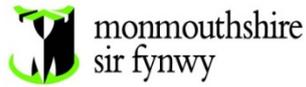


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County Hall  
Rhadyr  
Usk  
NP15 1GA

Wednesday, 17 April 2019

## Notice of meeting

### Adults Select Committee

**Tuesday, 30th April, 2019 at 10.00 am,  
Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA**

*Please note that a pre meeting will be held 30 minutes prior to the start of the meeting for members of the committee.*

### AGENDA

Item No	Item	Pages
1.	<b>Apologies for absence</b>	
2.	<b>Declarations of interest</b>	
3.	<b>Public Open Forum</b>	
4.	<b>Supplementary Planning Guidance on Affordable Housing Commuted Sums</b>  To engage the committee during the consultation period to inform drafting of suitable policy guidance.	1 - 54
5.	<b>Eco Flex Policy</b>  To discuss the merits and implications of declaring a 'Statement of Intent' and adopting this new policy.	55 - 68
6.	<b>To confirm the minutes of the previous meeting held on 29th January 2019</b>	69 - 74
7.	<b>Adult Select Committee Forward Work Programme</b>	75 - 78
8.	<b>Council and Cabinet Forward Work Programme</b>	79 - 84
9.	<b>Date and Time of Next Meeting: Tuesday 18th June 2019 at 10am</b>	

**Paul Matthews**

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**Chief Executive / Prif Weithredwr**

MONMOUTHSHIRE COUNTY COUNCIL  
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillors:

D. Blakebrough  
L.Brown  
L.Dymock  
R. Edwards  
M.Groucutt  
R. Harris  
P.Pavia  
J.Pratt  
S. Woodhouse

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# Aims and Values of Monmouthshire County Council

## Our purpose

Building Sustainable and Resilient Communities

### Objectives we are working towards

- Giving people the best possible start in life
- A thriving and connected county
- Maximise the Potential of the natural and built environment
- Lifelong well-being
- A future focused council

## Our Values

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

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

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

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

## Monmouthshire Scrutiny Committee Guide

### Role of the Pre-meeting

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

### Questions for the Meeting

#### Scrutinising Performance

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

#### Scrutinising Policy

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

### Questions for the Committee to conclude...

- Do we have the necessary information to form conclusions/make recommendations to the executive, council, other partners? If not, do we need to:
- (i) Investigate the issue in more detail?
  - (ii) Obtain further information from other witnesses – Executive Member, independent expert, members of the local community, service users, regulatory bodies...
  - (iii) Agree further actions to be undertaken within a timescale/future monitoring report...

### General Questions....

#### Empowering Communities

- How are we involving local communities and empowering them to design and deliver services to suit local need?
- Do we have regular discussions with communities about service priorities and what level of service the council can afford to provide in the future?

#### Service Demands

- How will policy and legislative change affect how the council operates?
- Have we considered the demographics of our council and how this will impact on service delivery and funding in the future?

#### *Financial Planning*

- Do we have robust medium and long-term financial plans in place?
- Are we linking budgets to plans and outcomes and reporting effectively on these?

#### *Making savings and generating income*

- Do we have the right structures in place to ensure that our efficiency, improvement and transformational approaches are working together to maximise savings?
- How are we maximising income? Have we compared other council's policies to maximise income and fully considered the implications on service users?
- Do we have a workforce plan that takes into account capacity, costs, and skills of the actual versus desired workforce?

**SUBJECT: MONMOUTHSHIRE LOCAL DEVELOPMENT PLAN REVISED DRAFT AFFORDABLE HOUSING SUPPLEMENTARY PLANNING GUIDANCE**

**MEETING: ADULTS SELECT COMMITTEE**

**DATE: 30 APRIL 2019**

**DIVISION/WARDS AFFECTED: ALL**

## **1. PURPOSE:**

- 1.1 The purpose of this report is to inform Adults Select Committee of the preparation of the Revised Draft Affordable Housing Supplementary Planning Guidance (SPG) which is currently subject to public consultation, and to seek any comments from the Committee.

## **2. RECOMMENDATIONS:**

- 2.1 To seek the Committee's comments on the Revised Draft Affordable Housing Supplementary Planning Guidance (SPG) to inform the content prior to its adoption.

## **3. KEY ISSUES:**

- 3.1 The Monmouthshire County Council LDP 2011-2021 was adopted on 27th February 2014 to become the adopted development plan for the County (excluding that part within the Brecon Beacons National Park). The Affordable Housing SPG, adopted in March 2016, was prepared to provide further clarification on the interpretation and implementation of the LDP's affordable housing policies. Since the SPG was adopted a number of issues have arisen in relation to the viability of affordable housing provision on certain types of development sites, which triggered the need to revise the SPG. The Draft SPG provides guidance on how affordable housing policies will be implemented, in particular with regard to commuted sums payable on small-scale developments. The revised SPG has been informed by evidence and experience gathered over the last 2 years since the current SPG was adopted.
- 3.2 Selective use of SPG is a means of setting out more detailed thematic or site specific guidance in the way in which the policies of an LDP will be applied in particular circumstances or areas. The Draft Development Plans Manual Edition 3 (Welsh Government, November 2018) notes that:

*'SPG does not form part of the development plan and is not subject to independent examination, but it must be consistent with the plan and with national planning policy. SPG cannot be linked to national policy alone; there must be a LDP policy or policy criterion that provides the development plan 'hook' whilst the reasoned justification provides clarification of the related national policy'*

- 3.3 The Manual further states that SPG can be a material consideration in the determination of planning applications, provided that it is consistent with the development plan and appropriate consultation has been undertaken:

*‘Only the policies in the development plan have special status under section 38(6) of the PCPA 2004 Act in deciding planning applications, but SPG can be taken into account as a material consideration. SPG that is derived from and is consistent with the development plan and has been the subject of consultation will carry more weight’.*

- 3.4 It is proposed that the existing Affordable Housing Supplementary Planning Guidance document (March 2016) is amended as follows:

- Section 2 - The Affordable Housing Issue - data has been updated.
- Section 3 - Affordable Housing Need - data has been updated.
- Section 4A - Developments of 5 or more in Main Towns, Rural Secondary Settlements and Severnside Settlements – this section has been strengthened to clarify that:
  - Developers must take policy requirements into consideration prior to negotiating the purchase of land.
  - Where a viability appraisal is deemed necessary, this appraisal will be undertaken by the District Valuer at the expense of the developer and that the viability appraisal report will be published in the public domain.
- Section 4B – Developments of 1 – 4 dwellings in Main Towns, Rural Secondary Settlements and Severnside Settlements – this section has been amended to clarify that:
  - Single Barn conversions will now be exempt from making a financial contribution towards affordable housing. This is based on evidence of the high build costs associated with such projects. For barn conversions where there is a net increase of two to four dwellings, a financial contribution towards affordable housing will be sought.
  - Commercial conversions, e.g. flats above shops, 1 – 4 units will be exempt from making a financial contribution towards affordable housing. This is based on evidence of viability challenges associated with such projects, combined with the desire to encourage the efficient use of under-used sustainably located buildings to support housing delivery and settlement vitality.
  - Listed buildings for conversion to 1 – 4 units will also be exempt from making a financial contribution towards affordable housing due to evidence of high build costs.

The reason for making these changes is that these types of developments have been considered to be unviable following detailed viability appraisals.

- Section 4B1 - the method of calculating a financial contribution towards affordable housing on small sites has been changed to make the contribution simpler to calculate and fairer to developers.

- The previous 3 Dragons Toolkit method calculated the sum per the number of bedrooms in each dwelling. As the dwellings vary considerable in size this method was not thought to be a fair and equitable way to calculate a financial contribution.
- The new method of calculation will be take the internal floor area (m<sup>2</sup>) multiplied by the Community Infrastructure Levy (CIL) rate for the area in which the development is situated and then multiply that figure by 58%, which is the percentage that a developer should fund when no social housing grant is available.  
i.e. Formula: Financial Contribution = Internal Floor Area (m<sup>2</sup>) x CIL Rate x 58%

- Section 4C2 has been rewritten for simplification and clarity.

3.5 The updated SPG is attached at **Appendix 1**.

#### **4 EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):**

4.1 Under the Planning Act (2004), the LDP was required to be subject to a Sustainability Appraisal (SA). The role of the SA was to address the extent to which the emerging planning policies would help to achieve the wider environmental, economic and social objectives of the LDP. The LPA also produced a Strategic Environmental Assessment (SEA) in accordance with the European Strategic Environmental Assessment Directive 2001/42/EC; requiring the 'environmental assessment' of certain plans and programmes prepared by local authorities, including LDP's. All stages of the LDP were subject to a SA/SEA, therefore and the findings of the SA/SEA were used to inform the development of the LDP policies and site allocations in order to ensure that the LDP would be promoting sustainable development. SPG is expanding and providing guidance on these existing LDP policies, which were prepared within a framework promoting sustainable development.

##### Equality

4.2 The LDP was also subjected to an Equality Challenge process and due consideration was given to the issues raised. As with the sustainable development implications considered above, SPG is expanding and providing guidance on these existing LDP policies, which were prepared within this framework.

4.3 In addition, a Future Generations Evaluation is attached. This includes Equalities and Sustainability Impact Assessments (attached as **Appendix 2**)

#### **5 OPTIONS APPRAISAL**

5.1 The options in relation to the Revised Draft SPG are:

1. Adults Select Committee consider and comment, as appropriate, on the Revised Draft Affordable Housing SPG;
2. Adults Select Committee do not comment on the Revised Draft Affordable Housing SPG.

5.2 Option 1: Adults Select Committee consider and comment, as appropriate, on the Revised Draft Affordable Housing SPG. The Revised Draft SPG was issued for public consultation for just over 6 weeks on 11 April 2019. This report provides Adults Select Committee with the opportunity to view the Revised Draft SPG and comment accordingly. Feedback received will be taken into account and will inform the final SPG as appropriate. This is the preferred option.

5.3 Option 2: Adults Select Committee do not comment on the Revised Draft Affordable Housing SPG and would miss an opportunity to help shape this policy guidance document.

Recommendation:

5.4 Based on the above, Option 1 (to consider and comment, as appropriate, on the Revised Draft SPG) is the preferred option.

## **6 EVALUATION CRITERIA**

6.1 The success of the adopted SPG will be monitored via the LDP Annual Monitoring Report. This will include a review of:

- the SPG use in decision-making and the extent to which it informs decisions and is upheld via appeal decisions;
- the amount of money collected as commuted sums;
- instances where viability is debated;
- the percentage of affordable housing secured on site and number of affordable homes secured.

## **7 REASONS:**

7.1 Under the Planning Act (2004) and associated Regulations, all local planning authorities are required to produce a LDP. The Monmouthshire LDP was adopted on 27 February 2014 and decisions on planning applications are being taken in accordance with policies and proposals in the LDP. This Revised Draft SPG provides guidance on the delivery of affordable housing.

## **8 RESOURCE IMPLICATIONS:**

8.1 Officer time and costs associated with the preparation of SPG documents and carrying out the required consultation exercises. Any costs will be met from the Planning Policy budget and carried out by existing staff.

## **9 CONSULTEES:**

- Planning and Housing teams
- SLT
- Cabinet
- Planning Committee was consulted on 2<sup>nd</sup> April 2019. Planning Committee welcomed the proposed changes as a pragmatic approach to securing commuted

sums from small scale developments. The proposal for viability appraisals to be made public responds to a request from elected members and is supported.

- ICMD (10<sup>th</sup> April 2019)

**10 BACKGROUND PAPERS:**

Monmouthshire Adopted LDP (February 2014)

**11 AUTHORS:**

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**Monmouthshire County Council  
Adopted Local Development Plan 2011-2021**

**Revised Draft Affordable Housing  
Supplementary Planning  
Guidance**

**March 2019**

**Planning Policy**

**Monmouthshire County Council**

County Hall, Rhadyr, Usk, Monmouthshire NP15 1GA

**Tel. 01633 644429**

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

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1. ACG Floor Areas
2. Draft Standard Section 106 Agreement for Affordable Housing Financial Contributions
3. How to Calculate Financial Contributions for Affordable Housing.
4. Checklist for Assessing Affordable Housing Requirements

## **1. INTRODUCTION**

- 1.1 This note is one of a series of Supplementary Planning Guidance (SPG) Notes that have been prepared to provide supporting information and advice on the implementation of the Council's development plan policies. The Notes are intended to offer clear guidance on the main considerations that will be taken into account by the Council when reaching decisions on planning applications and in this case how planning policy on affordable housing will be delivered in practice.
- 1.2 This note has been revised in order update housing data in Section 2 and 3 and to provide simplification and clarity with regard to a number of other areas. For example Sections 4A, 4B and 4C2. Section 4B1 has been revised following a change to the method for calculating financial contributions towards affordable housing. These changes are informed by experience and viability evidence.
- 1.3 Status
- 1.3.1 This SPG is prepared in the context of the Monmouthshire County Council Adopted Local Development Plan (LDP), February 2014.
- 1.3.2 SPG supplements the Council's development plan, with only the policies contained in the development plan having the special status that Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides in the determination of planning applications. However, the Welsh Government (WG) advises that SPG may be taken into account as a material consideration in the determination of planning applications and appeals.

## **2 THE AFFORDABLE HOUSING ISSUE**

- 2.1 A significant issue for Monmouthshire is the fact that house prices are high in relation to earnings so that there is a need for additional affordable housing in the County in both urban and rural areas, particularly for those that live and work here.
- 2.2 Affordability of housing is a concern throughout Wales. In October 2018 the average house price for Wales was £186,256 and the house price to earnings ratio was 6:1. For comparison, in Monmouthshire the average house price in September 2018 was £307,600 and the lower quartile house price to earnings ratio was 9:1 (Source: Hometrack 30/10/2018).
- 2.3 These figures illustrate how difficult it is for local people to purchase their first homes or move into larger homes in the County when their family circumstances change. In 2018, the full-time gross weekly pay for Monmouthshire residents was £638.50 (Males £690.90 and Females £567.50), compared to the Wales gross weekly pay of £518.60 (Males £551.90 and Females £474.10). However, the full-time gross weekly pay by

workplace presents a different picture with people working in the County earning only £537.80 per week (Males £578.90 and Females £469.30), compared to the Wales figures of £509.00 per week (Males £541.60 and Females £469.50) (Source: NOMIS 30/10/18). In other words, Monmouthshire has a dual economy. The qualifications, skills and earnings of the residents are above the regional and national average, however, for those working in the area earnings are lower and employment is relatively less skilled.

