

# Public Document Pack



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Tuesday, 28 June 2016

Dear Councillor

## CABINET

You are requested to attend a **Cabinet** meeting to be held at **Council Chamber - Council Chamber** on **Wednesday, 6th July, 2016**, at **2.00 pm**.

## AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. To consider the following reports (Copies attached):
  - i. **End of Year Performance 2015/16 on Whole Authority Safeguarding** 1 - 18  
Division/Wards Affected: All  
  
Purpose: To provide Cabinet members with an overview of the performance on whole authority safeguarding in 2015/16.  
  
Author: Teresa Norris, Policy and Performance Officer  
  
Contact Details: [teresanorris@monmouthshire.gov.uk](mailto:teresanorris@monmouthshire.gov.uk)
  - ii. **Proposed changes to the whole authority safeguarding approach** 19 - 58  
Division/Wards Affected: All  
  
Purpose: To provide Cabinet members with proposed changes to the whole authority safeguarding approach.  
  
Author: Teresa Norris, Policy and Performance Officer  
  
Contact Details: [teresanorris@monmouthshire.gov.uk](mailto:teresanorris@monmouthshire.gov.uk)
  - iii. **Annual Report of the Statutory Director of Social Services** 59 - 116  
Division/Wards Affected: All  
  
Purpose: To provide Cabinet members with the Annual Report of the Statutory Director of Social Services.  
  
Author: Claire Marchant, Chief Officer, Social Care and Health

Contact Details: [clairemarchant@monmouthshire.gov.uk](mailto:clairemarchant@monmouthshire.gov.uk)

- iv. **Welsh Language Monitoring Report 2015/16** 117 -  
Division/Wards Affected: All 122

Purpose: To ask Cabinet to note the contents of the attached Welsh Language Monitoring Report 2015 – 2016 that has been produced in line with the requirements of the Welsh Language (Wales) Measure 2011. The Monitoring report details our compliance with areas that the Welsh Language Commissioner has specified.

Author: Alan Burkitt Policy Officer Equalities and Welsh Language

Contact Details: [alanburkitt@monmouthshire.gov.uk](mailto:alanburkitt@monmouthshire.gov.uk)

- v. **Proposals for the future provision of public car parks by MCC** 123 -  
Division/Wards Affected: All 270

Purpose: To seek approval to advertise and implement a new car park order and implement other changes to the provision of public car parks by Monmouthshire County Council.

Author: Roger Hoggins, Head of Operations, Amanda Perrin, Car Park Manager.

Contact Details: [rogerhoggins@monmouthshire.gov.uk](mailto:rogerhoggins@monmouthshire.gov.uk)

- vi. **Management of commercial obstructions in the highway** 271 -  
Division/Wards Affected: All 360

Purpose: To seek approval for the adoption of a policy titled 'Provision of a Management of Commercial Obstruction on the Highway'. The Policy will cover various occasions when a business wants to use the Public Highway for reason of benefit to that company. It will bring a consistency to the policy, both within MCC processes and the wider Local Authority community by using a specific licensing and charging mechanism for any organisation seeking to make use of the public highway.

Author: Steve Lane, Operations Manager, County Highways

Contact Details: [stevlane@monmouthshire.gov.uk](mailto:stevlane@monmouthshire.gov.uk)

- vii. **Review of Earmarked Reserves** 361 -  
Division/Wards Affected: All 380

Purpose: To review the level of earmarked reserves held by the Council at the end of 2015/16, the rationale for each reserve and the protocols for using them.

Author: Joy Robson

Contact Details: [joyrobson@monmouthshire.gov.uk](mailto:joyrobson@monmouthshire.gov.uk)

- viii. **Welsh Church Fund Working Group** 381 -

Division/Wards Affected: All

392

Purpose: The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications for the Welsh Church Fund Working Group meeting 1 of the 2016/17 financial year held on the 16<sup>th</sup> June 2016.

