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County Hall
Rhadyr
Usk
NP15 1GA

Wednesday, 17 January 2018

Notice of meeting

Economy and Development Select Committee

Thursday, 25th January, 2018 at 10.00 am

The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA.

AGENDA

THERE WILL BE A PRE MEETING FOR MEMBERS OF THE COMMITTEE 30 MINUTES PRIOR TO THE START OF THE MEETING

Item No	Item	Pages
1.	Apologies for absence.	
2.	Declarations of Interest.	
3.	To confirm the minutes of the previous meeting.	1 - 12
4.	Public Open Forum.	
5.	Revenue and Capital Monitoring 2017/18 Outturn Statement - Period 2.	13 - 46
6.	Presentation regarding the City Deal - Strategic Investment Proposal for Caldicot Town Centre.	
7.	Pre-Decision Scrutiny - Section 106 Procedure Note and Policy Guidance.	47 - 116
8.	Economy and Development Select Committee Forward Work Planner.	117 - 118

9.	Council and Cabinet Business Forward Work Programme.	119 - 140
10.	Next Meeting. Thursday 15 th March 2018 at 10.00am.	

Paul Matthews

Chief Executive

MONMOUTHSHIRE COUNTY COUNCIL
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillors:

P. Pavia
J. Becker
D. Blakebrough
A. Davies
D. Dovey
M. Feakins
R. Roden
B. Strong
A. Watts

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Welsh Language

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Aims and Values of Monmouthshire County Council

Sustainable and Resilient Communities

Outcomes we are working towards

Nobody Is Left Behind

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

People Are Confident, Capable and Involved

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

Our County Thrives

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

Our priorities

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

Our Values

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

Monmouthshire Scrutiny Committee Guide

Role of the Pre-meeting

1. Why is the Committee scrutinising this? (background, key issues)
2. What is the Committee's role?
3. What outcome do Members want to achieve?
4. Is there sufficient information to achieve this? If not, who could provide this?
5. Discuss the committee's approach:
 - Agree the order of questioning and which Members will lead
 - Agree questions for officers and questions for the Cabinet Member

Questions for the Meeting

Scrutinising Performance

1. How does performance compare with previous years? Is it better/worse? Why?
2. How does performance compare with other councils/other service providers? Is it better/worse? Why?
3. How does performance compare with set targets? Is it better/worse? Why?
4. How were performance targets set? Are they challenging enough/realistic?
5. How do service users/the public/partners view the performance of the service?
6. Have there been any recent audit and inspections? What were the findings?
7. How does the service contribute to the achievement of corporate objectives?
8. Is improvement/decline in performance linked to an increase/reduction in resource? What capacity is there to improve?

Scrutinising Policy

1. Who does the policy affect ~ directly and indirectly? Who will benefit most/least?
2. What is the view of service users/stakeholders? Do they believe it will achieve the desired outcome?
3. What is the view of the community as a whole - the 'taxpayer' perspective?
4. What methods were used to consult with stakeholders? Did the process enable all those with a stake to have their say?
5. What practice and options have been considered in developing/reviewing this policy? What evidence is there to inform what works?
6. Have all relevant sustainable development, equalities and safeguarding implications been taken into consideration? For example, what are the procedures that need to be in place to protect children?
7. How much will this cost to implement and what funding source has been identified?
8. How will performance of the policy be measured and the impact evaluated.

Questions for the Committee to conclude...

Do we have the necessary information to form conclusions/make recommendations to the executive, council, other partners? If not, do we need to:

- (i) Investigate the issue in more detail?
- (ii) Obtain further information from other witnesses – Executive Member, independent expert, members of the local community, service users, regulatory bodies...

(iii) Agree further actions to be undertaken within a timescale/future monitoring report...

Public Document Pack Agenda Item 3

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Economy and Development Select Committee held at The Council Chamber, County Hall, The Rhadyr, Usk. NP15 1GA on Thursday, 30th November, 2017 at 10.00 am

PRESENT: County Councillor P. Pavia (Chairman)
County Councillor D. Blakebrough (Vice Chairman)

County Councillors: J. Becker, A. Davies, D. Dovey, M. Feakins and R. Roden

Also in attendance County Councillors: P. Murphy, V. Smith and S. Woodhouse

OFFICERS IN ATTENDANCE:

Kellie Beirne	Chief Officer, Enterprise
Peter Davies	Chief Officer, Resources
Mark Howcroft	Assistant Head of Finance
Cath Fallon	Head of Enterprise and Community Development
Deb Hill-Howells	Head of Community Led Delivery
Hazel Ilett	Scrutiny Manager
Richard Williams	Democratic Services Officer

APOLOGIES:

County Councillors B. Strong and A. Watts

1. Declarations of Interest

There were no declarations of interest made by Members.

2. Confirmation of minutes:

2.1. Economy and Development Select Committee - 19th October 2017

The minutes of the Economy and Development Select Committee dated 19th October 2017 were confirmed and signed by the Chair.

2.2. Special Meeting of the Economy and Development Select Committee - 26th October 2017

The minutes of the special meeting of the Economy and Development Select Committee dated 26th October 2017 were confirmed and signed by the Chair.

3. Public Open Forum

There were no members of the public present.

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4. Medium Term Financial Plan 2018/19 to 2021/22 and Draft Budget Proposals 2018/19 for consultation

Context:

- To highlight the context within which the Medium Term Financial Plan (MTFP) will be developed for 2018/19 to 2021/22.
- To agree the assumptions to be used to update the MTFP, and provide an early indication of the level of budget savings still to be found.
- To receive an update with the implications arising out of the provisional settlement announcement of Welsh Government.
- To consider the 2018/19 budget within the context of the four year Medium Term Financial Plan (MTFP) to be incorporated within the emergent Corporate Plan
- To receive detailed draft proposals on the budget savings required to meet the gap between available resources and need to spend in 2018/19.

Key Issues:

The Select Committee scrutinised the Enterprise budget proposals, as outlined in the report, which related to the Enterprise Directorate.

Member Scrutiny:

- The general reserve is made up of the Council fund reserve and school balances, which equates to in the region of £7million. In addition to this, the Council makes contributions to earmarked reserves for particular purposes.
- With regard to borrowing, the Authority uses a system called internal borrowing to avoid taking out extra loans that the Authority doesn't need. The only purpose of borrowing is to afford capital expenditure, which Council agrees annually.
- With regard to the Revenue Support Grant, it was noted that there is a distribution sub group and the Head of Finance sits on this group. Together with the other 22 authorities, the Group looks to work with Welsh Government and with the Welsh Local Government Authority (WLGA) to try and affect the distribution mechanism for the settlement that the Assembly has to remedy some of the issues. Rurality and deprivation are some of the issues being raised. The Authority only receives funding for deprivation in the sum of a few hundred pounds per annum, which does not reflect the pockets of deprivation that the Authority has. In order for the Revenue Support Grant formula to be altered, the 22 local Authorities would have to vote on this matter. However, it is unlikely that this will occur. Appendix 3 of the report refers to a letter that has been sent to Welsh Government by the Authority regarding the need for a more equitable distribution of the funding formula.

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- Post Brexit, there will be changes. The money allocated to local authorities to help combat deprivation largely comes from European funding. This funding will not be available in the future. Therefore, the Authority will need to be more innovative in future.
- In response to a question regarding comparing the Authority's unit costs and performance with those of other Welsh Councils to understand where the greatest opportunity was to make further savings, it was noted that the Authority has to provide certain returns on the same basis as other Welsh Authorities. Monmouthshire's Unit costs are in the lowest quartile in terms of cost. Performance is also looked at. Data driven decisions are where Cabinet wants to get to.
- Closer scrutiny is welcomed with Members, as well as officers, receiving appropriate training when required.
- Future Monmouthshire is about the whole Authority working together, understanding the problems that we face and solving them, as an Authority.
- The new Cabinet report format has now strengthened aspects around options appraisal, evaluation and consultation.
- A Draft Commercial Strategy is being prepared with a view to the Select Committee having an opportunity to scrutinise the draft strategy in the new year.
- Staff cuts are being kept to a minimum. Staff are being set broader targets and are expected to contribute some ideas and thinking regarding how the Authority can solve issues affecting the Council.
- There is resource and good will within the town and community councils. We need to demonstrate, as a Council, that we are positively engaging with them collaboratively.
- By looking at the Authority's procurement procedure, this is an area where the Authority can make savings on spending.
- In response to a Select Committee Member's question regarding Council Tax payments being offered over a 12 month period, it was considered that this flexibility already existed. However, the Assistant Finance Manager stated that he would clarify the position and get back to the Member.
- The Council Tax proposal is 4.95% in 2018-19 reverting to 3.95% in each of the three subsequent years of MTFP.
- Robust business plans are required when investing public money with a view to generating income. There is also a need for robust scrutiny in these circumstances.

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- The well-being of staff is important and the Authority has a duty of care to its staff. A staff survey was carried out earlier in the year which had not raised any significant concerns in terms of well-being of staff. Sickness and absence projections are indicating an improvement on last year. However, staff sickness relating to stress and psychological reasons is on the rise. This highlights the issues that the Authority is working to address. Health and well-being of staff is a priority for the Authority. Health and well-being events have been held over the County for staff to attend and attendance has been good.

Committee's Conclusion:

- The Select Committee has fully considered the budget assumptions, pressures and savings proformas affecting this Select Committee's portfolio area and acknowledges the challenges facing the Council in difficult financial times.
- The Select Committee is keen to work with senior officers in relation to procurement, given the potential savings to be made through examining the Authority's procurement procedures. Members agreed that their continued scrutiny focus for 2018 would be on the procurement agenda in line with the 'Future Monmouthshire' programme.
- The Select Committee agreed to include scrutiny of the draft Commercial Strategy in its work programme, timescale being potentially in the New Year.

5. Draft Capital Budget Proposals 2018/19 to 2021/22

Context:

To scrutinise the proposed capital budget for 2018/19 and the indicative capital budgets for the three years 2019/20 to 2021/22.

Key Issues:

Capital Medium Term Financial Plan (MTFP) issues:

- The four year capital programme is reviewed annually and updated to take account of any new information that is relevant.
- The major component of the capital MTFP for the next few years is completion of the Council's Tranche A Future schools programme. Colleagues are working through options in relation to a future Welsh Government Tranche B programme.

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No presumption has been made to add such costs into this next four year window as yet, as costs of proposals and their affordability are still to be established.

- As part of the 2017/18 budget setting process, Members identified five additional priorities that had not been costed at the time of budget setting, but for which they added an unhypothecated borrowing assumption of £500,000 per annum to the 2017/18 budget.
- During this year, some of those scheme costs have crystallised and the following indicates the related presumption within the capital programme together with an indication of the revenue consequences. In all cases an asset life of 25 years has been presumed:
 - Monmouth Pool – commitment to re-provide the pool in Monmouth as a consequence of the Future Schools Programme, £7.3 million project afforded by £1.9 million Future Schools Programme, £985,000 Section 106 funding, core treasury funding in the region of £835,000, and £3.58 million prudential borrowing afforded by the Leisure Service through additional income predictions.
 - Abergavenny Hub – commitment to re-provide the library with the One Stop Shop in Abergavenny to conclude the creation of a Hub in each of the towns. £2.3 million.
 - Disabled Facilities Grants – the demand for grants is currently outstripping the budget, work is being undertaken to assess the level of investment required to maximize the impact and benefit for recipients. Members ultimately chose to put a one year commitment of £300,000 into the base capital programme in 2017/18.
 - City Deal - 10 Authorities in the Cardiff City region are looking at a potential £1.2 billion City Deal. Agreement to commit to this programme is being sought across the region in January 2018 and would impact on the capital MTFP. The potential impact on individual authority budgets is currently being modelled in advance of decisions on specific projects and profiles in order for authorities to start reflecting the commitment in their MTFPs. The potential is for the 10 authorities to provide collectively £120 million over time, with individual contributions being reflective of populations. Monmouthshire's indicative liability during the forthcoming capital MTFP is likely to be:

Contributions predicted during forthcoming MTFP window:

Year	Amount
2018-19	£83,000
2019-20	£482,000
2020-21	£472,000

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2021-22 £729,000

Contributions predicted following the MTFP window:

2022-23	£729,000
2023-24	£1,207,000
2024-25	£1,206,000
2025-26	£1,206,000
2026-27	£1,206,000

Total £7,320,000

MRP is presumed to start in the year after the contribution is made.

- J and E Block – the office rationalization programme is being considered to see if there is a solution that would enable the Magor and Usk sites to be consolidated, releasing funding to pay for the necessary investment to bring the blocks into use. The current presumption included in Treasury figures is £1.4million expenditure with MRP starting in 2020/21. No revenue savings from central accommodation or the Magor building have been presumed in the capital modelling, as those savings are unlikely to be realized until that building is vacated.
- A strategy that enables the core programme, Future Schools and the above schemes to be accommodated is being developed. Notwithstanding this, there will still remain a considerable number of pressures that sit outside of any potential to fund them within the Capital MTFP and this has significant risk associated with it. Cabinet has previously accepted this risk.
- The current policy is that further new schemes can only be added to the programme if the business case demonstrates that they are self-financing or the scheme is deemed a higher priority than current schemes in the programme and therefore displaces it.

In summary the following other issues and pressures have been identified:

- Long list of back log pressures – infrastructure, property, DDA work and Public rights of way. None of these pressures are included in the current capital MTFP, but this carries with it a considerable risk.
- In addition to this, there are various schemes / proposals (e.g. Alternative Delivery Model for Leisure, Tourism and Culture Services, Tranche B Future Schools, any enhanced DFG spending, waste fleet vehicle replacement, community amenity site enhancement) that could also have a capital consequence, but in advance of quantifying those or having Member consideration of these items, they are also excluded from current capital MTFP.

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- Capital investment required to deliver revenue savings – this is principally in the area of office accommodation, social care, property investment and possibly Additional Learning Needs. The level of investment is currently being assessed. However, in accordance with the principle already set, if the schemes are not going to displace anything already in the programme then the cost of any additional borrowing will need to be netted off the saving to be made.
- The IT reserve is depleted so funding for any major new IT investment is limited. Any additional IT schemes will need to either be able to pay for themselves or displace other schemes in the programme.
- Base interest rates were increased by 0.25% to 0.5% on 2nd November 2017. That pressure is more likely to be felt in the Revenue MTFP as it will increase the cost of borrowing over time. However, it may also impact adversely upon the viability of capital business case developments and their ability to demonstrate self-affordability. Given this very recent change, it hasn't been possible to fully work through the consequences in the initial revenue and capital MTFP. That will instead manifest itself through the budget setting process.

Member Scrutiny:

- There are numerous opportunities to review the capital programme as it is presented to select committee meetings every time there are amendments to it.
- The only change to this capital programme is the inclusion of the £300,000 for disabled facility grants. It is currently fixed at £600,000 but this will be increased to £900,000.
- In response to a question raised regarding the effects that Brexit might have on the Capital Budget, it was noted that Welsh Government provides the Authority with an element of core capital funding in which the Authority can choose to spend on within its schemes, which equates to £2,000,000. However, it is not known whether this is European funding. With regard to the 50% funding that comes from Welsh Government in relation to the Authority's future schools aspirations, conversations around Tranche B have been held with Welsh Government and the consultation process is underway. There is unlikely to be any significant volatility to Monmouthshire's Capital Programme as a consequence of Brexit.
- With regard to the constitutional governance issues in respect of the City Deal, it was noted that there were some matters that needed to be finalised.

Committee's Conclusion:

The Select Committee had fully discussed the capital budget assumptions and priorities affecting the Select Committee's portfolio area, however had no specific recommendations to make in terms of the approach being adopted.

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6. Crick Road - Proposed disposal to Melin Homes

Context:

To undertake pre-decision scrutiny on the proposal to sell Crick Road to Melin Homes to enable the construction of 285 residential units.

Key Issues:

Crick Road is a 10.95 ha site allocated within the Local Development Plan as a strategic development site. The site is owned by Monmouthshire Council and a third party.

Cabinet gave approval in June 2016 to enter into discussions with Melin Homes for the sale of this site on the basis that the development would support the creation of a cohesive community that has regard to its place and local context, whilst still observing the legal requirements that bind the Council when disposing of assets to achieve best consideration.

Council Officers and Melin Homes have been working collaboratively to design a scheme that has regard to its rural context, applies Poundbury principles, creates a sense of community and belonging and is underpinned by dementia friendly principles. The outcome is a design that will provide 285 homes, 71 of which will be affordable, embodies green infrastructure principles and has a mix of residential designs and scale. The houses for sale will be developed by Melin's trading arm, Now Your Home, with the remainder being retained and managed by Melin Homes.

Surveys have been commissioned to establish development constraints and abnormal development costs so that the residual land value could be calculated. To date, abnormal development costs have been identified in the region of £3,000,000 which relate to drainage, utilities, ground conditions and ecological issues. It is intended that as these costs are finalised, the parties will share in any savings on an equal basis.

Discussions are underway with the owners of the third party land on the basis of an equalisation agreement. This will reflect the net value of the site, less costs and the benefit then apportioned on the basis of the size of the land holding.

There is a Service need to re-provision a new dementia friendly residential care facility and this site has been identified as the preferred location. A separate report is being presented by Social Services to consider the business case for this proposal. However, it is worth noting that the design prepared has allocated 2.3 acres to the care facility. In the event that this does not proceed it is expected that the land will be incorporated within the residential scheme, subject to the necessary planning consents.

Provisional heads of terms have now been agreed which will be the subject of an independent valuation to determine that the terms meet the obligations of Section 123 of the Local Government Act.

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Member Scrutiny:

- Melin Homes will be paying the market value for the land and an external valuer has been appointed.
- In terms of the legality of the process, significant scrutiny has taken place and external advisers have been brought in to provide a level of assurance. Officers are comfortable that any obligations will not be breached.
- Section 123 requires that best price is obtained and not prescribe the method of obtaining that. Therefore, the Authority does not need to go and test in the open market but does need the independent scrutiny of the deal that has been agreed which has been tested via case law. Legal advisers are comfortable that the correct procedure is being followed.
- Other companies are interested in purchasing the site. However, market value is being obtained which will be a capital receipt that will be ring-fenced to the 21st Century Schools Programme.
- Melin is a long term partner and will remain on the site.
- The design is place shaping and has regard to its community.
- Subject to Cabinet consent on 6th December 2017 and that the Melin Board is in agreement with the Cabinet decision, public consultation will commence early in the new year. Planning permission is anticipated to be achieved around late spring / early summer of 2018 with work commencing at the end of 2018.
- The scheme, as currently proposed, does not include a G.P. surgery. The hub of the scheme will be the social services facility.
- A report will also be presented to Cabinet on 6th December 2017 regarding Severn View with a view to develop this scheme and to produce a full business case for it by the late spring of 2018.
- In response to questions raised regarding the risks involved with working with Melin Homes, it was noted that Melin Homes' trading arm is delivering a number of sites and have developed expertise. It has also developed its own supply network which has enabled them to build in some quantum and reduce the construction costs. The trading arm has employed people who have worked for PLCs and therefore have the same level of acumen and development skills that PLCs would have. Officers have attended all of the development meetings to ensure that the plans being prepared are being scrutinised. The arrangement is directly with Melin Homes and will share the benefit of any uplift payment. The 25% affordable homes will be achieved with Melin Homes. In the open market, this cannot always be guaranteed.

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- The Capital receipt will be covered via a three phase payment. The first payment will be received at the point of exchange on the contract. Receipt of the remaining two payments has not yet been set.
- The design and community feel is breaking new ground. The scheme is very good for residents and for Monmouthshire as a whole.

Committee's Conclusion:

- The Select Committee welcomes this approach which will deliver best community outcomes and provide a new dementia facility.

7. Presentation regarding the City Deal - Strategic Investment Proposal for Caldicot Town Centre

Due to the extensive scrutiny of the draft budget proposals, we resolved to defer the presentation regarding the City Deal – Strategic Investment Proposal for Caldicot Town to the next meeting of the Economy and Development Select Committee.

8. Performance report 2017/18

Context:

To scrutinise information on how the Council is performing in 2017/18 against nationally set performance indicators that are under the remit of Economy and Development Select Committee.

Key Issues:

The Council currently has an established performance framework which ensures that everyone is pulling in the same direction to deliver real and tangible outcomes. The framework was presented to the Committee in July 2017.

Performance data and information is essential to the Authority's performance framework to track and evaluate the progress being made. The performance data used comprises a range of nationally set performance frameworks across various services and locally set indicators that services have developed to evaluate their performance.

One important nationally set framework used to measure local authority performance is 'Public Accountability Measures' set by Data Unit Wales.

The indicators are benchmarked annually compared to other Councils in Wales and the latest quartile ranking from 2016/17 is included, where available and applicable. This quartile ranking was reported to full Council in September 2017 as part of the Stage 2 Improvement Plan 2016/17. Due to the nature of some indicators, data is only collated

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on a six monthly or annual basis. While there are some new indicators included as part of this set which have limited performance data available at this stage.

The Council is currently developing a Corporate Plan that will bring together a wide range of evidence, including from the well-being assessment and Council's well-being objectives and statement 2017, to set a clear direction for the Council along with the resources required to deliver it. Once completed the Corporate Plan will form the framework for future performance reporting.

Member Scrutiny:

- In response to questions raised, it was noted that performance indicator PAM/013 relates to empty homes brought back to use by direct action for the local Authority.
- In terms of leisure centres and comparability of performance indicator PAM/017 the report indicates that Monmouthshire's leisure centres are in the bottom quartile which is a comparison with other authorities in Wales.
- The Adults Select Committee is looking at the Homeless Strategy on 23rd January 2018.
- Officers are keen to improve the displaying of performance indicators on the County Council's website with a view to updating this information automatically and using technology to present this information. In terms of national information, there are a number of Welsh Local Government Association sites that also hold information, as well as the Authority.
- In terms of the Authority's Leisure Centre offer, it was considered that information on how the Authority is engaging with primary care providers in terms of increasing or enhancing the drive for social prescribing, would be beneficial to the Select Committee.

Committee's Conclusion:

We resolved to receive the report and noted its content.

9. List of actions arising from the previous meeting

We noted the list of actions arising from the previous meeting. In doing so, the Scrutiny Manager informed the Select Committee that the first Procurement Workshop had been held and the notes of agreed actions had been circulated to Members. A report on the value of the National Procurement Service had also been sent to Members.

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The workshop was a different style of working that was being trialled and was focussed and interactive which allowed officers to take forward key actions.

10. Economy and Development Select Committee Forward Work Programme

We resolved to receive and note the Economy and Development Select Committee Forward Work Programme. In doing so, the following points were noted:

- A seminar regarding a review of the Local Development Plan will be held in the Council Chamber this afternoon which will be hosted and led by the Economy and Development Select Committee. All Members have been invited to attend.
- The presentation regarding the City Deal - Strategic Investment Proposal for Caldicot Town Centre will be received at the January 2018 Select Committee meeting.
- A special meeting of the four select committees has been arranged to be held in December 2017 to scrutinise the Alternative Delivery Model.
- The Select Committee will meet with bordering English authorities in the new year to discuss cross border issues. However, there is preparation work that needs to be undertaken initially before this meeting takes place, i.e., to meet with the public to ascertain what the issues are.

11. Council and Cabinet Business Forward Plan

We received the Council and Cabinet Business Forward Plan and noted its content.

12. Next meeting

The next meeting of the Economy and Development Select Committee will be held on Thursday 25th January 2018 at 10.00am.

The meeting ended at 1.06 pm.

Agenda Item 5

REPORT

SUBJECT	REVENUE & CAPITAL MONITORING 2017/18 OUTTURN STATEMENT – PERIOD 2
DIRECTORATE	Resources
MEETING	Economy & Development Select Committee
DATE	25th January 2018
DIVISIONS/ WARD AFFECTED	All Authority

1. PURPOSE

- 1.1 The purpose of this report is to provide Members with information on the revenue and capital outturn positions based on activity data at month 7.
- 1.2 This report will also be considered by Select Committees as part of their responsibility to,
 - assess whether effective budget monitoring is taking place,
 - monitor the extent to which budgets are spent in accordance with agreed budget and policy framework,
 - challenge the reasonableness of projected over or underspends, and
 - monitor the achievement of predicted efficiency gains or progress in relation to savings proposals.

2. RECOMMENDATIONS PROPOSED TO CABINET

- 2.1 Members consider the forecast net revenue outturn overspend of £62,000.
- 2.2 That Cabinet requires Chief Officers to continue to work to reduce the £1.333m over spend on services, using measures such as a moratorium on non-essential spend and the freezing of vacant posts other than where recruitment is considered essential.
- 2.3 Members consider the forecast capital outturn spend, the levels of capital slippage proposed and the levels of capital receipts to assist with capital programme funding, primarily the Future Schools Tranche A considerations.
- 2.4 Members note that the low level of earmarked reserves, which will severely reduce the flexibility the Council has in meeting the financial challenges of reducing settlements and consequent need to re-design services.
- 2.5 Members note the significant and continued forecast reduction in the overall school balance at the end of 2017/18 and supports the continuing work with schools to ensure that the Council's Fairer Funding scheme requirements are met and that the overall schools balance reverts to a positive position at the earliest opportunity.
- 2.6 Members note the significant over spend on services and consider recurrent and new pressures that need to feature in the draft revenue budget proposals currently out on consultation.