- 2.4 Monmouthshire's net population growth has historically been due to inward migration: its population would otherwise decline due to their being more deaths than births. The County has a demographically imbalanced population, with an increasing proportion over 65 and over 85 year olds, and a low proportion of 20-40 year olds. With a median age of 48 and a small economically active population, the County's economic base is currently weak. The County's housing market continues to perform strongly, with house sales achieving a high percentage of the asking price, and sales being secured quickly. Properties in Monmouthshire take, on average, 4.6 weeks to sell compared to the Wales average of 10.2 weeks. Properties also achieve, on average, 95% of asking price. House prices, therefore, will remain at a level way above what local people can afford. (Source: Hometrack Housing Intelligence, September 2018)
- 2.5 The planning system is an increasingly important means of improving the supply of affordable housing for local people. Monmouthshire County Council recognises this and is keen to ensure that developers and local people have clear guidance on how its development plan policies and decisions on planning applications will operate and thereby contribute to one of the desired outcomes of the Council's Corporate Business Plan 2017 - 2022. One of the key issues within the plan is 'the provision of quality housing, including affordable housing, to meet the needs of our communities and to address the needs of our changing demography'. The link between housing and health is well established and long standing. The quality of the home has a substantial impact on health; a warm, dry and secure home is associated with better health. In addition to basic housing requirements, other factors that help to improve well-being include the neighbourhood, security of tenure and modifications for those with disabilities. The benefits to health, learning and prosperity are also reflected in page 42 of Planning Policy Wales Edition 10, December 2018. Monmouthshire's Well-being Plan, April 2018 recognises the 'need to readdress the supply and mix of housing stock to ensure suitable and affordable housing is available to all demographic groups'.
- 2.6 This SPG has been prepared in the context of the most recent WG planning policy on affordable housing contained in *Planning Policy Wales Edition 10*, December 2018 and Technical Advice Note 2 *Planning and Affordable Housing*, June 2006.
- 2.7 *Planning Policy Wales (PPW) Edition 10, December 2018*

2.7.1 *PPW* provides the overarching national strategic guidance with regard to land use planning matters in Wales. Paragraph 4.2.1 states in part that ‘new housing development in both urban and rural areas should incorporate a mix of market and affordable house types, tenures and sizes to cater for the range of identified housing needs and contribute to the development of sustainable and cohesive communities’.

2.7.2 Paragraph 4.2.2 of *PPW* 10 states that the planning system must:

- ‘identify a supply of land to support the delivery of the housing requirement to meet the differing needs of communities across all tenures;
- ‘enable provision of a range of well-designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places; and
- ‘focus on the delivery of the identified housing requirement and the related land supply’.

2.7.3 With regard to need, paragraph 4.2.25 states: ‘A community’s need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and determining relevant planning applications.’

## 2.8 Definitions of Affordable Housing

2.8.1 Affordable housing is defined in paragraph 4.2.25 of *PPW* 10:

*‘Affordable housing for the purposes of the land use planning system is housing where there are secure mechanisms in place to ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers’.*

2.8.2 Paragraph 4.2.26 extends this definition further noting:

*‘Affordable housing includes social rented housing owned by local authorities and RSLs (registered social landlords) and intermediate housing where prices or rents are above those of social rent but below market housing rents and prices’.*

These definitions of affordable housing contrast with the definition in paragraph 4.2.26 of general market housing:

*‘All other types of housing are referred to as ‘market housing’, that is private housing for sale or rent where the price is set in the open market and occupation is not subject to control by the local authority’.*

Paragraph 4.2.26 goes on to say:

*‘It is recognised that some schemes may provide for staircasing to full ownership and where this is the case there must be secure*

*arrangements in place to ensure the recycling of capital receipts to provide replacement affordable housing’.*

## 2.9 Affordability

2.9.1 There is a need also to define ‘affordability’. WG guidance defines this as:

*‘the ability of households or potential households to purchase or rent property that satisfies the needs of the household without subsidy’ (WG TAN2, para 4.1).*

The subsidy referred to in the quotation above is a subsidy on the property itself, which helps make it more affordable. There are different levels of subsidy depending on the different types of tenure, therefore creating a wide range of affordable options.

2.9.2 This should be determined in each local housing market area in an authority’s area and would be based on such factors as ratio of household income to the price of property.

## 3. **AFFORDABLE HOUSING NEED IN MONMOUTHSHIRE**

3.1 The **Local Housing Market Assessment (LHMA)** commissioned by the Council in June 2010 sets out a target of 960 affordable homes over the LDP plan period of 2011 -2021. This affordable housing target is reflected in Policy S4. The recent LHMA (September 2018) shows an annual affordable housing shortfall of 468. However, this figure should not be taken as an annual target for delivery of affordable housing as new build homes are not the total solution to the supply of affordable homes in the County. The affordable housing target remains the LDP target of 960 over the 2011-2021 plan period.

## 4. **MONMOUTHSHIRE’S PLANNING POLICIES ON AFFORDABLE HOUSING**

4.1 Policy S4 of the Adopted Monmouthshire LDP is the primary means of achieving the affordable housing target referred to in the above paragraph. Policy S4 sets out the thresholds at which affordable housing has to be provided and the percentage of affordable housing that will be required in each case, depending on the location of the development site.

## Policy S4 – Affordable Housing Provision

Provision will be made for around 960 affordable homes in the Local Development Plan Period 2011-2021. To meet this target it will be expected that:

- In Main Towns and Rural Secondary Settlements as identified in Policy S1 development sites with a capacity for 5 or more dwellings will make provision (subject to appropriate viability assessment) for 35% of the total number of dwellings on the site to be affordable.
- In the Severnside settlements identified in Policy S1 development sites with a capacity for 5 or more dwellings will make provision (subject to appropriate viability assessment) for 25% of the total number of dwellings on the site to be affordable.
- In the Main Villages identified in Policy S1:
  - Development sites with a capacity for 3 or more dwellings will make provision for at least 60% of the total number of dwellings on the site to be affordable.
- In the Minor Villages identified in Policy S1 where there is compliance with Policy H3:
  - Development sites with a capacity for 4 dwellings will make provision for 3 dwellings to be affordable.
  - Development sites with a capacity for 3 dwellings will make provision for 2 dwellings to be affordable.
- In the open countryside developments involving the conversion of existing buildings or sub-division of existing dwellings to provide 3 or more additional dwellings will make provision (subject to appropriate viability assessment) for 35% of the total number of dwellings to be affordable.
- Development sites with a capacity below the thresholds set out above will make a financial contribution towards the provision of affordable housing in the local planning authority area.

Other than in Main Villages, in determining how many affordable houses should be provided on a development site, the figure resulting from applying the proportion required to the total number of dwellings will be rounded to the nearest whole number (where half rounds up).

The capacity of a development site will be based on an assumed achievable density of 30 dwellings per hectare.

4.2 The settlement hierarchy referred to in Policy S4 is set out in LDP Policy S1, namely:

- **Main Towns:** Abergavenny, Chepstow and Monmouth
- **Severnside Settlements:** Caerwent, Caldicot, Magor, Portskewett, Rogiet, Sudbrook and Undy

- **Rural Secondary Settlements:** Usk, Raglan, Penperlleni and Llanfoist
- **Main Villages:** Cross Ash, Devauden, Dingestow, Grosmont, Little Mill, Llandewi Rhydderch, Llandogo, Llanellen, Llangybi, Llanishen, Llanvair Kilgeddin, Mathern, Penallt, Pwllmeyric, Shirenewton/Mynyddbach, St Arvans, Trellech, Werngifford/Pandy
- **Minor Villages:** Bettws Newydd, Broadstone/Catbrook, Brynygwenin, Coed-y-Paen, Crick, Cuckoo's Row, Great Oak, Gwehelog, Llanarth, Llandegveth, Llandenny, Llangwm, Llanover, Llansoy, Llantilio Crossenny, Llantrisant, Llanvair Discoed, Llanvapley, Mitchel Troy, Penpergwm, The Narth, The Bryn, Tintern, Tredunnoch
- **Open Countryside**

4.3 There are five types of residential development as set out in A-E that could arise in providing affordable housing under Policy S4 which need further consideration:

- A) Developments of 5 or more dwellings in Main Towns, Rural Secondary Settlements and Severnside Settlements.
- B) Developments of 1 – 4 dwellings in Main Towns, Rural Secondary Settlements and Severnside Settlements.
- C) Developments in Main Villages
- D) Developments in Minor Villages.
- E) Developments in the open countryside.

4.4 Specific guidance on these matters is provided on the following information sheets and the checklists in Appendix 4:

**A. DEVELOPMENTS OF 5 OR MORE DWELLINGS IN MAIN TOWNS, RURAL SECONDARY SETTLEMENTS AND SEVERNSIDE SETTLEMENTS.**

When an application for residential development is received in these settlements the first step in its assessment will be to:

**A.1 Establish the net site area and calculate the capacity of the site based on an assumed achievable density of 30 dwellings per hectare.**

- i. It is a requirement of LDP Policy DES1 criterion i) that in order to make the most efficient use of land the minimum net density of residential development should be 30 dwellings per hectare. The net developable area is defined as excluding areas taken out for other uses such as employment or which are undevelopable for one reason or another, including internal access roads and incidental open space between houses, play areas etc. Similar considerations should be taken into account when calculating the site capacity in relation to Policy S4.
- ii. The capacity of a site is calculated as a 'net' figure with the number of any existing dwellings on a site that are to be demolished, subdivided or retained subtracted from the overall capacity to give a final capacity figure for the purposes of Policy S4.

**A.2 If the capacity of the site is 5 or more dwellings then the affordable housing requirement to be provided on site is calculated at 35% in Main Towns and Rural Secondary Settlements and 25% in Severnside settlements, subject to a) and b) below.**

A.2.a) Should the development not be achieving 30 dwellings per hectare and it is considered that there is not a material non-compliance with Policy DES1 i) then the affordable housing requirement should be calculated on the **agreed** capacity of the site (rather than the 'theoretical' capacity of 30 dwellings per hectare).

A.2.b) In determining how many affordable houses should be provided on a development site, the figure resulting from applying the proportion required to the total number of dwellings will be rounded to the nearest whole number (where half rounds up.)

**A.3 If the capacity of the development site is below the threshold of 5 dwellings then a financial contribution towards affordable housing in the local planning authority area will be required (see B)**

**A.4** When the threshold for affordable housing is met the following considerations will be taken into account in the implementation of Policy S4:

- i. The mix of house types, sizes and tenure should reflect local needs. (This must be established from the Council's Housing Services section on a site-by-site basis in accordance with the particular needs of the community in which the site is located).

- ii. Provision for affordable housing will be secured through Section 106 Agreements.
- iii. **Affordable housing should be provided on-site** (unless there are exceptional circumstances that justify off-site provision, as considered in paragraph 5.10 of this SPG) and should reflect the characteristics of the locality or the rest of the site.
- iv. Householder permitted development rights may be withdrawn so that control may be exercised over the enlargement or alteration of dwellings in ways that would change their affordability for future occupiers.
- v. In seeking to negotiate an element of affordable housing on a site the Council will take into account: site size, suitability, and the economics of provision; whether there will be particular costs associated with development of the site; and whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in the development of the site.
- vi. Planning obligations and affordable housing will have an impact on land values and landowner expectations. Applicants are expected to have considered in full the overall cost of development, including the required planning obligations and any abnormal costs, when negotiating the purchase of land. Viability assessments will be limited to sites where there are exceptional, **unforeseen** circumstances outside the scope of normal market risk or where there is an overriding regeneration benefit in developing the site.
- vii. Where a site is still under option by a developer, it will **always** be expected that the policy requirements can be met, provided that the scheme is not abnormally costly or abnormally under value for the area. These costs must be reflected in the price that the developer purchases the site for so ensuring that the proposed development site is economically viable to meet the Council's affordable housing requirements. If there is any doubt about viability on a particular site, it will be the responsibility of the developer to offer the landowner a lesser price for the site, or to maximise the mix of market units on site to achieve the affordable housing policy.
- viii. Where a viability assessment is deemed necessary, the Council will require applicants to provide detailed information and supporting evidence. The level of supporting evidence required will depend upon how far the viability inputs deviate from acceptable parameters based on industry norms. Any 'assumptions' must be clearly explained and justified. An 'open book' approach is required. Any evidence relating to the viability assessment will then be independently assessed by the District Valuer, the cost of which will be borne by the developer. All viability appraisals will be published in the public domain.
- ix. General requirements:
  - The Council's policy requirements should be the starting point for applicants and viability appraisals should subsequently work

backwards from this. The Council will expect land transactions to reflect policy, rather than the other way round.

- Evidence should be provided to show what consideration has been given to alternatives in order to improve viability. Such measures can include altering development densities, layout and mix of market dwellings.

#### **A.6 Layout and Design**

The Council requires the ‘**pepper-potting**’ of affordable housing, rather than provision in enclaves. **Properties for affordable housing should be in clusters of no more than 6 - 15 units, depending on the overall size of the development.** The design and materials of dwellings built to comply with affordable housing policies should be similar to that of adjoining market housing.

#### **B. DEVELOPMENTS OF 1 – 4 DWELLINGS IN MAIN TOWNS, RURAL SECONDARY SETTLEMENTS AND SEVERNSIDE SETTLEMENTS.**

It is a basic principle of Policy S4 that all residential developments (including at the scale of a single dwelling) should make a contribution to the provision of affordable housing in the local planning authority area, irrespective of whether or not the size of the development falls below the threshold for on-site provision. However, the following exemptions apply in relation to residential conversions.

