

# Public Document Pack



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Y Rhadyr  
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Dydd Mawrth, 20 Chwefror 2018

Annwyl Cynghorydd

## **PENDERFYNIADIAU AELOD CABINET UNIGOL**

Hysbysir drwy hyn y caiff y penderfyniadau dilynol a wnaed gan aelod o'r cabinet eu gwneud **Dydd Mercher, 28ain Chwefror, 2018,**.

### **AGENDA**

1. HYSBYSIADAU COSB BENODEDIG AM DIPIO ANGHYFREITHLON

**CABINET MEMBER:** County Councillor S Jones

*AUTHOR: Huw Owen, Principal EHO*

*CONTACT DETAILS:*

**TELEPHONE 01873 735433**

[huwowen@monmouthshire.gov.uk](mailto:huwowen@monmouthshire.gov.uk)

2. AIL-DDYNODI LLETY SY'N CAEL EI RHANNU I LETY HOSTEL

**CABINET MEMBER:** County Councillor Greenland

**AUTHOR:** Ian Bakewell, Housing & Communities Manager

**CONTACT DETAILS: e-mail:** [ianbakewell@monmouthshire.gov.uk](mailto:ianbakewell@monmouthshire.gov.uk)

**TELEPHONE:** 01633 644479

3. DILEU COSTAU CLADDEDIGAETH DAN 18

**CABINET MEMBER:** County Councillor P Murphy

**AUTHOR:** Debra Hill-Howells Head of Commercial and Integrated Landlord Services

[Debrahill-howells@monmouthshire.gov.uk](mailto:Debrahill-howells@monmouthshire.gov.uk)

4. RHEOLIADAU CYFLENWADAU D?R PREIFAT (CYMRU) 2017

**CABINET MEMBER:** County Councillor S Jones

*AUTHOR: Huw Owen Principal EHO*

*Anthony Davies EHO*

**CONTACT DETAILS:**

**TELEPHONE 01873 735433**  
[huwowen@monmouthshire.gov.uk](mailto:huwowen@monmouthshire.gov.uk)  
[anthonydavies@monmouthshire.gov.uk](mailto:anthonydavies@monmouthshire.gov.uk)

5. AD-DREFNU STAFF GWASANAETH ANABLEDD OEDOLION

**CABINET MEMBER:** County Councillor P Jones

**AUTHOR:** Julie Heal – Team Manager ADS

**CONTACT DETAILS:**

**Tel:** Julie Heal 07976 584931/ John Woods 01633 644916  
**E-mail:** [Julieheal@monmouthshire.gov.uk](mailto:Julieheal@monmouthshire.gov.uk)

6. AD-DREFNU STAFF GWAITH CYMDEITHASOL IECHYD MEDDWL

**CABINET MEMBER:** County Councillor P Jones

**AUTHOR:** Anna Bansal - Older Adult Mental Health Team Professional Social Work Lead

**CONTACT DETAILS:**

**Tel:** 01291 636581  
**E-mail:** [annabansal@monmouthshire.gov.uk](mailto:annabansal@monmouthshire.gov.uk)

7. POLISI DOSBARTHU MEYSYDD SIPSIWN A THEITHWYR

**CABINET MEMBER:** County Councillor Greenland

**AUTHOR:** Stephen Griffiths, Strategy & Policy Officer

**CONTACT DETAILS:**

**Tel:** 01633 644455  
**E-mail:** [stephengriffiths@monmouthshire.gov.uk](mailto:stephengriffiths@monmouthshire.gov.uk)

8. RECRIWTIO I GYFLENWI AM GYFNOD MAMOLAETH TÎM RHEOLI DATBLYGIAD

**CABINET MEMBER:** County Councillor Greenland

**AUTHOR:** Mark Hand – Head of Planning, Housing & Place-shaping

**CONTACT DETAILS:**

**E-mail:** [markhand@monmouthshire.gov.uk](mailto:markhand@monmouthshire.gov.uk)  
**Tel:** 01633 644803/ 07773 478579

Yr eiddwch yn gywir,

**Paul Matthews**  
**Prif Weithredwr**

**PORTFFOLIOS CABINET**

<b>Cynghorydd Sir</b>	<b>Maes Cyfrifoldeb</b>	<b>Gwaith Partneriaeth ac Allanol</b>	<b>Ward</b>
P.A. Fox (Arweinydd)	<b>Strategaeth a Chyfeiriad Awdurdod Cyfan</b> CCR Cyd Gabinet a Datblygu Rhanbarthol; Trosolwg Sefydliad; Gweithio Rhanbarthol; Cysylltiadau Llywodraeth; Bwrdd Gwasanaethau Cyhoeddus; WLGA	Cyngor WLGA WLGA Bwrdd Cydlynu Gwasanaethau Cyhoeddus	Porthysgewin
R.J.W. Greenland (Dirprwy Arweinydd)	<b>Menter</b> Cynllunio Defnydd Tir; Datblygu Economaidd; Twristiaeth; Rheoli Datblygu; Rheoli Adeiladu; Tai a Digartrefedd; Hamdden; Ieuencid; Addysg Oedolion; Addysg Awyr Agored; Hybiau Cymunedol; Gwasanaethau Diwylliannol	Cyngor WLGA Twristiaeth Rhanbarth y Brifddinas	Devauden
P. Jordan	<b>Llywodraethiant</b> Cefnogaeth y Cyngor a Phenderfyniadau Gweithrediaeth; Craffu; Safonau Pwyllgor Rheoleiddiol; Llywodraethiant Cymunedol; Cefnogaeth Aelodaeth; Etholiadau; Hyrwyddo Democratiaeth ac Ymgysylltu: Y Gyfraith; Moeseg a Safonau; Perfformiad Awdurdod Cyfan; Cynllunio a Gwerthuso Gwasanaeth Awdurdod Cyfan; Cydlynu Corff Rheoleiddiol		Cantref
R. John	<b>Plant a Phobl Ifanc</b> Safonau Ysgolion; Gwella Ysgolion; Llywodraethiant Ysgolion; Trosolwg EAS; Blynyddoedd Cynnar; Anghenion Dysgu Ychwanegol; Cynhwysiant; Cwricwlwm Estynedig; Derbyniadau; Dalgylchoedd; Cynnig Ôl-16; Cydlynu gyda Choleg Gwent.	Cyd Grŵp Addysg (EAS) CBAC	Llanfihangel Troddi
P. Jones	<b>Gofal Cymdeithasol, Diogelu ac Iechyd</b> Plant; Oedolion; Maethu a Mabwysiadu; Gwasanaeth Troseddu Ieuencid; Cefnogi Pobl; Diogelu Awdurdod Cyfan (Plant ac Oedolion); Anableddau; Iechyd Meddwl; Iechyd Cyhoeddus; Cydlynu Iechyd.		Rhaglan
P. Murphy	<b>Adnoddau</b> Cyllid; Technoleg Gwybodaeth (SRS); Adnoddau Dynol; Hyfforddiant; Iechyd a Diogelwch; Cynllunio Argyfwng; Caffaeliad; Archwilio; Tir ac Adeiladau (yn cynnwys Stadau, Mynwentydd, Rhandiroedd, Ffermydd); Cynnal a Chadw Eiddo; Swyddfa Ddigidol; Swyddfa Fasnachol	Consortium Prynu Prosiect Gwyrdd Cymru	Caerwent

S.B. Jones	<b>Gweithrediadau Sir</b> Cynnal a Chadw Priffyrdd, Rheoli Trafnidiaeth, Traffig a Rhwydwaith, Rheolaeth Stad; Gwastraff yn cynnwys Ailgylchu; Cyfleusterau Cyhoeddus; Meysydd Parcio; Parciau a Gofodau Agored; Glanhau; Cefn Gwlad; Tirluniau a Bioamrywiaeth; Risg Llifogydd.	SEWTA Prosiect Gwyrdd	Goetre Fawr
S. Jones	<b>Cyfiawnder Cymdeithasol a Datblygu Cymunedol</b> Ymgysylltu â'r Gymuned; Amddifadedd ar Arwahanrwydd; Diogelwch y Gymuned; Cydlyniaeth Gymdeithasol; Tlodi; Cydraddoldeb; Amrywiaeth; Y Gymraeg; Cysylltiadau Cyhoeddus; Safonau Masnach; Iechyd yr Amgylchedd; Trwyddedu; Cyfathrebu		Llanofar

# Nodau a Gwerthoedd Cyngor Sir Fynwy

## Ein diben

Adeiladu Cymunedau Cynaliadwy a Chydnerth

### Amcanion y gweithiwn tuag atynt

- Rhoi'r dechrau gorau posibl mewn bywyd i bobl
- Sir lewyrchus a chysylltiedig
- Cynyddu i'r eithaf botensial yr amgylchedd naturiol ac adeiledig
- Llesiant gydol oes
- Cyngor gyda ffocws ar y dyfodol

## Ein Gwerthoedd

**Bod yn agored.** Rydym yn agored ac yn onest. Mae pobl yn cael cyfle i gymryd rhan mewn penderfyniadau sy'n effeithio arnynt, dweud beth sy'n bwysig iddynt a gwneud pethau drostynt eu hunain/eu cymunedau. Os na allwn wneud rhywbeth i helpu, byddwn yn dweud hynny; os bydd yn cymryd peth amser i gael yr ateb, byddwn yn esbonio pam; os na allwn ateb yn syth, byddwn yn ceisio eich cysylltu gyda'r bobl a all helpu - mae adeiladu ymddiriedaeth ac ymgysylltu yn sylfaen allweddol.

**Tegwch.** Darparwn gyfleoedd teg, i helpu pobl a chymunedau i ffynnu. Os nad yw rhywbeth yn ymddangos yn deg, byddwn yn gwranddo ac yn esbonio pam. Byddwn bob amser yn ceisio trin pawb yn deg ac yn gyson. Ni allwn wneud pawb yn hapus bob amser, ond byddwn yn ymrwymo i wrando ac esbonio pam y gwnaethom weithredu fel y gwnaethom.

**Hyblygrwydd.** Byddwn yn parhau i newid a bod yn hyblyg i alluogi cyflwyno'r gwasanaethau mwyaf effeithlon ac effeithiol. Mae hyn yn golygu ymrwymiad gwirioneddol i weithio gyda phawb i groesawu ffyrdd newydd o weithio.

**Gwaith Tîm.** Byddwn yn gweithio gyda chi a'n partneriaid i gefnogi ac ysbrydoli pawb i gymryd rhan fel y gallwn gyflawni pethau gwych gyda'n gilydd. Nid ydym yn gweld ein hunain fel 'trefnwyr' neu ddatrys-wyr problemau, ond gwnawn y gorau o syniadau, asedau ac adnoddau sydd ar gael i wneud yn siŵr ein bod yn gwneud y pethau sy'n cael yr effaith mwyaf cadarnhaol ar ein pobl a lleoedd.



## REPORT

**SUBJECT: Fixed Penalty Notices for Fly Tipping**  
**DIRECTORATE: SOCIAL CARE & HEALTH**  
**MEETING: Individual Cabinet Member Decision – Cabinet Member for Social Justice & Community Development**  
**DATE: 28<sup>th</sup> February 2018.**  
**DIVISIONS/WARDS AFFECTED: All Wards**

### 1. PURPOSE:

- 1.1 To inform the Cabinet Member of new legal powers introduced by The Unauthorised Deposit of Waste (Fixed Penalties) (Wales) Regulations 2017 and consider the Council's approach in using these powers.
- 1.2 To obtain additional authorisation for Officers under The Unauthorised Deposit of Waste (Fixed penalties) (Wales) Regulations 2017.

### 2. RECOMMENDATIONS:

- 2.1 That Officers within the Public Protection division and Waste & Street Services be authorised under Section 33ZB Environmental Protection Act 1990 as amended by The Unauthorised Deposit of Waste (Fixed Penalties) (Wales) Regulations 2017, in order to enforce the legislation and carry out their duties. The specific officers to be authorised are set out in Appendix 1.
- 2.2 That the Scheme of Delegation to Officers in the Council's Constitution is amended by the Monitoring Officer to reflect the changes in 2.1.
- 2.3 Agree the Fixed Penalty Notice enforcement charges set out in Appendix 1.
- 2.4 To adopt the general approach to serving Fixed Penalty Notices under the provisions of the Regulations, as set out in the Authority's existing enforcement policy for dog fouling / littering provided in Appendix 2.
- 2.5 That the Cabinet Member for Social Justice & Community Development agrees the recommendations above in consultation with the Cabinet Member for Operations.

### 3. KEY ISSUES:

- 3.1 The Unauthorised Deposit of Waste (Fixed Penalties) (Wales) Regulations 2017 came into force on the 25<sup>th</sup> October 2017.
- 3.2 These Regulations insert a new section into Part II (Waste on Land) of the Environmental Protection Act 1990. This enables an authorised officer of a Local Authority to issue a fixed penalty notice for contravention of section 33(1)(a) of the Act. This, subject to certain exemptions, prohibits the deposit of controlled waste or extractive waste in or on any land, other than in accordance with an environmental permit. In simple terms this section enables persons who are caught fly tipping to be prosecuted.

- 3.3 **Fixed Penalty Notices (FPNs)** are encouraged by Welsh Government as part of an effective and efficient enforcement approach for dealing with environmental offences. The Regulations enable this Council to specify a fixed penalty of not less than £150 and not more than £400, payable within 14 days, for contravention of section 33(1)(a) Environmental Protection Act 1990. If no amount is specified by a Council the default amount of the fixed penalty is £200.
- 3.4 In addition the Council may also make provision for a discount for early payment of a fixed penalty within 10 days, which may not be less than £120.
- 3.5 In discharging any enforcement powers it is good regulatory practice for an authority to set out its approach in an 'enforcement policy'. The Authority has a Corporate Enforcement Policy which applies good regulatory principles in line with the Enforcement Concordat and has a specific policy for dog fouling/littering which includes for the service of FPN's.
- 3.6 The proposed approach for issuing FPN's introduced by the Regulations is to adopt the general principles of the existing fouling/littering policy which is provided in Appendix 2 and specifically:
- A distinction in the approach dependent upon the age of the offender.
    - For persons aged 18 or over, where appropriate a FPN to be issued to give the opportunity to discharge liability to conviction;
    - For persons under 18 the FPN to be commuted to a warning in the first instance. FPNs issued for second offences following a warning, with the intervention of the Council's Youth Offending Service to be invited prior to consideration of any case for prosecution
- It should be noted that fly tipping offences are invariably committed by persons aged 18 or over.
- The FPN amount payable within 14 days to reduce if paid within 10 days to encourage early payment.
  - Prosecution proceedings to be taken in cases of non-payment by an offender aged 18 or over
- 3.7 The proposed FPN level for contravention of section 33(1)(a) Environmental Protection Act 1990 is the maximum permitted of £400 payable within 14 days, discounted to £300 for early payment within 10 days, as set out in Appendix 1.
- 3.8 For context, a significant number of the Local Authorities in Wales that have set their FPN levels have also done so at the maximum, although there are varying discounted levels. The proposed £300 discounted level will reflect the seriousness of the offence of small scale fly tipping incidents such as several refuse bags or one or two items of furniture.
- 3.9 It is proposed that the decision to issue a FPN to give the opportunity to discharge liability for the offence or otherwise recommend to the Councils Legal section that the matter proceeds directly to prosecution in court, will be a matter for the investigating officer to consider on a case by case basis. FPNs provide the opportunity in cases of small scale fly tipping for first time non-habitual offenders to avoid court and a possible criminal record. They offer a more efficient and proportionate response to tackling small scale fly tipping incidents while helping to ease the burden on the court system. However in the case of larger scale fly tipping incidents it may be proportionate to prosecute the offender in court.

#### 4. **REASONS:**

- 4.1 To ensure fair, transparent, **Page 2** and effective discharge of the Council's obligations under the Act.



**5. RESOURCE IMPLICATIONS:**

- 5.1 None directly arising from the authorisation of Officers under these Regulations. Detection rates for fly tipping offences are very low with 8 cases prosecuted by this Council since 2014. Any revenue obtained from the payment of FPN's will be very limited which are to be punitive and not of significance in terms of income generation.