3. MONITORING ANALYSIS

3.1 Revenue Position

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

3.1.2 Responsible Financial Officer's Summary of Overall Position (month 7 based)

Table 1: Council Fund 2017/18 Outturn Forecast Summary Statement at Period 2

Service Area	Initial 2017-18 Annual Budget	Virements to budget	Period 2 Annual Budget	Revised Forecast Outturn	Forecast Over/ (Under) @ Outturn	2017/18 Period 1 Variance
	£'000			£'000	£'000	£'000
Adult Services	6,972	6	6,978	7,014	36	-100
Children Services	10,018	120	10,138	11,190	1,052	401
Community Care	22,162	-23	22,139	21,768	-371	-34
Commissioning	1,600		1,600	1,507	-93	-39
Partnerships	350	5	355	355	0	0
Public Protection	1,455	1	1,456	1,449	-7	-39
Resources & Performance	864	-151	713	701	-12	1
Total Social Care & Health	43,421	-42	43,379	43,984	605	190
Individual School Budget	43,166	104	43,270	43,398	128	0
Resources	1,425		1,425	1,362	-63	6
Standards	4,983		4,983	5,382	399	379
Total Children & Young People	49,574	104	49,678	50,142	464	385
Business Growth & Enterprise	824	644	1,468	1,779	230	23
Governance, Democracy and Support		4,061	4,061	4,122	61	
Planning & Housing	1,852	-374	1,478	1,533	55	56
Tourism Life & Culture	3,140	-282	2,858	2,965	188	101
Total Enterprise	5,816	4,049	9,865	10,399	534	180
Governance, Engagement & Improvement	4,333	-4,333	0	0	0	104
Legal & Land Charges	446		446	453	7	10
Operations	16,562	-2,045	14,517	14,988	471	381
Total Chief Executives Unit	21,341	-6,378	14,963	15,441	478	495
Finance	2,287	147	2,434	2,272	-162	-81
Information Communication Technology	2,421	118	2,539	2,409	-130	0
People	1,583			1,573	-10	30

Commercial and Corporate Landlord Services	-504	1,639	1,135	1,145	10	70
Total Resources	5,787	1,904	7,691	7,399	-292	19
Precepts and Levies	17,075	330	17,405	17,401	-4	-5
Coroners	100		100	119	19	19
Gwent Joint Records	182		182	182	0	0
Corporate Management (CM)	181	-13	168	130	-38	-5
Non Distributed Costs (NDC)	733		733	733	0	0
Strategic Initiatives	654	-204	450	0	-450	-450
Insurance	1,264	-30	1,234	1,251	17	-34
Total Corporate Costs & Levies	20,189	83	20,272	19,816	-456	-475
Net Cost of Services	146,128	-280	145,848	147,181	1,333	794
Fixed Asset disposal costs	123	19	142	142	0	0
Interest and Investment Income	-138	127	-11	-23	-12	0
Interest payable & Similar Charges	3,673	2	3,675	2,942	-733	-500
Charges required under regulation	3,815	261	4,076	3,978	-98	250
Contributions to Reserves	165	2	167	208	41	0
Contributions from Reserves	-1,653	198	-1,455	-1,455	0	0
Capital Expenditure funded by revenue contribution			0	0	0	0
Appropriations	5,985	609	6,594	5,792	-802	-250
General Government Grants	-61,380		-61,380	-61,380	0	0
Non Domestic rates	-30,418		-30,418	-30,418	0	0
Council Tax	-66,450	-330	-66,780	-67,080	-300	-250
Council Tax Benefits Support	6,135		6,135	5,966	-169	-130
Financing	-152,113	-330	-152,443	-152,912	-469	-380
Budgeted contribution from Council Fund				0		
Net Council Fund (Surplus) / Deficit	0	-1	-1	61	62	164

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

Net Council Fund Surplus	2017-18	2016-17	2015-16	2014-15
	£'000	£'000	£'000	£'000
Period 1	164 deficit	1,511 deficit	867 deficit	219 deficit
Period 2	62 deficit	839 deficit	1,066 deficit	116 deficit
Period 3		79 surplus	162 deficit	144 deficit
Outturn		884 Surplus	579 surplus	327 surplus

3.1.4 There have been quite a lot of budget movements since month 2 to reflect changes to Chief Officer portfolios, such that:

Chief Executives Unit

- Property Services moved to Corporate Landlord in RESOURCES Directorate.
- Building Cleaning and Catering have stayed in OPERATIONS Division for now.
- The Governance, Engagement and Improvement Division has been deleted and replaced with Governance, Democracy and Support within ENTERPRISE Directorate.

Enterprise Directorate

- Governance, Democracy and Support created to include Community Hubs, Contact Centre and Community Education.
- Creation of new division called Business Growth and Enterprise – includes most of Economic Development with the addition of Events, Museums and Youth Enterprise from Tourism, Leisure and Culture Division.
- Creation of new division called Community Partnerships and Development which is effectively a merger of Whole Place and Partnerships.

Resources Directorate

- New Corporate Landlord Division created from the merger of Asset Management/Place Division and Property Division transferred across from Operations.

Given these movements, month 2 and month 7 variances are not directly comparable, as “new” service managers have inherited previous underspends or overspends.

However the overall position is still directly comparable, such that net cost of services outturn forecast has increased by £539k to £1.333 million, compensated in part as is traditional by savings in Treasury and Financing, to derive a net deficit of £62k.

As part of the month 7 monitoring exercise, it has become evident that an anticipated use of reserves has been presumed but not yet communicated and requested from Cabinet.

- Priority investment reserve – for continuation of current levels of leased property management (£120k), paragraph 3.1.7
- IT Reserve – Finance Document Management software replacement (£20k), paragraph 3.1.6

Should Cabinet subsequently receive reports from colleagues and accept such use, the revised bottom line would be £78k surplus.

3.1.5 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, using measures such as a moratorium on non-essential spend and the freezing of vacant posts other than where recruitment is considered essential.

3.1.6 In arriving at the month 7 forecast position Chief Officers have had to identify further savings plans to arrest the over spend on services. However, it should be noted that such savings plans are principally one-off in nature and therefore significant pressures remain in transport, ALN and Children's Services and that will need to be assessed as part of the draft budget proposals that are currently out on consultation.

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

Stronger Communities Select Portfolio (£1,541k net underspend)

- Chief Executives Unit (£478k overspend)

Legal division exhibited a £7k deficit, due to reduced land charge income activity. Operations exhibited a collective £381k deficit. The position for each of main Operations areas is as follows, highways £39k surplus, passenger transport £322k deficit (market intervention, increased ALN costs and a loss on private hire activities), waste £159k (predominantly trade waste and downturn in grounds maintenance turnover), schools catering £29k (downturn in meals perceived to relate to introduction of parent pay).

- Resources Directorate (£292k underspend)

An underspend in Finance Division costs of £162k, predominantly due to net HB grant inflow, an increased recharge to schools for Finance system support and staff vacancies. An underspend in IT Division (£130k) caused by underspends in equipment costs £70k and SRS £55k underspend. People services anticipate a small £5k surplus. Corporate landlord services division predict £15k deficit, caused by shortfall in solar farm income, a reduction in cemetery income, and the net effect of procurement savings not being owned across the Council, compensated in part by savings in central accommodation costs. There is also a target of £20k efficiency saving and general reduced spend to be achieved across the Directorate before year end. There is an additional presumption in the monitoring spreadsheet to request £20k use of IT reserve to afford Finance's document management system replacement. That decision has not been presumed in this report such that the bottom line has not been adjusted nor reserve levels adjusted in advance of colleagues explaining the need to Cabinet.

- Corporate (£456k underspend)

Mainly this is the effect of the annual redundancy provision (£450k) within Corporate budget, to be used following member consideration and approval. At the moment there is no activity on this cost centre, despite redundancy costs being shown as overspends within Directorates. There also miscellaneous savings totalling £6k across this Directorate.

- Appropriations (£802k underspend)

Monitoring report of £843k underspend has been adjusted for anticipated deficit transfer to Outdoor Education trading reserve of £41k. Much of the saving is introduced by active Treasury management to legitimately defer minimum revenue provision payment for solar farm, delaying borrowing decision until absolutely necessary, recognising forecast capital slippage and utilising preferential short term borrowing rates and constantly refreshing as an alternative to more expensive longer term rates.

- Financing (£469k underspend)

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

RESOURCES DIRECTOR CONTEXT & COMMENTARY

Overall the Directorate is forecasting an under spend of £292k at the end of month 7. Under spends driven by additional grant income on benefits, ICT underspends on equipment and with the SRS and central accommodation costs are mitigating pressures resulting from a shortfall in income against budget from the solar farm, a reduction in cemetery income and authority wide procurement savings not being captured. Beyond the procurement savings, the Directorate will achieve its savings targets as approved and included in the budget. The Directorate will continue to work to reduce the areas of overspending wherever possible, or identify further savings if necessary over the coming months, in order to assist in reducing the Authority's overall over spend.

HEAD OF OPERATIONS CONTEXT & COMMENTARY

Month 7 shows a deterioration from month 2 in the projected out turn for 17/18 for the Operations Department.

The forecast now suggests an over spend across all sections of £471,000 compared to a projection at month 2 of £281,000.

The significant variations from budget are discussed below:

Primary schools catering is forecasting an over spend of £28,000. This budget covers free school meal costs so the increase in numbers of meals served (not necessarily the number of pupils entitled) obviously contributes to the over spend. The downturn in paid meals is also of concern but there is anecdotal evidence that this is partly due to the introduction of the parent pay web based system which removes the opportunity for parents to pay with cash or cheque and consequently unable to take advantage of paying for school meals on an ad hoc basis (often fluctuating with home prepared meals on a daily basis), That being said in December there is some indication that numbers are starting to recover. Although the parent pay scheme offers the opportunity to view menus and to pay over the web it is possible that parents are not yet familiar with the system so an advertising campaign to promote the benefits of the scheme will be developed to seek to restore custom levels. The inclusion of waste disposal charges was inevitable as clarification was provided by WG that schools are liable for collection and disposal charges. The winter months do often see an increase in custom levels so this plus advertising should assist recovery.

The Street lighting energy budget suffers from the budget model which allows no inflation on contracted services whereas actual energy costs to Welsh local authorities increased by 15% in this year (the consequence of a new round of tendering). The introduction of more LED lamps reduces energy consumption and on a budget stripped of inflationary factors would notionally provide a saving. However the saving is used to finance the borrowing to purchase the lights so is removed from the energy budget. A further benefit from investment in new lighting is that officers feel it is feasible to reduce the maintenance budget so the projected overspend has dropped since month 2.

Highways Operations including SWTRA are forecasting a break even budget but it must be stressed that this is forecast upon a stable budget projection through the winter period, based upon recent years expenditure. In this year the highways budget for winter maintenance and snow clearing was reduced so there is a significant risk that poor weather will place pressure upon this budget unless we adopt a reduced level of response. At this stage costs are not yet available to reflect the effect of the recent bad weather.

The PTU budget overall is forecast to overspend by £322,000 compared to a month 2 forecast of break even. There is an underspend in passenger transport arising from arrangements for administration income and staff collaboration but this positive position is dwarfed by the volatility currently being experienced amongst private operators and extra SEN transport costs recently

incurred. Earlier this year a major private transport provider ceased trading over a weekend. There were 29 contracts (H2S and SEN) provided by this operator and all services were re-established very quickly through direct provision and other operators but the financial impact has been an significant (estimated as an extra £1250 per day over and above previous costs. The other significant increase has been in SEN transport costs with extra services being arranged for students in recent months.

The Waste budget indicates a breakeven out turn but the grounds service within Waste and Street Scene is projecting a loss of £82,000. This area has typically shown significant variations in year but has always returned a surplus or been on budget at year end. However when the budget was set for the current year it assumed an increase in income of £100,000. The wider plan was to cut back on grounds maintenance and this income was to offset the need for any redundancies but whilst officers have sought options to reduce maintenance with the minimal of service impact in reality the service cuts and extra trade have not been achieved sufficiently to offset the budget assumption. It is possible that extra works will be acquired and carried out during the remainder of the year to cover this loss but at present that level of works is not on the order book.

Overall the financial situation is of major concern. A report will be prepared to move one off costs for redundancies to corporate funding (approx. £77,000) as Operations revenue budgets are unable to carry these costs in this year. Otherwise officers will be instructed to only commit to essential spend through the remaining months, and all income opportunities will be sought across all Operations service areas. Recruitment is frozen to all posts other than essential front line operatives and all service heads are investigating where spend may be curtailed and income optimised through to year end.

3.1.8 Economy & development Select Portfolio (£527k net overspend)

- Enterprise Directorate (£534k net overspend)

Business growth and enterprise anticipate a £230k overspend, a movement of £198k adverse since month 2. This is caused predominantly by a perceived net shortfall in whole place saving of £35k and adverse Events activities totalling £172k incurred since month 2 forecast. This Events budget was previously overseen by Tourism, Leisure and Culture subdivision and has only recently been inherited by Business growth and enterprise subdivision.

Planning & Housing (£55k overspend) – Development control exhibits an increased deficit of £106k through reduced development and income activity, conversely development policy exhibits £172k surplus, through a temporary salary vacancy and delays in anticipated LDP work. The Housing Lodgings scheme continues to be unsustainable (£120k adverse), as Welsh Government support no longer makes an allowance for sufficient management costs in administering the scheme. The potential for this was highlighted in the 2017-18 budget setting report, but not requested, so this report unusually requests a £120k use of priority investment reserve.

Tourism, leisure & culture (£189k overspend) – predominantly the effect of Caldicot castle and Old Station being traditionally above budgeted levels (£162k adverse), and a net £39k reduction in Leisure centre income caused by Monmouth site redevelopment. Outdoor education also incurs a £41k loss, reported as being due from Torfaen CBC and Blaenau Gwent withdrawing from the partnership. This has been known for 2 years and advice has been to address rather than convert into extra income of an unsubstantiated nature. As a partnership, the bottom line trading activity is transferred to an earmarked reserve rather than affecting MCC bottom line.

Governance, democracy and support (£61k overspend)- predominantly £95k redundancy costs compensated in part by net savings in subscriptions and electoral registration.

- Social Care & Health (£7k underspend)

Public Protection (£7k underspend) – predominantly a net underspend in Registrars caused by increased income and reduced superannuation costs.

ENTERPRISE DIRECTOR'S CONTEXT & COMMENTARY

The DCEO Month 7 position reports a £534,000 overspend which, when adjusted for reserve movements, comes down to £279,000.

The main pressures remain in the Tourism, Leisure, Culture and Youth Services - underlining the continued issues with viability of services in their current form. This underlines again, the importance of considering alternative delivery models, in order to ensure sustainable futures for these important community and frontline services.

In response to this, the DCEO unit has developed a comprehensive recovery plan to help mitigate pressures, examine all spend items at a detailed level, freeze vacancies and redouble income generation efforts.

3.1.9 Adult Select Portfolio (net £440k underspend)

- Social Care & Health (£440k underspend)

Adult Services (£36k overspent) – a continued net overspend in Direct Care and Mardy Park costs is compensated in part by savings in My Day My life initiative, secondment income, disability services and management costs..

Community Care (£371k underspend) – underspends in disability aids and net savings on intermediate care budget with costs afforded by adhoc grant, together with a prediction of 3 significant cases being funded through third party totalling £240k.

Commissioning (£93k underspend) – predominantly a net saving in commissioning strategy costs and a senior vacancy.

Resources (£12k underspend) – net saving apparent in transport management

3.1.10 Children & Young People Select Portfolio (net £1,516k overspend)

- Social Care & Health (£1,052k overspend)

Children's Services (net £1,052k overspend) – placement and care costs are forecast as being £483k, which is £353k more than volunteered in the month 2 prediction, and this is despite £140k presumption in relation to 5 cases coming from external sources. Children's services team costs exhibit a forecast overspend of £569k, over and above establishment budgets, and an increase of £298k on month 2 forecast..

Youth offending team partnership (breakeven) – this service is a partnership administered by the Council on behalf of itself and others and any balance (£42k deficit) is effectively transferred through Appropriations to a ring-fenced reserve so should have no bottom line effect on MCC's management accounts.

- Children and Young People (net £464k overspend)

School Budget Funding, since month 2 the budget passported to schools incurs a forecast £128k deficit. There is an **underspend of £38k** within the **Resources subdivision** due to vacancy savings and premature retirement costs being less than budget. However the main cost pressure

manifests itself in **Standards subdivision** (£373k) caused by out of county placement costs exceeding budget, a decision to fund a further formal ALN unit, together with an overspend in the general ALN provision for all 4 secondary schools.

SOCIAL CARE & HEALTH DIRECTOR'S CONTEXT & COMMENTARY

Overall the position as at month 7 is an overspend of £605,000. This position reflects a number of robust recovery actions to contain the overspend as far as possible moving into year end, in a volatile and high cost budget area. In common with Authorities across Wales, Children's Social Service budgets are under extreme pressures, with ours exhibiting a £1.052M overspend. This is a worsening position for Children's Services from the reported month 2 overspend projection of £401,000 (£651,000 at month 5), and the 2016/17 outturn being £534,000 overspent. Much of the 2016/17 overspend comprised recurrent commitments which carried through into this financial year. The reason for the higher overspend are increased costs relating to complex placements for 4 children, additional workforce pressures (£94,000) to safely meet the added workload from the number of children on the Child Protection Register (Cabinet approval of establishment changes in December 2017 will allow a move away from agency to meet capacity requirements) and corporate safeguarding posts that are reserve funded, but shown as an overspend against the Children's Services budget. The overall directorate position is being reduced by underspends in Adult Services of £440,000 and £7,000 in Public Protection.

CHILDREN & YOUNG PEOPLE DIRECTOR'S CONTEXT & COMMENTARY

The Directorate's Month 7 position is a forecasted overspend of £464,000. Efficiencies have been delivered across many parts of the directorate, however, these have been offset by additional expenditure in other areas caused by increased pressures on the service provision. All parts of the directorate are continuing to work to reduce those areas of pressure and bring the budget closer to a balanced position.

The current overspend includes the cost of redundancies from our support services restructure. The necessary approval has been granted to meet these costs from reserves if we are unable to meet them from within the directorate's budget. In addition, an exceptional item of expenditure within the ISB has increased the overspend position that was reported at Month 2. These combined one-off items amount to £131,000 and once these have been accounted for the underlying position remains static from month 2.

The Additional Learning Needs budget continues to remain under significant pressure due to the requirement to support more of our pupils with complex needs. This is a particularly challenging budget given the volatility of children arriving into the area and younger children requiring more complex packages of support. The two main elements of this budget have moved in different directions. The Out of County budget has improved its position and is now forecasted to be £29,000 overspent. The in-County budget which provides additional support to children in the classroom is experiencing significant pressure and the forecast overspend has increased by a further £100,000 to £300,000.

Along with the rest of the organisation, schools are facing a challenging financial settlement and have, for the first time, budgeted to be in a collective deficit by the end of the year. This forecasted position has declined since Month 2 and is more in line with the budgets that have been set, but we will continue to work closely with our school colleagues to ensure their plans are as robust as possible to minimise any impact whilst continuing to improve standards for our young people.

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

In summary they are as follows,

Disinvestment by Directorate 2017-	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable YTD
REVENUE MONITORING 2017-18	£000	£000	£000	£000	£000	£000
Children & Young People	(395)	(395)	(395)	0	0	0
Social Care & Health	(627)	(627)	(628)	0	0	0
Enterprise	(84)	(84)	(83)	0	0	0
Resources	(266)	(257)	(236)	0	(30)	0
Chief Executives Units	(1,224)	(955)	(992)	0	(29)	(205)
Corporate Costs & Levies	(118)	(118)	(98)	0	(20)	0
Appropriations	(1,708)	(1,708)	(1,648)	0	0	(60)
Financing	(885)	(885)	(885)	0	0	0
DIRECTORATE Totals	(5,308)	(5,029)	(4,965)	0	(79)	(265)

3.2.2 Forecasted mandated savings are currently running at 94% (a slight reduction on levels reported in month 2), with currently £265,000 being deemed potentially unachievable, and a further £79,000 unlikely to crystallise in 2017-18.

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

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

3.2.5 Stronger Communities Select Portfolio

Resources Directorate

- Estates restructure proposals (£30k) affecting markets and community development officer are yet to be enacted.

Chief Executive's Office

- Contact Centre (£14k) reorganisation has been delayed and whole place saving of £100k exhibits a shortfall of £65k.
- The procurement saving (£100k) is not yet manifest across Directorates to apportion from the reduced Procurement budget.
- Reduced grass cutting and maintenance schedules (£15k) at Monmouth sports grounds haven't reverted to level of original lease agreement as yet.
- Trade waste income levels are reported to be down by circa £80k, with neither (£10k plus £30k) of the extra income savings yet being manifest deliverable.

3.2.6 Economy & Development Select Portfolio

Enterprise (ENT) Directorate

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

3.2.7 Adult Select Portfolio

Social Care & Health (SCH) Directorate

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

3.2.8 Children and Young People Select Portfolio

Children and Young People (CYP) Directorate

- Directorate colleagues report current year savings are anticipated to be delivered in full, although Members may wish to substantiate how £150k savings in ALN and childcare voluntary organisations can be achieved, whilst Standards subdivision and ALN costs exhibit £399k adverse situation.

3.3. Capital Position

MCC CAPITAL BUDGET MONITORING 2017-18 at Month 7 by SELECT COMMITTEE						
SELECT PORTFOLIO	Forecast Spend at Outturn	Slippage Brought Forward	Total Approved Budget 2017/18	Forecast Capital Slippage to 2018/19	Revised Capital Budget 2017/18	Capital Expenditure Variance
	£000	£000	£000	£000	£000	£000
Children & Young People	39,236	15,302	44,581	(5,345)	39,236	0
Adult	2	0	2	0	2	0
Economic & Development	458	966	966	(458)	509	(51)
Strong Communities	8,049	1,100	9,096	(1,027)	8,069	(20)
Capital Schemes Total 2017-18	47,745	17,368	54,645	(6,829)	47,816	(71)

Capital Outturn

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

So capital expenditure at month 7 is predominantly being forecast to budget once slippage is accounted for. There is £51k construction saving on the Solar Farm scheme and £25k within County Farm Maintenance due to the postponement of a roof refurbishment.

3.3.2 There were further priorities acknowledged by Members during the capital budget consultation, where there is a commitment to invest but they weren't in a position to get member approval on as part of 2017-18 budget setting and required separate approval.

These were

- Monmouth Pool – commitment to reprovide the pool in Monmouth as a consequence of the Future schools programme
- Abergavenny Hub – commitment to reprovide the library with the One Stop Shop in Abergavenny to conclude the creation of a Hub in each of the towns
- Disabled Facilities Grants (DFGs) – the demand for grants is currently outstripping the budget
- City Deal - 10 Authorities in the Cardiff City region are looking at a potential £1.2 billion City Deal. Agreement to commit to this programme is being sought across the region in January 2018 and so would impact on the capital MTFP from 2018-19.
- J and E Block – the office rationalization programme is being considered to see if there is a solution that would enable the Magor and Usk sites to be consolidated, releasing funding to pay for the necessary investment to bring the blocks into use.

Subsequently Members have added £300k to DFGs, absorbed E block work through property maintenance budget and received and approved a report into the reprovision of Monmouth pool. Consequently J block work, Abergavenny Hub and City deal contribution consideration sit outside 2017-18 capital programme.

3.4 Slippage to 2018-19

3.4.1 Total Provisional Slippage at Month 7 is £6,829k, of which £5,345k within CYP relates to Monmouth Comprehensive 21st Century Schools rebuild. Future Retention payments for the new Solar Farm account for the slippage in E&D of £458k. Car Park refurbishment for Granville Street of £251k (possible contaminated land) and £100k for new ticketing machines have been delayed. £115k is being slipped as a result of ongoing ecological surveys for a bridge reconstruction on the A465 at Livox. A major S106 scheme (£355k) that is projected to be slipped is for the Lion Street Highways Works.

3.5 Capital Financing and Receipts

3.5.1 Given the anticipated capital spending profile reported in para 3.3.1, the following financing mechanisms are expected to be utilised.

MCC CAPITAL FINANCING BUDGET MONITORING 2017-18 at Month 7 by FINANCING CATEGORY						
CAPITAL FINANCING SCHEME	Annual Financing	Slippage Brought Forward	Total Approved Financing Budget 2017/18	Provisional Budget Slippage to 2018/19	Revised Financing Budget 2017/18	Forecast Capital Financing Variance 2017/18
	£000	£000	£000	£000	£000	£000
Supported Borrowing	2,241	0	2,402	(161)	2,241	0
General Capital Grant	1,462	0	1,462	0	1,462	0
Grants and Contributions	16,132	5,629	16,149	(17)	16,132	0
S106 Contributions	873	522	1,300	(427)	873	(0)
Unsupported borrowing	9,620	5,662	10,338	(667)	9,671	(51)
Earmarked reserve & Revenue Funding	197	302	359	(162)	197	(0)
Capital Receipts	17,220	5,253	22,635	(5,395)	17,240	(20)
Capital Financing Total 2017-18	47,745	17,368	54,645	(6,829)	47,816	(71)

3.6 Useable Capital Receipts Available

3.6.1 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 2017/21 MTFP capital budget proposals.

Movement in Available Useable Capital Receipts Forecast

TOTAL RECEIPTS	2017/18	2018/19	2019/20	2020/21
	£000	£000	£000	£000
Balance b/f 1 st April	18,935	3,549	204	1,048
Add:				
Receipts received in YTD	922			
Receipts forecast received	932	8,222	5,610	3,084
Deferred capital receipts	164	164	164	164
Less:				
Receipts to be applied	(17,240)	(11,567)	(509)	(509)
Set aside	0	0	(4,257)	(3,623)
Predicted Year end receipts balance	3,549	204	1,048	0
Financial Planning Assumption 2017/21 MTFP Capital Budget	608	0	5,156	4,861
Increase / (Decrease) compared to MTFP Capital Receipts Forecast	4,157	204	(4,108)	(4,861)

3.6.2 The balances forecast to be held at the 31st March each year are generally lower than forecast in the MTFP. The expected slippage of LDP receipts has been offset by a delay in the set aside of capital receipts in the earlier years. The decrease of £4.0m remaining at 31st March 21 is due to the reduced capital receipt for the Abergavenny Cattle Market, which was replaced by £4.0m of deferred income to be received over 25 years.

3.6.3 The month 7 receipts activity for current year reflects a reduction of net £1million since month 2 report relating to likely deferment of Croesyceiliog County Hall receipt unlikely to be achieved before 2018-19, compensated in part by Govilon receipt being brought forward from 2018-19.

3.6.4 At Month 7, £5,395k of budgeted capital receipts are forecasted to slip therefore allowing the capital receipts already generated to finance the capital receipt budgeted expenditure on 21st Century Schools within the 2017-18 financial year.

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

3.7 Reserves

Reserve Usage

3.7.1 Revenue and Capital monitoring reflects an approved use of reserves. At month 7, service managers' presumptions are to fully utilise the reserve funding conveyed to them in 2017-18 budget. Additionally there is proportion of 2016-17 reserve funded expenditure that was approved by Members on 6th June to transfer into 2017-18. This wasn't formally vired into the ledger during the monitoring period involved, so is shown as a separate column in the forecast year end position below.

Summary Earmarked Reserves Month 7 2017-18					
Earmarked Reserves	Apr-17	Revenue Approved Usage		Capital Usage	Mar-18
Name of Reserve		Replenishm't of Reserves	Draw on Reserves		
Invest to Redesign	-960,943	-136,569	204,163	0	-893,349
IT Transformation	-727,784		153,500	11,823	-562,461
Insurance & Risk Management	-1,083,295				-
Capital Receipt Generation	-347,511		142,444		1,083,295
Treasury Equalisation	-990,024				-205,067
Redundancy & Pensions	-795,297		298,484		-990,024
Capital Investments	-775,522			145,185	-496,813
Priority Investments	-1,000,171		556,420		-630,337
Museum Acquisitions	-56,760				-443,751
Elections	-133,183	-25,000	100,000		-56,760
Grass Routes Buses	-184,391	-5,000		38,307	-58,183
Sub Total	-7,054,881	-166,569	1,455,011	195,315	5,571,124
Restricted Use Reserves					
Youth Offending Team	-273,567				-273,567
Building Control Trading	-25,987				-25,987
Outdoor Education Centres	-190,280		41,000		-149,280
Plant & Equipment (Highways)	-75,000				-75,000
Homeless Prevention Fund	-4,619				-4,619
Rural Development Plan	-86,471				-86,471
CYP Maternity	-93,590				-93,590
Total Earmarked Reserves	-7,804,395	-166,569	1,496,011	195,315	6,279,638

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

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

Schools Reserves

3.4.4 Each of the Authority's Schools is directly governed by a Board of Governors, which is responsible for managing the school's finances. However, the Authority also holds a key responsibility for monitoring the overall financial performance of schools. The net effect of an individual school's annual surplus or deficit is shown in a ring-fence reserve for the particular school.

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

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

3.4.6 As a consequence of month 2 monitoring report, CYP colleagues prepared a Cabinet report requesting that this consideration be temporarily withdrawn i.e.

