

Dydd Mawrth, 21 Mawrth 2017

Annwyl Cyngorydd

PENDERFYNIADIAU AELOD CABINET UNIGOLHysbysir drwy hyn y caiff y penderfyniadau dilynol a wnaed gan aelod o'r cabinet eu gwneud **Dydd Mercher, 29ain Mawrth, 2017,**.**AGENDA**

1. TERFYN CYFLYMDER ARFAETHEDIG 40 MYA HEOL PORTAL A FFORDD DDOLEN TREFYNWY 1 - 14
CABINET MEMBER: County Councillor S B Jones
AUTHOR: Paul Keeble Traffic & Network Manager
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E-mail: paulkeeble@monmouthshire.gov.uk
Telephone: 01633 644733
2. POLISI GORFODAETH CYFRAITH BWYD - AMGEN SIR FYNWY I BOLISI ERLYN (MAPP) 15 - 34
CABNET MEMBER: County Councillor P Fox
AUTHOR: Gillian Dicken Principal Environmental Health Officer
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E-mail: gilliandicken@monmouthshire.gov.uk
3. GWNEUD SWYDD DROS DRO RHEOLWR DATBLYGU GOFALWYR YN UN BARHAOL 35 - 48

COUNTY COUNCILLOR: P MURPHY

AUTHOR: Bernard Boniface, Adult Protection Manager

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4. PENODIAD PARHAOL SWYDD CEFNOGAETH WEINYDDOL DROS DRO (RBC13A)

49 - 58

COUNTY COUNCILLOR: P Murphy

AUTHOR: Nigel George Building Control Manager

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5. AILSTRWYTHURO STAFFIO: TÎM RHEOLI DATBLYGU

59 - 86

COUNTY COUNCILLOR: P Murphy

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

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6. AILSTRWYTHURO STAFFIO: TÎM POLISI CYNLLUNIO

87 - 106

COUNTY COUNCILLOR: RJB Greenland

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

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7. GWASANAETH GOSODIADAU SIR FYNWY

107 - 144

COUNTY COUNCILLOR: PAD Hobson

AUTHOR: Stephen Griffiths, Strategy & Policy Officer (Housing & Communities)

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8. RHEOLI CONTRACTAU - GWEITHREDU ARFAETHEDIG AR DREFNIADAU RHEOLI NEWYDD

145 - 156

COUNTY COUNCILLOR: G Burrows

AUTHOR: Ceri York Service Manager Commissioning and Disability Services

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Yr eiddwch yn gywir,

Paul Matthews
Prif Weithredwr

CABINET PORTFOLIOS 2014

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

Cymunedau Cynaliadwy a Chryf

Canlyniadau y gweithiwn i'w cyflawni

Neb yn cael ei adael ar ôl

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

Pobl yn hyderus, galluog ac yn cymryd rhan

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

Ein sir yn ffynnu

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

Ein blaenoriaethau

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

Ein gwerthoedd

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

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SUBJECT: PROPOSED 40 MPH SPEED LIMIT PORTAL ROAD AND LINK ROAD MONMOUTH

MEETING: Cabinet Member for County Operations

DATE: 29th March 2017

DIVISION/WARDS AFFECTED: Central, Overmonnow

1. PURPOSE:

To consider the proposed Order subsequent to representations received following advertisement in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1994.

2. RECOMMENDATIONS:

Not to hold an inquiry into the proposal

To approve the proposed Order as consulted and advertised upon to implement the Order.

3. KEY ISSUES:

Monmouthshire County Council has previously granted planning consent for a new hotel complex on Portal Road. Portal Road in the extents under consideration is currently subject to a derestricted speed limit (60 mph). Portal Road had no direct frontage development prior to the construction of the new hotel complex. The adjacent Link Road is currently subject to a 40 mph speed limit and this is proposed to be retained.

4. REASONS:

The characteristics of Portal Road have changed following the construction of the new hotel and a highway which was previously rural in character has now changed to being semi urban. Previously the level of pedestrian usage along Portal Road could have reasonably been considered to be low however the pedestrian usage is now anticipated to increase due to the proximity of the new hotel to the town centre and the good footway links available. In order to increase the level of road safety for vulnerable road users e.g. pedestrians and cyclists, a reduction in the mandatory speed limit is being supported. The proposed 40 mph speed limit has been assessed in accordance with Welsh Government Setting Local Speed Limits guidance and has been found to comply with such guidance.

Regulation 9 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 enables the Council to hold a public inquiry into the proposal if there are unresolved objections. The purpose of such an inquiry would be for the proposal to be explained and subjected to examination; and for the public to be given the opportunity to make their views known. Should a public inquiry be held then it would not be possible for it to be implemented for at least six months.

Officers consider that in view of the fact that no objections have been received as set out in the report, that the Council's proposals do not warrant the holding of any inquiry.

5. RESOURCE IMPLICATIONS:

The costs of the proposed Traffic Regulation Order, road markings and signage are being funded by the developer of the new hotel complex and this proposed traffic regulation order is included in the current road safety and traffic management programme.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

There are no sustainability issues regarding installing a lower speed limit on Portal Road and retaining the existing speed limit on Link Road.

7. CONSULTEES:

Senior Leadership Team
County Councillor B Jones, Cabinet Member for County Operations
County Councillor Susan White.

8. BACKGROUND PAPERS:

Notice of Intention, Schedule of Objections/Comments, Proposed 40 mph speed limit location plan, Schedule of Order, Statement of Reasons.

9. AUTHOR:

Paul Keeble Traffic & Network Manager

10. CONTACT DETAILS:

E-mail: paulkeeble@monmouthshire.gov.uk

Telephone: 01633 644733

Schedule of Objections/Comments

Name/Address	Support	Comments
1.Heddlu Gwent Police	Has confirmed its support in writing.	Noted.
Name/Address	Support	Comments
Councillor Susan White	Has confirmed her support in writing by email.	Noted.
Name/Address	Support	Comments
Monmouth Town Council	Has confirmed its support in writing.	Noted.
Name/Address	Objection	Comments



Future Generations Evaluation (includes Equalities and Sustainability Impact

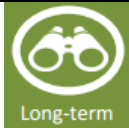
Name of the Officer completing the evaluation Paul Keeble Phone no: E-mail:	Please give a brief description of the aims of the proposal To improve the level of all highway users especially vulnerable highway users.
Name of Service Highways	Date Future Generations Evaluation form completed 23 rd February 2017.





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?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	Neutral	N/A
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	Neutral	N/A
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Neutral	N/A

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

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?
 Balancing short term need with long term and planning for the future	N/A	

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	N/A	
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	N/A	
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	N/A	
 <p>Integration</p> <p>Positively impacting on people, economy and environment and trying to benefit all three</p>	N/A	

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

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	N/A		N/A
Disability	A lower speed limit will improve the level of highway safety for pedestrians including disabled highway users and encourage higher pedestrian usage.		N/A
Gender reassignment	N/A		
Marriage or civil partnership	N/A		
Race	N/A		
Religion or Belief	N/A		
Sex	N/A		
Sexual Orientation	N/A		
Welsh Language	N/A		

4. **Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities?** For more information please see the guidance 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	N/A		
Corporate Parenting	N/A		

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

The proposed lower speed limit has been assessed in accordance with Welsh Governments Setting Local Speed Limits guidance.
 Statutory consultation has been completed and no objections have been received.

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

The proposed traffic order aims to restrict vehicular mean speeds along Portal Road and continue the current level of road safety along Link Road. The lower speed limit will assist in the use of Portal Road by vulnerable road users as the perception of danger will be reduced due to the lower proposed mandatory speed limit.

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

What are you going to do	When are you going to do it?	Who is responsible	Progress
Implement order and appropriate works	Following publication of notice of making.	Traffic & Network Team	On-going

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

The impacts of this proposal will be evaluated on:	30 th April 2018
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SECTION 84 - ROAD TRAFFIC REGULATION ACT 1984

NOTICE OF INTENTION TO MAKE A PERMANENT ORDER

**MONMOUTHSHIRE COUNTY COUNCIL
CYNGOR SIR FYNWY
(40MPH B4293 PORTAL ROAD /LINK ROAD MONMOUTH)
TRAFFIC REGULATION ORDER 2016
GORCHYMYN RHEOLAETH TRAFFIG 2016**

NOTICE IS HEREBY GIVEN that Monmouthshire County Council of County Hall, The Rhadyr, Usk, NP15 1GA ("the Council") propose to make a Road Traffic Regulation Order as follows:

EFFECT OF THE ORDER: to lower the current derestricted speed limit on part of Portal Road referred to in the order schedule and continues with the existing 40mph speed limit on Link Road.

Further details of the proposed Order comprising a plan, statement of reasons for proposing to make the Order may be examined during normal office hours at County Hall, The Rhadyr, Usk, NP15 1GA and the Monmouth Community Hub, Rolls Hall, Monmouth, NP25 3BY. If you wish to telephone to obtain further information about this proposal please telephone 01633 - 644026.

Any objections in respect of this proposal should be made in writing, stating the grounds on which the objection is being made and should be sent to Head of Legal Services, Monmouthshire County Council, County Hall, The Rhadyr, Usk, NP15 1GA not later than the 25th of November 2016. Please quote reference CW/H45/60.0839 on any correspondence.

Date: 10th October 2016

R Tranter

Head of Legal Services/Pennaeth Gwasanaethau Cyfreithiol

ADRAN 84 - DEDDF RHEOLEIDDIO TRAFFIG FFORDD 1984

HYSBYSIAD BWRIAD I WNEUD GORCHYMYN PARHAOL

**CYNGOR SIR FYNWY
(40MYA B4293 HEOL PORTH/HEOL GYSWLLT TREFYNWY)
GORCHYMYN RHEOLEIDDIO TRAFFIG 2016**

HYSBYSIR DRWY HYN bod Cyngor Sir Fynwy o Neuadd y Sir, Y Rhadyr, Brynbuga, NP15 1GA ("y Cyngor") yn cynnig gwneud Gorchymyn Rheoleiddio Traffig Ffordd fel sy'n dilyn:

EFFAITH Y GORCHYMYN: gostwng y terfyn cyflymder heb gyfyngiad ar ran o Heol Porth y cyfeirir ati yn atodlen y gorchymyn a pharhau gyda'r terfyn cyflymder presennol o 40mya ar y Ffordd Gyswllt.

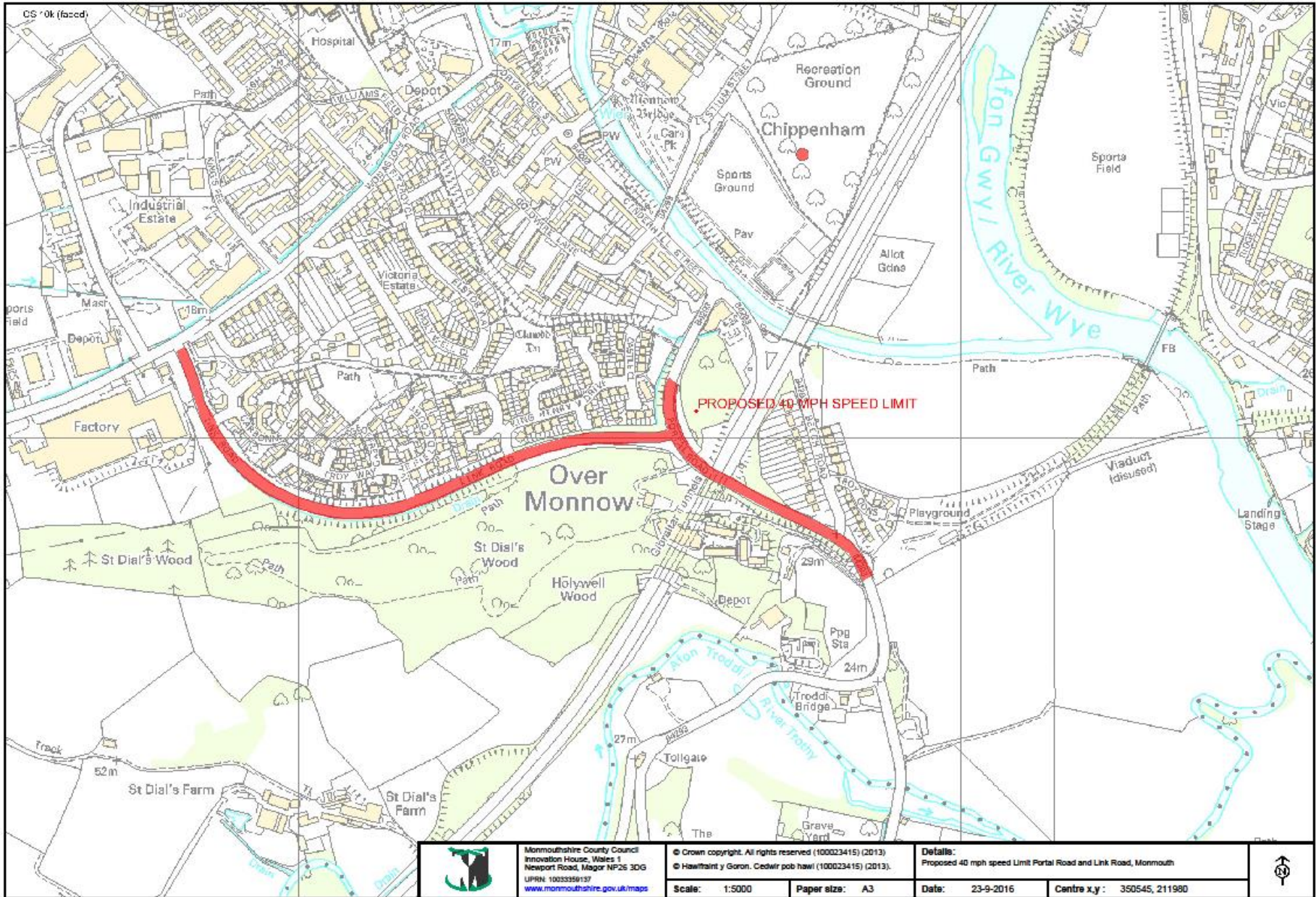
Gellir gweld manylion pellach y Gorchymyn arfaethedig yn cynnwys cynllun, datganiad o resymau dros gynnig gwneud y Gorchymyn yn ystod oriau swyddfa arferol yn Neuadd y Sir, Y Rhadyr, Brynbuga, NP15 GA a Hyb Cymunedol Trefynwy, Neuadd Rolls, Trefynwy, NP25 3BY. Os dymunwch ffonio i gael mwy o wybodaeth am y cynnig hwn ffoniwch 01633 - 644026 os gwelwch yn dda.

Dylid gwneud unrhyw wrthwynebiad i'r cynnig mewn ysgrifen, gan nodi'r sail ar gyfer gwneud y gwrthwynebiad a dylid ei anfon at y Pennaeth Gwasanaethau Cyfreithiol, Cyngor Sir Fynwy, Neuadd y Sir, Y Rhadyr, Brynbuga, NP15 1A erbyn 25 Tachwedd 2016 fan bellach. Gofynnir i chi ddefnyddio'r cyfeirnod CW/H45/60.0839 ar unrhyw ohebiaeth.

Dyddiad: 10 Hydref 2016

R Tranter

Pennaeth Gwasanaethau Cyfreithiol



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Innovation House, Wales 1
Newport Road, Major NP25 3DG
UPRN: 10033359157
www.monmouthshire.gov.uk/maps

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Scale: 1:5000 Paper size: A3

Details:
Proposed 40 mph speed limit Portal Road and Link Road, Monmouth
Date: 23-9-2016 Centre x,y: 350545, 211980



40 MPH SPEED LIMIT PORTAL ROAD (B4293) AND LINK ROAD, MONMOUTH

Schedule

(1) Portal Road (B4293)

From a point 45 north of its junction with Link Road in a generally south-easterly direction to a point 107 metres south east of its junction with Beech Road.

(2) Link Road

From its junction with Portal Road (B4293) to its junction with Wonastow Road.

STATEMENT OF REASONS

Monmouthshire County Council proposes to lower the current derestricted speed limit on that part of Portal Road referred to in the schedule and to continue the existing 40 mph speed limit on Link Road.

This Order is required in the interests of improving highway safety due to the change in character and level of new frontage development on Portal Road.

**SUBJECT: FOOD LAW ENFORCEMENT POLICY - MONMOUTHSHIRE
ALTERNATIVE TO PROSECUTION POLICY (MAPP)**

MEETING: INDIVIDUAL CABINET MEMBERS DECISION

DATE: 29th MARCH 2017

DIVISION/WARDS AFFECTED: ALL

1. **PURPOSE:** To consider amendments to the authority's existing Food Law Enforcement Policy
2. **RECOMMENDATIONS:** To approve the addition of an alternative method of enforcement to the Authority's Food Law Enforcement Policy as outlined in Appendix one.
3. **KEY ISSUES:**
 - 3.1 Monmouthshire County Council, like all Councils in Wales, has statutory responsibilities as a *Food Authority* to enforce relevant food law in its area. In discharging those duties the Authority is required to have regard to Codes of Practice and other statutory guidance issued.
 - 3.2 The attached *Food Law Enforcement Policy* has been drafted in accordance with the Framework Agreement. It has been compiled in collaboration with the All Wales Food Expert Panel and in accordance with the relevant Food Law Code of Practice. It details the authority's arrangements for ensuring compliance with food law. The Policy covers all areas of food law that Monmouthshire has a duty to enforce and includes the criteria for the use of all the enforcement options that are available. The additional part to cover this proposal can be found in **RED** in Appendix one.
 - 3.3 The government document Regulatory Futures Review January 2017 states we should use the range of levers available to us in addition to our statutory powers. The outcomes are (i) to reduce harm and ensure quality and focus as far as possible; (ii) to enable greater flexibility in the Authority's role as an enforcement body; (iii) to take into account the changing regulatory landscape; and (iv) to promote a more outcome based intervention strategy. To achieve these outcomes it is proposed to introduce this alternative enforcement model.
 - 3.4 Following a review of our work processes we see an opportunity to move closer to an outcome based approach to regulation though the implementation of the Monmouthshire Alternative to Prosecution Policy (MAPP). This would allow the Environmental Health Section to offer an alternative to prosecution to businesses that have failed and are at the point where a prosecution will be taken under food legislation.
 - 3.5 When a food business is found to be performing very badly in terms of food hygiene compliance, it is sometimes necessary to prosecute the food business operator if conditions are sufficiently poor. The process is very time consuming, stressful and costly for both the department and the business. The outcome will depend on the evidence presented at court and the decision of the court. Recent changes to the sentencing guidelines have resulted in some very high fines, usually into the thousands of pounds for food business operators.

Monmouthshire County Council's Food Safety Team would like to adopt an innovative approach to dealing with such premises. We propose to offer an alternative route for food businesses to get back on track and improve the food hygiene rating and give the business a chance to restore public confidence.

When a business is identified as being liable for prosecution the food business operator may be offered a chance to take up a bespoke package of improvements and training from the food safety team. This will be for a set fee for example £750 for the normal package of improvement which will include:

1. A meeting to decide on the best approach to securing the necessary improvements.
2. Revisits to the food business to monitor and provide advice on improvements.
3. Suitable training for key food safety staff within the business. This may be at the business premises or by arranging places on a suitable course locally. Higher risk premises may require a higher level of training which would have to be arranged separately.
4. When a satisfactory standard has been achieved, helping the business with their application to reappraise the Food Hygiene Rating.

3.6 We will retain the option to prosecute in the worst cases. Although prosecution remains the last 'resort course' of action, it always sends out a useful reminder to all businesses that breaches of the food safety legislation will not be tolerated.

4. REASONS:

4.1 The government document Regulatory Futures Review January 2017 states we should use the range of levers available to supplement our statutory powers to reduce harm and ensure quality and focus as far as possible on outcomes. To enable greater flexibility in the Authority's role as an enforcement body and to take into account the changing regulatory landscape together with promoting a more outcome based model in line with the review, this alternative enforcement model is proposed.

5. RESOURCE IMPLICATIONS:

Possible increase in officer time if this option is offered as opposed to preparing a prosecution file but the benefits are seen as income generation and a more positive outcome based approach in appropriate situations.

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

A full Future Generations Evaluation has taken place and can be seen attached in Appendix two.

7. CONSULTEES:

SLT
Chairs of Select committees
Head of Legal Services

8. BACKGROUND PAPERS: none

9. **AUTHOR:** Gillian Dicken Principal Environmental Health Officer

10. CONTACT DETAILS:

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E-mail: gilliandicken@monmouthshire.gov.uk

Appendix One

Monmouthshire County Council FOOD LAW ENFORCEMENT POLICY

1.0 Introduction

- 1.1 This enforcement policy should be read in conjunction with the Council's Corporate Enforcement Policy which outlines the authority's broader approach to delivering its enforcement responsibilities.
- 1.2 We affirm the importance of achieving and maintaining consistent, balanced and fair enforcement. Regard will be given to the Food Law Code of Practice and Practice Guidance, Code for Crown Prosecutors, Enforcement Concordat, LACORS guidance, Home Authority Principle, Industry Guides and the Regulatory Enforcement and Sanctions Act 2008 (RES Act) as amended and associated guidance.
- 1.3 Departures from the Food Safety Enforcement Policy should be exceptional and the reasons for any departure should be recorded.
- 1.4 All enforcement action considered by us will primarily be based upon the following:
- An assessment of risk to public health
 - Nature of the breach
 - History of compliance
 - Confidence in management
 - The need to prevent a recurrence.
- 1.5 Authorised Officers will ensure that the enforcement action they undertake is reasonable, proportionate and consistent with good practice. Officers will take account of the full range of enforcement options available and include:
- Informal action.
 - Statutory Notices & Voluntary Closure
 - Seizure and Detention
 - Simple Cautions
 - Prosecution
 - **Monmouthshire Alternative to prosecution scheme**

For MCC owned premises the Procedure for Environmental Health Inspections for Food Hygiene and Food standards in MCC PREMISES :EH Procedure No. 07 must be followed.