Author: David Jarrett – Senior Accountant – Central Finance Business Support

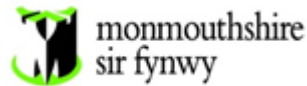
Contact Details: [davejarrett@monmouthshire.gov.uk](mailto:davejarrett@monmouthshire.gov.uk)

Yours sincerely,

**Paul Matthews**  
**Chief Executive**

### CABINET PORTFOLIOS

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



## Sustainable and Resilient Communities

### Outcomes we are working towards

#### **Nobody Is Left Behind**

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

#### **People Are Confident, Capable and Involved**

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

#### **Our County Thrives**

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

### Our priorities

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

### Our Values

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

## Cymunedau Cynaliadwy a Chryf

### Canlyniadau y gweithiwn i'w cyflawni

#### **Neb yn cael ei adael ar ôl**

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

#### **Pobl yn hyderus, galluog ac yn cymryd rhan**

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

#### **Ein sir yn ffynnu**

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

### Ein blaenoriaethau

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

### Ein gwerthoedd

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

<b>SUBJECT:</b>	<b>End of Year Performance 2015/16 on Whole Authority Safeguarding</b>
<b>MEETING:</b>	<b>Cabinet</b>
<b>DATE:</b>	<b>6<sup>th</sup> July 2016</b>
<b>DIVISIONS/WARDS AFFECTED:</b>	<b>All</b>

## **1 PURPOSE**

- 1.1 To provide Cabinet members with an overview of the performance on whole authority safeguarding in 2015/16.

## **2 RECOMMENDATIONS**

- 2.1 That members consider this information in parallel with the separate report on the proposed changes to the whole authority safeguarding approach.
- 2.2 That members seek assurance that the proposed changes will improve performance on issues highlighted through this report.

## **3. KEY ISSUES**

- 3.1 Since 2014 the Safeguarding Unit has provided six monthly performance reports to the Children and Young People Select Committee, the Cabinet and the Council using a trio of reports.
- 3.2 The Whole Authority Safeguarding Coordinating Group (WASCG) has developed a proposal for future whole authority safeguarding which has been provided to Council members in a separate report. The proposal constitutes adopting a strategy supported by an activity programme and a scorecard of measures which are to be steered through a newly constituted WASCG.
- 3.3 This proposal has been shared with Directorate Management Teams and has been presented to the Senior Leadership Team. It has also been informally presented to the Children and Young People and Adults Select Committees. After the Cabinet meeting, the proposal will be presented for approval to the Council on 28<sup>th</sup> July 2016.
- 3.4 On Council's approval of the proposal, future performance appraisals will be facilitated through the scorecard of measures.
- 3.5 However, for consistency in completing a year end appraisal of performance for 2015/16, the reporting format used to date has been continued. This is based on nine prioritised objectives as in the Appendix and gives narrative assessments and scores on performance for each. The scores given are based on the whole authority self-assessment matrix.

3.6 To consolidate the previous trio of performance information and in anticipating the proposed approach, two of the supplementary report strands previously reported have not been provided. Refer to paragraph 3.1.

**3.7 A summary of the performance:**

- Important safeguarding processes and practices are embedded across the authority and are supported by key services such as the Safeguarding Unit, Peoples Services and the Volunteer Coordinator. These include safe settings, safe recruitment and staff and volunteers safeguarding training
- However, some parts of the authority have embedded safeguarding processes and practices better than others, including on those aspects noted above and also, different levels of accountability are embedded
- In some service areas safeguarding does not appear to be understood and or mainstreamed. This has been identified through the safeguarding training and the SAFEs (internal quality assurance safeguarding audits on services and settings)
- Other processes and practices need to be strengthened, for instance in assuring safe practices and processes through contracted service arrangements

**3.8 A summary of the scores:**

The six monthly performance scores on the nine prioritised objectives from 2014 to 2016 are given in the table below:

Objective	Score at April 2014	Score at September 2014	Score at April 2015	Score at September 2015	Score at April 2016
1. Safeguarding children and young people is understood as 'everyone's responsibility	N/A	4	5	5	4
2. Monmouthshire's Safeguarding and Child Protection Policy is embedded across all settings and services	4	4	4	4	4
3. Through our Audit Framework we are assured that all settings and services meet their roles and responsibilities in safeguarding /child protection	3/4	4	4	4	This objective has been assessed as part of objective 2
4. Safe recruitment and safe work force practices are operating effectively and embedded across the	2	3	4	4	4