**6 Future Generations Evaluation:**

- 6.1 The Future Generations Evaluation, including equalities and sustainable impact assessments, is provided in Appendix 3. The revisions have a positive impact for the reasons provided.

**7. CONSULTEES:**

**SLT  
Cabinet Members  
Chairs of Select Committees  
Monitoring Officer and Head of Legal Services  
Head of Finance  
Chief Officer Social Care & Health  
Head of Operations  
Youth Offending Team Manager (J Richards)  
Head of Waste and Street Services  
Head of Public Protection**

**Results of Consultation**

No adverse comments have been received

**8. BACKGROUND PAPERS:**

**None**

**9. AUTHOR:**

**Huw Owen, Principal EHO**

**11. CONTACT DETAILS:**

**TELEPHONE 01873 735433  
[huwowen@monmouthshire.gov.uk](mailto:huwowen@monmouthshire.gov.uk)**

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## Appendix 1

### The Unauthorised Deposit of Waste (Fixed Penalties) (Wales) Regulations 2017

**Table A – Fixed Penalty Levels and Authorised Officers**

Legislation	Power	Fixed Penalty Notice Amounts	Proposed Authorisation
Section 33ZB Environmental Protection Act 1990 as amended by The Unauthorised Deposit of Waste (Fixed Penalties) (Wales) Regulations 2017	To enable an authorised officer to issue a fixed penalty notice for contravention of section 33(1)(a) of the Environmental Protection Act 1990 in the area of the authority.	Fixed Penalty level of £400 payable within 14 days, reduced to £300 if paid within 10 days.	Principal Environmental Health Officer (Public Health)  Specialist Environmental Health Officers (Public Health)  Head of Waste & Street Services  Waste Education Officers, Waste & Street Services.  Waste Income Officers, Waste & Street Services.

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## Appendix 2

### Monmouthshire County Council Enforcement Policy for Dog Fouling and Littering

#### Introduction

- 1.1 This enforcement policy sets out Monmouthshire County Council's approach to discharging its powers in relation to offences of dog fouling and littering. It should be read in conjunction with the Council's Corporate Enforcement Policy which sets out the broader context and the Authority's approach to discharging enforcement responsibilities.
- 1.2 This enforcement policy is intended to guide the enforcement approach of authorised officers of the Council and any other agencies, such as the Police, with whom the Council has entered into an agreement for enforcement purposes.

#### Legislative Framework

- 2.1 The offence of failing to remove dog faeces is created under section 3 of the Dogs (Fouling of Land) Act 1996. Dropping litter is an offence contrary to section 87 of the Environmental Protection Act 1990.
- 2.2 The use of Fixed Penalty Notices (FPNs) is encouraged by the Welsh Assembly Government (WAG) as part of an enforcement approach to dealing with environmental offences. WAG has issued guidance on their use, entitled **Guidance on the Fixed Penalty Notice provisions of the Environmental Protection Act 1990, the Clean Neighbourhood Act 2005 and other legislation.**
- 2.3 Part 1 of Schedule 4 to the Police Reform Act 2002, as amended by section 122 of the Serious Organised Crime and Police Act 2005, creates the power for suitably designated Police Community Support Officers to issue fixed penalty notices (FPNs) for certain relevant offences.

#### General approach to enforcement

- 3.1 This enforcement Policy should be read in conjunction with the Council's Corporate Enforcement Policy, which sets out in greater detail the authority's general approach.

#### Authorised Officers.

- 4.1 Enforcement activities are undertaken by officers authorised in writing for those purposes. The Council has delegated power (26<sup>th</sup> February 2009) to the Corporate Director (RER) to authorise officers for the purpose of enforcement under the Environmental Protection Act 1990 and the Dogs (Fouling of Land) Act 1996, including the issue of FPNs.

Authorised Officers are expected to have regard to the Council's Corporate Enforcement Policy in discharging their powers.

### **Dealing with offences**

- 5.1 The Authority's usual approach to dealing with offences will depend upon the age of the offender as set out below:

#### *For offenders aged eighteen or over*

- 5.2 A Fixed Penalty Notice to be issued to give the offender the opportunity to discharge the liability to conviction for the offence.
- 5.3 The FPN amount of £75 payable within 14 days, to be reduced to £50 if paid within 10 days.
- 5.4 Payment in instalments to be considered and agreed in exceptional circumstances. Payment period by instalments not to exceed 5 months.
- 5.5 Prosecution proceedings to be taken in cases of non payment.
- 5.6 Repeat offenders are to be prosecuted with no opportunity given to pay a Fixed Penalty Fine.

#### *For offenders aged twelve to seventeen*

- 5.7 For first time offences the FPN to be commuted to a 'final warning' to be made in writing and addressed to the young person's parents/guardian.
- 5.8 For a second offence, following a 'final warning', offenders to be issued with a FPN with the option of reduced early repayment and possible payment by instalments as for those aged eighteen or over.
- 5.9 In cases of non payment, the intervention of the police and youth offending service to be invited, to consider the option of Restorative Justice work as an alternative to payment. Restorative Justice means repairing the harm caused whilst accepting responsibility for actions. This may include for example unpaid work in the community, or a piece of educational based work.
- 5.10 Cases of non payment and failure to cooperate in an alternative intervention programme, if offered, to be prosecuted.
- 5.11 Enforcement will be closely linked to an education based approach for this age range, with Enforcement Officers giving presentations and appropriate literature in school assemblies and similar fora.

## **General**

- 6.1 Alleged offenders contesting a FPN to be advised that there is no obligation to pay the penalty issued and that they have the option to plead 'not guilty' at a Magistrates Court on prosecution.

## **Complaints**

- 7.1 Any complaints or comments should be directed to the designated Officer in the Environmental Health Team, via one of the Council's One Stop Shops or by contacting one of the Council's main offices.
- 7.2 Any recipient of a FPN, pleading mitigation or otherwise contesting the FPN, should do so in writing.

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## Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p><b>Name of the Officer:</b> Huw Owen</p> <p><b>Phone no:</b> 01873 735433 <b>E-mail:</b> huwowen@monmouthshire.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>To inform the Member of new legal powers introduced by The Unauthorised Deposit of Waste (Fixed Penalties) (Wales) Regulations 2017 and consider the Council's approach in using these powers.</p>
<p><b>Name of Service:</b> Environmental Health</p>	<p><b>Date Future Generations Evaluation form completed:</b> 1<sup>st</sup> February 2018.</p>

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





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

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Positive: Ensures the appropriate officers in the Council have the powers available to help tackle fly tipping. The delegation of powers requested are for 2 Chief Officers to help maximize the availability and use of the powers where appropriate.</p>	
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and</p>		

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
can adapt to change (e.g. climate change)		
<b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood	Positive: the new power introduced will help council officers deal with fly tipping issues, which negatively affect the community's quality of life, in a proportionate and efficient manner.	
<b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected	Positive: the Fixed Penalty Notice power will help give officers the 'tools' to deal with fly tipping, the reduction of which can only be positive.	An approach to the issuing of fixed penalty notices which recognizes the importance of dealing with offenders below 18 years of age differently to those that are 18 or above.
<b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive: setting an example for developing communities which are attractive, viable and safe.	
<b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation		
<b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances		

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p><b>Long Term</b></p> <p>Balancing short term need with long term and planning for the future</p>	<p>The Report takes account of legislation and proposes delegated powers that will assist Council officers in tackling fly tipping issues in Monmouthshire. Fixed Penalty Notice levels can be re appraised if / when legislation changes.</p>	
 <p><b>Collaboration</b></p> <p>Working together with other partners to deliver objectives</p>	<p>The Fixed Penalty Notice legislation has resulted from dialogue between Local Authorities, Welsh Government, Natural Resources Wales and other stakeholders. This dialogue will continue to ensure good practice followed in their use.</p>	
 <p><b>Involvement</b></p> <p>Involving those with an interest and seeking their views</p>	<p>Legislation introduced as a result of stakeholders discussing with Welsh Government.</p>	
 <p><b>Prevention</b></p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>Provides the 'tools' for facilitating early action where small scale fly tipping instances occur and where person(s) responsible are identified. Efficient use of council resources essential in dealing with fly tipping and other environmental crime.</p>	

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

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

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

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

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

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

Safeguarding	Having the legislative powers available helps protect the public health of all age groups.		
Corporate Parenting			

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

The Unauthorised Deposit of Waste (Fixed Penalties) (Wales) Regulations 2017  
 Monmouthshire County Council Corporate Enforcement Policy 2010

**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 Unauthorised Deposit of Waste (Fixed Penalties) (Wales) Regulations 2017 has introduced a power to enable authorised officers of the council to issue a fixed penalty notice for a fly tipping offence where it is proportionate to do so.**

**The report is concerned with a) agreeing the penalty notice levels b) ensuring delegated powers are given to the appropriate heads of service and c) the approach to issuing the fixed penalties reflects current practice in the county.**

**The delegation of powers will help give a useful tool to officers to deal with fly tipping offences in an efficient and proportionate manner.**

**Close working essential between the delegated officers/sections to ensure the powers are used in a fair, proportionate and consistent manner.**

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

What are you going to do	When are you going to do it?	Who is responsible	Progress
Chief Officers to delegate powers to appropriate officers in their teams and council's constitution to be amended accordingly.	As and when considered appropriate by the Chief Officers	Chief Officer for Social Care & Health and the Head of Operations.	

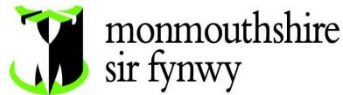
**MONITORING:** The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	Within 12 months to the Head of Public Protection
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page 1

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<b>SUBJECT:</b>	<b>Re-Designation of Shared Housing to Hostel Accommodation</b>
<b>MEETING:</b>	<b>Single Member Cabinet Decision</b>
<b>DATE:</b>	<b>28<sup>th</sup> February 2018</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

## 1.0 PURPOSE

1.1 The purpose of this report is to seek agreement to re-designate the Council's Shared Housing accommodation to hostel designation to better reflect how the shared housing is currently operated and managed. This will facilitate shared housing accommodation to fall under an alternative definition of the housing benefit regulations. This would omit the need for the Council to rely on subsidy funding, subsequent to the loss of the Temporary Accommodation Management Fee from April 2017. This is a follow up to the report received by the Adult Select Committee on 23<sup>rd</sup> January 2018.

## 2. RECOMMENDATIONS

- 2.1 To agree to current units (and any possible future units) of shared housing being re-designated to hostel accommodation from 1<sup>st</sup> April 2018.
- 2.2 To seek to negotiate ten year leases with appropriate break clauses with applicable landlords.

## 3. KEY ISSUES

- 3.1 Under the Housing (Wales) Act 2014, the Council has a duty to both respond to homelessness and to prevent homelessness. The Act also provides the power to discharge the associated duties into the private rented sector. Strengthening prevention activity is an on-going priority, including engaging with private landlords to enable access to private accommodation as a key option for the Council to discharge its homeless duties and minimise over reliance on social housing and the need to utilise bed & breakfast.
- 3.2 In this context the Council has developed a portfolio of 60 rooms largely leased from private landlords providing shared accommodation for single people. The scheme has created an additional housing option for single people, particularly males who wouldn't be considered to be vulnerable under the Housing (Wales) Act 2014. The scheme will have provided an alternative option for some applicants, to rough sleeping.
- 3.3 Prior to April 2017, the Council was able to base the weekly rental charge on the local housing allowance less 10%, plus £60 temporary accommodation management fee, paid via Housing Benefit. Welfare reform changes by UK Government removed this management fee. Welsh Government has attempted to support the Council with this loss of revenue through additional rate support grant. This, however, is insufficient to cover the shared housing scheme as well as the Melin private leasing scheme and has resulted in a significant financial pressure for the Council, which the Council has supported through the Medium Term Financial Plan.
- 3.4 It has been identified that the management of the shared housing is consistent with the Council's homeless hostel accommodation. The hostel is classed as Specified Accommodation under the housing benefit regulations. A change in designation to hostel and designated accommodation will mean that will mean the properties meet the definition of specified accommodation. This allow the Council to charge a rent that aligns with the local housing allowance and, subject to the financial circumstances of

individual applicants, therefore, will payments will be made via housing benefit. This will avoid the need for the Council to seek a subsidy payment.

- 3.5 This arrangement will also support applicants in receipt of Universal Credit as housing costs for such applicants won't be included in their Universal Credit payment.
- 3.6 In order to meet the housing benefit regulations the Council will need to enter into a ten year leasing arrangement with property owners. The risk associated with this is considered to be low as current *one year* leases contain two months break clauses. A suitable and similar break clause would be applied to any new leases.

#### **4. OPTIONS APPRAISAL**

4.1 The following options are available:

- **Option 1** – Continue to charge a rent that doesn't cover the costs of operating the shared housing and rely on cross funding from the Medium term Financial Plan or another internal budget. This isn't considered to be sustainable and would place a risk on the future of the scheme.
- **Option 2** – Cease providing the shared housing scheme and hand back properties to landlords. There would be a need to re-house approximately sixty single people and equally would significantly reduce the homeless accommodation in Monmouthshire. This would make it very difficult for the Council to meet its duties under the Housing (Wales) Act 2014.
- **Option 3** - Re-designate the shared housing scheme to hostel accommodation. This will support the short to medium term future of the service and significantly reduce the 2018/19 funding shortfall compared to the projected shortfall for 2017/18. **Please see Paragraph 7.**

#### **5. EVALUATION CRITERIA**

5.1 Additional evaluation over and above that listed above is detailed in **Appendix 1.**

#### **6. REASONS:**

6.1 The Council has a legal duty to prevent and respond to homelessness under the Housing (Wales) Act 2014 and the power to discharge this duty into the private rented sector.

#### **7. RESOURCE IMPLICATIONS:**

7.1 The 2017/18 projected outturn for Shared Housing is an over-spend of £140,000. Please note this this is based on a credit budget of £72,000.

7.2 The 2018/19 projected outturn for Shared Housing, assuming the re-designation is agreed, will reduce to £42,000. Again, the credit budget of £72,000 will be applicable.

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

8.1 Should the Council need to reduce or terminate the shared housing scheme, this negatively impacts on homeless applicants in Monmouthshire, which may include those with protected characteristics. **See Appendix 2.**

8.2 Homeless prevention and the private leasing scheme supports both safeguarding and corporate parenting.

9. **CONSULTEES:** Chief Officer Enterprise; Cabinet Member for Enterprise; Head of Planning, Housing & Place-Shaping; Assistant Head of Finance
10. **BACKGROUND PAPERS:** None
11. **AUTHOR:** Ian Bakewell, Housing & Communities Manager
12. **CONTACT DETAILS:** E-mail: [ianbakewell@monmouthshire.gov.uk](mailto:ianbakewell@monmouthshire.gov.uk) Telephone: 01633 644479

Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council

<b>Title of Report:</b>	<b>Re-Designation of Shared Housing to Hostel Accommodation</b>
<b>Date decision was made:</b>	<b>28.02.18</b>
<b>Report Author:</b>	<b>Ian Bakewell</b>

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

The proposed outcome is that the Council agrees to re-designate the shared housing scheme to hostel accommodation for the following reasons:

Maintaining the private leasing scheme is of relevance for a number of reasons:

- The scheme enables the Council to discharge it's homeless related duties under the Housing (Wales) Act 2014
- It provides good quality temporary accommodation
- It supports applicants to remain within or near their own communities, albeit that isn't always possible
- The loss of the scheme will mean that the current 58 households will need to be accommodated. In reality this will create added pressure for the social housing stock. Furthermore, the loss will mean there are 58 less units of temporary accommodation for homeless households.
- The loss of the scheme will make it harder to prevent homelessness and/or provide accommodation to applicants
- The loss of the scheme may create knock on costs, such as the use of bed & breakfast
- There is a focus on developing other initiatives to strengthen homeless prevention and create new housing options. This will take time. It's unlikely that any one solution will be sufficient to replace the private leasing scheme.