- 1.6 Except where circumstances indicate a significant risk, officers should operate a graduated approach starting with informal action and only moving to formal action where the informal does not achieve the desired effect.
- 1.7 Monmouthshire County Council will comply with the requirements of the RES Act when we are considering taking enforcement action against any business or

organisation that has a registered Primary Authority partnership.

2.0 Informal Action

2.1 This enforcement option includes the offering of advice, the issuing of verbal warnings and requests for action and the use of informal letters and food hygiene inspection reports.

2.2 The following circumstances are considered appropriate for use of informal action as a means to secure compliance with the requirements of food safety legislation within a reasonable time scale:-

- Circumstances where the consequences of non-compliance with the contravention identified will not pose a significant risk to public health;
- Acts or omissions, which are minor and not serious enough to warrant formal action;
- The Food Business Operator's past history of compliance, and or willingness to undertake the necessary works, demonstrates that it can be reasonably expected that informal action will result in compliance;
- Where matters identified constitute good practice as opposed to legal contraventions.

2.3 A clear distinction between action needed to meet statutory requirements and recommendations about good practice shall be made in all communications with food businesses.

3.0 Approach To Food Safety Management Enforcement

3.1 Authorised Officers will adopt a graduated and educative approach to ensuring food business operators implement and maintain food safety management procedures which are commensurate with the size and nature of the business. However, food premises that present a clear and imminent danger to public health will be subject to formal enforcement actions to secure improvement.

4.0 Hygiene Improvement Notice

4.1 Hygiene Improvement Notices are served on the food business operator to secure compliance with food safety requirements within a given time period. Failure to comply with the notice constitutes an offence.

4.2 A Hygiene Improvement Notice may be appropriate in any of the following circumstances or a combination there of:

- Where formal action is proportionate to the risk to public health
- Where there is a record of non-compliance with breaches of the food hygiene regulations
- Where the Authorised Officer has reason to believe that an informal approach may not be successful

4.3 A Hygiene Improvement Notice would not be appropriate in the following circumstances:

- Where the contravention might be a continuing one, for example, personal cleanliness of staff and a notice would only secure an improvement at one point in time; In other circumstances of a continuing contravention a Remedial Action Notice can be served.
- In transient situations, and it is considered that swift enforcement action is needed, for example, a one day festival or sporting event. A Hygiene Emergency Prohibition Notice would be the only formal remedy that would have immediate effect;
- Where there is a breach of good hygiene practice but no failure to comply with an appropriate regulation.

4.4 Improvement Notices shall only be signed and served by those Officers who have been appropriately authorised and witnessed the contraventions.

4.5 Where it is not possible to identify the food business operator the hygiene improvement notice will be addressed to the “food business operator” and left at the named premises. Where possible, the person who is responsible for taking action also receives a copy, especially where the local manager is not the food business operator.

4.6 Hygiene Improvement Notices will clearly state the measures required and the time limit for completion (not less than 14 days). Wherever possible, the officer will discuss the detail of the work required with the food business operator before a notice is issued. However, the issue of a notice will not be delayed if this person cannot be reached.

4.7 In exceptional circumstances, where the food business operator can demonstrate genuine difficulties in completing the works careful consideration will be given to a written request to extend the time limit for compliance. If this is successful, the officer will cancel the original notice and issue a new notice with a revised timescale.

4.8 Compliance will be checked following the expiry of the notice or as soon as practicable after notification has been received. Consideration will be given to works that will achieve the same effect. The officer will confirm in writing that the works have been satisfactorily completed.

4.9 The notice will include details of the right of appeal and the name and address of the relevant local court.

5.0 Hygiene Emergency Prohibition Notice (HEPN)

5.1 A Hygiene Emergency Prohibition Notice is served on a food business operator when an imminent risk of injury to health exists. The effect of the notice is to immediately close the premises, or prevent the use of equipment, or the use of a process or treatment.

5.2 An Authorised Officer must make an application to a Magistrates Court for a hygiene emergency prohibition order within three days of a hygiene emergency prohibition notice being served.

- 5.3 A food business operator will be given at least one complete day's notice of the intention to make the application for an emergency prohibition order.
- 5.4 The word "imminent" qualifies the word "risk". There must always be an imminent risk of injury to health before a hygiene emergency prohibition notice can be served. The injury itself may occur sometime in the future. Not everyone exposed to the risk of injury will actually suffer the injury. It is the exposure to the risk of injury that enables action to be taken. For example, if the condition of the premises appeared to carry a high risk of causing an outbreak of food poisoning within the next few days, the Authorised Officer could consider imposing a hygiene emergency prohibition notice.
- 5.5 Health risk conditions where prohibition of premises may be appropriate include:
- Infestation by rats, mice, cockroaches, birds or other vermin, serious enough to result in the actual contamination of food or a significant risk of contamination;
 - Very poor structural condition and poor equipment and/or poor maintenance or routine cleaning and/or serious accumulations of refuse, filth or other extraneous matter resulting in the actual contamination of food or a significant risk of food contamination;
 - Drainage defects or flooding of the establishment, serious enough to result in the actual contamination of food or a significant risk of food contamination;
 - Premises or practices which seriously contravene food law and have been or are implicated in an outbreak of food poisoning;
 - Any combination of the above, or the cumulative effect of contraventions which, taken together, represent the fulfillment of the health risk condition.
- 5.6 Health risk conditions where the prohibition of equipment may be appropriate:
- Use of defective equipment, e.g. a pasteuriser incapable of achieving the required pasteurisation temperature;
 - Use of equipment for the processing of high-risk foods that has been inadequately cleaned or disinfected or which is grossly contaminated and can no longer be properly cleaned.
- 5.7 Health risk conditions where prohibition of a process may be appropriate:
- Serious risk of cross contamination;
 - Failure to achieve sufficiently high processing temperatures;
 - Operation outside critical control criteria, for example, incorrect pH of a product which may allow *Clostridium botulinum* to multiply;
 - The use of a process for a product for which it is inappropriate.
- 5.8 If an officer is satisfied that the health risk condition no longer exists a certificate will be served within three days. If the food business operator applies for such a certificate, the Food Authority must determine the position as soon as is reasonably practicable and within a period of no longer than fourteen days.
- 5.9 If the Food Authority determines that the health risk condition remains in existence, it must issue a notice of that determination to the food business operator and should do so within three days.

6.0 Voluntary Closure

- 6.1 Voluntary procedures to remove a health risk condition may be used as an alternative to the service of a Hygiene Emergency Prohibition Notice. This approach could be at the instigation of the food business operator or the Authorised Officer.
- 6.2 The food business operator or manager and the Authorised Officer should confirm any voluntary closure agreement in writing, with an undertaking by the food business operator or manager not to re-open without the officer's prior approval. The food business operator will be advised that by offering to close voluntarily, any right to compensation is lost. A voluntary closure agreement will not preclude legal proceedings being undertaken for non-compliance with food safety legislation.

7.0 Hygiene Prohibition Order made against a person

- 7.1 This order prohibits a food business operator from managing any food business or particular type of business.
- 7.2 When the food business operator has been convicted of an offence, the Authorised Officer may feel that it is appropriate to ask the Court to consider making an order in relation to that operator.
- 7.3 Circumstances where such action may be appropriate include repeated offences such as failure to clean, failure to maintain equipment, blatant disregard for health risks, or putting health at risk by knowingly using unsafe food.

8.0 Hygiene Prohibition Order

- 8.1 During an inspection of a premise prior to a court hearing for an offence(s) under the food hygiene regulations, the Authorised Officer may discover that the matter(s) giving rise to the prosecution has either not been removed, or has been removed, but has recurred.
- 8.2 If the food business operator is convicted, the court may be asked to consider making a Hygiene Prohibition Order on the premises, process, or equipment, thus ensuring the risk of injury to health is removed.

9.0 Remedial Action Notices & Detention Notices

- 9.1 Remedial Action Notices and Detention Notices apply in respect of establishments subject to approval under 853/2004 and other food establishments subject to regulation 852/2004.
- 9.2 Remedial Action Notices can be served if any of the requirements of the Hygiene Regulations are being breached or hampered. The notice may:
- Prohibit the use of any equipment or any part of the establishment
 - Impose conditions upon, or prohibit, any process
 - Allow for the rate of an operation to be reduced or, stopped completely

- 9.3 The officer will also consider whether food at the establishment should be detained for the purposes of examination by means of a Detention Notice.
- 9.4 Detention Notices provide for the detention of any food, including the taking of samples for the purposes of examination.
- 9.5 As soon as the Authorised Officer is satisfied that the action specified in a Remedial Action Notice has been taken, the notice must be withdrawn by means of a further notice in writing. Similarly, in respect of a Food Detention Notice, if the Authorised Officer is satisfied that the food need no longer be detained, the relevant notice must also be withdrawn by means of a further notice in writing.
- 9.6 Circumstances which may lead to the issue of a Remedial Action Notice in respect of an establishment include:
- The failure of any equipment or part of an establishment to comply with the requirements of the food hygiene regulations
 - The need to impose conditions upon or the prohibition of the carrying on of any process breaching the requirements of the regulations or hampering adequate health inspection in accordance with the regulations
 - Where the rate of operation of the business is detrimental to its ability to comply with the regulations
- 9.7 Circumstances which might lead to the issue of a Detention Notice include indications or suspicions that food is unsafe and examination is necessary and the taking of samples.

10.0 Seizure & Detention

- 10.1 If while inspecting food, or because of other information from a reliable source the Authorised Officer believes that the food fails to comply with the food safety requirements, the officer may detain or seize the food under Section 9 Food Safety Act 1990. Reliable sources may include Food Standards Agency, the HPA, NPHS, CCDC.
- 10.2 Seizure and detention may also be necessary after food has been certified as not being produced, processed or distributed in accordance with Regulation 27 of the Food Hygiene (Wales) Regulations 2006.
- Detention***
- 10.3 If the Authorised Officer has good reason to suspect that the food does not satisfy food safety requirements then a detention of food notice may be served.
- 10.4 A decision to detain food should only normally be taken if it has been discussed with the owner or person in charge of the food and, if appropriate, with the manufacturer. Where the Authorised Officer has served a detention of food notice, professional judgement will be used to determine whether food should be detained where it is, or moved elsewhere. If the officer has any doubts about the security or physical care of the food, the detention notice should specify a place to which the food is to be moved.

The officer will organise periodic monitoring of the food throughout the period of detention.

- 10.5 The Authorised Officer will act as quickly as possible when evidence or information indicates that detained food can be released, and in any case within 21 days. A Withdrawal of Detention of Food Notice will be served.

Seizure

- 10.6 It is presumed under food law that all food is intended for human consumption until it is proved to the contrary. When considering whether to seize food an officer will consider whether the food in question can be treated or processed before consumption and if so, whether the food, after treatment or processing would be sound and wholesome and satisfy food safety requirements. Food previously detained by an officer may be seized and subject to condemnation after receipt of adverse findings.
- 10.7 When an officer makes a decision to seize food, a food condemnation warning notice will be served on the person in charge of the food, or the owner. This notice will provide warning of the intention to take the food before a Justice of the Peace and apply for its condemnation.
- 10.8 Food that has been seized should be dealt with by a Justice of the Peace as soon as is reasonably practicable, normally within 2 days. Cases involving highly perishable food should be dealt with at the earliest opportunity. If necessary the time scale may be extended to ensure that parties and or their representatives have an opportunity to attend. However, action will not be delayed if the owner cannot be traced or contacted.

Dealing with batches, lots or consignments of food

- 10.9 The decision to seize or detain a batch, lot, or consignment requires careful consideration before a notice is served. The Authorised Officer will use professional judgement and expert advice, if necessary, to decide whether to detain or seize the whole or part of the batch, lot or consignment. The Authorised Officer will consider:
- The evidence available
 - The nature of the contamination
 - The nature and condition of the container holding the food
 - The risk to health
 - The quantity of food involved in relation to any sampling which has been undertaken.

Compensation

- 10.10 In the event of a detention notice being withdrawn or a Justice of the Peace fails to condemn seized food the food authority will compensate the owner for any depreciation in its value resulting from the action taken by the Authorised Officer.

11.0 Voluntary Surrender of foodstuffs

- 11.1 Voluntary procedures to remove food that is not suitable for human consumption from the food chain may be used, either at the instigation of the owner of the food or at the suggestion of the Authorised Officer when the owner of the food agrees the food is not suitable for human consumption.
- 11.2 A receipt should be issued for food that is voluntarily surrendered to the Food Authority for destruction. The receipt should indicate that the food has been voluntarily surrendered to the Food Authority for destruction and be signed and counter-signed by the Authorised Officer and the person surrendering the food respectively.

12.0 Destruction and Disposal

- 12.1 The local authority, by agreement, may charge the owner of the food for the destruction and disposal of voluntarily surrendered foodstuffs.
- 12.2 The local authority will usually make an application to the Justice of the Peace for costs associated with the destruction and disposal of seized food.
- 12.3 If food is to be disposed of, the authority will make every effort to ensure that this is done in a suitable manner and that there is no possibility of food returning to the food chain.

13.0 Monmouthshire Alternative to Prosecution Policy (MAPP)

- 13.1. When a business is identified as being liable for prosecution the food business operator may be offered a chance to take up a bespoke package of improvements and training from the food safety team for a set fee.
- 13.2 A package of improvement will be offered and will include:
1. A meeting to decide on the best approach to securing the necessary improvements.
 2. Revisits to the food business to monitor and advice on improvements.
 3. Suitable training for key food safety staff within the business. This may be at the business premises or by arranging places on a suitable course locally. Higher risk premises may require a higher level of training which would have to be arranged separately.
 4. When a satisfactory standard has been achieved, helping the business with their application to reappraise the Food Hygiene Rating.

Approved by Cabinet 2nd June 2010.

Amended in Dec 2013 to include option to serve Remedial Action Notices for premises other than approved premises and to reflect Primary Authority and other considerations under the Regulatory Enforcement and Sanctions Act 2008



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

<p>Name of the Officer completing the evaluation Gillian Dicken</p> <p>Phone no: 01291 635701 E-mail: Gilliandicken@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>To offer an alternative to prosecution to food premises that are non-compliant toward an outcome based approach that is more resilient and prosperous to the businesses</p>
<p>Name of Service Environmental Health Public Protection</p>	<p>Date Future Generations Evaluation form completed 21/2/17</p>




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



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

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>This is an innovative and positive impact for businesses to help them to survive and prosper in a difficult situation when the alternative of prosecution is very negative. We generate income so its sustainable for the department and strengthens our partnership working. By having compliant businesses it is seen that a good food hygiene rating score is a positive effect financially and mentally to food business operators.</p>	<p>There are no conceivable negatives at this point</p>
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>No adverse effects identified</p>	<p>No adverse effects identified</p>
<p>A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>Working with the business for a positive outcome based approach to maximize the situation the business finds itself in and to save jobs from failing businesses</p>	<p>No negative impacts identified unless the business fails to improve and further formal action is taken. This is mitigated by being selective on the "acceptability" of a business to react positively to the proposal and see it as a positive opportunity</p>
<p>A Wales of cohesive communities</p>	<p>A failing business is bad for the individuals and the community. The proposal would</p>	

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
Communities are attractive, viable, safe and well connected	enable businesses to have the choice of working with the department or taking the risk of large fines and a criminal record in court.	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	By taking care of the local economy and wellbeing of business we make a positive contribution to the global wellbeing	We would not be asking businesses to do any more than they should be doing to comply at the time therefore no adverse effects the to the local wellbeing or globally.
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	No adverse effects identified	No adverse effects identified
A more equal Wales People can fulfil their potential no matter what their background or circumstances	The proposal does not differentiate between age, disability, gender reassignment, race, religion or beliefs, gender sexual orientation marriage or civil partnership pregnancy or maternity	

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Long Term for the future</p> <p>Balancing short term need with long term and planning</p>	<p>The proposal looks towards the long term as the impact will only be seen in any future decisions to prosecute and it is hope that by working with the business we would see sustained compliance</p>	<p>No additional actions to be taken to contribute to positive outcomes</p>
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>We would fulfil this by working in collaboration with the businesses involved and any necessary collaboration that may arise within MCC</p>	<p>No additional actions to be taken to contribute to positive outcomes</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>We have liaised with MCC business to get a view on the proposal. It was met with a very positive message and we also had an offer from a successful business man to assist in talking to a failing business to promote working with us and giving advice on other parts of the business that we would not necessarily have an expertise in such as menu and business management.</p>	<p>No additional actions to be taken to contribute to positive outcomes</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>The prevention part of the proposal is to try and prevent a business from having a major fine and a criminal record so ensuring that the situation does not get worse for that business. This should assist us in getting improved ratings for business for the food hygiene rating scheme.</p>	<p>No additional actions to be taken to contribute to positive outcomes</p>
 <p>Integration</p> <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p><i>There is space to describe impacts on people, economy and environment under the Wellbeing Goals above, so instead focus here on how you will better integrate them and balance any competing impacts. Also think about impacts the proposal may have on other organisations.</i></p>	

3. Are your proposals going to affect any people or groups of people with protected characteristics? **No The proposal does not differentiate between age, disability, gender reassignment, race, religion or beliefs, gender sexual orientation marriage or civil partnership pregnancy or maternity** Please explain the impact, the evidence you have used and any action you are taking below. For more detailed information on the protected characteristics, the Equality Act 2010 and the Welsh Language Standards that apply to Monmouthshire Council please follow this link:<http://hub/corporatedocs/Equalities/Forms/AllItems.aspx> or contact Alan Burkitt on 01633 644010 or alanburkitt@monmouthshire.gov.uk

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	The proposal does not differentiate between age, disability, gender reassignment, race, religion or beliefs, gender sexual orientation marriage or civil partnership pregnancy or maternity		
Disability	See above		
Gender reassignment	See above		
Marriage or civil partnership	See above		
Pregnancy or maternity	See above		

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Race	See above		
Religion or Belief	See above		
Sex	See above		
Sexual Orientation	See above		
Welsh Language	We are fortunate enough to have a Welsh language speaker in the team.		

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? **No, the nature of the proposal is towards food businesses and the operator responsible for that business.** For more information please see the guidance <http://hub/corporatedocs/Democratic%20Services/Safeguarding%20Guidance.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

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

Safeguarding	See above in red	<i>Safeguarding is about ensuring that everything is in place to promote the well-being of children and vulnerable adults, preventing them from being harmed and protecting those who are at risk of abuse and neglect.</i>	
Corporate Parenting	See above in red		

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

This is a new and innovative approach and is not being carried out elsewhere. The aim is to look at different ways of using the range of levers available to us in addition to our statutory powers to reduce harm and ensure quality and focus as far as possible on outcomes as proposed by the Review of Regulatory Powers January 2017 report.

The idea has come from the “speed awareness” courses run for speeding offences which studies have shown have a long term impact on driving behavior. We hope to have the same effect.

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

In looking at the way we work we see an opportunity to move closer to an outcome based approach to regulation though the implementation of the Monmouthshire Alternative to Prosecution Policy. This would allow the department to offer an alternative to prosecution to businesses that have failed and are at the point where a prosecution will be taken under food legislation.

When a food business is found to be performing very badly in terms of food hygiene compliance, it is sometimes necessary to prosecute the food business operator if conditions are sufficiently poor. The process is very time consuming, stressful and costly for both the department and the business. The outcome will depend on the evidence presented at court and the decision of the court. Recent changes to the sentencing guidelines have resulted in some very high fines, usually into the thousands of pounds for food business operators.

Monmouthshire County Council's Food Safety Team would like to adopt an innovative approach to dealing with such premises. We propose to offer an alternative route for food businesses to get back on track and improve the food hygiene rating and give the business a chance to restore public confidence.

When a business is identified as being liable for prosecution the food business operator may be offered a chance to take up a bespoke package of improvements and training from the food safety team. This will be set fee for example £750 for the normal package of improvement which will include:

1. A meeting to decide on the best approach to securing the necessary improvements.
2. Revisits to the food business to monitor and advice on improvements.
3. Suitable training for key food safety staff within the business. This may be at the business premises or by arranging places on a suitable course locally.
4. Higher risk premises may require a higher level of training which would have to be arranged separately.
5. When a satisfactory standard has been achieved, helping the business with their application to reappraise the Food Hygiene Rating

By completing this form we can conclude that there are more positive outcomes of promoting the proposal than there are any negative impacts.

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
Detailed terms and conditions and contracts to be drawn up	on completion of proposal approval	G Dicken and D H Jones	

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

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

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

SUBJECT: To make permanent the temporary post of Carers Development Manager

MEETING: Single Member Approval

DATE:

DIVISION/WARDS AFFECTED: All

NON-PUBLICATION

(Insert appropriate non publication paragraph if necessary)

1. PURPOSE:

To make permanent the temporary post of Carers Development Manager to continue to develop key areas of work with services for carers. The Post is to be funded by monies successfully bid from the Intermediate Care Fund. Permanent funding has now been confirmed.

2. RECOMMENDATIONS:

That the temporary post of Carers Development Manager be made permanent in Social and Health Services, Carers Team

3. KEY ISSUES:

3.1 – The Carers Strategy 2016-19 was agreed by Cabinet in June 2016. The Strategy sets out the Authorities priorities for improving services for carers over the next 3 years. The strategy was developed with carers, professionals and partners in the NHS and 3rd sector.

3.2 – A key element of the Strategy was to move to new ways of working with carers focussing on what matters to carers, acknowledging the role carers play in supporting vulnerable people in the community.

3.3 – To begin to implement this strategy extra capacity was required in the Carers Team to lay the foundations for the proposed development.

3.4 – In parallel to the work on the Adult Carers Strategy a Strategy for Young Carers has been developed and is currently going through the approval processes in the Council. The work streams falling out of this strategy will be the responsibility of the Carers Services Development Manager.

3.5– To provide this capacity a bid was submitted to the Intermediate Care fund. Although the original bid was not agreed the ICF board awarded each Gwent Local Authority

£22,500 to develop services for Carers. Because of the uncertainty as to the future of this funding we could only appoint on a temporary basis at that time.

