MCC choose to be a trial Rasa customer

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Conclusion

The Monmouth and Riversimple partnership can bring a momentous change in the way mobility is delivered in a sustainable way. This trial is the first of its kind in the UK and will be of global interest to the world.

Appendices:

1. Refuelling site requirements
2. Vehicle specifications in EU trial (SWARM)
3. Safety features of the Rasa

Appendix 2

: Refuelling site requirements and safety

Riversimple are seeking to implement a hydrogen refuelling point in the Monmouthshire area to support a beta trial of 20 hydrogen fuel cell vehicles. A request for proposal for hydrogen refuelling equipment is currently being negotiated with several suppliers and a final solution is yet to be selected. However, any solution will likely incorporate a stand-alone hydrogen refuelling point and compressed hydrogen storage. High level requirements include:

- Hard standing area;
- Sufficient access for trial vehicles, equipment delivery and installation and hydrogen delivery (unless hydrogen is produced on site using an electrolyser);
- Space for the dispenser, ancillaries and safety zoning, nominally 150m²;
- Sufficient utilities, electricity supply 3 x 400V including neutral and ground – 50 Hz, water supply (if an electrolyser is present);
- Scope for the implementation of protective structures if necessary, e.g. bollards for crash protection.

Once an equipment solution and site have been selected Riversimple would develop a detailed project plan and organise a kick-off meeting including all stakeholders to start the planning and installation of the refuelling station.

Figures 1 and 2 provide an indicative refueller and site plan. These are subject to change dependant on the final site and equipment selected.



Figure 1: McPhy refuelling station (connection to stored hydrogen not shown)

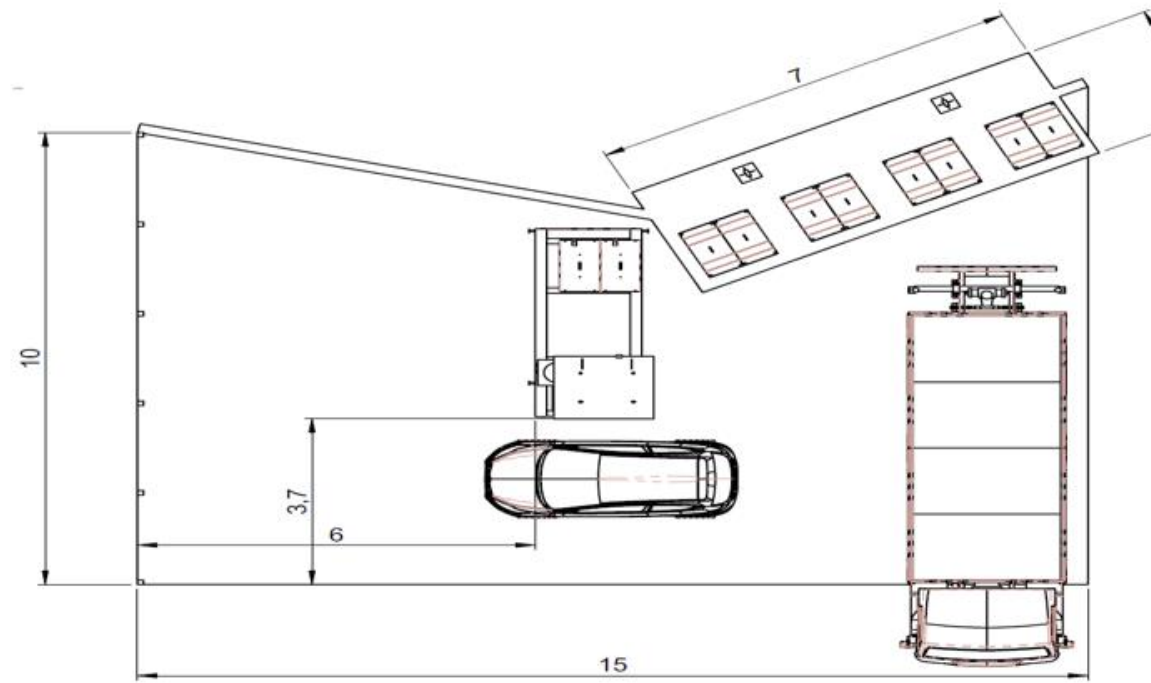


Figure 2: Indicative site plan for the McFilling station

Safety considerations

Safety is the most important criteria in selecting and installing and hydrogen refuelling station. Safety features will include:

- Refuelling connection compliant with international standards (SAE J2601), including breakaway coupling, over pressure/temperature protection;
- Installation compliant with all applicable European directives: Machine, Low voltage, ATEX, Pressure Equipment;
- Systems for the detection of hydrogen leakage, fire and an emergency stop;
- Completion of a site safety case and implementation of necessary mitigations, including safety notices, security and crash protection.



<p>Name of the Officer completing the evaluation Roger Hoggins/ Ben Winstanley</p> <p>Phone no: 01633 644133 E-mail: rogerhoggins@monmouthshire.gov.uk Benwinstanley@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal To host the trial of a prototype hydrogen cell car developed by Riversimple. The trial will aid the development of the car to full production and supports the Council's commitment to sustainability and innovation</p>
<p>Name of Service: Not applicable</p>	<p>Date Future Generations Evaluation 27/05/2016</p>






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

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>The car is being developed by a Welsh based company. This has already created work but a successful development to full production offers further oppoertunities for employment and skilled work assuming the company remains in Wales</p>	
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>The hydrogen cell car only emits water vapour so theer is no exhaust pollution from the car. The creation of hydrogen requires electricity but with the increasing commitment to renewables then transport by electricity or hydrogen powerd cars is a positive step towards reduction in fossil fuel energy consumption.</p>	

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood		
A Wales of cohesive communities Communities are attractive, viable, safe and well connected		
A globally responsible Wales Taking account of impact on global wellbeing when considering local social, economic and environmental wellbeing	The development of vehicles powered by hydrogen is just starting to gain some momentum. Toyota , Hyundai and Renault have limited models available but the Riversimple Rasa is a completely new design and quite different in its concept of how transport will be provided in the future. If the concept is successful then it will have been created in Wales.	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation		
A more equal Wales People can fulfil their potential no matter what their background or circumstances		

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

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
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Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Long-term Balancing short term need with long term and planning for the future</p>	<p>The hydrogen car offers a much more sustainable method of transport for the future and helps to reduce pollution by fossil fuels and electricity production becomes increasingly sustainable.</p>	
 <p>Collaboration Working together with other partners to deliver objectives</p>	<p>Riversimple has been working with organisations in wales on the development of the car. It is also receiving EU grant to support the trial. This is an opportunity for Monmouthshire to also contribute to the project.</p>	
 <p>Involvement Involving those with an interest and seeking their views</p>		
 <p>Prevention Putting resources into preventing problems occurring or getting worse</p>		
 <p>Integration Positively impacting on people, economy and environment and trying to benefit all three</p>	<p>This is a trial and is a key part to developing the car to a commercial production stage. As such there is a risk that the car will not develop further. On the assumption that it does become a viable project then it offers benefits to the environment through reduced emissions, the economy through manufacture and people through employment or an alternative transport option.</p>	

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

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

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

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	No safeguarding or parenting implications are anticipated as a result of these proposals		
Corporate Parenting			

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

This is an opportunity for MCC to contribute to the production of a hydrogen cell car that is being developed in Wales. The trial is managed wholly by Riversimple with grant support from the EU so there is no financial risk to MCC so overall it compliments MCC's sustainability and innovation priorities and suggests that the proposal is a sensible commitment.

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

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

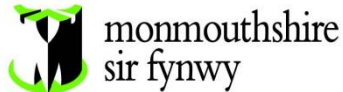
What are you going to do	When are you going to do it?	Who is responsible	Progress

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

The impacts of this proposal will be evaluated on:	We will agree a programme of updates with Riversimple during the period of the trial.
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SUBJECT: UPDATED COMMISSIONING AGREEMENT FOR THE EDUCATION ACHIEVEMENT SERVICE (EAS)

MEETING: CABINET

DATE:

DIVISION/WARDS AFFECTED: All schools and pre-school education providers across the authority

1. PURPOSE:

- 1.1 To seek approval to formally agree the Supplemental Agreement to the Collaboration and Members Agreement (CAMA) for the Education Achievement Service (EAS) April 2016. This supplemental agreement seeks changes on the following three levels Governance; EAS operation outside of SEWC and Funding

2. RECOMMENDATION:

- 2.1 It is recommended that Cabinet approve the adoption of the Education Achievement Service (EAS) Supplemental Agreement (Appendix 1) to the Collaboration and Members Agreement (CAMA) for the EAS (Appendix 2) April 2016 as explained in this report.

3. KEY ISSUES:

- 3.1 Following the introduction of a 'National Model for School Improvement', a series of proposed changes to the original agreement between the five LAs in the SEWC have been outlined in the updated agreement including changes to:
- Governance arrangements that ensure the LAs and the EAS are complying with requirements of the National Model for Regional Working.
 - The way grants can be dealt with by the EAS is changed – the first change being that all grants will now be channelled through the Directors group in the first instance. There is a detailed process that explains how this will work in practice. The EAS will report on this regularly to both the directors/heads of education and the Executive Members for Education in each of the LAs.
 - The EAS ability to provide services to other customers other than the SEWC LAs for a fee and subject to scrutiny and approval from the Joint Executive Group. The EAS may proceed with such a commission without prior JEG consent when: **Page 367**

- the contract is valued at up to £50k but carries no risk/will have no impact on agreed delivery outcomes
- the contract is valued up to £15k and may/will have an impact on agreed delivery outcomes
- The EAS has taken appropriate advice on any VAT liabilities that entering into such a contract may give rise to and these are factored into the detail of the contract.
- The EAS has taken appropriate legal advice in drawing up the contract.
- The EAS will inform the next JEG meeting of all new contracts that exceed £10,000 over a financial year.

In the event the EAS core service costs more than predicted, in line with prior JEG approval, each LA will pay its proportional share on this overspend. However, the EAS in negotiation with the LAs will repay this “loan” over an agreed period through reducing the core service charge each LA pays for an agreed period.

3.2 There are a number of risks associated with the proposed changes:

- Failure to ensure the governance arrangements are compliant with Welsh Government requirements could expose each of the SEWC LAs to risk of challenge directly from WG and from Estyn during the next round of LA (and Consortia) inspections.
- Consultees believe the updated governance arrangements (which are in place in effect but need to be ratified) have strengthened the EAS’ ability to deliver better services to learners and LAs – this could be threatened if they are not formally adopted.
- New Clause 8.9.4 of the CAMA (relating to grants and how they will be dealt with) brings in a new arrangement that each LA should be satisfied reflects their own constitutional arrangements.
- New Clause 11A of the CAMA (relating to the EAS potential accepting contracts from non SEWC LAs or others) may carry the risk of the EAS not providing all of the core services and/or being the subject of a claim which the SEWC LAs would be ultimately responsible for.
- The EAS will need to ensure they have taken appropriate expert advice on all tax liabilities that may arise from their provision of services to other parties (other than SEWC LAs) who may wish to commission their work. Any additional costs associated with this type of work must be factored in to the value of the contract in the first instance, so no liability for tax is borne by the SEWC LAs.
- New Schedule 2 (outlining what happens in the event of an unexpected overspend for core services) means that LAs could face additional costs in a given year but be “repaid” these through reduced contributions over subsequent years.

Given the strengthened governance arrangements and the control measures already in place, it is considered these risks are manageable.

3.3 Monitoring and evaluation

The EAS continues to work closely with each of the LAs directly via joint working groups looking at finance, school improvement, additional learning needs and safeguarding. These groups report directly to Directors of Education and termly to JEG.

JEG, the Banker Authority, the Audit Committee and the Company Board work closely with managing director of the EAS to ensure effective communication, understanding of the financial context of the business and to manage risk in a way that maximizes benefit to children and staff across the region while minimizing LAs' exposure to unexpected costs.

Welsh Government both directly and via Estyn and the Wales Audit Office also scrutinise the EAS work and systems regularly.

4. REASONS:

4.1 The South East Wales Education Achievement Service was established as a limited company in July 2012. Its prime function is to raise standards in education across the region. Newport, Torfaen, Caerphilly, Blaenau Gwent and Monmouthshire Councils have commissioned the EAS to act as the preferred partner to deliver a school improvement service across the consortium.

4.2 In March 2013, the Minister for Education and Skills introduced a statutory 'National Model for School Improvement'. The requirements of this resulted in a number of changes to the governance arrangements between the EAS and the five LAs in the South East Wales region. In light of this, additional external legal advice has been sought and this report outlines the proposed major changes to the original agreement made between the LAs. These changes require approval from each Council.

4.3 Proposed changes to the Collaboration and Members Agreement – Governance

4.3.1 While the EAS continues as a company, the composition of its Company Board has been refreshed in line with the National Model and is now constituted by:

- a Senior Cabinet Member from each LA cabinet (one who has a brief other than education). These are voting members of the Company Board.

In addition, the following are invitees to Boards meetings and may advise the Board but do not have voting rights and are not directors of the Company:

- a lead Chief Executive and Lead Director of Education

- four expert external advisers appointed by the EAS and SEWC LAs jointly following an open public application and appointment process

4.3.2 An Audit Committee has been established, made up of two non-executive members from each of the five local authorities from the South East Wales Education (SEWC) region. The Audit Committee function is an advisory capacity to the EAS Company Board and meet quarterly. The terms of reference of this committee cover Financial reporting, internal controls and external / internal auditors, risk management, compliance with law and regulation, technology, conflict of interest and reporting on value for money.