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*12 month appraisal*

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

The following benchmarks will be used to assess whether the decision has had a positive or negative effect:

- Requests/demand for homeless assistance
- Level of successful homeless prevention
- Client satisfaction and complaints
- Budget monitoring information
- Successful introduction of alternative options

*12 month appraisal*

**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?**

No budget savings will be achieved by implementing this decision. Equally it's difficult to estimate the financial cost of phasing out the scheme. However, it is known that the current projected financial pressure is £150,000 for 2018/19. However, should these costs change it is more likely that the costs will fall rather than increase.

It is anticipated there would be social costs if the scheme was phased out in the short-term for homeless households in the knowledge that there is a lack of alternatives to private leasing to whom the Council has a duty to under Housing (Wales) Act 2014

It will be a priority though to investigate new initiatives to strengthen homeless prevention and to create new housing options to mitigate against this cost and seek to reduce this financial pressure.

*12 month appraisal*

*Any other comments*





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## Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p><b>Name of the Officer</b> Ian Bakewell</p> <p><b>Phone no:</b> 01633 644455 <b>E-mail:</b> ianbakewell@monmouthshire.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>Re-Designation of Shared Housing to Hostel Accommodation</p>
<p><b>Name of Service</b></p> <p>Housing &amp; Communities</p>	<p><b>Date Future Generations Evaluation</b></p> <p>4<sup>th</sup> January 2018</p>

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9. **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><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>By maintaining an key housing option in Monmouthshire and continuing to provide sustainable and affordable housing accommodation that is of mutual benefit to applicants and private landlords</p>	<p>Landlords will be engaged with in respect of lease conditions and lease charges. This may reduce the risk of the shared housing scheme declining in numbers due to affordability or funding.</p>



<b>Well Being Goal</b>	<b>How does the proposal contribute to this goal? (positive and negative)</b>	<b>What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?</b>
<b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	Helps create a more resilient homeless service and more resilient community	This scheme is currently operational and is an important resource in Monmouthshire to prevent homelessness
<b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood	The service supports people to access and remain in good quality accommodation or access alternative accommodation which contributes to health and well-being.	The Council already takes on accommodation, which needs to meet minimum standards eg no Category 1 hazards.
<b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected	The service supports this by creating sustainable long term affordable accommodation.	The accommodation provides an alternative to bed & breakfast accommodation
<b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	N/A	N/A
<b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	N/A	N/A




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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?
<b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances	The scheme will contribute to more settled households and communities in which they are better able to fulfil their potential.	Ditto

**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>Long-term Balancing short term need with long term and planning for the future</p>	<p>The service supports the Council to discharge its legal duty to prevent homelessness as per the Housing (Wales) Act 2014 and aims to reduce the use of short-term measures eg B &amp; B</p>	<p>The Shared Housing is seen as an integral service to the Monmouthshire Lettings service which seeks to offer choice to provide landlords that provides good value for money</p>
 <p>Collaboration Working together with other partners to deliver objectives</p>	<p>Private landlords will be a key partner</p>	<p>Private landlords are already key partners</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 data-bbox="152 363 315 400">Involvement</p> <p data-bbox="125 400 517 432">Involving those with an interest and seeking their views</p>	None undertaken	None necessary
 <p data-bbox="152 606 315 643">Prevention</p> <p data-bbox="125 643 517 719">Putting resources into preventing problems occurring or getting worse</p>	The service is a preventative service and accesses and utilises external resources to prevent homelessness.	The proposal helps to maintain an existing preventative service
 <p data-bbox="152 890 315 927">Integration</p> <p data-bbox="125 927 517 1003">Positively impacting on people, economy and environment and trying to benefit all three</p>	The services positively impacts upon the local economy by providing an income for private landlords	The service is currently in place.

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	The service will continue to be available to this and all groups	There are no negative impacts in relation to this proposal	N/A
Disability	Ditto	Ditto	Ditto
Gender reassignment	Ditto	Ditto	Ditto
Marriage or civil partnership	Ditto	Ditto	Ditto
Race	Ditto	Ditto	Ditto
Religion or Belief	Ditto	Ditto	Ditto
Sex	Ditto	Ditto	Ditto
Sexual Orientation	Ditto	Ditto	Ditto
Welsh Language	Ditto	None	Bi-lingual information is being made available

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

	<b>Describe any positive impacts your proposal has on safeguarding and corporate parenting</b>	<b>Describe any negative impacts your proposal has on safeguarding and corporate parenting</b>	<b>What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?</b>
Safeguarding	The service provides an option that can contribute to Corporate Parenting and Safeguarding	None unless the Shared Housing service be withdrawn or contracted due to financial sustainability.	Level 1 Training
Corporate Parenting	Ditto	None	The service can potentially be used to support cases identified by Social Care

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

Homeless prevention related statistics

Housing (Wales) Act 2014

Welsh Government Code of Guidance for Local Authorities for the Allocation of Accommodation & Homelessness

Good practice information

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

- The proposal will give the Council full control over property management, expenditure and rehousing future applicants.
- The proposal supports the development of Monmouthshire Lettings

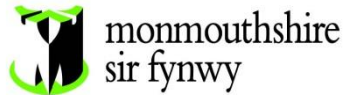
**7. Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.**

What are you going to do	When are you going to do it?	Who is responsible	Progress
N/A	N/A	N/A	N/A

**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.**

<b>The impacts of this proposal will be evaluated on:</b>	<p>Will be reviewed on an on-going basis through budget monitoring arrangements quarterly performance monitoring reports and Team Meetings</p> <p>The service will be considered during periodic analysis of failed homeless prevention, undertaken to identify possible improvements and understand potential service flaws.</p>
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**SUBJECT: Removal of Under 18 burial Charges**

**MEETING: Individual Cabinet Member**

**DATE: 14<sup>th</sup> February 2018**

**DIVISION/WARDS AFFECTED: All**

**1. PURPOSE:**

To consider the adoption of Welsh Governments Memorandum of Understanding which removes all burial fees for Under 18's in Wales.

**2. RECOMMENDATIONS:**

2.1 That the Council agrees to adopt the Welsh Government's Memorandum of Understanding and remove all burial charges for Under 18's.

**3. KEY ISSUES:**

3.1 The Council agreed in February of last year to remove burial fees for single plots for under 18's, but still imposed a charge for undertaking the Existing Right to Burial process.

3.2 Following the adoption of our revised charging policy, Welsh Government set up a working group to consider under 18 burial charges in direct response to a campaign led by Carolyn Harris MP.

3.3 As a result a Memorandum of Understanding has been drafted which removes all of the costs associated with the burials of under 18's. Representatives of all of the Welsh authorities have been party to the drafting of the Memorandum and it is expected that all Councils will formally ratify its adoption.

3.4 It is anticipated that at the point we elect to ratify the MoU that charging will cease with immediate effect. Welsh Government do intend to undertake a review in two years to understand the impact, if any of the agreement.

3.5 It is intended that if a double or triple depth is requested, that in the event of a subsequent re-opening for an adult burial a burial charge will be imposed and an ERB will be required. There will be no memorial permit charges for a single depth under 18 grave, however if a double or triple depth plot a memorial permit charge would apply for any subsequent inscriptions.

#### 4. REASONS:

- 4.1 The Council has already adopted a policy where the burial fee for under 18's in a single depth plot is free. By agreeing to adopt the memorandum of Understanding we will be in line with other Councils and removing any financial hardship from a grieving family.

#### 4.6 Options Appraisal

Option	Benefits	Risk	Evaluation
Do nothing	<ul style="list-style-type: none"> <li>No financial loss as potential of a grant scheme</li> </ul>	<ul style="list-style-type: none"> <li>Will be out of alignment with Welsh Government and other Unitary Authorities</li> <li>Potential financial hardship for grieving families</li> <li>Potential reputational damage</li> </ul>	Given the potential reputational damage and the proposed grant scheme to offset any financial loss, it is not recommended that we follow this action
Agree to adopt the MoU	<ul style="list-style-type: none"> <li>Potential grant scheme to minimise financial loss</li> <li>Single charging regime throughout Wales</li> <li>Minimising impact of financial hardship</li> <li>Ability to recover fees from double and triple depth at any subsequent adult burial re-opening</li> </ul>	<ul style="list-style-type: none"> <li>Grant will not cover loss of income</li> <li>We will have additional requests for out of county burials which will place pressure on depleting burial space</li> </ul>	This is the preferred course of action to ensure that a consistent approach is adopted throughout Wales and financial hardship is avoided for grieving families

#### 5. RESOURCE IMPLICATIONS:

- 5.1 The removal of any charges for under 18's will result in the loss of a small income to the Council, associated with the charges for ERB agreements. Welsh Government has agreed to provide a specific grant to all Councils, the details of which are yet to be confirmed. There are however conditions attached to the grant, firstly that we provide evidence that we have ratified the MoU and secondly that we have an arrangement in place to passport grant funding to other service providers who undertake burial/ cremation services in our County. The grant would be payable from 1<sup>st</sup> April 2018.



5.2 If adopted, the new charging regime will be as follows:

TYPE OF BURIAL	IN COUNTY				OUT OF COUNTY			
<b>INTERMENT IN EARTHEN GRAVE:</b>	New Burial (Incl. ERB Fee of £450 where applicable) £	First Issue of ERB (£450) £	No ERB Transfer £	With ERB Transfer (£400) £	New Burial (Incl. ERB Fee of £858 where applicable) £	First Issue of ERB (£858) £	No ERB Transfer £	With ERB Transfer (£400) £
Persons 17 years of age or under:								
Stillborn and non-viable foetuses	No Charge				No Charge			
New Single Depth Grave in Children's Section	No Charge				No Charge			
New Single Depth Grave	No Charge				No Charge			
New Double Depth Grave	No Charge				No Charge			
New Treble Depth Grave	No Charge				No Charge			

**6. FUTURE GENERATIONS AND EQUALITY IMPLICATIONS:**

- 6.1 An evaluation assessment has been undertaken which indicates that the impact of reducing this fee whilst limited will be positive.

**7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS**

There are none.

**8. BACKGROUND PAPERS:**

Individual Cabinet Report 08.03.17

**9. AUTHORS:**

Debra Hill-Howells                      Head of Commercial and Integrated Landlord Services

[Debrahill-howells@monmouthshire.gov.uk](mailto:Debrahill-howells@monmouthshire.gov.uk)

## Appendix 1

### Evaluation Criteria

<b>Title of Report:</b>	<b>Removal of Under 18 burial charges</b>
<b>Date decision was made:</b>	<b>Report to be considered 14<sup>th</sup> February 2018</b>
<b>Report Author:</b>	<b>Debra Hill-Howells</b>

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

All charges for under 18 burials will be removed immediately.

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?

- No charges have been imposed
- MCC has been successful in achieving a grant from Welsh Government to offset financial loss
- MCC has a process in place to passport any eligible grant funding to other providers in County that undertake burials or cremations for Under 18's

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?

There will a loss of income estimated to be less than 5k per annum, which may be offset in part or in full by a Welsh Government grant.

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.*

Any other comments





## Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p><b>Name of the Officer</b> completing the evaluation</p> <p>Debra Hill-Howells  <b>Phone no:</b> 01633 644281  <b>E-mail:</b> debrahill-howells@monmouthshire.gov.uk</p>	<p><b>Proposal Name:</b></p> <p>Removal of Under 18 burial charges</p>
	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>To enter into a memorandum of understanding with Welsh Government which will remove burial fees for under 18's</p>
<p><b>Name of Service</b></p> <p>Cemetery Service</p>	<p><b>Date Future Generations Evaluation</b> form completed</p> <p>31.01.18</p>

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


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

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	n/a	The proposal involves the removal of burial fees which will remove the financial burden from grieving families.

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

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p><b>Long Term</b></p> <p>Balancing short term need with long term and planning for the future</p>	<p>This decision will not impact on sustainable development</p>	
 <p><b>Collaboration</b></p> <p>Working together with other partners to deliver objectives</p>	<p>We are working with Welsh Government and other authorities who have devised the MoU collaboratively</p>	
 <p><b>Involvement</b></p> <p>Involving those with an interest and seeking their views</p>	<p>The MoU has been developed as a result of a campaign to remove the financial burden of child burial fees from grieving parents. By ratifying the MoU we will be responding positively to this campaign and user feedback</p>	
 <p><b>Prevention</b></p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>This decision will not impact on this area</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>This proposal has been derived from a community campaign to mitigate the impact of financial hardship when the death of a child occurs.</p>	

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

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Removal of burial fees for under 18's		
Disability	n/a		
Gender reassignment	n/a		
Marriage or civil partnership	n/a		



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

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

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

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

Community campaign driven by Carolyn Harris MP which was considered by Welsh Government and all welsh unitary authorities in a specially commissioned taskforce. The MoU is a result of that work.

**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 impacts are largely neutral as it relates to the removal of a fee, rather than amendments to policies or processes

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

What are you going to do	When are you going to do it?	Who is responsible	Progress

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

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

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
	<i>e.g. budget mandate, DMT, SLT, Scrutiny, Cabinetetc</i>		<i>This will demonstrate how we have considered and built in sustainable development throughout the evolution of a proposal.</i>

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## REPORT

**SUBJECT: PRIVATE WATER SUPPLIES (WALES) REGULATIONS 2017.**  
**DIRECTORATE: SOCIAL CARE & HEALTH**  
**MEETING: Individual Cabinet Member Decision – Cabinet Member for Social Justice & Community Development**

**DATE: 28<sup>th</sup> February 2018**  
**DIVISIONS/WARDS AFFECTED: All Wards**

### 1. PURPOSE:

- 1.1 To inform the Cabinet Member of new statutory responsibilities introduced by The Private Water Supplies (Wales) Regulations 2017, consider the charges currently levied by the Authority in meeting its obligations and to agree the charges proposed.

### 2. RECOMMENDATIONS:

- 2.1 That charges in relation to the delivery of the Authority's private water supply responsibilities continue on a cost recovery basis.
- 2.2 That the schedule of proposed fees set out in Appendix 1 is agreed, subject to member review as part of the annual review of fees and charges.

### 3. KEY ISSUES:

- 3.1 A sufficient and wholesome water supply is a fundamental necessity for good health and a pre-requisite for any habitable accommodation. The majority of homes in Monmouthshire are served by mains water however a significant number of properties are served by private water supplies.
- 3.2 Whereas mains-supplied drinking water consistently meets standards of chemical and bacteriological composition prescribed by regulations, private water supplies are frequently found to be of poor and/or variable quality.
- 3.3 The Private Water Supplies (Wales) Regulations 2010, which took effect from 4th February 2010, were therefore enacted to put regulatory arrangements in place to ensure that everyone in Wales has a supply of drinking water that meets acceptable standards.
- 3.4 The Regulations set out obligations on local authorities to risk assess certain types of supply every 5 years and to undertake periodic sampling and analysis, the frequency of which varies depending on the nature of the supply. In general 'large supplies' (most of which in the County are related to a commercial activity) are sampled annually, while 'small' supplies are sampled once every 5 years. The parameters analysed also vary according to the nature of the supply. There are currently 52 'large supplies' and 113 'small supplies' known in the County.
- 3.5 The existing charges for services undertaken by Environmental Health in relation to these supplies were detailed in Cabinet Member report dated 8<sup>th</sup> July 2015. The report was endorsed and is provided as a background paper.
- 3.6 The Private Water Supplies (Wales) Regulations 2017 came into force on the 20<sup>th</sup> November 2017 which revoke and replace the 2010 Regulations. The core obligations to risk assess and carry out periodic sampling remain, with a number of additional requirements.