3.6 – This temporary funding has now been made permanent and extra funding from the ICF has been found to maintain this post at full time.

4. REASONS:

Over recent years the Carers Team has been working with its partners in the NHS and 3rd Sector to develop the Monmouthshire Carers Project; a partnership of all the services that work with Carers. The key to this process was to move away from the previous purchaser provider role and work more closely in partnership across all agencies. One of the fruits of this process was the development of the Carers Strategy following an up-front consultation process mainly with carers themselves but also professionals from a range of agencies. Subsequent to this a Young Carers Strategy has been developed using a similar methodology and this will generate a new set of work streams.

5. RESOURCE IMPLICATIONS:

The proposal is to make permanent the full time Carer Development Manager post on Band I (SCP 37-41: £32,164 - £36,019).

The proposed post will be funded from the ICF monies.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

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

There are no significant impacts.

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

The effectiveness of the work of the post monitored through supervision and appraisal

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

N/A

8. CONSULTEES:

Julie Boothroyd – Head of Adult Services
Ailsa Macbean – Group Manager
Carers Project partner organisations.

9. BACKGROUND PAPERS:

10. AUTHOR:

Bernard Boniface
Adult Protection Manager

11. CONTACT DETAILS:

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E-mail: BernardBoniface@monmouthshire.gov.uk

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Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p>Name of the Officer Bernard Boniface</p> <p>Phone no: 0781 800 8474 E-mail: BernardBoniface@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>To make permanent the temporary post of Carers Services Development Manager in the Social and Health Services, Carers Team.</p>
<p>Name of Service Social and Health Services – Carers Team.</p>	<p>Date Future Generations Evaluation</p>

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


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




Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>This post will provide opportunities for improved and stronger links with all partners through the systems that work around the carer, for early identification and intervention of support for all carers. This will ensure all carers have the same access and opportunities to that of others.</p>	


Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	N/A	
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	The post contributes significantly to improving the situation for carers whose caring role has been demonstrated to impact their health and well-being	
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	The post contributes to enabling carers to remain connected to their communities rather than becoming isolated by their caring roles.	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	N/A	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	This post contributes to enabling carers to participate in sport, art and recreation rather than becoming isolated by their caring role.	
A more equal Wales People can fulfil their potential no matter what their background or circumstances	The Social Services and Well-being (Wales) Act does not categorise carers by age, someone is a carer regardless of their age. The post therefore contributes to partnership work that will enable carers of all ages to fulfil their potential despite their caring responsibilities. As carers are	

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	predominantly female this contributes to tackling gender inequality.	

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
<p data-bbox="100 730 136 887" style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 41</p>  <p data-bbox="327 810 510 1034">Balancing short term need with long term and planning for the future</p>	<p data-bbox="546 639 1326 1214">Through the development an Adult Carers Strategy and Young Carers Strategy through the 3 year cycle of each this will allow for the post holder to nurture cultures, relationships, networks and services that will evolve and adapt to changes that centre on both the short term and long terms needs of all carers, and the subsequent service provisions that underpin planning for the future. All carers provide a short-term, often unreasonable solution to the health and caring wellbeing of the UK and worldwide population. However, the post holder will lead, and work with partners to minimize the reliance upon all carers in providing that solution, by giving partners the tools to take long term ownership in the caring role, which will allow all carers to have the confidence in making the right choices for their caring role.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>This post is part of a multi-agency Carers Project comprising staff from MCC and a range of 3rd sector agencies. The Team also works closely with the ABUHB Carers Measure Team and with its counterparts in the other Gwent Local Authorities.</p>	
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>Carers are regularly and effectively consulted over all initiatives that affect them. This post leads on these consultation processes.</p>	
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>This post supports the development of services for all carers of all ages. Supporting carers of all ages keeps them healthy, connected to their communities and in turn they save health and social services significant amounts of money through the care they provide.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>One of the key responsibilities of this post is developing the partnership working across statutory and 3rd sector agencies that support carers. The post holder will be driver moving this partnership forward, with an expectation that when all agencies and partners have the right tools and training they will take ownership of their own areas of work. From that sustainability will be created, so that good practice becomes implicit in supporting all carers. The statutory and third sector providers are committed to ensure that all carers receive the right support at the right time, wherever it is accessed. They have agreed to work together for all carers, by sharing data, knowledge, skills and expertise. This will strengthen each organisations expert knowledge of all carers and therefore the right support will be offered to all carers at the right time.</p>	

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

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Monmouthshire has an aging population, that is living longer with more complex health needs. However, this reality has in some parts unintentionally overshadowed the existence and needs of all carers within the county. As legislation recognises there is no age barrier to being a carer, this post will bring to the forefront all carers regardless of their age in Monmouthshire.	None	
Disability	This post contributes to supporting all carers to care for disabled or frail people, and for those carers where they too have a disability.	none	
Gender reassignment	N/A		
Marriage or civil partnership	N/A		
Pregnancy or maternity	N/A		
Race	N/A		
Religion or Belief	N/A		

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Sex	The post contributes to enabling carers fulfil their potential despite their caring responsibilities. As carers are predominantly female this contributes to tackling gender inequality. However, the carers role is not confined to one sex.	none	
Sexual Orientation	N/A		
Welsh Language	N/A		

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

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	N/A	<i>Safeguarding is about ensuring that everything is in place to promote the well-being of children and vulnerable adults, preventing them from being harmed and protecting those who are at risk of abuse and neglect.</i>	
Corporate Parenting	N/A		

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

Since the 6 months that the postholder has been in the role, they have established and are leading a multiagency young carers group that are now developing and implementing joint young carers assessments. They are working with internal and external stakeholders to ensure young carers are identified and supported at the earliest possible age, and that sustainable models for that support are being introduced in Education. The postholder has been developing integrated systems that allow for the earliest identification of support of all carers within Primary Care, and they are developing transport solutions, with the Passenger Transport Unit and Welsh Ambulance Trust that will not only have a positive impact for Carers but for all citizens of Monmouthshire. The post holder has developed links with Parents Carers and the Children with Disabilities Team to ensure this group of previously unknown carers within the Monmouthshire Carers Project are receiving the right information at the right time, are now members of the Carers Strategy Group and are receiving a Carers Assessment. The postholder had led and on the first young carers strategy for Monmouthshire and is taking it through the formal channels for its implementation. That strategy will be the cornerstone for how Young Carers are supported over the next 3 years. The post holder will lead the Monmouthshire Carers Project for cohesive work streams to ensure its effective implementation,

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

In collaboration with all partners the post holder will lead and on developing carers services that provide timely, innovative, appropriate and age relevant support for all carers.

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

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

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

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

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1	<i>Single Member decision.</i>		

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SUBJECT: Permanent appointment of Temporary Admin Support post (RBC13A).

DIRECTORATE: Enterprise: Building Control.

MEETING: Single member decision.

CABINET MEMBER: County Councillor P Murphy

DATE: 29th March 2017.

- 1. PURPOSE:** To seek approval from the cabinet member for Resources to make permanent an existing Temporary Admin Support post. The temporary arrangement has been in place for more than 4 years.
- 2. RECOMMENDATIONS:** To resolve to make permanent an existing Temporary Admin Support post.
- 3. KEY ISSUES:** The post has been intergral to the Building Control Service for more than 4 years and has made signicant contribution to the success of the Service (refer to Building Control Service Plan). The post holder has accrued permanent employment rights due to the time she has been in this temporary position.
- 4. REASONS:** This existing temporary post was introduced as part of the Systems Thinking Review in 2012 and came into existence to support the restructure of Building Control in 2012. A Senior Building Control Surveyor post was deleted and shortly afterwards a Building Control Surveyor retired and the post was not backfilled.

A flat structure was introduced to deal more effectively and efficiently with work demand enabling colleagues to become empowered and alter the system of work to deal with customer demands/needs.

Since the Systems Thinking Review, Building Control has financially recovered from an £118k overspend (with a budget of £40k) to a break even position in 2016/17 (with a £17k budget). The service has now been financially stable for the previous 3 years, with underspends in 2013/14 (£4k), 2014/15 (£1.65K) and 2015/16 (£2.23K).

Albeit the Building Control service is performing better with less resource, there are many topics and areas identified in the Building Control Service Plan that the post will continue to contribute and add value to our customers and organisation. Predominantly, the permanant post will help shape and support the service in providing a “one Voice” approach that customers have told us is

important to them and continue to experiment with doing business differently and from a customer's perspective.

5. **RESOURCE IMPLICATIONS:** Funded from existing budget

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

The assessment is attached to the report.

7. **CONSULTEES:** People Services

8. **BACKGROUND PAPERS:** Restructuring of Development and Building Control Service (Cabinet) 4th April 2012.

9. **AUTHOR:** Nigel George : Building Control Manager

10. **CONTACT DETAILS:** Tel: 07771653635 or 01291635718

E-mail: nigelgeorge@monmouthshire.gov.uk



Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p>Name of the Officer Nigel George</p> <p>Phone no: 07771653635 or 01291635718 E-mail: nigelgeorge@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>Permanent appointment of Temporary Admin Support (RBC13A)</p>
<p>Name of Service Building Control</p>	<p>Date Future Generations Evaluation March 2017</p>

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

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



Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Yes, the service has demonstrated its ability to sustain and improve performance over time using less staff resource. It will provide a permanent job within our organization.</p>	<p>The post will be used to underpin and look at creating further new ways/opportunities of working by experimenting with those topics indicated in the Service Plan. The post is suitable to be developed into a more innovative and technical role enabling a member of staff to become further developed and Qualified.</p>

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>Yes, the technical aspect to be developed will contribute to reducing CO2 emissions from Buildings. Also it ensures water efficiency and drainage associated with properties are correctly designed and installed.</p>	
<p>A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>Yes, Part M of the Building Regulations relates specifically to access and facilities for disabled people to new and converted buildings. Part E of the Building Regulations deals with noise nuisance in new and converted buildings thus reducing the impact of noise pollution and mental health.</p>	
<p>A Wales of cohesive communities Communities are attractive, viable, safe and well connected</p>	<p>Building Regulations primary function it safeguarding people in and about buildings.</p>	<p>There is potential to create better joining up of services relating to the development and build process giving the customer a "one voice" approach.</p>
<p>A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>	<p>As Part L above and Part M of the Building Regulations (see above).</p>	
<p>A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation</p>	<p>Early Pre Planning (including historic buildings) and Building Regulation advice in designing public buildings such as schools and recreational buildings. This also applies to the domestic scene.</p>	
<p>A more equal Wales</p>	<p>Part M protects those people with disabilities associated with all new and adapted buildings to</p>	

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
People can fulfil their potential no matter what their background or circumstances	ensure minimum (and above minimum) standards for all backgrounds are achieved.	

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	<p>The service has been designed by customers by asking them what matters about our service now and in the future, to cater for the short/long term. The feedback mirrored what they told us originally mattered.</p>	
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>It is planned to experiment by joining relevant service areas to the development and build process. We have close working relationships with Welsh Water and the fire authority. Through LABC Cwmru, we have put our organization forward to experiment with joining our service, however we have not had any response.</p>	
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>Customers have been asked what is important to them about the service now and in the future. The service has been designed according to customer's feedback.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>Lesson learned exercises are frequently carried out when failure demand is experienced. This reduces problems re-occurring or getting worse in the future and naturally designs new learning for all members of the team.</p>	
 <p>Integration</p> <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>All internal and external bodies are asked what is important to them so we are able to adapt to their needs when working with them.</p>	

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

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Neutral		

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

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

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	The post supports the council's responsibilities on safeguarding and corporate parenting.		
Corporate Parenting	As above		

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

(Refer to Building Control Service Plan)

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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?

Performance of the service has improved
Running costs of the service have decreased
Income has increased
Staff morale has increased
Customer satisfaction has been sustained.

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

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

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

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

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

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SUBJECT: STAFFING RESTRUCTURE: DEVELOPMENT MANAGEMENT TEAM

MEETING: INDIVIDUAL CABINET MEMBER DECISION

DATE: 29th MARCH 2017

DIVISION/WARDS AFFECTED: All

NON-PUBLICATION: n/a

1. PURPOSE:

- 1.1 To request approval to implement a proposed staffing restructure within the Development Management team to create additional management capacity to enable succession planning and to support service delivery improvements.
- 1.2 To rename the Planning Applications and Enforcement Manager post as Development Management Area Team Manager.
- 1.3 To provide Job Descriptions for the Development Services Manager and DM Area Team Manager posts.

2. RECOMMENDATIONS:

- 2.1 That Cabinet Member:
Approves the implementation of the proposed new management structure and associated back-filling via internal and/or external recruitment, and approves the associated job descriptions.

3. KEY ISSUES:

- 3.1 While the Planning Service is operating at an acceptable level, there is scope to improve service delivery and performance. Actions are being implemented to that end as identified in the Annual Performance Reports for 2014/15 and 2015/16 as endorsed by Economy and Development Select Committee and Planning Committee. My observations since my appointment in May 2015, and feedback from 1:1s that have been offered to all team members during the last 12 months, is that a previous restructure in 2012 reduced management capacity too far and this has hampered our ability to provide effective leadership, management and improvement, despite best intentions and effort. The particular concern in terms of capacity relates to the Planning Applications and Enforcement Manager, who currently has 12 line reports covering a significant and varied workload. This means that important support measures such as monthly staff 1:1s cannot be provided. All parties throughout the service have expressed the desire for additional management and support. The proposal has been worked up having looked at budget and workload trends, caseloads and workload by geographic area.
- 3.2 In addition, a service manager has expressed their likely intention to seek retirement in the next couple of years, and has made an application for flexible early retirement from May 2017, a report for which is to be considered by Cabinet in the near future. There is consequently a clear and pressing need for succession planning, to enable a new manager to grow and learn from the existing expertise, as well as enabling the improvements mentioned above.
- 3.3 The proposed restructure also provides an opportunity to secure staff retention. The Council is fortunate enough to have a number of very capable and experienced Senior Planning Officers with leadership potential, and this restructure offers an opportunity for internal promotion. It is proposed to backfill the vacated post, however the range of posts would be realigned by reducing the number of senior officers by 0.8FTE and increasing the number of planning officers by the same amount.

3.4 The current and proposed staffing levels are listed below:

	Current FTE	Proposed FTE
Development Services Manager	1.0	1.0
Planning Applications and Enforcement Manager [#]	1.0	2.0*
Senior Planning Officer (DM)	6.8	6.0
Senior Planning Officer (Enforcement)	1.0	1.0
Planning Officer	1.8	2.6
Enforcement Officer	0.8	0.8
Monitoring Officer	1.0	1.0
Total	13.4	14.4**

*this would be occupied as 1.6FTE if the flexible early retirement request is approved

** or 14.0FTE if the flexible early retirement request is approved

to be renamed DM Area Team Manager

3.5 It is also proposed to provide updated Job Descriptions for the Development Services Manager and DM Area Team Manager posts.

3.6 It is therefore proposed to:

- Provide an updated Job Description for the Development Services Manager
- Create 1.0FTE additional DM Area Team Manager post (band K) to report to the Development Services Manager and recruit internally. Various options regarding how the teams are structured have been considered and discussed via team meetings and it is currently proposed to have the Enforcement Team and North Team reporting to one manager, and the Central and South teams reporting to the other manager. However, this will deliberately be left flexible so that it can be adapted as service needs/demand changes with time;
- To rename the Planning Applications and Enforcement Manager as Development Management Area Team Manager;
- To provide a Job Description for the existing and new DM Area Team Managers;
- To replace the vacated Senior Planning Officer post with a Planning Officer post and recruit (internally and externally).

3.7 No colleagues are detrimentally impacted by the proposed restructure. Informal staff consultation has already taken place.

4. REASONS

4.1 The reasons for the proposed restructure are summarised below:

- The current Planning Applications and Enforcement Manager has 12 line reports giving insufficient capacity to properly fulfil a management role and drive forward service improvement. This is identified by the Head of Service's own observations since appointment, the current Planning Applications and Enforcement Manager, and from 1:1s held with all team members by the Head of Service, the majority of which identified the need for and benefits of increased management;
- Succession planning given a management team member's desire to retire within the next few years, with an application for flexible early retirement from May 2017 (subject to approval by Cabinet);
- Staff retention and the opportunity to develop identified management and leadership qualities in existing members of staff. It is in the Council's interests to retain and develop these skills rather than lose them to another organisation, having invested the time and resource into training and mentoring to date;
- Greater opportunity to drive forward service improvement and delivery to our customers.

5. RESOURCE IMPLICATIONS:

- 5.1 The proposed restructure would result in additional staffing costs of up to £34,800. This would be met within existing budgets by reducing other areas of spend. This figure represents the maximum cost with 2.0FTE managers in post (i.e. the flexible early retirement request is not approved) and all newly appointed team members at top of grade. The figure above includes funding for the cost of the flexible early retirement.
- 5.2 The proposal would be funded by:
- £10,000 from an agreed virement from the Planning Policy budget;
 - £24,800 reduction in the D080 Professional Fees budget line (this budget line will reduce to £92,223);
- 5.3 It is worth noting that the proposed restructure was first drafted in September 2016 and was considered as part of, and factored into, the 2017/18 budget saving proposals put forward and agreed by Cabinet, with additional overview scrutiny by PeopleToo, who make reference to the proposal in their commentary. The ability to cover the costs within budget, factors in the 2017/18 budget savings already offered.
- 5.4 Consideration has been given to the implications of the recent White Paper on Local Government reorganisation, which includes a suggestion that Development Management could be delivered at a sub-regional (undefined) level. However, these suggestions are at a very early stage. There are no draft or firm proposals yet, nor any political agreement. Even if the Council were to agree to such an approach, the actual organisational change will take time. In any case, we need to ensure we are in the best possible place, delivering the best service possible and with the right people in the right roles now.

6. CONSULTEES

Senior Leadership Team

PeopleToo as high level consideration as part of the 2017/18 budget proposals

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

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

Finance Officer (Davina Hicks)

People Services

7. BACKGROUND PAPERS

Appendix One – Future Generations Evaluation (summarised below)

Appendix Two – Current and Revised Staffing structures

Appendix Three – Job Descriptions

8. FUTURE GENERATIONS IMPLICATIONS

The completed Future Generations Evaluation can be found in Appendix One below. In summary, the proposed restructure is intended to provide a resilient and improving service with additional management capacity to provide succession planning and staff retention. The impact should be positive with no negative impacts identified.

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

10. CONTACT DETAILS:

E-mail: markhand@monmouthshire.gov.uk

Tel: 01633 644803/ 07773 478579

Future Generations Evaluation (includes Equalities and Sustainability Impact)

APPENDIX ONE Name of the Officer Mark Hand Phone no: 07773 478579 E-mail: markhand@monmouthshire.gov.uk	STAFFING RESTRUCTURE: DEVELOPMENT MANAGEMENT TEAM
Name of Service: Planning (Enterprise and Innovation Directorate)	Date: Future Generations Evaluation 02 March 2017



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




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

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	The proposed restructure seeks to ensure resources are best utilised and that a resilient service is provided for the benefit of colleagues, the wider Council and our communities. The proposal, by definition, provides job opportunities.	<ul style="list-style-type: none"> • Internal recruitment where possible to maximise opportunities for career progression and staff retention.
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	Ensuring the planning service is properly resourced is essential to an effective service, part of which includes ensuring our green spaces and cultural heritage is supported.	

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

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Balancing short term need with long term and planning for the future</p> <p>Long Term</p>	The proposal seeks to balance budget pressures with short term succession planning and longer term staff development and service resilience.	
 <p>Working together with other partners to deliver objectives</p> <p>Collaboration</p>	Increased management capacity will support a better and more responsive service for our partners.	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	As above	Performance and increased management support will be monitored via 1:1s, annual appraisals, team meetings and the Annual Performance Report.
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	The rationale for the proposal is to improve management capacity and therefore service delivery, and to provide succession planning for a known future risk.	
 <p>Integration</p> <p>Considering impact on all wellbeing goals together and on other bodies</p>	. The service contributes to the wellbeing goals and therefore an improvement to service delivery should have a positive impact on delivering the well-being goals.	

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

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Consider the impact on our community in relation to this e.g. how do we engage with older and younger people about our services, access issues etc. Also consider what issues there are for employment and training.	n/a	n/a

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Disability	What issues are there are around each of the disability needs groups e.g. access to buildings/services, how we provide services and the way we do this, producing information in alternative formats, employment issues.	n/a	n/a
Gender reassignment	Consider the provision of inclusive services for Transgender people and groups. Also consider what issues there are for employment and training.	n/a	n/a
Marriage or civil partnership	Same-sex couples who register as civil partners have the same rights as married couples in employment and must be provided with the same benefits available to married couples, such as survivor pensions, flexible working, maternity/paternity pay and healthcare insurance	n/a	n/a
Pregnancy or maternity	<i>In employment a woman is protected from discrimination during the period of her pregnancy and during any period of compulsory or additional maternity leave. In the provision of services, good and facilities, recreational or training facilities, a woman is protected from discrimination during the period of her pregnancy and the period of 26 weeks beginning with the day on which she gives birth</i>	n/a	n/a

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?
Race	<i>Think about what the proposal will do to promote race equality with the aim of: eliminating unlawful discrimination, promoting equality of opportunity and promoting good relations between persons of different racial groups. Also think about the potential to affect racial groups differently. Issues to look at include providing translation/interpreting services, cultural issues and customs, access to services, issues relating to Asylum Seeker, Refugee, Gypsy & Traveller, migrant communities and recording of racist incidents etc.</i>	n/a	n/a
Religion or Belief	<i>What the likely impact is e.g. dietary issues, religious holidays or days associated with religious observance, cultural issues and customs. Also consider what issues there are for employment and training.</i>	n/a	n/a
Sex	<i>Consider what issues there are for men and women e.g. equal pay, responsibilities for dependents, issues for carers, access to training, employment issues. Will this impact disproportionately on one group more than another</i>	n/a	n/a
Sexual Orientation	<i>Consider the provision of inclusive services for e.g. older and younger people from the Lesbian, Gay and Bi-sexual communities. Also consider what issues there are for employment and training.</i>	n/a	n/a
Welsh Language	<i>Under the Welsh Language measure of 2011, we need to be considering Welsh Language in signage, documentation, posters, language skills etc. and also the requirement to promote the language.</i>	n/a	n/a

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

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	<i>Safeguarding is about ensuring that everything is in place to promote the well-being of children and vulnerable adults, preventing them from being harmed and protecting those who are at risk of abuse and neglect.</i>	n/a	n/a
Corporate Parenting	<i>This relates to those children who are 'looked after' by the local authority either through a voluntary arrangement with their parents or through a court order. The council has a corporate duty to consider looked after children especially and promote their welfare (in a way, as though those children were their own).</i>	n/a	n/a

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

This report is founded upon the following:

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

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

The proposed restructure is intended to provide a resilient and improving service with additional management capacity to provide succession planning and staff retention. The impact should be positive with no negative impacts identified.