- *Members allow an exception to the breach of the Fair Funding (Scheme for Financing Schools) Regulations for the financial year 2017-18.*

On the basis that

- *The deficit projected at the beginning of the year was £608,000, at the end of month 2 this had reduced to £428,000. The collective deficit will not exceed the budget position of £608,000.*

That report went on to reassure Cabinet that,

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

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

3.4.5 The summary indicative outturn position based on month 7 activity is,

Opening reserves 2017-18 (Surplus)/Deficit	In Year position at Month 7 (Surplus)/Deficit	Projected carry forward at year end 2017-18 (Surplus)/Deficit	Change in reported Outturn position since month 2 (Surplus)/Deficit
(268,786)	823,090	554,304	126,321

3.4.5 Whilst the month 7 forecast indicates a worsening situation than that reported at month 2, it is still below the worse case deficit parameter of £608,000 reported to Cabinet by £54,000.

Appendix 2 indicates the forecast position for each school, together with an indication of the recovery plan targets agreed between Governing bodies and local education authority colleagues, as per a request of CYP Select.

As a result of which:

- It is evident that 3 schools that started the year in significant deficit still do not have agreed recovery plans, which remains a significant concern given the reassurance provided to Cabinet;
- Similarly 4 schools indicate an adverse situation worse than the recovery plan target for current year;
- Conversely 2 show an improved position over and above the recovery plan agreed; and
- Pleasingly 3 schools exhibit a forecast movement back into a surplus position before the end of the financial year. Should that be the case, potential credit is due to Chepstow Comprehensive, St Mary's and Thornwell Primary schools.

3.4.8 It remains unlikely that the collective level of reserves will sustain the traditional annual draw by schools on reserves in recent years, which will add additional focus by schools to address the need to remain within budget going forward rather than passporting the consequences to their reserves, given that collective flexibility is now pretty much exhausted.

4 OPTIONS APPRAISAL

4.1 Not applicable.

5 EVALUATION CRITERIA

5.1 Not applicable. Budget monitoring and forecasting information is provided periodically throughout the financial year, culminating in an outturn position following year-end. Evaluation is therefore continuing and ongoing and is consequently reflecting in future budget setting considerations.

6 REASONS

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

7 RESOURCE IMPLICATIONS

7.1 As contained in the report.

8 EQUALITY AND SUSTAINABLE DEVELOPMENT IMPLICATIONS

8.1 The decisions highlighted in this report have no equality and sustainability implications.

9 CONSULTEES

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

10 BACKGROUND PAPERS

Outturn Monitoring Reports (Period 2), as per the hyperlink provided

<http://corphub/initiatives/Budgetmon/20172018/Forms/Q2.aspx>

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Appendices (attached below)









Appendix 1 Mandated Savings Progress Report

Appendix 2 School Reserves






APPENDIX 1

Disinvestment by Directorate 2017-18		2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable YTD	Traffic Light based Risk Assessment	ASSESSMENT of Progress
REVENUE MONITORING 2017-18		£000	£000	£000	£000	£000	£000	£000	
Children & Young People		(395)	(395)	(395)	0	0	0		
Social Care & Health		(627)	(627)	(628)	0	0	0		
Enterprise		(84)	(84)	(83)	0	0	0		
Resources		(266)	(257)	(236)	0	(30)	0		
Chief Executives Units		(1,224)	(955)	(992)	0	(29)	(205)		
Corporate Costs & Levies		(118)	(118)	(98)	0	(20)	0		
Appropriations		(1,708)	(1,708)	(1,648)	0	0	(60)		
Financing		(885)	(885)	(885)	0	0	0		
DIRECTORATE Totals		(5.308)	(5.029)	(4.965)	0	(79)	(265)		
Children & Young People		2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress
Page 11		£000	£000	£000	£000	£000	£000	£000	
		(150)	(150)	(150)					
Resources - Removal of training budget		(8)	(8)	(8)					
Resources - Loss of 3 posts within support services		(70)	(70)	(70)					
Resources - Removal of professional fees for the directorate		(8)	(8)	(8)					
Early Years - To remove the funding provided to childcare voluntary organisations - Wales PPA, Mudiad Meithrin & Clybiau Plant Cymru Kids' Club.		(15)	(15)	(15)					
ALN - Reduce the Independent Special School Budget		(50)	(50)	(50)					on target, but a fairly volatile service
Other - Reduction in pupil numbers		(81)	(81)	(81)					
Other - Reduction in contribution required by EAS		(14)	(14)	(14)					
CHILDREN & YOUNG PEOPLE Budgeted Savings Total		(395)	(395)	(395)	0	0	0		

Social Care & Health	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress
	£000	£000	£000	£000	£000	£000	£000	
Adult Social Care Service Transformation	(200)	(200)	(200)					
Adults - Parity on pricing structure between day service and community meals	(25)	(25)	(25)					
Adults - Development of café at Mardy park and establish private and business partnerships to develop catering services	(2)	(2)	(2)					
Adults - Hire of Mardy Park outside of core hours	(1)	(1)	(1)					
Adults - Restructure finance and benefits advice team to replace 2 posts on lower grades	(16)	(16)	(16)					
Adults - Reduce IT Development budget	(10)	(10)	(10)					
Adults - alignment of welfare benefits information, advice and assistance services	(13)	(13)	(13)					
Adults - Detailed Contract Review	(56)	(56)	(56)					
Adults - Terminate room rental in Abergavenny	(4)	(4)	(4)					
Adults - Changing transport practice. two types of transport savings:- mileage incurred by staff to transport service users, and cost of providing transport	(27)	(27)	(27)					
Adults - Review of transport policy to support people who can transport themselves	(32)	(32)	(32)					
Adults - explore live in carer rather than hourly cost via care agency	(47)	(47)	(47)					
Adults - income generation from MDMY	(3)	(3)	(3)					
Public Protection - training provided during core time rather than over time	(7)	(7)	(7)					
Public Protection - FSA Grant for food safety management work	(7)	(7)	(7)					
Public Protection - Start charging for health export certificates	(3)	(3)	(3)					
Public Protection - food standards sampling grant	(1)	(1)	(1)					

Social Care & Health	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress
	£000	£000	£000	£000	£000	£000	£000	
Public Protection - Implement "buy with confidence" trader approval scheme	(3)	(3)	(3)					
Public Protection - Regional Animal Health Coordination	(3)	(3)	(3)					
Public Protection - WHoTS Coordination - recharge	(3)	(3)	(3)					
Public Protection - Set up Primary Authority Partnership scheme for TS proactive work	(2)	(2)	(2)					
Public Protection - Restructure of licensing team	(6)	(6)	(6)					
Public Protection - Increase charge for marriages at Old Parlour Usk	(1)	(1)	(1)					
Public Protection - Increase cost of certificates of "priority certificates"	(6)	(6)	(6)					
Social Services income charge rise	(150)	(150)	(150)					
SOCIAL CARE & HEALTH Budgeted Savings Total	(627)	(627)	(628)	0	0	0		

Enterprise	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress
	£000	£000	£000	£000	£000	£000	£000	
Development Plans - Reduce 'Premises' budget line	(2)	(2)	(2)					
Development Plans - End membership of Severn	(3)	(3)	(3)					
Development Plans - Reduce 'Photocopying' budget	(2)	(2)	(2)					
Development Plans - Reduce 'Postage' budget line	(1)	(1)	(1)					
Development Plans - Reduce 'Advertising' budget	(1)	(1)	(1)					
Development Plans - Reduce 'Professional Fees' budget	(8)	(8)	(8)					
Development Management - Additional fee income from pre-application advice fee charges	(5)	(5)	(5)					Although Devel Mngt are overspending as a whole this saving will be achieved. The over spend is due to a decline in general planning app income.
Development Management - Move towards paperless planning files and consultations; reduction in copying and printing and postage	(5)	(5)	(5)					Although Devel Mngt are overspending as a whole this saving will be achieved. The over spend is due to a decline in general planning app income.
Development Management - Additional fee income from i) a new Fast Track pre-application advice service and ii) a new Fast Track applications service for householder	(2)	(2)	(2)					Although Devel Mngt are overspending as a whole this saving will be achieved. The over spend is due to a decline in general planning app income.
Development Management - Fee income from a new Completion certificates service for developers or solicitors/ householders buying and selling their home	(2)	(2)	(2)					Although Devel Mngt are overspending as a whole this saving will be achieved. The over spend is due to a decline in general planning app income.
Development Management - Reduce Professional & Specialist Fees budget (D080)	(9)	(9)	(9)					Although Devel Mngt are overspending as a whole this saving will be achieved. The over spend is due to a decline in general planning app income.

Enterprise	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress
	£000	£000	£000	£000	£000	£000	£000	
Building Control - Reduce supplies and services budget (£33k) by £2,638	(3)	(3)	(3)					
Housing - Decision already made to end the joint/shared Housing Solutions Service with TCBC and re-align the service to an MCC only focus.	(20)	(20)	(20)					Although Housing are overspending as a whole this saving will be achieved
Housing - Replace Flare grants software with Ferret software	(6)	(6)	(6)					Although Housing are overspending as a whole this saving will be achieved
Housing - Continue to tackle the use of B & B through increased prevention and private sector housing development	(8)	(8)	(8)					Although Housing are overspending as a whole this saving will be achieved
Housing - Re-structure of Housing Renewal team	(6)	(6)	(6)					Although Housing are overspending as a whole this saving will be achieved
ENTERPRISE Budgeted Savings Total	(84)	(84)	(83)	0	0	0		

Chief Executive's Unit	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress
	£000	£000	£000	£000	£000	£000	£000	
Garden waste income	(50)	(50)	(50)					Been achieved
Communities, Hubs, Libraries - Re-structure of management level of Community hubs and SLS	(52)	(52)	(52)					
Communities, Hubs, Libraries - Cease the purchase and rental of DVD's	(4)	(4)	(4)					
Communities, Hubs, Libraries - Amalgamation of SLS supporting posts from 2 into 1	(34)	(34)	(34)					
Contact Centres - Reduction of staff (Information Officer) by half a post	(14)	0	0		(14)			Delayed restructure - still under review
Legal - Colleague reducing days	(31)	(31)	(31)					
Policy - Reduce capacity of team by deleting some posts and replacing them with posts with reduced responsibilities and working hours	(13)	(13)	(13)					
Community Safety - Reduce the purchase and maintenance capability for CCTV equipment and repairs to existing system.	(2)	(2)	(2)					
Partnerships - £5,900 non staff costs can be made through removal of professional fees and licenses	(6)	(6)	(6)					
Communications - Reducing the budget for a post to a budget of £8,841 (this post is currently being filled by contractors on a day rate of £250 per day).	(18)	(18)	(18)					
PTU - Collaboration of passenger transport units with Newport CC(saving taken in 15/16 for management support this is in addition through restructuring)	(15)	(15)	(15)					Although PTU is overspending as a whole this saving will be achieved





Chief Executive's Unit	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress
	£000	£000	£000	£000	£000	£000	£000	
Fleet - To withdraw from renting Severn Bridge Social Club car park, Bulwark.	(9)	(9)	(9)					
Fleet - To decrease general contracts maintenance budget	(5)	(5)	(5)					
Fleet - Proactively market the scheme with a view to increase numbers.	(7)	(7)	(7)					
Fleet - Restructure/redesign within the Transport Section (posts)	(9)	(9)	(9)					
Fleet - Savings on spare parts	(12)	(12)	(12)					
Fleet - Savings on consumables & outside contract work	(21)	(21)	(21)					
Waste - Charge schools for the full cost of their waste collections and disposal	(30)	0	0			(30)		All schools in the South of the County have found alternative contractors. The service has reported a £115k pressure with trade waste to which this contributes.
Waste - Reduce scheduled cuts and maintenance of Monmouth sports grounds to level of original lease agreement	(15)	0	0		(15)			This has not yet happened as it has been difficult to engage with the sports associations. Service is attempting to manage the pressure in budget
Waste - Project Gwyrdd annuity payment from WG for 17-18	(70)	(70)	(70)					Achieved
Waste - Increase bulky waste collection charges by 50% (£12 to £18) and reduce our contribution to Homemakers accordingly	(10)	(10)	(10)					Achieved through negotiation with Homemakers
Waste - Additional income from trade waste	(10)	0	0			(10)		Not achieved - see comment above
Waste - Managing impact of reduced activity/income on tree works	(24)	(24)	(24)					Vacancy not yet released from budget so carrying pressure but trying to manage within resources at this stage

Chief Executive's Unit	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress
	£000	£000	£000	£000	£000	£000	£000	
Highways - reduction in maintenance budget to reflect impact of investment in new (led) lanterns	(8)	(8)	(8)					
Highways - reduce pumping station maintenance budget	(2)	(2)	(2)					
Highways - rsl veb1000 recycling plant : in place and operational saving	(14)	(14)	(14)					
Highways - welfare units : in place and operational saving	(10)	(10)	(10)					
Highways - overtime back office : adjust start and finish times	(2)	(2)	(2)					
Highways - sim cards : review and reduce where not required	(2)	(2)	(2)					
Highways - review all wales tenders : subject to 2nd layer of reducing cost	(2)	(2)	(2)					
Highways - reduction in salt budget to reflect reduced usage over recent years. stock levels remain constant (budget pays for what is used rather than what is stocked). actual usage in year may result in overspend depending upon weather conditions	(20)	(20)	(20)					
Highways - bartering / hiring kit : partnerships with ncc / tcbc	(4)	(4)	(4)					
Highways - reduction in response budget to reflect reduced winter maintenance (response to snowfall) in recent years. actual conditions during the winter will remain at current standards but a risk of resulting overspend exists	(10)	(10)	(10)					

Chief Executive's Unit	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress
	£000	£000	£000	£000	£000	£000	£000	
Highways - review all wales tenders : subject to 2nd layer of reducing cost	(2)	(2)	(2)					
Highways - cross hire within ops : use in house kit before hire	(1)	(1)	(1)					
Highways - external hire	(2)	(2)	(2)					
Highways - fill structure : release additional hours being worked	(3)	(3)	(3)					
Highways - reduce the amount of scrim investigations undertaken each year.	(3)	(3)	(3)					
Highways - reduce the amount of revenue structures maintenance undertaken each year.	(41)	(41)	(41)					
Highways - to increase road closure charges by 50% and recover costs against appropriate capital scheme	(20)	(20)	(20)					
Highways - to increase skips, scaffolding licences and street name & numbering fee by 50% in 2016/ 2017	(10)	(10)	(10)					
Highways - to extend charges to other services (to be identified by working group)	(7)	(7)	(7)					
Property Services - Train existing staff to carry out risk assessments	(25)	(25)	(25)					
Property Services - To withdraw the 60% of the Corporate Procurement Training budget.	(6)	(6)	(6)					
Property Services - Non replacement of Shared Facilities Manager, following resignation. (£11,500 saving)	(7)	(7)	(7)					

Chief Executive's Unit	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress
	£000	£000	£000	£000	£000	£000	£000	
Property Services - Mouton House Restructure	(19)	(19)	(19)					
Property Services - Increase School meal price from £2.00 to £2.10 (5p already in MTFP)	(21)	(21)	(21)					
Property Services - flexible retirement, reduced 5 days to 3	(11)	(11)	(11)					
Property Services - Vehicles – reduction in leasing costs for courier vehicles	(2)	(2)	(2)					
Property Services - Press Notices – cease advertising Bank Holiday office closures in the Press	(3)	(3)	(3)					Found through alternative method, delayed until April 2018
Property Services - Refreshment provision – cease providing refreshment supplies	(1)	(1)	(1)					Found through alternative method, delayed until April 2018
Property Services - Increase the time between risk assessments for Legionella, Asbestos, Fire & Glazing from the current 2/3 years to minimum of 5 years	(10)	(10)	(10)					
Property Services - 10% reduction in corporate building maintenance reactive budget	(54)	(54)	(54)					
Property Services - Realignment of budget for previous efficiencies achieved	(15)	(15)	(15)					
Recycling Plant	(70)	(70)	(70)					
Whole Place	(100)	0	(35)		0	(65)		Restructure has only found part of the savings required.
Pension Contribution Savings	(160)	(160)	(160)					
Procurement Savings	(100)	0	0			(100)		Procurement savings have yet to be identified. A report from V4 has been commissioned to identify procurement initiatives that could be actioned to improve compliance, quality and vfm but no action has taken place as yet.
CHIEF EXECUTIVES' UNIT Budgeted Savings Total	(1,224)	(955)	(992)	0	(29)	(205)		

Resources	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress
	£000	£000	£000	£000	£000	£000	£000	
Finance - Delete two part time vacant posts from structure (Cashiers & Systems)	(31)	(31)	(31)					
Finance - Revise and reduce the structure of the Benefits Shared service thereby reducing MCC's annual contribution	(20)	(20)	(20)					
Finance - Reduce the Sections budget for postage costs to reflect the planned shift to automation, email and self service through the web	(6)	(6)	(6)					Savings achieved through other means
Finance - Release savings from Security Carrier tender evaluation	(10)	(10)	(10)					
Finance - Cancel contract for folding machine maintenance to reflect reduced mail in 5.3 and planned moved to outsourcing of mail to Canon	(4)	(4)	(4)					Savings achieved through other means
Finance - Savings in insurance fees and studies	(30)	(30)	(30)					
Finance - Cut the budget for consultancy across the Division	(22)	(22)	(22)					
Finance - Reduce the number of cases referred to external Enforcement Agents	(5)	(5)	(5)					
Finance - Training budget internal audit	(7)	(7)	(7)					
Digital - Reduction in Enterprise Agreement	(13)	(13)	(13)					
Digital - General reduction in laptop replacement budget	(30)	(30)	(30)					
Digital - Specific Server virtual management software no longer required, using existing software to remove cost	(23)	(23)	(23)					
Estates - Removal of Assistant Markets Officer Post	(23)	(18)			(23)			Delayed restructure
Estates - Community Development Officer - 3 to 2 days	(7)	(3.5)			(7.0)			Delayed restructure

Resources	2017/18 Budgeted Savings	Value of Saving forecast at Month 2	Value of Saving forecast at Month 7	Value of Saving achieved at Outturn	Delayed Savings	Savings deemed Unachievable	Traffic Light based Risk Assessment	ASSESSMENT of Progress
	£000	£000	£000	£000	£000	£000	£000	
Estates - Facilities Officer reduced hours	(16)	(16)	(16)					
Estates - Savings from Solar Farm	(9)	(9)	(9)					
People, HR - Generate income from selling training	(5)	(5)	(5)					
People, HR - Stop producing paper payslips for schools and move to electronic payslips	(5)	(5)	(5)					
RESOURCES Budgeted Savings Total	(266)	(257)	(236)	0	(30)	0		

Corporate Costs & Levies	2017/18 Budgeted Savings £000	Value of Saving forecast at Month 2 £000	Value of Saving forecast at Month 7 £000	Value of Saving achieved at Outturn £000	Delayed Savings £000	Savings deemed Unachievable £000	Traffic Light based Risk Assessment £000	ASSESSMENT of Progress
Crematoria Income	(98)	(98)	(98)					on target
Grant Audit Fees	(20)	(20)	0		(20)			Kerbcraft audit work cancels effect of saving
CORPORATE COSTS Budgeted Savings Total	(118)	(118)	(98)	0	(20)	0		

Appropriations	2017/18 Budgeted Savings £000	Value of Saving forecast at Month 2 £000	Value of Saving forecast at Month 7 £000	Value of Saving achieved at Outturn £000	Delayed Savings £000	Savings deemed Unachievable £000	Traffic Light based Risk Assessment £000	ASSESSMENT of Progress
MRP Supported borrowing	(1,536)	(1,536)	(1,536)					on target
Headroom in appropriations	(12)	(12)	(12)					on target
Solar Farm income	(160)	(160)	(100)			(60)		Tariffs for energy produced less than business case
APPROPRIATIONS Budgeted Savings Total	(1,708)	(1,708)	(1,648)	0	0	(60)		

Financing	2017/18 Budgeted Savings £000	Value of Saving forecast at Month 2 £000	Value of Saving forecast at Month 7 £000	Value of Saving achieved at Outturn £000	Delayed Savings £000	Savings deemed Unachievable £000	Traffic Light based Risk Assessment £000	ASSESSMENT of Progress
Reduced demand for CTRS payments	(370)	(370)	(370)					on target
CT Base, rate & number of properties	(515)	(515)	(515)					on target
FINANCING Budgeted Savings Total	(885)	(885)	(885)	0	0	0		

SCHOOL RESERVES POSITION

APPENDIX 2

	Opening reserves 2017-18 (Surplus)/Deficit	In Year position at Month 7 (Surplus)/Deficit	Projected carry forward at year end 2017-18 (Surplus)/Deficit	Change in reported Outturn position since month 2 (Surplus)/Deficit			Recovery Plan Y/E target balance 2017-18	Recovery Plan Y/E target balance 2018-19	Recovery Plan Y/E target balance 2019-20	Recovery Plan Y/E target balance 2020-21	Recovery Plan Y/E target balance 2021-22
Abergavenny cluster											
E003 King Henry VIII Comprehensive	139,355	107,272	246,627	(55,073)							
E073 Cantref Primary School	(52,766)	12,043	(40,723)	(12,615)							
E072 Deri View Primary School	(27,297)	25,586	(1,711)	56,457							
E035 Gilwern Primary School	(39,636)	5,729	(33,907)	(16,474)							
E057 Goytre Fawr Primary School	(25,371)	25,370	(1)	(7,740)							
E063 Llanfoist Fawr Primary School	(68,056)	42,110	(25,946)	8,708							
E044 Llantillio Pertholey CiW Primary School (VC)	(20,967)	20,765	(202)	0							
E045 Llanvihangel Crucorney Primary School	3,117	13,370	16,487	(8,999)		6,350	(4,857)				
E090 Our Lady and St Michael's RC Primary School (VA)	(45,505)	45,417	(88)	6,555							
E067 Ysgol Gymraeg Y Fenni	(48,966)	19,883	(29,083)	3,585							
Caldicot cluster											
E001 Caldicot School	(33,736)	169,544	135,808	138,119							
E068 Archbishop Rowan Williams CiW Primary School (VA)	(49,657)	20,226	(29,431)	(2,997)							
E094 Castle Park Primary School	46,115	10,093	56,208	16,843		36,188	18,544	11,002	5,435	(568)	
E075 Dewstow Primary School	(90,125)	(3,019)	(93,144)	(54,321)							
E034 Durand Primary School	(53,931)	8,962	(44,969)	(7,567)							
E048 Magor CiW Primary School (VA)	(35,179)	44,475	9,296	33,136							
E056 Rogiet Primary School	(34,184)	12,365	(21,819)	(12,050)							
E063 Undy Primary School	50,037	(19,041)	30,996	7,302		39,871	8,023	(4,367)			
E069 Ysgol Gymraeg Y Ffin	67,410	27,835	95,245	12,354		87,891	75,056	74,344			

Service colleagues met with the school, governors and Cabinet members earlier this month. It was agreed that additional work was required by the school which will be presented to us in Jan.

This is the first time a deficit has been forecasted. Therefore a recovery plan will now be immediately requested.

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Chepstow cluster										
E002 Chepstow School	81,068	(97,588)	(16,520)	(14,128)	(2,392)					
E091 Pembroke Primary School	(8,826)	1,063	(7,763)	(3,515)						
E057 Shirenewton Primary School	(87,369)	(21,568)	(108,937)	(35,118)						
E058 St Mary's Chepstow RC Primary School (VA)	13,192	(16,225)	(3,033)	(11,189)	(525)					
E060 The Dell Primary School	(46,094)	21,637	(24,457)	0						
E061 Thornwell Primary School	20,534	(27,341)	(6,807)	5,171	(11,978)					
Monmouth cluster										
E004 Monmouth Comprehensive	100,573	265,000	365,573	50,055		Service colleagues met with the school, governors and Cabinet members earlier this month. It was agreed that additional work was required by the school which will be presented to us in Jan.				
E032 Cross Ash Primary School	(45,620)	9,096	(36,524)	(10)						
E092 Kymin View Primary School	(10,294)	(5,580)	(15,874)	(10,529)						
E030 Llandogo Primary School	9,736	7,161	16,897	5,407	13,176	(1,141)	(12,393)			
E024 Osbaston CiW Primary School (VC)	(18,570)	18,079	(491)	15,506						
E051 Overmonnow Primary School	(3,959)	16,849	12,890	13,450		This is the first time a deficit has been forecasted. Therefore a recovery plan will now be immediately requested.				
E055 Raglan CiW Primary School (VC)	111,977	54,207	166,184	13,867		Plan is currently being reviewed with the newly appointed Head Teacher. A formal recovery plan is to be presented by the school before end of this term.				
E062 Trellech Primary School	(85,762)	10,271	(75,491)	(6,732)						
E064 Usk CiW Primary School (VC)	(56,108)	41,235	(14,873)	(8,993)						
	(344,862)	865,281	520,419	118,465						
Special Schools										
E020 Mounton House Special School	142,417	(75,670)	66,747	(14,504)	87,835	28,968	(19,747)			
E095 PRU	(66,340)	33,479	(32,861)	22,360						
	76,077	(42,191)	33,886	7,856						
	(268,786)	823,090	554,304	126,321						

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SUBJECT: SECTION 106 PROCEDURE NOTE AND POLICY GUIDANCE

MEETING: ECONOMY AND DEVELOPMENT SELECT COMMITTEE

DATE: 25 JANUARY 2018

DIVISION/WARDS AFFECTED: ALL

1. PURPOSE:

- 1.1 To advise Members of changes to processes for negotiating Section 106 planning obligations and their subsequent implementation and monitoring. Specifically, the report will consider the following documents, which are reproduced as appendices:
- (1) Procedures for the Development, Monitoring and Control of Section 106 Schemes (Appendix A).
 - (2) Policy Guidance: Approach to Planning Obligations – Residential Development (Appendix B)
 - (3) Recreation and Public Open Space Developer Contributions Charging Schedule (Appendix C)

2. RECOMMENDATIONS:

- 2.1 To note the contents of this report and attached documents and comment accordingly, prior to Cabinet being requested to approve the documents for use in the processes for negotiating Section 106 planning obligations and their subsequent implementation and monitoring

3. KEY ISSUES:

3.1 Background.

- 3.1.1 Planning obligations under Section 106 of the Town and Country Planning Act 1990 are a means of seeking contributions from developers to enhance the quality of a development, provide community benefits and infrastructure and mitigate any negative impacts that may arise as a consequence of development. They are negotiated under the planning application process and, where they are considered necessary, are required to be entered into prior to the granting of planning permission for the related development.
- 3.1.2 It is a legal requirement (as set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010) that a planning obligation may only constitute a reason for granting permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the proposed development.
- 3.1.3 The specific contents of Section 106 agreements vary from one development to another but in general terms the types of provisions contained in them can cover the following matters:

- Affordable Housing
- Education
- Recreation and Open Space
 - Children's Play (generally on site)
 - Adult recreation (generally off-site financial contributions)
- Green Infrastructure
- Travel
 - Highway infrastructure works necessary for the development to go ahead
 - Sustainable transport contributions – walking, cycling, public transport

3.1.4 The Council has established a Section 106 Working Group that has been operating for over 10 years. Its main purpose is to monitor Section 106 agreement process from first stages to the spending of the monies raised. The Working Group meets quarterly and comprises officers involved in the Section 106 process and is chaired by the Head of Planning, Housing and Place Shaping. There is also Member representation on the Group.