- 3.7 These include the extension of the risk assessment and sampling responsibilities for supplies to single dwellings where the supply is provided as part of a domestic tenancy. Environmental Health are aware of approximately 25 such supplies in this category in the County.
- 3.8 The 2017 Regulations also notably bring changes to a number of the sample analysis requirements, including the monitoring for radioactive substances where appropriate and the fees that may be charged which must remain the reasonable cost of providing the service subject to specified maximum amounts.
- 3.9 The current fees charged by the Authority have remained fixed since the increases introduced by the Cabinet Member report in July 2015. Given the changes introduced by the new Regulations, it is an opportune time to reappraise these fees. Appendix 1 sets out the existing and proposed schedule of fees, to apply with immediate effect and to continue on a cost recovery basis. It is proposed that these fees also continue to be subject to member review as part of the annual review of fees and charges. The schedule also provides the maximum charge permitted by the Regulations where stated.
- 3.10 The private water supply income will be accounted for in the 18/19 budget as it has been in recent years. Based on existing rates a gross income of £8850 is anticipated to be offset against £4250 analysis costs, resulting in a net income of approximately £4600. The new Regulations mean that in some cases less analysis needs to be done. The proposed revised charges, even though they are being increased, will therefore result in a slightly reduced gross income of £8200, offset against less laboratory costs. Ultimately an increase in predicted net income of £700 is anticipated to a total of £5300.
- 3.11 The slight increase in predicted income of £700 for 18/19 will go towards meeting the demands of meeting the private water supply statutory responsibilities.

#### **4. REASONS:**

- 4.1 Current finances dictate that the Authority must recover its full service costs. The proposed revised charges are based on the actual cost of delivering the service.
- 4.2 Charges may need to be raised or lowered in line with changing costs of future service delivery.

#### **5. RESOURCE IMPLICATIONS:**

- 5.1 None. This report recommends a cost recovery approach.

#### **6 Future Generations Evaluation:**

- 6.1 The Future Generations Evaluation, including equalities and sustainable impact assessments, is provided in Appendix 2. The proposals will have a neutral impact.

#### **7. CONSULTEES:**

SLT  
Cabinet Members  
Monitoring Officer and Head of Legal Services  
Head of Public Protection

#### **Results of Consultation**

No adverse comments have been received

**8. BACKGROUND PAPERS:**

Cabinet Member Report 8<sup>th</sup> July 2015 Subject Private Water Supplies (Wales) Regulations 2010

**9. AUTHOR:**

Huw Owen Principal EHO  
Anthony Davies EHO

**10. CONTACT DETAILS:**

TELEPHONE 01873 735433  
[huwowen@monmouthshire.gov.uk](mailto:huwowen@monmouthshire.gov.uk)  
[anthonydavies@monmouthshire.gov.uk](mailto:anthonydavies@monmouthshire.gov.uk)

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## Appendix 1

### Private Water Supplies (Wales) Regulations 2017

#### Schedule of Fees Private Water Supplies.

#### Guidance Note

**Regulation 9** supplies - Large supplies and supplies as part of a commercial or public activity

**Regulation 10** supplies - supply to a single dwelling not used as part of a commercial or public activity (in which case regulation 9 applies) or as part of a domestic tenancy (in which case regulation 11 applies).

**Regulation 11** supplies - other private supplies such as shared domestic supplies including those as part of a domestic tenancy.

**Regulation 18 Investigation** - authority suspects the water supply to be unwholesome or it fails to comply with the concentrations or values in Part 2 or Part 3 of Schedule 1 for an indicator parameter.

SERVICE	MAX FEE PERMITTED BY REGULATIONS 2017	CURRENT FEE	PROPOSED FEE
<b>First Risk Assessment</b>	<b>£700</b> – Regulation 9 supplies <b>£300</b> – Regulation 10 and 11 supplies	<b>£200</b> per assessment, inclusive of 1 invoice raised.  Additional £6.50 per extra invoice raised.	<b>£225</b> per assessment, inclusive of 1 invoice raised for Regulation 9, 10 and 11 supplies.  Additional £6.50 per extra invoice raised.
<b>Repeat Risk Assessment</b>	<b>£700</b> – Regulation 9 supplies	No charge if appropriate	No charge if appropriate

	<b>£300</b> – Regulation 10 and 11 supplies	information can be gathered by telephone contact and/or correspondence.  If visit necessary Flat Fee of <b>£100</b> per assessment, inclusive of 1 invoice raised.	information can be gathered by telephone contact and/or correspondence.  If visit necessary Flat Fee of <b>£150</b> per assessment, inclusive of 1 invoice raised for Regulation 9, 10 and 11 supplies.  Additional £6.50 per extra invoice raised
<b>Investigation under Regulation 18</b>	<b>£250</b>	<b>£100</b>  Additional £6.50 per extra invoice raised.	<b>£150</b> per assessment, inclusive of 1 invoice raised.  Additional £6.50 per extra invoice raised
<b>Sampling</b>	<b>£100</b> per visit <b>plus:</b>  <b>£25</b> maximum for analysis of sample taken under regulation 10 or 11  <b>£110</b> maximum for analysis of sample taken during monitoring for Group A parameters	Regulation 9 supply Sample taken during check monitoring - <b>£135</b> for supply not ‘Surface Water Influenced’; <b>£155</b> for supply which is ‘Surface Water Influenced’. <b>Includes analysis fee.</b>  Regulation 9 supply sample plus audit monitoring where considered	<b>£100</b> per visit inclusive of invoice <b>plus:</b>  <b>Analysis of sample on a direct recharge basis</b> up to a maximum of £25 if taken under regulation 10 or 11.  <b>Analysis of sample on a direct recharge basis</b> up to a maximum of £110 if taken during monitoring for Group A parameters.

	<p><b>£600</b> maximum for analysis of sample taken during monitoring for Group A parameters</p>	<p>necessary - <b>£135</b> or <b>£155</b> as for check monitoring dependant on whether supply is surface water influenced <b>plus cost of extra analysis for audit monitoring on a direct recharge basis</b></p> <p>Regulation 10 supply sample - <b>£110</b>. <b>Includes analysis fee.</b></p> <p>Regulation 10 supply sample plus audit monitoring where considered necessary - <b>£110 plus cost of extra analysis for audit monitoring on a direct recharge basis</b></p> <p>All above inclusive of 1 invoice raised.</p> <p>Additional £6.50 per extra invoice raised.</p> <p><b>NB the above fee calculations include approximately £91 for officer costs in undertaking the sampling.</b></p>	<p><b>Analysis of sample on a direct recharge basis</b> up to a maximum of £600 if taken during monitoring for Group B parameters.</p>
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## Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p><b>Name of the Officer:</b> Huw Owen</p> <p><b>Phone no:</b> 01873 735433 <b>E-mail:</b> huwowen@monmouthshire.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>To inform the Cabinet Member of new statutory responsibilities introduced by The Private Water Supplies (Wales) Regulations 2017, consider the charges currently levied by the Authority in meeting its obligations and to agree the charges proposed.</p>
<p><b>Name of Service:</b> Environmental Health</p>	<p><b>Date Future Generations Evaluation form completed:</b> 6th February 2018.</p>

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



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




Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>		<p>Cost of risk assessment, sampling and analysis to be met by premises owner. The proposed fees are set at the level of cost recovery and other than for sampling/analysis are well below the maximum fee permitted by the Regulations.</p>

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>		
<p><b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>In order to meet its obligations under the Private Water Supply (Wales) Regulations 2017 the Authority needs to fully recover its costs in carrying out risk assessments and sampling. This work has a direct impact on improving the wholesomeness and sufficiency of the private water supplies in the County and therefore positively contributing to improved housing, reduced ill health and pollution of water.</p>	
<p><b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected</p>	<p>A wholesome and sufficient water supply is an integral requirement of healthy living conditions.</p>	
<p><b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>	<p>Positive: setting an example for developing communities which are attractive, viable and safe.</p>	
<p><b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation</p>		

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances		

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p><b>Long Term</b></p> <p>Balancing short term need with long term and planning for the future</p>	<p>Statutory responsibilities for ensuring private water supplies are wholesome and sufficient need to be met. Fees charged will help the Authority meet the demands of these responsibilities.</p>	
 <p><b>Collaboration</b></p> <p>Working together with other partners to deliver objectives</p>	<p>The Private Water Supplies (Wales) Regulations 2017 have been developed by dialogue between Local Authorities, Welsh Government and other stakeholders. Ongoing dialogue will continue to ensure good practice followed in their implementation.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p data-bbox="136 480 297 507"><b>Involvement</b></p> <p data-bbox="349 256 517 440">Involving those with an interest and seeking their views</p>	<p data-bbox="544 256 1189 328">Legislation introduced as a result of stakeholders discussing with Welsh Government.</p>	
 <p data-bbox="136 759 297 786"><b>Prevention</b></p> <p data-bbox="349 520 517 815">Putting resources into preventing problems occurring or getting worse</p>	<p data-bbox="544 520 1301 624">Efficient use of council resources on a cost recovery basis essential in meeting the Authority's obligations regarding private water supplies.</p>	
 <p data-bbox="136 1098 297 1125"><b>Integration</b></p> <p data-bbox="349 858 517 1118">Considering impact on all wellbeing goals together and on other bodies</p>		

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



Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Schedule of fees proposed will have neutral impact on people or groups of people with protected characteristics.		
Disability			
Gender reassignment			
Marriage or civil partnership			
Pregnancy or maternity			
Race			
Religion or Belief			
Sex			
Sexual Orientation			
Welsh Language	Bilingual information to be provided on request.		

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

	<b>Describe any positive impacts your proposal has on safeguarding and corporate parenting</b>	<b>Describe any negative impacts your proposal has on safeguarding and corporate parenting</b>	<b>What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?</b>
Safeguarding	Ensuring premises have a wholesome water supply helps protect the public health of all age groups.		
Corporate Parenting			

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

Private Water Supplies (Wales) Regulations 2017

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 Private Water Supplies (Wales) Regulations 2017 reinforces statutory responsibilities for the Authority to ensure each premises has a supply of drinking water that meets acceptable standards.  
The report is concerned with ensuring fees for risk assessments, investigations, sampling and analysis continue on a cost recovery basis.

It is proposed that these fees also continue to be subject to member review as part of the annual review of fees and charges.

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

What are you going to do	When are you going to do it?	Who is responsible	Progress
Implement charges where appropriate.	With immediate effect. Fees to continue to be subject to member review as part of the annual review of fees and charges.	Principal EHO (Public Health)	

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

The impacts of this proposal will be evaluated on:	Within 12 months to the Head of Public Protection
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## REPORT

<b>SUBJECT:</b>	<b>PRIVATE WATER SUPPLIES (WALES) REGULATIONS 2010.</b>
<b>DIRECTORATE:</b>	<b>CHIEF EXECUTIVES</b>
<b>MEETING:</b>	<b>Individual Cabinet Member – Giles Howard</b>
<b>DATE:</b>	<b>8<sup>th</sup> July 2015</b>
<b>DIVISIONS/WARDS AFFECTED:</b>	<b>All Wards</b>

### 1. PURPOSE:

- 1.1 To consider the charges currently levied by the Authority in meeting its obligations with regard to the Private Water Supplies (Wales) Regulations 2010 and to agree the charges proposed.

### 2. RECOMMENDATIONS:

- 2.1 Charges in relation to the delivery of the Authority's private water supply responsibilities continue on a cost recovery basis.
- 2.2 Agree the schedule of proposed fees set out in Appendix 1 subject to member review as part of the annual review of fees and charges.

### 3. KEY ISSUES:

- 3.1 Cabinet Member report dated 24<sup>th</sup> March 2010 provided detail regarding the implications of the Private Water Supplies (Wales) Regulations 2010 and set out the approach to meeting the obligations for the Authority in relation to the risk assessment and sampling of private water supplies. The report was endorsed and is provided as a background paper.
- 3.2 The Authority has met its responsibility to undertake a risk assessment of each private water supply that supplies water to any premises in its area (other than a supply to a single dwelling not used for commercial activity) within the initial 5 year period which ended on the 4<sup>th</sup> February 2015.
- 3.3 There remains an ongoing responsibility to risk assess each supply every 5 years and to undertake periodic sampling and analysis, the frequency of which varies depending on the nature of the supply. In general 'large supplies' (most of which in the County are related to a commercial activity) are sampled annually, while 'small' supplies are sampled once every 5 years.
- 3.4 By the initial deadline of 4<sup>th</sup> February 2015, 52 'large' supplies and '108' small supplies had been identified, risk assessed and are periodically sampled. Additional supplies may be identified in the future but these are likely to be relatively few in number.
- 3.5 The cost of officers carrying out the initial risk assessment has been supported by a Welsh Government grant of £100 per assessment. This grant finished in February 2015. The sample charges to home owners and business operators have remained unchanged in recent years despite increasing salary costs, courier charges and laboratory analysis fees.
- 3.6 The schedule of fees in Appendix 1 sets out the existing and proposed charges which it is recommended continue on a cost recovery basis. It is proposed that these charges continue to be subject to member review as part of the annual review of fees and charges. The schedule also provides the maximum charge

permitted by the Regulations where stated. The proposed recharging scheme is consistent with many other Local Authorities.

**4. REASONS:**

4.1 Current finances dictate that the Authority needs to recover its service costs. The proposed revised charges are based on the actual cost of delivering the service.

4.2 Charges may need to be raised or lowered in line with changing costs of service.

**5. RESOURCE IMPLICATIONS:**

5.1 None. This report recommends a cost recovery approach

**6 SUSTAINABLE DEVELOPMENT IMPLICATIONS:**

6.1 See assessment

**7 SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS**

7.1 Having a robust mechanism for sampling private water supplies, that are prevalent in Monmouthshire, will have a positive impact on protecting children by ensuring water quality in such properties.

**8. CONSULTEES:**

SLT  
Cabinet Members  
Chairs of Select Committees  
Head of Legal Services  
Head of Finance and Improvement

**Results of Consultation**

**9. BACKGROUND PAPERS:**

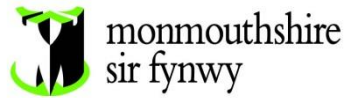
Cabinet Member Report 24<sup>th</sup> March 2010 Subject Private Water Supplies (Wales) Regulations 2010

**10. AUTHOR:**

**Huw Owen Principal EHO**  
**Anthony Davies EHO**

**11. CONTACT DETAILS:**

**TELEPHONE 01873 735433**  
[huwowen@monmouthshire.gov.uk](mailto:huwowen@monmouthshire.gov.uk)  
[anthonydavies@monmouthshire.gov.uk](mailto:anthonydavies@monmouthshire.gov.uk)



**SUBJECT: Staffing Restructure of Adult Disability Service**

**MEETING: Single Member Report**

**DATE: 28<sup>th</sup> February 2018**

**DIVISION/WARDS AFFECTED: All**

**1. PURPOSE:**

- 1.1 This report will seek approval for the conversion of partial post vacancies within the Social Worker function of the ADS team into full time Social Care assessor posts.

**2. RECOMMENDATIONS:**

- 2.1 To approve the conversion of the vacant hours within the social work function.

**3. KEY ISSUES:**

- 3.1 In April 2017 the Independent Living Team and Community Learning Disabilities team were brought together under the Adult Disability Service. Since this time the social workers in the team have focussed on the care coordination of the more complex cases which continue to increase in volume and complexity. To relieve the pressure on the social workers some of the less complex work has been reallocated to social care assessors;
- 3.2 In October 2017, a part time Senior Practitioner was seconded out. This allowed us to trial using social care assessors to pick up referrals of a less complex nature and undertake the preventative, enabling work within the team as per the principles of the Social Services and Well Being Act (Wales) (2014);
- 3.3 In January 2018, we evaluated the findings of this trial and there is evidence of an increase in the throughput of referrals and better outcomes for service users in terms of the promotion of independence and a reduction in their reliance on statutory support eg direct care.
- 3.4 The restructure will allow for the continuation of this more effective approach currently being employed by the Adult Disability Service.

#### 4. OPTIONS APPRAISAL

4.1 Set out in the table below are the options considered:-

Option	Advantages	Disadvantages
Do nothing	<ul style="list-style-type: none"> <li>• Maintains current team structure.</li> </ul>	<ul style="list-style-type: none"> <li>• Does not allow for increased workload and new way of working;</li> <li>• Additional stress on existing qualified staff members;</li> <li>• Would not allow sufficient time to explore preventative ways of working/provising services.</li> <li>• Focus is away from the current goals of increasing service user independence due to time constarints on staff.</li> <li>• Potential increase in more costly packages of care.</li> </ul>
Uphold the recommendations for the restructure	<ul style="list-style-type: none"> <li>• Positive impact on the output of the team;</li> <li>• Improved and more timely response to the people of Monmouthshire;</li> <li>• Allowing qualified staff to spend more time on complex issues;</li> <li>• Cost neutral on budget.</li> <li>• Allows for an approach designed to be more enabling towards service users.</li> </ul>	<ul style="list-style-type: none"> <li>• none</li> </ul>



**5. RESOURCE IMPLICATIONS:**

The proposed restructure is cost neutral as illustrated below;

Current staff structure of the ADS establishment contains, due to changes in the working practices of staff, the following unallocated hours.