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

What are you going to do	When are you going to do it?	Who is responsible	Progress
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n/a			
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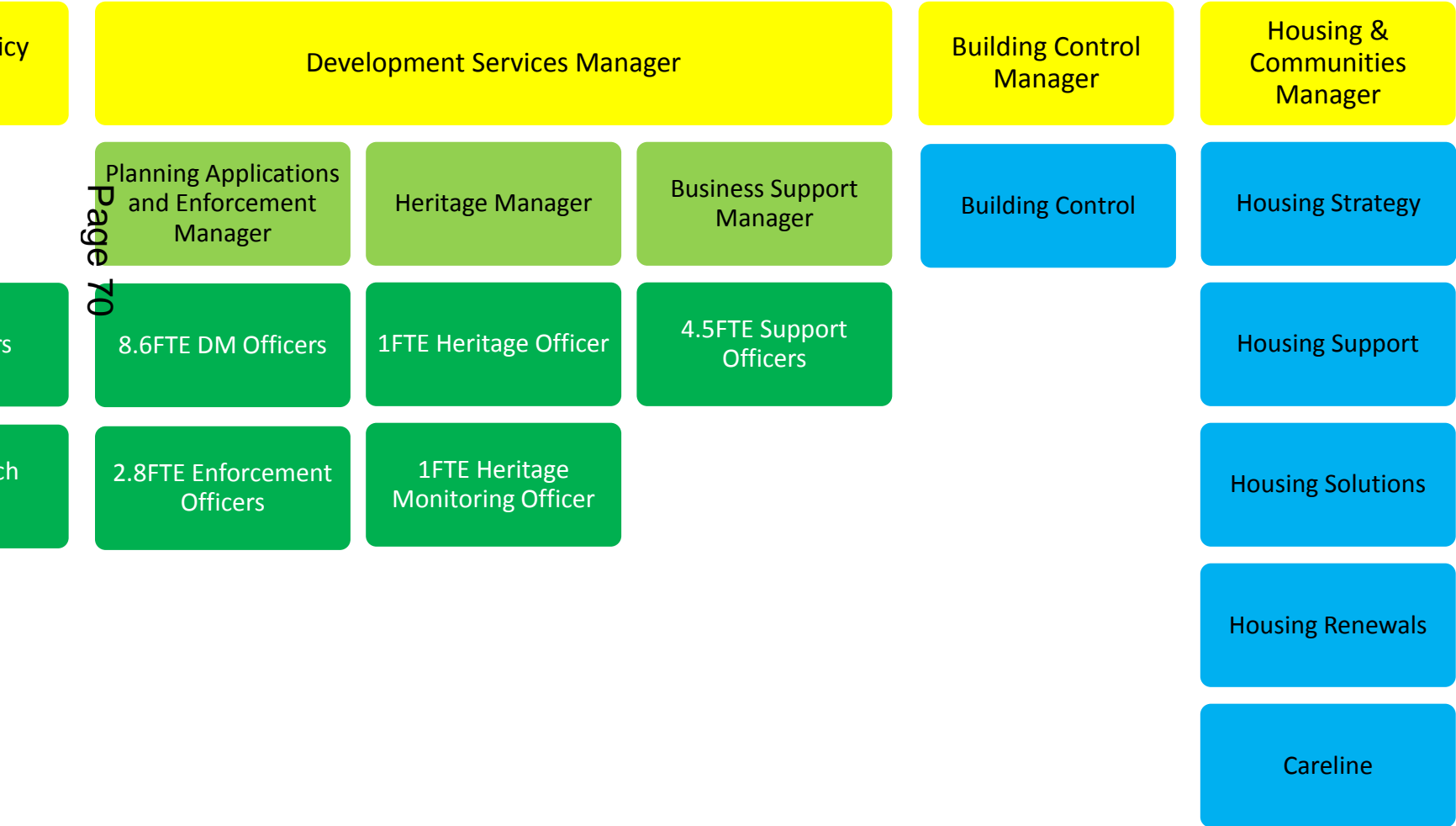
8. **MONITORING:** The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	October 2017 via Annual Performance Report
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9. **VERSION CONTROL:** The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

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

Head of Planning, Housing & Place-Shaping

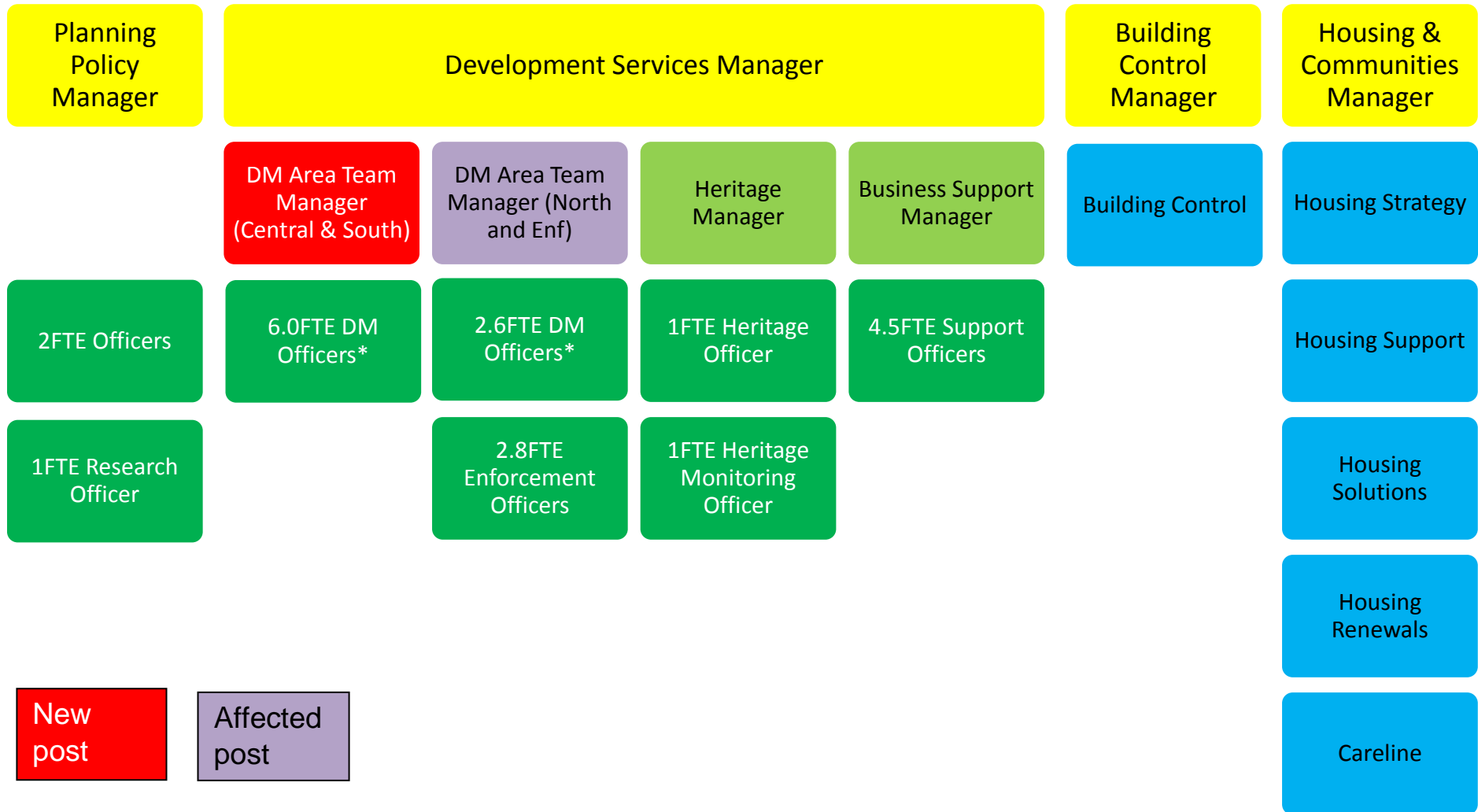


MCC Development Management Service

Proposed Structure

* Exact split of teams and team size tbc

Head of Planning, Housing & Place-Shaping



New post

Affected post

Appendix Three

ROLE ADVERT**ROLE TITLE: Development Management Area Team Manager**

PERMANENT

POST ID: RDC19**GRADE: BAND K SCP 45 – SCP 49****HOURS: 37 Per Week****LOCATION:** County Hall, Usk (This may change in the future if the service needs to relocate. Relocation or disturbance expenses will not be paid if this happens).**WELSH LANGUAGE ASSESSMENT:** Welsh language skills are desirable**PURPOSE OF POST:**

1. To have day to day responsibility for the performance and management of the planning applications, enforcement and appeals service.
2. To ensure the Council's objectives for the determination of planning applications, resolution of enforcement cases and success at appeals are met.
3. To provide management and leadership to the development management service to ensure that a high quality of development is achieved in accordance with the Council's policies and the service's purpose, and that the service meets the needs of its users.
4. To support the review and challenge of service delivery and drive service improvements.
5. To deputise in the absence of the Development Services Manager or other DM Area Team Manager.

Should you require any further information regarding this post, please contact: Philip Thomas, Development Services Manager Tel: 01633 644809

Closing Date: 12 noon on 19/04/2017**Interviews will be held week commencing 24/04/2017****Please Note that we are not able to accept CV's****Application forms can be completed online or down loaded via:****www.monmouthshire.gov.uk/how-to-apply-for-council-jobs**

Applications may be submitted in Welsh. An application submitted in Welsh will not be treated less favourably than an application submitted in English.

Completed paper application forms should be returned to the following address:-

People Services, Monmouthshire County Council, PO BOX 106,
CALDICOT, NP26 9AN

Monmouthshire County Council is an equal opportunities employer and welcomes applications from all sections of the community.

All posts are open to job-share unless stated otherwise.

Monmouthshire County Council operates a Smoke Free Workplace policy.

ROLE PROFILE

ROLE TITLE: Development Management Area Team Manager

PERMANENT

POST ID: RDC19

GRADE: BAND K SCP 45 – SCP 49

HOURS: 37 Per Week

LOCATION: County Hall, Usk (This may change in the future if the service needs to relocate. Relocation or disturbance expenses will not be paid if this happens).

RESPONSIBLE TO: Philip Thomas, Development Services Manager

RESPONSIBLE FOR: 4 - 8FTE staff

WELSH LANGUAGE ASSESSMENT: Welsh language skills are desirable

Development Services.....Who are we?

Our Purpose:-

The Development Services section seeks to allow appropriate economic development, tourism and growth, providing the homes, jobs, amenities and infrastructure needed to support sustainable and resilient communities and to support delivery of the Council's priorities.

The section provides a range of land use planning-related functions including determining applications for planning permission and defending those decisions if challenged, enforcing planning legislation and taking action against unauthorised development, and protecting and enabling the re-use of the County's historic buildings. The section works closely with a number of organisations and stakeholders, and the ability to balance competing demands is essential.

The Purpose of this Role:-

1. To have day to day responsibility for the performance and management of the planning applications, enforcement and appeals service.

2. To ensure the Council's objectives for the determination of planning applications, resolution of enforcement cases and success at appeals are met.
3. To provide management and leadership to the development management service to ensure that a high quality of development is achieved in accordance with the Council's policies and the service's purpose, and that the service meets the needs of its users.
4. To support the review and challenge of service delivery and drive service improvements.
5. To deputise in the absence of the Development Services Manager or other DM Area Team Manager.

Expectation and Outcomes of this Role:-

You will be expected to provide effective management and leadership, to secure positive outcomes, good performance and effective service delivery.

Your responsibilities are to:-

Function	Main Duties
<p>1. To be responsible for the day-to-day management of the planning applications, enforcement, appeals and related matters, providing management and leadership to secure high quality development and excellent customer service.</p>	<ol style="list-style-type: none"> 1. To support the review and challenge of service delivery and drive service improvements. 2. To advise staff on technical, legal and professional aspects of applications, enforcement, appeals and related matters and reports and recommendations on planning applications and enforcement cases with regard to the Council's planning policies, national planning policy and all relevant material considerations and consideration of representations made by other parties 3. To have an excellent knowledge of planning policies and how these affect the planning service 4. To provide guidance to achieve a high standard of design and the aims of the Council's planning policies. 5. To attend and advise the Delegation Panel on those applications and enforcement cases identified in the scheme of officer delegation for determination in consultation with the Delegation Panel. 6. To have a key role with Planning Committee by making recommendations, and presenting and providing advice on applications 7. To handle complex planning applications and enforcement cases, as workload allows

	<ol style="list-style-type: none"> 8. To represent the Council at appeal and in Court proceedings and support staff in their case preparation 9. To ensure measures and procedures are in place to identify and prioritise causes of variation within the delivery of the service 10. To ensure that appropriate action is taken to address any identified causes of variation 11. To assist the Development Services Manager on service planning, improvement and delivery 12. To liaise with the Business Manager on the administrative aspects of the application, enforcement and appeal processes.
<ol style="list-style-type: none"> 2. To manage staff effectively 	<ol style="list-style-type: none"> 1. To discuss with staff their work capacity and priorities on a regular basis, coach staff to resolve problems and manage performance, and to develop and implement system changes to improve capacity. 2. To assist the Development Services Manager in the recruitment and selection of team members as required and ensure new team members are effectively inducted into the organisation 3. To monitor, manage and maintain human resource elements e.g. sickness absence, leave and flexi. 4. To have a knowledge of the key personnel policies
<ol style="list-style-type: none"> 3. Ensure effective team working 	<ol style="list-style-type: none"> 1. To be responsible for liaising closely with all managers within the Development Management service in particular and with other service managers to ensure effective service provision 2. Ensure the planning application and enforcement team operates effectively and consistently, including attending and participating in team meetings to discuss cases. 3. Implement and monitor effective ways for the staff of the Development Management and other MCC teams, including Planning Policy, Countryside & Green Infrastructure, Highways and Building Control, to work together effectively 4. To ensure effective cross working and partnership working with other Directorates and external stakeholders on planning applications
<ol style="list-style-type: none"> 4. To actively support and implement the principles and practice of equality of opportunity as laid down in the Council's Equal 	<ol style="list-style-type: none"> 1. To attend the Equality Awareness/ Service Delivery Training course and ensure all staff have undertaken the appropriate training. 2. To actively implement and support the principles and practice of equality of opportunity. 3. To ensure staff adhere to the principles and practice of equality of opportunity

Opportunities Policy.	
5. To ensure the planning application team operate in a safe and diligent manner at all times, in line with all health, safety & welfare policies and guidelines in place.	<ol style="list-style-type: none"> 1. Support the Development Services Manager in Health and Safety Risk Assessments and Inspections 2. Promote safe working practices

Here's what we can provide you with:-

- Full support of the Planning, Housing and Place-shaping network as a valued colleague;
- Supportive and flexible line management from the Development Services Manager;
- A pleasant working environment with an ability and freedom to work on an agile basis;
- Opportunities and the support to grow your skills and to shape and improve service delivery, to trial new things and to make a real difference; and
- Use of a pool car as required.

What else you need to know.....Monmouthshire Values are:

Openness: We aspire to be open and honest to develop trusting relationships.

Fairness: We aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.

Flexibility: We aspire to be flexible in our thinking and action to become an effective and efficient organisation.

Teamwork: We aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

And this role, will work with Monmouthshire to achieve these.

In addition:

All employees are responsible for ensuring that they act at all times in a way that is consistent with Monmouthshire's Equal Opportunities Policy in their own area of responsibility and in their general conduct.

The authority operates a Smoke Free Workplace Policy which all employees are required to abide to.

Person Specification

How will we know if you are the right person for the role? As the successful candidate you will have demonstrated:-

- That you hold a recognised degree level qualification in Planning and evidence of continuing professional development;
 - That you are a member of the RTPi;
 - That you hold or are working towards, or are willing to work towards a leadership or management qualification;
 - That you have at least 5 years' experience post qualification in Development Management and appeals;
 - Leadership skills to review, challenge and drive service improvement
 - An aptitude and ability to effectively manage a team of staff, managing performance and assisting caseload organisation and setting priorities. Line management experience is desirable but not essential;
 - A customer focus and customer service experience in a service delivery role;
 - A positive and solutions-based approach;
 - An extensive knowledge and awareness of planning and environmental issues;
 - An understanding of the bigger picture within which the planning service sits: corporately, politically, regionally and alongside other services and priorities;
 - An understanding of and willingness to work in accordance with systems thinking principles (as used in a lean review of the service) to improve the customer's experience of the development management service;
 - Proven team working skills and ability to facilitate a team working environment and work with others in partnership;
 - Effective presentation and communication skills, including experience of presenting information to Members, dealing with cross examination/scrutiny, having effective and efficient communication skills (written and verbal), and demonstrate experience of dealing courteously with the public and Elected Members (including irate and anxious callers) both face to face and by telephone;
 - Effective negotiation skills;
 - The ability to present complex or controversial matters in clear and concise reports, letters and other sources of customer information;
 - The ability to manage a personal varied caseload, with examples or working to tight deadlines meeting required performance standards and balancing competing demands;
 - Practical experience of IT applications such as GIS and word processing;
 - That you hold a valid driving licence and access to a vehicle
 - A clear understanding of equal opportunities principles and practice and a commitment to their effective implementation;
 - Experience and a willingness to implement safe working practices for the team to operate in a safe and diligent manner at all times, in line with all Health, Safety & Welfare Policies and Guidelines in place.
-
- Holding or working towards a management or leadership qualification is desirable

Should you require any further information regarding this post, please contact: Philip Thomas, Development Services Manager Tel: 01633644809

Closing Date: 12 noon on 19/04/2017

Interviews will be held week commencing 24/04/2017

ROLE PROFILE

ROLE TITLE: Development Services Manager

PERMANENT

POST ID: RDC 01

GRADE: BAND L SCP 49 – SCP 53

HOURS: 37 Per Week

LOCATION: County Hall, Usk (This may change in the future if the service needs to relocate. Relocation or disturbance expenses will not be paid if this happens).

WELSH LANGUAGE ASSESSMENT: Welsh language skills are desirable

RESPONSIBLE TO: Head of Planning, Housing and Place-shaping

RESPONSIBLE FOR: 22 FTE staff

Development Services.....Who are we?

Our Purpose:-

The Development Services section seeks to allow appropriate economic development, tourism and growth, providing the homes, jobs, amenities and infrastructure needed to support sustainable and resilient communities and to support delivery of the Council's priorities.

The section provides a range of land use planning-related functions including determining applications for planning permission and defending those decisions if challenged, enforcing planning legislation and taking action against unauthorised development, and protecting and enabling the re-use of the County's historic buildings. The section works closely with a number of organisations and stakeholders, and the ability to balance competing demands is essential.

The Purpose of this Role:-

1. To have overall responsibility for the performance and management of the Development Management and Heritage services;
2. To provide the Authority with professional expertise in planning matters;
3. To represent the Council on Development Management matters;

4. To ensure the Council's objectives for the determination of planning applications, resolution of enforcement cases, success at appeals, heritage management and associated business support are met;
5. To provide management and leadership to ensure that a high quality of development is achieved in accordance with the Council's policies and the service's purpose, and that the service meets the needs of its users;
6. To review and challenge service delivery and drive service improvements;
7. To deputise for the Head of Service as required.

Expectation and Outcomes of this Role:-

You will be expected to provide effective management and leadership, to secure positive outcomes, good performance and effective service delivery.

Your responsibilities are to:-

Function	Main Duties
<p>1. To ensure the effective delivery of the Development Management and Heritage services, providing management and leadership to secure high quality development and excellent customer service.</p>	<ol style="list-style-type: none"> 1. To review and challenge service delivery and drive service improvements; 2. To achieve the efficient performance of the Development Management Service and ensure that up to date statutory and local requirements are met; 3. To give professional advice, prepare reports or expert evidence and appear at committees, hearings or inquiries representing the Council; 4. To have an excellent knowledge of planning policies and how these affect the planning service; 5. To provide guidance to achieve a high standard of design and the aims of the Council's planning policies; 6. To attend and advise the Delegation Panel on those applications and enforcement cases identified in the scheme of officer delegation for determination in consultation with the Delegation Panel; 7. To play a lead role in Planning Committee by making recommendations, and presenting and providing advice on planning matters; 8. To handle complex planning applications and enforcement cases, as workload allows; 9. To represent the Council at appeal and in Court proceedings and support staff in their case preparation; 10. To ensure measures and procedures are in place to identify and prioritise causes of variation within the delivery of the service; 11. To ensure that appropriate action is taken to address any identified causes of variation.