Objective	Score at April 2014	Score at September 2014	Score at April 2015	Score at September 2015	Score at April 2016
authority.					
5. All workers and volunteers in contact with children and families are trained at the appropriate level	5	5	5	5	4
6. There is a system in place that identifies and addresses any professional allegations or concerns about individuals who may pose a risk.	4	5	5	5	4
7. We are well-informed about the issues that compromise the safety and welfare of children and /or potentially expose them to harm through abuse and neglect and can demonstrate how we respond to and reduce areas of need.	3	3	4	4	4
8. We operate best safeguarding practices and can demonstrate how we identify and address areas where improvement is needed.	3	3	3	3	3
9. Engagement with children and young people is at the heart of our safeguarding and child protection activity.	3	3	4	4	4

#### 4. REASONS

To ensure that:

- 4.1 Safeguarding performance is kept under review and that intervention is initiated as necessary.
- 4.2 Chief Officers and Council members are held to account and also, can hold others to account in assuring safeguarding processes and practices.

#### 5. RESOURCE IMPLICATIONS

There are no resource implications in relation to the report.

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

The report gives a performance appraisal. There are no Wellbeing of Future Generations Implications and in this context, an assessment form is not provided.

**7. CONSULTEES:**

The performance appraisal has been signed off through the Whole Authority Safeguarding Coordinating Group and the Senior Leadership Team.

**8. BACKGROUND PAPERS:**

Monmouthshire County Council Safeguarding Policy  
The trio of safeguarding reports provided since 2014  
The Internal Audit Service report on safeguarding 2015  
The Wales Audit Office study on safeguarding 2015  
The Ellis Williams review on safeguarding 2015 (former Rhondda Cynon Taff Chief Officer for Social Services)  
The Estyn Inspection report 2016  
The Safeguarding Unit service plan 2015/16 (incorporating responses to the CSSIW feedback on performance 2014 and 2015)  
National performance indicators 2015/16

**9. AUTHOR:**

Teresa Norris, Policy and Performance Officer

**10. CONTACT DETAILS:**

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Telephone: 01633 644063 / 07771387935

## Appendix: Performance assessment at year end 2015/16 on the prioritised whole authority safeguarding objectives

1. The cornerstones for authority wide improvements on safeguarding were set in 2014 as in the diagram below:



2. Nine key objectives were set to underpin these cornerstones. These are picked up in **Table 1** with scores given since 2014 on the performance achieved. These scores have been based on the whole authority self-evaluation scoring matrix shown in **Table 3**.
3. The performance information in **Table 1** encapsulates that already reported from 2014 to the mid-year point 2015/16 and in addition, gives a new appraisal for the whole year 2015/16. The main evidence used for previous reporting was drawn from the Estyn inspection 2012 to 2015, the CSSIW inspection 2014 with further feedback given in 2015, the Safeguarding Unit service plan and prescribed information captured on particular service functions, for instance on child protection, recruitment and from youth surveys.
4. However, new information on performance was received during the year 2015/16 which has therefore been taken into account in arriving at the whole year appraisal. This is given in **Table 2**. The references are Monmouthshire's Internal Audit Service report (published 2016), the Wales Audit Office study of safeguarding across Greater Gwent authorities and the Ellis Williams report on safeguarding in Monmouthshire. All were undertaken in 2015. In light of these, end of year scores for 2015/16 in some cases are lower than scores previously reported.
5. The nine objectives are very broad and the view of the Whole Authority Safeguarding Coordinating Group is that the evidence previously used to assess performance against them has been inconclusive to fully substantiate the scores given. This recognition has contributed to prompt a new proposal on whole authority safeguarding that will refocus safeguarding objectives and strengthen how we monitor and measure performance going forward.

6. Currently the authority is implementing the new Social Services and Wellbeing Act (Wales) 2014 with an associated national outcomes framework and so this will be interfaced with the new whole authority safeguarding framework as far as practicable.

A number of links to performance information used for this report are given below.