##### Residential Conversions

- Single Barn Conversions will be exempt from paying a financial contribution due to viability. However, where there is an increase of 2 - 4 dwellings a financial contribution will be sought using the calculation below and in Appendix 3.
- Commercial conversions such as flats above shops or offices involving proposals for 1 – 4 dwellings will be exempt from making a financial contribution towards affordable housing.
- Conversions of Listed Buildings for 1 - 4 dwellings will also be exempt from paying a financial contribution.

**B.1 If the capacity of the site falls below the threshold (1 - 4 units) at which affordable housing is required, prior to obtaining planning permission the applicant will need to enter into a S106 agreement to pay a financial contribution towards affordable housing in the housing market in which the site is located.** A standard Section 106 agreement that will be used for this purpose is set out in Appendix 2. An affordable housing contribution will be liable to be paid on completion and prior to occupation of each dwelling to which the payment relates.

- i A financial contribution towards affordable housing will have an impact on land values and landowner expectations, therefore, the Council will expect that applicants have considered in full the overall cost of development, including the required financial contribution towards affordable housing, and any abnormal costs, when negotiating the purchase of land.
- ii The required financial contribution is calculated by using the Community Infrastructure Levy (CIL) rates for each area of Monmouthshire and the internal floor space of the dwelling(s) in m<sup>2</sup>. It should be noted that integral garages, as part of any scheme, would be counted within the internal space. The figure of 58% is the proportion that the landowner/developer would fund were the units to be delivered on site.

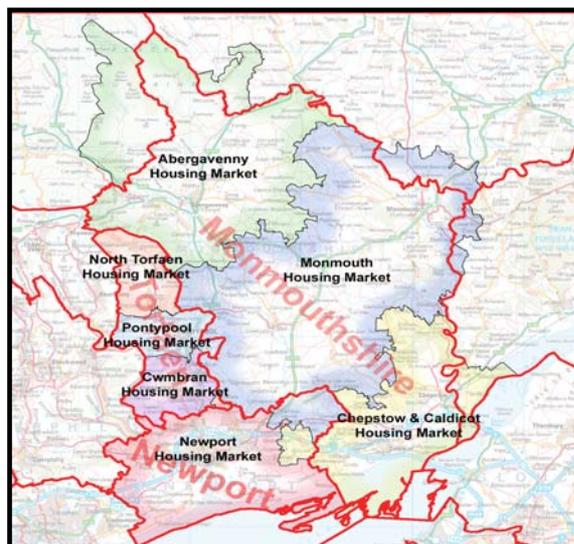
Formula: Financial Contribution = (Internal Floor Area (m<sup>2</sup>) x CIL Rate) x 58%

- iii The calculation can be obtained from the Council's Planning Officer. The contribution will be set at the equivalent of 35% of the agreed capacity of the site (25% in Severnside).

CIL rates and example calculations are given in Appendix 3.

Financial contributions gathered by the Council will be used to deliver affordable housing in the Housing Market Area (HMA) from which they are collected. The Council may combine financial contribution from different sites if appropriate and will spend contributions in the way that best achieves the Council's priorities for affordable housing. The number of units resulting from expenditure may be more or less than the units used to calculate the contribution as dwelling types, tenure, specifications and other aspects will vary from scheme to scheme.

The map below shows the three Housing Market Areas in Monmouthshire. (Source: Monmouthshire Local Housing Market Assessment 2018)



**B.2** The Council does not wish to hinder the supply of dwellings from self-builders who could be building to meet their own needs. Therefore, **self-builders whose developments fall below the thresholds will not be required to make a financial contribution.** This is consistent with the approach set out in the Community Infrastructure Levy Regulations and the same definition of 'self-build' will be used as set out in the CIL Regulations 54A, 54B, 54C and 54D as inserted by the 2014 Regulations (see the standard Section 106 agreement in Appendix 2).

- i. If a developer wishes to make a claim for an exemption under the self-build provision then a form<sup>1</sup> should be submitted **prior to completion** of each dwelling to which the payment relates confirming that the dwelling is intended to be occupied by the owner of the land.
- ii. **Within 6 months of occupation** a further form will need to be submitted evidencing occupation by the owner. The Council will at this point agree to defer the payment for the duration of two-and-a-half years from that notification.
- iii. Any such exemption will be subject to a 'claw-back' mechanism so that **if the criteria for self-build status are not complied with within a period of three years from the occupation of the dwelling then the requirement for an affordable housing contribution will be reinstated.** Should there be compliance with the three year period, the Council will, through a variation of the Section 106 Agreement, confirm that no payment will be required on that specific dwelling.

**C. DEVELOPMENT IN MAIN VILLAGES.**

**C.1 Sites allocated in main villages under LDP Policy SAH11 with the specific purpose of providing 60% affordable housing.**

There is a specific issue in the County relating to the provision of affordable housing in rural areas due to the limited ability of existing residents in the countryside, particularly young people, to afford housing, which restricts their ability to remain within their existing communities if they are in housing need. In order to secure the provision of essential affordable housing in rural areas, and acknowledging that 100% affordable housing rural exception sites rarely come forward, a number of housing sites have been allocated in Main Villages under LDP Policy SAH11 with the specific aim of providing affordable housing for local people.

These sites are required under Policy S4 to provide a **minimum of 60% affordable housing:**

- i. The mix and tenure of the 60% affordable housing will be based on local housing need and this information can be established from the

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<sup>1</sup> The exemption form is available in Annex C of the standard Section 106 agreement.

Council's Housing Strategy Officer on a site-by-site basis in accordance with the particular needs of the community in which the site is located.

- ii. Unlike general housing sites, therefore, **when the figure resulting from applying the proportion of affordable housing required to the total number of dwellings is not a whole number, there is no rounding down, only rounding up.**
- iii. Policy SAH11 sets a maximum size of development at 15 dwellings in order to ensure that any development is of a 'village scale', in keeping with character of the settlements. This amount may be smaller in certain villages, as set out in Policy SAH11, which indicates the scale of development that is considered to be acceptable having regard to the characteristics of the village and the particular site. It is unlikely to be acceptable for these lower site capacities to be exceeded unless it can be clearly demonstrated that there is no adverse impact on village form and character and surrounding landscape.
- iv. The LDP *Affordable Housing Viability Study* confirmed that a requirement for 60% affordable housing on rural sites will enable developer contributions towards the cost of providing affordable housing as the high market values for housing in rural areas would still provide residual land values far in excess of existing agricultural land values that should be sufficient incentive to bring land forward for development. **It must be recognised that the sole purpose for allocating these sites is to provide affordable housing for local people in rural areas. Without the provision of 60% affordable housing there is no justification for releasing these sites and anticipated land values should reflect this accordingly.**
- v. It is intended that this affordable housing will be brought forward using the mechanisms set out in section 5 below. The Council recognises that there may sometimes be abnormal costs that restrict the ability of a development to provide the financial subsidy to achieve affordable housing requirement. Initially, however, there is no intention to use financial subsidy to support 60% affordable housing sites.
- vi. Given the particular circumstances of these 60% affordable housing sites, the Council will not apply its normal policy of requiring 'pepper-potting' of affordable housing throughout a development. It is recognised that the best way of developing these sites and enabling the market housing to achieve its full potential for achieving financial subsidy for the affordable housing element is to allow the market dwellings to be grouped together.
- vii. All affordable housing achieved on LDP sites in Main Villages will give priority to local residents through the Council's Rural Allocations Policy.

## C.2 Other Sites in Main Villages

There is scope for infill development to take place within the Village Development Boundary as identified in the LDP, For other sites within the development boundaries of Main Villages (i.e. excluding the 60/40 allocated sites) provision of 35% affordable housing on site will be required for both new build development and conversions. However, the following exemptions apply in relation to residential conversions.

### Residential Conversions

- Single Barn Conversions in Main Villages will be exempt from paying a financial contribution due to viability. However, where there is an increase of 2 - 4 dwellings a financial contribution will be sought using the method set out in Section 4 B1 and Appendix 3.
- Commercial conversions such as flats above shops or offices involving proposals for 1 – 4 dwellings will be exempt from making a financial contribution towards affordable housing, although it is recognised that there will be few opportunities for such conversions within Main Villages.
- Conversions of Listed Buildings to 1 to 4 dwellings will also be exempt from paying a financial contribution.

## **D. DEVELOPMENT IN MINOR VILLAGES**

**D.1** Policy S1 identifies Minor Villages where small scale development will be allowed in the circumstances set out in LDP Policy H3. Minor Villages are settlements that (subject to detail) are suitable for minor infill of no more than 1 or 2 dwellings resulting from the filling in of a small gap between existing dwellings. Applications relating to infill developments should also refer to the Infill Development Draft Supplementary Planning Guidance.

**Infill developments in Minor Villages, consisting of 1 or 2 dwellings, will make a financial contribution towards affordable housing in the local planning authority area. This will be set at the equivalent of 35% of the number of dwellings proposed in the development. However, the following exemptions apply in relation to residential conversions in Minor Villages.**

### Residential Conversions

- Single Barn Conversions in Minor Villages will be exempt from paying a financial contribution due to viability. However, where there is an increase of 2 - 4 dwellings a financial contribution will be sought using the method set out Section 4 B1 and Appendix 3.
- Commercial conversions such as flats above shops or offices involving proposals for 1 – 4 dwellings will be exempt from making a financial contribution towards affordable housing, although it is recognised that there will be few opportunities for such conversions within Minor Villages.
- Conversions of Listed Buildings to 1 to 4 dwellings will also be exempt from paying a financial contribution.

**D.2** Policy H3 does contain an exception that allows for planning permission to be granted for up to 4 dwellings on an infill site that demonstrably fits in with village form (including not resulting in the loss of an open space that forms an important gap or open area) and is not prominent in the landscape. As such proposals are 'exceptional' in that they go beyond the normal definition of 'minor infill', it was considered appropriate to seek a higher proportion of affordable housing than would normally be required. Policy S4, therefore, requires that in the Minor Villages identified in Policy S1 where there is compliance with Policy H3:

**D.2.a) Development sites with a capacity for 4 dwellings will make provision for 3 dwellings to be affordable.**

**D.2.b) Development sites with a capacity for 3 dwellings will make provision for 2 dwellings to be affordable.**

- i. In such cases, it would be expected that the single open market dwelling will provide cross-subsidy towards the on-site provision of the affordable housing. Each site will be subject to a viability assessment which will determine the amount of cross-subsidy required.

## **E. DEVELOPMENT IN THE OPEN COUNTRYSIDE**

### **E.1 Conversion and sub-divisions**

Policy S4 requires that in the open countryside developments involving the conversion of existing buildings or sub-division of existing dwellings to provide 3 or more additional dwellings will make provision for 35% of the total number of dwellings to be affordable. It is considered that this should always be the aim in dealing with applications of this type. Nevertheless, it is recognised that provision of affordable housing on site is not always practicable in such situations. It is also more difficult to estimate the capacity of a development proposal involving existing buildings in comparison with a simple area calculation.

The Council, therefore, will adopt a more flexible approach in such situations, although generally **a financial contribution towards affordable housing in the local planning authority area will still be required. This will be set at the equivalent of 35% of the agreed capacity of the site** and utilise the Affordable Housing Financial Contribution Calculator (set out in Section 4 B and Appendix 3) but careful consideration will be given to the viability and practical implications of conversion and sub-division applications in assessing the level of financial contribution required. However, the following exemptions apply in relation to residential conversions.

#### Residential Conversions

- Single Barn Conversions will be exempt from paying a financial contribution due to viability. However, where there is an increase of 2 or more dwellings a financial contribution will be sought using the method set out in Section 4 B1 and Appendix 3.
- Conversions of Listed Buildings to 1 to 4 dwellings will also be exempt from paying a financial contribution.

### **E.2 Departure applications beyond settlement boundaries**

In accordance with the decision made by Full Council on 21 February 2019 departure applications/unallocated sites are required to deliver 35% affordable housing and no negotiation will be entertained.

### **E.3 Rural Exceptions Policy**

Policy H7 of the Adopted LDP provides a further planning policy mechanism for the provision of affordable housing in rural areas of Monmouthshire. It makes provision for the siting of small affordable housing sites in or adjoining villages on land that would otherwise not be released for residential development. **In such circumstances affordable housing should be provided on site at a rate of 100%.** Policy H7 is set out below:

## **Policy H7 – Affordable Housing Rural Exceptions**

**Favourable consideration will be given to the siting of small affordable housing sites in rural areas adjoining the Rural Secondary Settlements, Main Villages and Minor Villages identified in Policy S1 that would not otherwise be released for residential development provided that all the following criteria are met:**

- a) The scheme would meet a genuine local need (evidenced by a properly conducted survey or by reference to alternative housing need data) which could not otherwise be met in the locality (housing needs sub-area);**
  - b) Where a registered social landlord is not involved, there are clear and adequate arrangements to ensure that the benefits of affordable housing will be secured for initial and subsequent occupiers;**
  - c) The proposal would have no significant adverse impact on village form and character and surrounding landscape or create additional traffic or access problems.**
- i. In seeking to identify such sites it needs to be recognised that isolated sites in the open countryside or those within small, sporadic groups of dwellings are unlikely to be acceptable. Policy H7 specifically refers to sites adjoining Rural Secondary Settlements, Main Villages and Minor Villages. Any proposals for locations other than these would be treated as ‘Departure’ applications and will need special justification. Another important consideration is the balance of the pattern of settlements in the community.
  - ii. It will also be necessary to demonstrate that the scheme would meet a genuine local need. This local need would normally relate to the rural parts of the community council area in which the site is located. Evidence of local need can be established by a number of different means, including local surveys, local consultation events, other forms of primary evidence and housing register data. As with the affordable housing sites in Main Villages, the Council’s Rural Allocations Policy will apply.

### **E.4 Build Your Own Affordable Home Policy**

Monmouthshire County Council positively encourages local people to build their own affordable home to meet their own housing needs through the rural exceptions policy. Single plot exception sites are only permitted with restrictions and the ‘Build Your Own Affordable Home’ policy will be available on the website (Link will be included in final SPG).