<p>2. To manage staff effectively</p>	<ol style="list-style-type: none"> 1. Ensure the right staff are in the right roles to meet the needs of the planning service; 2. To review and manage staff performance and identify staff training needs on a regular basis; 3. To be responsible for the recruitment and selection of team members as required and ensure staff are effectively inducted into the organisation and reflect the Council's values; 4. To discuss with staff their work capacity and priorities on a regular basis, coach staff to resolve problems and actively manage performance, and to develop and implement system changes to improve capacity and efficiency; 5. To monitor and maintain human resource elements e.g. sickness absence, leave and flexi; 6. To make staff aware of expectations and responsibilities in relation to key MCC policies such as health and safety and equal opportunities; 7. To have a good knowledge of the key personnel policies and how these affect the staff team.
<p>3. Responsibility for service management</p>	<ol style="list-style-type: none"> 1. To ensure measures and procedures are in place to identify and prioritise causes of variation within the delivery of the service; 2. To ensure that appropriate action is taken to address identified causes of variation; 3. To ensure the Welsh Government Development Management Quarterly return is submitted accurately and on a timely basis; 4. To be responsible for service planning on a quarterly and annual basis including completing a Service Plan; 5. To assist the Head of Service in the preparation of the Planning Department's Annual Performance Report; 6. To be responsible for managing the team's budget and any related grants; 7. To apply for, and provide subsequent reports for grant funding;

	<p>8. To ensure resources are in place to meet the requirements of service users.</p>
<p>4. To ensure that the service meets the needs of its users</p>	<ol style="list-style-type: none"> 1. To ensure that the section has the resources and capacity to answer telephone calls, meet callers at the Section's reception and respond to correspondence effectively to meet the requirements of service users. 2. Identify and implement changes to improve the service for users; 3. Ensure customer information is user-friendly and up to date; 4. To improve the profile of the service within and beyond Monmouthshire; 5. To respond to serious complaints in line with the MCC customer complaints procedure.
<p>5. Ensure effective team working</p>	<ol style="list-style-type: none"> 1. Ensure the Development Management team operates effectively and consistently; 2. To ensure there is close liaison between Development Management and the Planning Policy, Countryside and Green Infrastructure, Highways and Building Control teams, in particular, and with other service managers within the Council to ensure effective service provision; 3. Implement and monitor effective ways for the staff to work together effectively; 4. To ensure effective cross working and partnership working with other Directorates on planning and related matters; 5. To work with other Authorities and partnerships, including the South Wales Development Managers Forum to develop a consistent approach to development management in the region and to contribute to best practice in development management and wider planning policy; 6. To deputise for the Head of Service at Planning Officers Society Wales (POSW) meetings; 7. To work in a flexible manner to meet the needs of the Authority including support for the Council's Planning Policy team where necessary.

<p>6. To actively support and implement the principles and practice of equality of opportunity as laid down in the Council's Equal Opportunities Policy.</p>	<p>4. To attend the Equality Awareness/ Service Delivery Training course and ensure all staff have undertaken the appropriate training.</p> <p>5. To actively implement and support the principles and practice of equality of opportunity, including the provisions of the Equality Act 2010 and the Well Being of Future Generations (Wales) Act 2015, in both service delivery and employment issues;</p> <p>6. To ensure staff adhere to the principles and practice of equality of opportunity.</p>
<p>7. To ensure the Section operates in a safe and diligent manner at all times, in line with all health, safety & welfare policies and guidelines in place.</p>	<p>1. To conduct Health and Safety Risk Assessments and Inspections and act upon findings.</p> <p>2. Promote safe working practices</p>

Here's what we can provide you with:-

- Full support of the Planning, Housing and Place-shaping network as a valued colleague;
- Supportive and flexible line management from the Head of Service;
- A pleasant working environment with an ability and freedom to work on an agile basis;
- Opportunities and the support to grow your skills and to shape and improve service delivery, to trial new things and to make a real difference; and
- Use of a pool car as required.

What else you need to know.....Monmouthshire Values are:

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Teamwork: We aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

And this role, will work with Monmouthshire to achieve these.

In addition:



All employees are responsible for ensuring that they act at all times in a way that is consistent with Monmouthshire's Equal Opportunities Policy in their own area of responsibility and in their general conduct.

The authority operates a Smoke Free Workplace Policy which all employees are required to abide to.

Person Specification

How will we know if you are the right person for the role? As the successful candidate you will have demonstrated:-

- That you hold a recognised degree level qualification in Planning and evidence of continuing professional development;
- That you are a member of the RTPI;
- That you hold or are working towards, or are willing to work towards a leadership or management qualification;
- That you have at least 5 years' experience post qualification in Development Management, heritage and appeals;
- Leadership skills to review, challenge and drive service improvement;
- That you have experience of and, more importantly, an aptitude and ability to, effectively manage a team of staff, managing performance and assisting caseload organisation and setting priorities;
- A customer focus and customer service experience in a service delivery role;
- A positive and solutions-based approach;
- Political astuteness and sensitivity;
- An extensive knowledge and awareness of planning and environmental issues;
- An understanding of the bigger picture within which the planning service sits: corporately, politically, regionally and alongside other services and priorities;
- An understanding of and willingness to work in accordance with systems thinking principles (as used in a lean review of the service) to improve the customer's experience of the development management service;
- Proven team working skills and ability to facilitate a team working environment and work with others in partnership;
- Effective presentation and communication skills, including experience of presenting information to Members, dealing with cross examination/scrutiny, having effective and efficient communication skills (written and verbal), and demonstrate experience of dealing courteously with the public and Elected Members (including irate and anxious callers) both face to face and by telephone;
- Effective negotiation skills;
- The ability to present complex or controversial matters in clear and concise reports, letters and other sources of customer information;
- The ability to manage a personal varied caseload, with examples or working to tight deadlines meeting required performance standards and balancing competing demands;
- Practical experience of IT applications such as GIS and word processing;
- That you hold a valid driving licence and access to a vehicle
- A clear understanding of equal opportunities principles and practice and a commitment to their effective implementation;
- Experience and a willingness to implement safe working practices for the team to operate in a safe and diligent manner at all times, in line with all Health, Safety & Welfare Policies and Guidelines in place.

Should you require any further information regarding this post, please contact: Mark Hand, Head of Planning, Housing and Place-shaping Tel: 01633 644803

SUBJECT: STAFFING RESTRUCTURE: PLANNING POLICY TEAM

MEETING: INDIVIDUAL CABINET MEMBER DECISION

DATE: 29th MARCH 2017

DIVISION/WARDS AFFECTED: All

NON-PUBLICATION: n/a

1. PURPOSE:

- 1.1 To request approval to create an additional part-time management post in the Planning Policy team to support the LDP review, on-going work on planning contributions and to enable succession planning.
- 1.2 To update the Planning Policy Manager post job description to apply to both the existing and new post-holders.

2. RECOMMENDATIONS:

- 2.1 That Cabinet Member:
Approves the creation of this additional part-time post and associated recruitment, including back-filling via internal and/or external recruitment, and approves the amended Job Description.

3. KEY ISSUES:

- 3.1 In October 2016, Cabinet agreed that an early review of the LDP should commence due to the Council no longer having a five-year housing land supply, and the inherent development pressures this situation will create. The initial review will recommend the extent to which the LDP needs to be revised: whether the conclusion is a short form revision or a new replacement LDP, there will be a significant amount of work required and a need for strong project management and leadership.
- 3.2 The Planning Policy Manager post was, until recently, occupied on a job share basis. However, the substantive post holder has resigned, and the remaining post holder has notified the Head of Service of his desire to seek retirement in the next couple of years, which will be before a revised LDP is adopted.
- 3.3 There is consequently a clear and pressing need for succession planning, to enable a new manager to grow and learn from the existing expertise, as well as increasing management capacity to deliver this important project.
- 3.4 Meanwhile, additional work is needed on the Community Infrastructure Levy (CIL) in the light of imminent changes referenced in the recent UK Government Housing White Paper. The exact details of these changes will not be known until Autumn 2017, and it is considered that submitting the Council's CIL for examination in advance of those final announcements would likely result in abortive work. The additional work on CIL in the Autumn will coincide with LDP revision creating an additional resource pressure. In the meantime, work can be progressed on both LDP review and work relating to community governance and identifying infrastructure priorities.
- 3.5 The additional post would be part funded by deleting a vacant 0.6FTE Admin Officer post.

3.6 The current and proposed staffing levels are listed below:

	Current FTE	Proposed FTE
Planning Policy Manager	1.0 (0.5FTE vacant)	1.5
Principal Planning Officer	1.0	1.0
Senior Planning Officer	1.0	1.0
Research Officer	1.0	1.0
Admin Officer	0.6 (vacant)	0.0
Total	4.6	4.5

3.7 It is therefore proposed to:

- Delete the vacant Admin Officer post;
- Create an additional 0.5FTE management post to support LDP review/revision but also to complete work on CIL/Planning Contributions and infrastructure planning;
- Amend the current Planning Policy Manager's job description;
- Recruit to the remaining 1.0FTE management post against the revised job description;
- To backfill any vacated posts by advertising internally and/or externally as required.

3.8 No colleagues are detrimentally impacted by the proposed restructure. Informal staff consultation has already taken place.

4. REASONS

4.1 The reasons for the proposed restructure are summarised below:

- To provide essential additional capacity to deliver the LDP review/revision and CIL/planning contributions work;
- Succession planning given a management team member's desire to retire within the next few years, prior to LDP adoption;
- Staff retention and the potential opportunity to develop management and leadership qualities in existing members of staff;
- Notwithstanding the clear need for succession planning and increased capacity, advertising the currently vacant 0.5FTE management post significantly limits recruitment opportunities.

5. RESOURCE IMPLICATIONS:

- 5.1 The proposed restructure would result in additional staffing costs of up to £11,900. This figure represents the maximum cost with all team members at top of grade. This proposal was discussed with PeopleToo using their recent 2017/18 budget challenge work, and it was accepted that the Planning Policy service could finance this necessary restructure in addition to offering up 5% savings (£17,200).
- 5.2 The restructure would be funded wholly from the D080 Professional Fees budget line, which would be reduced by £30,083 to £201,700. This reduction comprises the £11,900 needed for the restructure, the £8183 already agreed as part of the 17/18 5% budget saving, and an already agreed £10k virement to help fund the DM restructure proposal.
- 5.3 As stated above, the proposed restructure was first drafted in September 2016 and was considered as part of, and factored into, the 2017/18 budget saving proposals put forward and agreed by Cabinet, with additional overview scrutiny by PeopleToo, who make reference to the proposal in their commentary. The ability to cover the costs within budget, factors in the 2017/18 budget savings already offered.
- 5.4 Consideration has been given to the implications of the recent White Paper on Local Government reorganisation, which includes a suggestion that Planning Policy could be delivered at a regional

(undefined) level. However, these suggestions are at a very early stage. There are no draft or firm proposals yet, nor any political agreement. Even if the Council were to agree to such an approach, the actual organisational change will take time. In any case, we need to ensure we are in the best possible place, delivering the best service possible and with the right people in the right roles now. Moreover, resource needs might change should the Cardiff Capital Region decide to develop a statutory Strategic Development Plan.

6. CONSULTEES

Senior Leadership Team

PeopleToo as high level consideration as part of the 2017/18 budget proposals

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

Finance Officer (Davina Hicks)

People Services

7. BACKGROUND PAPERS

Appendix One – Future Generations Evaluation (summarised below)

Appendix Two – Current and Revised Staffing structures

Appendix Three – Job Descriptions

8. FUTURE GENERATIONS IMPLICATIONS

The completed Future Generations Evaluation can be found in Appendix One below. In summary, the proposed restructure is intended to provide a resilient service with additional management capacity to provide succession planning and deliver critical projects (namely the LDP and planning contributions work). The impact should be positive with no negative impacts identified.

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

10. CONTACT DETAILS:

E-mail: markhand@monmouthshire.gov.uk

Tel: 01633 644803/ 07773 478579

Future Generations Evaluation (includes Equalities and Sustainability Impact)

<p>APPENDIX ONE</p> <p>Name of the Officer Mark Hand Phone no: 07773 478579 E-mail: markhand@monmouthshire.gov.uk</p>	<p>STAFFING RESTRUCTURE: PLANNING POLICY TEAM</p>
<p>Name of Service: Planning (Enterprise and Innovation Directorate)</p>	<p>Date: Future Generations Evaluation 02 March 2017</p>


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





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

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>The proposed restructure seeks to ensure resources are best utilised and that a resilient service is provided for the benefit of colleagues, the wider Council and our communities. The proposal, by definition, provides job opportunities.</p>	<ul style="list-style-type: none"> • Internal recruitment where possible to maximise opportunities for career progression and staff retention.
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>Ensuring the planning service is properly resourced is essential to an effective service, part of which includes ensuring our green spaces and cultural heritage is supported. Project management for the LDP and securing planning contributions both contribute towards this goal.</p>	<p>Community engagement to identify infrastructure priorities</p>

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Positive impact by ensuring quality services are provided. Promotion opportunities and appropriate levels of management support will have positive impact on the well-being of colleagues.	
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Positive impact by ensuring quality services are provided. Project management for the LDP and securing planning contributions both contribute towards this goal.	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive impact by ensuring quality services are provided. Project management for the LDP and securing planning contributions both contribute towards this goal.	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Positive impact by ensuring quality services are provided. Project management for the LDP and securing planning contributions both contribute towards this goal.	
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Positive impact by ensuring quality services are provided and by giving promotion opportunities to colleagues. Increased capacity to deliver the LDP and planning contributions.	

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 Balancing short term need with long term and planning for the future	The proposal seeks to balance budget pressures with short term succession planning and longer term staff development and service resilience and the delivery of essential statutory documents.	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Working together with other partners to deliver objectives</p> <p>Collaboration</p>	<p>Increased management capacity will support project delivery of the LDP and planning contributions work, with considerable community engagement and involvement in both projects.</p>	
 <p>Involving those with an interest and seeking their views</p> <p>Involvement</p>	<p>As above</p>	
 <p>Putting resources into preventing problems occurring or getting worse</p> <p>Prevention</p>	<p>The rationale for the proposal is to improve management capacity and therefore project delivery, and to provide succession planning for a known future risk.</p>	
 <p>Considering impact on all wellbeing goals together and on other bodies</p> <p>Integration</p>	<p>The service contributes to the wellbeing goals and therefore an improvement to service delivery should have a positive impact on delivering the well-being goals. The revised LDP will be accompanied by a Sustainability Appraisal.</p>	

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

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Consider the impact on our community in relation to this e.g. how do we engage with older and younger people about our services, access issues etc. Also consider what issues there are for employment and training.	n/a	n/a
Disability	What issues are there are around each of the disability needs groups e.g. access to buildings/services, how we provide services and the way we do this, producing information in alternative formats, employment issues.	n/a	n/a
Gender reassignment	Consider the provision of inclusive services for Transgender people and groups. Also consider what issues there are for employment and training.	n/a	n/a
Marriage or civil partnership	Same-sex couples who register as civil partners have the same rights as married couples in employment and must be provided with the same benefits available to married couples, such as survivor pensions, flexible working, maternity/paternity pay and healthcare insurance	n/a	n/a
Pregnancy or maternity	<i>In employment a woman is protected from discrimination during the period of her pregnancy and during any period of compulsory or additional maternity leave. In the provision of services, goods and facilities, recreational or training facilities, a woman is protected from discrimination during the period of her pregnancy and the period of 26 weeks beginning with the day on which she gives birth</i>	n/a	n/a

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?
Race	<i>Think about what the proposal will do to promote race equality with the aim of: eliminating unlawful discrimination, promoting equality of opportunity and promoting good relations between persons of different racial groups. Also think about the potential to affect racial groups differently. Issues to look at include providing translation/interpreting services, cultural issues and customs, access to services, issues relating to Asylum Seeker, Refugee, Gypsy & Traveller, migrant communities and recording of racist incidents etc.</i>	n/a	n/a
Religion or Belief	<i>What the likely impact is e.g. dietary issues, religious holidays or days associated with religious observance, cultural issues and customs. Also consider what issues there are for employment and training.</i>	n/a	n/a
Sex	<i>Consider what issues there are for men and women e.g. equal pay, responsibilities for dependents, issues for carers, access to training, employment issues. Will this impact disproportionately on one group more than another</i>	n/a	n/a
Sexual Orientation	<i>Consider the provision of inclusive services for e.g. older and younger people from the Lesbian, Gay and Bi-sexual communities. Also consider what issues there are for employment and training.</i>	n/a	n/a
Welsh Language	<i>Under the Welsh Language measure of 2011, we need to be considering Welsh Language in signage, documentation, posters, language skills etc. and also the requirement to promote the language.</i>	n/a	n/a

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

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	<i>Safeguarding is about ensuring that everything is in place to promote the well-being of children and vulnerable adults, preventing them from being harmed and protecting those who are at risk of abuse and neglect.</i>	n/a	n/a
Corporate Parenting	<i>This relates to those children who are 'looked after' by the local authority either through a voluntary arrangement with their parents or through a court order. The council has a corporate duty to consider looked after children especially and promote their welfare (in a way, as though those children were their own).</i>	n/a	n/a

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

This report is founded upon the following:

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

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

The proposed restructure is intended to provide a resilient and improving service with additional management capacity to deliver key projects and to provide succession planning and staff retention. The impact should be positive with no negative impacts identified.

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

What are you going to do	When are you going to do it?	Who is responsible	Progress
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n/a			
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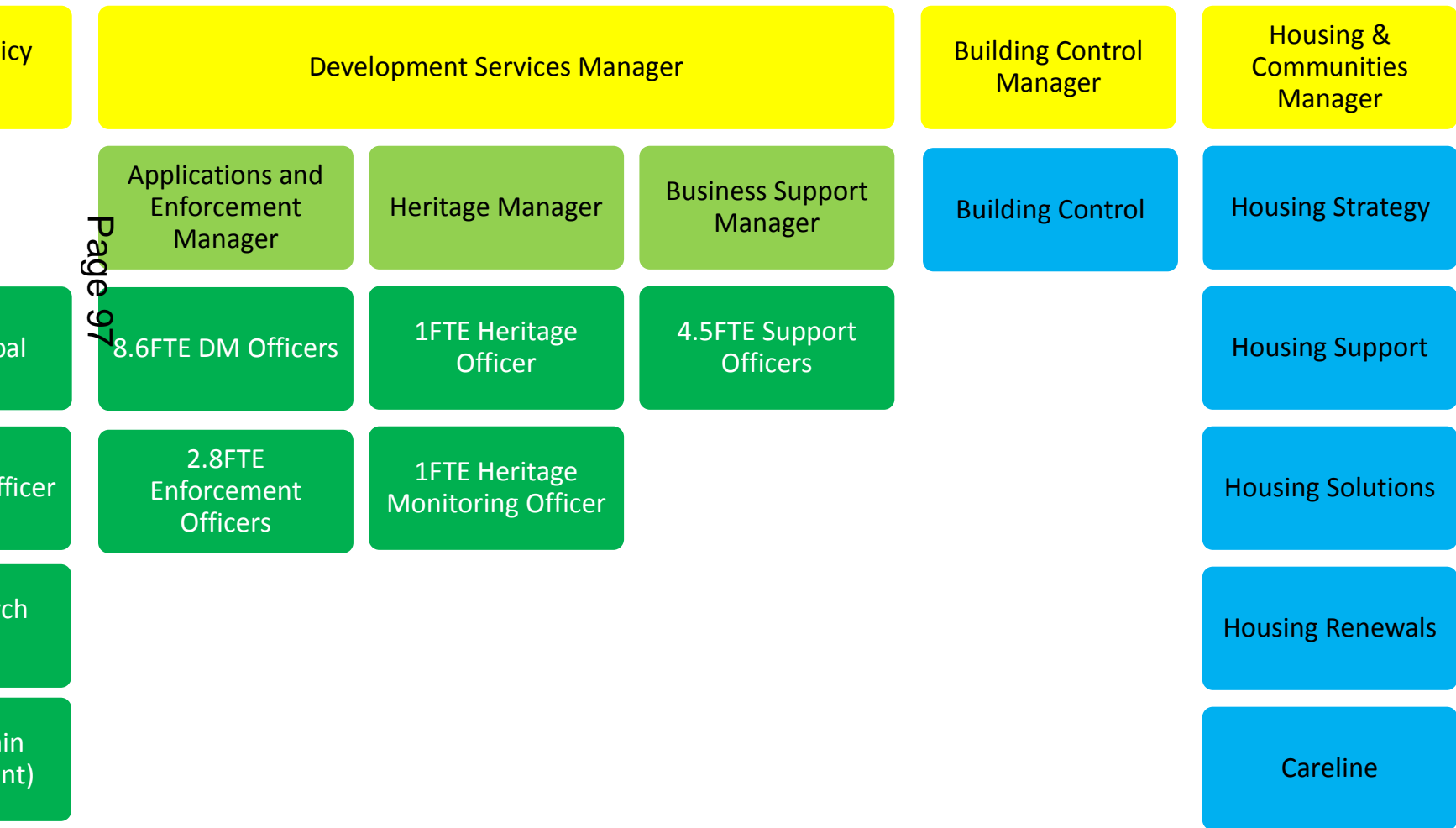
8. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	October 2017 via Annual Monitoring Report and progress with the identified projects in the Job Description.
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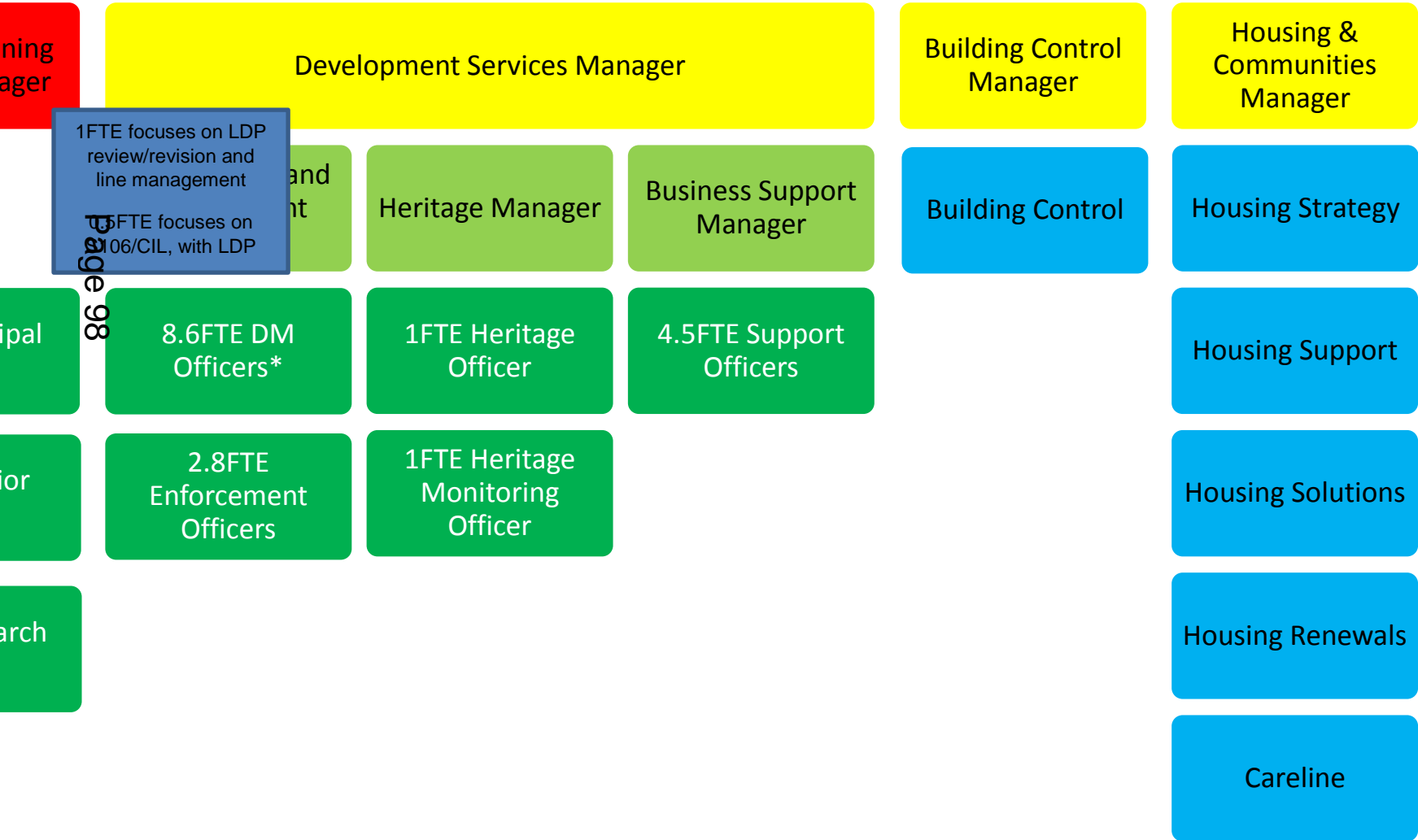
9. VERSION CONTROL: The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