Senior Social Worker 29.5 hrs	£42,516
Social Worker 21.5 hrs	<u>£27,215</u>
	£69,731

The cost of two 37 hrs Social Care Assessors would equate to £68,986.

All costs within illustration are inclusive of National Insurance and Superannuation. The proposed Social Care Assessor posts have been calculated at top of current pay scale within the appropriate bands.

**6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

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

**7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS**

NONE

**8. CONSULTEES:**

Julie Heal – Team Manager ADS  
Clare Morgan – Service Manager  
John Woods – Accountant (Community Care)  
Tyrone Stokes - Finance Manager

**9. BACKGROUND PAPERS:**

**None required**

**10. AUTHOR:**

Julie Heal – Team Manager ADS

**11. CONTACT DETAILS:**

**Tel:** Julie Heal 07976 584931/ John Woods 01633 644916

**E-mail:** [Julieheal@monmouthshire.gov.uk](mailto:Julieheal@monmouthshire.gov.uk)

## Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council

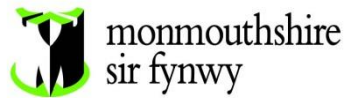
<b>Title of Report:</b>	<b>Restructure of Adult Disability Service Staffing Establishment</b>
<b>Date decision was made:</b>	
<b>Report Author:</b>	<b>Julie Heal</b>

<b>What will happen as a result of this decision being approved by Cabinet or Council?</b>
<p>What is the desired outcome of the decision?          What effect will the decision have on the public/officers?</p>
<ul style="list-style-type: none"> <li>• Improved and more timely response to the people of Monmouthshire;</li> <li>• Allowing qualified staff to spend more time on complex issues;</li> <li>• Provide the opportunity for a service aimed at promoting more independence to be established.</li> </ul>

<b>What benchmarks and/or criteria will you use to determine whether the decision has been successfully implemented?</b>
<p>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)</p>
<p>There has been an increase in the work that is required to be undertaken by a Qualified Social Worker. This decision will result in additional resources becoming available to allow some of the less complex, preventative work to be allocated more effectively and efficiently. The result will provide a service that will be able to focus more readily on the individual needs of the Service Users to enable more independence.</p>

<b>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?</b>
<p>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.</p>
<p>There will be no direct savings resulting from this restructure. The restructure is self-funding and there will be no additional cost to the current budget as illustrated in the report.</p>

<b>Any other comments</b>
<p>This restructure has been trialled by the team and positive results have been observed both for the ADS team and Service Users which has led to this report for a permanent undertaking</p>



<b>SUBJECT:</b>	<b>Restructure of Mental Health Social Work Staffing</b>
<b>MEETING:</b>	<b>Single Member Decision</b>
<b>DATE:</b>	<b>28<sup>th</sup> February 2018</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

## 1. PURPOSE:

- 1.1 This report seeks approval for the conversion of a 0.5FTE Social Care Assessor Post 0.34 FTE Social Worker Post within the Mental Health team.

## 2. RECOMMENDATIONS:

- 2.1 To approve the conversion of Social Care Assessor hours into Social Worker hours.

## 3. KEY ISSUES:

- 3.1 Since the introduction of the Mental Health Measure, there has been an increase in referrals into secondary mental health services. These referrals require that social workers be both care coordinators and participate in the duty rota. Under the Measure the roles may only be undertaken by a qualified Social Worker.
- 3.2 There has been an increase in the number of referrals being requested for assessment for Continuing Health Care and these may only be completed by Qualified Social Workers.
- 3.3 A review of current workloads has been undertaken by Management in light of the new measures and it highlighted that to for fill the Authorities obligations additional resources are required
- 3.3 A Qualified Social Worker has been temporarily employed utilising the funding from the vacant Social Care Assessors post. The result of this temporary arrangement has been beneficially to both the level of service being provided to the citizens of Monmouthshire and the wellbeing of the Social Work team. These outcomes have prompted this report to request approval for the resultant staffing structure to be made permanent.
- 3.4 This restructure will allow for the additional Social Worker hours to be attained.

#### 4. OPTIONS APPRAISAL

4.1 Set out in the below table are the options considered: -

Options	Advantages	Disadvantages
1. <i>Do nothing</i>	<ul style="list-style-type: none"><li>• Maintains Current team Structure</li></ul>	<ul style="list-style-type: none"><li>• Does not allow Authority to adequately for fill its Social Care duties</li><li>• Additional stress of current Staff to for fill work load.</li></ul>
2. Uphold the recommendation of the job re-evaluation and regrade the post	<ul style="list-style-type: none"><li>• Positive impact on staff welfare.</li><li>• Improvement in service provided to residents of Monmouthshire.</li><li>• Cost Neutral on current budget</li></ul>	<ul style="list-style-type: none"><li>• none</li></ul>

#### 5. EVALUATION CRITERIA

An evaluation assessment has been included at Appendix A for future evaluation of whether the decision has been successfully implemented.

#### 6. REASONS:

To ensure the level of service provided to the residents of Monmouthshire is at the necessary level.

#### 7. RESOURCE IMPLICATIONS:

The proposed restructure is cost neutral as illustrated below;

*Total budget relating to current vacancy within Mental Health Team*

18.5 hr Social Care Assessor Band F SCP 29 £17,246

*Cost of Proposed Restructure*

13.0 hr Qualified Social Worker Band I (37-41) SCP 41 £17,157

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

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

**9. CONSULTEES:**

Anna Bansal – Older Adult Mental Health Team Professional Social Work Lead  
John Woods – Community Care Accountant  
Tyrone Stokes – Finance Manager SCH

**10. BACKGROUND PAPERS:**

No background papers have been submitted

**11. AUTHOR:**

Anna Bansal - Older Adult Mental Health Team Professional Social Work Lead

**12. CONTACT DETAILS:**

**Tel:** 01291 636581

**E-mail:** [annabansal@monmouthshire.gov.uk](mailto:annabansal@monmouthshire.gov.uk)

## Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council

<b>Title of Report:</b>	<b>Conversion of Vacant Social Care Assessor to Social Worker Post</b>
<b>Date decision was made:</b>	
<b>Report Author:</b>	<b>Anna Bansal</b>

### 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?

The desired outcome will be to realign the staffing structure of the Mental Health Social Work Team to provide the level of service required to the Residents of Monmouthshire and for fill obligations since the introduction of the Mental Health Measure

### 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)

There has been an increase in the work that is required to be undertaken by a Qualified Social Worker, as previously discussed, this decision will result in additional resources becoming available and allow the team to respond far more effectively and efficiently to the requirements of the County.

### 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.

The restructure is self-funding and there will be no additional cost to the current budget. The vacant Social Care Assessor 0.5fte post will fully fund the additional Qualified Social Worker FTE.

### Any other comments

This restructure has been trialled by the team and positive results have been observed which has led to this report for a permanent undertaking



<b>SUBJECT:</b>	<b>Gypsy &amp; Traveller Pitch Allocation Policy</b>
<b>MEETING:</b>	<b>Individual Cabinet Member Decision</b>
<b>DATE:</b>	<b>28<sup>th</sup> February 2018</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

**1. PURPOSE:**

- 1.1 To seek Cabinet Member approval for the introduction of the Gypsy & Traveller Pitch Allocation Policy for any future Council owned Gypsy and Traveller Site in Monmouthshire (Appendix 1). This is a follow up to the report received by the Adult Select Committee on 23rd January 2018.

**2. RECOMMENDATIONS:**

- 2.1 To approve and adopt the Gypsy and Traveller Pitch Allocations Policy with immediate effect.

**3. KEY ISSUES:**

- 3.1 Under the requirements of the Housing (Wales) Act 2014, the Council carried out its duty to assess the needs of the Gypsy and Traveller community in 2015 when it undertook the Gypsy and Traveller Accommodation Assessment (GTAA). The GTA identified a need for eight pitches in Monmouthshire over a five year period.
- 3.2 The Welsh Government's Managing Gypsy and Traveller Sites in Wales strongly recommends that Local Authorities operate such a policy as a positive and proactive means of engaging with Gypsy & Travellers. Councils are expected to publish their policies and procedures for allocating pitches, including assessment criteria, expected timescales and how to apply and how priority need is defined. Where a waiting list is in operation, the Local Authority should clearly explain how the list operates and inform applicants of their general position on the list when requested.
- 3.3 The Policy (Appendix 1)
- 3.3.1 The proposed policy is intended to be structured similar to the Monmouthshire Homeseach allocations policy.
- 3.3.2 The proposed policy sets out the criteria that will be used to establish eligibility and ineligibility to register for a pitch in Monmouthshire and the criteria that will be used to assess need.
- 3.3.3 The proposed policy would ensure an appropriate 'needs assessment' is completed and a system of prioritisation is applied to determine that pitch allocation is based on those households with the greatest need.
- 3.3.4 All applicants will have their housing needs assessed and be placed in one of five housing needs bands according to their circumstances.
- 3.3.5 The Bands will be bands 1 to 5 with band 1 being the highest priority and band 5 the lowest priority. Please refer to the Policy.
- 3.4 Who is Eligible?

- 3.4.1 The waiting list is open only to Gypsy and Traveller households aged 18 and over.
- 3.4.2 The policy uses the definition contained within Managing Gypsy and Traveller Sites in Wales Guidance 2015:

*(a) Persons of a nomadic habit of life, whatever their race or origin, including –*  
*(i) Persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently, and*  
*(ii) Members of an organized group of travelling show people or circus people (whether or not travelling together as such); and*  
*(b) All other persons with a cultural tradition of nomadism or of living in a mobile home.*

- 3.5 Consultation was undertaken with members of the Gypsy and Traveller Accommodation Assessment Project Group that was formed specifically to oversee the drafting of the Council's Gypsy and Traveller Accommodation Assessment (GTAA) (See Appendix 2).
- 3.6 The consultation ended on the 15<sup>th</sup> December with one comment received (See Appendix 3).

#### **4. OPTIONS APPRAISAL:**

- 4.1 Option 1: Not to adopt the Policy: Not to adopt this would be contradictory to the expectations of Welsh Government and will leave the Council without a robust, transparent and equitable mechanism of allocating pitches in the future
- 4.2 Option 2: To adopt the Policy: The recommended option: By adopting the policy it provides the framework in which to allocate pitches based on the need and it will align as much as it can with the Council's bricks and mortar policy (Homeseach) thereby conferring equality while meeting the distinct needs of Gypsy and Traveller community.

#### **5. EVALUATION CRITERIA:**

- 5.1 There will be a review of the policy within 12 months of the decision date to determine whether the policy has been successfully implemented. To aid future reviews an evaluation assessment is attached (Appendix 4).

#### **6. REASONS:**

- 6.1 The development of the policy formed part of the action plan arising from the undertaking of the Gypsy & Traveller Assessment undertaken in 2015 and subsequently agreed by the Cabinet
- 6.2 Without a robust policy in place Monmouthshire County Council could be acting in a way contrary to its agreed policies and/or stated objectives and failing to do what it is required in law or alternatively acting in a way that is contrary to the law.
- 6.3 Section 103 of the Housing (Wales) Act 2014 places a duty on a local authority to exercise its powers under Part 5 of the Mobile Homes (Wales) Act 2013 to provide sites on which mobile homes can be stationed. Section 104 of the Housing (Wales) Act 2014 confers powers on Welsh Ministers to compel an authority to exercise its power under s103 if they are satisfied that authority has failed to do so.

#### **7. RESOURCE IMPLICATIONS:**

- 7.1. There are currently no financial or resource implications at this stage.

#### **8. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**



8.1 The Future Generations Evaluation has been completed and no negative implications were identified (See appendix 5)

**9. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS**

9,1 The policy supports and contributes positively to these priorities (Appendix 5)

**10. CONSULTEES:**

10.1 Gypsy and Traveller Accommodation Assessment Project Group

**11. BACKGROUND PAPERS:**

Gypsy & Traveller Assessment, 2015; Gypsy & Traveller Assessment Welsh Government Guidance

**12. AUTHOR:** Stephen Griffiths, Strategy & Policy Officer

**13. CONTACT DETAILS:**

**Tel:** 01633 644455

**E-mail:** [stephengriffiths@monmouthshire.gov.uk](mailto:stephengriffiths@monmouthshire.gov.uk)

**Gypsy and Traveller Pitch Allocation Policy****1.0 INTRODUCTION:**

- 1.1 This policy precedes the availability of Gypsy and Traveller pitches in Monmouthshire. The policy has been adopted to positively engage with the Gypsy & Traveller Community prior to the establishment of pitches, as required by the Housing (Wales) Act 2014.
- 1.1 This document explains how Monmouthshire County Council allocate their Gypsy and Traveller pitches.
- 1.2 Where relevant effort has been made to align or match the Policy with the Monmouthshire Common Allocation Policy and Procedure 2013 to ensure uniformity of the selection process when allocating accommodation, whether pitches or bricks and mortar.
- 1.3 The Council understands that the accommodation needs for Gypsy and Traveller communities may differ from those communities that choose to live in bricks and mortar. This is seen in their semi nomadic life style and patterns of extended family support, which is an essential part of their cultural beliefs, so although the Gypsy and Traveller Allocation Policy is framed within the parameters of the Common Allocation Policy additional factors have been taken into consideration when determining household need that support and compliment their cultural beliefs.

**2.0 THE LEGAL FRAMEWORK:**

- 2.1 In drafting this Policy Monmouthshire County Council has had regard to the following legislative and guidance provisions:
- Housing (Wales) Act 2014
  - Part VI Housing Act 1996, as amended by Homelessness Act 2002 and Housing (Wales) Act 2014, sets out the legal framework for the allocation of accommodation by local authorities and registered social landlords
  - WAG Circular 30/2007 –
  - Managing Gypsy and Traveller Sites in Wales Guidance 2015:
  - Equality Act 2010
  - The Human Right Act 1998
  - The Freedom of Information Act 2000 (s.19)
  - The Data Protection Act 1998

### **3.0 POLICY STATEMENT:**

3.1 Monmouthshire County Council is committed:-

- To the development of balanced and sustainable communities
- To providing a fair and comprehensive service to all persons eligible for having a need, including those registering for a caravan pitch under this policy;
- To providing affordable caravan pitches for rent for people in housing need
- To seek to promote social inclusion;
- To acknowledge that Gypsy and Traveller families are a recognised ethnic group;

### **4.0 THE AIMS OF THE ALLOCATION SCHEME ARE:**

- To ensure that the allocation of pitches is clear, fair and consistent;
- To ensure that pitches are allocated on the basis of priority need.
- To adhere to relevant legislative and regulatory framework.
- To assist Monmouthshire County Council in meeting its statutory and corporate responsibilities towards Monmouthshire citizens.

4.1 A 'pitch' is an area designed to accommodate one household and typically includes an amenity block, a mobile home and spaces for parking and touring caravan.

### **5.0 THE ALLOCATION WAITING LIST:**

5.1 Monmouthshire County Council will operate a waiting list based on bands (levels) of need to assist the allocation of pitches (Appendix i).

5.2 To apply to join the waiting list and be assessed for a pitch allocation applicants will be asked to complete an application form and provide supporting evidence of proof of identity and address.