[2015/16 half year report to Cabinet November 2015](#)

[Safeguarding Service Plan 2015/18](#)

[Ellis Williams Review of Safeguarding in MCC 2015](#)

[Internal Audit Report January 2016](#)

**Table 1: Scores from April 2014 to the end of year 2015**

Objective	Score at April 2014	Score at September 2014	Score at April 2015	Score at September 2015	Score at April 2016
1. Safeguarding children and young people is understood as 'everyone's responsibility	N/A	4	5	5	4
2. Monmouthshire's Safeguarding and Child Protection Policy is embedded across all settings and services	4	4	4	4	4
3. Through our Audit Framework we are assured that all settings and services meet their roles and responsibilities in safeguarding /child protection	3/4	4	4	4	This objective has been assessed as part of objective 2
4. Safe recruitment and safe work force practices are operating effectively and embedded across the authority.	2	3	4	4	4
5. All workers and volunteers in contact with children and families are trained at the appropriate level	5	5	5	5	4
6. There is a system in place that identifies and addresses any professional allegations or concerns about individuals who may pose a risk.	4	5	5	5	4

Objective	Score at April 2014	Score at September 2014	Score at April 2015	Score at September 2015	Score at April 2016
7. We are well-informed about the issues that compromise the safety and welfare of children and /or potentially expose them to harm through abuse and neglect and can demonstrate how we respond to and reduce areas of need.	3	3	4	4	4
8. We operate best safeguarding practices and can demonstrate how we identify and address areas where improvement is needed.	3	3	3	3	3
9. Engagement with children and young people is at the heart of our safeguarding and child protection activity.	3	3	4	4	4

**Table 2: Performance for the year 2015/2016:**

Objective	Score at April 2016	Officer responsible for the information	What is working well	Evidence used to substantiate success	What is not in place / not working effectively and needs to improve	Evidence used to substantiate weakness
<p>1. Safeguarding children and young people is understood as 'everyone's responsibility</p> <p style="text-align: center;">Page 8</p>	4	Teresa Norris, Whole Authority Safeguarding Coordinating Group (WASCG)	<p>Overall, important processes and practices are embedded across the authority, supported by key services e.g. the Safeguarding Unit, Peoples Services and the Volunteer Coordinator. These include on recruitment and staff training, including for volunteers.</p> <p>The level of progress on whole authority safeguarding influenced an Estyn decision to release the authority from Special Measures early in 2016.</p> <p>In building on this, services will further embed and assure safeguarding within service and workforce planning through measures incorporated into service plans as standard.</p>	<p>The Whole Authority Safeguarding Coordinating Group review of whole authority safeguarding in 2016 to close the gap in weaknesses identified out of recent reviews and widen the agenda to Adult safeguarding.</p> <p>A judgement of "Good" out of the Estyn Inspection reported in early 2016 – related to children and young people particularly</p> <p>Safeguarding practices stack well in some aspects against the Wales Audit Office study on good practice / poor performance 2015</p>	<p>Some parts of the authority have embedded safeguarding better than others, for instance, assuring volunteers used across all service areas and on other aspects of recruitment.</p> <p>There are weaknesses in accountability and practices where safeguarding does not appear to be understood and / or mainstreamed e.g. assuring safeguarding through contracted service arrangements.</p> <p>Also, the Ellis Williams review 2015 and even more particularly the Internal Audit Service report 2016 identified a number of key activities that need to be improved across MCC services.</p>	<p>The trio of reports to SLT and Cabinet from 2014 to the half year 2016</p> <p>The Ellis Williams review 2015</p> <p>The Internal Audit Service report 2016</p> <p>The Wales Audit Office study and appendix on good practice / poor performance 2015</p>