## **5. OPTIONS FOR THE DELIVERY OF AFFORDABLE HOUSING**

- 5.1 The Council requires that affordable housing is managed by a Registered Social Landlord (RSL) zoned for development in Monmouthshire by the Welsh Government, as procedures are already in place to ensure that dwellings remain affordable in perpetuity.

## 5.2 Types of affordable housing.

The Council will use the following definitions of affordable housing:

- **Social rented housing** is let by RSLs to households taken from the Council's Housing Register who are eligible for social rented housing. Rents will be set at Welsh Government benchmark levels.
- **Intermediate housing** is homes for sale and rent provided at a cost above social rent but below market levels. These can include shared equity, and intermediate rent. All of these will be provided through a Registered Social Landlord (RSL).
- **Neutral Tenure** is where tenure of housing is not predetermined but can vary according to needs, means and preferences of households to whom it is offered. This incorporates the tenures described above. This arrangement gives flexibility in that it allows the tenure type of a property to change between occupiers, or even with the same occupier. So, for example, on first occupation a house might be social rented, but when that occupier vacates the property the next occupier may choose the Homebuy option. In another instance, a property might initially be rented, but if the economic circumstances of the occupier improve, they may choose to convert to Homebuy. **Neutral tenure is the delivery option preferred by Monmouthshire County Council.**
- **Specialist affordable housing** may be sought for people with specific accommodation requirements that may not otherwise be met and where a need has been identified. These can include sheltered retirement housing, adapted housing for households with a physical disability and supported housing, for example for young homeless people or people with learning difficulties.

5.3 The Council's preferred method of achieving affordable housing through Section 106 Agreements is for developers to build houses for transfer to a Registered Social Landlord (RSL). This method will ensure mixed communities where the required pepper-potting of the affordable housing units will achieve a scheme where the affordable units are otherwise indistinguishable from the owner occupied homes.

5.4 Prior to submission of a planning application developers will be expected to liaise with the Council to agree the mix of units required to meet housing need.

5.5 All affordable housing units, except for intermediate housing delivered under Policy SAH11, must be constructed to the Welsh Government's Development Quality Requirements (DQR), which includes Lifetime Homes, or successor Welsh Government scheme. Developers' DQR Compliant house types will be checked to ensure that they meet the required standards. (See Appendix 1 for guidance).

5.6 The Council has a long term commissioning partnership with RSLs to secure the strategic provision of all types of housing accommodation. This covers minimum standards of service in management terms, allocation of Social

Housing Grant, specialisms of the Housing Associations and the long-term allocation of housing sites. The Council's preference is for developers to work with RSLs zoned by the Welsh Government for developing in Monmouthshire and it will normally allocate each site to its preferred RSL on the basis of the RSL's development capacity, other properties in the area, rental levels and other relevant issues. Should there be a need for specialist/purpose built disabled housing, for example, and an element of social housing grant was required the Council would only be able to allocate grant to a zoned RSL.

- 5.7 The financial arrangements for the transfer of completed affordable housing units from the developer to the RSL are to be calculated using the current Acceptable Cost Guidance rates published by the Welsh Government's Housing Directorate. The percentage that the RSL can afford to pay, based on the rental income they would receive for the properties, is 42% of ACG. This leaves the landowner/developer to fund the 58% which in the past would have been covered by Social Housing Grant. The developer will then be required to sell the properties to the RSL at this percentage rate. (This percentage rate does not apply to units delivered under Policy SAH11).
- 5.8 When negotiating option agreements to acquire land for residential development, developers should take account of affordable housing requirements. The amount of Social Housing Grant (SHG) that is available to the Council is very limited and is not normally made available for the delivery of Section 106 sites. The Council's preferred financial arrangements for the provision of affordable housing, as outlined in paragraph 5.7, have been agreed following consultation with the RSLs to ensure a consistent and equitable approach that also provides certainty for developers when they are preparing their proposals.
- 5.9 Affordable housing land or dwellings that are transferred to a RSL will be used to provide affordable housing on a neutral tenure basis to qualifying persons from the Council's Housing Register.
- 5.10 To achieve the aim of developing mixed and balanced communities the Council seeks to provide affordable housing on-site. Only in exceptional circumstances will off-site provision be considered. This might occur, for instance, in situations where the management of the affordable housing cannot be effectively secured (as in sheltered retirement housing schemes). In such cases it may be possible for off-site new build housing or refurbishment/conversion of existing properties to provide a satisfactory alternative that meets the needs of the local community. Such schemes would be subject to the financial arrangements outlined in paragraph 5.7. In the exceptional circumstances where on-site provision is not considered appropriate and off-site units cannot be delivered as an alternative site is not available, the Council will consider accepting an affordable housing contribution payment in lieu of on-site affordable housing provision. See Section 4 B.1 for information on the methodology for calculating this financial contribution and Appendix 3 for example calculations.

- 5.11 It is recognised that some specialist housing schemes such as Sheltered Housing may be challenging to deliver and any affordable housing contribution would be subject to viability. Should it be necessary the Council will commission an independent viability assessment, the cost of which will be borne by the developer. All viability assessments will be published in the public domain.
- 5.12 There are a number of people living in the County Council area that have specific housing requirements as a result of learning/physical disabilities and/or medical conditions. In certain circumstances, where particular housing needs cannot be met through use of existing affordable housing stock, new purpose built special needs units may be required. Where there is evidence of need, and it is considered appropriate by the Council, special needs housing may be provided as part of the affordable housing contribution through the involvement of a RSL to ensure that these units remain affordable in perpetuity.
- 5.13 It is recognised that the development costs of providing specific needs affordable housing may be higher than general needs affordable housing and therefore it may be acceptable for a lower proportion of affordable units to be provided, subject to an assessment of viability, or the provision of grant to meet those additional costs.
- 5.14 Affordable housing delivered under Policy SAH11
- 5.14.1 Affordable housing delivered under Policy SAH11 will be a mix of social rented units and intermediate housing depending on the local need identified by the Council. All units for social rent will be constructed to Welsh Government Development Quality Requirements, which includes Lifetime Homes. Intermediate housing will be constructed to a standard agreed by the Council and their RSL partners.
- 5.14.2 Affordable housing delivered under Policy SAH11 will be transferred to the Council's preferred RSL at 38% of Welsh Government ACG for social rented units, 50% of ACG for low cost home ownership units and 60% of ACG for intermediate rent units.
- 5.15 Service Charge and Ground Rents
- 5.15.1 Rents or purchase price are usually seen as the main measures of affordability, but the whole cost of occupation could be significantly higher where service charges and/or ground rents are also payable, for example in a block of apartments. Where there are to be service charges and/or ground rent then these should also be set at an affordable level if properties are to be classed as affordable. If at the time of determining a planning application the level of service charge or ground rent is not known, an appropriate condition or section 106 agreement clause will be applied.
- 5.15.2 Where a developer intends to appoint a management company who will be responsible for the maintenance of open spaces, landscaping and/or

unadopted highways, which will be paid for through a charge collected from residents, this charge will not be payable in relation to any of the affordable housing units (irrespective of affordable tenure), either by the nominated RSL or the subsequent occupants of the affordable homes.

- 5.16 There are currently three Registered Social Landlords zoned by the Welsh Government to operate within Monmouthshire. These are:

Melin Homes  
Monmouthshire Housing Association  
The Pobl Group

It should be noted that whilst these are the current zoned RSL partners in Monmouthshire, changing circumstances might result in the Council fostering different partnership links in the future and seeking approval from Welsh Government.

## **6. THE PLANNING APPLICATION AND SECTION 106 PROCESS**

### **6.1 Type of Planning Application**

- 6.1.1 Where new or additional housing is to be provided as part of a planning application on sites where the policy threshold has been exceeded affordable housing will be sought in accord with Adopted LDP Policy S4. This would apply to the following types of planning applications:

- All outline or full applications (including change of use applications, other than those exceptions listed in Section 4 i.e. single barn conversions, commercial conversions for 1 to 4 dwellings and conversions of 1- 4 listed buildings)
- All renewal applications, including where there has been no previous affordable housing obligation

- 6.1.2 Affordable housing will be required on sites falling below the threshold if the Council considers that there has been a deliberate attempt to subdivide the site or phase the total development in an attempt to avoid the threshold.

### **6.2 Negotiation and Application Process**

- 6.2.1 The provision of affordable housing is just one of a number of issues that need to be taken into account in applications for residential development. Discussion and detailed negotiations will also need to cover such matters as design, layout, density, landscape, open space and recreation provision, education, access and other financial contributions that may be needed. Developers should refer to other LDP policies and SPG in this respect.

- 6.2.2 In implementing the affordable housing policies of the adopted development plan, the Council will seek to ensure that there is close consultation between planning, housing and legal officers concerned with the operation of these policies, as well as other external agencies, including developers and RSLs.

In order to ensure that negotiations on affordable housing provision are conducted as effectively as possible, the Council will expect all parties involved to follow the procedures outlined:

### **Pre Application Discussions**

With Planning and Housing Officers to establish the element of affordable housing required. There is a formal pre-application service which is available at a cost and which can include other Council officers from sections such as Highways and Biodiversity, dependent on the level of service required. More information is available on the Council's website using the following link: <https://www.monmouthshire.gov.uk/planning/pre-application-advice-service/>



### **Submission of Planning Application**

The proposal should contain an element of affordable housing which meets the housing needs identified by Housing Officers, clearly identifying how the affordable housing requirements are proposed to be met, including the appropriate mix, number, type and locations of dwellings. *(It is recognised that this information might not be readily available if the application is in outline.)*



### **Further Detailed Negotiations where necessary**

Planning Department in consultation with the Housing Department consider the local need for affordable housing (quantity and type).

Effective and early partnership between developer, RSL and the Council is critical.

The Officer report will require information on the mechanisms for providing affordable housing. This should include that the developer build and transfer to a RSL, which is the Council's preference. In order to transfer to a RSL detailed plans of dwellings would need to be confirmed as meeting their requirements.



### **Consideration by Council's Delegation Panel/Planning Committee as appropriate**



**If recommendation to approve is accepted, the Council resolve to grant planning permission subject to planning conditions and the signing of a Section 106 Agreement, including an agreed Affordable Housing Scheme.**

Council's Solicitor prepares Section 106 Agreement with Developer, in consultation with RSL where necessary. Legal agreement signed by all parties.



**Council issues decision on planning application.**

### 6.3 Section 106 Agreements

6.3.1 The precise form of Section 106 Agreement will depend on the circumstances of individual cases including the ownership of the site and the terms of any obligation or agreement between the owner and a RSL. However, Section 106 legal agreements will normally include clauses setting out requirements with regard to the following issues:

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

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

6.3.3 The flowchart set out above is unlikely to be applicable to small scale developments that fall below the affordable housing thresholds set out in Policy S4 and that, therefore, require a financial contribution. A standard Section 106 agreement has been prepared for such circumstances to ensure that there is no undue delay in the determination of the application (Appendix 2). A unilateral undertaking may also be an option if only a monetary contribution is required. This is a simplified version of a planning agreement, which is relatively quick and straightforward to complete, and is entered into by the landowner and any other party with a legal interest in the development site.

## **7. MONITORING AND TARGETS**

7.1 As referred to in Section 3 above, the affordable housing target for the Monmouthshire LDP is 960 affordable dwellings over the plan period 2011-2021. This was based on the findings of a 2010 Update to the LHMA carried out in 2006.

7.2 The LDP estimated that the potential affordable housing provision if all sites achieve their maximum requirement is as follows:

• 35% on new sites in Main Towns and Rural Secondary Settlements	446
• 25% on new sites in Severnside settlements	242
• 60% on rural housing allocations in Main Villages	120
• 20% on large site windfalls	68
• 20% on current commitments	108
• Completions 2011 – 2013	127
• Small site windfalls	74
<b>Total</b>	<b>1,185</b>

7.3 The period for this estimate had a base date of 1 April 2013. Table 1 below shows the total dwelling completions and total affordable housing completions from this base date

**Table 1 – Housing Completions since 1 April 2013**

Year	Total Completions	Affordable Housing Completions
2013/14	230	36
2014/15	205	17
2015/16	234	63
2016/17	238	47
2017/18	279	84

*Source: Monmouthshire County Council Joint Housing Land Availability Studies 2013 - 2018*

7.4 The Council is required to produce an Annual Monitoring Report (AMR) for the LDP that has to be published every October for the preceding financial year. The LDP monitoring framework includes a number of indicators relating to affordable housing. The AMRs are available to view on the Council’s website.

## Contacts

### **Monmouthshire County Council:**

For affordable housing **planning policy** general enquiries please contact:

#### **Planning Policy Section**

Planning Policy Manager, County Hall, Rhadyr, Usk, Monmouthshire,  
NP15 1GA

Tel: 01633 644827.

Email: [planningpolicy@monmouthshire.gov.uk](mailto:planningpolicy@monmouthshire.gov.uk)

#### **Housing & Communities**

Strategy & Policy Officer, Housing & Communities, County Hall, Rhadyr, Usk,  
Monmouthshire,

NP15 1GATel: 01633 644474

E Mail: [louisescorbett@monmouthshire.gov.uk](mailto:louisescorbett@monmouthshire.gov.uk)

**Potential developers** should contact the Development Management Section:

#### **Development Management Section**

Development Services Manager, County Hall, Rhadyr, Usk, Monmouthshire,  
NP15 1GA

Tel: 01633 644800. Email: [planning@monmouthshire.gov.uk](mailto:planning@monmouthshire.gov.uk)

### **Registered Social Landlords:**

#### **Melin Homes**

Ty'r Efail, Lower Mill Field, Pontypool, Torfaen. NP4 0XJ

Tel: 08453 101102.