### **6.0 WHO CAN APPLY?**

6.1 The waiting list is open only to Gypsy and Traveller households aged 18 and over.

6.2 The policy uses the definition contained within Managing Gypsy and Traveller Sites in Wales Guidance 2015:

*(a) Persons of a nomadic habit of life, whatever their race or origin, including –*

*(i) Persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently, and*

*(ii) Members of an organized group of travelling show people or circus people (whether or not travelling together as such); and*

*(b) All other persons with a cultural tradition of nomadism or of living in a mobile home.*

## **7.0 WHO CANNOT APPLY?**

7.1 Applicants who are subject to immigration control. The Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014 informs the eligibility of persons for allocation of social housing and the eligibility of homeless applicants for housing assistance under Parts 6 and 7 of the Housing Act 1996. By law the Council cannot allocate housing accommodation to anyone who is subject to immigration control within the meaning of prevailing immigration law. The Council reserve the right to seek independent advice to resolve the issue of eligibility.

## **8.0 HOW 'NEEDS' ARE ASSESSED AND PRIORITISED.**

8.1 The Gypsy and Traveller allocation policy aligns as much as is practicable to the bricks and mortar housing allocations scheme, therefore to ensure that pitches are allocated to those families most in need a banding system based on the level of priority will be adopted by the Council.

8.2 Households with the greatest need will be placed in the highest priority band (see paragraph 11, below).

8.3 An applicant may be bypassed for an allocation as per the Bypassing Policy and Procedure (see Appendix ii).

## **9.0 LOCAL CONNECTION:**

9.1 The policy will prioritise households who have a local connection to the county over those who do not.

## **10.0 OVERCROWDING:**

10.1 Overcrowding is defined as when there are more vans on a pitch than is permitted and permission has to be sought from the landlord to be staying there from your landlord. For houses, the definition contained within the Common Housing Register (Homeseach) Policy document will apply.

## **11.0 THE BANDING SCHEME:**

11.1 Applicants will be placed into 1 of 5 bands depending on their level of need as follows (See Appendix 1 for a more details):

### **Band 1 - Exceptional Need**

- You have a caravan or access to a caravan, which is your principal home, but nowhere to locate it (for at least six months). You may need to provide evidence of this and a home visit will be required to verify this (see 12.1)

### **Band 2 - High Need**

- You are living on a MCC site which is overcrowded (with permission).
- You are living on a private site situated within Monmouthshire which is overcrowded.
- You are living in a house situated in Monmouthshire which is overcrowded.

### **Band 3 - Medium Need**

- You are living on a MCC owned site which is not over-crowded
- You are living in a house that is not overcrowded.
- You are living on a private site within Monmouthshire that is not overcrowded

### **Band 4 - Low Need**

- You have a caravan or access but nowhere to locate it and have lived like this for less than six months.
- You have no local connection but are overcrowded.

### **Band 5 - No Need**

- You have no local connection and are adequately housed either in a house or on another site

## **12. EXCEPTIONAL CIRCUMSTANCES (See appendix iii):**

- 12.1 We may, in exceptional circumstances, take other needs into account when prioritising applicants; an assessment of need will be made based on the information included on the application and any other supporting information. Written evidence from a professional is required in these cases.

## **13 ALLOCATION OF PITCHES:**

### **13.1 Verification**

- 13.1.1 Applicants who are offered a pitch will be verified for their suitability and if accepted will be offered a pitch agreement regulated by the Mobile Homes (Wales) Act 2013 to sign. The agreement sets out the terms and conditions for taking a pitch.

13.1.2 In response to changes in welfare benefits and legislation, all new applicants will be required to complete an affordability assessment to ensure the pitch is affordable. Where the pitch is considered to be unaffordable, an applicant will be bypassed for an allocation.

13.1.3 If the visit identifies new information, their application will be re-assessed, which could affect an application. This may result in an offer being withdrawn, the applicant changing bands, being removed from the housing register or being excluded from the register (See Appendix iv for exclusion policy).

13.1.4 An application will be deferred until the applicant provides proof of their change of circumstances. If there is a delay, this may result in an offer being withdrawn.

## 13.2 Allocation

13.2.1 Vacant pitches will be offered to applicants in the highest band with the earliest entry date, that is, the date in which they were placed into the band.

13.2.2 Applicants who are offered a pitch will be verified for their suitability and if accepted will be offered a pitch agreement regulated by the Mobile Homes (Wales) Act 2013 to sign. The agreement sets out the terms and conditions for taking a pitch.

13.2.3 Should more than one applicant in the same band with the same effective date bid for a property, the following selection process will be used to determine the successful applicant:

- 1st choice – The applicant who can demonstrate cumulative (multiple) need
- 2nd choice - The applicant who can best use the property (i.e. size)
- 3rd choice - The applicant who applied to the register first
- 4th choice – The applicant who submitted their bid first

13.2.4 Applicants may be bypassed in line with the Bypassing Policy and Procedure. Applicants have the right to review this decision.

## 13.3 Allocations between Priority Groups

13.3.1 When a pitch becomes vacant consideration will in the first instance be given to applications in priority band 1. If there is no one in priority band 1 applicants in priority band 2 will be considered. If there is no one in either priority band 1 or 2 consideration will be given to applicants in priority groups 3 then 4 and lastly 5.

## 14 APPEALS / REVIEW; COMPLAINTS and SAFEGUARDING PROCEDURE:

14.1 Applicants have a right to request a review if they believe that a decision is wrong if:

- Their application has been refused or they have been removed from the register, on the grounds of eligibility.
- Their application has been excluded from the register on the grounds of serious unacceptable behaviour.
- If they feel all details have not been considered and as a result they have been demoted to a lower band.

14.1.2 Applicants must request review in writing within 7 days of receiving the original decision.

14.1.3 Reviews will be conducted by the Housing & Communities Manager.

14.1.4 All complaints will be investigated in accordance with the organisation's internal complaints procedure.

## Appendix i

<p><b>BAND 1</b>  <b>Urgent Housing Need</b>  <b>Priority within this Band will be by date of entry into Band 1 not original date of application</b></p>
<ul style="list-style-type: none"> <li>• You have a caravan or access to a caravan, which is your principal home, but nowhere to locate it (for at least six months).</li> <li>• Your current living circumstances are having a seriously adverse effect on the physical or mental health of either yourselves or a member of your household.</li> <li>• Your current accommodation is unsanitary or unfit to occupy.</li> <li>• You are experiencing harassment.</li> <li>• You have exceptional medical need where an urgent and immediate move is necessary because current living arrangements present an immediate or substantial risk to life.</li> <li>• You have an exceptional welfare need</li> </ul>
<p><b>BAND 2</b>  <b>High Housing Need</b>  <b>Priority within this Band will be by date of entry into Band 2 not original date of application</b></p>
<ul style="list-style-type: none"> <li>• You are living on a MCC site with permission which is seriously overcrowded – you require 2 or more than the permitted number of caravans or trailers on your current pitch in order to accommodate household members.</li> <li>• You are living on a private site situated in Monmouthshire which is seriously overcrowded. - You require 2 or more than the permitted number of caravans or trailers on their current pitch in order to accommodate household members.</li> <li>• You are living in a house which is overcrowded.</li> <li>• You are a homeless household and you are owed Section 75 Duty</li> <li>• You have children regularly attending school within Monmouthshire.</li> <li>• Your current accommodation is lacking basic amenities</li> <li>• You have a high medical need</li> <li>• You have a high welfare need</li> </ul>
<p><b>BAND 3</b>  <b>Medium Housing Need</b>  <b>Priority within this Band will be by date of entry into Band 3 not original date of application</b></p>
<ul style="list-style-type: none"> <li>• You are living on a MCC council owned site which is not over-crowded</li> <li>• You are living in a house that is not overcrowded.</li> <li>• You are living on a MCC private site that is not overcrowded</li> <li>• You are a homeless household and owed Section 66 or 73 Duty</li> <li>• You are Intentionally Homeless</li> <li>• You have medium medical need</li> <li>• You have medium welfare need</li> <li>• You are living on a council site with permission which is overcrowded – you require 1 or more than the permitted number of caravans or trailers on your current pitch in order to accommodate household members.</li> <li>• You are living on a private site which is overcrowded. - You require 1 or more than the permitted number of caravans or trailers on their current pitch in order to accommodate household members</li> </ul>
<p><b>BAND 4</b>  <b>Low Housing Need</b>  <b>Priority within this Band will be by date of entry into Band 4 not original date of application</b></p>
<ul style="list-style-type: none"> <li>• You have a caravan or access to caravan but nowhere to locate it and have lived like this for less than six months.</li> <li>• You have no local connection but are overcrowded.</li> <li>• You have low medical need</li> <li>• You have low welfare need</li> <li>• You have reduced preference due to two refusals.</li> </ul>
<p><b>BAND 5</b>  <b>No Housing Need</b>  <b>Priority within this Band will be by date of entry into Band 5 not original date of application</b></p>
<ul style="list-style-type: none"> <li>• You have no local connection and are adequately housed either in a house or on another site</li> </ul>



## Bypassing Policy and Procedure

### 1. Policy Principles:

- Blanket bans will not be used.
- A decision to bypass an applicant will only be taken according to the criteria set out in this document.

2. It is not possible to describe every situation where an applicant may be bypassed. The following checklist describes the most common:

<b>The property is not suitable for a disabled applicant's long term needs</b>	When considering an offer of accommodation to applicants with a disability, their current and long term
<b>Applicant not suitable for social housing allocation with communal entrances/facilities</b>	Applicants who are vulnerable or pose a risk to themselves or others can be bypassed.
<b>Applicants who are vulnerable and have high support needs or applicants who require a sensitive letting such as MAPPA cases</b>	<p>This may be where:</p> <ul style="list-style-type: none"> <li>• An applicant may be too vulnerable/lack capacity and considered not able to sustain a tenancy.</li> <li>• There may be a risk to the applicant or others, where for example, a MAPPA case needs to be housed.</li> </ul>
<b>Current arrears/former tenancy related debt</b>	<p>Where information on former tenant arrears only emerges after an offer is made, that offer may be withdrawn. This would be where the arrears are above 19 weeks' net rent or £500 (A payment plan would also need to be in place and paid for at least 13 weeks.) Applicants with a housing related debt up to £500 or 19 weeks net rent (whichever is lower), could be considered for housing, providing that they had agreed to a repayment plan and there is evidence that they are actively following the plan. Adherence with the plan would be checked prior to an offer of accommodation being made by the landlord concerned and would be at their discretion.</p> <p>Where information of pending or outstanding charges only emerges after an offer has been made, that offer may be withdrawn by that housing association. This would apply to charges for repairs with a total value of over £500.</p>

	needs will be assessed with regards to the suitability of the property.
<b>Medical needs</b>	Where the property does not meet the medical needs of the applicant.
<b>Pending information</b>	Where an applicant will not provide relevant information.
<b>Wrong banding</b>	Where the applicant's circumstances may have changed, which alters their band and means that they no longer qualify for the offer.
<b>Pre void inspection</b>	Where a pre-void inspection is carried out and a property has been damaged/neglected.
<b>Affordability</b>	Where it cannot be proved that welfare benefits will be paid to an applicant to sustain a tenancy or a person hasn't been employed for a minimum of three months (with an income sufficient to sustain a tenancy) or does not have sufficient enough savings to sustain a tenancy for at least 12 months, an applicant will be bypassed.
<b>Senior Officer Discretion</b>	Exceptional circumstances not listed in this table.

Where there are applicants who are extremely vulnerable or considered to pose a risk to themselves or to others, the Verifying Officer will decide whether they are ready to sustain a tenancy and what support package is required, so that an offer can be made.

The following bullet points illustrate the type of information the Verifying Officer can consider in determining whether an offer can be made and what support packages should be in place to help sustain the tenancy:

- Details of any long-term illness, health problems or disability that requires specific or specialist housing, care or support.
- Details of other care and support needs, for example because of vulnerability due to learning difficulties.
- Details of proposed, existing and previous packages of care provision provided by statutory or other bodies where known.
- Relevant and reasonable information with regard to previous history of anti-social behaviour that might impact on the safety of the community.
- Type of accommodation moving from and any additional available accommodation history.

## Exceptional Circumstances

### 1.0 Medical Priority

- 1.1. Applicants who have a medical need will be required to complete a Medical Assessment Form and to provide evidence to support the medical application.
- 1.2 Applicants will only be offered additional priority if their medical condition or that of a member of their household, necessitates a move. The medical assessment is not based on the seriousness of an applicant's condition, but is solely based on the impact of their current housing or in exceptional circumstances the location.
- 1.3 Additional priority will only be given to homeowners for a social housing allocation, where they can prove that they do not have financial resources or equity in a property, to purchase another suitable property.
- 1.4 Priority given due to unsatisfactory or unfit housing will be considered on a case by case basis in conjunction with Environmental Health. Some discretion will be needed, it will depend on how urgent the matter is before banding is decided.
- 1.5 The Verifying Officer will decide whether to award priority or not, on the basis of an assessment of the information provided in the Medical Assessment Form and any additional information provided by the GP, hospital or consultant or via suitable supporting evidence.
- 1.6 Applicants may be placed into one of the following bands following an assessment of their medical need:
  - **Band 1 – Exceptional Medical Need**, where applicants are unable to continue to occupy their current accommodation. Or the applicant is unable to leave hospital due to their current permanent housing being unsuitable. An applicant's circumstances will be reviewed after 3 months.
  - **Band 2 – High Medical Need**, where the medical condition and or disability, is having a significant detrimental effect on the ability to live independently.
  - **Band 3 – Medium Medical Need**, where a move to suitable alternative accommodation would significantly improve their health, or upon the recommendation of Monmouthshire County Council's Social Services, to enable them to live independently.

- **Band 4 – Low Medical Need**, where there is a low medical condition or disability and a move would improve their health.
- **Band 5 – No Medical Need.** Where there is no medical need or moving accommodation would not address the medical need. Or there is no evidence to suggest a move would produce a significant impact.

1.7 The medical assessment decision will not result in an applicant losing priority if they would otherwise have been placed in a higher band due to other circumstances.

1.8 Applicants can only re-apply for medical assessment or request that any medical priority already awarded is re-assessed, if there has been a change in their circumstances.

## 2 Welfare (Social) Priority

2.1 Applicants who demonstrate that they need to move for welfare or social reasons will be asked to complete a Welfare Assessment Form, to provide evidence to support.

2.2 Applicants will only be offered additional priority if their social wellbeing or that of a member of their household, is significantly affected by remaining in their current accommodation. This will normally relate to the location of the property but can occasionally be caused by the physical condition of the property.

2.3 Additional priority will only be given to homeowners, where they can prove that they do not have financial resources, or equity in a property, to purchase another suitable property.

2.4 The assessment is based solely on the impact of their current housing, on social well-being and whether a move to alternative housing would improve their welfare.

2.5 Applicants may be placed into one of the following bands:

- **Band 1 – Exceptional Welfare Need**, where applicants are unable to continue to occupy their current accommodation. Where failure to address this would cause exceptional hardship to themselves or others. The applicant's circumstances will be reviewed after 3 months.
- **Band 2 – High Welfare Need**, applicants needing to move urgently on welfare grounds or who need to move to a particular locality. Where failure to meet that need would cause serious hardship to themselves or others. This band will be reviewed after six months.

- **Band 3 – Medium Welfare Need**, where applicants are identified as having a medium need to move on welfare grounds. Where failure to meet that need would result in significant hardship to their social well-being.
- **Band 4 – Low Welfare Need**, applicants assessed as having a low welfare need and moving to alternative accommodation would improve their well-being.
- **Band 5 No Welfare Need** – This is where the applicant is assessed as having no welfare need or moving accommodation would not address the need. Or there is no evidence to suggest a move would produce a significant impact.

2.6 The outcome of a welfare assessment will not result in the applicant losing priority if they would otherwise be placed in a higher band due to other circumstances.

### **3 Effective Date for Applicants with a Medical/Welfare Need**

3.1 Where an application indicates a medical or welfare need, following assessment, the effective date will be the date of their housing application. This will only apply to those applicants who have made us aware of this need at the time of their application.

### **4 Change of Circumstances for Medical and Welfare Cases**

4.1 Applicants who have been awarded medical or welfare priority who subsequently submit a change in circumstances will have their medical or welfare priority removed. They will need to re-apply for medical or welfare priority.