4.3.3 The Joint Executive Group (JEG) made up from each of the Executive Members for Education in each of the LAs. It provides oversight and feedback for EAS operations and can make recommendations to the EAS MD and Board, although these are not binding.

Additionally the JEG receives and reviews:

- Reports on the performance of schools across the region
- Updates on policy developments and specific projects undertaken for Welsh Government
- Funding issues including use of grants and their impact.

JEG considers proposals from the EAS to provide services beyond the five LAs including the nature and scope of this work, its possible impact on all services provided to SEWC LAs and any financial benefits and risks arising from these additional commissions particularly as the SEWC LAs may be liable for any loss.

4.3.4 Proposed changes to Grants

It is proposed that the way grants can be dealt with by the EAS is changed. The EAS often receives offers of grants from government the majority of which are expected. However, there are also frequent offers of additional grants that arrive after the business plan has been agreed with the LAs, or is otherwise “unexpected”. The conditions of these grants can be such that a rapid decision is required to ensure the grant will not inhibit delivery of core services and adds value to what the EAS can offer.

To seek approval, it is proposed for all grant offers that the EAS will email the Directors of Education and the members of the Education Finance group outlining the grant offer, the value it offers in terms of improved outcomes and indicating how core service commitment will be maintained.

In the unlikely event LAs do not provide instructions after 10 working days of notification, only then will the decision whether to accept the grant or not will lie with the EAS. If there is dispute between the directors / heads of education on whether the grant should be accepted or not will be considered and determined by the JEG in the next available meeting.

The EAS will report on the impact of grants in line with the Business Plan reporting procedures to both the directors/ heads of education and the Executive Members for Education in each of the LAs.

This provision allows grant offers to be processed quickly and thoroughly and still ensures oversight and control of risk via the Directors and JEG.

4.4 Proposed changes to EAS - Contracts other than from the authorities within the SEWC:

- 4.4.1** It is proposed to enable the EAS the ability to provide services to other customers other than the SEWC LAs for a fee and subject to scrutiny and approval from the Joint Executive Group.

The EAS may only proceed with such a commission without prior JEG consent when:

- The contract is valued at up to £50k but carries no risk/ will have no impact on agreed delivery outcomes
- The contract is valued up to £15k and may/ will have an impact on agreed delivery outcomes.
- The EAS has taken appropriate advice on any VAT liabilities that entering into such a contract may give rise to and these are factored into the detail of the contract.
- The EAS has taken appropriate legal advice in drawing up the contract in line with the EAS Procurement Policy
- The EAS will inform the next JEG meeting of all new contracts entered into since the last meeting.
- Any contract will have no impact on agreed delivery outcomes up to £50,000 or up to £15,000 if the activity will have an impact on agreed delivery outcomes.

This provision will allow the EAS to income generate. In addition to developing services that may be of value to the SEWC LAs as part of their future core service provision, this income generation may also support the funding model for the EAS.

However, this expansion of the company's remit does carry some additional risk. Despite the requirement to seek approval from JEG as outlined above, should the EAS deliver a service that results in a loss or a claim, the SEWC LAs would be ultimately responsible to meet these losses. Given the enhanced governance and reporting requirements outlined earlier in this report, it is envisaged that this risk is manageable.

4.4.2 Proposed changes to funding:

It is proposed to change the EAS discretion to charge more for core services than was predicted subject to prior Directors approval

In the event the EAS core service costs more than predicted, each LA will pay its proportional share on this overspend. However, the EAS, in negotiation with the LAs, will repay this “loan” over an agreed period through reducing the core service charge each LA pays for time.

This proposal is intended to cover any unexpected operational events that may arise that mean budgets in one year could be stretched or exceeded. The intention is not to allow discretion for less rigorous financial and strategic planning systems to be carried out.

5. RESOURCE IMPLICATIONS:

5.1 The Council makes a financial contribution of £451,308 to the Education Achievement Service (EAS) to ensure effective delivery of the statutory school improvement functions of Challenge, Monitor, Support and Intervention on behalf of the Council to all schools within Monmouthshire.

5.2 There are no direct human resource implications arising from these proposals, however, there may be implications in that the EAS is required to seek expert professional advice on tax liabilities that may arise from providing services to other organisations, and to procure appropriate legal advice as required. The cost of this advice and any level of required enhanced professional indemnities associated with these additional contracts must be built in to the contract value.

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

6.1 As this proposal seeks to amend an existing agreement and that the changes will not adversely impact on current provision, it has been deemed that a Future Generations evaluation is not required on this occasion.

7. CONSULTEES:

7.1 Consultations have taken place with:

- The EAS Company Board and Officers
- Executive Members of Education across the SEWC LAs
- The Lead Chief Executive, Paul Matthews
- Directors of Education and their finance officers
- The Banker Local Authority (Torfaen)
- Blake Morgan Solicitors

8. BACKGROUND PAPERS:

- Supplemental Agreement to the Collaboration and Members Agreement (CAMA) for the Education Achievement Service(EAS) Appendix 1
- Members Agreement (CAMA) for the Education Achievement Service (EAS) Appendix 2

9. AUTHOR:

Sarah McGuinness

10. CONTACT DETAILS:

Tel / ffôn: 01633 64 (4487)

Mobile / ffôn symudol: 07768 433174

Email / ebost: sarahmcguinness@monmouthshire.gov.uk

Appendix 1

- (1) BLAENAU GWENT COUNTY BOROUGH COUNCIL
 - (2) CAERPHILLY COUNTY BOROUGH COUNCIL
 - (3) MONMOUTHSHIRE COUNTY BOROUGH COUNCIL
 - (4) NEWPORT CITY COUNCIL
 - (5) TORFAEN COUNTY BOROUGH COUNCIL
 - (6) SOUTH EAST WALES EDUCATION ACHIEVEMENT SERVICE
-

South East Wales Education Achievement Service

Agreed Additional Governance Arrangements

Supplemental to the Collaboration and Members Agreement dated 23rd December 2013

THIS AGREEMENT is made the _____ day of _____ 2016

BETWEEN:

- (1) BLAENAU GWENT COUNTY BOROUGH COUNCIL of Municipal Offices, Civic Centre, Ebbw Vales, NP23 6XB
- (2) CAERPHILLY COUNTY BOROUGH COUNCIL of Penallta House, Tredomen Park, Ystrad Mynach, CF82 7PG
- (3) MONMOUTHSHIRE COUNTY BOROUGH COUNCIL of PO Box 106 Caldicot NP26 9AN
- (4) NEWPORT CITY COUNCIL of Newport Civic Centre, Godfrey Road, Newport, 20 4UR
- (5) TORFAEN COUNTY BOROUGH COUNCIL of Civic Centre, Pontypool, NP4 6YB

each a “**Home Authority**”; and

- (6) SOUTH EAST WALES EDUCATION ACHIEVEMENT SERVICE a company registered in England and Wales with company number 8155408 and whose a registered office is at Tredomen House, Tredomen Park, Ystrad Mynach, CF 82 7WF (the “**Company**”);

and together the “**Parties**”.

BACKGROUND:

- (1) The Company is a company limited by guarantee established by the Home Authorities for the purpose of collaborating in order to improve the standard of education in the South East Wales region through the Company supplying certain services to the Home Authorities.
- (2) By an agreement made on 23rd December 2013 and called the South East Wales Education Achievement Service Collaboration and Members Agreement (the “**CAMA**”) the Parties agreed terms for governing the relationship between the Home Authorities and each other in respect of the collaboration between them and the governance of the Company.
- (3) By a deed of contribution (“**DOC**”) made on the same date, the Home Authorities agreed to certain arrangements relating to the Company as between themselves.
- (4) As a result of subsequent developments, and in particular (i) changes to the way in which the Welsh Ministers are funding the activities carried out by the Company and

(ii) a review by the Company and the Home Authorities of the governance arrangements for the Company and its activities, the Parties have agreed to enter into this agreement (the “**Agreement**”) for the purpose of recording certain further matters which they have agreed to put in place.

OPERATIVE PROVISIONS

1. INTERPRETATION AND RELATIONSHIP TO CAMA

1.1 Except as otherwise indicated in this Agreement, capitalised words and phrases used in this Agreement shall have the same meaning as in the CAMA.

1.2 Clauses 1.2 to 1.7 and 23 to 33 of the CAMA shall form part of this agreement, as if separately set out herein *mutatis mutandis*.

1.3 The following words and phrases shall have the following meanings in this Supplemental Agreement and (unless otherwise specified in this Supplemental Agreement) in the CAMA as amended by this Supplemental Agreement:

Additional Services: is as defined in the Commissioning Agreement

Articles: means the Company’s Articles of Association, and reference to an **Article** shall be to one of the Articles

Banker Authority: means the Home Authority providing support provider services to the Company pursuant to a separate contract.

Bespoke Services: is as defined in the Commissioning Agreement

Core Services: is as defined in the Commissioning Agreement

Grant Funded Services: means the services as specified in the relevant education grant funding conditions to be delivered by the Company to all or any of the Home Authorities as agreed and authorised in accordance with Clause 8.9 .

1.4 This Agreement is supplemental to the CAMA, which remains fully in force except to the extent that it is expressly amended by this Agreement.

1.5 If anything in this Agreement is inconsistent with or conflicts with the Articles, then Articles shall prevail.

1.6 The DOC shall remain in full force and effect notwithstanding the contents or operation of this Supplemental Agreement

2. GOVERNANCE

2.1 Each Home Authority agrees that the individual nominated by it under Article 11.1 of the CAMA to be a member of the EAS Board shall be a senior Cabinet member.

2.2 The Home Authorities and the Company agree that the following persons shall be entitled to attend at and participate in meetings of the EAS Board to advise the EAS Board:

(a) a lead Chief Executive and Lead Director of education each nominated by the Joint Executive Group];

(b) four expert external advisers appointed by the Company and the Home Authorities jointly, following a fair and open public advertisement

Such persons shall have no rights to vote and shall not be directors of the Company.

2.3 The Home Authorities agree that they will take steps to amend the Articles so that the quorum for a meeting of the EAS Board shall be three people and that the tenure of the Chair of the Board shall be 24 months. Pending such amendments to the Articles, the Home Authorities agree that the Company may operate on that basis, and no Home Authority shall question or impugn any decision or proceedings of the Board made on that basis and hereby confirm the validity of any such decision or proceedings made on that basis to date.

2.4 The Parties further agree that the following amendments be made to the CAMA to reflect changes to the governance of the Joint Executive Group:

2.4.1 Clause 5.5. shall be amended by replacing "12 months" in the second line of the clause with "24 months".

2.4.2 Clause 5.9 shall be amended by replacing "four (4) Cabinet Members" with "three (3) Cabinet Members".

2.4.3 Clause 5.12 shall be amended by replacing "at least four" in the second line of the clause with "at least three".

3. FUNDING AND BUSINESS PLAN

With effect from [insert date], the following provisions shall apply:

3.1 Schedule 2 of the CAMA is replaced by the wording set out in Schedule 1 of this Agreement

3.2 Clause 8.3 shall be amended as follows:

3.2 In the last line of the clause, delete '*Co-operative Bank*' and insert '*Lloyds Bank*'.

3.3 Insert at the end of the clause the following '*, or, if different, the base rate of the Company's current banker*'

3.3 Clause 8.5 shall be amended by:

3.3.1 deleting Clause 8.5, paragraph (a); and

3.3.2 deleting Clause 8.5, paragraph (b); and

3.3.3 inserting after Clause 8.5 paragraph (f) a new paragraph and the words '*unless otherwise agreed in writing by the Parties*'.

3.4 A new Clause 8.5A shall be added to the CAMA, reading as follows:

The Business Plan for each Financial Year shall describe the Core Services to be delivered by the Company in that Financial Year and shall have appended to it 5 appendices, one in respect of each Home Authority, which shall set out the Bespoke Services delivered to each Home Authority that will be resourced by the Company.

3.4 Clause 8.7 of the CAMA is replaced by:

The Business Plan for each Financial Year from and including [] shall be dealt with as follows:

(a) the Business Plan will be prepared by the Managing Director and referred to the Joint Executive Group for comment at least 45 Calendar Days before the end of the preceding Financial Year.

(b) The Joint Executive Group shall within 15 Calendar Days present its comments on the Business Plan in writing to the Managing Director. If the Joint Executive Group has not done so within that time, then the Joint Executive Group shall be deemed not to have any comments to make on the Business Plan.

(c) within 15 Calendar Days, the Business Plan together with the comments (if any) of the Joint Executive Group shall be presented to the EAS Board and adopted (as amended by the EAS Board), taking account of such comments (if any).

(d) once adopted by the EAS Board, the Business Plan will be submitted to each Home Authority for consideration and approval by that Home Authority. Each Home Authority shall notify its approval or disapproval within 15 Calendar Days, failing which such Home Authority shall be deemed to have approved the Business Plan. No Home Authority shall unreasonably withhold or refuse its approval.

3.5 A new clause shall be added to the CAMA as Clause 8.8 to the CAMA, reading as follows:

8.8 *If any Home Authority wishes to procure Additional Services*

such Home Authority and the Company may agree the terms on which such Additional Services shall be delivered in accordance with the procedure set out in Clause 5 of the Commissioning Agreement. Such agreement shall not impact on the delivery of the Core Services or the Bespoke Services. Such agreement shall not require the approval of the Joint Executive Group or of any other Home Authority, but shall be communicated to the Joint Executive Group where the cumulative value of the services rendered to any one Home Authority in any Financial Year exceeds £10,000 (ten thousand pounds).