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

Head of Planning, Housing & Place-Shaping



Head of Planning, Housing & Place-Shaping



1FTE focuses on LDP review/revision and line management
 1.5FTE focuses on 106/CIL, with LDP

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Appendix Three

ROLE PROFILE**ROLE TITLE:** Planning Policy Manager

PERMANENT

POST ID: RDP 01**GRADE:** BAND L SCP 49 – SCP 53**HOURS:** 37 Per Week**LOCATION:** County Hall, Usk (This may change in the future if the service needs to relocate. Relocation or disturbance expenses will not be paid if this happens).**WELSH LANGUAGE ASSESSMENT:** Welsh language skills are desirable**RESPONSIBLE TO:** Head of Planning, Housing and Place-shaping**RESPONSIBLE FOR:** 4 FTE staff**Planning Policy.....Who are we?****Our Purpose:-**

The Planning Policy section writes the statutory planning policy framework to allow appropriate economic development, tourism and growth, providing the homes, jobs, amenities and infrastructure needed to support sustainable and resilient communities and to support delivery of the Council's priorities.

The policy framework is evidence based and is created following community and stakeholder engagement. The section works closely with a number of organisations and stakeholders, and the ability to balance competing demands is essential.

The Purpose of this Role:-

1. To have overall responsibility for the management of the Planning Policy service including leadership and management for the Planning Policy team to ensure that a high quality of development is achieved in accordance with the Council's policies and the service's purpose, and that the service meets the needs of its users;
2. To provide the Authority with professional expertise in planning policy matters;
3. To represent the Council on Planning Policy matters;
4. To successfully project manage delivery of the Local Development Plan, represent the Council at examination, and undertake the on-going review and revision of the Plan;
5. To successfully project manage delivery of the Community Infrastructure Levy and/or planning contributions including working with communities and stakeholders to identify infrastructure priorities and community governance in relation to local infrastructure improvements;
6. To review and challenge service delivery and drive service improvements;
7. To deputise for the Head of Service as required.

Expectation and Outcomes of this Role:-

You will be expected to provide effective management and leadership, to secure positive outcomes, effective project management and effective service delivery.

Your responsibilities are to:-

Function	Main Duties
1. To ensure the effective delivery of the Local Development Plan, providing management and leadership to secure a sound Plan and excellent customer service.	<ol style="list-style-type: none"> 1. To project plan and manage delivery of the LDP, its subsequent review and revisions in accordance with agreed timescales and statutory requirements, national policy and procedural guidance, technical evidence and regional agreements; 2. To give professional advice, prepare reports or expert evidence and appear at Committees, Plan examination, hearings or inquiries representing the Council; 3. To have an excellent knowledge of planning policies and how these affect the planning service, providing advice to Development Management and other service areas; 4. To project plan and manage delivery of the Community Infrastructure Levy or alternative means of securing

	<p>planning contributions, preparation and community engagement to delivery an Infrastructure Plan, and input into community and County-wide identification of infrastructure priorities;</p> <ol style="list-style-type: none"> 5. To ensure the Annual Monitoring Report and Joint Housing Land Availability Study are properly completed and submitted; 6. To work with Elected Members to identify and effectively communicate Monmouthshire's priorities in a regional context; 7. To represent the Council at a regional level and with the Welsh Government; 8. To agree and deliver a programme of adopted Supplementary Planning Guidance and Development Briefs.
<ol style="list-style-type: none"> 2. To manage staff effectively 	<ol style="list-style-type: none"> 1. Ensure the right staff are in the right roles to meet the needs of the planning service; 2. To review and manage staff performance and identify staff training needs on a regular basis; 3. To be responsible for the recruitment and selection of team members as required and ensure staff are effectively inducted into the organisation and reflect the Council's values; 4. To discuss with staff their work capacity and priorities on a regular basis, coach staff to resolve problems and actively manage performance and project delivery, and to develop and implement system changes to improve capacity and efficiency; 5. To monitor and maintain human resource elements e.g. sickness absence, leave and flexi; 6. To make staff aware of expectations and responsibilities in relation to key MCC policies such as health and safety and equal opportunities; 7. To have a good knowledge of the key personnel policies and how these affect the staff team.
<ol style="list-style-type: none"> 3. Responsibility for service management 	<ol style="list-style-type: none"> 1. To ensure resources are in place to meet the requirements of service users and Plan delivery; 2. To ensure the LDP Annual Monitoring Report is completed and submitted to the Welsh Government accurately and on a timely basis;

	<ol style="list-style-type: none"> 3. To be responsible for service planning on a quarterly and annual basis including completing a Service Plan; 4. To be responsible for managing the team's budget and any related grants; 5. To apply for, and provide subsequent reports for grant funding.
<ol style="list-style-type: none"> 4. To ensure that the service meets the needs of its users 	<ol style="list-style-type: none"> 1. To ensure that the section has the resources and capacity to answer telephone calls, meet callers at the Section's reception and respond to correspondence effectively to meet the requirements of service users. 2. Identify and implement changes to improve the service for users; 3. Ensure customer information is user-friendly and up to date; 4. To improve the profile of the service within and beyond Monmouthshire; 5. To respond to serious complaints in line with the MCC customer complaints procedure; 6. To ensure effective community engagement in relation to the LDP, SPG and planning contribution spend / infrastructure priorities.
<ol style="list-style-type: none"> 5. Ensure effective team working 	<ol style="list-style-type: none"> 1. Ensure the Planning Policy team operates effectively and consistently; 2. To ensure there is close liaison between Planning Policy and the Development Management, Countryside and Green Infrastructure, Housing, Regeneration and Whole Place teams, in particular, and with other service managers within the Council to ensure effective service provision; 3. Implement and monitor effective ways for the staff to work together effectively; 4. To ensure effective cross working and partnership working with other Directorates on planning and related matters; 5. To work with other Authorities and partnerships, including the South East Wales Strategic Planning Group (SEWSPG) and Pathfinders to develop a

	<p>consistent approach to planning policy in the region and to contribute to best practice;</p> <p>6. To deputise for the Head of Service as required;</p> <p>7. To work in a flexible manner to meet the needs of the Authority including support for the Council's Development Services team where necessary.</p>
<p>6. To actively support and implement the principles and practice of equality of opportunity as laid down in the Council's Equal Opportunities Policy.</p>	<p>1. To attend the Equality Awareness/ Service Delivery Training course and ensure all staff have undertaken the appropriate training.</p> <p>2. To actively implement and support the principles and practice of equality of opportunity, including the provisions of the Equality Act 2010 and the Well Being of Future Generations (Wales) Act 2015, in both service delivery and employment issues;</p> <p>3. To ensure staff adhere to the principles and practice of equality of opportunity.</p>
<p>7. To ensure the Section operates in a safe and diligent manner at all times, in line with all health, safety & welfare policies and guidelines in place.</p>	<p>1. To conduct Health and Safety Risk Assessments and Inspections and act upon findings.</p> <p>2. Promote safe working practices</p>

Here's what we can provide you with:-

- Full support of the Planning, Housing and Place-shaping network as a valued colleague;
- Supportive and flexible line management from the Head of Service;
- A pleasant working environment with an ability and freedom to work on an agile basis; and
- Opportunities and the support to grow your skills and to shape and improve service delivery, to trial new things and to make a real difference.

What else you need to know.....Monmouthshire Values are:

Openness: We aspire to be open and honest to develop trusting relationships.

Fairness: We aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.

Flexibility: We aspire to be flexible in our thinking and action to become an effective and efficient organisation.



Teamwork: We aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

And this role, will work with Monmouthshire to achieve these.

In addition:

All employees are responsible for ensuring that they act at all times in a way that is consistent with Monmouthshire's Equal Opportunities Policy in their own area of responsibility and in their general conduct.

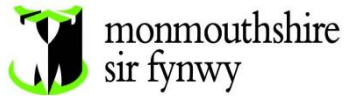
The authority operates a Smoke Free Workplace Policy which all employees are required to abide to.

Person Specification

How will we know if you are the right person for the role? As the successful candidate you will have demonstrated:-

- That you hold a recognised degree level qualification in Planning and evidence of continuing professional development;
- That you are a member of the RTPI;
- That you hold or are working towards, or are willing to work towards a leadership or management qualification;
- That you have at least 5 years' experience post qualification in planning policy formulation. Experience of project management, budget management and of giving evidence at Development Plan examination is desirable;
- Leadership skills to review, challenge and drive service improvement;
- That you have an aptitude and ability to effectively manage a team of staff, managing performance and assisting caseload organisation and setting priorities. Line management experience is desirable;
- Effective project management skills;
- Proven ability to formulate policies and undertake evidence-based decision making;
- A customer focus and customer service experience in a service delivery role;
- A positive and solutions-based approach;
- Political astuteness and sensitivity;
- An extensive knowledge and awareness of planning and environmental issues;
- An understanding of the bigger picture within which the planning service sits: corporately, politically, regionally and alongside other services and priorities;
- Proven team working skills and ability to facilitate a team working environment and work with others in partnership;
- Effective presentation and communication skills, including experience of presenting complex information to Members, dealing with cross examination/scrutiny, having effective and efficient communication skills (written and verbal), and demonstrate experience of dealing courteously with the public and Elected Members (including irate and anxious callers) both face to face and by telephone;
- Effective negotiation skills;
- The ability to present complex or controversial matters in clear and concise reports, letters and other sources of customer information;
- An understanding of development viability, population projections and similar data;
- The ability to manage a personal varied caseload, with examples or working to tight deadlines meeting required performance standards and balancing competing demands;
- Practical experience of IT applications such as GIS and word processing;
- That you hold a valid driving licence and access to a vehicle
- A clear understanding of equal opportunities principles and practice and a commitment to their effective implementation;
- Experience and a willingness to implement safe working practices for the team to operate in a safe and diligent manner at all times, in line with all Health, Safety & Welfare Policies and Guidelines in place.

Should you require any further information regarding this post, please contact: Mark Hand, Head of Planning, Housing and Place-shaping Tel: 01633 644803



SUBJECT:	Monmouthshire Lettings Service
MEETING:	Single Member Cabinet Decision
DATE:	29th March 2017
DIVISION/WARDS AFFECTED:	All

1.0 PURPOSE

- 1.1 The purpose of the report is to introduce members to the proposal for the introduction of a Council operated social lettings scheme within Monmouthshire. The proposal supports the Council's 'Future Monmouthshire' policy.

2. RECOMMENDATIONS

- 2.1 To consider how the Monmouthshire Lettings proposal (**See Appendix 1**) will support the Council's statutory duty to prevent homelessness and provide the foundations for a future income generation opportunity and make recommendations as appropriate.
- 2.2 To agree to Establish Monmouthshire Letting Service (MLS).

3. KEY ISSUES

- 3.1 This proposal seeks to build upon the existing practice of the Housing Options Team of engaging with private landlords and using private sector accommodation to meet the Council's statutory homeless and prevention related duties. The proposal effectively brands and packages the existing service to private landlords whilst introducing new services to further to benefit landlords.
- 3.2 The purpose of MLS is to provide a lettings service that seeks to put the community at the centre of its core business of providing long term affordable properties to rent, but with a 'commercial' approach. A core emphasis of MLS is to support landlords. The context (**See Appendix 1**) to developing MLS is:
- Many households are unable to access accommodation through traditional high street letting agents because they are in receipt of benefits, they cannot afford to meet upfront payments and fees nor high market rents, which are in excess of housing benefit levels.
 - There is a shortage of social housing stock and vacancies
 - Accommodating low income households can be perceived as a risk
 - There is a need to manage the on-going demand from households who are homeless or threatened with homelessness.
 - There is a need to reduce expenditure or increase income generation.
- 3.4 Key elements of the proposed service are to:
- Provide a basis for increasing homeless prevention by hopefully increasing access to private rented accommodation and limiting the use of B & B.
 - Offering landlords a worry free letting service
 - Providing sufficient affordable rented accommodation to households who are unable to access the private rented housing sector.
 - Undertake regular marketing and landlord engagement
 - Providing the opportunity for future income generation
- 3.5 MLS will broadly consist of two service strands. A lettings service and a leasing service:

- The lettings service will be similar in design to a high street lettings agency. This will initially include legal advice, 'find a tenant' and tenant verification, inventories, sign ups, inspections, rent collection, tenancy agreement drafting and housing support. Initially services will be offered free to landlords to encourage take up. Additional services, such as rent monitoring, have been identified with a view to possibly working up and introducing at a later date.
- The leasing service will seek to offer landlords a leased option (where needed by the Council), such as the current Shared Housing scheme. (Also, Melin Homes management of the private leasing scheme is due to end in 2018). Leasing availability will be subject to financial viability. Leasing for temporary accommodation currently attracts a subsidy through housing benefit. This is due to end on 1st April 2017 and be replaced by a grant allocation. At the time of writing the level of subsidy level will be reduced. If it is not possible to continue with leasing, the lettings aspect of MLS becomes even more relevant.

3.6 The aim is for MLS to go live by 1st May 2017 and supported by the Communications Team it is proposed that MLS will have its own distinct identity which will feature on stationary products, flyers, posters, web page and social media applications. A proposed delivery framework for MLS can be found in **Section 2 of Appendix 1**. This seeks to provide a clear strategic direction and provide a distinct and unique approach to delivery.

4. REASONS:

4.1 The reasons for the introduction of MLS is to fulfil the Council's statutory duty to prevent homelessness under the Housing (Wales) Act 2014 and support the 'Future Monmouthshire' Policy.

5. RESOURCE IMPLICATIONS:

5.1 On-going costs will be funded through existing Housing Options Team staff resources and through existing budgets allocated to prevent homelessness. MLS spending (to secure accommodation) will be regarded as contributing to homeless prevention outcomes and supporting the Council to avoid the need to use B & B. There will be a need to incur initial set up costs relating to Rent Smart Wales Registration, staff training and marketing. These will be funded through the existing budget.

5.2 There is an expectation that as MLS attracts more landlords and more properties are taken on a fee charging structure will be introduced. The intention is that the service over time will rely increasingly less on funding budgets and more on fee income.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

6.1 No negative impacts have been identified. **See Appendix 2**

7. SAFEGUARDING & CORPORATE PARENTING IMPLICATIONS:

7.1 Homeless prevention supports both safeguarding and corporate parenting

7. **CONSULTEES:** Cabinet; Senior Leadership Team; Head of Planning, Housing & Place Shaping

8. **BACKGROUND PAPERS:** Landlord feedback

9. **AUTHOR:** Stephen Griffiths, Strategy & Policy Officer (Housing & Communities)

10. **CONTACT DETAILS:** E-mail: stephengriffiths@monmouthshire.gov.uk Telephone: 01633 644455



monmouthshire
sir fynwy

Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p>Name of the Officer Stephen Griffiths</p> <p>Phone no: 01633 644455</p> <p>E-mail: karendurrant@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>Homeless Prevention – The introduction of a Private Sector Letting Agency, Monmouthshire Lettings Service offering two distinct services 1). A leasing service 2). A lettings service.</p>
<p>Name of Service</p> <p>Housing & Communities</p>	<p>Date Future Generations Evaluation</p> <p>3rd January 2017</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?
A prosperous Wales	By creating sustainable and affordable housing accommodation.	Housing accommodation rents will be proportionate to the income of the household.


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?
Efficient use of resources, skilled, educated people, generates wealth, provides jobs		
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	N/A	N/A
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	The service supports people to access and remain in good quality accommodation or access alternative accommodation which contributes to health and well-being.	All properties taken on by the scheme have to meet decent housing quality standards.
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	The service support this by creating sustainable long term affordable accommodation.	Financial assessments of household income is assessed to determine affordability. Rents are set at or about Local Housing Allowance
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	N/A	N/A
A Wales of vibrant culture and thriving Welsh language	N/A	N/A





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Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation		
A more equal Wales People can fulfil their potential no matter what their background or circumstances	The scheme will create settled households in which they are better able to fulfil their potential.	Many of the services are currently available from the Housing Options Team. They aren't, however, formally marketed

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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?
 Balancing short term need with long term and planning for the future	The service supports the Council to discharge its legal duty to prevent homelessness as per the Housing (Wales) Act 2014.	The service has created a scheme that is able to offer tenancies within the private rented sector and will offer households support to maintain their tenancies.

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Collaboration Working together with other partners to deliver objectives</p>	<p>The service links closely with other agencies in order for services to complement each other. Other agencies can and refer into the service</p>	
 <p>Involvement Involving those with an interest and seeking their views</p>	<p>None done</p>	
 <p>Prevention Putting resources into preventing problems occurring or getting worse</p>	<p>The service is a preventative service and accesses and utilises external resources to facilitate people to remain at home or secure alternative accommodation.</p>	<p>The service can provide on-going support with households to maximise sustainability</p>
 <p>Integration Positively impacting on people, economy and environment and trying to benefit all three</p>	<p>The services positively impacts upon the local economy by facilitating / creating a of long term tenure security of accommodation.</p>	<p>N/A</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 service is available to this and all groups	The service is targeted at preventing homelessness and, therefore, can't necessarily assist other non-related referrals.	Non homeless prevention cases will be provided with advice and assistance and may be referred to other services
Disability	Ditto	Ditto	Ditto
Gender reassignment	Ditto	Ditto	Ditto
Marriage or civil partnership	Ditto	Ditto	Ditto
Race	Ditto	Ditto	Ditto
Religion or Belief	Ditto	Ditto	Ditto
Sex	Ditto	Ditto	Ditto
Sexual Orientation	Ditto	Ditto	Ditto
Welsh Language	Ditto	None	Bi-lingual information will be available

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

	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	The service will help to identify issues and refer accordingly.	None	Level 1 Training
Corporate Parenting	Ditto	None	

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

Homeless prevention related statistics
 Housing (Wales) Act 2014
 Welsh Government Code of Guidance for Local Authorities for the Allocation of Accommodation & Homelessness
 Good practice information
 Landlord feedback

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 lettings agency service will help reduce the need to identify alternative or temporary accommodation, such as B & B and the associated costs.
- The service at the initial outset will not have the capacity to support non-homeless prevention households requiring accommodation, however it is expected that as the service grows and more properties are taken on all households looking for accommodation will be able to access the service.
- As the service grows so will it help to facilitate a small income for the Council.

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

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

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

The impacts of this proposal will be evaluated on:	<p>Will be reviewed on an on-going basis through quarterly monitoring reports and Team Meeting</p> <p>The service will be considered during periodic analysis of failed homeless prevention, undertaken to identify possible improvements and understand potential service flaws.</p>
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Housing & Community Services
Investing in communities to enable them to build their own resilience



.....looking after you and your property.....

February 2016

**Monmouthshire's
Affordable Private Rented Accommodation
Lettings Scheme**

Contents

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- 2. Delivery Framework for Monmouthshire Lettings.**
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Summary

This document provides an analysis of the need for the introduction of a Council operated social lettings agency in Monmouthshire. The following outlines the issues, the solutions and the desired outcome that underpin its introduction.

- **The Problem: A shortage of affordable rental properties**

There is not enough social housing or affordable private rented accommodation in which to discharge the Council's statutory duties (both preventative and homeless). Private market rents are high and typically above local housing allowance levels and the up-front costs are often a barrier. Landlords and high street letting agencies generally are reluctant to accommodate low income and/or vulnerable households. Although a much improved situation from a few years ago, the use of bed & breakfast is still necessary.

- **The Reason: 'It is too risky and comes with no support'**

The reason landlords are reluctant to let to vulnerable and/or low income households is because there is a perception that it poses a risk to their investment and they will be left with the consequences of a failing tenancy when things go wrong if support is not in place. Risk can be broken down into:

- Risk to income and
- Risk to the condition and security of the property.