Objective	Score at April 2016	Officer responsible for the information	What is working well	Evidence used to substantiate success	What is not in place / not working effectively and needs to improve	Evidence used to substantiate weakness
2. Monmouthshire's Safeguarding and Child Protection Policy is embedded across all settings and services	4	Heather Heaney, Liaison Officer for Safeguarding in Education  Statements 2 and 3 are linked to the same objective	MCC has had a Safeguarding and Child protection Policy since 2012 which was subsequently reviewed in 2014. It is now due for a re-review. It embeds safeguarding practice such as safe recruitment and training. It also covers the Safeguarding Audit Framework for Evaluation (SAFE).  All settings that are supported are asked to be aware of the MCC policy.  The SAFE process and programme is a model of good practice shared regionally and nationally.  The authority's services and settings, including schools, Leisure Services, Early Years settings and the Youth Service complete the SAFE every 2 years.	The policy is accessible and is included in the induction day attended by all new staff. It is also included in the Level 1 training and forms a key element in the current Safeguarding Team service plan.  Settings have completed a SAFE for the second time. The Safeguarding Unit pull out themes and completes a report for each group e.g. schools, early years settings TLC etc. and each setting receives an action plan to work towards which is RAG rated. The Unit also use the SAFE information in discussions with settings in the event of safeguarding issues, to strengthen any particular areas or standards.	It cannot be confirmed that all staff have seen the Safeguarding and Child Protection Policy. It is not possible to assess whether "all settings and services" have embedded the policy but only that services have had opportunity to embed it. The policy is due for review.  We know from MCC's Internal Audit report that the policy is not working robustly across the authority e.g. safe recruitment practices which is also covered in statement 4.	Training has identified that some staff are not aware of the Safeguarding and Child Protection Policy  The Internal Audit Service report 2016 raised issues of concern

Objective	Score at April 2016	Officer responsible for the information	What is working well	Evidence used to substantiate success	What is not in place / not working effectively and needs to improve	Evidence used to substantiate weakness
3. Through our Audit Framework we are assured that all settings and services meet their roles and responsibilities in safeguarding /child protection	N/A	Heather Heaney, Liaison Officer for Safeguarding in Education  Statements 2 and 3 are linked to the same objective	This objective has been assessed as part of objective 2.	N/A	We need to strengthen application to safeguarding in some service settings.  We need to ensure in a more robust way how contracted services comply with safeguarding processes and practices.	N/A
4. Safe recruitment and safe work force practices are operating effectively and embedded across the authority.	4	Sally Thomas, Interim HR Manager	An IT system is available for managers to track all pre-employment checks and workers are not permitted to commence work without the necessary pre-employment checks in place.  Joint training on safe recruitment has been delivered by People Services HR and the Safeguarding Unit to all head-teachers and senior leaders in schools, governors and also, to managers across the full range of authority service areas. Training has been on-going since 2014.	Employee Services have completed a full data cleanse for all workers in relation to pre-employment checks. On a monthly basis the People Services Admin Team extract specific data reports on DBS checks across the organisation which they provide to the Safeguarding Unit, relevant chief officers, People Services HR and the directorate safeguarding champions for scrutiny and action as necessary.  A safe recruitment audit across schools is undertaken every	The Internal Audit Service provided a report on safeguarding processes and practices and made a number of recommendations in January 2016 including on safe recruitment. For instance the audit showed there were gaps in DBS checks and gaps in references obtained before employment.  The audit report also showed the recruitment of volunteers needed to be tightened, including in identifying the numbers in situ and the status of completeness of <i>safe</i> volunteers overall. This has been picked up in entry 5.	An audit carried out once a year on school based staff identifies any concerns.  People Services system reports to chief officers, the Safeguarding Unit and school heads have identified gaps in DBS checks and other recruitment requirements.  The Internal Audit Service report 2016 identified weaknesses in recruitment practices and processes.





Objective	Score at April 2016	Officer responsible for the information	What is working well	Evidence used to substantiate success	What is not in place / not working effectively and needs to improve	Evidence used to substantiate weakness
			<p>Safeguarding champions are established in each directorate to raise awareness on safeguarding, guide in addressing issues and in ensuring directorates' ownership of safeguarding. Also they act as a key link between People Services, the Safeguarding Unit and directorates.</p> <p>People Services HR has developed and implemented a Manager/Head-teacher guide/workflow for the recruitment process. Additionally, there is a range of information to provide continued assistance for managers on the Hub.</p> <p>People Services HR link with Owen Wilce on a regular basis in supporting the Volunteering sector.</p>	<p>year.</p> <p>Employee Services assess that In Children and Young People Services and in schools the rate of compliance is around 99%. The assessments for the other directorates needs to be confirmed.</p> <p>The Internal Audit Service provided specific recommendations which have been taken on board for the academic year 2015/16. Internal Audit officers assessed a sample of 20 files against a new starter checklist. Schools were given a report on the issues identified and a re-check confirmed the discrepancies had been dealt with.</p>	<p>The Internal Audit Service report also recommended on recruitment practices carried out by partners and contracted services, where this is an area of uncertainty in as much as the authority does not have a robust system with checks in place in all cases to verify safeguarding recruitment through these avenues.</p>	
5. All workers and volunteers in contact with	4	Owen Wilce, Volunteer Coordinating Officer	We have made strides in assuring volunteers used across MCC services. by producing a Volunteer	425 staff have used the volunteering toolkit making 3,271 website visits – it is currently going through the	We still need to identify the number of volunteers who support children, young people and vulnerable adults	Monmouthshire's Internal Audit Service report 2016