3.6 A new clause shall be added to the CAMA as Clause 8.9, reading as follows:

8.9 *Any education grant funding made available to the region to provide Grant Funded Services requires each Home Authority's Chief Education Officer to formally approve the commissioning of such work in accordance with the following procedure:*

8.9.1 *On receipt of a regional grant offer for education purposes, the Company in line with internal planning processes will evaluate the grant offer to ensure it is compliant with current priorities and offers added benefits to outcomes for learners without adversely affecting the Company's ability to deliver Commissioned Services.*

- 8.9.2 *If 8.9.1 is approved, a plan for the use of such grant funding shall be prepared by the Managing Director and communicated electronically to:*
- 8.9.2.1 *each Home Authority's Chief Education Officers for approval; and*
 - 8.9.2.2 *the nominated SEWC Finance Officer for each Home Authority.*
- 8.9.3 *Each Home Authority's Chief Education Officer following the approval request will confirm their decision having followed their internal constitutional requirements.*
- 8.9.4 *If after 10 working days there has been no response from any or all of the Home Authorities' Chief Education Officers then the grant plan shall be deemed to have been approved. In exceptional cases, and only with prior agreement from the Lead Chief Education Officer (appointed pursuant to the Articles), the working days for responding will be reduced to meet the requirements imposed by the grant conditions and delivery timeframe.*
- 8.9.5 *Any dispute over grant expenditure will be considered and determined by the Joint Executive Group.*
- 8.9.6 *To support a fully auditable trail and compliance with grant term and conditions the Home Authorities' Chief Education Officers at the next available meeting are required to formally minute the approval with any comments or non-approval and the reasons minuted. In addition each grant will require the signature of each chief education officer or person with the nominated delegated powers through their constitutional agreement within their local authority.*
- 8.9.7 *Following agreement to proceed pursuant to Clause 8.9.3 or 8.9.4, details of the grant along with delivery and expected outcome will be presented for information at the next available meeting of the Joint Education Group.*
- 8.9.8 *To support and enable the work of the Banker Authority a full audit trail of the approved delivery, expected outcomes, minutes*

of the Home Authorities' Chief Education Officers meeting and the signature of each officer or member with delegated powers will be passed to the Banker Authority.

8.9.9 *On receipt of this information the Banker Authority will respond to the grant provider with 5 working days with all required signatures to enable the grant to proceed.*

8.9.10 *If approval by the Home Authorities' Chief Education Officers of a grant is made with any comment for further information or clarification around the spending plan, the Managing Director will communicate this required information or alterations to the spending plan by email. If after 5 working days the Home Authorities' Chief Education Officers have not respond then the Chief Education Officers shall be deemed to have approved the grant plan and signatures through delegated powers to the approval sought.*

8.9.11 *There will be instances where approved use of grant plans will need to be amended to facilitate and achieve the desired outcomes. To enable the Company to react to the situation, the Managing Director or Company Secretary has the authority to approve individual virements up to –*

8.9.11.1 *£50,000 if the changes have no impact on the agreed delivery outcomes.*

8.9.11.2 *£15,000 if the changes have an impact on the delivery outcomes*

Amounts in excess of the figures will follow the procedures set out in Clause 8.9.2 to Clause 8.9.4 with the response amended to 5 working days. Electronic responses will be forwarded to the Banker Authority and held on the grant file to support grant audit requirements.

3.7 A new clause shall be added to the CAMA as Clause 11A, reading as follows:

11A External Services

11A.1 *The Company may from time to time be approached by other organisations to provide education services. Subject to Clause 11A.3, in the event of such a request the Company must:*

11A.1.1 *refer the matter to the Joint Executive Group outlining:*

11A1.1.1 *the extent of the services requested, including the duration and time and effort required by the Company to deliver the requested services;*

11A.1.1.2 *the effect the provision of such services will have on the Company's ability to deliver Core Services, Bespoke Services and any Additional Services to the Homes Authorities;*

11A.1.1.3 *the reasons why the Company wishes to provide such services including any financial benefit the Company may incur and how the Homes Authorities will benefit from this;*

11A.1.1.4 *the risks involved in agreeing to provide such services; and*

11A.1.1.5 *any other information required by the Joint Executive Group.*

11A.2 *Where a matter has been referred to the Joint Executive Group pursuant to Clause 11A.1, the Company may only proceed with such a request if approved by the Joint Executive Group in accordance with Clause 5.12.*

11A.3 *The Homes Authorities hereby agree that where a request to provide education services to organisations other than the Homes Authorities and such request equates to a contract worth:*

11A.3.1 *£50,000 and it will have no impact on agreed delivery outcomes; or*

11A3.2 *£15,000 and will have an impact on agreed delivery outcomes;*

the Company may proceed with such a request provided it notifies the Joint Executive Group at the next meeting and provides the information listed in 11A.1.1.1-11A.1.15.

4 OTHER CHANGES TO THE CAMA

4.1 Clause 5.1.2 shall be amended by:

- 4.1.1 deleting the word '*approving*'; and
- 4.1.2 inserting the word '*challenging*'.
- 4.2 Clause 5.1.6 shall be amended by:
 - 4.2.1 deleting 'Academic Year' at the end of the clause; and
 - 4.2.2 inserting 'Financial Year' at the end of the clause.
- 4.3 A new clause shall be added to the CAMA as Clause 5.3A, reading as follows:

5.3A The Home Authorities agree that up to one (1) expert Diocese from the South East region shall also be entitled to attend at and participate in meetings of the Joint Executive Group. Such person shall have no rights to vote at the Joint Executive Group.

5 AUDIT COMMITTEE

- 5.1 The Home Authorities and the Company agree that there shall be a committee of the EAS Board which shall be known as the Audit Committee
- 5.2 The composition and terms of reference of the Audit Committee shall be as decided by the EAS Board from time to time, with the approval of the Joint Executive Group.
- 5.3 Nothing in this Agreement or in the terms of reference of the Audit Committee shall be construed as empowering the EAS Board to delegate anything to the Audit Committee in contravention of Article 13.4.

SCHEDULE 1

Schedule 2 Funding

1. Funding of the Company

1.1 Funding for the Company will be provided to the Company by each of the Home Authorities as follows.

1.2 Core Local Authority Funding (excluding Governors Support)

1.2 The Business Plan for each Financial Year shall describe the Core Services to be delivered by the Company.

1.2 Each year, the company secretary will identify, in collective consultation with Home Authorities Directors' of Education, the estimated cost of the Core Services required from each of the Home Authorities to fund the Business Plan by 31st January in the preceding Financial Year.

1.2.1 The Core Service funding (excluding the Governor Support element) required from each Home Authority will be based on the national agreement as referenced in the Welsh Government "National Model for Regional Working" (most up to date version).

1.2.2 The Company will issue a VAT invoice to each Home Authority for the estimated Core Services funding required by each Home Authority for the quarter, in advance on the first calendar day of each quarter or the next available working day 1st April, 1st July, 1st October and 1st January.

1.2.3 Each Home Authority will pay their invoice within 30 days of the invoice date.

1.2.4 At the end of each Financial Year and before the 15th May, the Company will calculate the total actual charge for delivering the Core Services to the Home Authorities for the preceding Financial Year.

1.2.4.1 In the event of the total actual cost of the Core Services for the preceding Financial Year being (i) less than the total estimated cost of Core Services and (ii) up to 5% less than the total estimated Core Services funding required for that year, then the Company will retain in order to reinvest into future service delivery. These monies will be set aside within the Company and any usage thereof must be approved by the EAS Board.

1.2.4.2 In the event of the total actual cost of Core Services for the preceding Financial Year being (i) less than the total estimated cost of Core Services and (ii) above 5% of the total estimated Core Service funding required for that year, then the Company will issue a credit note to each Home Authority, for the amount in excess of 5%, calculated in the same proportion as the estimated costs of Core Services for each Home Authority. A refund will be issued to each Home Authority with 30 days of the date of the credit note.

1.2.4.3 In the event that (i) the total actual costs of Core Services exceed the total estimated costs of Core Services and (ii) this overspend has been approved by the appropriate delegated powers within each Home Authority, the Company will issue an invoice to each Home Authority for their share plus VAT (calculated in the same proportion as the estimated costs of Core Services for each Home Authority). Each Home Authority will pay their invoice within 30 days of the date of the invoice.

1.2.4.4 In the event that (i) the total actual cost of the Core Services exceeds the estimated cost of the Core Service and (ii) this overspend has not been approved by the appropriate delegated powers within each Home Authority, then the Company will notify the appropriate delegated powers within each Home Authority and issue a VAT invoice to each Home Authority for their share (calculated in the same proportion as the estimated charge per Home Authority). The Company will then issue credit notes to each Home Authority over an agreed period for the same amount, in order to reduce the Core Service charge for an agreed period to repay the loan.

1.3 Core Local Authority Funding (Governors Support)

1.3.1 Additionally, the Company Secretary will agree with each Home Authority the annual charge required for the governors support element of the Core Service as contained within the approved Business Plan by 31st January. The Company will issue a VAT invoice on 1st April for 50% of the costs and the remaining on 1st October to each Home Authority. Each Home Authority will pay their invoice within 30 days of receipt.

1.4 Grant Funding

1.4.1 To the extent that grant income is provided to the Home Authorities to provide Grant Funded Services , the Company will issue a VAT invoice to the Banker Authority for the region for the services provided monthly in arrears. The Banker Authority will pay the invoice within 30 days from the regional grant budget.

1.4.2 To the extent that any other grant income is provided to the Home Authorities as an individual grant and used to fund services provided by the Company, the Company will issue a VAT invoice to the relevant Home Authority for the services provided monthly in arrears. The Home Authority will pay the invoice within 30 days from the regional grant budget.

SIGNED BY the duly Authorised Representatives of the Parties on the date stated at the beginning of this Agreement

THE COMMON SEAL of
BLAENAU GWENT COUNTY BOROUGH COUNCIL

was hereunto affixed in the)

presence of:)

.....

Authorised Officer

THE COMMON SEAL of
CAERPHILLY COUNTY BOROUGH COUNCIL

was hereunto affixed in the)

presence of:)

.....

Authorised Officer

THE COMMON SEAL of
MONMOUTHSHIRE COUNTY COUNCIL

was hereunto affixed in the)

presence of:)

.....

Authorised Officer

THE COMMON SEAL of
NEWPORT CITY COUNCIL

was hereunto affixed in the)
presence of:)

.....
Authorised Officer

THE COMMON SEAL of
TORFAEN COUNTY BOROUGH COUNCIL

was hereunto affixed in the)
presence of:)

.....
Authorised Officer

Signed for and on behalf of)

SOUTH EAST WALES)

EDUCATION ACHIEVEMENT) **Signature**

SERVICE)

by a duly authorised)

representative)

Name

.....

Position

Appendix 2

Dated

2013

- (1) BLAENAU GWENT COUNTY BOROUGH COUNCIL
 - (2) CAERPHILLY COUNTY BOROUGH COUNCIL
 - (3) MONMOUTHSHIRE COUNTY BOROUGH COUNCIL
 - (4) NEWPORT CITY COUNCIL
 - (5) TORFAEN COUNTY BOROUGH COUNCIL
 - (6) SOUTH EAST WALES EDUCATION ACHIEVEMENT SERVICE
-

South East Wales Education Achievement Service Collaboration and Members Agreement

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Appendix 1 Admissions Agreement

OPERATIVE PROVISIONS

INTERPRETATION

In this Agreement the following expressions shall have the following meanings unless inconsistent with the context:

- **“Academic Year”** • means 1 September to 31 August during which the Company shall provide Commissioned Services to each Home Authority;
- **“Acquired Staff”** • means those persons who, on and/or immediately prior to the Commencement Date, are wholly or mainly engaged or assigned to carrying out the Services for or on behalf of each Home Authority and whose contracts of employment will therefore transfer to the Company as at the Commencement Date;
- **“Additional Services”** • is defined in the Commissioning Agreement
- **“Admission Agreement”** means the agreement to be entered into in accordance with Regulation 6 of the Local Government Pension Scheme (Administration) Regulations 2008, (as amended), by Torfaen County Borough Council, the Home Authorities and the Company, as appropriate;
- **“Agreement”** means this agreement together with all Schedules;
- **“Appropriate Pension Provision”** means either:
 - (i) membership, continued membership or continued eligibility for membership of the pension scheme of which the Acquired Staff were members, or were eligible to be members, or were in a waiting period to become a member of, prior to the Commencement Date; or
 - (2) membership of a pension scheme, which is certified by the Government Actuary's Department (GAD) as being broadly comparable to the terms of that scheme;

- **“Articles”** • the articles of association of the Company (as may be amended from time to time);
- **“Authorised Representative”** • means the person(s) authorised to sign amendments to this Agreement on behalf of the respective Parties;
- **“Banker Authority”** • means the Home Authority providing support provider services to the Company pursuant to a separate contract;
- **“Beneficiaries”** • means the schools, head teachers, teachers, governors, parents or children who are in receipt of (or are eligible of being in receipt of) Commissioned Services delivered by the Company; **“Beneficiary”** shall be construed accordingly;
- **“Bespoke Services”** • is as defined in the Commissioning Agreement;
- **“Budget”** • the budget approved for the Company from time to time;
- **“Business Day(s)”** • any day(s) other than a Saturday or Sunday or a public or bank holiday in England and Wales;
- **“Business”** • the business of the Company;
- **“Business Plan”** • the business plan approved for the Company from time to time;
- **“Commencement Date”** • means the 1 September 2012;
- **“Commissioned Services”** • means the services to be delivered to each Home Authority as defined in each Home Authority’s Commissioning Agreement;
- **“Commissioning Agreement”** • means the agreement to be entered into by each Home Authority with the Company, a template of which is found in Schedule 4 (Commissioning);