3.2 Procedures for the Development, Monitoring and Control of Section 106 Schemes (Appendix A)

3.2.1 This document is a procedure note provided to assist the operation of the Section 106 Working Group. It was adopted in 2009 and a number of changes have taken place since that date that necessitate an updating, particularly:

- the introduction of 'pooling restrictions' on the use of Section 106 agreements
- the introduction of a formal pre-application advice system
- a new Local Development Plan (LDP) policy requiring affordable housing financial contributions

3.2.2 Under Regulation 123 of the CIL Regulations 2010, pooled contributions from more than 5 obligations entered into since 6 April 2010 are not permitted for a specific infrastructure project or a type of infrastructure which could be funded from a CIL. This will limit obligations for strategic infrastructure such as major roads or a school, for example, or for broad categories of infrastructure, such as adult recreation facilities or sustainable transport measures, for example, which rely on a large number of contributing developments. Previously it was usual practice to include clauses requiring contributions towards a broad category of development - adult recreation facilities, for instance - and then (once the money was received) go through a bidding process from local organisations seeking funds for recreational projects, with a final decision on allocations being taken by Cabinet. This is no longer feasible as once the 'pooling' limit is reached (and it is back dated to April 2010) no further obligations of this type can be entered into. It is necessary, therefore, for Section 106 agreements to be much more specific on the projects that contributions are required to fund. Such requirements also need to be established at the start of the process as developers need to be given an indication of likely Section 106 contributions when they enter into pre-application discussions. In relation to recreation provision, an additional clause has been inserted into the procedure note requiring Leisure to undertake community liaison to establish priorities for their area at an early stage,

such community consultation to include Councillors, Town and Community Councils, community groups and the Partnership and Community Development Team.

- 3.2.3 An additional section has been inserted into the procedure note to set out the processes for collecting affordable housing financial contributions for those developments where the capacity of the site falls below the threshold at which on-site affordable housing is required. This policy (a clause of Policy S4) was introduced in the new LDP, adopted February 2014, and detailed guidance on how it will be implemented is contained in the Affordable Housing Supplementary Planning Guidance (SPG).
- 3.2.4 The opportunity has been taken to refine and/or update a number of other processes, including revisions to the Terms of Reference for the Working Group, some of which have been suggested by Internal Audit, which has been carrying out a review of Section 106.
- 3.3 Policy Guidance: Approach to Planning Obligations – Residential Development (Appendix B)
- 3.3.1 This Policy Guidance document sets out an approach to guide negotiations for Section 106 planning obligations between Monmouthshire County Council and applicants proposing new residential developments. It replaces the document *Approach to Planning Obligations: Interim Policy (March 2013)*.
- 3.3.2 As Members will be aware, the Monmouthshire LDP was adopted in February 2014. It had been intended to produce full SPG on Planning Obligations to accompany the adopted LDP. The Council, however, had made a decision to carry out preliminary work to implement CIL. As CIL would have largely replaced Section 106 Obligations in the funding of infrastructure provision and because of the complicated relationship between Section 106 and CIL, the preparation of SPG was deferred. The process of implementing CIL, however, has taken longer than anticipated and there is also considerable uncertainty about the future of the measure.
- 3.3.3 A consultation took place on the Council's CIL Draft Charging Schedule (DCS) in April/May 2016. The next stage would have been to submit the DCS for Examination by an independent inspector. This was delayed, however, while site specific viability testing was taking place in connection with a number of planning applications, as there was a risk that assumptions being made by the District Valuer in assessing these applications would undermine the strategic viability work that had been undertaken by the Council's CIL consultants. At the same time, however, a CIL Review report (the Peace Review) published with the UK Government's Housing White Paper November 2016 was recommending a number of substantial changes to CIL that were likely to be considered in the UK Government's Autumn Budget 2017. A decision was taken, therefore, to delay any further work on CIL at least until the UK Government had provided its response to the Peace Review. The Chancellor has now made his Autumn Budget statement, in which the announced proposed changes to CIL were relatively minor with no mention made of the significant amendments recommended in the Peace Review. In addition, the Wales Act 2017 has devolved CIL to the Welsh Government (WG) and it is anticipated that the powers will be

coming across in April 2018. The WG has given no indication of its likely approach to CIL. There is, therefore, still considerable uncertainty over the future of the measure. It was therefore considered prudent to bring forward the production of this Policy Guidance.

3.3.4 The Guidance Note, following a brief overview of the policy and legal context for Section 106 agreements, explains how planning obligations will be negotiated in topic areas set out in paragraph 3.1.3 above. Further sections provide guidance on the procedures to be followed in negotiations on Section 106 agreements and explain how the Council will monitor agreements once they are signed and planning permissions are implemented.

3.3.5 To obtain the status of SPG, the Guidance Note would need to go through a process of public consultation before it could be adopted by the Council. It is being treated, however, as a practice note to assist Development Management officers in their negotiations with developers and also to provide guidance for developers as they formulate their proposals.

3.4 Recreation and Public Open Space Developer Contributions Charging Schedule (Appendix C)

3.4.1 As explained in the Guidance Note, LDP Policy CRF2 requires the provision of recreation facilities, children's play space and amenity open space in accordance with specific standards. Where on-site provision is not possible then a financial contribution is expected from developers in lieu of such provision. Where recreation and open space facilities are provided on-site the developer is required to maintain them and keep them in their intended use for perpetuity, which is usually by the facility being adopted by the Council with a commuted sum being paid for its future maintenance. The report in Appendix C sets out the Council's play and recreation standards and contributions policy. A 2015/16 charging schedule was approved by Cabinet Member decision in June 2015 and it has been necessary to update this to take account of inflation, increased costs etc. It is intended that the new charging schedule will be included as an appendix to the guidance note.

3.5 Members have recently expressed concern regarding the capacity of healthcare related infrastructure to cope with new development. The Health Board was consulted as part of the current LDP, but indicated that no additional infrastructure is required for the growth included in the LDP. In response to recent Member concerns, the Head of Planning, Housing and Place Shaping has undertaken to notify the Health Board of all new major residential planning applications, and as such has made contact to establish points of contact for this and also to commence discussions in anticipation of the next LDP. No response has been received to date. Officers will continue to seek to enter into dialogue and seek clarification regarding the mechanisms for funding and establishing GP surgeries.

4. **OPTIONS APPRAISAL**

4.1 The only other option that could be considered would be to do nothing. This is not considered to be appropriate, given the need to clarify, improve, provide guidance on and update where necessary Section 106 processes.

5. EVALUATION CRITERIA

- 5.1 The Section 106 Working Group meets quarterly and monitors Section 106 processes. This will enable the effectiveness of these documents to be assessed on a regular basis. An evaluation assessment has been included in Appendix D for future evaluation of whether the decision has been successfully implemented. It is proposed that the monitoring is considered and reported on as part of the Development Management Annual Performance Report, which is already reported to the Economy and Development Select Committee in September/October each year.

6. REASONS:

- 6.1 Section 106 agreements form a significant part of the planning process and provide a means of seeking contributions from developers to enhance the quality of a development, providing community benefits and infrastructure and mitigating any negative impacts that may arise as a consequence of development. It is important that they are negotiated and implemented effectively and the documents that are the subjects of this report will assist in this process.

7. RESOURCE IMPLICATIONS:

- 7.1 Officer time and costs associated with negotiating, preparing, implementing and monitoring Section 106 agreements and servicing the Section 106 Working Group. These will be carried out by existing staff and within existing budgets. Funding streams arising from Section 106 agreements will supplement Council spending in a number of areas of work.

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

8.1 Sustainable Development

The adoption of these documents will assist in the Section 106 process and will be a means of supporting and delivering the LDP. An integrated equality and sustainability impact assessment was carried out in relation to the LDP as a whole. Under the Planning Act (2004), the LDP was required, in any event, to be subject to a Sustainability Appraisal (SA). The role of the SA was to assess the extent to which the emerging planning policies would help to achieve the wider environmental, economic and social objectives of the LDP. The LPA also produced a Strategic Environmental Assessment (SEA) in accordance with the European Strategic Environment Assessment Directive 2001/42/EC; requiring the '*environmental assessment*' of certain plans and programmes prepared by local authorities, including LDP's. All stages of the LDP were subject to a SA/SEA, therefore, and the findings of the SA/SEA were used to inform the development of the LDP policies and site allocations in order to ensure that the LDP would be promoting sustainable development. Section 106 is a means of supporting these existing LDP policies, which were prepared within a framework promoting sustainable development.

8.2 Equality

The LDP was also subjected to an Equality Challenge process and due consideration given to the issues raised. As with the sustainable development implications

considered above, Section 106 is a means of implementing these existing LDP policies, which were prepared within this framework.

8.3 A Future Generations Evaluation (including equalities and sustainability impact assessment) is attached to this report at Appendix E.

9. CONSULTEES:

- Head of Planning, Housing and Place Shaping
- Section 106 Working Group
- Development Management officers

10. BACKGROUND PAPERS:

- Monmouthshire County Council (MCC) Adopted LDP, February 2014.
- Affordable Housing SPG, March 2016
- Green Infrastructure SPG, April 2015
- MCC, Approach to Planning Obligations Interim Policy, March 2013

11. AUTHOR & CONTACT DETAILS:

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PROCEDURES FOR THE DEVELOPMENT, MONITORING AND CONTROL OF SECTION 106 SCHEMES

1. THE PLANNING PROCESS AND THE DEVELOPMENT OF THE S106 AGREEMENT

A key to the terms underlined is provided at the end of the document.

- 1.1 Leisure undertake community liaison with regard to the priorities for their area, community consultation to include Councillors, Town and Community Councils, community groups and the Partnership and Community Development Team.
- 1.2 The developer enters into pre-application discussions with Development Management regarding a development. Development Management Officer will consult the relevant members of the S106 Working Group of any relevant schemes of 10 or more units requiring a response within 14 days. A link to the development plans and documents on Idox to be sent to all relevant departments. All relevant departments must respond even if they have no requirements.
- 1.3 Development Management examines relevant LDP policies and SPG, including any development briefs and consults all relevant departments, as listed below, to identify any issues or S106 requirements.

Highways/Drainage – Mark Davies
Green Travel – Christian Schmidt/Richard Cope
Housing Strategy – Shirley Wiggam
Education – Matthew Jones
Leisure – Mike Moran
Grounds/Play – Nigel Leaworthy
Green Infrastructure – Colette Bosley
Biodiversity – Kate Stinchcombe
PROW – Ruth Rourke
Community Facilities – Judith Langdon

- 1.4 Relevant departments need to identify any requirements to improve the provision of education, transport, play and adult recreation services and the possible requirement for an affordable housing financial contribution as a result of the proposed development. Where GI would be triggered by a proposed development the relevant departments to provide a co-ordinated response.
- 1.5 The following three tests are a legal requirement as a result of the CIL Regulations 2010 (Regulation 122) for S106s and planning obligations, and must be taken into account when identifying any requirements for contributions arising from a development. A planning obligation may only constitute a reason for granting permission for the development if the obligation is:
 - (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the proposed development.

- 1.6 In addition, under Regulation 123, pooled contributions from more than 5 obligations entered into since 6 April 2010 are not permitted for a specific infrastructure project or a type of infrastructure which could be funded from a CIL. This will limit obligations for strategic infrastructure such as major roads or a school, for example, or for broad categories of infrastructure, such as adult recreation facilities or sustainable transport measures, for example, which rely on a large number of contributing developments. All relevant departments to check that any identified requirements are not contrary to the pooling regulation.
- 1.7 There are pre-determined standards to which the Council works in each of the areas that could be the subject of a contribution, and these should help to determine the amount of money requested from developers. Where appropriate areas of Open Space, Play, Adult Recreation and Community Growing will be considered as part of the GI proposals in a coordinated approach to development.
- a) Play areas for younger age groups – usually provided within the development site.
 - b) Larger scale play provision and for older age groups – usually achieved by developers providing a capital payment to the Council for us to make off site provision, usually by the improvement of existing play areas.
 - c) Education – an assessment is carried out to determine the educational needs of the increased number of pupils likely to be generated by the new development
 - d) Transport (sometimes Section 278 Agreements) – assessment of need for traffic calming or safe routes to schools, public transport and active travel (in terms of active travel the pre-determined standards is the Welsh Government active travel design guidance)
 - e) Adult Recreation – there is a formula for requesting a set contribution per new dwelling building.
 - f) Commuted sums – required to maintain assets above. These commuted sums need to be calculated taking into account the long-term inflation forecast rate for the period of maintenance (see section 4.7 b).
 - g) Affordable Housing financial contribution – required where the threshold for on-site provision of affordable housing is not met or in exceptional circumstances in-lieu of on-site provision.
- 1.8 All relevant departments must respond within 14 days giving the exact details of what the money is to be spent on to ensure that the pooling regulation is still complied with. Development Management Officer should check with the Enforcement Monitoring Officer to ensure that any requests for contributions are not contrary to the pooling regulation.
- 1.9 A planning application is subsequently received from the developer for residential or non-residential development.
- 1.10 When the planning application is received, formal consultations will be initiated with the relevant departments, although the aim would be to have substantially established all Section 106 requirements at the pre-application stage. However, further negotiation may be necessary, particularly where further information may come to light or viability issues are raised that may result in it not being possible for all policy requirements to be met.
- 1.11 If following this process there is a dispute over viability issues, Development Management will seek independent advice, at the applicant's expense, to arbitrate between the Council and the developer. As well as determining how much affordable housing can be achieved in a development, this process will also assist in establishing the amount of Section 106 contributions that can be obtained in the

other policy areas. Where there are viability issues that may prevent a development coming forward priority will be given to the affordable housing, unless there is an 'overwhelming need' for the contribution to be allocated for another necessary purpose.

- 1.12 The final decision on the required contributions to be requested from a developer will be made by Development Management and all relevant departments notified.
- 1.13 The Report taken to Planning Committee should specify the Heads of Terms for the S106 Agreement including the issue of any future maintenance. The Committee report will be available on the website at least 6 days before the Committee meeting date.
- 1.14 The Planning Committee, subject to the signing of the S106 Agreement, should approve the planning application.
- 1.15 The Development Management Officer completes a proforma to instruct Legal and issues an extension of time letter to the applicant.
- 1.16 It is imperative that all future S106 agreements follow a prescribed format containing default sections (see below) to ensure that there is clarity about amounts to be received, variations and conditions attached to amounts received.
- 1.17 In the first instance Legal needs to check the applicant's title to the development land.
- 1.18 The final wording of the S106 Agreement needs to be agreed by Legal, the applicant and Development Management. Legal should send at least two copies of the final S106 Agreement to the applicant for signing.
- 1.19 The S106 Agreement should be signed within 6 months or there will be delegated authority to refuse.
- 1.20 Upon return of the signed agreement from the applicant to Legal, Development Management is notified that the agreement has been signed.
- 1.21 Legal distributes a copy of the sealed S106 agreement to Land Charges to enter in their records. Importantly, a photocopy of each agreement is passed to all relevant departments.
- 1.22 Development Management should then release the decision notice for the planning permission and place a copy of this and the S106 Agreement on the Planning Register.
- 1.23 The Enforcement Monitoring Officer within the Planning Enforcement Section enters the S106 Agreement information onto the S106 combined report spreadsheet with details of identified schemes, implementation timescales, payments received and expenditure details.
- 1.24 The S106 combined report should be reconciled on a quarterly basis to the financial ledger by an Accountant within Central Finance.
- 1.25 Any variations to the original S106 Agreement, which results in a reduction or an increase in S106 monies (e.g. reduction in the number of dwellings built) should be reported to all relevant departments at the S106 Working Group meeting.

2. MONITORING OF S106 AGREEMENTS

- 2.1 The Enforcement Monitoring Officer within the Planning Enforcement Section will monitor the relevant “triggers” and the associated S106 payment requirements and information obtained from other relevant departments as necessary. This covers both the recovery of ‘principal’ sums **and** commuted sums.
- 2.2 The Enforcement Monitoring Officer will arrange for a sundry debtor invoice to be raised to be sent to the developer in advance of “trigger” dates being reached.
- 2.3 The specific financial terms and conditions of S106 agreements should be adhered to during the course of the agreement. If there is to be any deviation from these requirements, the chair of the S106 Working Group must be informed immediately to enable them to assess the implications.
- 2.4 If the S106 Agreement conditions are not met, the Authority could be required to pay back money to the developer including interest. It could be seen that the Authority is not managing the deposits received in the Community’s best interests. It is the responsibility of the relevant departments, who have been in receipt of S106 contributions, to ensure that the money is spent on the correct projects and before the spend by dates specified in the S106 agreement and that records of this expenditure are maintained.

a) CommutedSums

- 2.5 If there is a commuted sum provision for maintenance of on-site recreation/open space and/or Green Infrastructure within the S106 the Enforcement Monitoring Officer will monitor the relevant “trigger” points. Once a “trigger” point is reached the Enforcement Monitoring Officer will contact Grounds / Countryside to advise them of this.
- 2.6 In the instance of onsite recreation/open space Grounds will arrange to inspect the play area/open space to ensure that it satisfies the standards required by the Council. If it complies Grounds will in the first instance contact the developer and ask them to instruct their solicitors to begin the process of transferring the land to the Council.
- 2.7 At the same time Grounds will instruct Legal to begin the process of the transfer of the land to the Council.
- 2.8 Once the adoption process is completed Legal will advise the Enforcement Monitoring Officer that the land has been transferred to the Council.
- 2.9 Enforcement Monitoring Officer will arrange for a sundry debtor invoice to be raised to be sent to the developer.

b) Affordable Housing Financial Contributions

- 2.10 If the capacity of the site falls below the threshold at which affordable housing is required the applicant will need to enter into a S106 agreement to pay a financial contribution towards affordable housing in the housing market area in which the site is located. The required contribution to be provided by the Housing Strategy Officer.
- 2.11 The Enforcement Monitoring Officer within the Planning Enforcement Section enters the S106 Agreement information onto the S106 combined report spreadsheet.

- 2.12 If a developer wishes to make a claim for an exemption under the self-build provision then a form should be submitted to the Enforcement Monitoring Officer prior to completion of each dwelling to which the payment relates confirming that the dwelling is intended to be occupied by the owner of the land.
- 2.13 Within 6 months of occupation a further form will need to be submitted to the Enforcement Monitoring Officer evidencing occupation by the owner. The Enforcement Monitoring Officer will contact the developer prior to the end of the six month period to remind them to submit the required form. The Council will at this point agree to defer the payment for the duration of three years from the date that occupation commenced.
- 2.14 The Enforcement Monitoring Officer will contact the developer prior to the end of the three year period to remind them to apply for their self-build exemption. At the same time the Enforcement Monitoring Officer will make appropriate checks to establish that occupation remains the same as at the start of the three year period. Any search request on the property to Land Charges during the three year period should be notified to the Enforcement Monitoring Officer.
- 2.15 Any exemption will be subject to a 'claw-back' mechanism so that if the criteria for self-build status are not complied with within a period of three years from the occupation of the dwelling then the requirement for an affordable housing contribution will be reinstated. In this event the Enforcement Monitoring Officer will arrange for a sundry debtor invoice to be raised to be sent to the developer.
- 2.16 Should there be compliance with the three year period, the Enforcement Monitoring Officer will notify Legal, who, through a variation of the Section 106 Agreement, will confirm with the developer and Land Charges that no payment will be required on that specific dwelling.

3. RECEIPT OF MONIES

a) Section 106 Monies received

- 3.1 When S106 commuted maintenance or principal sums are received by any department:
- The relevant department should arrange for deposit of the payment to the relevant financial code, always using the account code (YG61) with an appropriate project code and activity code and taxinfo code. Monies received in respect of S106 should be coded against a zero-rated VAT code.
 - All monies received by the Authority should be banked without delay.
 - S106 Agreements are not subject to VAT. It is imperative that any VAT deducted is recovered from Customs & Excise. Queries should be directed to the Senior Accountant – Financial Control, VAT & banking.
 - The relevant department receiving the income informs the Enforcement Monitoring Officer that a S106 payment has been received, who subsequently notifies all relevant departments of receipt.
 - The Enforcement Monitoring Officer acknowledges receipt of the payment with the developer and enters the details on the S106 combined report spreadsheet.

b) Section 106 Monies not received on or before “trigger date”

- 3.2 The Enforcement Monitoring Officer requests the S106 payment from the developer, through the raising of a sundry debtor request.
- 3.3 If receipt is forthcoming, refer to paragraph 3.1 above.
- 3.4 If receipt is not forthcoming, the Enforcement Monitoring Officer is to ask legal to send a reminder. If still not forthcoming the Enforcement Monitoring Officer to report to the S106 Working Group and instruct Legal to initiate enforcement procedures to recover the S106 payment.
- 3.5 Legal should keep all relevant departments informed of enforcement procedures. Legal proceeding comprise:
- A formal letter requesting the payment.
 - If no response is received to the formal letter then the authority has the power to enforce the requirements of the agreement by seeking injunctions under the Town and Country Planning Act 1990 Section 106, sub-section (5).
- 3.6 All Section 106 Agreements *should* include a clause for penalty interest to be paid in the event of late payment of any sum required by the agreement.

4. APPLICATION OF AMOUNTS RECEIVED

a) Principal Sums

- 4.1 The relevant departments **should not commence** any project funded by S106 monies until the project forms part of an approved capital expenditure budget of the Council or has been approved as revenue spend by the S106 working group **and** the monies have been received by the authority. If spend is required before receipt, additional authorization is required by the Head of Finance
- 4.2 Upon receipt of a principal sum, the Enforcement Monitoring Officer should update the S106 combined report spreadsheet (and also notify relevant departments of receipt if considered to be more urgent).
- 4.3 The relevant department should consult with the developer, Area Committees, other relevant departments and the relevant Town/Community Council and the Section 106 Working Group regarding the respective schemes and the application of the monies received if this has not already been done, such as in the instance of historic applications, in advance of receipt of the monies.
- 4.4 Approval to add a scheme to the Authority's S106 program stating the value and financial year needs to be gained so that a principal sum can be applied from the contribution available. This is done in one of the following ways:
- i. A Cabinet Report should be drafted and submitted by the department responsible for the capital works, detailing the nature of the proposed works, the time frame for the project and how they meet the conditions of the S106 agreement and requesting it's inclusion within the Authority's Capital Program.
 - ii. If the sum received by the Authority is for a specific revenue purpose, and the scope of the works is described explicitly in the S106 agreement so as **not** to require any further discussion by or communication to non S106 members,

then the S106 working group can approve at their meeting that the sum can be used to facilitate the spend directly. It should be coded in such a way that the expenditure to which the income is applied can be accurately reconciled within the financial ledger. A scenario where this might apply is 'costs relating to making and administration of a traffic regulation order' or provision of a bus service to a new housing development.

- iii. If the description of the capital works in the S106 agreement is reasonably explicit, member opposition is not anticipated and only a very limited number of member questions are expected, a request for approval can be added as a simple recommendation within one of the Authority capital monitoring reports which go periodically to Cabinet. A suitable text needs to be provided to the Assistant Head of Finance with some background information in the monitoring process to facilitate this.
- 4.5 Upon receipt of a Cabinet Decision or decision by the S106 working group, an Accountant within Central Finance will instigate the necessary procedures for the scheme to be correctly accounted for within the Capital or Revenue Programmes.
- 4.6 Relevant Departments to notify the S106 Working Group and update the S106 combined report spreadsheet with the details of any reports, the schemes concerned and the expenditure of monies.
- 4.7 Some S106 Agreements contain time limits in which the developers' contribution must be spent. This should be borne in mind at all times. If this is not adhered to any unexpended S106 balances plus interest could be requested by the developer to be refunded.

b) Commuted Maintenance Sums

- Once the Enforcement monitoring Officer has advised Grounds/Countryside of receipt of a commuted maintenance sum the relevant department will add the play area/open space to it's maintenance schedule if not already there.
- Section 106 monies held for maintenance purposes is separated into amounts for ongoing annual maintenance and programmed maintenance at specified intervals.
- Section 106 monies held for annual maintenance purposes is released into the revenue account on an annual basis for the period specified in the agreement to facilitate maintenance of the specified sites. This will commence in the year after the monies are received.
- Interest will also be released into the revenue account at a rate calculated by an Accountant in Central finance to reflect the amount which could be earned on UK government gilts held for the relevant period. This has not historically occurred as explicitly excluded in the previous version of this report but will be implemented in current and future years.
- Section 106 monies held for programmed maintenance is released when specific refurbishment of sites is required up to the value of the refurbishment.
- A Cabinet report identifying the specific schemes and the cost will be required to release the S106 monies for use. The funds can be released into the relevant account as for annual maintenance or a capital budget be set up as for Capital sums depending on the nature of the work involved.

- Sums held for S106 programmed maintenance, Section 278 sums held and Section 38 sums held will accrue interest at the rate that the Authority earns on its short term investments.
- Interest is not added to Section 106 principal balances as these sums should be spent on a short time frame.

5. FORMAT OF SECTION 106 AGREEMENTS

5.1 As referred to above, there is a need to develop a pro forma S106 agreement that follows a prescribed format containing default sections to ensure that there is clarity, including clear information surrounding:

- Triggers – dates, housing property numbers, rates
- Late payment & interest
- Schedule of maintenance and commuted and principal sums payable if relevant
- Specific application of receipts from developers
- Time limits on application of funds
- Treatment of Commuted Maintenance Sums held (basis and calculation of maintenance sum, period of amortisation etc)
- If the site requires it an obligation to enter into a S278 Agreement.

6. REFERENCING

6.1 Information will be maintained on the S106 combined report spreadsheet administered and monitored by the Enforcement Monitoring Officer, Leisure, Highways, Education and Finance to allow simple cross-referencing and reconciliation.

Key to terms underlined

Term	Named officers
Relevant Departments:	
Development Management	Philip Thomas
Planning Policy	Jill Edge
Enforcement Monitoring Officer	Helen Etherington
Leisure & Recreation	Mike Moran
Grounds/Play/Open Space	Nigel Leaworthy
Green Infrastructure	Colette Bosley
Biodiversity	Kate Stinchcombe
PROW	Ruth Rourke
Legal	Joanne Chase
Education	Matthew Jones
Highways	Mark Davies/Paul Keeble
Public Transport and Transport Planning	Christian Schmidt/Richard Cope
Housing Strategy	Shirley Wiggam

Central Finance	Dave Jarrett
Land Charges	Tudor Baldwin
Partnership and Community Development	Judith Langdon
Section 106 Working Group:	Mark Hand (Chair)
	Jill Edge
	Helen Etherington
	Dave Jarrett
	Mike Moran
	Nigel Leaworthy
	Martin Davies
	Joanne Chase
	Paul Keeble
	Mark Davies
	Christian Schmidt
	Richard Cope
	Phil Thomas
	Shirley Wiggam
	Matthew Jones
	Deb Hill-Howells
	Cath Fallon
	Matthew Lewis
	Judith Langdon

APPENDIX 1

TERMS OF REFERENCE FOR THE SECTION 106 WORKING GROUP (Revised 12/01/2018)

Purpose

- To monitor Section 106 Agreements from first expressions of interest to the application of commuted maintenance and capital sums.
- To review arrangements for Section 106 Agreements and make recommendations for improvement.
- To receive regular reports from the Enforcement Monitoring Officer identifying details of Section 106 Agreements, implementation timescales and payments received.
- To Receive regular reports from the Relevant Departments on the application of Section 106 monies held for programme maintenance and capital schemes.
- To receive regular reports from Central Finance that sums received on the Authority's ledger reconcile to the S106 combined report, confirming budgets established and slipped, expenditure incurred and balances remaining on schemes. Highlighting capital budgets which are required to be added to the capital program and ensuring that controls within the S106 environment accord with financial processes elsewhere in the Authority
- To be consulted on all relevant matters in relation to Section 106 Agreements.