Objective	Score at April 2016	Officer responsible for the information	What is working well	Evidence used to substantiate success	What is not in place / not working effectively and needs to improve	Evidence used to substantiate weakness
<p>children and families are trained at the appropriate level</p>			<p>Toolkit that provides a framework and guidance checklist on the requirements that volunteers need to satisfy. This can be accessed through a central point.</p> <p>We have formed a volunteer network to share best practice and reinforce the safe recruitment principles provided in the toolkit.</p> <p>We are delivering “Leading Volunteers” training to all staff in volunteer supporting roles to ensure for instance, safe recruitment and appropriate levels of safeguarding training. (as in SSWA 139).</p> <p>Role profiles are being developed for volunteers to outline what is needed.</p> <p>Safeguarding Level 1 training has been delivered to volunteers across the county and is available on a bi-monthly schedule to instil</p>	<p>political process for approval.</p> <p>Two courses have been run giving 25 staff training across the authority. 87 volunteers have been trained at Level 1. Further courses are planned.</p> <p>All departments supporting volunteers are currently developing role profiles.</p>	<p>as part of their role and in line with this, identify the level of support that is needed. We will then be able to assess how far we meet the requirements around volunteers.</p> <p>An electronic system for volunteer management is under development to include safe recruitment and safeguarding training. Once this is up and running we will have a clear picture across the county on volunteers.</p> <p>The Internal Audit report 2016 highlighted the need for an effective Monmouthshire database on volunteers.</p>	

Objective	Score at April 2016	Officer responsible for the information	What is working well	Evidence used to substantiate success	What is not in place / not working effectively and needs to improve	Evidence used to substantiate weakness
			safeguarding practice.			
<p>6. There is a system in place that identifies and addresses any professional allegations or concerns about individuals who may pose a risk.</p>	4	Kelly Turner, Child Protection Coordinator / Jo Sansom, Business support Officer	<p>We have strengthened our work in addressing professional allegations through updated regional guidance at the end of 2015. To accompany this, Level 2 'Responding to Concerns or Allegations of Abuse Made Against Adults Who Work with Children or Young People' training has been launched and has led to successful training for multi-agency colleagues. There are plans to roll this out on a regular basis.</p> <p>In the child protection field specifically, there is a raised awareness on roles in relation to safeguarding and among multi-agency colleagues facilitated via advice and support on conduct and on the threshold of statutory intervention.</p> <p>There is increased sharing of information facilitated by Safeguarding leads across all regions meeting on a bi-monthly</p>	<p>The increase in numbers of professional strategy meetings highlights that multi-agency colleagues are using the practice guidance.</p> <p>In the child protection field team managers and senior practitioners now liaise more closely with the Child Protection Co-ordinator to discuss specific cases / issues and Professional Strategy meetings now better recognise prescribed time-scales.</p> <p>Closer working relationships have developed between colleagues as evidenced through more regular contact. Also, relevant professionals are automatically invited to meetings and bi-monthly meetings are planned on the work plans agreed by SEWSCB.</p>	<p>Police resource constraints trigger delays and drift in dealing with cases which poses risk to progress on agreed actions.</p> <p>The figures show that from 1st October 2015 to 31st March 2016 there have been 31 new incidents of professional allegations. This compares with 20 incidents in the previous year indicating that the referral rate for professional allegations has gone up.</p> <p>We are completing internal quality assurance work to address weaknesses in processes and practices.</p>	<p>WASCG monitoring to ensure strategic and operational links with regional and local services meet need. Our aim in the next phase will be to develop preventative strategies.</p>