- **“Collaboration Services”** • means the services delivered by the Company to the Home Authorities in accordance with Clause 0;
- **“Company”** • means South East Wales Education Achievement Service a company registered in England and Wales with company number 8155408 and whose registered office is at Newport City Council, Newport Civic Centre, Godfrey Road, Newport, NP20 4UR;
- **“Company Account”** • the bank account to be opened by the EAS Board on behalf of the Company pursuant to Clause 0;
- **“Company Director”** • A person responsible for the operation of the Company and appointed pursuant to Article 11 of the Articles;
- **“Confidential Information”** • all information in respect of this Agreement, the Company established by this Agreement, the Parties’ businesses or affairs including, without prejudice to the generality of the foregoing, any and all Management Information; ideas; business methods; finance; prices, business, financial, marketing, development or manpower plans; computer systems and software; Services, including but not limited to know-how or other matters connected with the Services marketed, provided or obtained by the Parties and information concerning the Parties’ relationships with Beneficiaries and the needs and requirements of the Parties and of such persons;
- **"Core Services"** • is defined in the Commissioning Agreement;
- **“EAS Board”** • the Company’s Board formed pursuant to Article 11 of the Articles and which shall operate to manage and direct the Company;
- **“Fair Deal”** means:

(1) *“Staff transfers from central government: a fair deal for staff pensions”*, *Guidance to Departments and Agencies*, HM Treasury, 1999 (re-published in 2000 as an

appendix to the Cabinet Office Statement of Practice entitled “Staff Transfers in the Public Sector”); and

- (2) “Fair Deal for staff pensions: procurement of bulk transfer agreements and related issues”, Guidance Note by HM Treasury, 2004;
- **“Financial Year”** • means a financial accounting period of 12 months ending on the 31st March each year save that the first accounting period shall run from the 1 September 2012 to the 31 March 2014;
- **"Future Company"** • means any person, company, firm or organisation who, at a future time, provides, in succession to the Company, services to the Home Authorities or any of them which are the same or similar to some or all of the Services provided by the Company under or contemplated in this Agreement and includes any person, company, firm or organisation engaged to replace the Company;
- **“Funding”** • the aggregate amount payable by each of Home Authority in accordance with the provisions of Clause 0 and Schedule 2 (Funding);
- **"Grant Funded Services"** • means the services as specified in the relevant education grant funding conditions to be delivered by the Company to all or any of the Home Authorities as agreed and authorised in accordance with Clause 8.9;
- **“Home Authority”** • means either Blaenau Gwent County Borough Council, Caerphilly County Borough Council, Monmouthshire County Borough Council, Newport City Council or Torfaen County Borough Council; and **“Home Authorities”** shall be construed accordingly;
- **“Initial Term”** • means the period which starts on the Commencement Date and which expires on 31st August 2016;

- “Implementation Grant”**

 - means the grant of one million pounds sterling (£1,000,000) paid to Newport City Council by Welsh Ministers to meet the implementation costs of the Company;

- “Joint Executive Group”**

 - the joint group to be set up in accordance with Clause 0;

- “Law”**

 - means (i) any Act of Parliament or Act or Measure of the Assembly, applicable statute or proclamation or any delegated or subordinate legislation; (ii) any enforceable right within the meaning of section 2(1) European Communities Act 1972; (iii) the Guidance; and (iv) the Common Law; in each case to the extent that it is in force in Wales;

- “LGPS”**

means the Local Government Pension Scheme governed by the LGPS Regulations and the Greater Gwent (Torfaen) Pension Fund within the LGPS in which each Home Authority participates on the Commencement Date;

- “LGPS Regulations”**

means:

 - (a) the Local Government Pension Scheme (Administration) Regulations 2008 (SI 2008/239); and
 - (b) the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (SI 2007/1166) (as amended); and
 - (c) the Local Government Pension Scheme (Transitional Provisions) Regulations 2008 (SI 2008/238); and
 - (d) the Local Government Pension Scheme Regulations 1997 (SI 1997/1612);

as amended from time to time;

- “Managing Director”**

the person appointed in accordance with Clause 7 who shall be responsible to the EAS Board for the day to day operations of the Company but does not have a vote;

- **“Management Information”**
 - information relating to the Company, including, but not limited to a) total spend; b) forecast spend; or any other information considered appropriate by the Home Authorities from time to time;
- **“Objectives”**
 - means the objectives set by the Home Authorities from time to time in relation to the improvement in standards which the Home Authorities intend to achieve in the South East Wales region;
- **“Participating Authority”**
 - means a Home Authority in its capacity as a member of the Company;
- **“Participating Authority’s Representative”**
 - means a representative of a Participating Authority, appointed pursuant to Article 7.4 of the Articles;
- **“Performance Review Proforma”**
 - means the proforma each Home Authority shall provide to the Company pursuant to the Commissioning Agreement for the purposes of reviewing the Company’s performance against certain benchmarks including (without limitation) the Objectives; such proforma to be agreed by the Joint Executive Group;
- **“Reserved Matters”**
 - matters reserved for approval as set out in Schedule 1 (Matters Reserved for Home Authorities’ Unanimous Approval) that require unanimous written approval from the Participating Authorities;
- **“Secretariat Services”**
 - means the business support services provided by the Home Authority pursuant to Clause 0 which shall include (without limitation) the provision of meeting room facilities; organising meetings; and the preparation of the agenda and supporting documents and minutes for all meetings of the Joint Executive Group;
- **“Services”**
 - means the Collaboration Services and Commissioned Services;

- **“Service Transfer”** • has its meaning set out in Clause 0;
- **“Staff”** • means all persons employed, assigned or engaged by the Company (whether as a an employee or worker) together with the Company’s servants, agents, suppliers, consultants and sub-contractors (or otherwise) and used in the performance of its obligations under this Agreement;
- **“TPS”** • means the Teachers' Pension Scheme regulated and administered under the Teachers' Pensions Regulations 2010, as amended;
- **“Transferring Employee”** • means any member of Staff who is assigned to the relevant part of the Services (or services equivalent to the Services) being transferred immediately before a Service Transfer and, who as a consequence of TUPE, may transfer or will transfer to a Future Company or to any of the Home Authorities; and
- **“Withdrawal Adjustment Payment”** • means the payment made by a Home Authority pursuant to Clause 14.1, such sum to the calculated in accordance with Schedule 5 (Consequences of Withdrawal and Termination).
- •

Any reference to a statute or statutory provision shall be construed as a reference to the same as from time to time amended, modified, extended, re-enacted consolidated, or replaced provided that amendments, consolidation, modifications, extensions, re-enactments or replacements made after the date of this Agreement shall not have substantively changed the relevant provision.

The headings to the Clauses and Schedules of this Agreement are for convenience only and shall not affect its construction or interpretation.

In this Agreement the masculine includes the feminine and the neuter, and the singular includes the plural and vice versa as the context shall admit or require.

The expression "person" means any individual, firm, body corporate, unincorporated association, partnership, government, state or agency of a state or joint venture.

Any obligations on a Party not to do or omit to do anything includes an obligation not to allow that thing to be done or omitted.

References to “consent” or words to similar effect mean a consent given in advance in writing signed by or on behalf of the Party whose consent is to be given.

COMMENCEMENT AND TERM

This Agreement shall be deemed to have commenced on the Commencement Date and shall continue until terminated in accordance with the provisions of Clause 0.

OBLIGATION TO COLLABORATE

The Home Authorities will work closely together in good faith and in the spirit of collaboration in relation to all aspects of this Agreement with a view to achieving improvement in schools throughout the region.

PRELIMINARY ACTIVITIES

Newport City Council will use the Implementation Grant in accordance with Welsh Ministers’ grant conditions unless otherwise agreed in advance and in writing by the Home Authorities and Welsh Ministers.

Newport City Council shall provide the other Home Authorities with a copy of the Welsh Government grant conditions referred to in Clause 4.1 and shall provide such details as the other Home Authorities may require for the purposes of demonstrating how the Implementation Grant was spent.

JOINT EXECUTIVE GROUP

There shall be a Joint Executive Group which shall be responsible for:

approving the Business Plan for each Financial Year;

challenging the annual Budget for each Financial Year;

approving the Company’s Objectives;

approving the Company’s priorities for each Financial Year;

agreeing the Performance Review Proforma;

agreeing the Commissioned Services to be provided to each Home Authority by the Company for each Financial Year; and

setting and monitoring the Company's performance against the Objectives.

The Joint Executive Group shall agree on or before 26th September 2012

each Home Authority's funding contribution for the first Financial Year as set out in the Schedule 2 (Funding);

the charging model which determines each Home Authority's future obligation to provide funding to the Company set out in Schedule 2 (Funding);

Objectives for the period from the Commencement Date to 1 September 2015 and set out in Schedule 6 (Objectives);

the Commission Services standards as set out in Schedule 4 of the Commissioning Agreement; and

agreeing the Commissioned Services to be provided to each Home Authority in the first Financial Year by the Company.

Each Home Authority shall, by written notice to the secretariat nominated pursuant to Clause 0, appoint (i) a Cabinet Member responsible for Education and (ii) the Director of Education to be members of the Joint Executive Group.

5.3A The Home Authorities agree that up to one (1) expert Diocese from the South East region shall also be entitled to attend at and participate in meetings of the Joint Executive Group. Such person shall have no rights to vote at the Joint Executive Group.

Any member of the Joint Executive Group may appoint an alternate to attend meetings in his or her place. Prior to the commencement of any Financial Year each Home Authority shall, by written notice to the secretariat nominated pursuant to Clause 0, nominate its alternate.

The members of the Joint Executive Group shall appoint one member to be the Chair of the Joint Executive Group for a period of 24 months from the date of appointment. The appointment of chair shall rotate in the following order, and such rotation to start from the point agreed at the first meeting of the Joint Executive Group:

Blaenau Gwent County Borough Council

Caerphilly County Borough Council

Monmouthshire County Borough Council

Newport City County

Torfaen County Borough Council

The Home Authority of the person appointed as Chair pursuant to Clause 0 above shall also act as secretariat to the Joint Executive Group and shall deliver such Secretariat Services at no charge to the Home Authorities.

If the Chair is absent or unable or unwilling to preside at a meeting of the Joint Executive Group, the members present may appoint another member to chair the meeting.

The Joint Executive Group may regulate their proceedings on such terms as they think fit provided the Joint Executive Group meet at least four times in any Financial Year.

The quorum for meetings of the Joint Executive Group shall be three (3) Cabinet Members responsible for Education. No business shall be transacted at any meeting of the Joint Executive Group unless a quorum is present.

If no quorum is present within half an hour of the time for which the meeting was called, the meeting shall be cancelled. If a quorum ceases to be present at any time during the meeting, the meeting shall be adjourned.

Each member of the Joint Executive Group (or his or her alternate) shall have one vote.

Subject to Clause 0 decisions at Joint Executive Group meetings shall only be carried where (1) there is a simple majority of votes in favour and (2) at least three Cabinet Members responsible for Education appointed under Clause 0 or their alternates vote in favour.

Decisions in relation to the matters identified in Clause 0 shall require the unanimous decision of the Joint Executive Group.

THE COMPANY

On, or before, the Commencement Date the Home Authorities shall each nominate a Company Director to the EAS Board.

The EAS Board shall have a meeting, no later than 30 days from the Commencement Date, and appoint the Managing Director.

Each Home Authority shall appoint a representative to attend the General Meetings of the Company in accordance with Article 7.4 of the Articles.

Each Home Authority shall also have the right to appoint a Company Director to the EAS Board in accordance with Article 11.1 of the Articles.

The EAS Board will manage the Business in accordance with the Business Plans and the Budget approved by the Joint Executive Group pursuant to Clause 0.

Subject to Clause 0 the EAS Board shall manage the Company in accordance with the powers set out in the Articles.

Notwithstanding Article 10.4 of the Articles no decisions or actions relating to matters identified as Reserved Matters as defined in Schedule 1 (Matters Reserved for Home Authorities' Approval) shall be taken by the EAS Board without unanimous resolution of the Participating Authorities.

MANAGING DIRECTOR

The Managing Director shall manage all aspects of the Company on a day to day basis as directed by the EAS Board.

The Company shall bear the costs of employment of the Managing Director through the funding provisions set out in Schedule 2 (Funding), provided those costs are properly incurred and his or her emoluments have been approved by the EAS Board.

Subject to the unanimous resolution of the Participating Authorities required pursuant to Clause 0 the EAS Board may replace or dispose of the role of Managing Director.

The Managing Director does not have authority to vary this Agreement or to approve or consent to any matter requiring consent of the Home Authorities.

The Managing Director shall attend as an observer to the meetings of the Joint Executive Group when invited to attend by the Chair of the Joint Executive Group.

FUNDING AND BUSINESS PLAN

The Company shall be funded in accordance with the provisions of Schedule 2 (Funding).

Each Home Authority shall pay its contribution to the Company as identified in Schedule 2 (Funding) quarterly in advance.

In the event any Home Authority does not make any payment due to the Company by the due date the Home Authority shall pay interest on the amount overdue for a period in excess of 30 days at a rate of 2% per annum above the annual base rate of the Lloyds Bank or the base rate of the Company's current banker, if different.