- **The Solution: To mitigate against risk & offer support;**

To offer landlords a service that helps to mitigate against risk and provides support that is over and above that offered by typical high street letting agent. It is hoped that this added value along with other service activities, will act as an incentive for landlords to work with the Council.

- **The How: Through the introduction of a branded social lettings agency**

The introduction of a social lettings agency with the brand name of Monmouthshire Lettings Service (MLS) will be the umbrella under which all private sector housing activity will take place. This allows the new service to utilise existing experience of housing management. It is also the vehicle in which to introduce incentives to entice landlords into using our service rather than to self-manage or use high street agencies.

- **The Outcome: More affordable private rented accommodation**

The aim is for landlords to have confidence in letting to our client group hence more properties are available at an affordable rent. The Council, therefore, will be better able to discharge statutory homeless duties without a reduced need to use costly B & B accommodation.

1. Purpose of the Scheme

- 1.1. The purpose of this report is to propose the development of Monmouthshire Lettings. The intention is to develop a lettings service that puts the community at the centre of its core business of providing long-term affordable properties to rent, but delivered through a commercial approach that affords the opportunity to generate income to support long-term sustainability.
- 1.2. The service has been designed to encourage and attract private landlords to offer up their properties to let at affordable rents and to assist households (initially these will be households at risk of or actually homeless) to find suitable and affordable long term homes in the private rented sector.
- 1.3. The service has been developed to contribute to a number of key drivers including:
 - The Council meeting its statutory responsibilities relating to the Housing (Wales) Act 2014
 - The Council's Future Monmouthshire policy
 - The on-going aim to improve homeless prevention performance
 - Reduce the need to use Bed & breakfast
- 1.4. The proposal seeks to build on the existing and established approach and practice of the Council's Housing Options Team of working with private landlords. The proposal effectively brands and packages existing landlord services together with the provision of additional services.
- 1.5. Although the intention is for the proposed service to be initially offered free of charge, the medium term plan is to introduce a competitive charge.

2. Delivery Framework for Monmouthshire Lettings Service

2.1 The following provides a proposed delivery framework for Monmouthshire Lettings:

2.2 **Vision** – A viable, accessible and affordable private rented sector

Mission – To work with landlords to provide sustainable private rented accommodation

Strapline (for marketing purposes) – *‘looking after you and your property’*

Values:

- We listen to landlords
- Landlords are valued
- We want to work **with** landlords
- We’ll be honest and open

Aims

The key aims of MLS are:

- To provide sufficient affordable rented accommodation in Monmouthshire to those households who are unable to access the private rented housing sector through traditional high street letting agents.
- To increase housing options in Monmouthshire, particularly for single people.
- To effectively respond to the accommodation needs of household who approach the Council as homeless.
- To promote effective housing management.
- To offer landlords a worry free letting service.
- To provide a source of income generation.

Unique Selling Points of Monmouthshire Lettings

In developing Monmouthshire Lettings the following are key benefits that private landlords can benefit from:

- MLS is about sustaining tenancies
- Help always available during office hours
- Local authority based – strong links with other services
- No fees payable
- Responsive
- Intimate knowledge of the local housing market
- Will listen and consider bespoke ways to support landlords
- Free legal and tenancy advice

3.0 Local Context and Background.

3.1 Housing & Communities and the Council will be subject to a number of challenges over the next few years. For the Council in general, there is the challenge of future funding whilst still needing to maintain valuable services to the people of Monmouthshire. To meet the challenge the Council has developed Future Monmouthshire, which is about enabling the Council and Monmouthshire to thrive. It's about identifying the challenges facing the County, and working together to find ways to make change happen. This includes short term solutions to keep going, whilst developing longer term plans to generate growth. This proposal is considered to provide both a short-term solution and long-term development option.

3.2 For Housing & Communities, the challenge is not only to contribute to the 'Future Monmouthshire' plan but also to manage the ever increasing demand from households who are homeless or threatened with homelessness. The enactment in April 2015 of the Housing (Wales) Act 2014 (**See Appendix**) has further increased demand and pressure on the Council through the new statutory duties introduced to prevent homelessness, in particular:

- The prevention duty - (S66) whereby the Council "must help to secure that suitable accommodation does not cease to be available for occupation..."
- The relief duty - (S73) whereby the Council must help to secure accommodation
- The full duty – (S75) whereby the Council must secure accommodation for applicants in priority need when the duty under S73 comes to an end.
- The Housing (Wales) Act 2014 also gave Councils the power to discharge homeless duties into the PRS with or without household consent, but subject to its suitability. This has increased the importance and relevance of private sector housing.

3.3 These new duties along with the power has made the PRS even more relevant because limited access to the private rented sector increases the likelihood of the Council having to use bed & breakfast accommodation in order for it to meet its statutory duty of providing temporary emergency accommodation. This not only places a high financial burden on the Council but also cuts across the Welsh Government's pledge to reduce the use of bed & breakfast accommodation.

3.4 It is against this background that the private rented sector can play a vital role in supporting the Council to meet these challenges. However, this can be realised only if there are sufficient properties within the private rented sector available at affordable rents.

3.5 The growth in Monmouthshire of the PRS – Up from 6.6% to 10.8% of the housing stock means that around 4000 households now live in sector (2001 and 2011 census figures).

3.6 However, this growth has to be put into context and, in analysis carried out by 'Hometrack' Housing Intelligence, Monmouthshire is still seen as having a

predominately 'inactive' rental market. This means a small market with poor coverage and low turnover. ('Hometrack' is a privately owned company specialising in housing analytical data).

3.7 This again provides a challenge for the Council. Other issues that need to be overcome include:

- Many households are often prevented from accessing the PRS because they might be in receipt of benefits which the typical high street letting agents have traditionally avoided,
- Many households cannot afford to meet upfront payments and fees associated with securing a tenancy, such as high value rent in advance (increasingly equating to six weeks), high value deposits (also increasingly equating to six weeks rent) and administrative and tenancy renewal fees.
- High market rents that landlords can achieve, can also make private renting a non-viable option for many households. This is due to the large discrepancy between market rent and local housing allowance rate (see table 1 below) which will give the landlord a better return for the investment.
- In addition there continues to be a strong aspiration to acquire social housing in Monmouthshire, however for many applicants registered with Homesearch (the Council's housing register) will never be allocated a property due to insufficient stock and vacancies.

3.8 Table 1 below, shows the local housing allowance and median rent for the four major towns in Monmouthshire during a twelve month period in 2013*.

Table 1 – Local Housing Allowance Rates & Median Rents

Area	Number of bedrooms	LHA Rate	Median Rent
Abergavenny	1 Bed	£390.00	£460
	2 Bed	£499.98	£535
	3 Bed	£592.75	£650
	4+ Bed	£750.01	N/A
Chepstow	1 Bed	£390.00	£450
	2 Bed	£499.98	£550
	3 Bed	£592.75	£650
	4+ Bed	£750.01	N/A
Monmouth	1 Bed	£390.00	£520
	2 Bed	£499.98	£575
	3 Bed	£592.75	£622
	4+ Bed	£750.01	N/A

Caldicot	1 Bed	£390.00	£450
	2 Bed	£499.98	£537
	3 Bed	£592.75	£625
	4+ Bed	£750.01	N/A

*Hometrack

- 3.9 Another challenge for the Council is the need to alleviate the fear that many landlords perceive as being very real, that letting their properties to a Homeless / vulnerable household increases the risk of their property being damaged and a loss of rental income due to arrears. Landlords have often been critical of local authorities for ‘dumping’ households in the private rented sector without any on-going support being offered to the landlord. A common request from private landlords is that they would like to see the same support mechanisms offered to them as those afforded to landlords in the social rented sector.
- 3.10 The paragraphs above highlight the potentially conflicting interests of Council with those of the landlord and it is within this context that requires the Council to find innovative solutions to engage with the PRS. The introduction of a Council run lettings service can help to provide the structure in which to create and expand these solutions.

4. Private Rented & Landlord Services Currently Provided

4.1 The Council already has significant experience of working with private sector landlords. The Council, through the Housing Options Team, has gained considerable experience through working with private landlords for a number of years to accommodate homeless households and prevent homelessness. This has included previously running a private leasing scheme (currently managed by Melin Homes) and the current Shared Housing schemes highlighted in 4.3 below.

4.2 These schemes and other activity currently undertaken within the private rented sector is managed by Housing Options staff and comprises:

- A manager (0.6),
- A Private Landlord Liaison Officer
- An Accommodation Assistant Officer.
- Wider support is co-opted from other officers within the Options Team and wider Housing & Communities teams eg Housing Support
- Further support is acquired through liaison with wider services in the Council eg Housing Benefit; Environmental Health

4.3 The Team currently manages in-house private sector accommodation that provides accommodation for households experiencing or in danger of becoming homelessness. This accommodation is also being used to support the Council's participation in Afghan and Syrian household re-location. The team is also able, to access a Private Leasing Scheme operated and managed by Melin Homes. The table below show the breakdown of all accommodation PRS accommodation available to the Team:

Scheme	Units
MCC Shared Housing	58
MCC Private Leasing	1
Private Leasing - Melin	72

4.4 The Housing Options Team currently offers (further detail can be found in **Table 4, Section 6**) landlords the following support services:

- Advice and Assistance
- Find a Tenant / Tenant Introduction
- Housing Benefit Support
- Tenant Related Support
- Property Management Services
- Landlord Related Services

4.5 It has previously been highlighted that the service has a number of unique selling points (USP's) that cannot be provided by traditional high street letting agents. This uniqueness is not only based on the knowledge and experience of its staff and their close working relationships with internal and external partners such as the housing

benefit team, housing support services and environmental health. These USP's are something the Council can take advantage of.

- 4.6 One dimension of the current service that needs to be further developed is landlord engagement through better marketplace communication. Currently, marketing needs to be more routinely undertaken in order to better inform landlords of services and what can offered.
- 4.7 The new service will place a greater emphasis on marketing and will approach it in a manner similar to private commercial enterprises, in order to increase its visibility and raise awareness. It is hoped that a more commercial approach to marketing would increase the number of private landlords who are prepared to work with the Council.
- 4.8 However, it is recognised that this unique service and applying a more commercial approach to marketing, may still not be sufficient to attract landlords into using Monmouthshire Lettings Service in the numbers required to overcome the challenges identified above. It is, therefore, considered important that MLS incentivises landlords to use Monmouthshire Lettings Service as an alternative option to self-managing or using a typical high street letting agents.

5. What is Monmouthshire Lettings Service (MLS)?

- 5.1 As stated above a Council operated lettings service can be the vehicle in which innovative solutions can be found to address those challenges highlighted.
- 5.2 The introduction of Monmouthshire Lettings Service will be the umbrella under which the service currently offered by the Housing Option Team and all activity concerned with working in the private rented sector will be delivered in the future.
- 5.3 It is proposed that MLS should have its own distinct identity which will feature on stationary products, flyers, posters, web page and social media applications. This will place the service as more of a commercial enterprise and approach to marketing. It will also help to make the service more visible.
- 5.4 It is recognised, however, that the USP's of the service alongside a more commercial approach to marketing may not be sufficient to attract landlords into using a council run letting service in the numbers required to overcome those challenges identified above. It is, therefore, considered that the Council will need to develop a service that incentivises landlords to use a Council run letting agents rather than to self-manage or go to those agents on the high street. **Table 3, 5.10** below gives examples of the type of service activities that can be offered to landlords to act as an incentive for them to offer up their properties.
- 5.5 Monmouthshire Lettings Service (MLS) will have two distinct elements:
- I. A traditional lettings service similar to services offered by high street lettings agents that potentially could attract a fee once the service has fully developed and a reputation established. Fee levels would depend upon the package the landlord chooses to use with packages varying from something as simple as 'find a tenant' to something more involved as a 'full management service'. **See Table 4, 5.15** below for an outline of the type of services that could be bundled into packages.
 - II. A leasing service (eg Shared Housing scheme) that will provide accommodation for households accessing the Council's services for assistance with homelessness prevention, see paragraph 5.15 for an outline of the leasing service. This will include the Shared Housing service. Leasing will be subject to financial viability and future delivery may be dependent on the availability and extent of subsidy support.
- 5.6 To enable MLS to be flexible in its approach to recruiting landlords and meeting the challenges of service demand, both elements (Leasing and Letting) will be available from the commencement of the service
- 5.7 MLS staff in response to service requirements will determine which element of the lettings service (leasing or letting) landlords will be able to access, which will be linked to the needs of the service and homeless and prevention demand. All individual MLS services, therefore, will be subject to availability.
- 5.8 MLS Letting Service**
- 5.9 The service will initially be offered free of charge, but the aim is to work towards operating on a fee charging basis, the fees of which help to reduce operational

running costs and reinvested back into the service.

- 5.10 The aim will be for income to be eventually generated from the introduction of landlord packages which can be purchased by the landlord depending upon the level of service they require. These packages would range from a basic tenant introduction to a full property management scheme that would attract a management fee.
- 5.11 However the service has to have a degree of flexibility in order to meet both the fluctuations of demand and the requirements of the landlord. It is therefore proposed that landlords will be able to choose a bespoke service around those type activities highlighted in **Table 3** below, (that high street agencies can typically provide), although these will be subject to service demand and as stated earlier will be free initially. The Table also highlights the indicative costs to the landlord of the individual service activities that can be charged by high street lettings agents and their potential cost savings of using Monmouthshire Lettings Service while they remain free.

Table 3 – Indicative Costs & Potential Landlord Savings of Using MLS

Service Activity	Indicative Cost (Financial Value) to Landlord
Setting Up Fee , Includes the following costs: <ul style="list-style-type: none"> • Marketing; • Legislation Advice • Accompanied viewing • Tenancy Agreement Drafting 	£300 + VAT
Total	£300 + VAT
Additional associated costs: <ul style="list-style-type: none"> • Gas safety Certificate • Electrical safety • EPC • Deposit registration • Tenancy renewal (from the 2nd year) • Legionella Risk Assessment 	£60 + VAT £60 + VAT £60 + VAT £30 + VAT £60 + VAT £130 + VAT
Total	£400 + VAT
Recommended Services (optional): <ul style="list-style-type: none"> • Inventory • Condition Survey (In) • Condition Survey (Out) • Rent Monitoring • Rent Collection • Full Tenant Profile plus Right to Rent Check • Full Tenant Profile Only • Referencing Only <ul style="list-style-type: none"> ○ Instant ID and Credit Check Only 	£40 - £80 + VAT (depending on size of property) £40 - £80 +VAT (depending on size of property) £40 - £80 + VAT (depending on size of property) Usually within the management fee Usually within the management fee £25 + VAT £20 + VAT £15 + VAT £10 + VAT
Total	£200 - £280 + VAT
Full Management Service Initial start-up fee of £300 (see above) plus 10% - 12.5% of monthly rent per month	

<p>Includes the following services:</p> <ul style="list-style-type: none"> • Rent Collection • Rent Monitoring and Rent Arrears advice • 2 annual property inspections • Arrange routine repairs and instruct approved contractors (providing two quotes). • Deposit Registration Fee: 	
--	--

5.12 The rationale of offering the service for free initially is based upon the belief that landlords who will use Monmouthshire Lettings, are more likely to take a reduction in their rental return than they would have done if they had chosen to use a traditional lettings agency or to self-manage.

5.13 However when it is favourable to do so the service will move to a fee paying one, based around service packages and will mirror those of high street lettings agencies with corresponding fees. The fees will be set at a level sufficient to continue to attract landlords to use Monmouthshire Lettings Service. This is something that will be developed and costed at a later date.

5.14 As a comparator high street lettings agents typically charge a management fee of between 8% - 12%, although at the higher end of the scale the full management service which can include a rent guarantee.

5.15 The Focus & Requirements of the Lettings Service

5.16 The following provides an outline of how the lettings service will be provided:

- The service will be looking for properties with rent levels at or about Local Housing Allowance (LHA) rates,
- The service will require properties to be available initially on a 6 month assured short-hold tenancy agreements with the option to extend.
- A tenancy support service would be provided for each new tenant and would continue for as long as the support is needed to ensure the tenancy is sustainable.
- Tenants will not be charged administration fees or for tenancy agreements renewals. This will help to offset preventative expenditure, often necessary to prevent an applicant becoming homeless through securing private sector accommodation.
- Landlords with properties managed by MLS will not be required to become licenced landlords and will therefore not be expected to sit the training courses required to become a licensed landlord. Monmouthshire Lettings Service will be the licensed Agency as required by the Housing (Wales) Bill 2015.
- The Service will operate in compliance with the Equalities Act 2010 and guidance to ensure that any practices currently observed in the PRS that may be unfair and discriminatory towards tenants do not prevail.

- In order for a landlord to access the benefits of MLS, landlords will need to be accommodating a client of the Council.

5.17 **Table 4** below details the services that MLS will provide from the outset and services that are proposed to be developed. Services will be offered free initially to the landlord as an incentive for them to use MLS and offer their property at local housing allowance rates. It should be noted that any spend from the budget should be regarded as contributing to a successful homeless prevention outcome and as supporting the Council to avoid the need of using B & B establishments. The aim is to introduce new landlord services to make MLS as attractive as possible. These will be developed over the coming year in tangent with monitoring progress and considering landlord feedback and introduced incrementally.

Table 4 – Overview of MLS Service Availability

Service Activity / incentive	Details	Currently Available	When will this be available?	Delivery Method & Key Actions
Advice & Assistance Service	This will particularly include Landlord Tenancy Law and Regulatory information (plus Landlord Welcome Pack)	Yes	From the start of the service	Staff Develop Landlord Welcome Pack
Marketing the property	Advertising through Homesearch / Social media / Landlord Hub, etc	Yes but not implemented as tenants have been found for landlords	From the start of the service	Staff
Tenant Verification Service	<i>Full Tenant Profile & Immigration Checks to</i> <ul style="list-style-type: none"> ▪ ID check ▪ Visa & passport verification ▪ Linked address search ▪ Credit check report ▪ Court & Insolvency Checks ▪ Salary/income verification ▪ Bank account validation ▪ Landlord references 	In part	From the start of the service	Staff & buy in
	Tenant Training	No	To be developed	To be determined
Inventory & Property Checks & Safety Check Service	Written & photographic Inventory	Yes	From the start of the service	Staff
	Tenant Sign-Up/Check In (plus tenant information pack)	Yes	From the start of the service	Staff Tenant information pack to be developed

	Final Inspection/Check Out	Yes	From the start of the service	Staff
	Electrical Safety Checks	Yes	From the start of the service	Reimburse landlord
	Gas Safety Certificate & Breakdown Cover	Yes	From the start of the service	Reimburse landlord
	EPC	Yes	From the start of the service	Reimburse landlord
	Legionella Check	Yes	From the start of the service	
	Periodic inspections/Interval Checks	Yes	From the start of the service	Staff
Landlord Support Service	Rent Collection	No	From the start of the service	Staff utilising in-house system
	Rent Monitoring	No	To be developed	Staff Specification to be agreed and to be risk assessed
	Limited & Defined Rent Guarantee	Yes but hasn't been utilised	From the start of the service	Staff
	Rent Guarantee	No	To be developed	Staff Report to Cabinet
	Tenant Advice (during office hours)	Yes	From the start the service	Staff
	24 Repair Emergency Call Out Service	No	To be developed	Buy in Specification to be agreed and to be risk assessed
	Tenancy Agreement Drafting Service	Yes	From the start of the service	Staff
	Discounted Loan Services	Yes	From the start of the service	Staff Loan service to support purchase properties currently in development through Capital Working Group
	Cash or Paper Bond	Yes	From the start of the service	Staff and Charter Options
	Rent in Advance	Yes	From the start of the service	Staff
	Rent Smart Wales Fees	No	From the start of the service	Staff
	Income Maximising / Debt management	Yes	From the start of the service	Staff

Tenancy Support Service	Housing Benefit Support	Yes	From the start of the service	Housing Benefit Team
	Referrals from landlords to support tenants if a problem eg arrears	Yes	From the start of the service	Staff (Housing Support Gateway) NB Tenants have to be agreeable to receiving service.
Full Management Service	To be developed	No	To be developed	To be determine

5.18 **MLS Leasing Service**

5.19 The availability of this service will be subject to financial feasibility. Until March 2017, the service has been supported through Department of Work & Pensions Subsidy arrangements through Housing Benefit. Changes relating to the regulations as part of Welfare Reform will bring this subsidy arrangement to an end in March 2017. From April 17, this will be replaced by Welsh Government Grant. The level of grant may restrict and limit the extent of any leasing that can be provided

5.20 Any service that will be financially feasible, will build on the current single private leased property by Monmouthshire Lettings Service by looking to lease further properties from property owners.

5.21 The following provides a broad overview of the provision and availability:

- Monmouthshire Lettings Service will lease rooms and/or properties from property owners and manage them on their behalf.
- Properties will be let to households who approach the Council as potentially homeless.
- The number of properties taken on by the scheme will be determined by the available temporary accommodation funding available through the Council's RSG funding stream. (£148,000 for 17/18). This will be a core factor with regards to the ability to lease accommodation.
- The property owner is guaranteed rental income and security against damage for the term of the lease, regardless of whether the property is occupied or not. The level of rent will be depend upon the type of property being offered.
- Regular inspections and tenancy management.
- Support property owner and tenant with repair and maintenance issues.
- Landlords will be required to have annual gas safety check and electrical checks in place
- Make good any damage caused by occupants.

- The property is returned to the owner at the of the lease in a similar condition as at the start of the lease (less fair wear and tear and excluding carpets, curtains and built in appliances).
- Tenants will be referred for Housing Support

The detail of the above will be defined within lease agreements

5.22 A further key action within the on-going development of the leasing scheme is the current arrangements the Council has with Melin Homes, who provide the existing leasing scheme on behalf of the Council. The current arrangement ends in June 2018. The Council will need to understand the associated implications (eg property condition and rent arrear liabilities) of whether to absorb all or some of the properties currently leased by Melin or to end leases and hand the properties back to the owners.