Email: [peter.davies@melinhomes.co.uk](mailto:peter.davies@melinhomes.co.uk)

#### **Monmouthshire Housing Association**

Nant-Y-Pia House, Mamhilad Technology Park, Mamhilad, Monmouthshire,  
NP4 0JJ

Telephone: 01495 761112

Email: [karen.tarbox@monmouthshirehousing.co.uk](mailto:karen.tarbox@monmouthshirehousing.co.uk)

#### **The Pobl Group**

Exchange House, The Old Post Office, High Street, Newport, NP20 1AA

Tel: 01633 679911

Email: [neil.barber@poblgroup.co.uk](mailto:neil.barber@poblgroup.co.uk)

#### **David James**

##### **Rural Housing Enabler Monmouthshire**

C/o Monmouthshire Housing Association, Nant-Y-Pia House, Mamhilad Technology  
Park, Mamhilad, Monmouthshire, NP4 0JJ

Tel: 07736 098103

Email: [david.james@rhe-monandpowys.co.uk](mailto:david.james@rhe-monandpowys.co.uk)

**APPENDIX 1**

**ACG Floor Areas**

## APPENDIX 1

### ACG Floor Areas

Unit Type	Floor Area (Square Metres)
7 person 4 bed house	114
6 person 4 bed house	110
5 person 3 bed house	94
4 person 3 bed house	88
4 person 2 bed house	83
3 person 2 bed bungalow	58
3 person 2 bed flat (walk up)	65
3 person 3 bed flat (common access)	59
2 person 1 bed flat (walk up)	51
2 person 1 bed flat (common access)	46
5 person 3 bed bungalow (wheelchair)	115
4 person 2 bed bungalow (wheelchair)	98
3 person 2 bed bungalow (wheelchair)	80

1. Notional Floor Areas are provided as guidance on the expected floor areas that would be achieved if Development Quality Requirements (DQR) were implemented in full for each house or flat type listed.
2. NFAs are not a minimum size as the main criterion should be all designs comply with DQR and not merely achieve a notional floor area. House or flat designs with full DQR compliance can be achieved with floor areas below the notional figures and the degree of reduction will depend on the efficiency of the shape. It is not considered that anything less than 3/4 square metres smaller could possibly comply with DQR.

#### Calculation of Notational Floor Area (NFA)

1. Notional (or Net) Floor Area is measured to the internal finished surfaces of main containing walls on each floor, including private staircases, internal partitions, flues and ducts; it excludes external dustbin enclosures or stores, any porch open to the air or enclosed.
2. The measurement of floor area of common access flats excludes the area of the communal stairs and circulation space.
3. The measurement of floor areas of individual ground floor external access flats includes the area occupied by the staircase and entrance hall necessary to gain access to the first floor flat. The areas of the ground floor and upper floor flats (walk-up) shall be averaged in order to make comparisons against the notional floor areas shown above.
4. The floor area in rooms where the ceiling height is less than 1.50m is excluded.

## **APPENDIX 2**

**Draft Standard Section 106 Agreement for Affordable Housing Financial Contributions - Will be available in final version of SPG**

## APPENDIX 3

### HOW TO CALCULATE FINANCIAL CONTRIBUTIONS FOR AFFORDABLE HOUSING

The required financial contribution is calculated by using the Community Infrastructure Levy (CIL) rates for each area of Monmouthshire and the internal floor space of the dwelling(s) in m<sup>2</sup>. It should be noted that integral garages, as part of any scheme, would be counted within the internal space. The figure of 58% is the proportion that the landowner/developer would fund were the units to be delivered on site.

Formula: Financial Contribution = (Internal Floor Area (m<sup>2</sup>) x CIL Rate) x 58%

#### CIL Rates

Severnside	-	£80/m <sup>2</sup>
Monmouth	-	£100/m <sup>2</sup>
Abergavenny	-	£120/m <sup>2</sup>
Chepstow	-	£120/m <sup>2</sup>
Rural	-	£120/m <sup>2</sup>

The figure of 58% in the examples below is the amount that the landowner/developer would fund were the units to be delivered on site. The Registered Social Landlord (Housing Association) would fund the remaining 42%.

#### EXAMPLES OF AFFORDABLE HOUSING CONTRIBUTIONS

##### Example 1

Dwelling measuring 98m<sup>2</sup> in a rural area:

$$(120 \times 98) \times 58\% = \text{£}6,821$$

##### Example 2

Two dwellings (one at 98m<sup>2</sup> and one at 110m<sup>2</sup>) in Chepstow:

$$(98 + 110 = 208)$$

$$(120 \times 208) \times 58\% = \text{£}14,476$$

##### Example 3

Three dwellings (one at 78m<sup>2</sup>, one at 83m<sup>2</sup> and one at 94m<sup>2</sup>) in Monmouth:

$$(78 + 83 + 94 = 255)$$

$$(100 \times 255) \times 58\% = \text{£}14,790$$

**APPENDIX 4**  
**Checklist for Assessing Affordable Housing Requirements**

**A. Policy S4: Checklist for assessing affordable housing requirements in Main Towns, Rural Secondary Settlements and Severnside Settlements**

**A1. Establish the net site area and calculate the net capacity of the site based on an assumed achievable density of 30 dwellings per hectare.**

**A2. THE CAPACITY OF THE SITE MEETS THE THRESHOLD OF 5 OR MORE DWELLINGS.** Affordable housing should be provided on site at a rate of 35% in Main Towns and Rural Secondary Settlements and 25% in Severnside Settlements, subject to **A.2.a)** and **A.2.b)** below.

**A3. THE CAPACITY OF THE SITE DOES NOT MEET THE THRESHOLD OF 5 OR MORE DWELLINGS.** A financial contribution will be required towards affordable housing in the housing market in which the site is located. (See Section B).

**A.2.a) Does the development achieve 30 dwellings per hectare?**

**A.2.b) Does applying the proportion of affordable housing required to the total number of dwellings result in a whole number?**

**YES**  
Percentage of affordable housing required will be based on the number of dwellings proposed in the planning application.

**NO (and there is not a material non-compliance with Policy DES1 i), which generally requires a density of 30 dwellings per hectare).**  
Percentage of affordable housing required will be based on the agreed capacity of the site rather than a theoretical capacity of 30 dwellings per hectare.

**NO**  
The figure will be rounded to the nearest whole number (where half rounds up).

**B. Policy S4: Checklist for providing a financial contribution where the affordable housing threshold is not met.**

**B.1. Does the capacity of the site fall below the threshold at which affordable housing is required?**

i.e. 1- 4 dwellings in Main Towns, Rural Secondary Settlements and Severnside Settlements.

Subject to the exemptions listed<sup>1</sup>: 3 or more dwellings in Main or Minor Villages, or, Conversion schemes in the Open Countryside.

**YES**

Prior to obtaining planning permission the applicant will need to enter into a S106 agreement (see Appendix 2 for standard agreement) to pay a financial contribution towards affordable housing in the housing market in which the site is located (**subject to B.2. below**). The required contribution will be established by using the formula 'Financial Contribution = Internal Floor Area (m2) x CIL Rate x 58%' (see Appendix 3 for further details and example calculations). The calculation can be obtained from the Council's Planning Officer. The contribution will normally be set at the equivalent of 35% of the agreed capacity of the site (25% in Severnside). The affordable housing contribution will be liable to be paid on completion and prior to occupation of each dwelling to which the payment relates.

**NO**

**Go to Section A.**

**<sup>1</sup>Exemptions**

- Single Barn Conversions
- Commercial Conversions involving proposals for 1—4 dwellings
- Conversion of Listed Buildings for 1—4 dwellings.

**B.2. Is the development to be carried out by a 'self-builder'?**

See definition in Appendix 2.

**YES**

The developer will need to apply prior to the completion and occupation of the dwelling to which the payment relates for the S106 agreement to be amended to give an exemption from the affordable housing contribution.

**NO**

The affordable housing contribution will be liable to be paid on completion and prior to occupation of each dwelling to which the payment relates.

## C. Policy S4: Checklist for assessing affordable housing requirements in Main Villages

**C.1. Is the site allocated under LDP Policy SAH11 with the specific purposes of providing affordable housing?**

**YES.** A minimum of 60% affordable housing must be provided on site.

**NO. C.2. Other sites in Main Villages.**

**C.2.** For other sites within the development boundaries of Main Villages (i.e. excluding the 60/40 allocated sites) provision of 35% affordable housing on site will be required for both new build development and conversions subject to the exemptions in Box<sup>1</sup>.

### <sup>1</sup>Exemptions

- Single Barn Conversions
- Commercial Conversions involving proposals for 1—4 dwellings
- Conversion of Listed Buildings for 1—4 dwellings.

## D. Checklist for assessing affordable housing requirements in Minor Villages

Does the proposal relate to infill development in a Minor Village?

Yes

No

### D.1. Minor infill of 1 or 2 dwellings.

A financial contribution will be required towards affordable housing in the housing market in which the site is located to be set at the equivalent of 35% of the agreed capacity of the site.

(See Section B).

### D.2. An 'exceptional' infill site of 3 or 4 dwellings.

Affordable housing should be provided on site.

D.2.a) Development sites with a capacity for 4 dwellings will make provision for 3 dwellings to be affordable.

D.2.b) Development sites with a capacity for 3 dwellings will make provision for 2 dwellings to be affordable.

**Residential Conversions in Minor Villages.** A financial contribution will be required towards affordable housing subject to the exemptions listed in Box<sup>1</sup>.

### <sup>1</sup>Exemptions

- Single Barn Conversions
- Commercial Conversions involving proposals for 1—4 dwellings
- Conversion of Listed Buildings for 1—4 dwellings.

## E. Checklist for assessing affordable housing requirements in the Open Countryside

**E.1. Subject to exemptions listed<sup>1</sup>: If the proposal relates to the conversion of existing buildings or sub-division of existing dwellings is it impracticable to provide affordable housing within the scheme?**



**YES**

A financial contribution will be required towards affordable housing in the housing market area in which the site is located, to be set at the equivalent of 35% of the agreed capacity of the site subject to the exemptions listed in Box<sup>1</sup>.

**NO**

Affordable housing should be provided on site at a rate of 35% of the agreed capacity of the site subject to the exemptions listed in Box<sup>1</sup>.

**E.2. Is the proposal in the open countryside but considered to be an acceptable 'Departure' application?**



**YES**

In accordance with the decision made by Full Council on 21 February 2019 departure applications/ unallocated sites are required to deliver 35% affordable housing and no negotiation will be entertained.

**E.3. Is the proposal for a development that complies with Rural Exceptions Policy H7, i.e. in a location outside a recognised settlement where residential would not normally be allowed.**



**YES**

Affordable housing should be provided on site at a rate of 100%.

### <sup>1</sup>Exemptions

- Single Barn Conversions
- Commercial Conversions involving proposals for 1—4 dwellings
- Conversion of Listed Buildings for 1—4 dwellings.

## Appendix 2



monmouthshire  
sir fynwy

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

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<p><b>Name of the Officer</b> completing the evaluation Mark Hand</p> <p><b>Phone no:</b> 01633 644803 <b>E-mail:</b> markhand@monmouthshire.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>The Local Development Plan (LDP), adopted on 27 February 2014, sets out the Council's vision and objectives for the development and use of land in Monmouthshire, together with the policies and proposals to implement them over the ten year period to 2021. Supplementary Planning Guidance (SPG) sets out detailed guidance on the way in which the policies of the LDP will be interpreted and implemented. The Affordable Housing SPG, adopted in March 2016, was prepared to provide further clarification on the interpretation and implementation of the LDP's affordable housing policies. However, since the SPG was adopted a number of issues have arisen in relation to the viability of affordable housing provision on certain types of development sites which has triggered the need to update the SPG. The SPG has, therefore, been amended to take account of updated evidence and to provide clarity on key elements of the SPG as set out in revised Draft SPG.</p>
<p><b>Name of Service</b></p> <p>Planning (Planning Policy)</p>	<p><b>Date Future Generations Evaluation form completed</b></p> <p>15/04/2019</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><b>Positive:</b> Promoting affordable housing assists in achieving overall prosperity of communities and their residents. The Revised Draft SPG seeks maximise affordable housing provision via a pragmatic and evidenced approach. Affordable housing provision is essential in enabling sustainable resilient communities.</p> <p><b>Negative:</b> None. The SPG has been amended to take account of updated evidence which will ensure that the viability of development is not adversely affected.</p>	<p><b>Better contribute to positive impacts:</b> Ensure that guidance, as set out in the revised SPG, is accurately interpreted and implemented.</p>
<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>Positive:</b> Potential for proposals to conserve and enhance existing ecological networks/ landscape in accordance with LDP policy framework.</p> <p><b>Negative:</b> Development may be located in main and minor villages where there is limited public transport and likely reliance on the use of the private car. The car usage likely to result from small scale development in rural areas is considered to be justified because it is likely to be minimal and the addition of new affordable housing makes a contribution to meeting housing needs.</p>	<p><b>Mitigate Negative Impacts:</b> Ensure that biodiversity, landscape interests etc. are appropriately considered in assessing any planning application and that good standards of design, landscaping etc. are achieved.</p>
<p><b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p><b>Positive:</b> The provision of appropriate affordable housing development can assist in promoting good health, independence and well-being and in bringing forward additional units of housing to meet the specific housing needs of vulnerable groups</p> <p><b>Negative:</b> None.</p>	<p><b>Better contribute to positive impacts:</b> Ensure that the relevant guidance, as set out in the revised SPG, is accurately interpreted and implemented.</p>

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected</p>	<p><b>Positive:</b>. Affordable housing makes an important contribution to the sustainability and cohesiveness of our towns and villages by providing homes that local people on low incomes can afford to live in.</p> <p><b>Negative:</b> None.</p>	<p><b>Better contribute to positive impacts:</b> Ensure that the relevant guidance, as set out in the revised SPG, is accurately interpreted and implemented.</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><b>Positive:</b> The revised Draft SPG supports the implementation of affordable housing policies of the LDP, which has been subject to a Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) to ensure that social, economic and environmental objectives are met, thereby contributing to sustainable development and global well-being.</p> <p><b>Negative:</b> None.</p>	<p><b>Better contribute to positive impacts:</b> Ensure that the relevant guidance, as set out in the revised SPG, is accurately interpreted and implemented which will include consideration of social, economic and environmental wellbeing.</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>	<p><b>Positive:</b> The revised Draft SPG has a positive general impact on culture, heritage and language. In general terms affordable housing makes an important contribution to the sustainability and cohesiveness of our towns and villages by providing homes that local people on low incomes can afford to live in.</p> <p><b>Negative:</b> None.</p>	<p><b>Better contribute to positive impacts:</b> Ensure that the relevant guidance, as set out in the revised SPG, is accurately interpreted and implemented.</p>
<p><b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances</p>	<p><b>Positive:</b> The revised Draft SPG should bring positive benefits to Monmouthshire’s residents by opening up opportunities for appropriate affordable housing developments where they comply with the LDP policy framework. Affordable housing makes an important contribution to the sustainability of our towns and villages by providing homes that local people on low incomes can afford to live in. It also a means of providing low cost homes for first time buyers. A commuted sum also has the potential to</p>	<p><b>Better contribute to positive impacts:</b> Ensure that the relevant guidance, as set out in the SPG, is accurately interpreted and implemented.</p>