Membership

Mark Hand (Chair)	-	Planning & Housing
Jill Edge	-	Planning Policy
Helen Etherington	-	Enforcement
Dave Jarrett	-	Finance
Mike Moran	-	Leisure & Recreation
Nigel Leaworthy	-	Grounds/Play/Open Space
Martin Davies	-	Planning Policy
Joanne Chase	-	Legal
Paul Keeble	-	Highways
Mark Davies	-	Highways
Christian Schmidt	-	Public Transport/Transport Planning
Richard Cope	-	Public Transport/Transport Planning
Phil Thomas	-	Development Management
Shirley Wiggam	-	Housing
Matthew Jones	-	Education
Matthew Lewis	-	Green Infrastructure
Judith Langdon	-	Community and Partnership Development

Accountability

- Members of the Group are required to attend meetings at which S106 Agreements are discussed that contain contributions for their areas.

- Relevant members of the S106 Working Group are required to update the Combined S106 Report spreadsheet ahead of each meeting with details of monies received, schemes planned or undertaken and reports taken to Cabinet where these appertain to their area.

Meetings

- Meetings will be held quarterly in County Hall in Usk.
- The meetings will be chaired by the Head of Planning.
- Secretariat for the Group will be provided by Planning.
- Invites to meetings will be sent out at least a week ahead of the meeting, with the date of future meetings always included on the agenda and minutes.
- All papers for meetings will be available to view ahead of time on the S106 Working Group site on the Hub.
- Monmouthshire elected members and officers from the Brecon Beacons National Park to be invited to all meetings. Other non-members of the group to be invited to attend when required.

Review

The Working Group will review the relevance and value of its work and the terms of reference on an annual basis.

Planning Process & the Development of the S106 Agreement

Development Management

Council Departments

Legal

Enforcement Monitoring Officer

Finance

Leisure undertake community liaison with Councillors, Town and Community Councils, Community Groups and Whole Place Team with regard to priorities for their area

Pre-Application

Enter into pre-application discussions with the developer regarding a development

Consult relevant **Council Departments** on schemes of 10 or more units

Respond to **DM** within 14 days even if no S106 requirements. Check that any identified requirements are not contrary to the pooling regulation

Receipt of Planning Application

Examine relevant LDP policies and SPG and initiate formal consultation with relevant **Council Departments**

Identify specific requirements for education, transport, play, adult recreation and GI as a result of the proposed development. Respond to **DM** within 14 days

Check with **Enforcement Monitoring Officer** that any identified requirements are not contrary to the pooling regulation.

Check any S106 Agreements entered into since 06 April 2010 in the same area as the development to ensure that the pooling regulation is being complied with, notify **Development Management** .

If following this process there are any identified viability issues seek independent advice, at the applicant's expense.

Make final decision on requirements to be requested from the developer and notify all **relevant departments**

Specify the Heads of Terms for the S106 Agreement in the report taken to Planning Committee

Approval of Planning Application

Complete proforma to instruct **legal**

Check applicant's title to the development land. Agree wording of S106 with applicant and **Development Management**. Send to applicant for signing

Release decision notice

On receipt of signed document notify **Development management**, send copy of sealed S106 to **Land Charges** and email copy to all **relevant departments**

Enter S106 Agreement information on to Combined Report spreadsheet with details of scheme, implementation timescales, payments received and expenditure details

Reconcile Combined Report spreadsheet to the financial ledger on a quarterly basis.

Monitoring & Receipt of Monies

Enforcement Monitoring Officer

Monitor the relevant “triggers” and associated S106 payment requirements

In advance of “trigger” dates being reached arrange for a sundry debtor invoice to be raised and sent to the developer

On receipt of S106 commuted maintenance or principal sums arrange for deposit of payment to the relevant code, account code YG61 with appropriate project, activity and tax info codes.

Notify relevant **Council departments** of receipt .
Update S106 combined report

If receipt is not forthcoming ask **Legal** to send a reminder

If still not forthcoming instruct **Legal** to initiate enforcement procedures

Legal

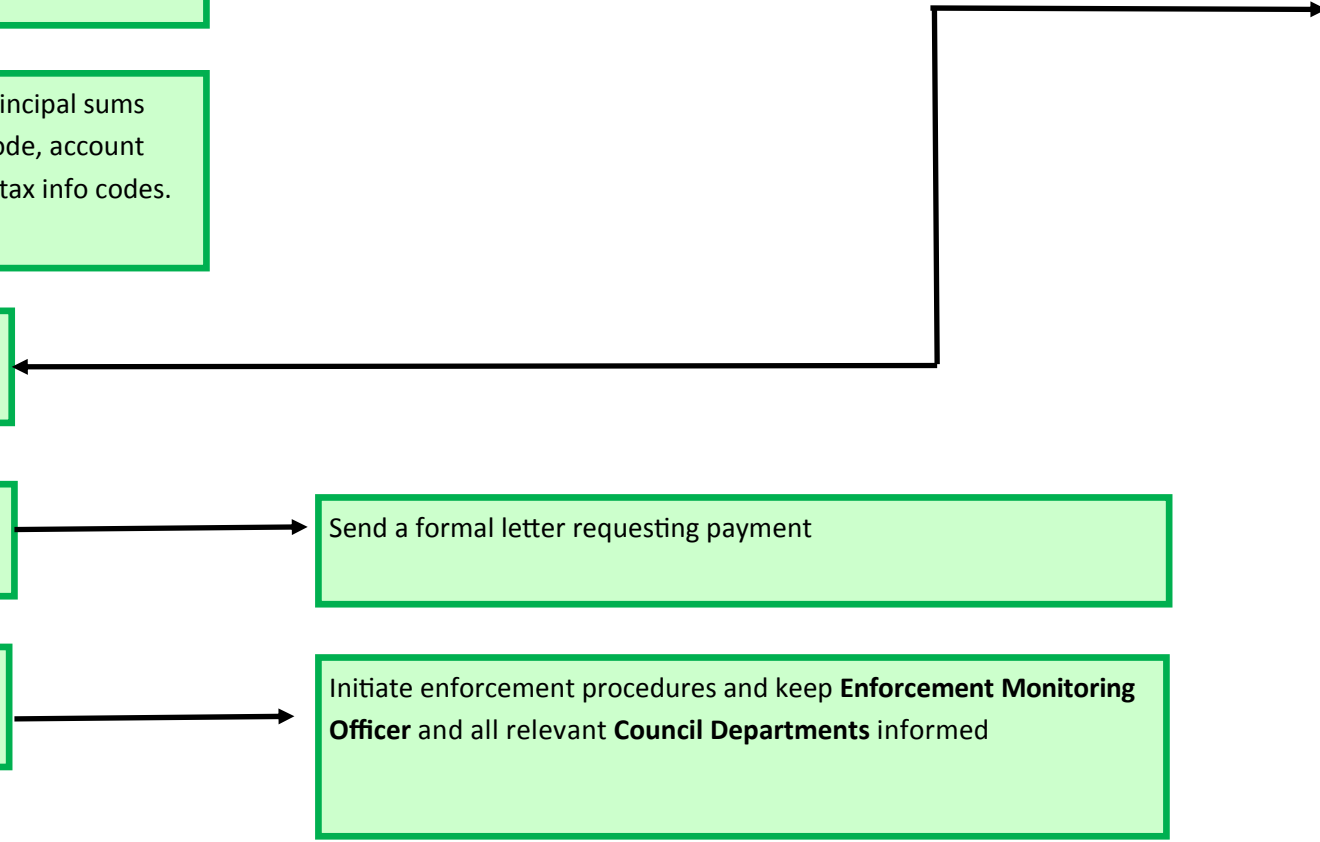
Send a formal letter requesting payment

Initiate enforcement procedures and keep **Enforcement Monitoring Officer** and all relevant **Council Departments** informed

Council Departments

On receipt of S106 commuted maintenance or principal sums arrange for deposit of payment to the relevant code, account code YG61 with appropriate project, activity and tax info codes.

Notify **Enforcement Monitoring Officer** of receipt

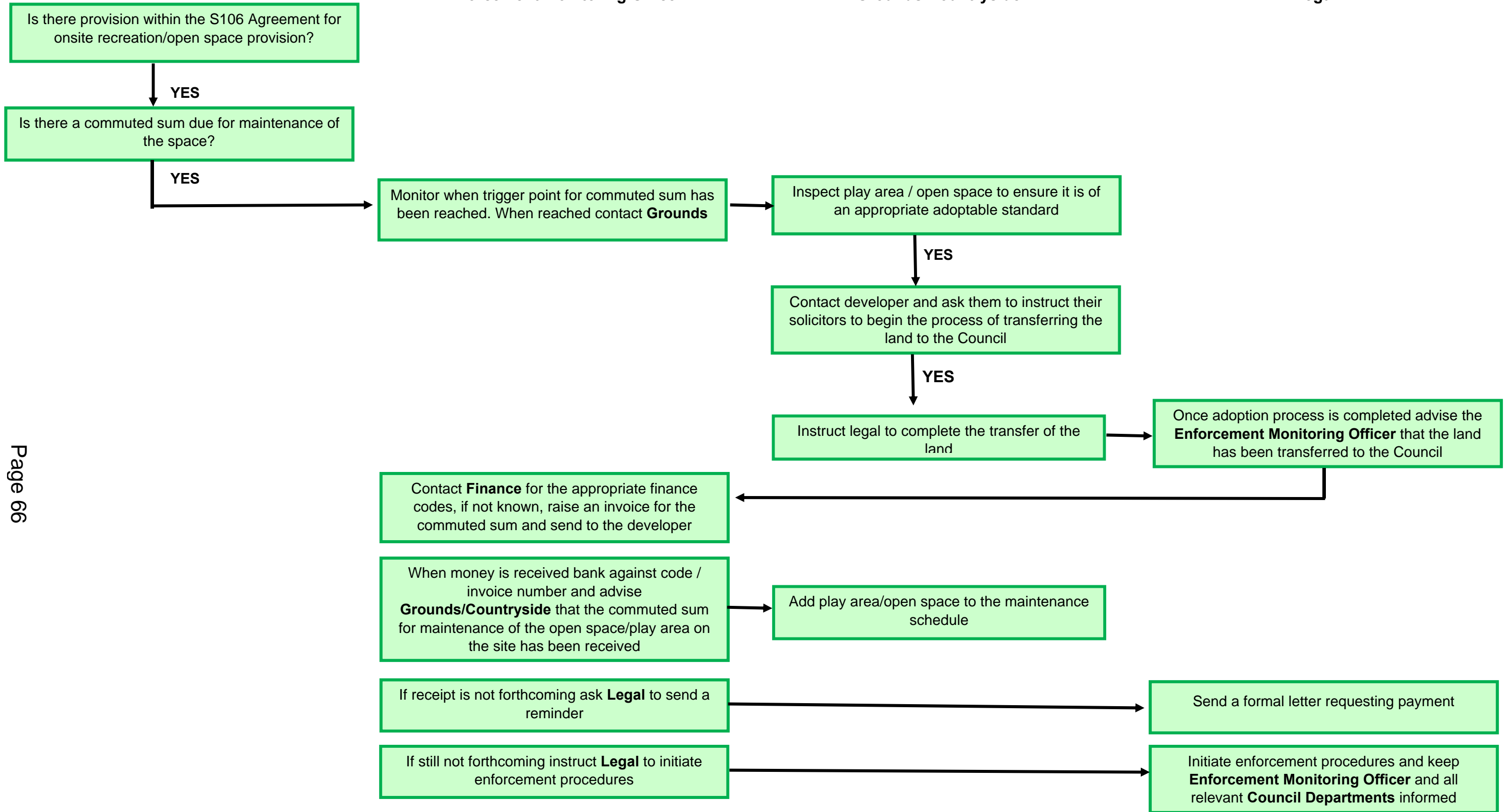


Commuted Sums

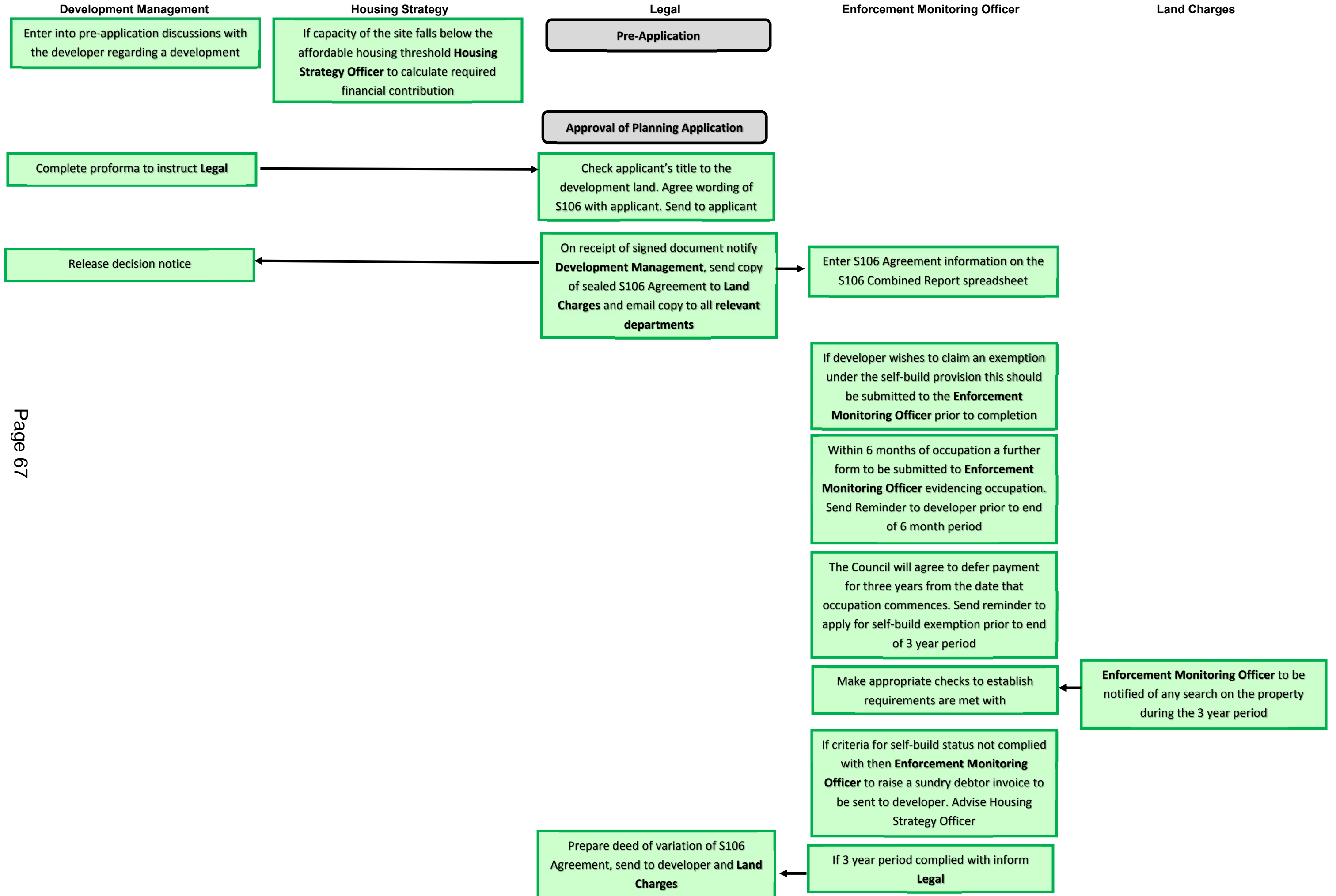
Enforcement Monitoring Officer

Grounds/Countryside

Legal



Affordable Housing Financial Contributions Monitoring





**Monmouthshire County Council
Local Development Plan**

**Policy Guidance
Approach to Planning Obligations -
Residential Development**

JANUARY 2018

Planning Policy Service

Monmouthshire County Council

County Hall, Rhadyr, Usk, Monmouthshire NP15 1GA

Tel: 01633 644429

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Appendices

- A. Recreation and Public Open Space Developer Contributions Charging Schedule
- B. Cluster areas for the schools within Monmouthshire
- C. Sources of Advice

1 Introduction: Purpose of this Guidance

- 1.1 This Policy Guidance sets out an approach to guide negotiations for Section 106 planning obligations between Monmouthshire County Council and applicants proposing new residential developments. It replaces the document *Approach to Planning Obligations: Interim Policy (March 2013)*.
- 1.2 The need for policy guidance to steer negotiations on obligations from new development is based on:
- The importance of providing high quality new developments that are supported by an appropriate range of new infrastructure;
 - The need to provide clarity to the development industry and stakeholders on what is to be expected from new development and how the Council will approach negotiations with planning applicants about planning obligations;
 - The need to reflect recent changes in the legislative framework for planning obligations
- 1.3 The Policy Guidance contains the following information:
- **Section 2** provides an overview of the national and local planning policy and legislative context in relation to planning obligations;
 - **Sections 3-7** explain how planning obligations will be negotiated in individual topic areas: Affordable Housing, Education, Recreation and Open Space, Green Infrastructure (GI) and Travel;
 - **Section 8** provides guidance on the procedures to be followed in the negotiations on Section 106 planning obligations;
 - **Section 9** explains how the Council will monitor Section 106 agreements after they are signed and planning permissions are implemented.
- **Appendices**
- Recreation and Public Open Space Developer Contributions Charging Schedule (Appendix A)
- Cluster areas for the schools within Monmouthshire (Appendix B)
- Sources of Advice (Appendix C)

2 Policy and Legal Context

2.1 Introduction

2.1.1 In order to set out the Council's approach to planning obligations it is necessary to briefly outline national planning policy and guidance, the legislative basis for planning obligations with the introduction of CIL and Monmouthshire's local planning policy. The relevant policy, legislation and guidance are summarised below

2.2 National Planning Policy and Guidance

Planning Policy Wales (PPW) (Edition 9) November 2016

2.2.1 PPW identifies (Paras 3.5.5 and 3.5.7) that:

- Planning obligations are useful arrangements to overcome obstacles which may otherwise prevent planning permission from being granted.
- Contributions may be used to offset negative consequences, to help meet local needs, or to secure benefits which will make development more sustainable.
- Arrangements should be fair to both the developer and the community.
- The process should be as transparent as possible.
- Parties should work for an early agreement to avoid unnecessary delay in the planning process.
- Unacceptable development should never be allowed because of unrelated benefits.
- Acceptable development should never be refused simply because an applicant is unwilling to offer unrelated benefits.
- If there is a choice between imposing a condition and entering into a planning obligation, the imposition of a condition is preferable.

Welsh Office Circular 13/97 Planning Obligations

2.2.2 Further guidance on the use of planning obligations is provided in this Welsh Officer circular, which is still extant, although the CIL regulations that came into force in April 2010 (as amended 2011, 2012, 2013, 2014 and 2015) have implications for Section 106 contributions (see below).

Community Infrastructure Levy

2.2.3 Regardless of any future decision on whether or not the Council implements CIL it is necessary to consider two important elements of the CIL Regulations which affect planning contributions:

The CIL Regulations 2010 (Regulation 122) state that:

'A planning obligation may only constitute a reason for granting permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the proposed development.'*

Although these three tests were set out as part of the policy tests in the Circular 13/97 they are now, as a result of the CIL Regulations **a legal requirement** for Section 106s and planning obligations.

In addition, under Regulation 123 pooled contributions from more than 5 obligations entered into since 6 April 2010 are not permitted for a specific infrastructure project or a type of infrastructure which could be funded from a CIL. This will limit obligations for strategic infrastructure such as major roads or a school, for example, or for broad categories of infrastructure, such as adult recreation facilities or sustainable transport measures, for example, which rely on a large number of contributing developments.

2.3 Monmouthshire Local Development Plan (LDP)

- 2.3.1 The Monmouthshire LDP was adopted in February 2014 and provides the planning policy framework for this guidance note. The LDP recognises the need to ensure that appropriate infrastructure is already in place or can be provided to accommodate the proposed level of growth set out in the plan.
- 2.3.2 The LDP states that new development may be required to provide or contribute towards the provision of necessary infrastructure to enable it to be provided in a timely manner and to support sustainable development in Monmouthshire.
- 2.3.3 The LDP recognises the importance of appropriate infrastructure especially in rural areas and new development. Three types of infrastructure are identified:
 - Physical infrastructure e.g. transport, water, sewerage, flood prevention, utilities
 - Community infrastructure e.g. schools, healthcare, sport and recreation, open space
 - Green infrastructure
- 2.3.3 Strategic Policy S7 – Infrastructure Provision – specifically seeks to ensure that new development is accompanied by an appropriate level of infrastructure to assist in providing for sustainable communities:

Policy S7 – Infrastructure Provision

The infrastructure needed to service and deliver sustainable development must be in place or provided in phase with proposed development. Where existing infrastructure is inadequate to serve the development, new or improved infrastructure and facilities to remedy deficiencies must be provided. Where provision on-site is not appropriate, off-site provision, or a financial contribution towards it, will be sought.

Financial contributions will also be required towards the future management and maintenance of facilities provided, either in the form of initial support or in perpetuity.

Planning Obligations may be sought to secure improvements in infrastructure, facilities, services and related works, where they are necessary to make development acceptable. In identifying appropriate contributions due regard will be paid to the overall development viability, including the cost of measures that are necessary to physically deliver a development and ensure that it is acceptable in planning terms.

Such obligations may include:

1. Strategic utilities
2. Community and cultural facilities
3. Formal and informal open space
4. Recreation and leisure facilities
5. Green infrastructure
6. Ecological mitigation
7. Educational facilities
8. Transport infrastructure
9. Sustainable transport measures
10. Waste management facilities
11. Renewable / low carbon energy infrastructure
12. Local climate change mitigation and adaptation measures
13. Flood risk management measures
14. Commuted payments for the management and maintenance of facilities provided
15. Broadband infrastructure
16. Other facilities and services considered necessary.

In the event that viability considerations indicate that not all the identified contributions can be reasonably required, priority contributions will be determined on the basis of individual circumstances of each case. In the case of housing developments, priority will be given to the affordable housing required by Policy S4 unless there is an overwhelming need for the available contribution, in whole or in part, to be allocated for some other necessary purpose/s.

Proposals for utility services to improve infrastructure provision will be permitted, subject to detailed planning considerations.

2.3.4 It is recognised that viability considerations will mean that developments are unlikely to be able to support contributions to all the types of infrastructure listed in Policy S7, particularly because it is a significant objective of the LDP that residential developments provide affordable housing in accordance with LDP Policy S4, as considered in Section 3 of this guidance note. Sections 4-7 of the note describe the main categories of infrastructure that will be considered in Section 106 negotiations alongside affordable housing requirements. First priority will have to be given to the infrastructure necessary to overcome obstacles to a development in order to enable a site to be physically delivered and made acceptable in planning terms. The extent of financial contribution towards other infrastructure required to support a development and/or to comply with other LDP policies will be weighed against the need for affordable housing in the County. As stated in Policy S7, this will be considered on a case by case basis but where there are viability issues that may prevent a development coming forward priority will be given to the affordable housing required by Policy S4, unless there is an 'overwhelming need' for the contribution to be allocated for another necessary purpose.

3 Affordable Housing

- 3.1 A significant issue for Monmouthshire is the fact that house prices are high in relation to earnings so that there is a considerable need for additional affordable housing in the County in both urban and rural areas, particularly for those who live and work here. Policy S4 of the LDP is the primary means of seeking to improve the provision of affordable housing in Monmouthshire. The policy sets out the thresholds at which affordable housing has to be provided and the percentage of affordable housing that will be required in each case, depending on the location of the development site. Detailed guidance on the implementation of the Council's affordable housing policies is set out in the *Monmouthshire LDP Supplementary Planning Guidance Affordable Housing* (SPG) (March 2016).
- 3.2 Section 106 agreements will be utilised to ensure that affordable housing is provided in accordance with Policy S4. The precise form of Section 106 agreement will depend on the circumstances of individual cases including the ownership of the site and the terms of any obligation or agreement between the owner and a Registered Social Landlord (RSL). However, Section 106 legal agreements will normally include clauses setting out requirements with regard to the following issues:
- The mix of affordable housing types, sizes sought as part of the development
 - The location and distribution of affordable housing within the development site
 - The minimum design standards required for the affordable housing units

- The timing of the construction and occupation of the affordable housing in relation to the development of the whole site, including appropriate restrictions on general market housing occupation
- The price, timing and conditions for the transfer of the land or affordable housing to a RSL
- The arrangements regarding the future affordability, management and ownership of the affordable housing
- With outline applications (where the proposed number of dwellings is not known, but where there is a likelihood that the site threshold will be exceeded) the Agreement will ensure that the appropriate proportion of new housing will be affordable.

It will be necessary for the Section 106 Agreement to include appropriate long-term occupancy arrangements. The Council will require full nomination rights, which will be exercised according to the Council's allocations policy as current at the time. The key requirement is that any housing that is provided as affordable should remain in the affordable housing stock each time there is a change of occupant.

- 3.3 It is a basic principle of Policy S4 that all residential developments (including at the scale of a single dwelling) should make a contribution to the provision of affordable housing in the local planning authority area, irrespective of whether or not the size of the development falls below the threshold for on-site provision. Where the threshold for on-site provision of affordable housing is not met, prior to obtaining planning permission an applicant will need to enter into a S106 agreement to pay a financial contribution towards affordable housing in the housing market in which the site is located. The required contribution will be established by using the Council's Affordable Housing Contribution Calculator. The calculation can be obtained from the Council's Housing Strategy Officer. The contribution will normally be set at the equivalent of 35% of the agreed capacity of the site (25% in Severnside). Example affordable housing financial contribution sum calculations are given in the Affordable Housing SPG. A standard Section 106 agreement that will be used for this purpose is set out in an appendix to that SPG. Self-builders whose developments fall below the thresholds will not be required to make a financial contribution but they will still be required to enter into a Section 106 agreement that sets out a level of contribution but that will be revoked when the applicant demonstrates that he or she has lived in the dwelling as a self-builder for a period of three years.
- 3.4 In seeking to negotiate an element of affordable housing on a site or the level of a financial contribution the Council will take into account: site size, suitability, and the economics of provision; whether there will be particular costs associated with development of the site; and whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in the development of the site. (The percentage of affordable housing required is, under the terms of Policy S4, subject to appropriate viability assessment). Where necessary, as part of such negotiations, the Council will undertake viability analysis of residential development sites using the Development Appraisal Toolkit developed by Three Dragons on behalf of South

and West Wales local authorities. The Toolkit is a means of assisting all parties in their understanding of the economics of a particular development. The model enables the testing of claims that affordable housing requirements (along with other costs, such as those from additional infrastructure works, for example) would make a site uneconomic. This approach can employ the default data available for general analysis. For more accurate assessments of costs, revenues and constraints, however, an 'open book' approach, where the developer provides information on development costs and selling prices, is advocated.