## EXCLUSIONS POLICY

Where relevant effort has been made to align or match the policy to that operated under the Monmouthshire Homeseach Allocations Policy 2013.

### 1. INTRODUCTION:

- 1.1 This document is a sub-policy and procedure of the Gypsy and Traveller Waiting List Policy (GTWL). It describes the circumstances in which an applicant can be excluded from the GTWL and also describes how long we will exclude and what an applicant needs to do to have the exclusion removed. We are committed to minimising the number of exclusions we make, however, there will be certain circumstances when it will be necessary.
- 1.2 The policy applies to all applications on the GTWL including existing tenants who wish to transfer and other applicants who are not currently our tenants.

### 2. WHAT IS AN EXCLUSION?

#### 2.1. Exclusions.

- 2.1.1 Exclusion occurs when an applicant has been assessed and but for their behaviour would have been accepted onto the waiting list. They will remain excluded until certain conditions have been met, for example, a certain period has elapsed, their conduct has changed; or there has been a change in circumstances. Generally the applicant will be expected to take prescribed action to address their untenable behaviour, such as making payments to reduce rent arrears. We will seek to avoid using prescribed actions that are likely to be unreasonable for an applicant to meet.
- 2.1.2 In addition, a joint allocation will not be made where one applicant is excluded from the register.

#### 2.2 Inclusion.

- 2.2.1 When an applicant has satisfied the prescribed measures to address the behaviour which has resulted in their being excluded they will then be assessed on their housing need. The onus will be on the applicant to prove that his/her behaviour has improved sufficiently and been sustained, before consideration will be given to accepting the applicant onto the GTWL.

### 3. LEGAL FRAMEWORK:

- 3.1 This Policy is framed and governed by relevant legislation and code of guidance, the following acts and provisions;

- Part VI Housing Act 1996, as amended by Homelessness Act 2002 and Housing (Wales) Act 2014, sets out the legal framework for the allocation of accommodation by local authorities and registered social landlords.
- Anti-social Behaviour, Crime and Policing Act 2014)
- The Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness 2015.

### 3.2 In particular the following provisions Under the Housing Act 1996

- S.160A (7) of the 1996 Act a local authority may, where it is satisfied that an applicant (or household member) is guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant at the time their application is considered, decide to treat the applicant as ineligible for an allocation.
- S160A (8) provides that the only behaviour which can be regarded as unacceptable for the above purposes is behaviour by the applicant (or household member) that would, if the applicant had been a secure tenant of the local authority at the time, have entitled the authority to a possession order under s.84 of the Housing Act 1985 in relation to any of the discretionary grounds in Part 1 of Schedule 2, other than Ground 8. These are fault grounds and include behaviour such as non-payment of rent, breach of tenancy conditions, conduct likely to cause nuisance or annoyance, and the use of property for immoral or illegal purposes. Under s.84 of the Housing Act 1985, the court can only make a possession order if satisfied in all the circumstances that it is reasonable to do so.
- S160A (3) provides that a person subject to immigration control, within the meaning of the Asylum and Immigration Act 1996, is ineligible for accommodation unless prescribed in the Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014.
- S167 (4A)(d) provides that an applicant has the right to request a review in relation to eligibility or loss of preference and the right to be informed of this right. They must also be informed of the ground(s) for any decision affecting eligibility or resulting in reduced preference.

3.3 And under the Anti-social Behaviour, Crime and Policing Act 2014, if an applicant's conduct entitles possession under the act, a landlord is entitled to decide that the applicants is ineligible for an allocation.

## 4. **POLICY AIM:**

4.1 The aim of the policy is

- To ensure fair and equal treatment for all applicants.
- To efficiently manage access to accommodation where applicants have breached the terms of their tenancy agreement.
- To minimise exclusions.
- To recognise individual circumstances and acute housing need.
- To ensure that the applicants excluded are formally monitored.
- To reinstate applicants to the GTWL at the earliest opportunity once they have addressed the reason that has led to their exclusion.
- To be accountable through an open and transparent appeals process.
- To ensure that applicants for housing are given fair and equal treatment regardless of disability, gender, age, race, culture, sexual orientation, marital status or religion in line with the partner landlord's equalities policies.
- To be sensitive to applicants' individual needs and tailor our services and approach, where practical to do so.
- To ensure that all applications are processed within the legal framework as detailed in the Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness 2015.
- To ensure that vulnerable applicants are not disproportionately affected by this Policy.

## **5. POLICY CONTENT:**

### **5.1 Implementation of the Policy**

5.1.1 Applicants subject to MAPPA Level 3 are exempt from this policy due to the need to manage these applicants and the statutory duty placed on the Authority as a partner to MAPPA and the RSL's as a duty to co-operate body.

5.1.2 Each application will be assessed on an individual basis, with relevant and available information taken into account.

5.1.3 We will work collaboratively with the police and probation services and other agencies to share information as appropriate.

### **5.2 Reasons for Exclusion**

5.2.1 Applicants can be excluded for unacceptable behaviour - the following reasons (not exhaustive) can constitute unreasonable behaviour:

- Outstanding current and /or former tenancy debt (social or private)
- Anti-social behaviour/ASB Injunction
- Tenants who have had their tenancy demoted due to ASB.



- Other breach of tenancy conditions (social or private)
- Refusals (after 3rd refusal)
- Use of property for immoral or illegal purposes
- Immigration status/ineligible person from abroad
- Criminal convictions
- Being violent towards a partner or members of the family (potentially without conviction).
- Obtaining a tenancy by deception, for example, by giving untrue information or by withholding information.
- Paying money to illegally obtain a tenancy.
- Allowing the condition of a property to deteriorate beyond a level deemed reasonable by the Verifying Officer
- Having lost accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there.

5.2.2 Unacceptable behaviour is defined as behaviour which would, if an applicant or member of their household was a secure tenant, entitle MCC to possession under Grounds 1-7 in, Schedule 2 of the Housing Act 1985. To be reasonably classed as unacceptable behaviour there must be a belief that the court would be prepared to grant a possession order based on the behaviour (normally an outright order should be expected). The circumstances at the time of the application must also still mean the applicant is unsuitable. Previous unacceptable behaviour or even an outright possession order, may not justify a decision to treat the applicant as ineligible where that behaviour can be shown by the applicant to have improved.

5.2.3 When determining unacceptable behaviour a three stage test will be applied as laid down by paragraphs 2.32 – 2.44 of 2015 Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness.

5.2.4 It is not necessary for the applicant to have actually been a tenant of the local authority or RSL when the unacceptable behaviour occurred.

5.2.5 When considering cases of rent arrears for exclusion, consideration should be given as to whether the rent arrears are caused by Welfare Benefit Reform or directly attributable to the actions of the applicant. Consideration should also be given to arrears prior to Welfare Benefit Reform. Also, any pre-tenancy advice given to tenants concerning financial capability.

### 5.3 **Applying and Removing an Exclusion**

### 5.3.1 Property Related Debt:

For the purpose of this policy, when an assessment is carried out all property related debt will be taken into consideration, associated with either a current or former tenancy with any private or social housing provider in the UK. Only debts that are both recoverable and not statute barred will be taken into consideration. These include (but are not limited to) any:

- Current or former tenancy rent arrears;
- Outstanding re-chargeable repairs;
- Current and former housing related service charge arrears;
- Bed and breakfast charge arrears
- Housing benefit or universal credit housing element over-payments;
- Associated court costs.

5.3.2 Property related debts apply to both the applicant, spouse, joint applicant and partner of their prospective household.

5.3.3 Where the property related debt is over £500 or the equivalent of 19 weeks net rent (whichever is lower), the application for housing would be automatically excluded. The applicant would not be actively considered for a pitch until such time as they have:

- Entered into a repayment plan with the former and current landlord;
- Made a minimum of 13 consecutive weekly payments, at an agreed level; and
- Repaid a minimum of 25% of the debt.

5.3.4 This process can only be circumvented where the debt is repaid in full. Or where highly exceptional and significant circumstances exist, and the need to move is considered urgent. Although, this does not mean recovery of the debt will not be pursued by the relevant landlord.

5.3.5 Applicants with a housing related debt of below £500 or up to and including 18 weeks net rent, could be considered for housing immediately providing that they had agreed and were actively following a repayment plan. Adherence with the plan would be checked prior to an offer of accommodation being made by the landlord concerned and would be at their discretion.

5.3.6 Where the applicant or a member of their prospective household has entered into a repayment plan to clear a property related debt before the application for housing was made, the criteria set out in paragraphs 5.3.5 would still apply.

- 5.3.7 Once accepted on the waiting list, regular agreed payments should be maintained up to the point of an offer of accommodation. If this is not the case, the applicant will be given 48 hours to make up the missed payments otherwise the offer will be withdrawn.
- 5.3.8 The review process and the circumstances when the exclusion will be removed are to be decided on a case by case basis.
- 5.3.9 Sanctions under this policy will be implemented at the point the application is registered save for those cases where information has come to light during the course of the 'live' application. This is to ensure that the applicant is made aware at the earliest stage of the application and is able to address their behaviour.
- 5.3.10 For applicants who are referred under this policy during their live application or at the 'offer' stage, because information has come to light, it will be for the RSL to show that this information was not available at the time of registration or would not have come to light under normal investigative procedures. Failure to show this may result in the applicant not being excluded.
- 5.3.11 An exclusion can be removed at an applicant's request. In most cases a review will be reconsidered when there is clear evidence that:
- The applicant (or a member of their prospective household) has addressed their behaviour to the satisfaction of the Reviewing Officer.
  - There has been no cause for complaint against the applicant (or members of their prospective household) for a continuous period of 12 months (depending on the severity of the behaviour) from the point where action has been agreed with the applicant to address their behaviour or other identified problems. The onus is on the applicant to inform Monmouthshire County Council's Housing Strategy that any condition imposed has been met to resolve the exclusion. Applicants that are considered vulnerable, will, however, still be contacted by Housing Strategy to discuss their prescribed actions and enquire if they are able to be restored to the housing register.
- 5.3.12 Excluded applicants will be eligible to join or re-join the GTWL once their unacceptable behaviour has been addressed. Their effective date will be the date that their exclusion was lifted.
- 5.4 Notifying Applicants of the Exclusion**
- 5.4.1 Applicants will be notified in writing if their application for housing is subject to the sanction. Applicants will be told why they have been excluded, how long it is for, what they need to do to address the behaviour, and how to inform the Housing Strategy that their behaviour has

been addressed. They will also be advised of the appeals procedure. If considered necessary this information will also be given verbally and/or translated.

## **5.5 Appealing an Exclusion**

- 5.5.1 Applicants can exercise this right to review verbally or in writing. In the first instance any additional information should be sent to the Verifying Officer to enable them to informally reassess their decision. Known circumstances at the time of the review will be taken into consideration. Applicants will be given at least 5 working days to provide further information. If the Verifying Officer is satisfied that the decision to exclude is correct they will forward the case to the Reviewing Officer who will undertake a formal review of the original decision. The Reviewing Officer will request any additional information within 28 days of the papers being received from Housing Strategy Officer and will make a decision after 28 days.
- 5.5.2 Applicants will be notified of the outcome of the appeal within 21 days from the date of receipt of the appeal letter.

The Reviewing Officer will consider:

- Whether the application would result in the applicant being awarded reasonable preference under the Council's allocation scheme. If so, whether the applicant's circumstances (or those of a member of the applicant's household) are so exceptional that the exclusion decision should be overturned.
- Will assess the case using guidance criteria and will record all decisions reached with full reasons on that decision. The applicant will receive a written decision with the full reasons set out.
- Please note that the council cannot waive the eligibility exclusion rules for applicant's who are legally not allowed to access social housing under the eligibility rules set by Welsh Government and such cases will not be referred to Reviewing Officer.

## **6. STAFF TRAINING AND DEVELOPMENT:**

- 6.1 The Council will provide detailed training for staff of the MHR landlords who implement this policy and procedures. This ensures that we meet our legal duties and follow good practice guidance.

## **7. MONITORING AND REPORTING:**

- 7.1 Monitoring is essential to evaluate how effectively we meet our legal requirements and the policy and procedural guidance.
- 7.2 The following indicators will be monitored by the Council:

- No. of exclusions and a breakdown of the reasons;
- The average length of time applicants are excluded by reason;
- The number of excluded applicants as a percentage of the total number of applicants on the GTWL;
- The number of appeals of exclusion;
- The number of appeals upheld and decisions over-turned by reason;
- The length of time between receipt of the appeal letter and notification of the appeal outcome.

**8. REVIEW:**

- 8.1 The Council will review this policy 3 years, or earlier if required in light of changes in the law or good practice guidance.

Members of the group comprised of the following organisations:

- MCC Elected Members
- SE Wales Regional Equality Council including the Gypsy & Traveller Liaison Officer
- Equalities Officer (MCC)
- Adult Social Services (MCC)
- Rural Programmes Manager (MCC)
- Specialist Environmental Health Officer (MCC)
- Monmouthshire Housing Association
- Melin Homes
- Planning Policy Department (MCC)
- Housing Options Team (MCC)
- Children's Services - Safe Guarding in Education
- Principal Officer Inclusion Officer - Children and Young People (MCC)
- Deputy Head of Gwent Education Minority Ethnic Service (GEMS)
- Senior Commissioning Officer, Supporting People (MCC)
- Housing & Communities Manager (MCC)
- Members of the G & T Community

### Consultation Comments / Queries

Arising out of the consultation one comment was received:

#### Comment

“I think your draft is far too early as you’ve told me that you haven’t even identified anywhere for a site to be built in Monmouthshire. So currently there are no pitches to allocate and this feels like putting the cart before the horse”

#### Reply

There is a Welsh Government expectation that local authorities produce an allocation policy even those authorities that do not currently have sites. This is seen as a positive step for engagement with the Gypsy and Traveller community and will form part of the evidence base that will inform any Gypsy and Traveller Accommodation Assessments in the future.

**Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council**

<b>Title of Report:</b>	<b>Gypsy &amp; Traveller Pitch Allocation Policy</b>
<b>Date decision was made:</b>	<b>23<sup>rd</sup> January 2018</b>
<b>Report Author:</b>	<b>Stephen Griffiths</b>

<b>What will happen as a result of this decision being approved by Cabinet or Council?</b>	
Page 98	<ul style="list-style-type: none"> <li>• Members of the Gypsy &amp; Traveller community will be able to register for appropriate future accommodation.</li> <li>• Its adoption will also contribute to the evidence base for future Gypsy and Traveller Accommodation Assessments.</li> <li>• It also serves as a means of engaging with Gypsy and Traveller Community</li> </ul>
12 month appraisal	

<b>What benchmarks and/or criteria will you use to determine whether the decision has been successfully implemented?</b>	
the following will be monitored:	
<ul style="list-style-type: none"> <li>• Number of applicants from the Gypsy and Traveller Community</li> </ul>	




**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?**

There are no costs or saving associated with the update

12 month appraisal

Any other comments

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## Future Generations Evaluation

(includes Equalities and Sustainability Impact Assessments)

<p><b>Name of the Officer</b> completing the evaluation Stephen Griffiths</p> <p><b>Phone no:</b> 01633 644455 <b>E-mail:</b> stephengriffiths@monmouthshire.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p><b>Gypsy and Traveller Pitch Allocation Policy.</b></p> <p>The proposed policy sets out the criteria that will be used to establish eligibility to register for a pitch in Monmouthshire and the criteria that will be used to assess accommodation need..</p>
<p><b>Name of Service</b></p> <p>Housing &amp; Community Services</p>	<p><b>Date Future Generations Evaluation form completed</b></p> <p>12<sup>th</sup> January 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><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>A neutral contribution.</p>	
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and</p>	<p>A neutral contribution</p>	



<b>Well Being Goal</b>	<b>How does the proposal contribute to this goal? (positive and negative)</b>	<b>What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?</b>
can adapt to change (e.g. climate change)		
<b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood	It positively contributes to the health of Gypsy and travellers through the provision of good quality site accommodation.	
<b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected	It positively contributes by helping the Gypsy and Traveller community settle in the area while at the same time acknowledge their tradition of being mobile. This will decrease the need for the Gypsy and Traveller community to set up unlawful encampments in unsuitable areas.	Through the provision of official sites both transit and permanent sites.
<b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	The Gypsy and Traveller Community will have better facilities that will contribute to better physical wellbeing and will offer the Community the opportunity to better integrated into the general community as a whole.	
<b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People	A neutral contribution	

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?
are encouraged to do sport, art and recreation		

**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>Balancing short term need with long term and planning for the future</p>	<p>The Policy has taken an evidenced based approach in determining the accommodation needs of the Gypsy and Traveller Community and offers a robust mechanism of allocating pitches based on levels of need both in the short term and for longer term planning.</p>	
 <p>Working together with other partners to deliver objectives</p>	<p>A steering group was set up comprising of important key stakeholders and members of the Gypsy and Traveller community for the purpose of overseeing and taking ownership of the GTAA. The introduction of the policy was a recommendation of the GTAA. Further consultation will be sought from the group after the paper has gone to Select.</p>	
 <p>Involving those with an interest and seeking their views</p>	<p>As above.</p>	

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Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	Not applicable	
 <p>Integration</p> <p>Positively impacting on people, economy and environment and trying to benefit all three</p>	This requires further consideration.	