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	<p>bring forward additional units of housing to meet the specific housing needs of vulnerable groups. Housing policies, as with all LDP policies, have been subject to a Sustainability Appraisal that measures their performance against sustainability objectives, including equality measures.</p> <p><b>Negative:</b> None.</p>	

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

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Balancing short term need with long term and planning for the future</p>	<p><i>We are required to look beyond the usual short term timescales for financial planning and political cycles and instead plan with the longer term in mind (i.e. 20+ years)</i></p> <p>The LDP covers the period 2011-21. The Revised Draft SPG supports the implementation of the LDP. By its nature, therefore, it cannot look beyond this period but the SA/SEA of the LDP would have ensured consideration of the impact on future generations.</p> <p>The LDP housing policy framework seeks to balance the short term need for housing development and viability issues with the longer term need to create balanced and sustainable communities. Affordable housing makes an important contribution to the sustainability of our towns and villages by providing homes that local people on low incomes can afford to live in. It also a means of providing low cost homes for first time buyers. A commuted sum also has the potential to bring forward additional units of housing to meet the specific housing needs of vulnerable groups.</p>	<p>Ensure that the relevant guidance, as set out in the revised SPG, is accurately interpreted and implemented.</p> <p>The LDP and its policies have been subject to SA/SEA. The replacement LDP will be subject to SA/SEA.</p> <p>LDP AMRs will provide both an annual evaluation of plan performance including affordable housing policies, and year by year comparison from which emerging long term trends may be identified and reported on. This will help inform the evidence base for the replacement LDP.</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="344 352 517 512">Working together with other partners to deliver objectives</p>	<p data-bbox="544 196 1328 528">The Revised Draft SPG has been produced in liaison with the Council’s Housing Strategy Officers following discussions regarding planning applications for affordable housing development. It will be subject to further external consultation. Public consultation has been targeted to those who are considered to have a specific interest in the topic but also including all town and community councils. The consultation has also be publicised via our Twitter account @MCCPlanning, as well as the corporate Monmouthshire Twitter account.</p>	<p data-bbox="1350 196 2110 427">The Revised Draft SPG supports LDP affordable housing policies. The LDP was subject to extensive community and stakeholder engagement and consultation throughout the plan preparation process. This provided those interested parties with the opportunity to make representations on the policy framework to the Council and to an independent inspector who examined the LDP.</p> <p data-bbox="1350 467 2110 730">LDP AMRs will provide both an annual evaluation of plan performance, including affordable housing policies, and year by year comparison from which emerging long term trends may be identified and reported on. This will inform the evidence base for the replacement LDP. The replacement LDP will be taken forward through extensive community and stakeholder engagement, expanding on the methods used previously.</p>
 <p data-bbox="344 963 517 1123">Involving those with an interest and seeking their views</p>	<p data-bbox="544 743 1328 802"><i>Who are the stakeholders who will be affected by your proposal? Have they been involved?</i></p> <p data-bbox="544 834 1328 1166">The Revised Draft SPG has been produced in liaison with the Council’s Housing Strategy Officers following discussions regarding planning applications for affordable housing development. It will be subject to further external consultation. Public consultation has been targeted to those who are considered to have a specific interest in the topic but also including all town and community councils. The consultation has also be publicised via our Twitter account @MCCPlanning, as well as the corporate Monmouthshire Twitter account.</p> <p data-bbox="544 1214 555 1222">.</p> <p data-bbox="544 1278 555 1286">.</p>	<p data-bbox="1350 743 2110 970">The Revised Draft SPG supports LDP affordable housing policies. The LDP was subject to extensive community and stakeholder engagement and consultation throughout the plan preparation process. This provided those interested parties with the opportunity to make representations on the policy framework to the Council and to an independent inspector who examined the LDP.</p> <p data-bbox="1350 1010 2110 1273">LDP AMRs will provide both an annual evaluation of plan performance, including affordable housing policies, and year by year comparison from which emerging long term trends may be identified and reported on. This will inform the evidence base for the replacement LDP. The replacement LDP will be taken forward through extensive community and stakeholder engagement, expanding on the methods used previously.</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>Putting resources into preventing problems occurring or getting worse</p>	<p>The requirement for revising the Affordable Housing SPG has arisen from the viability evidence on small-scale development sites which has demonstrated that affordable housing provision is not viable on certain types of development sites. The Council seeks to support and adopt a positive approach to appropriate affordable housing development and appropriate financial contributions where it is not possible to negotiate affordable housing units on site.</p> <p>The SPG has been amended to take account of updated evidence and to provide clarity on key elements of the SPG. It is considered that the revised SPG will provide further clarity to all stakeholders and importantly maximise affordable housing provision via a pragmatic and evidenced approach.</p>	<p>The future adoption and implementation of this Revised Draft SPG will support appropriate affordable housing development where it accords with the LDP policy framework.</p>
 <p>Positively impacting on people, economy and environment and trying to benefit all three</p>	<p>The Revised Draft SPG supports the implementation of the LDP which has been subject to a SA/SEA that balances the impacts on social, economic and environmental factors.</p>	<p>The AMRs will examine the impacts of the LDP over the longer term and evidence the emergence of any trends at different spatial scales. Delivering sustainable development (social, economic and environmental) is central to the LDP. Continue to monitor indicators, including housing policy indicators and targets, to inform future AMRs.</p> <p>The replacement LDP will be subject to a SA/SEA that balances the impacts on social, economic and environment factors.</p>

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

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	The revised Affordable Housing SPG should bring positive benefits to Monmouthshire's residents of all ages, particularly through increasing the supply of affordable housing in the County. Affordable housing makes an important contribution to the sustainability of our towns and villages by providing homes that local people on low incomes can afford to live in. It also a means of providing low cost homes for first time buyers. A commuted sum also has the potential to bring forward additional units of housing to meet the specific housing needs of vulnerable groups.	None	Ensure that the relevant guidance, as set out in the revised SPG, is accurately interpreted and implemented.
Disability	The revised Affordable Housing SPG should bring positive benefits to Monmouthshire's residents, reflecting the need to ensure the provision of a wide-ranging choice of homes including meeting affordable and accessible housing needs as far as possible. Affordable housing makes an important contribution to the sustainability of our towns and villages by providing homes that local people on low incomes can afford to live in. It also a means of providing low cost homes for first time buyers. A commuted sum also has the potential to bring forward additional units of housing to meet the specific housing needs of vulnerable groups.	None	Ensure that the relevant guidance, as set out in the revised SPG, is accurately interpreted and implemented.
Gender reassignment	None	None	N/A

<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>
Marriage or civil partnership	None	None	N/A
Race	None	None	N/A
Religion or Belief	None	None	N/A
Sex	None	None	N/A
Sexual Orientation	None	None	N/A
Welsh Language	None	None	N/A

**15** **Page 51** 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	None	None	N/A
Corporate Parenting	None	None	N/A

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

- Monmouthshire Local Development Plan (2011-2021).
- Adopted Affordable Housing Supplementary Planning Guidance (2016)
- Viability Appraisals on small sites within the County

**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?**

*This section should give the key issues arising from the evaluation which will be included in the Committee report template.*

**Positive:** The Revised Draft SPG continues to support the provision of affordable housing in Main Towns, Severnside Settlements, Rural Secondary Settlements, Main and Minor Villages, subject to compliance with the LDP policy framework. Affordable housing makes an important contribution to the sustainability of our towns and villages by providing homes that local people on low incomes can afford to live in. It also a means of providing low cost homes for first time buyers. A commuted sum also has the potential to bring forward additional units of housing to meet the specific housing needs of vulnerable groups. The provision of affordable housing will generate positive impacts on the local economy which is essential to the well-being of local communities and residents throughout Monmouthshire.

**Future:** Ensure that LDP affordable housing policies are accurately interpreted and implemented fully through use of this Revised Draft SPG. The effectiveness of the affordable housing policies will be monitored on an annual basis in the LDP AMR.

**Negative:** Potential for some negative sustainability impacts where affordable housing development is located in main and minor villages where there is limited public transport and subsequent reliance on the private car, resulting in increased car use in these areas, albeit that this is likely to be minimal given the nature of small scale affordable housing development in rural areas. Therefore, the scope for such negative impacts is limited and will be carefully considered against the LDP policy framework.

**Future:** LDP AMRs will provide both an annual evaluation of plan performance, including affordable housing policies, and year by year comparison from which emerging long term trends may be identified and reported on. This will inform the evidence base for the replacement LDP.

**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
Public consultation on the revised draft SPG. Amendments will be made to the SPG, as appropriate, in response to the consultation, prior to reporting back to Planning Committee to seek endorsement to adopt.	For approximately 6 weeks following approval of the draft SPG.	Head of Planning, Housing & Place-shaping	

**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>	Impacts will be evaluated where relevant on a regular basis in the required LDP Annual Monitoring Report. This AMR will be reported for political decision prior to submitting to the Welsh Government by 31 October 2019 and will be available on the MCC website.
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<b>SUBJECT:</b>	<b>Monmouthshire ECO Flex 'Statement of Intent'.</b>
<b>MEETING:</b>	<b>Adult Select Committee</b>
<b>DATE:</b>	<b>30<sup>th</sup> April 2019</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

## 1. PURPOSE:

- 1.1 To inform Adult Select of the Council's "Statement of Intent" that will allow Monmouthshire residents access to funding under the Energy Company Obligation (ECO): Help to Heat programme. The statement will support households who are most likely to experience fuel poverty and those vulnerable to the effects of a cold home.

## 2. RECOMMENDATIONS:

- 2.1 To consider the benefits of the Council participating in the ECO Help to Heat Scheme and to comment on the proposal to inform the Individual Cabinet Member decision on the options outlined under Paragraph 4, below.

## 3. KEY ISSUES:

- 3.1 Energy Company Obligation (ECO) funding is a requirement placed on energy companies over a certain size to help improve domestic energy performance in the homes of the vulnerable. 'Flexible Eligibility' allows councils to set their own criteria to extend the funding outside of the normal rules of ECO (usually based on qualifying benefits).
- 3.2 Monmouthshire County Council see ECO Flexible Eligibility fitting well within the aims of the Home Energy Service and is happy to support its use to provide additional funding for energy efficiency measures to eligible residents in the county. It estimated that approximately 22% of households are in fuel poverty in Monmouthshire (Research carried out by Building Research Establishment (BRE) the data covered 2012-2016).
- 3.3 The funding can be used for the installation of an energy efficiency measure ('measures') such as cavity wall insulation, loft insulation, boiler repairs and first time central heating. This list is not exhaustive and the measures available will change over time. Some measures can be fitted free to eligible households whilst other measures may require a customer contribution. Whenever possible the Home Energy Service aims to find additional funding for eligible households to reduce any customer contribution needed.
- 3.4 The attached 'Statement of Intent' sets out the extended criteria on eligibility and the process by which householders can access the funding. The drafting of the Statement has followed the Department for Business, Energy & Industrial Strategy's document 'Energy Company Obligation: ECO3, 2018 – 19 Flexible Eligibility Guidance'.
- 3.5 Funding is only available for owner-occupier and private rented tenant households. To qualify for flexible eligibility funding, households will have to satisfy criteria within the attached 'Statement of Intent'.
- 3.6 The final decision on whether a household receives a measure under ECO flexible eligibility or other ECO funding stream will rest with the energy supplier or their agent/contractor. Qualification in the statement of intent or the declaration by Monmouthshire County Council will NOT guarantee installation of any measures,

3.7 Energy suppliers and/or their agents involved with flexible eligibility surveys will comply with the Data Protection Act and they will need to undertake work in accordance with OFGEM requirements and act in accordance with industry best practice in relation to consumer care and quality standards.

3.8 The following scenarios could qualify for assistance under the scheme (See Appendix 1):

- i) Where households have a low income and high heating costs; or
- ii) Where households have a low income and have vulnerabilities which make them particularly susceptible to the cold; or
- iii) Where homes are in-fill properties for the purpose of solid wall insulation.

3.9 The scheme will be fully funded via energy suppliers obligated under ECO

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

4.1 Option 1: The Recommended Option - To publish a 'Statement of Intent' regarding flexible eligibility criteria, thereby allowing Monmouthshire residents suffering from fuel poverty, access to funding under the Energy Company Obligation (ECO): Help to Heat programme. This is the preferred option.

4.2 Option 2 - Not to publish a 'Statement of Intent'. This option prevents vulnerable Monmouthshire residents accessing funding under the Energy Company Obligation (ECO): Help to Heat programme and leaves them open to suffering from fuel poverty. It is therefore discounted.

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

5.1 An evaluation report can be found at **Appendix 2**.

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

6.1 It is the expectation of Welsh Government that the Council supports this proposal to support low income and vulnerable households.

6.2 The Council made the decision a number of years ago to withdraw discretionary private sector housing funding, such as renovation grants. There are, therefore, no alternative funding streams available to householders.