- 3.5 Where there is a dispute over viability issues, the Council will seek independent advice (at the applicant's expense) to arbitrate between the Council and the developer. As well as determining how much affordable housing can be achieved in a development, this process will also assist in establishing the amount of Section 106 contributions that can be obtained in the other policy areas described in the following sections of this guidance note. As described in paragraph 2.3.4 above, Policy S7 states that where there are viability issues that may prevent a development coming forward priority will be given to the affordable housing required by Policy S4, unless there is an 'overwhelming need' for the contribution to be allocated for another necessary purpose.

4 Education

- 4.1 The LDP seeks to build sustainable communities where people have good access to education provision. The increase in population resulting from new residential developments places additional demands on existing school facilities. Where there is insufficient capacity in these existing schools to accommodate the increased population arising from new residential developments then a financial contribution will be required to enable the shortfall in provision to be met.
- 4.2 Planning obligations for educational facilities may be sought at outline planning permission or full planning permission stage. When determining an outline planning application, a legal agreement will be required to provide for the principle of specific obligations, with the value and details to be determined when the full details of the scheme are known, either via the associated reserved matters application or by any subsequent full application. The S106 agreement at outline stage will, therefore, normally be formula based, with the exact contributions dependent on the final number and size of dwellings.
- 4.3 The trigger for considering whether or not an educational contribution is needed from a development is that the 'net gain' of dwellings to be built is 10 or more.

- 4.4 The first stage in calculating the need for and, if required, the extent of a financial contribution towards primary school education is to estimate the number of pupils that are expected to arise from each type of dwelling in the development using the table below:

House Size	Per Year Group Per 1000 dwellings	Total number of pupil places per 1000 dwellings*
2 Bed	17	119
3 Bed	31	217
4+ Bed	42	294

* There are seven year groups within a primary school, reception to year 6.

- 4.5 Affordable housing is exempt from having to contribute towards education provision. Need (**N**), therefore, is calculated solely on the market dwellings in a development, according to the following formula:

$$N = A/1000*119 + B/1000*217 + C/1000*294$$

Where: **A** is the number of 2 bed market dwellings
B is the number of 3 bed market dwellings
C is the number of 4+ bed market dwellings.

- 4.6 Housing development within a catchment area of a school will increase the numbers of pupils that the school will need to cater for. The number of pupils calculated to be generated by a development will be compared with the number of surplus places at the school in whose catchment area the development is located. If the capacity of the nearest school is exceeded then it might be possible for the additional pupils to be dispersed to other schools within the 'cluster' area within which the school is located. It is government policy, however, that if primary school pupils have to walk more than 2 miles to school then free transport will be provided. Pupils will only be dispersed, therefore, to schools within 2 miles of a development. If the education needs cannot be accommodated within 2 miles then contribution will be required to increase the capacity of the school in whose catchment area the development is located or to another school within the 2 mile radius if this is more appropriate. Cluster areas for the schools within Monmouthshire are given at Appendix B.
- 4.7 The need for additional school places does not occur until such time as the number of pupils generated by a development, in addition to the projected school roll, exceeds the available places. However, if this is taken literally then the development that generates the first additional place would be responsible for providing the contributions to provide the additional capacity, whilst previous developments would not have been subject to any charge, even though they contributed to the under-supply of places. In this instance, the requirement to contribute to additional provision is reliant on when planning permission is granted and can lead to developments being treated differentially due to the timing of their permissions. Existing surplus capacity

will not automatically be credited to developers. In assessing existing school capacity spaces will be allocated according to the following priority order:

- 1) Allocated LDP sites and sites with extant planning permission
- 2) Windfall LDP compliant sites (i.e. within settlement boundaries or conversion of existing buildings)
- 3) Unallocated sites beyond settlement boundaries.

4.8 To summarise, therefore, the number of pupils which require an educational contribution from a development is calculated as follows:

- 1) Calculate the number of pupil places needed as a result of the development (**N**, as set out in paragraph 4.5 above)
- 2) Identify the number of surplus places available in the school whose catchment area the development is located and check whether any of these places are already earmarked to serve other developments in accordance with the hierarchy set out in paragraph 4.9 above.
- 3) Match the number of pupil places required by a development with the surplus spaces available at the nearest school after the calculations carried out in step 2) above.
- 4) If the number of places required exceeds the available places establish if there are any other schools within 2 miles of the development that have spaces available to take additional pupils.
- 5) Those pupils that remain to be allocated after steps 2) – 4) have been completed are those that require an educational contribution to increase school capacity.

4.11 **The Financial Contribution.** The cost multipliers for an individual primary school place are calculated using Welsh Government data for total funding for Band B for the primary programme (2016 – 2019). The current cost multipliers are given below, although all cost multipliers will be reviewed annually and updated if necessary.

210 Primary School

- Primary school investment per pupil 2016 = £15,547.00 per pupil.
- Primary school investment per pupil 2019 = £17,257.00 per pupil.

420 Primary School.

- Primary school investment per pupil 2016 = £13,392.00 per pupil.
- Primary school investment per pupil 2019 = £14,866.00 per pupil.

4.12 **Welsh Medium Primary Schools.** There is sufficient capacity in the Welsh medium primary school in the south of the County to meet demand. This is not the case, however, in the north of the County and it is likely that contributions will be required towards Welsh medium primary education for developments taking place in the catchment area of Ysgol Gymraeg Y Fenni. The contribution required for such developments is calculated as follows

- 1) Calculate the number of pupil places needed as a result of the development (N, as set out in paragraph 4.5 above)
- 2) Establish the percentage of pupils in the Ysgol Gymraeg Y Fenni catchment area receiving Welsh medium primary education (thereby reducing the number of English medium places required)
- 3) Use this percentage to calculate how many of the pupils generated by the development would be likely to require Welsh medium education
- 4) If the number of places required exceeds the capacity of the Welsh medium school then contributions will be needed for the number of places required that is above the existing capacity

4.13 **Secondary Schools.** Currently there is sufficient capacity in the County's secondary schools. No contributions are currently required, therefore, towards secondary education, although this will be monitored as future development proceeds. Should a secondary school be found not to have sufficient capacity then the level of contribution will be calculated as with primary schools above. The formula at secondary level is:

House Size	Per Year Group Per 1000 dwellings	Total number of pupil places per 1000 dwellings*
2 Bed	16	80
3 Bed	30	150
4+ Bed	40	200

* For five year groups, year 7 to year 11

4.14 **Faith Schools.** There are four voluntary aided faith schools in the County. Of these, two have a specific catchment area. These are Archbishop Rowan Williams Primary in Portskewett and Magor Church in Wales Primary. If applications are received for developments in the catchment areas of these schools then the ability of these schools to accommodate pupils generated by the development can be established using the methodology set out in paragraph 4.8 above. If it is identified that the capacity is insufficient to accommodate the development and there is no other capacity within 2 miles, there would be a need to consult with the diocese on the potential to extend the school, while also considering the possibility of expanding another school within a 2 mile radius if this is more appropriate.

5 Recreation and Open Space

5.1 Policy CRF2 of the LDP sets out the Council's standards for recreation, open space and allotment provision in Monmouthshire against which development proposals will be assessed. It seeks to secure such provision in conjunction with all new residential development:

Policy CRF2 – Outdoor Recreation / Public Open Space / Allotment Standards and Provision

Development proposals will be assessed against the Council’s standards for recreation and open space and allotments, as follows:

Public recreation and open space:

NPFA minimum standard for outdoor playing space of 2.4 hectares per 1,000 population and 0.4 hectares of public open space per 1,000 population, which are accessible to residential areas.

Allotments:

- **Spatial standard of 0.25 hectares of allotment space per 1,000 population.**

Proposals for new residential development should provide appropriate amounts of outdoor recreation and public open space in accordance with the above standards. Any provision should be well related to the housing development that it is intended to serve, however the exact form and type will be determined having regard to the nature and size of the development proposed.

Proposals for new residential development on the strategic sites listed in Policy S3 and any development exceeding 50 dwelling units per site, should also make provision for allotments if required in accordance with the above standards.

5.2 The table below is a summary of the Council’s Recreation and Public Open Space Standards. These are based on the National Playing Fields Association’s (NPFA) (now Fields in Trust) minimum standard for outdoor play space of 2.4 hectares per 1000 population, and 0.4 hectares of public open space per 1,000 population and represents the minimum standard that will be sought throughout the County in both urban and rural areas.

Outdoor Sport	1.6 hectares (4 acres) per 1000 population
Children’s Playing Space	0.8 hectares (2 acres) per 1000 population
<ul style="list-style-type: none"> • Equipped/designated • Informal / casual 	<ul style="list-style-type: none"> • 0.3 hectares (0.75 acres) per 1000 population • 0.5 hectares (1.25 acres) per 1000 population
Public Open Space	0.4 hectares (1 acre) per 1000 population
Allotments	0.25 hectares per 1000 population

- 5.3 The trigger for considering whether or not a recreational contribution is needed from a development is generally that the ‘net gain’ of dwellings to be built is 10 or more, although a contribution towards the improvement of existing off-site areas/facilities may still be sought from developers of smaller housing sites where it is: inappropriate to provide them on-site; there are already deficiencies in the facilities that exist in the locality; and where these facilities are fairly and reasonably related to the proposed development.
- 5.4 The Council standard of 1.6ha for sport provision, 0.8ha for children’s play provision and 0.4ha for public open space provision per 1000 population equates to a per dwelling requirement of 70m² of recreation space (on the assumption of 2.5 people per dwelling), broken down as follows:

Category	Requirement Per Dwelling
Public Open Space	4,000m ² (0.4ha) ÷ 400 = 10m ²
Children’s Play Area	8,000m ² (0.8ha) ÷ 400 = 20m ²
Adult Outdoor Recreational Space	16,000m ² (1.6ha) ÷ 400 = 40m ²

- 5.5 These standards provide the **starting point** in negotiations between the Council and developers on the recreation and open space required from residential developments. The Council will also have regard to surplus/deficit of recreation and open space provision in an area, and also the proximity to and quality of other provision in the community to secure the widest benefit from new provision or contributions. Wherever possible, provision for outdoor recreation, play areas and public open space should be made on site as an integral part of the development, and in a location well related to the proposed residential properties. Where recreational facilities are provided on-site the developer is required to maintain and keep them in their intended use in perpetuity, which is usually by the facility being adopted by the Council with a commuted sum being paid for its future maintenance. Where some of the provision needs to be made off site, a financial contribution may be sought to allow facilities to be provided or improved in a suitable location nearby. A detailed charging schedule for the calculation of recreation and public open space developer contributions and commuted sums is included at Appendix A.
- 5.6 **Public Open Space.** The LDP defines Public Open Space as ‘green areas for the public to enjoy informal recreation such as parks and gardens and amenity greenspace. It includes informal green spaces around buildings, areas of open space such as green breaks within a development site and commons.’ The requirement for 10 square metres per dwelling is relatively low and often opportunities exist for a larger provision of open space, for example where some parts of sites are undevelopable due to topography, drainage etc. or have to be protected from development on landscape or biodiversity grounds or where the scheme needs to meet any other Green Infrastructure (GI)

requirements. Where there is overprovision within the development against the standard it may be possible to take this into account when assessing other types of open space provision. In addition, developers are encouraged to maximise the functionality of public open spaces by considering opportunities for biodiversity enhancement, ecological connectivity, Sustainable Urban Drainage Systems, walking and cycling and other community and recreational uses. The multifunctional use of open space is an aim of the LDP's GI policies, as considered in Section 6 of this guidance note.

5.7 Children's Play Areas. As indicated in the charging schedule in Appendix A, there are three main types of children's play area:

- Local Area for Play (LAP) (400 square metres) – a small area of open space specifically designed for young children to play close to where they live. Normally at least one LAP should be located within one minutes walking time of every home (100m walking distance), catering mainly for 4-6 year olds, and be suitable for children with disabilities.
- Local Equipped Area for Play (LEAP) (3,600 square metres) – a play area equipped mainly for children of early school age (4-8 years old) although consideration should be given to older and younger children. Normally LEAPs should be located within five minutes walking time from every home (400m walking distance).
- Neighbourhood Equipped Area for Play (NEAP) (8,500 square metres) – an unsupervised site equipped mainly for older children, which should incorporate a kick about area and opportunities for wheeled play. Normally a NEAP should be provided within 15 minutes walking time from every home (1000m walking distance).

Once the overall children's play space requirement is established (20 square metres multiplied by the number of dwellings) then this total amount is distributed amongst the different types of play area – LAPs, LEAPs and NEAPs. However, notwithstanding the minimum walking distances set out above, the Council is anxious to avoid a proliferation of small play areas that are difficult and expensive to maintain, little used and/or offering limited opportunities for imaginative play. For instance, applying the standard to a 100 dwelling development would result in a requirement for 2,000 square metres of children's play space, sufficient for five LAPs, which would not be desirable, or just over half a LEAP, which would not be practicable. Innovative approaches to children's play provision, therefore, are encouraged. This could include: combining the different types of play area described above in one location or by the creation of connected accessible green corridors; making financial contributions to off-site facilities (new or improved), which offer 'economies of scale' that enable a better standard and quality of play provision; or maximising the functionality of public open spaces, by considering opportunities for biodiversity enhancement, ecological connectivity, walking and cycling and other community and recreational uses alongside the provision of play space as part of the Council's GI approach.

- 5.8 **Adult Outdoor Recreational Space.** The LDP defines Outdoor Sport as comprising ‘facilities such as pitches, greens, courts, athletic tracks and miscellaneous sites such as croquet lawns and training areas’. Given the usual scale of housing development in Monmouthshire, it is rarely possible to provide such facilities on site, hence the Council’s normal policy is to request a financial contribution per dwelling towards the provision of adult recreation facilities in the vicinity of the application site as an alternative means of complying with Policy CRF2. As set out in the charging schedule in Appendix A, this contribution is currently set at £3132 per dwelling. This is an estimate of what it would cost to provide 40 square metres of adult recreational area on site. Financial contributions raised through this policy would not necessarily be used for ‘Outdoor Sport’ as defined in the LDP. There may be other types of recreational facilities that need to be provided or enhanced to meet the demands placed upon them by the additional population generated by new developments, including, for instance, community halls and leisure centres/swimming pools. In addition, as with Public Open Space and Children’s Play Space considered above, open space provided in accordance with the LDP’s GI policies can also be utilised as adult recreation facilities, for walking and cycling, for example, and as such can sometimes be accepted as an alternative means of complying with Policy CRF2.
- 5.9 **Allotments,** Policy CRF2 requires developments of more than 50 dwellings to provide allotments at a standard of 0.25 hectares per 1,000 population. This would equate to 6.25 square metres per dwelling based on 2.5 people per dwelling. It is recognised, however, that sometimes the provision of allotments in a scheme is not appropriate particularly if there is not a specific need or desire for them in an area. In addition, often allotments do not fit into a proposed layout and/or may be out of character with the type of GI/open space being proposed in a scheme. In such circumstances a contribution may be sought towards off-site provision, particularly if there are specific allotment provision or improvement schemes being proposed in a locality, or an alternative may be agreed such as a community orchard, which is a means of providing a beneficial amenity for residents and meeting GI requirements. Conversely, if there was an over provision of open space on a site or a particularly valuable GI resource being provided then this could possibly be traded off against the need to provide allotments to meet the policy requirement.
- 5.10 The Council’s preference is for on-site open space to be offered to it for adoption, subject to a commuted sum being paid for its future maintenance in accordance with the charging schedule in Appendix A. It is recognised, however, that in some cases developers wish to utilise private management companies as an alternative to public adoption. Where this occurs the Section 106 agreement will be drafted to include provisions for on-site open space to be satisfactorily managed and maintained in perpetuity.
- 5.11 Viability considerations and the need to give priority to the provision of affordable housing may mean that it is not always possible to achieve full compliance with the requirements of Policy CRF2. In such situations,

consideration will be given to the deficit or surplus of open space provision in the settlement in which the development is located. This information is included in the Monmouthshire Open Space Study (2008), which identified the standards of provision for public recreation, open space and allotments now detailed in Policy CRF2. The study assessed the quantity, quality and accessibility of such provision within the County in order to identify deficiencies of existing provision against standards. A re-survey of existing amenity open space in the County is currently being undertaken and its findings will be used to re-calculate deficits or surpluses of open space in a community where appropriate. Where a scheme is viable and meeting affordable housing requirements then it should be possible to achieve full compliance with Policy CRF2. Where a scheme is not viable then in the first instance consideration will be given to deducting contributions to those types of recreation and open space where there is a surplus of that facility in the locality. Severe viability issues with a development may result in other policies of the LDP having to be given precedence over Policy CRF2. This will be determined on a case by case basis. In any event, the Council is moving away from an approach to recreation and open space provision based on strict compliance with predetermined standards. This is in accordance with LDP GI policies that encourage the multifunctional use of open space, as considered in the next section of this guidance note.

6 Green Infrastructure

- 6.1 The LDP aims to ensure the provision of high quality open space, with networks of green infrastructure which protect existing features and promote both biodiversity and access. The creation and maintenance of high quality open space is critical to both the conservation objectives of the plan and the promotion of health and well-being by providing an accessible environment for new and existing development. The relevant LDP GI policies are Policy S13 and Policy G11:

Policy S13 – Landscape, Green Infrastructure and the Natural Environment.

Development proposals must:

.....

2. **Maintain, protect and enhance the integrity and connectivity of Monmouthshire’s green infrastructure network.**
3. **Protect, positively manage and enhance biodiversity and geological interests, including designated and non-designated sites, and habitats and species of importance and the ecological connectivity between them.**
4. **Seek to integrate landscape elements, green infrastructure, biodiversity features and ecological connectivity features, to create multifunctional, interconnected spaces that offer opportunities for recreation and healthy activities such as walking and cycling.**

Policy GI1 – Green Infrastructure

Development proposals will be expected to maintain, protect and enhance Monmouthshire’s diverse green infrastructure network by:

- a) **Ensuring that individual green assets are retained wherever possible and integrated into new development. Where loss of green infrastructure is unavoidable in order to secure sustainable development appropriate mitigation and/or compensation of the lost assets will be required;**
- b) **Incorporating new and /or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off-site.**

The implementation and interpretation of these policies is supported by the *Monmouthshire LDP Green Infrastructure Supplementary Planning Guidance* (April 2015). Using a three-step approach, the SPG outlines the Council’s expectations on how on- and off-site green infrastructure should be considered and embedded within development proposals. It provides practical design and planning checklists, supplemented by good practice case studies and signposts to further information and guidance. New development should incorporate new and / or enhanced GI in order to comply with Policies S13 and GI1, recognising the benefits that arise from GI, which include enhancing local distinctiveness, supporting the economy, helping mitigate climate change, encouraging sustainable development, protecting the environment/biodiversity, improving community cohesion and social inclusion and promoting health and well-being, as set out in the SPG.

- 6.2 The GI SPG does not include quantitative standards for the provision of different types of GI. As the preceding section on recreation and open space provision has stated, the Council will adopt a flexible approach in negotiations on open space provision. It is recognised that the GI approach offers opportunities for the multifunctional use of public open spaces that meets requirements for biodiversity protection, enhancement, resilience and ecological connectivity, for example, while at the same time providing facilities for children's play, corridors for connected walking, cycling and other community and recreational uses.
- 6.3 Notwithstanding criterion b) of Policy GI1, the Council will not be seeking Section 106 contributions to make provision for green infrastructure off-site unless such provision is directly related to the development and necessary to make it acceptable in planning terms. In this respect, it is considered to be entirely appropriate to seek **direct** mitigation and compensation for lost GI assets in accordance with criterion a) of Policy GI1 and to achieve this through Section 106 agreements.
- 6.4 **Mitigation and Compensation.** Development proposals which harm the GI network will need to provide comprehensive mitigation and compensatory measures to ensure that the overall functionality and connectivity of the GI network is maintained. Where unavoidable in order to meet development objectives, any residual loss of existing GI assets will need to be compensated for by provision of new or enhanced GI. Where on-site mitigation measures cannot be provided, or only provided in part, then off-site compensation will be sought to help reinforce GI connectivity and/or improve the GI network. The nature, scale and location of off-site GI compensatory measures will need to be proportionate and related to the assets being replaced. In this respect, there may be opportunities for treating such GI provision (improvements to a country park or a contribution to improving connectivity for people and wildlife between the proposed development site and the wider GI network, for instance) as also being an alternative means of complying with Policy CRF2 if such GI facilities are also providing opportunities for play and recreation. The Environment Act (Wales) 2016 places a requirement upon local authorities to consider ecosystem resilience which will need to be assessed on a case by case basis but may require compensation off site.
- 6.5 **GI Implementation.** Consideration of how GI design proposals will be implemented, how the subsequent management and maintenance regimes will operate and how they will be adequately funded will need to be incorporated at planning application stage. The funding for managing and maintaining new and/or enhanced GI provision will generally be paid for by the developer via contributions secured through S106 Agreements. Where private management companies are to be utilised the Section 106 agreement will be drafted to include provisions for on-site open space to be satisfactorily maintained in perpetuity. Management and maintenance will need to be compatible with any approved GI management plan. In some cases, open space areas may include Sustainable Drainage Systems (SUDS). These have particular requirements in

terms of their design and maintenance and developers should enter into early discussions with the Council's drainage section to discuss such proposals

- 6.6 **Biodiversity and Geological Diversity.** Although it is likely that biodiversity and geological diversity can mostly be addressed through the general GI approach, sometimes there are detailed matters arising that need to be controlled through specific clauses in a Section 106 agreement and appropriate planning obligations may be required to ensure suitable protection, monitoring, mitigation or compensation and favourable management. In this respect, LDP Policy NE1 – Nature Conservation and Development, needs to be taken into account, although this only deals with local designations / priority habitats and there may be circumstances when internationally / nationally designated sites or matters relating to protected species have an associated section 106 consideration.
- 6.7 **Public Rights of Way (PROW).** Similarly, sometimes PROWs are affected by a development and do not form part of a general GI proposal. In such cases protection and /or compensation will be established on a case by case basis. LDP Policy MV3 seeks to protect and enhance the rights of way network and the Council will use planning obligations as necessary to secure such protection or enhancements. This could also provide benefits for GI.

7 Travel

- 6.1 The LDP highlights the importance of minimising the need to travel, improving accessibility to jobs, services and community facilities and addressing climate change. The LDP aims to deliver a transport system in Monmouthshire that manages the use of the private car effectively and encourages the use of other transport modes – be it public transport or cycling or walking. Section 106 agreements are a means of achieving these aims and are also used where local transport infrastructure and highway alterations are necessary to remove specific obstacles to development. Parts of LDP policies S16, MV1 and MV2 are particularly relevant:

Policy S16 - Transport

Where appropriate, all development proposals shall promote sustainable, safe forms of transport which reduce the need to travel, increase provision for walking and cycling and improve public transport provision. This will be facilitated by:

- Reducing the need to travel, especially by car;
.....
- Promoting public transport, walking and cycling;
.....

Policy MV1 – Proposed Developments and Highway Considerations

All planning applications for developments which are likely to have a significant impact on trip generation and travel demand must, as appropriate, be accompanied by a Transport Assessment that includes a Transport Implementation Strategy for the development detailing the measures proposed to improve access by public transport, walking and cycling and reduce the number and impacts of car journeys associated with the proposal.

Development that is likely to create significant and unacceptable additional traffic growth in relation to the capacity of the existing road network and / or fails to provide a safe and easy access for road users will not be permitted, unless appropriate proposals for related improvements to the highway system or a contribution towards mitigating traffic management / reduction measures are made.

.....

Policy MV2 – Sustainable Transport Access

The development of sites shall, dependent on their location, size and local need, include provision for and the integration of appropriate sustainable transport links, including public transport, walking and cycling. Non-car access will be supported and prioritised over access by car.

Development should link into the existing or proposed public rights of way, walking, cycleway and green infrastructure networks and this will be reflected in the layout and conditions / obligations on any permission granted.

Where deemed necessary, financial contributions will be required towards improvements in transport infrastructure and services, in particular to support sustainable travel links / public transport, cycling and walking

- 6.2 Where specific highway improvements are required to provide access to a development site these will generally be achieved through an agreement under Section 278 of the Highways Act (1980). It is current practice, however, to include a clause in any Section 106 agreement requiring the entering into a Section 278 agreement to ensure that such highway works are carried out at an appropriate stage of the development.
- 6.3 Contributions towards sustainable transport measures will be negotiated on a site-by-site basis. Such measures could include:
- Improved bus services – subsidies towards additional services or new routes

- New bus stops
 - Improved facilities for walking and cycling access to development sites, including in connection with the Active Travel (Wales) Act 2013, Safe Routes to Schools, etc.
 - Road safety improvements
 - Implementation of Green Travel Plans
 - Strategic improvements to bus and rail stations
- 6.4 The scale of contribution will vary according to the circumstances of each site. Recent required contributions have ranged from around £500 to £2,000 per dwelling. In other cases, particularly on LDP strategic sites, a single figure has been requested to achieve the provision of a specific facility, e.g. £200,000 from the development at the former Paper Mill at Sudbrook to enable the introduction of a new bus service .

8 Procedure

8.1 Pre-application Advice

Prospective developers are strongly advised to discuss their proposals with Development Management (DM) Officers so that the specific nature and scale of any planning obligations for individual sites can be discussed at an early stage. Please note this is by means of a formal pre-planning application service which is available at a modest cost (the price depends on the level of service required). Full details can be found on the Council’s website at the following link:

<http://www.monmouthshire.gov.uk/planning/pre-application-advice-service>.

The views given at the pre-planning stage are given at an officer level only and do not prejudice the decision of the Council if a formal planning application is received. The DM case officer will contact individual departments with details of the proposed development so that any possible Section 106 contributions can be identified and included in the officer written response. The relevant services that deal with the matters set out in this guidance note are Housing, Education, Leisure, Grounds Maintenance, Community and Partnership Development Team (in relation to community facilities), GI, Highways/Drainage and Transport Planning.

- 8.2 Requests for contributions will be examined to ensure that there is no conflict with the ‘pooling’ restrictions referred to in paragraph 2.2.3 above. While not readily apparent from the wording of the relevant regulation (Regulation 123 of the CIL Regulations 2010, as amended 2014) the Council’s approach will be that any Section 106 agreement that is replaced by a new agreement for the same site and substantially for the same development does not count towards the pooling restriction. Similarly, an agreement entered into for a permission that has subsequently lapsed could not be implemented and, therefore, will not be counted towards the pooling restriction.