The Company shall provide the Joint Executive Group with the financial information identified in Clause 0 and any other information as the Joint Executive Group may require from time to time to verify how the Company is performing against Budget. Any additional funding required to fulfil the Company operations shall be considered by the Joint Executive Group and shall be shared between the Home Authorities in proportion to the contribution made by each Home Authority in the year ending on 5th April before the deficit arises.

The Business Plan is an annual business plan for the Company. The Business Plan shall include in relation to the Financial Year to which it relates:

- (a) deleted
- (b) deleted
- (c) an operating budget (including capital expenditure requirements) and balance sheet forecast;
- (d) a management report giving business objectives for the year;
- (e) a financial report which shall include an analysis of the results of the Company for the previous Financial Year compared with the Business Plan for that Financial Year, identifying variations in expenditure, revenues, costs and other material items; and
- (f) any other matter required by the Joint Executive Group,

unless otherwise agreed in writing by the Parties.

8.5A The Business Plan for each Financial Year shall describe the Core Services to be delivered by the Company in that Financial Year and shall have appended to it 5 appendices, one in respect of each Home Authority, which shall set out the Bespoke Services (as defined in the Commissioning Agreement) delivered to each Home Authority that will be resourced by the Company.

The Business Plan for the Financial Year in which the Company is formed shall be in agreed form and adopted by Joint Executive Group in accordance with Clause 0.

The Business Plan for each Financial Year from and including [] shall be dealt with as follows:

- a) the Business Plan will be prepared by the Managing Director and referred to the Joint Executive Group for comment at least 45 Calendar Days before the end of the preceding Financial Year.
- b) The Joint Executive Group shall within 15 Calendar Days present its comments on the Business Plan in writing to the Managing Director. If the Joint Executive Group has not done so within that time, then the Joint Executive Group shall be deemed not to have any comments to make on the Business Plan.
- c) Within 15 Calendar Days of the dates comments were due to be received from the Joint Executive Group, the Business Plan together with the comments (if any) of the Joint Executive Group shall be presented to the EAS Board and adopted (as amended by the EAS Board), taking account of such comments (if any).
- d) once adopted by the EAS Board, the Business Plan will be submitted to each Home Authority for consideration and approval by that Home Authority. Each Home Authority shall notify its approval or disapproval within 15 Calendar Days, failing which such Home Authority shall be deemed to have approved the Business Plan. No Home Authority shall unreasonably withhold or refuse its approval.

If any Home Authority wishes to procure Additional Services such Home Authority and the Company may agree the terms on which such Additional Services shall be delivered in accordance with the procedure set out in Clause 5 of the Commissioning Agreement. Such agreement shall not impact on the delivery of the Core Services or the Bespoke Services. Such agreement shall not require the approval of the Joint Executive Group or of any other Home Authority, but shall be communicated to the Joint Executive Group where the cumulative value of the services rendered to any one Home Authority in any Financial Year exceeds £10,000 (ten thousand pounds).

Any education grant funding made available to the region to provide Grant Funded Services requires each Home Authority's Chief Education Officer to formally approve the commissioning of such work in accordance with the following procedure:

On receipt of a regional grant offer for education purposes, the Company in line with internal planning processes will evaluate the grant offer to ensure it is compliant with current priorities and offers added benefits to outcomes for learners without adversely affecting the Company's ability to deliver Commissioned Services.

If 8.9.1 is approved, a plan for the use of such grant funding shall be prepared by the Managing Director and communicated electronically to:

each Home Authority's Chief Education Officers for approval; and
the nominated SEWC Finance Officer for each Home Authority.

Each Home Authority's Chief Education Officer following the approval request will confirm their decision having followed their internal constitutional requirements.

If after 10 working days there has been no response from any or all of the Home Authorities' Chief Education Officers then the grant plan shall be deemed to have been approved. In exceptional cases, and only with prior agreement from the Lead Chief Education Officer (appointed pursuant to the Articles), the working days for responding will be reduced to meet the requirements imposed by the grant conditions and delivery timeframe.

Any dispute over grant expenditure will be considered and determined by the Joint Executive Group.

To support a fully auditable trail and compliance with grant term and conditions the Home Authorities' Chief Education Officers at the next available meeting are required to formally minute the approval with any comments or non-approval and the reasons minuted. In addition each grant will require the signature of each chief education officer or person with the nominated delegated powers through their constitutional agreement within their local authority.

Following agreement to proceed pursuant to Clause 8.9.3 or 8.9.4, details of the grant along with delivery and expected outcome will be presented for information at the next available meeting of the Joint Education Group.

To support and enable the work of the Banker Authority a full audit trail of the approved delivery, expected outcomes, minutes of the Home Authorities' Chief Education Officers meeting and the signature of each officer or member with delegated powers will be passed to the Banker Authority.

On receipt of this information the Banker Authority will respond to the grant provider with 5 working days with all required signatures to enable the grant to proceed.

If approval by the Home Authorities' Chief Education Officers of a grant is made with any comment for further information or clarification around the spending plan, the Managing Director will communicate this required information or

alterations to the spending plan by email. If after 5 working days the Home Authorities' Chief Education Officers have not respond then the Chief Education Officers shall be deemed to have approved the grant plan and signatures through delegated powers to the approval sought.

There will be instances where approved use of grant plans will need to be amended to facilitate and achieve the desired outcomes. To enable the Company to react to the situation, the Managing Director or Company Secretary has the authority to approve individual virements up to –

£50,000 if the changes have no impact on the agreed delivery outcomes.

£15,000 if the changes have an impact on the delivery outcomes

Amounts in excess of the figures above will follow the procedures set out in Clause 8.9.2 to Clause 8.9.4 with the response amended to 5 working days. Electronic responses will be forwarded to the Banker Authority and held on the grant file to support grant audit requirements.

COMPANY ACCOUNTS AND FINANCIAL INFORMATION

The Company shall within 30 days of the Commencement Date open an appropriate bank account in its name for the receipt and management of any funds that may be provided by the Home Authorities or otherwise received by it. The Company shall not open any other bank account without the unanimous approval of the Home Authority.

The Company Account shall be kept open until the termination of this Agreement and the subsequent distribution of the funds in the Company Account in accordance with the Articles.

The Company shall within 30 days (but in any event no later than 3 months) from the Commencement Date, inform HM Revenue & Customs that it is active and take such steps as is necessary to register for such taxes are applicable to it including, without limitation, Corporation Tax, Value-Added Tax, Pay as you Earn and National Insurance.

The Company shall at all times maintain accurate and complete accounting and other financial records including all tax computations and related documents and correspondence with HM Revenue & Customs in accordance with the requirements of all applicable laws and generally accepted accounting principles applicable in the United Kingdom.

Each Home Authority and its Authorised Representatives shall be allowed access at all reasonable times to examine the books and records of the Company and to discuss the Company's affairs with its directors and senior management.

The Company shall supply each Home Authority with the financial information necessary to keep each Home Authority informed about how effectively the Company is performing and in particular shall supply each Home Authority with:

- (a) a copy of each year's Business Plan for approval in accordance with Clause 0;
- (b) a copy of the audited accounts of the Company prepared in accordance with the laws applicable in and the accounting standards, principles and practices generally accepted in the United Kingdom, within 3 months of the end of the year to which the audited accounts relate; and
- (c) management accounts of the Company prior to each EAS Board meeting or at any such interval requested and that contain other such information that the Home Authority shall reasonably require.

Each Home Authority shall be entitled to require the Company, and the Company shall as soon as possible comply with such a request, to provide any documents, information and correspondence necessary (at the cost of the Home Authority making the request) to enable the relevant Home Authority to comply with filing, elections, returns or any other requirements of HM Revenue & Customs or of any other revenue or tax authority.

COLLABORATION SERVICES

The Company shall provide the Home Authorities with additional ad-hoc services as the Home Authorities may require including (but not limited to) strategic advice.

The Joint Executive Group may issue a request for Collaboration Services by notice in writing to the Company giving details of the proposed services required and a proposed timetable for implementation.

The Company shall, within 14 days of receiving the request for Collaboration Services prepare a draft response (“**Response**”) in respect of the request which will set out the resource requirements, proposed charges and comments on the proposed timetable and any such additional detail as the Joint Executive Group may require.

The Joint Executive Group will consider the Response and will notify the Company in writing within 21 days of its receipt of whether it wishes:

to request the Company to proceed with Collaboration Services in accordance with the Response (together with any amendments as may be agreed between the Parties); or

not to proceed with the Collaboration Services Request.

The Company shall only proceed to deliver the Collaboration Services where the Joint Executive Group gives written notice in accordance with Clause 0. The Company shall deliver the Collaboration Services in accordance with the Response (together with any amendments as may be agreed between the Parties).

The charges for the Collaboration Services shall be shared equally between the Home Authorities. Unless otherwise agreed the Company shall invoice each Home Authority the pro rata charges for the Collaboration Services and each Home Authority shall pay the charges within 30 days of receipt of a valid invoice.

ACCOMMODATION

The provisions of Schedule 3 (Accommodation) shall apply.

11A EXTERNAL SERVICES

11A.1 The Company may from time to time be approached by other organisations to provide education services. Subject to Clause 11A.3, in the event of such a request the Company must:

11A.1.1 refer the matter to the Joint Executive Group outlining:

11A.1.1.1 the extent of the services requested, including the duration and time and effort required by the Company to deliver the requested services;

11A.1.1.2 the effect the provision of such services will have on the Company's ability to deliver Core Services, Bespoke Services and any Additional Services to the Homes Authorities;

11A.1.1.3 the reasons why the Company wishes to provide such services including any financial benefit the Company may incur and how the Homes Authorities will benefit from this;

11A.1.1.4 the risks involved in agreeing to provide such services; and

- 11A.1.1.5 any other information required by the Joint Executive Group.
- 11A.2 Where a matter has been referred to the Joint Executive Group pursuant to Clause 11A.1, the Company may only proceed with such a request if approved by the Joint Executive Group in accordance with Clause 5.12.
- 11A.3 The Homes Authorities hereby agree that where a request to provide education services to organisations other than the Homes Authorities and such request equates to a contract worth:
- 11A.3.1 £50,000 and it will have no impact on agreed delivery outcomes; or
- 11A3.2 £15,000 and will have an impact on agreed delivery outcomes;
- the Company may proceed with such a request provided it notifies the Joint Executive Group at the next meeting and provides the information listed in 11A.1.1.1-11A.1.15.

COMMISSIONING

The Home Authorities shall each enter into a Commissioning Agreement with the Company in relation to the Commissioned Services.

In accordance with Clause 5.2.5, the Joint Executive Group shall agree the Commissioned Services to be provided to each Home Authority in the first Financial Year of the Company.

Within 30 days of the end of the preceding Financial Year the Joint Executive Group shall agree the nature and volume of the Commissioned Services to be delivered by the Company to each Home Authority for the for the next Academic Year.

Subject always to Clause 12.3, each Home Authority shall notify the Company of the nature and volume of the Commissioned Services to be delivered by the Company to the Home Authority in accordance with Clause 4.2 of the Commissioning Agreement.

Each Home Authority shall notify the Joint Executive Group of any dispute between the Company and a Home Authority where the procedure set out in Clause 0 (Dispute Resolution Procedure) of the Commissioning Agreement has been invoked. The Home

Authority shall give the Joint Executive Group a summary of the dispute and the resulting outcome.

COMPANY WARRANTIES AND LIABILITIES OF THE PARTIES

The Company warrants that it will supply the Services with such skill, diligence, prudence, foresight and judgement as would be expected from a skilled and experienced person engaged in (a) the same type of undertaking; and (as a separate warranty) (b) delivering services of a similar specification to the Services.

Nothing in this Agreement shall limit any of the Parties' liability for death or personal injury resulting from the negligence of that Party, its employees, agents or sub-contractors.

In no event shall any of the Parties be liable, directly or indirectly, to any of the other Parties for any amounts representing loss of profits, loss of business or indirect, special, exemplary, consequential or punitive damages arising from the performance or non-performance of or any acts or omissions associated therewith or related to this Agreement, whether the basis of the liability is breach of contract, tort (including negligence and strict liability), statutes or any other legal theory, except insofar as agreed herein.

The Company shall be liable for and shall indemnify the Home Authorities its officers servants employees sub-contractors and agents against any liability loss claim or proceedings whatsoever arising out of the breach or negligent performance or failure in performance by the Company of the terms of this Agreement.

To the extent that any loss or liability incurred by the Company is attributable to a breach of contract by, the negligence of, or other unlawful act or omission of a Home Authority, such Home Authority shall indemnify the Company and keep the Company indemnified accordingly.

WITHDRAWAL AND TERMINATION

A Home Authority may by written notice served on the other Home Authorities withdraw from this Agreement by giving no less than 24 months' written notice to the other Parties of its decision not to continue to fund to the Company such notice to expire on 31st August 2016 or any anniversary of that date and shall pay to the Company the Withdrawal Adjustment Payment.

If any Home Authority gives notice to terminate pursuant to Clause 0 above, this Agreement shall continue between the other Parties subject to such changes as are necessary.

The Home Authorities may unanimously agree to terminate this Agreement at any time.

If this Agreement is terminated for whatever reason or a Home Authority withdraws the provisions of Schedule 5 (Consequences of Withdrawal and Termination) shall apply.

Upon the termination of the Agreement pursuant to Clause 14.3, the Parties shall use their respective reasonable endeavours to deal with the orderly winding up of the Company as soon as reasonably practicable unless otherwise agreed by the Home Authorities.