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

7.1. There are no financial or resource implications for the Council.

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

8.1 The Future Generations Evaluation has been completed and no negative implications were identified (**See Appendix 2**)

#### **9. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS**

9,1 The policy supports and contributes positively to these priorities (**See Appendix 2**)

#### **10. CONSULTEES:**

10.1 Head of Planning, Housing and Place-shaping, Enterprise, DMT, SLT

#### **11. BACKGROUND PAPERS:**

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

#### **13. CONTACT DETAILS:**

**Tel:** 01633 644455

**E-mail:** stephengriffiths@monmouthshire.gov.uk

### Monmouthshire County Council

#### Local Authority ECO Flexible Eligibility Statement of Intent

Date of publication: ?/?/2019

Version: 1

Valid from: 25 January 2019

[www.monmouthshire.gov.uk/](http://www.monmouthshire.gov.uk/) [provide specific URL to the website where it is published]



#### 1) Introduction

Monmouthshire County Council is committed to supporting residents vulnerable to fuel poverty and cold homes. Working with the South East Wales Energy Agency, a local fuel poverty charity, the council has developed the Home Energy Service which acts as a one-stop-shop for all home energy and warmth needs. The service provides advice, support and access to funding aimed at assisting those residents who own their own home or rent privately and are at risk of fuel poverty, or impaired health as a result of living in a cold and/or damp home.

#### 2) Background

Energy Company Obligation (ECO) funding is a requirement placed on energy companies over a certain size to help improve domestic energy performance in the homes of the vulnerable. 'Flexible Eligibility' allows councils to set their own criteria to extend the funding outside of the normal rules of ECO (usually based on qualifying benefits).

Monmouthshire County Council see ECO Flexible Eligibility fitting well within the aims of the Home Energy Service and is happy to support its use to provide additional funding for energy efficiency measures to eligible residents in the county.

This Statement of Intent sets out the extended criteria and how householders can make applications to access the funding.

The funding can be used for the installation of an energy efficiency measure ('measures') such as cavity wall insulation, loft insulation, boiler repairs and first time central heating. This list is not exhaustive and the measures available will change over time. Some measures can be fitted for free to eligible households whilst other measures may require a customer contribution. Whenever possible the Home Energy Service aims to find additional funding for eligible households to reduce any customer contribution needed.

#### 3) How the council intends to identify eligible households

##### Identifying Eligible Households.

Monmouthshire County Council considers that three groups of households eligible for assistance with the installation of energy saving measures under the Flexible Eligibility arrangement:

- I. Where households have a low income and high heating costs
- II. Where households have a low income and have vulnerabilities which make them particularly susceptible to the cold

III. Where homes are in-fill properties for the purpose of solid wall insulation.

The first two groups of households may be on low incomes, yet not sufficiently low as to be eligible for benefits. Previous ECO and other grant schemes have overlooked these residents and we are delighted to be able to seek support for them under Flexible Eligibility.

**Determining Household Eligibility Criteria (Household Groups i and ii).**

When determining eligibility all households must satisfy the Criteria 1 (Low Income) and either Criteria 2 (high heating costs) or Criteria 3 (vulnerability to living in a cold home),

I.E. Eligible household = Low Income (criteria 1) + High Heating Costs (criteria 2) **OR** Low Income (criteria 1) + Vulnerability to Cold (criteria 3).

**Criteria 1 Eligibility** – Low Income is determine by using the monetary values in the table below. Please note that these values may change from time to time. Updated values will be published on our website when applicable.

Household composition	Annual household income after deducting rent or mortgage costs	Monthly household income Equivalent after deducting rent or mortgage costs
<b>1 adult</b> (18 years and over)	£8,900	£740
and 1 child	£11,700	£980
and 2 children	£14,400	£1,200
and 3 children	£17,300	£1,440
and 4 or more children	£20,100	£1,680
<b>2 adults</b> (18 years and over)	£14,600	£1,220
and 1 child	£17,400	£1,450
and 2 children	£20,200	£1,680
and 3 children	£23,100	£1,930
and 4 or more children	£25,700	£2,140

**Criteria 2 Eligibility** – High heating costs will be assessed either as:

- a. A home with an Energy Performance Certificate (EPC) in bands E, F or G or
- b. A home that scores 50 or more from the table below.

Question	Answer	Score
How many bedrooms are there in the home?	1	0
	2	10
	3	20
	4	30
	5	40
	6 or more	50
What type of home is it?	Detached	30
	Semi- detached	20
	Mid terrace	10
	End terrace	20
	Flat	20
	Bungalow	30
Are energy payments made by Direct Debit?	Yes	0
	No	10
	Yes	20

Was the house built before 1964 or system built?	No	0
What is the main heating fuel?	Mains Gas	0
	Electricity	20
	Other	20
Is the property a Park Home?	Yes	30
	No	0
Is the household a High Energy User? (Using over 23,000 kWh of gas or 5,100 kWh of electricity a year.)	Yes	10
	No	0

**Criteria 3 Eligibility** – To determine vulnerability a full time member of the household must satisfy one or more of the following criterion:

- a) Health can be a major factor in how much heat is required in a property. Therefore, health criteria will be important in assessing flexible eligibility.
- i. Cardiovascular condition (incl. coronary heart disease, stroke, hypertension, transient ischemic attack)
  - ii. Respiratory condition (incl. COPD, asthma)
  - iii. Neurological or neurobiological condition (incl. dementia, Parkinson’s disease, MS, epilepsy, fibromyalgia, ME)
  - iv. Musculoskeletal conditions (incl. arthritis, limited mobility, recently attended hospital due to a fall)
  - v. Blood conditions (incl. Sickle cell disease, thalassemia)
  - vi. Cancer
  - vii. Moderate to severe mental illness (incl. schizophrenia bipolar disorder and depression where receiving regular treatment)
  - viii. Severe learning disabilities
  - ix. Autoimmune or immunodeficiency diseases (e.g. lupus, diabetes, HIV)
  - x. Terminally ill
  - xi. Other illness exacerbated by cold (confirmed by GP)
  - xii. A substantial and permanent disability and is in receipt of Disability Living Allowance, Attendance Allowance or Personal Independence Payment
- b) Age can also be a factor in how much heat is required to achieve affordable warmth, with older and younger residents being particularly adversely affected.
- i. An adult aged 60 or over
  - ii. A child under the age of 5
  - iii. Is pregnant.

**Determining Property Eligibility Criteria (Household Group iii - Solid Wall Properties)**

Where a property is of Solid Wall or System Built Construction, Monmouthshire County Council would be delighted to support the installation of solid wall insulation. We will therefore agree to

complete Declarations for those households (regardless of income or vulnerability) who fulfil the in-fill criteria. Where a household does not meet the criteria for Fuel Poverty (FP) or Low Income Vulnerable to Cold (LIVC), an LA can declare a household as “in-fill” where they are:

- a) in an immediately adjacent building, such as a semi-detached property; or
- b) in the same terrace; or
- c) are in the same building, such as a flat, as a household that does meet those criteria.

In the case of (a) at least one of the two properties has a household group that satisfy the FP or LIVC criteria; and in the case of (b) and (c) 66% of the properties have a household group that satisfy the FP or LIVC criteria.

#### **4) Governance and Process**

Monmouthshire County Council work with the South East Wales Energy Agency (SEWEA) to promote energy efficiency advice and the installation of energy efficiency measures to support those in fuel poverty. SEWEA will manage the Flexible Eligibility process on behalf of the Council and its Helpline (01633 223111) will be used to assess householder eligibility against the low income/vulnerability criteria set out above.

All eligible householders will be asked to complete a self-certification form and may be asked to provide documents in support of their eligibility. SEWEA will then seek a signed Declaration from the council which enables the relevant supplier to claim the ECO funding required to enable the requested energy efficiency measure to be installed.

Steve Griffiths, Strategy & Policy Officer, Housing & Communities will sign off Declarations on behalf of the council and will audit 3% of applications to ensure compliance with the published eligibility criteria.

#### **5) Householder Application**

Any Monmouthshire householder who believes that they may be eligible for help under flexible eligibility should contact the SEWEA Helpline on 01633 223111 or email [advice@sewenergy.org.uk](mailto:advice@sewenergy.org.uk). SEWEA will check eligibility status and will supply an application form that will require the applicant to self-certify their income and secondary eligibility criteria. When approved they will refer the resident to an assessor or installer to take the process further.

Referrals can be made by a third party and would include Care & Repair, Citizens Advice, Credit Union, Care Providers, etc., with the above self-certification also being required.

However, being eligible is not a guarantee that measures will be installed. A final decision on whether any individual household can benefit from energy saving improvements under this strand of ECO will be made by the obligated suppliers or their agents/contractors. Inclusion in a Declaration issued by us does not guarantee the installation of measures.

#### **6) Supplier/Installer Network**

Any supplier or installer who seeks a council Declaration on behalf of an eligible householder will first need to be registered with SEWEA. This ensures that the council has information about the standards, practices and accreditations of installers working in the county so reducing the risk of fraud, poor quality installations and the exploitation of vulnerable residents that the council is looking to assist. For further information, call SEWEA on 01633 223111 or email [advice@sewenergy.org.uk](mailto:advice@sewenergy.org.uk).

All suppliers, agents and contractors will have to comply with the General Data Protection Regulations and Data Protection Act 2018.

**7) Signature**

Signatory for Flexible Eligibility Statement of Intent

..... Date: 2019

Mr Mark Hand, Head of Planning, Housing and Place-Shaping,  
Monmouthshire County Council.



**monmouthshire**  
**sir fynwy**

## 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>The publication of the Council's Statement of Intent</p> <p>The Statement of Intent sets out the criteria to establish vulnerable household in Monmouthshire eligible for funding under the ECO flexible funding scheme.</p>
<p><b>Name of Service</b></p> <p>Housing &amp; Community Services</p>	<p><b>Date Future Generations Evaluation</b> form completed</p> <p>27<sup>th</sup> February 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>Neutral Contribution.</p>	

<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>Positive Contribution</p>	<p>Improving the energy efficiency of properties will reduce energy consumption and therefore carbon emissions.</p>
<p><b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>It positively contributes to the health occupants of properties that are of sub-standard quality through their refurbishment that will make them warmer.</p>	<p>Improving the energy efficiency of properties will reduce energy consumption and help households out of fuel poverty.</p>
<p><b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected</p>	<p>It positively contributes through the refurbishment of substandard houses and by returning empty properties back into use.</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>Through the provision of good quality housing</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>	<p>A neutral contribution</p>	

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

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Long-term</p> <p>Balancing short term need with long term and planning for the future</p>	<p>Improvements made to qualifying properties and households will meet the short-term needs of the household (reducing fuel poverty and increasing better health). Improved properties will add to the number of good quality houses that will be available in the long term and contribute to a lower carbon footprint.</p>	
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>Not Applicable</p>	
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>Not Applicable</p>	
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>Not applicable</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="120 363 264 395">Integration</p> <p data-bbox="85 400 479 475">Positively impacting on people, economy and environment and trying to benefit all three</p>	<p data-bbox="517 231 1077 263">Through the availability of good quality housing.</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.

<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	Positive	None	
Disability	Positive	None.	
Gender reassignment	None	None	
Marriage or civil partnership	None	None	
Race	none	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?

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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?

The main positive benefits of the proposal are:

- Improving the quality of sub-standard housing.
- Improving the quality of life for those living in substandard low quality housing
- Reducing the impact of fuel poverty on households
- Reducing carbon footprint

The main negative impacts are: None identified to date

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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>
Submit to Individual Cabinet Member Decision	Mach 2019	Stephen Griffiths	
Review the Policy and submit to Select	March 2020	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.**

Pass

<b>The impacts of this proposal will be evaluated on:</b>	During March 2020 and submitted to Select
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08

# Public Document Pack Agenda Item 6

## MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Adults Select Committee held  
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 29th  
January, 2019 at 10.00 am**

**PRESENT:** County Councillor (Chairman)  
County Councillor (Vice Chairman)

County Councillors: M.Groucutt, R. Harris, J.Pratt and  
S. Woodhouse

Also in attendance County Councillor(s):

### **OFFICERS IN ATTENDANCE:**

Julie Boothroyd	Chief Officer Social Care, Safeguarding and Health
Nicola Perry	Senior Democracy Officer
Mark Howcroft	Assistant Head of Finance
Roger Hoggins	Head of Operations
Tyrone Stokes	Accountant

### **APOLOGIES:**

Councillors D. Blakebrough, L.Dymock, R. Edwards and P.Pavia

#### **1. Apologies for absence**

#### **2. Declarations of interest**

No declarations of interest made by Members.

#### **3. Public Open Forum**

There were no matters for the public open forum.

#### **4. Capital Strategy Assessment and Capital Budget Proposals 2019/20**

##### **Purpose and Context:**

Chartered institute of Public Finance and Accountancy (CIPFA) produced a revised regulatory Code in December 2017, which included a need for local authorities to produce a **Capital Strategy**. The requirements were staggered with an aim for reporting compliance during 2018/19 with a full **Capital Strategy** implemented for 2019/20. This report concentrates on the former in evaluating the governance, planning and priority setting involved in presenting 2019-20 capital budget proposals and the 3 years thereafter making up the collective capital medium term financial plan.

CIPFA report that a **Capital Strategy** should be tailored to individual circumstances and consequentially don't volunteer a prescriptive format. The overall intent is that any **Capital Strategy** should allow Members to understand how stewardship, value for money, prudence, sustainability and affordability will be secured. The overall purpose of a capital strategy being to provide opportunity for engagement with Full Council to

## MONMOUTHSHIRE COUNTY COUNCIL

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ensure overall strategy, governance procedures and risk appetite are fully understood by all elected members

The code, in describing the **Capital Strategy**, reports it can be delegated to Cabinet (or similar body) with Full Council being responsible. MCC's approach is to report budget setting process through Cabinet, with consideration and approval of the future capital programmes resting with full Council. The Council's Constitution is consistent with compliance requirements. It is anticipated that the actual resulting capital strategy will be reconciled and consistent with a wider financial strategy and both available for consideration during Spring cycle of meetings.

#### **Member Scrutiny:**

With regard to update on the Welsh Government approving the capital business case for Crick Road or the possibility of a contingency plan being in place in relation to project spend for the rest of the financial year, the Assistant Head of Finance reported that he could confirm that grant funding may be an element that is being considered. The ICF funding allows for the land purchase to go ahead but has to be secured by the end of March.

The Chief Officer confirmed that Welsh Government had approved the funding for 3 years and was confident that the land transaction would be secured before end of March.