- 8.3 When the planning application is received, formal consultations will be initiated with these departments, although the aim would be to have substantially established all Section 106 requirements at the pre-application stage. However, further negotiation may be necessary, particularly where new information comes to light or where viability issues are raised that may result in it not being possible for all policy requirements to be met.
- 8.4 Where an application is to be recommended for approval the report taken to Planning Committee will specify the Heads of Terms for the Section 106 Agreement, including the issue of any future maintenance. Planning Committee will be asked to resolve to grant planning approval, subject to the signing of the Section 106 agreement. If Members agree with the recommendation then the Development Management case officer will complete a pro forma to instruct the Council's Legal Officer to draw up the Section 106 agreement, while at the same time issuing an extension of time letter to the applicant to enable this to take place.
- 8.5 In the first instance, the Legal Officer will check the applicant's title to the development land. The final wording of the Section 106 Agreement needs to be agreed by Legal, the applicant and the relevant authority departments. Legal will send at least two copies of the final S106 Agreement to the applicant for signing. The S106 Agreement should be signed within 6 months or there will be delegated authority to refuse. Upon return of the signed agreement from the applicant to Legal, Development Management will be notified that the agreement has been signed. Development Management will then release the decision notice for the planning permission and place a copy on the Planning Register. The planning permission and the associated Section 106 agreement will also be entered as a land charge.

9 Monitoring

- 9.1 The Council has an Enforcement Monitoring Officer within the Planning Enforcement Section who will monitor the relevant "triggers" (the stage of the development at which a payment is required) and the associated Section 106 amounts, together with information obtained from other relevant departments as necessary. This covers both the recovery of one-off 'principal' sums and commuted sums required for maintenance purposes. The Enforcement Monitoring Officer will arrange for a sundry debtor invoice to be raised to be sent to the developer in advance of "trigger" dates being reached.

9.2 Commuted Sums

If there is a commuted sum provision for maintenance of on-site recreation/open space and/or Green Infrastructure within the Section 106 agreement the Enforcement Monitoring Officer will monitor the relevant trigger points. Once a trigger point is reached the Enforcement Monitoring Officer will contact Grounds / Green Infrastructure to advise them of this. In the instance of onsite recreation/open space Grounds will arrange to inspect the play

area/open space to ensure that it satisfies the standards required by the Council. If it complies Grounds will in the first instance contact the developer and ask them to instruct their solicitors to begin the process of transferring the land to the Council. At the same time Grounds will instruct Legal to begin the process of the transfer of the land to the Council. Once the adoption process is completed Legal will advise the Enforcement Monitoring Officer that the land has been transferred to the Council. The Enforcement Monitoring Officer will then arrange for a sundry debtor invoice to be raised to be sent to the developer.

9.3 **Section 106 Working Group**

The Council has an established a working group, comprising of officers involved in the Section 106 process and chaired by the Head of Planning, Housing and Place Shaping to monitor the progress of developments that are subject to Section 106 provisions. The purpose of the group as set out in its terms of reference are as follows:

- To monitor Section 106 Agreements from first expressions of interest to the application of commuted maintenance and capital sums.
- To review arrangements for Section 106 Agreements and make recommendations for improvement.
- To receive regular reports from the Enforcement Monitoring Officer identifying details of Section 106 Agreements, implementation timescales and payments received.
- To receive regular reports from the Relevant Departments on the application of Section 106 monies held for programme maintenance and capital schemes.
- To receive regular reports from Central Finance that sums received on the Authority's ledger reconcile to the S106 combined report, confirming budgets established and slipped, expenditure incurred and balances remaining on schemes. Highlighting capital budgets which are required to be added to the capital program and ensuring that controls within the S106 environment accord with financial processes elsewhere in the Authority
- To be consulted on all relevant matters in relation to Section 106 Agreements.

APPENDIX A

Recreation and Public Open Space Developer Contributions Charging Schedule

APPENDIX B

Cluster areas for the schools within Monmouthshire

<p>Abergavenny</p> <p>Cantref Primary School</p> <p>Deri View Primary School</p> <p>Gilwern Primary School</p> <p>Goytre Fawr Primary School</p> <p>Llanfoist Fawr Primary School</p> <p>Llanvihangel Crucorney Primary School</p> <p>Our Lady & St Michael's Catholic Primary</p> <p>Ysgol Gymraeg Y Fenni</p> <p>Llantilio Pertholey Church in Wales Primary</p> <p>King Henry VIII Secondary School</p>	<p>Caldicot</p> <p>Archbishop Rowan Williams Church in Wales Primary</p> <p>Castle Park Primary School</p> <p>Dewstow Primary School</p> <p>Durand Primary School</p> <p>Magor Church in Wales Primary</p> <p>Rogiet Primary School</p> <p>Undy Primary School</p> <p>Ysgol Gymraeg Y Ffin</p> <p>Caldicot Secondary School</p>
<p>Chepstow</p> <p>Pembroke Primary School</p> <p>Shirenewton Primary School</p> <p>The Dell Primary School</p> <p>Thornwell Primary School</p> <p>St Mary's Roman Catholic Primary</p> <p>Chepstow Secondary School</p>	<p>Monmouth</p> <p>Cross Ash Primary School</p> <p>Kymin View Primary School</p> <p>Llandogo Primary School</p> <p>Overmonnow Primary School</p> <p>Trellech Primary School</p> <p>Raglan VC Primary School</p> <p>Usk Church in Wales Primary</p> <p>Osbaston Church in Wales Primary</p> <p>Monmouth Comprehensive School</p>

APPENDIX C

Sources of Advice

Planning Policy Team

County Hall

Rhadyr

Usk

NP15 1GA

Tel: 01633 644429

Email: planningpolicy@monmouthshire.gov.uk

Development Management

County Hall

Rhadyr

Usk

NP15 1GA

Tel: 01633 644800

Email: planning@monmouthshire.gov.uk



REPORT

SUBJECT: Contributions	Recreational & Public Open Space Developer
MEETING:	Cabinet Decision
DATE TO BE CONSIDERED:	
DIVISIONS/WARDS AFFECTED:	All Wards outside the Brecon Beacons National Park

1. PURPOSE

- 1.1 To seek approval of the Council's 2018/2019 charges for public outdoor recreational contributions expected from housing developers.

2. RECOMMENDATION

- 2.1 To approve the 2018/2019 level of financial contributions expected from developers in lieu of on-site provision of public open space and recreational facilities, as indicated in **Appendix 1 - Table 1.**

3. KEY ISSUES

- 3.1 The Council has, under Policy CRF2 of the adopted Monmouthshire Local Development Plan (**APPENDIX 2**), adopted the Fields in Trust (F.I.T.) 'Six Acre Standard' to guide the provision of recreational open space in the County. In addition, the Council has its own standard for the provision of public open space.
- 3.2 Based on an assessment of local needs, the Council currently negotiates with developers on the basis of 1.6ha (4 acres) for sport provision; 0.8ha (2 acres) for children's play provision; and 0.4ha (1 acre) for public open space provision per 1000 population. Together, these requirements satisfy the Fields in Trust 'Six Acre Standard' and are considered as the minimum standards for the County.
- 3.3 The Council's standard, therefore equates to 70m² per dwelling of recreation space that has been calculated and broken down as follows:

Category	Area Per Dwelling
Public Open Space	4,000m ² (0.4ha) ÷ 400 = 10m ²
Children's Play Area	8,000m ² (0.8ha) ÷ 400 = 20m ²
Adult Outdoor Recreational Space	16,000m ² (1.6ha) ÷ 400 = 40m ²

- 3.4 In most cases recreational facilities are provided on-site by the developer and the developer is required to maintain and keep them in their intended use in perpetuity; which is usually by the facility being adopted by the Council with a commuted sum being paid for its future maintenance.
- 3.5 Commuted maintenance sums are received to fund ongoing annual maintenance and periodic major maintenance for a period of 20 years.

- 3.6 The calculation of the amount invoiced to the developer is based upon applying inflation to maintenance changes over the 20-year period and then discounting the gross amount back for the time value of money.
- 3.7 **Where the Council considers that on-site recreation provision is not possible or practicable, alternative provision is required to be made in the locality.** In such circumstances the normal practice is for a developer to make a financial contribution to the Council in lieu of on-site provision. The specification and costing details in **APPENDIX 3** are illustrative of what the Council will provide when facilities are provided off-site. However, these illustrative cost details should not be seen as the total a developer would be expected to spend when they are making on-site provision. The over-riding issue is that all developments provide facilities that meet the Council's adopted Fields in Trust specification.
- 3.8 In March 2015 Cabinet agreed the level of developer contributions expected towards off-site recreation and public open space provision. This report recommends that the principle of developer contributions be continued in its current form, but that the level of contributions is revised to reflect 2018/2019 prices that have been increased by 6.5% for commuted sums and by 9% for the capital costs.
- 3.9 In accordance with the Council's specification (which accords with the relevant F.I.T requirements) for recreational and public open space, **APPENDIX 1 TABLES 1 & 2** summarise the costs calculated for off-site developer contributions at 2018/2019 prices. These figures have been revised to take account of the rise with commuted sums and the rise in capital costs as well as specification improvements in order to fully meet the requirements of the F.I.T standard. **APPENDIX 3** provides full details of how the individual cost elements have been calculated.

4. REASON

- 4.1 The charges need updating for the 2018/2019 financial year.

5. RESOURCE IMPLICATIONS

- 5.1 Implementation within the planning process will be undertaken with the co-operation of the Enterprise Directorate and Waste and Street Services and other services, where appropriate.

6. Sustainable Development & Equality Implications

There are positive implications for the health and well-being of children and young people with additional play and recreation provision being provided.

7. Safeguarding & Corporate Parenting Implications

There are no safeguarding and corporate parenting implications.

8. CONSULTEES

Section 106 Working Group
Countryside GI Team

9. **BACKGROUND PAPERS** - Cabinet Member Report "Recreational & Public Open Space Standards and Developer Contributions", June 2015
10. **AUTHOR:** Nigel Leaworthy - Operations Manager Waste and Street Services.
11. **CONTACT DETAILS:**

Tel 01633 644151

Email nigelleaworthy@monmouthshire.gov.uk

APPENDIX 1 Calculated Costs 2015/2016

Table 1: Cost per Dwelling of Recreation and Public Open Space

	Land Purchase	Capital Cost	Adoption Cost	Admin. Cost	Total Cost
10m² Public Open Space	£39.30	£38.46	£132.81	£20.66	£231.23
20m² Children's Play Area	£78.58	£313.27	£472.33	£82.29	£946.47
40m² Adult Recreation Area	£157.33	£2017.44	£911.34	£205.86	£3'291.97
				Total Cost Per Dwelling	£4'469.67

Table 2: Costs of Children's Play Areas

	Land Purchase	Capital Cost	Adoption Cost	Total Cost
Local Area for Play	£1493.13	£17389.86	£32912.76	£51'795.75
Local Equipped Area for Play	£14146.40	£59255.67	£84822.99	£158'225.06
Neighbourhood Equipped Area for Play	£33401.60	£119'153.35	£177484.38	£330'039.33
Total	£49041.12	£195'798.86	£295222.26	£540'062.24

Note: The Total Cost Per Dwelling calculation shown in Table 1 is derived using the following formulae for each of the three individual costs:

A	B	C
The relevant cost shown in Table 1 and below: <i>Land Purchase</i> <i>Capital Cost</i> <i>Adoption Cost</i>	(The total area of the relevant (recreational facility shown in (Appendix B and below: <i>Public Open Space 10,000m²</i> <i>Adult Recreation 16,187m²</i> <i>Children's Play Area 12,500m²</i>	The area of the relevant recreational) facility required per dwelling shown in) paragraph 3.3 and below: <i>Public Open Space 10m²</i> <i>Adult Recreation 40m²</i> <i>Children's Play Area 20m²</i>
÷	÷	÷
i.e. A ÷ (B ÷ C)		

APPENDIX 2 Policy CRF2 of the Adopted Monmouthshire Local Development Plan

6.1.42 Standards of provision for recreation and open space will be based on the Fields in Trust (FIT) minimum standard for outdoor play space of 2.4 hectares per 1000 population, and 0.4 hectares of public open space per 1000 population. This is the Council's minimum standard that will be sought throughout the County in both urban and rural areas.

6.1.46 Where possible, provision for outdoor recreation and public open space should be made on site as an integral part of the development, and in a location well related to the proposed residential properties. Where some of the provision needs to be made off site, a financial contribution may be appropriate to allow facilities to be provided or improved in a suitable location nearby. Developers are encouraged to maximise the functionality of public open spaces, by considering opportunities for biodiversity enhancement, ecological connectivity, SUDS, walking and cycling and other community and recreational uses.

APPENDIX 3 Calculated Costs 2018/2019

1. Public Open Space (10,000m²)

DESCRIPTION	QUANTITY	COST
Footpath	150m ²	£38'453.02
Boundary Fence: 1.2m high tanalised timber post and two rail	100m	
Standard Trees	40	
Grass Area	9,850m ²	
Orchard Brambley Seat	2	
Earth Anchor Litter Bin	2	
DESCRIPTION	FREQUENCY	COST
Rotary grass cutting	14 per year	£132'808.70
Tree inspection	Yearly	
Seat inspection	Yearly	
Empty litter bins	Weekly	
Seat painting	Every 5 years	
Overlay footpath	Every 10 years	
Fence painting	Every 10 years	

2. Youth/Adult Outdoor Recreation Area (16,187m²)

DESCRIPTION	QUANTITY	COST
Football Pitch	1	£816'407.82
Multi-Sports Pitches	2	
Changing Rooms	1	
DESCRIPTION	FREQUENCY	COST
Building Maintenance	As required	
Rotary grass cutting	14 per year	
Fertiliser	2 per year	
Sand top dressing	2 per year	
Renovation work	Yearly	

DESCRIPTION	QUANTITY	COST
Take down/set up goal posts/nets	As required	£368'792.46
Over marking for multi-sports pitch	Yearly	
Over marking for grass pitches	Weekly	
Brushing for multi-sports pitch	Monthly	
Empty litter bin	Weekly	

3. Local Area for Play LAP (400m²)

DESCRIPTION	QUANTITY	COST
Grass Area	300m ²	£17'389.86
Shrub Planted Area	30m ²	
Standard Trees	2	
Tarmac Footpath	50m ²	
Powder Coated Galvanised Bow Top Fencing	50mts	
Self Closing Gate	1	
Play Equipment: Such as; - Wicksteed Swing Unit	1	
- Kompan Crazy Scrambler Springer	1	
- Hopscotch Area	1	
Impact Absorbing Surface	19 m ²	
Orchard Brambley Seat	1	
Earth Anchor Litter Bin	1	
DESCRIPTION	FREQUENCY	COST
Rotary grass cutting	14 per year	£32'913.83
Tree/Shrub maintenance	4 per year	
Play equipment maintenance	Weekly	
Empty litter bin	Weekly	
Seat painting	Every 5 years	
Overlay footpath and replace safety surfacing	Every 10 years	
Fence painting	Every 10 years	

4. Local Equipped Area for Play LEAP (3,600m²)

DESCRIPTION	QUANTITY	COST
Grass Area	3300m ²	£59'255.67
Shrub Planted Area	50m ²	
Standard Trees	40	
Tarmac Footpath	100m ²	
Powder Coated Galvanised Bow Top Fencing	75 mts.	
Self Closing Gate	2	
Play Equipment such as; - Kompan SupaNova Roundabout	1	
- Hags/SMP Midi Venturer Multiplay Unit	1	
- Proludic Pod Swing	1	
- Wicksteed Cobra Seesaw	1	
- Kompan Spica 1	1	
Impact Absorbing Surface	135m ²	

DESCRIPTION	QUANTITY	COST
Orchard Brambley Seat	2	
Earth Anchor Litter Bin	2	
DESCRIPTION	FREQUENCY	COST
Rotary grass cutting	14 per year	£84'822.99
Tree/Shrub maintenance	4 per year	
Furniture maintenance	Yearly	
Play equipment maintenance	Weekly	
Empty litter bin	Weekly	
Seat painting	Every 5 years	
Overlay footpath	Every 10 years	
Replace impact absorbing surface	Every 10 years	
Fence painting	Every 10 years	

5. Neighbourhood Equipped Area for Play NEAP (8,500m²)

DESCRIPTION	QUANTITY	COST
Grass Area	8000m ²	£119'153.35
Shrub Planted Area	200m ²	
Standard Trees	40	
Tarmac Footpath	100 ²	
Powder Coated Galvanised Bow Top Fencing	100 mts	
Self Closing Gate	2	
Play Equipment: Such as;		
- Kompan Izar Unit	1	
- Proludic Pod Swing	1	
- Wicksteed Cobra See Saw	1	
- Kompan SupaNova Roundabout	1	
- Kompan Galaxy Spica 1	1	
- Kompan Algol Unit	1	
Impact Absorbing Surface	200m ²	
Orchard Brambley Seat	2	
Earth Anchor Litter Bin	2	
Teenage Area: Either SMP Arena Meeting Point Shelter or Steel Youth Shelter	1	
Either Tarmac Hard Play Area with Basketball Hoop or SMP Indiana Goal Section	1	
DESCRIPTION	FREQUENCY	COST
Rotary grass cutting	14 per year	£177'484.38
Tree/Shrub maintenance	4 per year	
Furniture maintenance	Yearly	
Play equipment maintenance	Weekly	
Empty litter bin	Weekly	
Seat painting	Every 5 years	
Overlay footpath	Every 10 years	
Replace impact absorbing surface	Every 10 years	
Fence painting	Every 10 years	

Note: Costs reflect the current rates of tendered contracts by Monmouthshire County Council. The costs are indicative and for costing purposes only.

Appendix D

Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council

Title of Report:	SECTION 106 PROCEDURE NOTE AND POLICY GUIDANCE
Date decision was made:	25 January 2018
Report Author:	Martin Davies

What will happen as a result of this decision being approved by Cabinet or Council?

What is the desired outcome of the decision?

What effect will the decision have on the public/officers?

To adopt the documents for use in Section 106 processes and improve the efficiency of these processes.

To provide guidance for officers, members, developers, the public and applicants on how Section 106 agreements are negotiated, giving greater clarity and transparency

12 month appraisal

Was the desired outcome achieved? What has changed as a result of the decision? Have things improved overall as a result of the decision being taken?

What benchmarks and/or criteria will you use to determine whether the decision has been successfully implemented?

Think about what you will use to assess whether the decision has had a positive or negative effect:

Has there been an increase/decrease in the number of users

Has the level of service to the customer changed and how will you know

If decision is to restructure departments, has there been any effect on the team (e.g increase in sick leave)

Successful implementation will result in the documents being adopted and utilised in Section 106 processes. Regular feedback on the usefulness of the documents will be provided to the Section 106 Working Group.

12 month appraisal

Paint a picture of what has happened since the decision was implemented. Give an overview of how you fared against the criteria. What worked well, what didn't work well. The reasons why you might not have achieved the desired level of outcome. Detail the positive outcomes as a direct result of the decision. If something didn't work, why didn't it work and how has that effected implementation.

What is the estimate cost of implementing this decision or, if the decision is designed to save money, what is the proposed saving that the decision will achieve?

Give an overview of the planned costs associated with the project, which should already be included in the report, so that once the evaluation is completed there is a quick overview of whether it was delivered on budget or if the desired level of savings was achieved.

Officer time and costs associated with negotiating, preparing, implementing and monitoring Section 106 agreements and servicing the Section 106 Working Group. These will be carried out by existing staff and within existing budgets.

12 month appraisal

Give an overview of whether the decision was implemented within the budget set out in the report or whether the desired amount of savings was realised. If not, give a brief overview of the reasons why and what the actual costs/savings were.



Future Generations Evaluation
(includes Equalities and Sustainability Impact Assessments)

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<p>Name of the Officer completing the evaluation Martin Davies</p> <p>Phone no: 01633 644826 E-mail: martindavies@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>The Local Development Plan (LDP), which was adopted on 27 February 2014, sets out the Council’s vision and objectives for the development and use of land in Monmouthshire, together with the policies and proposals to implement them over the ten year period to 2021. Planning obligations under Section 106 of the Town and Country Planning Act 1990 are a means of seeking contributions from developers to enhance the quality of a development, provide community benefits and infrastructure and mitigate any negative impacts that may arise as a consequence of development. Section 106 agreements, therefore, are a means of delivering the LDP.</p>
<p>Name of Service</p> <p>Planning Policy</p>	<p>Date Future Generations Evaluation form completed</p> <p>16/01/2018</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>Positive: Section 106 funding can help contribute to the provision of infrastructure to support development, improve general prosperity and ensure education facilities are sufficient.</p> <p>Negative: None. Where appropriate, planning applications are subject to viability testing to ensure that the viability of development is not adversely affected by Section 106 requirements.</p>	<p>Better contribute to positive impacts: Monitor the effectiveness of Section 106 spending on a regular basis.</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>Positive: Section 106 funding can be used to finance schemes promoting Green Infrastructure, Biodiversity etc.</p> <p>Negative: None</p>	<p>Better contribute to positive impacts: Monitor the effectiveness of Section 106 spending on a regular basis.</p>
<p>A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>Positive: Section 106 funding can be used to finance schemes promoting walking and cycling, thereby promoting healthy living.</p> <p>Negative: None</p>	<p>Better contribute to positive impacts: Monitor the effectiveness of Section 106 spending on a regular basis.</p>
<p>A Wales of cohesive communities Communities are attractive, viable, safe and well connected</p>	<p>Positive: Section 106 funding can be used to finance the infrastructure to promote sustainable communities, including community and social facilities, open space, public transport, walking</p>	<p>Better contribute to positive impacts: Monitor the effectiveness of Section 106 spending on a regular basis.</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?
	<p>and cycling connections etc. Section 106 agreements are also the means of providing affordable housing to support communities.</p> <p>Negative: None</p>	
<p>A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>	<p>Positive: Section 106 supports the implementation of the LDP, the policies of which have been subject to a Sustainability Appraisal and Strategic Environmental Assessment to ensure that social, economic and environmental objectives are met, thereby contributing to sustainable development and global well-being.</p> <p>Negative: None</p>	<p>Better contribute to positive impacts: Monitor the effectiveness of Section 106 spending on a regular basis. Decisions on how to spend Section 106 monies will be subject to a Future Generations Evaluation.</p>
<p>A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation</p>	<p>Positive: Section 106 funding can be used to support community and sporting facilities.</p> <p>Negative: None</p>	<p>Better contribute to positive impacts: Monitor the effectiveness of Section 106 spending on a regular basis.</p>
<p>A more equal Wales People can fulfil their potential no matter what their background or circumstances</p>	<p>Positive: The LDP should bring positive benefits to all members of Monmouthshire's population. All the policies of the plan have been subject to a Sustainability Appraisal that measures their performance against sustainability objectives, including such matters as providing equitable access to jobs, services and facilities, allowing all people to meet their housing needs, protecting people from health risk and providing opportunities for healthy lifestyles, supporting all</p>	<p>Better contribute to positive impacts and mitigation of negative impacts: Monitor the effectiveness of Section 106 spending on a regular basis. Decisions on how to spend Section 106 monies will be subject to a Future Generations Evaluation.</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?
	<p>members of the community and promoting community cohesion. Section 106 is a means of supporting and delivering the LDP.</p> <p>Negative: Decisions on how to prioritise the spending of Section 106 receipts could potentially have implications for groups with protected characteristics. Spending decisions will be subject to separate Future Generation Evaluations.</p>	

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?
<p>Page 109</p>  <p>Balancing short term need with long term and planning for the future</p>	<p>The LDP covers the period 2011-21. Section 106 supports the implementation of the LDP. By its nature, therefore, it cannot look beyond the 2021 but the SA/SEA of the LDP would have ensured consideration of the impact on future generations.</p>	<p>Ensure that the LDP and its policies have been subject to SA/SEA.</p>

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Working together with other partners to deliver objectives</p>	<p>The Procedure Note is an internal document that does not require public consultation. The Policy Guidance is intended for use as a practice note to assist Development Management officers in their negotiations with developers and also to provide guidance for developers as they formulate their proposals. It sets out how the Council will approach such negotiations and will not be adopted as Supplementary Planning Guidance so does not require consultation with outside bodies or the general public.</p> <p>Individual planning applications are subject to consultation procedures and this gives the public, community and town councils and other outside bodies the opportunity to express their views on what Section 106 contributions arising from a development should be spent on. Where appropriate, specific public consultation also takes place before decisions on how to spend Section 106 funding are made.</p>	<p>Processes will be put in place to ensure community groups etc. will be consulted on how Section 106 money is spent.</p>

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Involvement Involving those with an interest and seeking their views</p>	<p>The Procedure Note is an internal document that does not require public consultation. The Policy Guidance is intended for use as a practice note to assist Development Management officers in their negotiations with developers and also to provide guidance for developers as they formulate their proposals. It sets out how the Council will approach such negotiations and will not be adopted as Supplementary Planning Guidance so does not require consultation with outside bodies or the general public.</p> <p>Individual planning applications are subject to consultation procedures and this gives the public, community and town councils and other outside bodies the opportunity to express their views on what Section 106 contributions arising from a development should be spent on. Where appropriate, specific public consultation also takes place before decisions on how to spend Section 106 funding are made.</p>	<p>Processes will be put in place to ensure community groups etc. will be consulted on how Section 106 money is spent.</p>
 <p>Prevention Putting resources into preventing problems occurring or getting worse</p>	<p>N/A</p>	<p>N/A</p>
 <p>Integration Positively impacting on people, economy and environment and trying to benefit all three</p>	<p>Section 196 supports the implementation of the LDP which has been subject to a Sustainability Assessment that balances the impacts on Social, Economic and Environmental factors.</p>	<p>Section 106 supports the implementation of the LDP which has been subject to a Sustainability Assessment that balances the impacts on Social, Economic and Environmental factors.</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?
<p>Positive: The LDP should bring positive benefits to all members of Monmouthshire’s population. All the policies of the plan have been subject to a Sustainability Appraisal that measures their performance against sustainability objectives, including such matters as providing equitable access to jobs, services and facilities, allowing all people to meet their housing needs, protecting people from health risk and providing opportunities for healthy lifestyles, supporting all members of the community and promoting community cohesion. The use of Section 106 is a means of supporting and delivering the LDP.</p> <p>Negative: Decisions on how to prioritise the spending of Section 106 receipts could potentially have implications for groups with protected characteristics.</p> <p>Mitigation: Monitor the effectiveness of Section 106 spending on a regular basis. Decisions on how to spend Section 106 monies will be subject to a Future Generations Evaluation.</p>			
Age	See above	See above	See above
Disability	See above	See above	See above
Gender reassignment	See above	See above	See above
Marriage or civil partnership	See above	See above	See above
Race	See above	See above	See above
Religion or Belief	See above	See above	See above
Sex	See above	See above	See above
Sexual Orientation	See above	See above	See above

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?
Welsh Language	See above	See above	See above

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?

- Monmouthshire Local Development Plan 2011-2021
This is the adopted development plan for Monmouthshire (excluding that part of the County within the Brecon Beacons National Park) which sets out the development framework for the County until 2021.
- Consultation with members of the Section 106 Working Group who have provided details of their procedures and policies for incorporation in the documents.

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 positive impact of this proposal is that it raises finance to provide infrastructure to support the implementation of the Monmouthshire LDP and meet the social, economic and environmental objectives of the plan.

Potential negative impacts would only occur if viability of development was adversely affected by Section 106 and viability testing of development proposals where appropriate is undertaken to ensure that this does not happen.

Future decisions taken on how Section 106 funding is spent will be subject to engagement with the local community and Future Generations Evaluation.

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

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.