The following Clauses shall survive the termination of this Agreement, howsoever arising: Clause 13 (Company Warranties and Liability of the Parties), Clause 24 (Dispute Resolution), Clause 25 (Confidentiality), Clause 29 (Notices), Clause 32 (Governing Law and Jurisdiction).

TRANSFER OF ACQUIRED STAFF TO THE COMPANY ON THE COMMENCEMENT DATE

The Home Authorities and the Company believe that, pursuant to TUPE, on the Commencement Date, the Company may become the employer of the Acquired Staff. In those circumstances, the Company shall engage all the Acquired Staff with effect from the Commencement Date on the same terms and conditions (including as to previous periods of continuous employment) whether or they are not legally enforceable, as those on which they were previously employed immediately prior to the Commencement Date and shall comply in all respects with the obligations imposed on a transferee by TUPE and Fair Deal in respect of the Acquired Staff.

Within twenty one (21) days of being so requested by the Company, the Home Authorities must provide and thereafter keep updated, in a fully indexed and catalogued format, all the employee liability information identified in Regulation 11 of TUPE, including in particular:

the names of the Acquired Staff, a breakdown of the work they carry out including details of the work they perform, the amount of time they spend carrying out the services and details of any other duties they carry out and the locations of such work;

their dates of birth, sex, salary, length of service, hours of work and rates and any other factors affecting redundancy entitlement, any specific terms applicable to those employees individually and any outstanding claims arising from their employment;

the general terms and conditions applicable to them; and

information of any disciplinary or grievance procedures taken by or against them within the previous two (2) years;

information of any Court or Tribunal case, claim or action brought by them against the Home Authorities within the last two (2) years and any information that the Home Authorities have reasonable grounds to believe that they may bring any Court or Tribunal case, claim or action against the company or a future company arising out of their employment with the Home Authorities;

details of whether they are employees, workers, self employed, contractors (including sub-contractors), or consultants, servants, supplies, agency workers or otherwise.

The Company shall indemnify the Home Authorities in full for and against all claims, costs expenses or liabilities whatsoever and howsoever arising, incurred or suffered by the Home Authorities including without limitation all legal expenses (on an indemnity basis) and other professional fees (together with any VAT thereon) in relation to or in connection with:

any failure by the Company to comply with its obligations pursuant to TUPE and Fair Deal in respect of the Acquired Staff; and

anything done or omitted to be done by the Company in respect of any of the Acquired Staff whether before, on or after the Commencement Date including but not limited to:

any action by any Acquired Staff as a result of any failure by the Company to provide benefits (including pension benefits) comparable to those provided prior to the Commencement Date;

any action by any Acquired Staff in relation to the termination, by the Company after the Commencement Date, of their employment;

any action by any Acquired Staff relating to the identity of their employer changing by the virtue of TUPE and/or this Agreement;
and/or

any action by any Acquired Staff in relation to a change or proposed change to the terms of his or her employment or working conditions as a result of any act or omission of the Company whether such claims arise before on or after the Commencement Date.

To the extent that any loss or liability incurred by the Company as a result of any claim or demand by any of the Acquired Staff (whether for unpaid remuneration, wrongful dismissal, redundancy unfair dismissal, loss of office, discrimination on any actionable ground or otherwise) is attributable to any act, fault or omission of a Home Authority at any time up to and including Commencement Date, such Home Authority shall indemnify the Company and keep the Company indemnified from and against all liabilities, obligations, costs, claims, demands, fines and expenses (including legal expenses on an indemnity basis). This indemnity shall not apply to any claim arising as a result of the cessation of the Acquired Staff's employment with the Home Authority as a result of the transfer to the Company as contemplated in this Agreement (whether or not TUPE does in fact apply) nor to any fault or omission of the Home Authority which arises directly from any act, fault or omission of the Company.

RE-TENDERING AND HANDOVER

On the termination or expiration of the Agreement (in part or otherwise), the identity of the provider of the Services (or any part of the Services) may change resulting in a transfer of the Services in whole or in part ("**Service Transfer**"). If a Service Transfer is a relevant transfer for the purposes of TUPE then, in such event, the Home Authorities or a Future Company may inherit liabilities in respect of the Transferring Employees.

Within twenty one (21) days of being so requested by the Home Authorities, the Company must provide and thereafter keep updated, in a fully indexed and catalogued format, all the information necessary to enable the Home Authorities to issue invitations to tender for the future provision of services equivalent to or all or part of the Services, including but not limited to all employee liability information identified in Regulation 11 of TUPE.

Where, in the opinion of the Home Authorities, TUPE is likely to apply on the termination or expiration of the Agreement, the information to be provided by the Company under Clause 16.2 must include, as applicable, accurate information relating to the Staff who would be likely to transfer to the Home Authorities or any Future Company under TUPE, including in particular:

the number of Staff who would be likely to transfer, including their names (to the extent lawful to provide the same), a breakdown of the work they carry out

including details of the work they perform, the amount of time they spend carrying out the Services and details of any other duties they carry out and the locations of such work;

their dates of birth, sex, salary, length of service, hours of work and rates, and any other factors affecting redundancy entitlement, any specific terms applicable to those employees individually and any outstanding claims arising from their employment;

the general terms and conditions applicable to them, including (where applicable) Home Authorities probationary periods, retirement age, retirement benefits, death benefits, periods of notice, current pay agreements and structures, special pay allowances, working hours, entitlement to annual leave, sick leave, maternity and special leave, injury benefit, redundancy rights, terms of mobility, any loan or leasing agreements, and any other relevant collective agreements, facility time arrangements, additional employment benefits and any other particulars of employment that an employer is obliged to give to an employee pursuant to Section 1 of the Employment Rights Act 1996;

information of any disciplinary or grievance procedure taken against or by them within the previous two (2) years;

information of any court or tribunal case, claim or action brought by them against the Company within the previous two (2) years and any information that the Company has reasonable grounds to believe that they may bring any court or tribunal case, claim or action against the Home Authorities or a Future Company arising out of their employment or engagement with the Company; and

details of whether they are employees, workers, self-employed, contractors (including sub-contractors) or consultants, servants, suppliers, agency workers or otherwise.

At least 14 days before the date of the Service Transfer, the Company shall prepare and provide to the Home Authorities and/or, at the direction of the Home Authorities, to the Future Company, the Company's final list of Staff in accordance with Clauses 0 and 0, which shall be complete and accurate in all material respects. The Company's final list of Staff shall identify which of the Staff named are Transferring Employees. The Home Authorities shall be permitted to use and disclose the final list of Staff provided under this Clause 0 for informing any tenderer or other Future Company.

At least 14 days before the date of the Service Transfer and in respect of each Transferring Employee identified in the Company's final Staff list, the Company shall provide to the Home Authorities or any Future Company their:

pay slip data for the most recent month;

cumulative pay for tax and pension purposes;

cumulative tax paid;

tax code;

voluntary deductions from pay; and

bank or building society account details for payroll purposes.

The Company must indemnify in full and keep indemnified the Home Authorities and/or any Future Company against any claims, costs, expenses or liabilities whatsoever and howsoever arising, incurred or suffered by the Home Authorities or any Future Company including without limitation all legal expenses and other professional fees (together with any VAT thereon) in relation to any deficiency or inaccuracy in information, which the Company is required to provide under Clauses 16.2, 16.3 16.4 and 16.5.

The Company must co-operate fully with the Home Authorities and any Future Company during and following any re-procurement exercise in respect of services equivalent to all or part of the Services. This co-operation, during the setting up operations period of the Future Company, must extend to allowing full access to, and providing copies of all documents, reports, summaries and other information necessary in order to achieve an effective transition without disruption to the routine operational requirements. On reasonable request by the Home Authorities, the Company shall supply to the Home Authorities or the Future Company with access to such employment records as the Home Authorities reasonably requests.

Within ten (10) Working Days of being so requested by the Home Authorities, the Company must transfer to the Home Authorities, or any person designated by the Home Authorities, free of charge, all data, recordings, documentation, planning and drawings held and utilised in the provision of the Services. The transfer must be made in a fully indexed and catalogued disk format to operate on a proprietary software package identical to that used by the Home Authorities.

TUPE

The Company will be responsible for the payment of all salaries, benefits, bonuses, PAYE liabilities and pension contributions in accordance with (i) Fair Deal and (ii) Staff terms and conditions of employment or engagement (whether contractual or otherwise) in respect of the period during which Staff are employed or engaged by the Company.

The Company must indemnify in full and keep indemnified the Home Authorities (and, upon a Service Transfer, any Future Company) against all claims, costs, expenses or liabilities whatsoever and howsoever arising, incurred or suffered by the Home Authorities or any Future Company including without limitation all legal expenses and other professional fees (together with any VAT thereon) in relation to:

any breach of Clause 17.1;

any act or omission by the Company on or before the date of the Service Transfer or any other matter, event or circumstances occurring before the date of the Service Transfer including (but not limited to) any breaches of the contract of employment, terms and conditions, any Law, obligations or policy applicable to, or any collective agreement in respect of any Transferring Employee;

any claims made by a Transferring Employee against the Home Authorities (or, upon a Service Transfer, a Future Company) at any time including (without limitation) any claims for breach of contract, Law, policy or any collective agreement relating to their employment or engagement, claims relating to pay, unfair dismissal, statutory or contractual redundancy pay, discrimination on the grounds of a “protected characteristic” as set out in the Equality Act 2010, equal pay, unlawful deductions, loss of earnings, industrial or personal injury or otherwise relating to their employment or engagement by the Company;

any claims in respect of all emoluments and outgoings in relation to the Transferring Employees (including without limitation all wages, bonuses, PAYE, pension contributions and otherwise) payable in respect of any period on or before the date of the Service Transfer;

any claim arising out of the provision of, or proposal by the Company to offer any change to any benefit, term or condition or working condition of any Transferring Employee arising on or before the date of the Service Transfer;

any statement communicated to or action done by the Company or in respect of any Transferring Employee on or before the date of the Service Transfer regarding the Service Transfer which has not been agreed in advance with the Home Authorities in writing.

The Company shall also indemnify in full and keep indemnified the Home Authorities and, upon a Service Transfer, any Future Company in respect of any claims arising from any act or omission of the Company in relation to any other member of Staff or any other person at any time employed or engaged by the Company who is not a Transferring Employee during any period whether before, on or after the date of the Service Transfer.

Except with the prior written consent of the Home Authorities, the Company must not, after the Home Authorities have served notice of the termination of the Agreement or after the Company shall have otherwise become aware of the proposed termination of the Agreement or the provision by it of the Services:

materially increase the total number of Staff;

vary any terms and conditions of employment of any member of Staff or any policy or collective agreement applicable to any member of Staff then assigned by the Company to the provisions of the Services (provided always that this provision shall not affect the right of the Company to give effect to any pre-existing contractual obligation to any such person);

remove or replace any particular member of Staff so assigned (unless upon the resignation of such person in which case the Company must replace such person with another person of similar skills, qualifications and experience);

deploy any other person to perform the Services (or the relevant part) or increase the number of Staff or terminate or give notice to terminate the employment or contracts of member of Staff;

increase the proportion of working time spent on the Services (or the relevant part) by any of the Staff save for fulfilling assignments and projects previously scheduled and agreed with the Home Authorities; or

introduce any new contractual or customary practice concerning the making of any lump sum payment on the termination of employment of any Staff.

If the Company ceases to provide all or any of the Services (or services equivalent to the Services) and there is a Service Transfer which is a relevant transfer for the purposes

of TUPE, the Company agrees that subject to an employee's right to object pursuant to Regulation 4(7) of TUPE, the Company must:

use reasonable endeavours to ensure there is a smooth transition in respect of the transfer of any Transferring Employee and that any Transferring Employee can become an employee of the Future Company or the Home Authorities on the date of the Service Transfer;

without prejudice to the foregoing, in respect of the Service Transfer comply with its obligations to inform and consult pursuant to Regulations 13 and 14 of TUPE;

indemnify in full and keep indemnified the Home Authorities and/or any Future Company against any claims, costs, expenses or liabilities whatsoever and howsoever arising, incurred or suffered by the Home Authorities or any Future Company including without limitation all legal expenses and other professional fees (together with any VAT thereon) in relation to:

the termination of employment by the Company and/or the Home Authorities or any Future Company of any Staff or any other person employed or engaged or formerly employed or engaged by the Company other than the Transferring Employees where the employment or engagement of such person is alleged or deemed to have transferred to the Home Authorities or a Future Company pursuant to TUPE; and

any act or omission of the Company in relation to its obligations under regulation 11 of TUPE, or in respect of an award of compensation under regulation 12 of TUPE except to the extent that the liability arises from the Home Authorities or a Future Company's failure to comply with regulation 11 of TUPE.

The Company, the Home Authorities and any Future Company shall co-operate to ensure that any requirement to inform and consult employee representatives in relation to any relevant transfer as a consequence of a Service Transfer will be fulfilled.

The Parties agree that, where Acquired Staff were active or eligible to be active members of a public service pension scheme immediately prior to the Commencement Date, the Company shall provide future (and if any accrued benefits, past pension) protection, in accordance with Fair Deal. For the avoidance of doubt, the Parties agree to negotiate

in good faith in order to enter into all further agreements necessary to ensure that the Home Authorities can impose upon any Future Company the level of pension protection set out in Fair Deal in respect of such staff.

Where this Clause applies as a result of:

a Home Authority issuing notice pursuant to Clause 0, the provisions of Schedule 5 (Consequences of Withdrawal and Termination), Part A, Paragraph 2 shall apply; or

the Homes Authorities agreeing to terminate pursuant to Clause 0, the provisions of Schedule 5 (Consequences of Withdrawal and Termination), Part B, Paragraph 2 shall apply.