5.23 Suitability of Property and Location

5.24 The Council and Monmouthshire Lettings Service has particular demand for certain types of property and locations and will decide whether the property being proposed is suitable for the scheme.

5.25 In general, there is a need for houses and flats with up to 3 bedrooms in the following main areas:

- Abergavenny
- Llanfoist, Gilwern & Govilon
- Monmouth
- Caldicot
- Magor
- Rogiet
- Portskewett
- Chepstow

5.26 Village properties, larger houses, basement flats and second floor flats are in much less demand and are less likely to be suitable for this scheme. However each property will be considered on its merits taking into account the criteria in Table 5

Table 5: Property Requirements

Size	The size of the property must be consistent with established demand conditions and LHA benefit requirements.
Condition:	The property must be in good and safe repair and free from category 1 hazards and meet the Housing Condition Standards of: <ul style="list-style-type: none"> • being in a reasonable state of repair; • having reasonably modern facilities and services; • Provides reasonable degree of thermal comfort.

Mortgage approval granted	If the property is mortgaged approval must be provided from the mortgagee.
Insurance	Valid building insurance must be in place.
Financial viability	There is an ongoing need to systematically understand and assess financial viability in order to minimise and ideally eliminate the financial risk to the Council. This will be considered in the context of opportunities for MLS to provide cost benefits in relation to other types of accommodation eg B & B.

5.27 MLS Marketing & Landlord Engagement

5.28 The Housing Options Teams has been supported by the Council's Communications Team and the following approach has been developed which will be the basis for engaging with private landlords:

- **Aim of Marketing Approach:**
To promote and position the housing team as a premium housing service.
- **Business challenge:**
To overcome any negative barriers landlords may have with regards to letting their properties out to housing service clients.
- **Objectives:**
 - *To increase the availability of shared housing rooms through reassuring landlords that there will be no hold ups with housing benefit payments.*
 - *To expand private leasing (subject to funding)*
 - *To increase the general availability of private sector housing for rental, particularly for Housing Solutions applicants but also Housing Register applicants*
- **Target audience:**
Private landlords
- **How do we want this group to think, feel and do:**
 - **Think** – *I can trust MCC tenants with my property and I'll save myself money as MSL offer competitive rates (eg currently non-chargable) and excellent service.*
 - **Feel** – *Confident that my investment is safe.*
 - **Do** – *I can visit the website or call the team.*
- **Proposition:**
Premium property management service with the competitive fees (eventually) on the market.
- **Reasons to believe:**

- **The service**
 - *Will offer reliable property management from friendly, helpful and experienced staff.*
 - *Will provide an alternative option to a high street agency*
 - *Will not charge tenants admin, resigning or inventory fees that are typical of high street estate agencies.*
 - *Has great internal local authority contacts in MCC*
 - *Can offer additional services beyond a high street estate agent eg housing support, financial inclusion.*
 - *Can provide bespoke options tailored to needs of landlord*

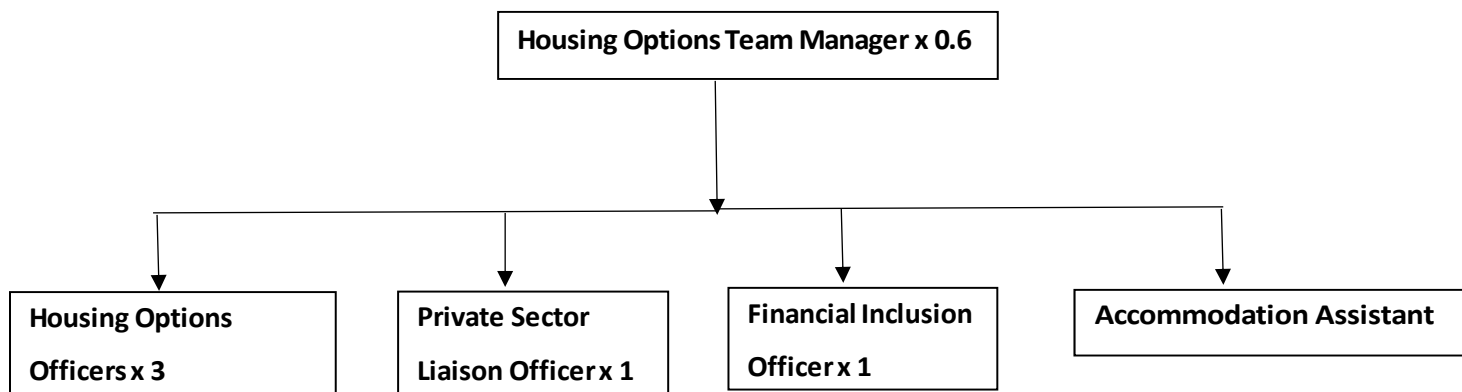
5.29 Marketing activity to positively engage with landlords and identify potential properties will be undertaken on at least a weekly basis. The following are the types of marketing that will be undertaken with support from the Council's Housing & Communities Team:

- MCC website
- Promoting our USP's eg
 - LA based; Friendly; Experienced; Free of Charge; Wider portfolio of services; no hidden fees
- Producing flyers, posters etc
- Contacting landlords on data-base
- Periodic press releases
- Facebook
- Twitter
- Attendance at Landlords Forum
- Attendance at events
- Capturing client testimonials
- Special offers
- Targeted mail/leaflet-drops
- Link with town and community Council's
- Adverts/editorials in parish magazines
- Promotional aides eg uniform, pop-ups, free-bees,
- Roadshows
- Promote internally eg payslips/intranet
- Systematically contact landlords on database

6. Capacity & Resources

6.1 It is proposed that the Monmouthshire Letting Service will be resourced through the existing budget and staffing structure for the existing Housing Options Team. This is on the basis that although it is proposed to introduce new services, it is anticipated that take-up of the new services will be low. Therefore, in the short-term, the focus of day to day activity will largely continue to be the current activities associated with discharging homelessness and prevention related duties. The intention, however, is that through increased and regular marketing and landlord engagement, there will be a gradual take-up of the proposed new services.

6.2 The current Housing Options Team structure is outlined below:



6.3 There will be a need to monitor demand on an on-going basis. The demand will be analysed to fully understand the impact on the existing staffing structure to determine and conclude whether any staffing changes would need to be made to deliver the new services. The aim will be to do this within the first six months.

6.4 With regards to financial resources, the Options Team has a budget to prevent homelessness. This budget will be utilised to fund the new services that will be available through Monmouthshire Lettings. Services provided by Monmouthshire Lettings need to be considered as preventative activity and an alternative option for securing accommodation for applicants. Monmouthshire Letting Service activity will also help to offset Bed & Breakfast expenditure.

6.5 It is recognised that there will be a training need for staff to help and support to staff to help deliver Monmouthshire Lettings and work in a more commercial way and adopting a more sales and marketing based approach. Again, the proposal is to deliver this through existing resources and through working closely with the Council's Communications Team.

6.6 Set-Up Requirements

6.7 Although the delivery of MLS is largely based on building on the current practice, there will be some initial set up requirements which will incur some short-term additional costs. These additional costs can be funded from the existing budget. The following are the short-term set-up requirements:

- Finalising the branding and identity of MLS. This is close to completion
- Continuing to develop a marketing programme with the Council's Communication Team. This has started, including relevant staff attending marketing training in January 17.

- Acquiring Rent Smart Wales Licencing
- Rent Smart Wales agency training. This has started and needs to be completed

7 Risk Register

7.1 Table 6 provides an overview of risks and level of risk identified and the mitigating actions:

Table 6: Risk Register

Risk Register					
Risk Description	Risk			Risk Mitigation Actions	Comment
	Impact	Likelihood	Priority		
For leased properties the pending change in temporary accommodation management subsidy impacts detrimentally on the viability of the shared housing scheme and private leasing. This could reduce the income to the Council	High	High	High	<ul style="list-style-type: none"> Request that the Council ring-fences the pending grant to the service. Look to remodel the service on lower rents Liaise with Melin Homes 	
Not enough landlords willing to offer their properties to the Monmouthshire Lettings Service	High	High	high	<ul style="list-style-type: none"> To promote the scheme comprehensively through press releases; web page; social media and hub meetings. To incentivise landlords through attractive bespoke service packages Keep rent payment to landlords as close to Local Housing Allowance as possible. 	The Service will operate a flexible approach that will be guided by the requirement of individual landlords and the services they require to let their properties through the Service at LHA rent levels.
Too much reliance on incentives both financial and support to attract landlords, potentially creating budget over-spends	Medium	Medium	High	<ul style="list-style-type: none"> To review periodically incentives offered. To limit the number of properties taken on. To be flexible with alternative options, such as 'find a 	Too much reliance on incentives could lead to the scheme becoming unsustainable both financially and through staff resources. However the offer

				tenant' and / or limited management services <ul style="list-style-type: none"> • To introduce a management fee • All subject to withdrawal 	of incentives is considered necessary at least in the short-term to attract landlords to the scheme.
Too many landlords will be interested at first.	High	Low	High	<ul style="list-style-type: none"> • Ensure that budgets and capacity are clearly planned and allow for set numbers of properties being taken on initially. • Establish a waiting list • Consider introducing a property management fee at an earlier stage. • Just say no thank you 	This could stretch capacity from the very start of the scheme.
Higher than anticipated level of voids (Leased Properties only)	High	low	High	<ul style="list-style-type: none"> • Ensure that re-let times are kept to a minimum by having: a pool of available tenants: • Prompt cleaning and repair service and effective housing management • Lease break clauses 	Has the potential to be financially costly to the Council
Higher than anticipated level of repairs (Leased Properties only)	High	low	high	<ul style="list-style-type: none"> • Ensure that enough support is in place to minimise the risk of damage. • Ensure that leases limit the Council's repairing obligations to just tenant damage, voids and handback costs • Regular inspections 	Has the potential to be financially costly to the Council.
Lower than anticipated rent income	High	Medium	High	<ul style="list-style-type: none"> • Ensure that there is sufficient focus on rent collection and 	Has the potential to be financially costly to the Council.

				income maximisation.	
Rental income reduces due to the implementation of further benefit reforms (Leased Properties only)	High	High	High	<ul style="list-style-type: none"> • Understand how the subsidy arrangements will be dealt with following the rollout of Universal Credit. • Break clauses in the lease agreements will allow the Council to renegotiate or terminate existing agreements in a planned way. • Look to introduce other options / schemes that will provide alternative income. 	
Accommodation becomes unaffordable for tenant	Low	low	low	<ul style="list-style-type: none"> • Ensure that robust move-on plans are in place to help tenants who are no longer able to afford their rent • Robust affordability / suitability assessments 	
Reputational risk to the scheme	Medium	Low	High	<ul style="list-style-type: none"> • Ensure the development and delivery of an effective project plan and communication plan prior to the launch. • Operational activity and performance will be closely monitored to identify potential issues early. 	Poor reputation would impact on the Scheme's ability to attract landlords.
Unmanageable demand on team due to increased capacity in the number of properties /Resourcing the scheme	Medium	medium	Medium	<ul style="list-style-type: none"> • A detailed business case will be fully costed, ensuring that Monmouthshire Lettings Service is adequately resourced and is sufficiently flexible to 	

				<p>deal with any increase in work demand.</p> <ul style="list-style-type: none"> • Each property taken is subject to current staff capacity levels. • Looking to use income surplus to recruit additional staff • 	
Staff are not able to deliver due to new working environment, ie, a more commercial approach.	High	Low	Medium	<ul style="list-style-type: none"> • Staff review processes • Ensure procedure manual reflects any change in approach and all new activities • Appropriate staff training 	
A poor identity leads to poor reputation eg first impression	Medium	Medium	High	<ul style="list-style-type: none"> • Developing a professional brand • On-going training • Developing a communication protocol. 	Leads to poor reputation and poor landlord recruitment.

8. Next Steps

8.1 Table 7 provides an outline action plan for the introduction of MLS and its on-going development:

Table 7: Next steps

MLS Development			
Action	Responsibility	Timescale	Comments / Issues
Complete Rent Smart Wales licensing and set-up staff training	Steve Griffiths	May 2017	
Review and identify staff training requirements	Karen Durrant	On-going	
Continue to develop marketing action plan in liaison with Communications Team, including landlord engagement	Lindsay Stewart	April 2017	
Establish MLS web-pages	Ian Bakewell	May 2017	
Finalise identity and branding and acquire marketing	Lindsay Stewart	May 2017	
Continue to scope and introduce new landlord incentives and support services and introduce incrementally	Steve Griffiths & Lindsay Stewart	May 2018	The introduction of new services will be subject to capacity and financial viability.
Re-model Shared Housing service in response to changes in temporary accommodation subsidy arrangements	Ian Bakewell	End of November 2016	Includes close liaison with Melin Homes and Housing Benefit
Prepare for end of PLS contract with Melin Homes, including necessary due diligence	Karen Durrant & Lindsay Stewart	June 2018	This preparatory work has commenced

APPENDIX 1

Housing (Wales) Act 2014

S66 Duty to help to prevent an applicant from becoming homeless

(1) A local housing authority must help to secure that suitable accommodation does not cease to be available for occupation by an applicant if the authority is satisfied that the applicant is—

- (a) threatened with homelessness, and
- (b) eligible for help.

S73 Duty to help to secure accommodation for homeless applicants

(1) A local housing authority must help to secure that suitable accommodation is available for occupation by an applicant, if the authority is satisfied that the applicant is—

- (a) homeless, and
- (b) eligible for help.

S73

S75 Duty to secure accommodation for applicants in priority need when the duty in section 73 ends

(1) When the duty in section 73 (duty to help to secure accommodation for homeless applicants) comes to an end in respect of an applicant in the circumstances mentioned in subsection (2) or (3) of section 74, the local housing authority must secure that suitable accommodation is available for occupation by the applicant if subsection (2) or (3) (of this section) applies.

S76 Circumstances in which the duty in section S75 ends

- (2) The circumstances are that the applicant accepts—
 - (b) an offer of suitable accommodation under an assured tenancy (including an assured shorthold tenancy).
- (3) The circumstances are that the applicant, having been given notice in writing of the possible consequence of refusal or acceptance of the offer, refuses—
 - (b) a private rented sector offer, which the authority is satisfied is suitable for the applicant.
- (4) For the purposes of this section an offer is a private rented sector offer if—
 - (a) it is an offer of an assured shorthold tenancy made by a private landlord to the applicant in relation to any accommodation which is available for the applicant's occupation,
 - (b) it is made, with the approval of the authority, in pursuance of arrangements made by the authority with the landlord with a view to bringing the authority's duty under section 75 to an end, and
 - (c) the tenancy being offered is a fixed term tenancy for a period of at least 6 months.

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SUBJECT: CONTRACTS MANAGEMENT – PROPOSED IMPLEMENTATION OF NEW MANAGEMENT ARRANGEMENTS

MEETING: INDIVIDUAL MEMBER

CABINET MEMBER: COUNCILLOR GEOFF BURROWS

Date: 29TH MARCH 2017

DIVISION/WARDS AFFECTED: ALL

NON-PUBLICATION

1. PURPOSE:

To seek approval to revise the current staffing arrangements within the Commissioning team to create a Contracts Manager position.

2. RECOMMENDATIONS:

(i) That approval is given for the deletion of the following posts:

- a) 1 x 37hour Commissioning Support Officer
- b) 1x 32hour Commissioning Support Assistant

(ii) That approval is given for the creation of 1x 37hour Contracts Manager

3. KEY ISSUES:

A full review of the Directorate's strategic commissioning aspirations and functions will be undertaken early in the next financial year which will then inform the creation of new structural arrangements. However it is clear that there is a strong need to strengthen our contractual management arrangements in a timely manner, in advance of a full restructure with the creation of this new role. The key considerations are:

- The Social Care and Health Directorate commissions the vast majority of support services via the independent and third sector. The volume and scale of these contracts is considerable with an approximate annual value of £18 million delivered via 200+ separate contractual arrangements.
- Historically Adult Services contracts have been managed within the Commissioning Team and contracts in respect of Children's Services have been managed within the operational teams. The creation of an Adults and Children's Commissioning service as part of the recent SCH Leadership restructure affords the opportunity for the implementation of robust contractual management arrangements across the Directorate.

- Within Adult Services the current contractual arrangements are delivering some good practice in terms of fee setting arrangements, accreditation and relationship management. However some areas requiring greater rigour and further development include: consistency across all contracts, contracts management system, performance management information and reporting arrangements and quality assurance processes.
- Children's Social Services undertook a review of High Cost Placements in 2016 and the resultant report identified the need for robust contract management and monitoring of high cost placements made outside of the 4Cs Framework to ensure packages were right sized and delivering effectively. In addition it highlighted the need for appropriate contracting resources to undertake greater financial scrutiny and challenge of provider costs, prior to placement being made by social workers would bring financial benefits.

There is a clear need to develop and implement more robust contractual management arrangements across the Directorate; therefore the proposal is to create a new role of Contracts Manager – Social Care. They will be responsible for the management and delivery of good practice in social care commissioning and contracting. They will work with internal and external providers to develop and maintain specific contractual arrangements and contract compliance procedures, where they are required, and will liaise with Service and Care Managers to ensure service delivery is safe, efficient and effective in delivering quality outcomes for people.

Currently there are two vacant posts within the Commissioning Team which can be deleted to enable the funding of the new Contracts Manager post. The role has been evaluated by People Services and is set at an I grade (Role Profile attached).

4. REASONS:

The creation of a Contracts Manager – Social Care role will allow for the development, implementation and on-going operation of robust contractual management arrangements. There is a clear need to ensure all social care contracted services are effectively and efficiently managed. This will provide the reassurance that:

- Only fit for purpose and suitable services are contracted for
- desired outcomes for people are achieved,
- services are of quality
- services operate in a safe manner
- contract costs are fair and appropriate.

5. RESOURCE IMPLICATIONS:

The deletion of 1 x 37 hour Commissioning Support Officer and 1 x 32 hour Commissioning Support Assistant will release £56,273. The creation of the 1 x 37 Contracts Manager will cost £47,948. The remaining funds of £8,325 will be used to offset a deficit in funding in respect of employment obligations within the team.

The introduction of this new role will be delivered within available financial resources.

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

The positive impacts include:

- Robust and effective contract management arrangements will ensure the delivery of quality services and provide reassurance in respect of value for money
- Rigorous contract arrangements which will ensure the smooth letting of contracts and sustain contracts with the independent and third sectors who are major employers.

7. CONSULTEES:

SCH DMT
Head of Adult Services
SCH Finance Team

8. BACKGROUND PAPERS: None

9. AUTHOR: Ceri York Service Manager Commissioning and Disability Services

10. CONTACT DETAILS:

Tel: 01633 644933
E-mail: ceriyork@monmouthshire.gov.uk



Future Generations Evaluation
(includes Equalities and Sustainability Impact Assessments)




<p>Name of the Officer Ceri York</p> <p>Phone no: 01633 644933</p> <p>E-mail: shelleywelton@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal:</p> <p>To strengthen the contract management arrangements for adult and children's commissioned services</p> <p>To create Contracts Manager – Social Care post</p>
<p>Name of Service :</p> <p>Commissioning</p> <p>Social Care and Health Directorate</p>	<p>Date Future Generations Evaluation 7th March 2017</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?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	More robust contract arrangements will ensure the smooth letting of contracts and sustain contracts with the independent and third sectors who are major employers.	n/a
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	None	n/a
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Sustainable contracts will bring greater job security may possibly positively impact upon people's sense of well-being.	n/a
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	The services which are commissioned contribute significantly in this area.	n/a
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	The post holder will be responsible for considering these implications in future contract letting	Ensure services are aware of key Welsh Government initiatives and connect.

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation</p>	<p>Many of the services which are commissioned support people in this endeavor</p>	<p>Ensuring contract specifications require providers to adhere to Welsh language requirements</p>
<p>A more equal Wales People can fulfil their potential no matter what their background or circumstances</p>	<p>All social carer services are committed to people achieving these goals- the new role with have responsibility for ensuring robust monitoring arrangements are in place .</p>	<p>All people will have opportunities to progress.</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>This supports maintaining quality services</p>	<p>The role will support the development and implementation of strategic aspirations</p>
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>The post holder will be able to liaise with partners in the region to identify areas for joint /partnership working</p>	<p>Membership of regional partnerships and development of good relationships with provider partners</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>n/a</p>	<p>n/a</p>

<p>Sustainable Development Principle</p>	<p>How does your proposal demonstrate you have met this principle?</p>	<p>What has been done to better to meet this principle?</p>
 <p>Putting resources into preventing problems occurring or getting worse</p>	<p>Robust and effective contract management arrangements will ensure the delivery of quality services and provide reassurance in respect of value for money</p>	<p>New role established</p>
 <p>Positively impacting on people, economy and environment and trying to benefit all three</p>	<p>The benefits to people who use the service and those who work in will positively impact their contribution to the economy and society at large.</p>	<p>n/a</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 new role will provide an opportunity for people of all ages and robust contract monitoring arrangements will benefit all.		
Disability	Commissioned service supports a range of people with disabilities who will benefit from greater service sustainability and a stable workforce.		
Gender reassignment	Neutral	Neutral	
Marriage or civil partnership	Neutral	Neutral	
Race	Neutral	Neutral	
Religion or Belief	Neutral	Neutral	
Sex	The majority of the commissioned workforce is female	Neutral	
Sexual Orientation	Neutral	Neutral	
Welsh Language	Neutral	Neutral	

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	It will strengthen our contract monitoring arrangements		
Corporate Parenting	n/a		

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

- Analysis of current adult and children's services contracts
- Recent monitoring activity data
- Analysis of budget
- Current budget and future MTFP projections

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?

Positive impact in terms of robust and effective contract management arrangements will ensure the delivery of quality services and provide reassurance in respect of value for money

Positive impacts through rigorous contract arrangements which will ensure the smooth letting of contracts and sustain contracts with the independent and third sectors who are major employers

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

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

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

The impacts of this proposal will be evaluated on:	At end of first year of implementation - March 2018
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