<p>The impacts of this proposal will be evaluated on:</p>	<p>On a quarterly basis through Section 106 Working Group. On annual basis through reporting to Economy and Select Scrutiny Committee. The LDP is also subject to an Annual Monitoring Report that is submitted to the Welsh Government and made publicly available.</p>
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Monmouthshire's Scrutiny Forward Work Programme 2017

Economy Select Committee				
Meeting Date	Subject	Purpose of Scrutiny	Responsibility	Type of Scrutiny
25 th January 2018	Budget Monitoring - period 7	To review the financial situation for the directorate, identifying trends, risks and issues on the horizon with overspends/underspends).	Mark Howcroft	Budget Monitoring
	Sale of County Hall TBC	Oversight of this report requested by Members.	Roger Hoggins	Pre-decision Scrutiny
	City Deal ~ strategic investment proposal for Caldicot Town Centre	Presentation to sight members on forthcoming work streams.	Cath Fallon Kellie Beirne	Presentation
	S106 Contributions Planning Guidance	Pre-decision scrutiny of the guidance for S106 monies (prior to member seminar on 1 st February).	Mark Hand	Pre-decision Scrutiny
Special Meeting February 2018 TBC	Abergavenny Outdoor Structure	*TBC* May need to defer to a February Special. Contact Cllrs Woodhouse and Powell if deferring.	Rachael Rogers	Pre-decision Scrutiny
15 th March 2018				
CROSS BORDER VISIT TBC	Meet border/neighbouring English councils	Discussion on issues that cross county boundaries to explore any synergies/learning: <ul style="list-style-type: none"> ✓ Affordable housing, transport ✓ Impact of the removal of the Severn Tolls ✓ Tourism and enterprise 	Kellie Beirne Mark Hand	Action Learning
26 th April 2018				Budget Monitoring

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Agenda Item 8

Monmouthshire's Scrutiny Forward Work Programme 2017

Future Meeting Items:

Agreed Scrutiny Focus for 2017-18:

- Affordable housing, transport and the LDP
- Impact of the removal of the Severn Tolls
- City Deal and the regional agenda (business plan sign off February 2018)
- Tourism and enterprise

- **ICT in Schools** ~ scrutinise jointly with CYP Select ~ Post Evaluation Review to return. Joint scrutiny of the outcomes for young people: Implementing the technology → delivering the teaching and learning → digital attainment levels.

Work Programme Items for circulation:

Agreed for the following reports to be emailed as opposed to tabled (unless requested by members):

- **Velethon Report for 2017 when available**
- **I County Strategy 2** ~ revised strategy to incorporate digital maturity and culture ~ October
- **People Strategy** ~ corporate strategy for staff ~ October
- **Information Strategy** ~ linking 3 strands: information governance, data insight and digital data ~ October
- **Employability Grant** ~ October
- **'Inspire Programme' Extension** ~ October

Council and Cabinet Business – Forward Plan

Monmouthshire County Council is required to publish a Forward Plan of all key decisions to be taken in the following four months in advance and to update quarterly. The Council has decided to extend the plan to twelve months in advance, and to update it on a monthly basis.

Council and Cabinet agendas will only consider decisions that have been placed on the planner by the beginning of the preceding month, unless the item can be demonstrated to be urgent business.

Subject	Purpose	Consultees	Author
15th MARCH 2017 - CABINET			
Welsh Church Fund Working Group	The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications 2016/17 meeting 5 held on the 19 th January 2017.		Dave Jarrett
Outcomes of the Recycling Review.	Cabinet to agree the Final Business Case determining the outcomes of the Recycling Review.		Rachel Jowitt
Safeguarding Progress Report			Teresa Norris
Effectiveness of Council Services: Quarter 3 Progress			Matt Gatehouse
Cemeteries - amendments to charging policy			Deb Hill Howells
The Knoll, Abergavenny Section 106 funding			Mike Moran

Subject	Purpose	Consultees	Author
ADM – Business Case			Tracey Thomas
EAS Business Case			Will Mclean
Community Governance			Will Mclean
2017/18 Education and Welsh Church Trust Funds Investment and Fund	The purpose of this report is to present to Cabinet for approval the 2017/18 Investment and Fund strategy for Trust Funds for which the Authority acts as sole or custodian trustee for adoption and to approve the 2017/18 grant allocation to Local Authority beneficiaries of the Welsh Church Fund.		Dave Jarrett
8th MARCH 2017 – INDIVIDUAL CABINET MEMBER DECISION			
P			
Private sector housing enforcement			Huw Owen
PSPO x 2: Fairfield Car Park and Abergavenny Skate Park			Andrew Mason
Homeless Reserve Fund			Ian Bakewell
Fostering Fees Review			Claire Marchant
Accounts Payable Strategy – Further automation of the procedure to process payment			Lisa Widenham
Appropriation of the land at Rockfield Farm, Undy	From County farms use to planning use		Gareth King
Cemeteries – amendments to charging policy			Deb Hill Howells
Direct Care Leadership Restructure			Colin Richings
Transport Policy			Clare Morgan
Disposal of land on Garden City Way for Affordable Housing			Ben Winstanley

Subject	Purpose	Consultees	Author
Cae Maldon Bus Routes			Christian Schmidt
Monmouthshire Museums Centralisation of Staffing Structure			Cath Fallon
9TH MARCH 2017 - COUNCIL			
Council Tax Resolution 2017/18 and Revenue and Capital Budgets 2017/18	To set budget and Council tax for 2017/18		Joy Robson
Treasury Management Strategy 2017/18	To accept the annual Treasury Management Strategy		Joy Robson
Asset Investment Strategy			Peter Davies
Outcome of Recycling Review	To agree the Final Business Case determining the outcomes of the Recycling Review.		Rachel Jowitt
Procurement Strategy for Household Waste Recycling Centre, Transfer Stations and Residual Haulage.	For Council to approve the procurement strategy and affordability envelope for the procurement of a new contract running from 2018-2030 (7 years plus 5 years extension possibility).		Rachel Jowitt
Approval of Car Park Capital Budget in 2017/18			Roger Hoggins
20TH MARCH 2017 - COUNCIL			
ADM Business Case			Tracey Thomas
Pay Policy			Tracey Harry/Sally Thomas
Well-being Assessments for the county and Objective setting for the Council	i) Well-being of Future Generations Assessment (author Matthew Gatehouse) ii) Population Needs Assessment (authors Matthew Gatehouse/Phil Diamond) iii) Council's Well-being Objectives and Plan (author Matthew Gatehouse/Richard Jones) iv) Biodiversity and Ecosystem Resilience Forward Plan (author Matthew Lewis)		Matt Gatehouse
Safeguarding Progress Report			Teresa Norris

Subject	Purpose	Consultees	Author
Position Statement report re: Social Services			Geoff Burrows
Council Diary			Nicola Perry
Chief Office CYP Appointment			Tracey Harry
WAO Kerbcraft			Clare Marchant
Community Governance			W. McLean
29th MARCH 2017 – INDIVIDUAL CABINET MEMBER DECISION			
Contracts Manager – Adult and Children’s Commissioning			Ceri York
Proposed 40 Mph Speed Limit Portal Road And Link Road Monmouth			Paul Keeble
Road Law enforcement policy - Monmouthshire alternative to prosecution policy (mapp)			David H Jones
To make Permanent the current temporary post of the Carers Services Development Manager			Kim Sparrey
Staffing Restructure: Development Management Team			Mark Hand
Staffing Restructure: Planning Policy Team			Mark Hand
Monmouthshire Lettings Service			Steve Griffiths
Permanent appointment of Temporary Admin Support post (RBC13A).			Nigel George
5th APRIL 2017 - CABINET			

Subject	Purpose	Consultees	Author
Introduction of a fast-track service in relation to pre-application advice; lawful development certificates and compliance letters, and amendments to pre-application fees			Mark Hand
12th APRIL 2017 – INDIVIDUAL CABINET MEMBER DECISION			
Young Carers' Strategy 2017 -20			Kim Sparrey
Supporting People Plan and Grant Spend			Chris Robinson
Additional Grant Funding for Local Authority to deliver the High St Rates Relief Scheme			Ruth Donovan
Proposed re-alignment of the Estates team to meet budget mandate savings	Cllr Murphy		Deb Hill- Howells
Living Levels Landscape Partnership:	Cllr P Hobson		Matthew Lewis
Flexible Early Retirement – Planning Services			Mark Hand
Introduction of a fast-track service in relation to pre-application advice; lawful development certificates and compliance letters, and amendments to pre-application fees			Mark Hand
26th APRIL 2017 – INDIVIDUAL CABINET MEMBER DECISION			
Welfare Rights Review	ITEM DEFERRED TO 24/5/17		Tyrone Stokes

Subject	Purpose	Consultees	Author
Proposed 20 MPH Speed Limit, A472 Usk	Cllr B Jones		Paul Keeble
Community Hubs Restructure	Cllr RJB Greenland		Deb Hill Howells
Monmouthshire Local Development Plan Draft Sustainable Tourism Accommodation Supplementary Planning Guidance	Cllr B Greenland		Martin Davies
Monmouthshire Local Development Plan Rural Conversions To A Residential Or Tourism Use (Policies H4 & T2) Supplementary Planning Guidance	Cllr B Greenland		Martin Davies
18TH MAY 2016 – ANNUAL MEETING			
18TH MAY 2017 – DEFERRED BUSINESS COUNCIL			
24TH MAY 2017 – INDIVIDUAL CABINET MEMBER DECISION			
Welfare Rights Review			Tyrone Stokes
Event Opportunities – Summer 2017			Dan Davies
A40/A466 Wyebridge, Monmouth – Proposed Junction Improvement			Paul Keeble
Proposed acquisition of land Magor			Deb Hill Howells
7TH JUNE 2017 – CABINET			

Subject	Purpose	Consultees	Author
To approve the Corporate Safeguarding Policy			Teresa Norris / Claire Marchant
Anti Fraud, Bribery & Corruption Policy Statement – REVISED AND UPDATED			Andrew Wathan
Welsh Language Progress Report.			Alan Burkitt
Highway Grant and Section 106 budgets			Paul Keeble
Welsh Church Fund Working Group	The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications for the Welsh Church Fund Working Group meeting 5 of the 2016/17 financial year held on the 20 th March 2017.		Dave Jarrett
Revenue & Capital Monitoring 2016/17 Outturn Forecast Statement	To provide Members with information on the outturn position of the Authority for the 2016/17 financial year		Mark Howcroft
CYP Support Services Re-Structure	To propose a restructure within CYP support services to achieve saving from the Medium Term Financial Plan		Nikki Wellington / Sharon Randall Smith
14TH JUNE 2017 – INDIVIDUAL CABINET MEMBER DECISION			
Sale of Freehold of Land at Plot 9a Wonastow Rd, Monmouth	The sale of the Freehold has been agreed subject to approval to Mandarin Stone who currently lease the area on a long lease from MCC.		Nicola Howells
Installation of charging points for electric cars in MCC public car parks	To seek approval for the installation of charging points for electric cars in MCC car parks in the county.		Roger Hoggins
Release of restrictive covenant at Former Abergavenny Magistrates Court and Police Station.			Nicholas Keyse

Subject	Purpose	Consultees	Author
28th JUNE 2017 – INDIVIDUAL CABINET MEMBER DECISION			
Social Housing Grant			Shirley Wiggam
Proposed Reduction in the size of the Brecon Beacons National Park Authority	To respond to Welsh Government Consultation on the Proposed Reduction in the size of the Brecon Beacons National Park Authority	CLLR BRYAN JONES	Matthew Lewis
29TH JUNE 2017 - COUNCIL			
CCTAudit Committee Zero Hour Contracts Report			Philip White
Audit Committee Annual Report			Philip White
5TH JULY 2017 – CABINET			
Update and approval of matters arising from the Safeguarding arrangements action plan – kerbcraft scheme			Roger Hoggins / Paul Keeble / Graham Kinsella
Youth Enterprise – European Structural Fund (Esf) Programmes - Inspire2work Extension.			Cath Fallon
Annual Report of the Director of Social Services			Claire Marchant
12TH JULY 2017- INDIVIDUAL CABINET MEMBER DECISION			
14th JULY 2017 - SPECIAL CABINET			
CSC (Compound Semi-Conductor) Project			Peter Davies
26TH JULY 2017 – INDIVIUDAL CABINET MEMBER DECISION			
Allocation of funding to Develop a Town Centre Regeneration Plan, Caldicot			Roger Hoggins
10C Severnbridge Industrial Estate, Caldicot.		Cllr Murphy	Deb Hill Howells

Subject	Purpose	Consultees	Author
Raglan Village Hall Progress Update		Cllr Murphy	Deb Hill Howells
Disposal of agricultural land in Goytre on the open market'		Cllr Murphy	Gareth King
Youth Enterprise – European Structural Fund (Esf) Programmes – Inspire Programmes – Finance Officer Re-Evaluation			Cath Fallon
Rural Development Programme – New Post (Internal Secondment) Pollinator Project Coordinator			Cath Fallon
27TH JULY 2017 - COUNCIL			
Annual Report of the Director of Social Services			Claire Marchant
Safeguarding Policy			Cath Sheen
Monmouth Pool			Ian Saunders
9TH AUGUST 2017 – INDIVIDUAL CABINET MEMBER DECISION			
Caldicot Town Team Funding - Enhancement of Pedestrian Area, Newport Road, Caldicot.			Judith Langdon
9TH AUGUST 2017 – SPECIAL CABINET			
Senior Leadership Realignment			Kellie Beirne
23RD AUGUST 2017 – INDIVIDUAL CABINET MEMBER DECISION			
RDP funded Temporary Part time Coach Tourism Visitor Information Officer Post			Nicola Edwards

Subject	Purpose	Consultees	Author
Staffing Restructure: Development Management Team			Mark Hand
Senior Social Worker Post in the Adult Disability Service, focussing on Continuing Health Care (CHC) Issues			Mike Logan
6TH SEPTEMBER 2017 – CABINET			
Welsh Church Fund Working Group	The purpose of this combined report is to make recommendations to Cabinet on the Schedule of Applications 2017/18, meeting 1 held on the 29 th June and meeting 2 held on 27 th July 2017.		Dave Jarrett
Contaminated Land Inspection Strategy			Huw Owen
Community Engagement Review Update/Whole Place and Partnerships Team restructure			Cath Fallon
Update on Fair Funding Regulations for Schools in a deficit budget	To inform members of the current requirements through the fair funding regulations for schools that are reporting a deficit budgets and the actions required to address		Nikki Wellington
To declare surplus the former sextons lodge at Chepstow Cemetery, Chepstow	To declare the property surplus following the retirement of the previous sexton at the Chepstow Cemetery to enable the Council to begin the disposals process		Gareth King
Budget Monitoring report – period 2	The purpose of this report is to provide Members with information on the forecast outturn position of the Authority at end of month reporting for 2016/17 financial year.		Joy Robson/Mark Howcroft
Section 106 Gilwern School			Richard Morgan

Subject	Purpose	Consultees	Author
13TH SEPTEMBER 2017 – INDIVIDUAL CABINET MEMBER DECISION			
DELIVERING SAVINGS – POLICY AND PERFORMANCE			Matt Gatehouse
21ST SEPTEMBER 2017 – COUNCIL			
MCC Audited Accounts 2016/17 (formal approval)	To present the audited Statement of Accounts for 2016/17 for approval by Council		Joy Robson
Stage 2 Improvement Plan 2016/17	To seek council approval of the Stage 2 Improvement Plan for 2016/17.		Richard Jones
Payment Guarantee by MCC to WG – City Deal Compound Semiconductor Project.			
ISA260 report – MCC Accounts –	To provide external audits reports on the Statement of Accounts 2016/17		Joy Robson
27TH SEPTEMBER 2017 – INDIVIDUAL CABINET MEMBER DECISION			
Transition of existing DPPOs into PSPOs			Andrew Mason (29/8/17)
MONMOUTHSHIRE FAIRTRADE COUNTY RENEWAL			Hazel Clatworthy (04/9/17)
4TH OCTOBER 2017 – CABINET			
Cash Receipting System Tender	To seek approval and funding for Authority's replacement cash receipting system		Ruth Donovan
Welsh Church Fund Working Group	The purpose of this report is to make recommendations to Cabinet on the Schedule of		Dave Jarrett

Subject	Purpose	Consultees	Author
	Applications 2017/18, meeting 3 held on the 21 st September 2017.		
Volunteering Policy			Owen Wilce
Framework for a Corporate Plan and Enabling Strategies		P. Jordan	Kellie Beirne
21st Century Schools Programme – Strategic Outline Programme (SOP) Band B Update			Will McLean
10TH OCTOBER 2017 – INDIVIDUAL CABINET MEMBER DECISION			
Revised Information Strategy following Audit Committee on 19 th Sept			Sian Hayward
Services fit for the future – Quality and governance in health and care in Wales			Claire Marchant
Severn View Contracted Bank			Sian Gardner
Gwent (Lrf) Local Resilience Forum : Coordinator Officer Post		P Murphy	Ian Hardman
Monmouthshire Local Development Plan Annual Monitoring Report			Mark Hand Rachel Lewis (25/09/17)
Fairness at Work (Grievance) Policy		P Murphy	Sally Thomas (26/09/17)

Subject	Purpose	Consultees	Author
25TH OCTOBER 2017 – INDIVIDUAL CABINET MEMBER DECISION			
Re-evaluation of Youth Service			Josh Klein
Reorganisation of Direct Payments Team in Social Services			Mike Logan
1ST NOVEMBER 2017 – CABINET - CANCELLED			
Review of Obstructions in the Public Highway policy			Roger Hoggins
Disposal of Former County Hall site. Croesyceiliog'			Roger Hoggins
U Volunteering Policy	Moved to Cabinet 6 th December		Sally Thomas
U Wick Road Disposal	Deferred		Deb Hill Howells
8TH NOVEMBER 2017 – INDIVIDUAL CABINET MEMBER DECISION			
Rural Conversions to a Residential or Tourism Use SPG.			Rachel Lewis
Foul Drainage Easement across Racecourse Farm, Llanfoist	For Phil Murphy		Ben Winstanley
Sustainable Tourism Accommodation SPG			Rachel Lewis
9TH NOVEMBER 2017 – COUNCIL			
Remote attendance at Council Meetings			Rob Tranter
Recycling Review – Final Business Case and Approval for Capital Expenditure	For Council to receive the FBC for the Recycling Review and to approve the expenditure required for successful implementation.		Rachel Jowitt

Subject	Purpose	Consultees	Author
22ND NOVEMBER 2017– SPECIAL CABINET			
Capital Budget Proposals	To outline the proposed capital budget for 2018/19 and indicative capital budgets for the 3 years 2019/20 to 2021/22		Joy Robson
MTFP and Budget Proposals for 2018/19	To provide Cabinet with Revenue Budget proposals for 2018/19 for consultation purposes		Joy Robson
Review of Fees and Charges	To review all fees and charges made for services across the Council and identify proposals for increasing them in 2018/19		Joy Robson
Outline of Budget Process 2018/19			Joy Robson
Volunteering Policy			Owen Wilce
22ND NOVEMBER 2017– INDIVIDUAL CABINET MEMBER DECISION			
6TH DECEMBER 2017 – CABINET			
Council Tax base 2018/19 and associated matters	To agree the Council Tax Base figure for submission to the Welsh Government, together with the collection rate to be applied for 2018/19 and to make other necessary related statutory decisions.		Sue Deacy/Wendy Woods
Alternative Delivery Model			Tracey Thomas
Crick Road Disposal			Deb Hill Howells
Safeguarding Evaluation and Progress Report			Diane Corrister
LDP Draft Review Report			Mark Hand
Re-provision of Severn View			Colin Ritchings
Welsh Church Fund Working Group	The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications 2017/18, meeting 4 held on the 9 th November 2017		Dave Jarrett
Delivering Excellence in Children's Services'	<ul style="list-style-type: none"> - Our fostering service. - Delivery models for family support. - Meeting increasing service demands 		Claire Robins

Subject	Purpose	Consultees	Author
13TH DECEMBER 2017 – INDIVIDUAL CABINET MEMBER DECISION			
Local Government (Wales) Act 1994 The Local Authorities (Precepts)(Wales)Regulations 1995	To see approval of the proposals for consultation purposes regarding payments to precepting Authorities during 2018/19 financial year as required by statute		Joy Robson
Youth Offending Service – Proposed implementation of revised contractual arrangements.			Jacalyn Richards
Freehold Disposal of Land at Coed Uchel, Gilwern. – Sale of Freehold Interest to United Welsh held on 125 yr lease.	(moved from 22 nd Nov)		Nicola Howells
HS Policies			Sally Thomas
Severe Weather Emergency Protocol (SWEP)			Steve Griffiths (06/11/2017)
14TH DECEMBER 2017 - COUNCIL			
Update to Constitution			Rob Tranter
Appointment of the Preferred Bidder for the Heads of the Valleys Food Waste Treatment Procurement			Rachel Jowitt
Volunteering Policy			Owen Wilce
Bryn Y Cwm Area Committee – terms of pilot scheme			Matt Gatehouse
Safeguarding Evaluative Report			Diane Corrister

Subject	Purpose	Consultees	Author
Area Committee Voting Rights			Matt Gatehouse
Partnerships in Waste: Anaerobic Digestion – Tender award	EXEMPT PAPER		Roger Hoggins
3RD JANUARY 2018 – INDIVIDUAL CABINET MEMBER DECISION			
Fixed Penalty Notice charges for fly tipping offences		Deferred to 8 th Feb 2018	Huw Owen
Supporting People Programme Grant Spendplan 2018-19		Deferred to 17 th Jan	Chris Robinson (15/11/17)
6TH JANUARY 2018 – CABINET			
Welsh Church Fund Working Group	The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications 2017/18, meeting 5 held on the 14 th December 2017		Dave Jarrett
Re-Use Shop at Llanfoist Household Waste Recycling Centre.			Roger Hoggins
Budget Monitoring Report – Period 7	The purpose of this report is to provide Members with information on the forecast outturn position of the Authority at end of month reporting for 2016/17 financial year.		Joy Robson/Mark Howcroft
Kerbcraft – Scrutiny of Action Plan Delivery and Ongoing performance measures			Roger Hoggins
Chepstow Cluster – proposed distribution of Section 106 monies	To agree the distribution of section 106 to the cluster		Nikki Wellington
Management of			Roger Hoggins

Subject	Purpose	Consultees	Author
Obstructions in the Public Highway			
17TH JANUARY 2018 – INDIVIDUAL CABINET MEMBER DECISION			
Local Government (Wales) Act 1994 The Local Authorities (Precepts) (Wales) Regulations 1995	To seek members approval of the results of the consultation process regarding payment to precepting Authorities for 2018/19 as required by statute		Joy Robson
Trainee Accountant Regrade			Tyrone Stokes
Staffing changes in Policy and Governance	ITEM DEFERRED	Cllr Jordan	Matt Gatehouse (27/11/17)
Supporting People Programme Grant Spendplan 2018-19	ITEM DEFERRED		Chris Robinson (15/11/17)
18TH JANUARY 2018 - COUNCIL			
Council Tax Reduction Scheme 2018/19			Ruth Donovan
Social Justice Policy	deferred		Cath Fallon
Response to Older Adults Mental Health Consultation			Claire Marchant
29th JANUARY 2018 – SPECIAL CABINET			
ADM			
Corporate Plan			
31st JANUARY 2018 – INDIVIDUAL CABINET MEMBER DECISION			
Staffing changes in Policy and Governance	(moved from 17 th Jan)	Cllr Jordan	Matt Gatehouse (27/11/17)
7TH FEBRUARY 2018 – CABINET			
Final Draft Budget Proposals or recommendation to Council			Joy Robson
Disposal of County Hall			Roger Hoggins

Subject	Purpose	Consultees	Author
The Knoll Section 106 Funding, Abergavenny			Mike Moran
Chippenham Play Area, Monmouth			Mike Moran
Kerbcraft Update	Exempt Item		Claire Marchant
Accommodation Review			Deb Hill Howells
14TH FEBRUARY 2018 – INDIVIDUAL CABINET MEMBER DECISION			
S106 funding: Pen y Fal bridge repairs	To draw down appropriate S106 funding to fund the repairs to the footbridge at the Pen y Fal development in Abergavenny.		Rachel Jowitt
Development Management Enhanced Services Proposals			Phil Thomas (15/01/18)
Re-designation of Shared Housing			Ian Bakewell (28/11/17)
Adoption of Highway Management Plan including appointment of Highway Asset Inspector and changes to Asset Planning Officer posts			Paul Keeble
Residents Only Parking Permit Scheme Usk View Merthyr Road Abergavenny			Paul Keeble (10/1/18)
Usk in Bloom			Cath Fallon (15/01/18)
15th FEBRUARY 2018 – SPECIAL COUNCIL			
ADM			
Corporate Plan			
Active Travel Plan and Civil Parking Enforcement			Roger Hoggins
28TH FEBRUARY 2018 – INDIVIDUAL CABINET MEMBER DECISION			

Subject	Purpose	Consultees	Author
Charges in relation to the delivery of the Authority's private water supply responsibilities			Huw Owen
Gypsy & Traveller Pitch Allocation Policy Report			Steve Griffiths
Fixed Penalty Notice charges for fly tipping offences			Huw Owen (05/12/17)
1st MARCH 2018 - COUNCIL			
Council Tax Resolution 2018/19			Ruth Donovan
Approval of Public Service Board Well-being Plan			Matt Gatehouse
Area Plan – Population Needs Assessment			Claire Marchant
Pooled Fund for Care Homes			Clare Marchant
Social Justice Policy			Cath Fallon
7TH MARCH 2018 - CABINET			
2018/19 Education and Welsh Church Trust Funds Investment and Fund Strategies	The purpose of this report is to present to Cabinet for approval the 2018/19 Investment and Fund Strategy for Trust Funds for which the Authority acts as sole or custodian trustee for adoption and to approve the 2017/18 grant allocation to Local Authority beneficiaries of the Welsh Church Fund.		Dave Jarrett
Disability Transformation Work			Claire Marchant
Turning the World Upside Down			Claire Marchant
Proposed changes to the Schools Funding Formula for the funding of Building Maintenance Costs.	Seeking approval to reduce the funding of building maintenance costs for our new schools		Nikki Wellington

Subject	Purpose	Consultees	Author
Whole Authority Risk Assessment'			Richard Jones
Corporate Parenting Strategy			Claire Marchant
2 nd Phase Families Support Review			Claire Marchant
14TH MARCH 2018 – INDIVIDUAL CABINET MEMBER DECISION			
28TH MARCH 2018 – INDIVIDUAL CABINET MEMBER DECISION			
11TH APRIL 2018 - CABINET			
Welsh Church Fund Working Group	The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications 2017/18, meeting 6 held on the 22 nd February 2018		Dave Jarrett
Clock Road Business Case			Claire Marchant
18TH APRIL 2018 – INDIVIDUAL CABINET MEMBER DECISION			
19TH APRIL 2018 - COUNCIL			
Public Service Board: Well-being Plan for Monmouthshire			Matt Gatehouse (added 29/8/17)
9TH MAY 2018 – INDIVIDUAL CABINET MEMBER DECISION			

Hannah Jones would like to come to Cabinet in July 2018 to update on Youth Enterprise - European Structural Fund (ESF) Programmes - Inspire2Work extension (originally brought to Cabinet July 2017).

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