Although the Council were operating on a 32 bed perspective, with the help of prospective partners, there was a possibility on the facility being upgraded to a 48 bed set up. A speculative bid had already been submitted with some options regarding nursing care being actively pursued.

Following a question regarding the consideration of increasing the Disability Facilities Grants, it was noted that over the last two years the Council had supplemented this amount by 300K and will continue to work to see where additional funds will come from. It was noted that it was the Cabinet's intention to find the 300K and will be topping this up.

#### **Recommendation:**

To consider and provide feedback upon the budget assumptions, pressures and savings proformas affecting this Select portfolio area.

#### **Committee Conclusion:**

The Committee resolved to accept the recommendation.

#### **5. Revenue Budget proposals 2019/20**

#### **Purpose and Context:**

This report is being shared with all Select Committee members so that they can understand the holistic budget position being considered by Cabinet. The holistic nature of the report recognises that savings proposals should not be viewed in isolation, and may be necessary to allow other service priorities to be maintained.

## MONMOUTHSHIRE COUNTY COUNCIL

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Subsequent to the consultation process and feedback from individual Select Committees and other representative groups on particular proposals, the resulting report will be provided to full Council in their consideration of settling a balanced budget for 2019/20.

The abridged report seeks to ensure that all proposals have a designated scrutiny oversight, and the tables below highlight those illustratively earmarked to the Scrutiny role of Adult Select Committee for specific feedback.

#### **Member Scrutiny:**

It was reported that consultation would be going ahead with a gap in deliberations of £594k to find. With Welsh Government cuts of 0.3% and additional pressures imposed by external factors the Cabinet Member agreed to expand but mentioned that All Member sessions were arranged next week for more detailed information.

With regard to the revenue pressures and savings in line with the national living wage it was confirmed that Monmouthshire County Council is committed to paying the living wage whilst making sure that external providers also adhere to the same standards.

Due to an issue raised at Full Council recently, Members wanted reassurance that it was categorically correct that all private contractors for social care are being paid living wage. This was confirmed by the Finance Manager at the time of appointment of employee.

With regard to savings and cost cutting – car parking charges were a concern that proposals are counter-productive. Businesses are struggling in high streets already without removing Christmas free parking and charges on a Sunday. Also issues with disabled parking accessing pay machines and the effect of congestion in towns. Main concern is with loss of revenue especially with Morrison's parking in Abergavenny and issues like this need to be considered when setting budgets.

Concerns were raised regarding blue badge charging plus the understanding that badge holders can park on double yellow lines if it does not cause an obstruction. It was confirmed that this act, regardless of whether the owner is a blue badge holder or not, is illegal. The concern was that if we charge for blue badge holders in the car parks, a minority will park on the high street thus causing congestion.

With regard to updating car parking machines, it was reported that although pay machines were the most effective way of dealing with the service, the authority do not use registration controlled parking as it doesn't have the legislation to use AMPR managed car parking or the staff to maintain this.

The Cabinet Member reported that the increase was not exclusive to Monmouthshire, who are one of the last authorities to bring this in, but although valid points had been raised, the relatively small increase was a decision that has to be taken.

The Business case states that the car parking proposal will generate £215k but will cost £100k to install new machines and would take place in October, half way through the financial year, resulting in a limited amount of revenue for this year regardless of grant aid.

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A question was raised regarding the number of Blue Badge holders in Monmouthshire County Council, to which the Head of Operations agreed to look into but explained that not all the badge holder visitors to our towns were Monmouthshire residents.

The Head of Operation confirmed via email the following figures:

- Badges are usually issued for a period of 3 years.
- 2043 badges were issued in 2016/17, 455 were cancelled due to death or other reasons.
- 2135 were issued in 2017/18, 468 were cancelled.
- In 2018/19 from 1<sup>st</sup> April 2018 to date 1626 badges have been issued, 342 cancelled.
- So over a 3 year period we have issued 5804 and cancelled 1265. According to the Blue Badge report there are 5467 badges on issue.

A number of issues were raised with regard to Social Care and Health Changes. Increasing the budget for Mardy Park under Section 33 Agreement – this is a legal agreement around services shared with health partners. It is a legal instrument to pull money and deliver services together.

With regard to transport, whilst being aware of the wider rural issues, it was confirmed that this related in the main to people who fall under the remit of social services i.e. day care provision rather than the general public. Modernisation of the policy took into consideration people using their own Motability cars, newer vehicles, fuel efficiency and planning routes rather than mobility. Also it was noted that when the policy was introduced, our own stock was taken into consideration and rationalised downwards to realign the budget.

There was a need to ensure that savings are not going to lead to a deterioration in services.

Regarding Respite care – The Care Act, at the moment charges are per hour for overnight care but policies are being re-aligned to charge a blanket fee for respite. The service will not differ regardless of how much a person can pay. Welsh Government have put a ceiling on what the authority can charge. By 2020 the ceiling will be £100.

Practice change since 2011 has resulted in a budget saving of 536K. This is due to the way people are assessed, delivering more service and creating independency rather than individuals accepting or needing all the support being channelled towards them.

With regards to the recoupment of continuing health care discretionary fees and charges saving £93K, the figure cannot be set in stone as people who have complex needs and peoples' health may deteriorate. The figures are tracked and although some may not be relevant to this committee, they come under discretionary fees and charges.

The question was raised about representations to the Welsh Government regarding allowances allowed in savings/property. Welsh Government will be increasing the allowance to £50k on 1<sup>st</sup> April which works in favour of the individual but a pressure for the authority. Individuals undergo a financial assessment and a protocol is followed as to whether the authority funds someone or not, and what capital they can retain.

#### **Recommendation:**

## MONMOUTHSHIRE COUNTY COUNCIL

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That Select Committee consider specifically the table of pressure and saving in the report, with a view to providing pertinent feedback on the adoption or otherwise of such by full Council in its subsequent consideration.

#### **Committee Conclusion:**

The Committee accepted the recommendation, and added a recommendation that car park charges be further discussed at the Joint Select Committee on 18<sup>th</sup> February 2018.

#### **6. Month 7 Revenue & Capital Monitoring Report**

##### **Purpose and Context:**

Members were presented with a report to provide all Members with holistic information on the revenue and capital outturn position of the Authority at the end of reporting period 2 which represents the financial outturn position for the 2018/19 financial year based on October inclusive activities.

This is to be considered by Select Committees as part of their responsibility to:

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

##### **Member Scrutiny:**

The Assistant Head of Finance explained the report and noted that the report will be going to Cabinet. For ease, items were colour coded that referred specifically to this Committee. There was a forecast underspend of £316K surplus at month 7. Within that figure, approval will be needed for capitalisation of revenue expenses which will be discussed at a special Full Council meeting in February.

With regard to the Directors' Commentary, concern was raised about the wording '300 weekly hours of unmet need'. Being very careful with the language used in terms of 'unmet need' it was explained that this figure does not accurately reflect the number of people, as individuals could be within or receiving different aspects of health care at one time for differing periods of time. Actively working alongside providers within Relationship Management maximises what we can offer and maximises delivery.

With regard to individuals who are financially able to seek help from private providers or other potential organisations other than the council, it was noted that in relation to personal care, the organisation would need to be registered with Social Care Wales.

##### **Committee Conclusion:**

The Committee resolved to accept and approve the report.

#### **7. To confirm the minutes of the previous meeting: 23rd October 2018**

**MONMOUTHSHIRE COUNTY COUNCIL**

**Minutes of the meeting of Adults Select Committee held  
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 29th  
January, 2019 at 10.00 am**

The minutes of the meeting held on 23<sup>rd</sup> October were confirmed and signed by the Chair.

**8. To confirm the minutes of the previous meeting: 26th November 2018**

The minutes of the meeting held on 26<sup>th</sup> November 2018 were confirmed and signed by the Chair.

**9. Forward Work Programme**

Noted.

**10. To note the date and time of next meeting as Tuesday 12th March 2019**

Noted.

**The meeting ended at 1.00 pm**

*Monmouthshire's Scrutiny Forward Work Programme 2019*

<b>Adults Select Committee</b>				
<b>Meeting Date</b>	<b>Subject</b>	<b>Purpose of Scrutiny</b>	<b>Responsibility</b>	<b>Type of Scrutiny</b>
To be confirmed	Gypsy and Travellers Needs Assessment	Possible Site Visit to Powys and Newport.	Ian Bakewell Stephen Griffiths	Workshop
Special Meeting 29 <sup>th</sup> April 2019 10am	Hospital Service Provision for Monmouthshire	To provide an update on the Chepstow hospital- dementia services/ inpatient/ outpatient services/wards and beds, the position for Nevill Hall and the Royal Gwent in line with the future services at Llanfrechfa Grange.	Aneurin Bevan University Health Board	Policy Development/Performance Monitoring
30 <sup>th</sup> April 2019	Supplementary Planning Guidance on Affordable Housing commuted sums	To engage the committee during the consultation period to inform drafting of suitable policy guidance.	Mark Hand	Policy Development
	Eco Flex Policy	To discuss the merits and implications of declaring a 'Statement of Intent' and adopting this new policy.	Stephen Griffiths	Policy Development
18 <sup>th</sup> June 2019	Housing Policy (TBC)	To discuss the methodology for calculating the redemption on Property Appreciation Loans and to provide a steer to Cabinet.	Stephen Griffiths	Policy Development
	Universal Credit (TBC)	A report on the impact of the rollout of Universal Credit. Discussion on Discretionary Housing Payments Policy. Invite Housing Associations and DWP.	Ian Bakewell	Performance Monitoring
23 <sup>rd</sup> July 2019	Corporate Plan and Annual Report TBC	To hold cabinet members to account on performance and alignment of service delivery to the corporate plan.	Julie Boothroyd Richard Jones	Performance Monitoring

## Monmouthshire's Scrutiny Forward Work Programme 2019

Adults Select Committee				
Meeting Date	Subject	Purpose of Scrutiny	Responsibility	Type of Scrutiny
24 <sup>th</sup> September 2019				
22 <sup>nd</sup> October 2019				
10 <sup>th</sup> December 2019				

### Future Agreed Work Programme Items: Dates to be determined

- ✓ Homelessness Update ~ Ian Bakewell
- ✓ Disabled Facilities Grant ~ Ian Bakewell
- ✓ Dementia Friendly Progress report ~ October 2019
- ✓ Future Commissioning of Adults Services ~ linked to "Turning the World Upside Down"
- ✓ My Mates programme
- ✓ Community Development and Well-being
- ✓ Welfare ~ Discussion with Monmouthshire Housing Association on current stock and new home development, support for welfare reform
- ✓ Annual Complaints Report for Social Services

### Joint Scrutiny with Children and Young People's Select Committee:

- ✓ "Information, Advice and Assistance Service ~ responsibility of the Social Services and Well-being Act 2014 ~ (January/February 2018)
- ✓ The implementation of the Social Services and Well-being Act 2014 ~ (October 2017)

## *Monmouthshire's Scrutiny Forward Work Programme 2019*

- ✓ **Mental Health and Learning Disabilities** ~ linked to implications of the DOLS (Deprivation Liberty Safeguards) Grant
- ✓ **Well-being** ~ responsibilities of the Social Services and Well-being Act 2014 around connected communities and meeting needs
- ✓ **Implementation of the Social Services and Well-being Act 2014** ~ review post 18 month together with the duties around prisons ~ (March 2018)
- ✓ **Safeguarding Performance Reporting and Progress of Regional Safeguarding Boards** ~ Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- ✓ **Regional Integrated Autism Service**
- ✓ **Annual Report**

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# Agenda Item 8

Committee / Decision Maker	Meeting date / Decision due	Subject
Cabinet	06/11/2019	Long Term Household Recycling
Cabinet	02/10/2019	Usk Town Strategy
Cabinet	03/07/2019	Apprentice, Graduate and Intern Strategy
Council	20/06/2019	Social Justice: Annual Review
Cabinet	06/06/2019	Budget Monitoring report - month 12 (period 3) - outturn
Cabinet	05/06/2019	Digital Deprivation Action Plan
Cabinet	05/06/2019	Local Toilet Strategy
Cabinet	05/06/2019	Section 106 Funding – The Hill, Abergavenny
Cabinet	05/06/2019	Section 106 Funding – Penperlleni
Cabinet	05/06/2019	Proposed Off-Road Cycling Centre, Llanfoist
Cabinet	05/06/2019	Section 106 funding – Forensic Science Laboratory Site, Chepstow
ICMD	22/05/2019	Collections Review
Council	16/05/2019	Chief Officer CYP Annual Report
Council	16/05/2019	Speed Management

ICMD	08/05/2019	Delivering Excellence in Children's Service: Establishment update in line with setting the structure for 2019/20.
ICMD	08/05/2019	Museum Service Interim Reduction in hours
Cabinet	01/05/2019	Cabinet to agree to commence statutory consultation to open a new Welsh Medium Primary School in Monmouth.
Cabinet	01/05/2019	Recruitment & Selection Policy
Cabinet	01/05/2019	Play Sufficiency Audit and Action Plan 2019
Cabinet	01/05/2019	Proposed changes to the membership of the school budget finance forum

Purpose	Author
	Roger Hoggins
	Frances Williams
	Hannah Jones
	Cath Fallon
The purpose of this report is to provide Members with information on the forecast outturn position of the Authority at end of month reporting for 2018/19 financial year.	Joy Robson/Mark Howcroft
	Cath Fallon
	Dave Jones
	Mike Moran
	Rachael Rogers
	Will Mclean
	Roger Hoggins

To establish a fit for purpose structure for Children's Services for the forthcoming financial year of 2019/2020 and beyond.	Jane Rodgers
	Matt Lewis
Deferred to ?	Debbie Morgan
	Sally Thomas
	Mike Moran
This paper is to propose changing the membership of the school budget forum to allow wider representation	Nikki Wellington

<b>Date item added to the planner</b>
29/01/2019
29/01/2019
16/04/2019
01/04/2019
17/04/2018
01/04/2019
06/03/2019
20/02/2019
20/02/2019
20/02/2019
20/02/2019
27/03/2019
26/03/2019
29/01/2019

17/04/2019
11/04/2019
05/03/2019
26/02/2019
20/02/2019
15/02/2019