PENSIONS

The Company shall or shall procure that all Acquired Staff are provided with Appropriate Pension Provision with effect from the Commencement Date up to and including the date of the termination or expiry of this Agreement.

The provisions of Clause 18.1 shall be directly enforceable by an affected employee against the Company in accordance with the provisions of The Welsh Authorities Staff Transfers (Pensions) Direction 2012.

ADMITTED BODY STATUS TO THE LOCAL GOVERNMENT PENSION SCHEME

For the purposes of Clause 0, the Company undertakes to provide the Acquired Staff who were active or eligible to be active members of the LGPS immediately prior to the Commencement Date, with membership of the LGPS and to enter into an Admission Agreement to which each Home Authority shall be a party effective from and including the Commencement Date in the form set out in Appendix 1.

The Home Authorities shall be responsible for actuarial fees incurred in connection with the Admission Agreement and for any other fees incurred in connection with the Company's admission to the LGPS in proportion to their original budget/funding contributions to the Company as set out in Clause 8 and Schedule 2 (Funding) of the Agreement.

The liabilities of the Company and the Administering Authority in connection with the Company's admission to the LGPS as a Community Admission Body are set out in the Admission Agreement referred to in Clause 19.1 of the Agreement.

The Company shall award benefits (where permitted) that are payable before normal retirement date (otherwise than on ill health) to the Acquired Staff under the LGPS Regulations in circumstances where the Acquired Staff would have received such benefits or been eligible to be considered for such benefits under discretionary powers before normal retirement date had they still been employed by the Home Authority. The Company shall be responsible for meeting all costs associated with the award of such benefits to the extent that they are not included in the contribution rate.

19 A ADMISSION TO THE TEACHER'S PENSION SCHEME ("TPS")

19A.1 For the purposes of Clause 0, the Company undertakes to provide the Acquired Staff who were active or eligible to be active members of the TPS immediately prior to the Commencement Date, with membership of the TPS, subject always to the provisions of the TPS.

EAS PENSION SCHEME

Where the Company does not wish to or is otherwise prevented from offering the Acquired Staff membership or continued membership of the LGPS or TPS, the Company shall offer the Acquired Staff Appropriate Pension Provision that fully satisfies the standards of Fair Deal including the terms for any bulk transfer payment at the beginning and end of the Agreement.

SUBSEQUENT TRANSFERS

In respect of any re-tendering of a contract for the provision of Services the Home Authorities shall procure that any new contractor secures Pension Protection (as defined in Clause 0) for each Acquired Staff.

Pension Protection for the purposes of the re-let service contract means the right to acquire pension benefits which are the same as, broadly comparable to or better than the rights that the employee had before the transfer to the new employer. The new employer shall comply with the standards set out in Fair Deal including any bulk transfer payment at the beginning and end of the contract.

The provisions of Clauses 0 and 0 shall be directly enforceable by an affected employee against the new employer in accordance with the provisions of The Welsh Authorities Staff Transfers (Pensions) Direction 2012.

PENSION FUNDING

The Home Authorities shall procure that the Company will contribute to the LGPS in relation to the Acquired Staff as set out in the Admission Agreement including contributions in relation to any deficit which is attributable to the period prior to the Commencement Date (“**Past Service Deficit**”).

The Home Authorities shall remain responsible for any Past Service Deficit that forms part of any payments required to be made on termination of this Agreement or in relation to any other liability of the Company to make payments under the Admission Agreement. Any such payments will be made to the Administering Authority in proportion to the Home Authorities’ original budget/funding contributions to the Company as set out in Clause 8 and Schedule 2 (Funding) of the Agreement and as provided for in the Admission Agreement

The Home Authorities will indemnify the Administering Authority for the failure of the Company to make any payments due under the Admission Agreement as provided for in the Admission Agreement. The indemnity will be satisfied by payment in proportion to the Home Authorities’ original budget/funding contributions to the Company as set out in Clause 8 and Schedule 2 (Funding) of the Agreement and as provided for in the Admission Agreement.

Subject to Clauses 22.2 and 22.3, the Company shall be responsible for any liabilities arising in the LGPS as a result of its acts or omissions on or after the Commencement Date and before the termination of this Agreement.

DATA SHARING

In this Clause 23, the term **Personal Data** means personal data (as it is defined at section 1 of the Data Protection Act 1998) that relates to any Beneficiary; the term **Data Controller** means the data controller (as defined in section 1 of the Data Protection Act) identified in Clause 13.2 of each Home Authority’s Commissioning Agreement; and the terms **Data Subject**, **Data Processor** and **Sensitive Personal Data** have the meanings given in the Data Protection Act 1998 and shall be construed accordingly.

Subject to Clause 23.5, the Company warrants and undertakes that when delivering the Commissioned Services the Company will (a) at all times process Personal Data in respect of which any one Home Authority is a Data Controller only in accordance with Clause 13 of the Commissioning Agreement; and (as a separate warranty) (b) maintain such organisational and technical measures as may be necessary to ensure that Personal Data in respect of which any one Home Authority is a Data Controller is not disclosed to or shared with any other person including any other Home Authority save

as permitted by the Data Protection Act 1998 and in accordance with Clause 23.5 below.

Without prejudice to Clause 23.2, the Home Authorities acknowledge and agree that in order for the Home Authorities to be able to:

assess the Company's performance against the Objectives; and

agree the Commissioned Services to be provided to each Home Authority by the Company for each Academic Year;

the Company will need to share certain information with the Joint Executive Group.

For the purposes of Clause 23.3 the Parties agree that the sharing of Personal Data in identifiable form is unnecessary and that insofar as the sharing of information regarding the Company's past or future delivery of Commissioned Services to identifiable individuals is required anonymised statistical information is sufficient.

If, during the term of this Agreement, the Parties consider that Personal Data in respect of which one Home Authority is a Data Controller needs to be shared with any other Home Authority which is not a Data Controller of that Personal Data, the Data Controller(s) of such Personal Data shall share such Personal Data only if:

the sharing of such Personal Data is consistent with the obligations imposed on the Data Controller(s) by the first data protection principle; and

the Data Controller(s) have the power to share such Personal Data; and

where Clauses 23.5.1 and 23.5.2 are satisfied

23.5.3.1 in the case of routine, systematic or ongoing data sharing, a data sharing agreement in appropriate terms is in place between the Parties; or

1.1.1.2 in any case where Personal Data are shared on an ad hoc basis the Data Controller(s), record in writing:

what information is shared;

how and when such information is shared;

what is the justification for sharing; and

whether the information is shared with or without the Data Subject's consent.

For the purposes of Clause 23.5.3. the Data Controller(s) shall take into account the good practice recommendations set out in the Information Commissioner's Office's Data Sharing Code of Practice (May 2011), as may be updated from time to time.

DISPUTE RESOLUTION

If any dispute arises in connection with this Agreement between all or any of the Home Authorities then in the first instance the Directors for Education (or his or her appointee) of each Home Authority shall, within 14 days of a written request from any Home Authority, meet in a good faith effort to resolve the dispute.

If the dispute is not resolved at that meeting, the Chief Executives (or his or her appointee) of each of the Home Authorities will, within 14 days of a written request from any Home Authority, meet in a good faith effort to resolve the dispute.

If the dispute is not resolved at that meeting, the Leaders of each Home Authority (or his or her appointee) will, within 14 days of a written request from any Home Authority, meet in a good faith effort to resolve the dispute.

No Party may commence any court proceedings in relation to any dispute arising out of this Agreement until it has attempted to settle the dispute pursuant to the process set out in this Clause 24, provided that the right to issue proceedings is not prejudiced by a delay.

CONFIDENTIALITY

Each Party shall keep confidential:

the terms of this Agreement unless it has the Parties' unanimous permission to disclose the same; and

any and all Confidential Information that it may acquire in relation to the other Parties under this Agreement or in relation to the Company or any information gained on the commercial, regulatory or strategic activities or objectives of any other Party gained during the execution of this Agreement.

No Party shall use the other Parties' Confidential Information or any Confidential Information relating to the Company for any purpose other than to perform its obligations under this Agreement. Each Party shall ensure that its officers, employees, sub-contractors and agents comply with the provisions of this Clause 0.

The obligations on a Party set out in Clause 0 shall not apply to any information which:

is publicly available or becomes publicly available through no act or omission of that Party or its officers, employees, sub-contractors or agents; or

a Party is required to disclose pursuant to any legal or statutory obligation including, without limitation, the requirements of the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

Subject to any legal obligation to publish information, no Party shall issue any publicity or other announcement in relation to this Agreement, the Company, or any of the related work without the prior written approval of the Joint Executive Group and without similar prior agreement as to the form and content of such publicity or announcement. Approval shall not be unreasonably withheld or delayed.

FREEDOM OF INFORMATION

Each Party acknowledges that the other Parties are subject to the requirements of the Freedom of Information Act 2000 (“**FOIA**”), and both the respective Codes of Practice on the Discharge of Public Authorities' Functions and on the Management of Records (which are issued under sections 45 and 46 of the FOIA respectively) and the Environmental Information Regulations 2004 and each Party shall assist and cooperate with the other (at their own expense) to enable the other Party to comply with these Information disclosure obligations.

Where a Party receives a Request for Information in relation to Information which it is holding on behalf of any one of the other Parties, it shall (and shall procure that its sub-contractors shall):-

transfer the Request for Information to the other Party as soon as practicable after receipt and in any event within two Business Days of receiving a Request for Information;

provide the other Party with a copy of all Information (as defined in section 84 of FOIA) in its possession or power in the form that the other Party requires within five Business Days; and

provide all necessary assistance as reasonably requested to enable the Party to respond to a Request for Information within the time for compliance set out in section 10 of the FOIA or regulation 5 of the Environmental Information Regulations.

Where a Party receives a Request for Information which relates to this Agreement, it shall inform the other Parties of the Request for Information as soon as practicable after receipt and in any event within two Business Days of receiving a Request for Information.

If any Party determines that Information (including Confidential Information) must be disclosed pursuant to Clause 0, it shall notify the other Parties of that decision at least two Business Days before disclosure.

Each Party shall be responsible for determining at its absolute discretion whether the Information:-

is exempt from disclosure under the FOIA or the Environmental Information Regulations;

is to be disclosed in response to a Request for Information.

Each Party acknowledges that any other Party may, acting in accordance with, the FOIA, both the respective Codes of Practice on the Discharge of Public Authorities' Functions and on the Management of Records (which are issued under sections 45 and 46 of the FOIA respectively) or the Environmental Information Regulations to disclose Information:-

without consulting with the other Parties, or

following consultation with the other Parties and having taken its views into account.

LITIGATION AND CO-OPERATION

The Parties agree to promptly notify the other Parties by written notice upon becoming aware or receipt of any process or other notice of the commencement of proceedings in which any Home Authority is named in connection with this Agreement.

The Home Authorities agree at their own cost to co-operate fully with each other and provide such information and assistance as the others may reasonably require in connection with any actual or potential legal proceedings, arbitration hearings, inquiries, ombudsman inquiries, inspections, internal investigations and disciplinary hearings arising out of or in connection with the provisions of this Agreement provided such obligation shall not extend to any such proceedings between the Home Authorities.

RIGHT TO COMMIT

Each Party warrants that it has power and authority to enter into this Agreement.

NOTICES

Any notice, demand or communication in connection with this Agreement shall be in writing and may be delivered by hand, pre-paid first class post or Special Delivery post (but not by e-mail), addressed to the recipient at its registered office or its address or facsimile number as the case may be stated in Clause 0 (or such other address as may be notified in writing from time to time) and shall be marked for the attention of the relevant person as set out in Clause 29.3.

The notice, demand or communication shall be deemed to have been duly served:

if delivered by hand, when left at the proper address for service;

if given or made by prepaid first class post or Special Delivery post, 48 hours after being posted (excluding days other than Business Days);

provided that, where in the case of delivery by hand, such delivery or transmission occurs either after 4.00 p.m. on a Business Day, or on a day other than a Business Day, service shall be deemed to occur at 9.00 a.m. on the next following Business Day (such times being local time at the address of the recipient).

The addresses and facsimile numbers for the Parties are as follows:

Home Authority	Addressed to	Contact
Blaenau Gwent	Director of Education	Blaenau Gwent County Borough Council, Municipal Offices, Civic Centre, Ebbw Vale, NP23 6XB
Caerphilly	Director of Education	Caerphilly County Borough Council, Ty Penallta, Ystrad Mynach, CF82 7PG
Monmouthshire	Director of Education	Monmouthshire County Council, PO Box 106, Caldicot, NP26 9AN

Newport	Director of Education	Newport City Council, Newport Civic Centre, Newport, NP20 4UR
Torfaen	Director of Education	Torfaen County Borough Council, Civic Centre, Pontypool, NP4 6YB

AMENDMENTS

This Agreement shall not be varied or amended except by formal, written amendment signed by the Authorised Representative of the Home Authorities.

CONTRACTS (RIGHTS OF THIRD PARTIES) ACT 1999

The Parties to this Agreement do not intend that any of its terms will be enforceable by virtue of the Contracts (Rights of Third Parties) Act 1999 by any person not a Party to it including (without limitation) any Beneficiary. No variation to this Agreement and no supplemental or ancillary agreement to this Agreement shall create any such rights unless expressly so stated in any such agreement by the parties to this Agreement. This does not affect any right or remedy of a third party which exists or is available apart from that Act.