**3. Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	None	None	
Disability	None	None.	
Gender reassignment	None	None	
Marriage or civil partnership	None	None	
Race	The assessment will have a positive impact on the Gypsy and Traveller community by the provision of suitable sites	None	
Religion or Belief	None	None	
Sex	None	None	
Sexual Orientation	None	None	
Welsh Language	None	None	

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

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	None	<i>No negative impacts</i>	
Corporate Parenting	None	No negative impacts	

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

<p>Census Data Housing Register data</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 105</p>	
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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?

<p>The main positive benefits of this policy are:</p> <ul style="list-style-type: none"> <li>• Additional accommodation options for Gypsy and Traveller households</li> <li>• The Council is better able to meet its statutory duties under the Part 3 Housing (Wales) Act 2014</li> <li>• The reduction in unlawful encampments within the County</li> </ul> <p>The main negative impacts are: None identified to date</p>
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**7. Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable. Yes**

<b>What are you going to do</b>	<b>When are you going to do it?</b>	<b>Who is responsible</b>	<b>Progress</b>
Convening the steering Group to further consult on the policy.	November / December	Stephen Griffiths	completed
Re - submit to Select after consultation.	December / January 2018	Stephen Griffiths	
Submit to Cabinet	February 2018	Stephen Griffiths	
Review the Policy and submit to Select	February 2019	Stephen Griffiths	

**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.**

<b>The impacts of this proposal will be evaluated on:</b>	During December 2018 - January 2019 and submitted to Select
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<b>SUBJECT:</b>	<b>RECRUITMENT FOR MATERNITY COVER: DEVELOPMENT MANAGEMENT TEAM</b>
<b>MEETING:</b>	<b>INDIVIDUAL CABINET MEMBER DECISION (ENTERPRISE)</b>
<b>DATE:</b>	<b>28<sup>th</sup> FEBRUARY 2018</b>

**NON-PUBLICATION:** n/a

**1. PURPOSE:**

1.1 This report seeks the Cabinet Member for Enterprise's approval to recruit a temporary Senior Development Officer (SDMO) Band I, SCP 37 - 41 to provide maternity cover for i) initially, the post RDC14 which is a Development Management Officer (DMO) role (Band F SCP 25 - 29) for two months from April 2018 and then ii) to cover the post RDC33 which is a SDMO role for the remainder of the twelve month contract, providing resilience in the Development Management service while two colleagues are on maternity leave.

**2. RECOMMENDATIONS:**

2.1 That Cabinet Member:  
Approves this recruitment of the temporary SDMO for this twelve month period.

**3. KEY ISSUES:**

3.1 While the Planning Service has been operating well, it will be under pressure to accommodate planning application workload while two officers in the DM team who are case officers for planning applications are on maternity leave. The post holder of RDC14 has already gone on maternity leave (for six months, returning in July 2018). This officer deals primarily with less complex applications, including householder applications, advertisements and certificates of lawfulness. While these are generally more straightforward this role is expected to handle a large caseload as well as sharing in covering our daily duty officer arrangements, attending regular team meetings and undergoing training on our new planning application data base system which is anticipated to 'go live' from early March 2018.

3.2 It is proposed to recruit a temporary Senior DMO to cover this more junior post from April to May 2018 so that the successful candidate can be trained up to use the team's new software, understand our Systems approach to dealing with applications (which can be quite different to the processes in Planning teams that have not adopted such an innovative approach) and be assimilated into our working practices in general. This two month period would enable the current post holder of RDC33 to mentor the appointed candidate during this period before she goes on maternity leave for ten months from June 2018 (returning April 2018). The temporary SDMO would then cover this more senior post for the ten month period that has been indicated as the intended maternity leave period by the current post holder.

3.3 In respect of covering the DMO post RDC14, an existing colleague who works part time but carries out a similar role has been approached to see if they would consider undertaking extra hours to help cover the maternity leave period, but this opportunity was declined for personal reasons.

3.4 There is a small cost implication for the service which involves covering the more junior RDC14 post with a Senior DMO for the two month period, April - May 2018, until the Senior

Officer goes on maternity leave. The cost would equate to £7,200 over 2018/19. This would be managed by existing staff budgets and would not have a significant resource impact.

3.5 No colleagues would be detrimentally impacted by this proposal. Informal staff consultation has already taken place.

#### **4. OPTIONS APPRAISAL**

4.1 The recruitment of a Senior DMO to cover maternity leave, as proposed as part of this report is considered essential to maintain an improving our i) pre-application advice and ii) planning application services based on current workload. Dealing with planning applications is a statutory requirement of the Council and a "Do Nothing" option would leave the service at risk of falling standards and could potentially lead to re-funds of application fees if the turnover of applications is not maintained. The failure to recruit in the manner suggested would send out a negative message to other officers in the team who are dealing with planning applications and applications for pre-application advice and who would otherwise have to absorb the workload carried out by two DM officers. Over 2016/17 the two officers concerned determined 240 planning applications between them which gives an indication of the level of work involved. Ultimately, the Do Nothing approach would not provide a service that the customer is looking for. Therefore this is not considered a suitable alternative to creating a customer-focussed, innovative and responsive planning service.

#### **5. EVALUATION CRITERIA**

5.1 An evaluation assessment has been included at Appendix B for future evaluation of whether the decision has been successfully implemented as part of the Planning Service's Annual Performance Report. The successful candidate would have their performance appraised regularly via 1:1s, Check in Check Outs and would be subject to the standard six month probation period.

#### **6. REASONS**

6.1 The reasons for the proposed recruitment are summarised below:

- Resilience is required to provide maternity cover for two officers in the DM Team who handle planning applications; this will help maintain our culture of providing a customer-focussed, efficient planning application service;
- The two month period to allow the temporary Senior DMO to cover the more junior post RDC14 would provide a valuable induction period for this new post holder to be integrated into the DM team and its work practices during a period of rapid change owing to the introduction of a new computer software system;
- The recruitment would provide greater capacity to drive forward service improvement and delivery to our customers.

#### **7. RESOURCE IMPLICATIONS:**

7.1 The proposed recruitment results in additional staffing costs of £7,200. This would be met within existing budgets as explained above.

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

8.1 There are no significant equality impacts identified in the assessment (Appendix B). Recruitment internally has been considered but would not be feasible owing to a lack of experienced or technically qualified candidates.

There may be beneficial impacts economically or to quality of life from quicker planning decisions in some instances.

The actual impacts from this report's recommendations will be reviewed every month through regular performance appraisal by DM Management. The criteria for monitoring and review will include workload, quality of reports, quality of decisions, timeliness against agreed performance standards and customer feedback.

**9. CONSULTEES**

Senior Leadership Team

Development Services colleagues via 1:1s, Management Team meetings and whole Team meetings.

Chair, Deputy Chair and Lead Opposition Party Member from Planning Committee

Finance Officer (Davina Bridger)

People Services

**10. BACKGROUND PAPERS**

**Appendix A** – Future Evaluation of Implementation (Below)

**Appendix B** - Future Generations Evaluation (Below).

**8. FUTURE GENERATIONS IMPLICATIONS**

The completed Future Generations Evaluation can be found in Appendix B below. In summary, the proposed recruitment is intended to provide a resilient planning application service and to maintain capacity and staff morale. The impact should be positive with no negative impacts identified.

**9. AUTHOR:** Mark Hand – Head of Planning, Housing & Place-shaping

**10. CONTACT DETAILS:**

**E-mail:** [markhand@monmouthshire.gov.uk](mailto:markhand@monmouthshire.gov.uk)

**Tel:** 01633 644803/ 07773 478579

## Appendix A Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council

<b>Title of Report:</b>	<b>RECRUITMENT FOR MATERNITY COVER: DEVELOPMENT MANAGEMENT TEAM</b>
<b>Date decision was made:</b>	
<b>Report Author:</b>	<b>Mark Hand</b>

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

The desired outcome is to maintain timely decisions for applications, providing a good customer experience in relation to the Council's Development Management service.  
Existing staff would not have to absorb the workload of the two officers who are on maternity leave during the twelve month period.

To be completed at 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?

Criteria will include:

Officer performance will be regularly reviewed by line managers against our published measures including applications determined within the statutory 8 week period or within an agreed timescale; performance against our published standards in delivering our pre-application advice service.

There will be a formal review of the individual officer's performance at the six month probation period.

To be completed at 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?

There would be a net cost of £7,200 to the Service. To not implement this proposal would be likely to have an adverse impact on the well-being of staff leading to reduced productivity, possible refunds of application fees, lower morale and higher absenteeism.

To be completed at 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.*

Any other comments



## Future Generations Evaluation (includes Equalities and Sustainability Impact)

<p><b>APPENDIX B</b></p> <p><b>Name of the Officer</b> Mark Hand  <b>Phone no:</b> 07773 478579  <b>E-mail:</b> <a href="mailto:markhand@monmouthshire.gov.uk">markhand@monmouthshire.gov.uk</a></p>	<p><b>RECRUITMENT FOR MATERNITY COVER: DEVELOPMENT MANAGEMENT TEAM</b></p>
<p><b>Name of Service:</b> Planning (Enterprise and Innovation Directorate)</p>	<p><b>Date:</b> Future Generations Evaluation 02 March 2017</p>






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

**1. Does your proposal deliver any of the well-being goals below?**

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>The proposed recruitment seeks to ensure resources are sufficient and that a resilient service is provided for the benefit of colleagues, the wider Council and our communities. The proposal, by definition, provides job opportunities.</p>	<ul style="list-style-type: none"> <li>• Internal recruitment has been considered but will not be feasible in this instance.</li> </ul>
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>Ensuring the planning service is properly resourced is essential to an effective service, part of which includes ensuring our green spaces and cultural heritage is supported.</p>	

<b>Well Being Goal</b>	<b>Does the proposal contribute to this goal? Describe the positive and negative impacts.</b>	<b>What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?</b>
<b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood	Positive impact by ensuring quality services are provided. Showing a commitment to having adequate resources to meet our demanding workload will have a positive impact on the well-being of colleagues.	
<b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected	Positive impact by ensuring quality services are provided	
<b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive impact by ensuring quality services are provided	
<b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Positive impact by ensuring quality services are provided, which includes heritage management.	
<b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances	Positive impact by ensuring quality services are provided and by giving promotion opportunities to colleagues. Increased capacity to deliver service improvements.	

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	<p>The proposal seeks to balance budget pressures with short to medium term capacity issues and longer term service resilience.</p>	
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>Providing a reasonable level of staff capacity will support a better and more responsive service for our partners.</p>	
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>As above</p>	<p>Performance will be monitored via 1:1s, annual appraisals, team meetings and the Annual Performance Report.</p>
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>The rationale for the proposal is to ensure adequate capacity and therefore service delivery.</p>	
 <p>Integration</p> <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>The service contributes to the wellbeing goals and therefore maintaining a high standard of service delivery should have a positive impact on delivering the well-being goals.</p>	

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below. For more detailed information on the protected characteristics, the Equality Act 2010 and the Welsh Language Standards that apply to Monmouthshire Council please follow this

link:<http://hub/corporatedocs/Equalities/Forms/AllItems.aspx> or contact Alan Burkitt on 01633 644010 or [alanburkitt@monmouthshire.gov.uk](mailto:alanburkitt@monmouthshire.gov.uk)

<b>Protected Characteristics</b>	<b>Describe any positive impacts your proposal has on the protected characteristic</b>	<b>Describe any negative impacts your proposal has on the protected characteristic</b>	<b>What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?</b>
Age	Consider the impact on our community in relation to this e.g. how do we engage with older and younger people about our services, access issues etc. Also consider what issues there are for employment and training.	n/a	n/a
Disability	What issues are there are around each of the disability needs groups e.g. access to buildings/services, how we provide services and the way we do this, producing information in alternative formats, employment issues.	n/a	n/a
Gender reassignment	Consider the provision of inclusive services for Transgender people and groups. Also consider what issues there are for employment and training.	n/a	n/a
Marriage or civil partnership	Same-sex couples who register as civil partners have the same rights as married couples in employment and must be provided with the same benefits available to married couples, such as survivor pensions, flexible working, maternity/paternity pay and healthcare insurance	n/a	n/a



Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Pregnancy or maternity	<i>In employment a woman is protected from discrimination during the period of her pregnancy and during any period of compulsory or additional maternity leave. In the provision of services, good and facilities, recreational or training facilities, a woman is protected from discrimination during the period of her pregnancy and the period of 26 weeks beginning with the day on which she gives birth</i>	n/a	n/a
Race	<i>Think about what the proposal will do to promote race equality with the aim of: eliminating unlawful discrimination, promoting equality of opportunity and promoting good relations between persons of different racial groups. Also think about the potential to affect racial groups differently. Issues to look at include providing translation/interpreting services, cultural issues and customs, access to services, issues relating to Asylum Seeker, Refugee, Gypsy &amp; Traveller, migrant communities and recording of racist incidents etc.</i>	n/a	n/a
Religion or Belief	<i>What the likely impact is e.g. dietary issues, religious holidays or days associated with religious observance, cultural issues and customs. Also consider what issues there are for employment and training.</i>	n/a	n/a

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Sex	<i>Consider what issues there are for men and women e.g. equal pay, responsibilities for dependents, issues for carers, access to training, employment issues. Will this impact disproportionately on one group more than another</i>	n/a	n/a
Sexual Orientation	<i>Consider the provision of inclusive services for e.g. older and younger people from the Lesbian, Gay and Bi-sexual communities. Also consider what issues there are for employment and training.</i>	n/a	n/a
Welsh Language	<i>Under the Welsh Language measure of 2011, we need to be considering Welsh Language in signage, documentation, posters, language skills etc. and also the requirement to promote the language.</i>	n/a	n/a

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

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

Safeguarding	<i>Safeguarding is about ensuring that everything is in place to promote the well-being of children and vulnerable adults, preventing them from being harmed and protecting those who are at risk of abuse and neglect.</i>	n/a	n/a
Corporate Parenting	<i>This relates to those children who are 'looked after' by the local authority either through a voluntary arrangement with their parents or through a court order. The council has a corporate duty to consider looked after children especially and promote their welfare (in a way, as though those children were their own).</i>	n/a	n/a

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

This report is founded upon the following:

- The MCC Corporate Plan
- The Medium Term Financial Plan and 2017/18 budget proposals;
- HoS observations since appointment;
- 1:1s with team members and feedback via Team meetings.

**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 proposed recruitment is intended to provide a resilient and improving service with sufficient capacity to provide a customer-focussed planning application and pre-application advice service. The impact should be positive with no negative impacts identified.

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

What are you going to do	When are you going to do it?	Who is responsible	Progress
n/a			

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

The impacts of this proposal will be evaluated on:	October 2018 via Annual Performance Report
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9. **VERSION CONTROL:** The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1.	<i>Submission of the staff recruitment report</i>	<i>February 2017</i>	<i>This will demonstrate how we have considered and built in sustainable development throughout the evolution of a proposal.</i>



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