GOVERNING LAW AND JURISDICTION

The formation, existence, construction, performance, validity and all aspects whatsoever of this Agreement or of any term of this Agreement will be governed by the law of England and Wales (as applied in Wales).

The courts of England and Wales will have exclusive jurisdiction to settle any dispute which arises out of or in connection with this Agreement. The Parties irrevocably agree to submit to that jurisdiction.

NO PARTNERSHIP

Nothing in this Agreement shall be construed as establishing or implying any partnership or agency between the Parties.

GENERAL

This Agreement is binding upon the Parties and their respective successors and permitted assigns. No Party may assign the benefit (including any present, future or contingent interest or right to any sums or damages payable by the other Parties under or in connection with this Agreement) or delegate the burden of this Agreement or otherwise sub-contract, mortgage, charge, license or otherwise transfer or dispose of any or all of its rights and obligations under this Agreement.

No failure or delay by any Party to exercise any right, power or remedy will operate as a waiver of it nor will any partial exercise preclude any further exercise of the same, or of some other right, power or remedy.

Each of the Parties shall pay their own costs incurred in connection with the preparation, execution, completion and implementation of this Agreement.

This Agreement contains all the terms which the Parties have agreed in relation to the subject matter of this Agreement, and supersedes any prior written or oral agreements, representations or understandings between the Parties relating to such subject matter. No Party has been induced to enter into this Agreement by a statement or promise which it does not contain, save that this Clause shall not exclude any liability which one Party would otherwise have to any other in respect of any statements made fraudulently by that Party.

If any Clause or part of this Agreement is found by any court, tribunal, administrative body or authority of competent jurisdiction to be illegal, invalid or unenforceable then that provision shall, to the extent required, be severed from this Agreement and shall be ineffective without, as far as is possible, modifying any other Clause or part of this Agreement and this shall not affect any other provisions of this Agreement which shall remain in full force and effect.

This Agreement may be executed in any number of counterparts, each of which so executed shall be an original, but together shall constitute one and the same instrument.

The obligations of the Parties under this Agreement are several. The failure by any Party to perform its obligations under this Agreement will not relieve any other Party of any of its obligations or liabilities under this Agreement and no Party will be liable for the failure by any other Party to perform its obligations under this Agreement.

Each Party shall, on being required to do so by another Party now or at any time in the future, do or procure the doing of all such acts and things and/or execute or procure the

execution of all such deeds and documents which are reasonably considered necessary for giving effect to its obligations under this Agreement.

- **SIGNED BY** the duly Authorised Representatives of the Parties on the date stated at the beginning of this Agreement

SCHEDULE 1

Matters Reserved for Home Authorities' Unanimous Approval

1. Varying in any respect the Articles of Association or the rights attaching to any of the members of the Company.

Permitting the registration of any person as a member of the Company.

Issuing any loan capital in the Company or entering into any commitment with any person with respect to the issue of any loan capital.

Making any borrowing other than from the Company's members for an initial loan for working capital purposes or from its bankers in the ordinary and usual course of business.

Passing any resolution for its winding up or presenting any petition for its administration other than in accordance with this Agreement unless it has become insolvent.

Altering the name of the Company or its registered office.

Opening a new bank account.

Changing the nature of the Company's Business or commencing any new Business by the Company which is not ancillary or incidental to the Business.

Forming any Subsidiary or acquiring shares in any other company or participating in any partnership or joint venture (incorporated or not).

Amalgamating or merging with any other company or business undertaking.

Making any acquisition or disposal by the Company of any material asset(s).

Creating or granting any encumbrance over the whole or any part of the Business, undertaking or assets of the Company or over any membership in the Company or agreeing to do so other than liens arising in the ordinary course of business or any charge arising by the operation or purported operation of title retention Clauses and in the ordinary course of business.

Making any loan (otherwise than by way of deposit with a bank or other institution the normal business of which includes the acceptance of deposits or in the ordinary course of business) or granting any credit (other than in the normal course of trading) or giving any guarantee (other than in the normal course of trading) or indemnity.

Factoring or assigning any of the book debts of the Company.

Making or permitting to be made any material change in the accounting policies and principles adopted by the Company in the preparation of its audited and management accounts except as may be required to ensure compliance with any generally accepted accounting principles in the United Kingdom.

Establishing any profit-sharing, bonus or other incentive scheme of any nature for directors or employees.

Establishing or amending any pension scheme or granting any pension rights to any director, officer, employee, former director, officer or employee, or any member of any such person's family.

Appointing or the dismissing the Managing Director.

Instituting, settling or compromising any material legal proceedings (other than debt recovery proceedings in the ordinary course of business) instituted or threatened against the Company or submitting to arbitration or alternative dispute resolution any dispute involving the Company other than provisioned for in this Agreement.

SCHEDULE 2

Funding

1. Funding of the Company

1.1 Funding for the Company will be provided to the Company by each of the Home Authorities as follows.

1.2 Core Local Authority Funding (excluding Governors Support)

1.2 The Business Plan for each Financial Year shall describe the Core Services to be delivered by the Company.

1.2 Each year, the company secretary will identify, in collective consultation with Home Authorities Directors' of Education, the estimated cost of the Core Services required from each of the Home Authorities to fund the Business Plan by 31st January in the preceding Financial Year.

1.2.1 The Core Service funding (excluding the Governor Support element) required from each Home Authority will be based on the national agreement as referenced in the Welsh Government "National Model for Regional Working" (most up to date version).

1.2.2 The Company will issue a VAT invoice to each Home Authority for the estimated Core Services funding required by each Home Authority for the quarter, in advance on the first calendar day of each quarter or the next available working day 1st April, 1st July, 1st October and 1st January.

1.2.3 Each Home Authority will pay their invoice within 30 days of the invoice date.

1.2.4 At the end of each Financial Year and before the 15th May, the Company will calculate the total actual charge for delivering the Core Services to the Home Authorities for the preceding Financial Year.

1.2.4.1 In the event of the total actual cost of the Core Services for the preceding Financial Year being (i) less than the total estimated cost of Core Services and (ii) up to 5% less than the total estimated Core Services funding required for that year, then the Company will retain in order to reinvest into future service delivery. These monies will be set aside within the Company and any usage thereof must be approved by the EAS Board.

1.2.4.2 In the event of the total actual cost of Core Services for the preceding Financial Year being (i) less than the total estimated cost of Core Services and (ii) above 5% of the total estimated Core Service funding required for that year, then the Company will issue a credit note to each Home Authority, for the amount in excess of 5%, calculated in the same proportion as the estimated costs of Core Services for each Home Authority. A refund will be issued to each Home Authority with 30 days of the date of the credit note.

1.2.4.3 In the event that (i) the total actual costs of Core Services exceed the total estimated costs of Core Services and (ii) this overspend has been approved by the appropriate delegated powers within each Home Authority, the Company will issue an invoice to each Home Authority for their share plus VAT (calculated in the same proportion as the estimated costs of Core Services for each Home Authority). Each Home Authority will pay their invoice within 30 days of the date of the invoice.

1.2.4.4 In the event that (i) the total actual cost of the Core Services exceeds the estimated cost of the Core Service and (ii) this overspend has not been approved by the appropriate delegated powers within each Home Authority, then the Company will notify the appropriate delegated powers within each Home Authority and issue a VAT invoice to

each Home Authority for their share (calculated in the same proportion as the estimated charge per Home Authority). The Company will then issue credit notes to each Home Authority over an agreed period for the same amount, in order to reduce the Core Service charge for an agreed period to repay the loan.

1.3 **Core Local Authority Funding (Governors Support)**

1.3.1 Additionally, the Company Secretary will agree with each Home Authority the annual charge required for the governors support element of the Core Service as contained within the approved Business Plan by 31st January. The Company will issue a VAT invoice on 1st April for 50% of the costs and the remaining on 1st October to each Home Authority. Each Home Authority will pay their invoice within 30 days of receipt.

1.4 **Grant Funding**

1.4.1 To the extent that grant income is provided to the Home Authorities to provide Grant Funded Services , the Company will issue a VAT invoice to the Banker Authority for the region for the services provided monthly in arrears. The Banker Authority will pay the invoice within 30 days from the regional grant budget.

1.4.2 To the extent that any other grant income is provided to the Home Authorities as an individual grant and used to fund services provided by the Company, the Company will issue a VAT invoice to the relevant Home Authority for the services provided monthly in arrears. The Home Authority will pay the invoice within 30 days from the regional grant budget.

SCHEDULE 3

- **Accommodation**

SCHEDULE 4

- **Commissioning**

- **Template Commissioning Agreement**

-

• **SCHEDULE 5**

Consequences of Withdrawal or Termination

• **Part A: Withdrawal**

• In the event of a Home Authority issuing a notice to withdraw from this Agreement in accordance with Clause 0, the following provisions shall apply:

1. **Calculation of Withdrawal Adjustment Payment**

1.1 The Home Authority shall pay the Company within thirty (30) Business Days of the date of withdrawal:

1.1.1 £250,000; or

1.1.2 the sum of:

1.1.2.1 the unavoidable break costs of unexpired contracts between the Company and any third party (including any Home Authority) relating to the Services that have been terminated and the Home Authority does not elect to take over itself; and

1.1.2.2 any costs incurred pursuant to paragraph 2 (TUPE/Employment) below;

subject to the Company having taken all reasonable steps to avoid and mitigate such costs;

whichever sum is greater.

2. **TUPE/Employment**

2.1 The Home Authority who has issued notice to withdraw from this Agreement shall be responsible for all claims, costs, expenses or liabilities in respect the Staff including without limitation all legal expenses (on an indemnity basis) and other professional fees (together with any VAT) thereon in relation to or in connection with:

• 2.1.1 any redundancy costs (statutory or otherwise)

• 2.1.2 any notice costs (statutory or contractual)

• 2.1.3 any other related employment costs howsoever incurred

• **Part B: Termination**

• In the event of termination of this Agreement in accordance with Clause 14.3, the following provisions shall apply:

1. **Handover of Services**

[Type here]

1.1 Upon termination of this Agreement howsoever arising the Company shall:

1.1.1 return all Confidential Information, documents, materials and other items belonging or pertaining to Home Authorities or the Services;

1.1.2 assist the Home Authorities in the winding up of the Company; and

1.1.3 do all things reasonably necessary to effect an orderly handover of the Services to the Authority or its nominated contractor.

•

2. **TUPE/Employment**

• 2.1 The Home Authorities shall be jointly responsible for all claims, costs, expenses or liabilities in respect of the Staff including without limitation all legal expenses (on an indemnity basis) and other professional fees (together with any VAT) thereon in relation to or in connection with:

•2.1.1 any redundancy costs (statutory or otherwise)

•2.1.2 any notice costs (statutory or contractual)

•2.1.3 any other related employment costs whatsoever incurred

• 2.2 The payment due by each of the Home Authorities under paragraph 2.1 shall be calculated as directly proportionate to the contribution that the Home Authority has paid to the Company in the year ending on 5th April before the date of termination.

•

SCHEDULE 6

OBJECTIVES

1. Achieve better learning outcomes and wellbeing for all children and young people.
2. Improve the learning offer post 14 to equip learners with employable skills.
3. Improve teaching so that it meets learners' needs and is relevant to the 21st Century.
4. Provide effective challenge, intervention and support in the system where performance is not good enough.
5. Provide economies and efficiencies in the provision of services.

THE COMMON SEAL of
BLAENAU GWENT COUNTY BOROUGH COUNCIL

was hereunto affixed in the)
presence of:)

.....
Authorised Officer

THE COMMON SEAL of
CAERPHILLY COUNTY BOROUGH COUNCIL

was hereunto affixed in the)
presence of:)

.....
Authorised Officer

THE COMMON SEAL of
MONMOUTHSHIRE COUNTY COUNCIL

was hereunto affixed in the)
presence of:)

.....
Authorised Officer

THE COMMON SEAL of
NEWPORT CITY COUNCIL

was hereunto affixed in the)
presence of:)

.....
Authorised Officer

THE COMMON SEAL of
TORFAEN COUNTY BOROUGH COUNCIL

was hereunto affixed in the)
presence of:)

.....
Authorised Officer

Signed for and on behalf of)
SOUTH EAST WALES)
EDUCATION ACHIEVEMENT) Signature

SERVICE
by a duly authorised
representative

)
)
)

.....

Name

.....

Position

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

Date of Meeting: 8th June 2016

Report: Compulsory Purchase Order – Caerwent House, Caerwent

Author: Phil Thomas – Development Services Manager

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

Exemptions applying to the report:

Information relating to a particular individual as described in Paragraphs:

- 3 Information likely to identify an individual
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)
- 5/6 Information which reveals that the authority proposes:
 - a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b) to make an order or direction under any enactment

of Part 4 of Schedule 12A to the Local Government Act 1972.

Factors in favour of disclosure:

Planning is an open process and the protection of listed buildings is in the public interest

Prejudice which would result if the information were disclosed:

Disclosure would reveal the identity of the property and by implication the owner/occupier. The owner could be caused anxiety if the report were public. The report also identifies;

- 1. The Council's proposed course of action
- 2. The organisations that would also be involved with the Council
- 3. The financial implications of the action

My view on the public interest test is as follows:

Although the planning process is normally open the sensitivity of taking enforcement action, the potential for anxiety to persons with an interest, the proposed course of action by the Council with another organisation and the financial implications lead me to consider that it is not in the public interest to disclose the report.

Recommended decision on exemption from disclosure:

That the report is exempt from disclosure

Date: 31/05/2016

Signed: 

Post: Development Services Manager

I accept/~~I do not~~ accept the recommendation made above

Signed:



Date: 31/05/2016

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