Objective	Score at April 2016	Officer responsible for the information	What is working well	Evidence used to substantiate success	What is not in place / not working effectively and needs to improve	Evidence used to substantiate weakness
			<p>basis to identify regional themes and to exchange information.</p> <p>We have improved how we track and review cases still open or closed through monthly Safeguarding meetings.</p>			
<p>7. We are well-informed about the issues that compromise the safety and welfare of children and /or potentially expose them to harm through abuse and neglect and can demonstrate how we respond to and reduce areas of need</p>	4	Sian Schofield / Matthew Gatehouse, Policy & Performance Unit	<p>Our awareness is facilitated through performance indicators and also through other avenues such as the SAFE audits and via schools.</p> <p>In relation to data intelligence, the Children in Need Census for 2014/15 (latest available) tells us that domestic abuse is the most commonly observed issue affecting parenting capacity within Monmouthshire, as presented in 26% of cases. Following this, parental substance misuse and mental health are the next key issues. The most common reason for registration is emotional abuse (which includes domestic abuse).</p>	<p>During 2015/16 Children's Services took 3,924 contacts, of which 465 progressed to referral (11.9%). 91 of the referrals progressed to a strategy discussion (the start of a child protection investigation). As a result, an initial (or pre-birth) child protection conference was held for 73 children. Following the initial conference, 66 children were registered during the year.</p> <p>At the 31st March 2016, 33 children were on Monmouthshire's child protection register. This is low as shown in the last 4 year trend.</p> <p>SAFE audit results.</p>	<p>We are well informed, but the number of looked after children is particularly high in 2015/16 at 129 at the 31st March 2016. This might suggest children are becoming looked after before attempting to manage and improve the family circumstances of those on the child protection register. We need to look at this through our internal quality assurance work.</p>	<p>National performance indicators and Children's Services returns</p> <p>WASCG assessments as a result of internal quality assurance work</p>

Objective	Score at April 2016	Officer responsible for the information	What is working well	Evidence used to substantiate success	What is not in place / not working effectively and needs to improve	Evidence used to substantiate weakness
<p>8. We operate best safeguarding practices and can demonstrate how we identify and address areas where improvement is needed.</p>	3	Sian Schofield / Matthew Gatehouse Policy & Performance Unit / Teresa Norris, WASCG	<p>Continuous monitoring and review of data on safeguarding and child protection particularly, provides the necessary snap-shot intelligence to know what is working and what isn't.</p> <p>From the data we can see that important child protection is taken:</p> <ul style="list-style-type: none"> <li>• 100% of children on the child protection register are allocated a named social worker (SCC/013ai).</li> </ul> <p>During 2015/16:</p> <ul style="list-style-type: none"> <li>• 70.5% of initial assessments were completed within 7 working days (SCC/042a)</li> <li>• 80.0% of core assessments were completed within 35 working days (SCC/043a).</li> <li>• 87.7% of initial child protection conferences were held within 15 working days of the strategy discussion (SCC/014)</li> <li>• Following registration, 88.7% of initial core groups were held with 10 working days of the initial</li> </ul>	<p>National performance indicators and Children's Services returns</p> <p>The WASCG assessment based on Monmouthshire's Internal Audit Service report 2016, the Wales Audit Office study 2015 and the Ellis Williams report 2015</p>	<p>In the wider whole authority safeguarding sense, the three reports noted as evidence and the SAFE audits demonstrate some of the means we have available in assessing performance on whole authority safeguarding. Through these we have identified areas that could be improved, for instance on recruitment, on volunteers and on contracted services.</p> <p>In relation to child protection, 17.8% of children had a re-referral within 12 months (SCC/010) even though this is within the CSSIW's suggested rate of 12-30%. 18.2% representing 12 out of 66 children registered in the year had been previously registered.</p> <p>Internal quality assurance work has identified developmental issues in child protection procedures within Children's Services which is being addressed.</p>	<p>National performance indicators and Children's Services returns</p> <p>WASCG assessment based on Monmouthshire's Internal Audit Service report 2016, the Wales Audit Office study 2015 and the Ellis Williams report 2015, internal quality assurance work</p> <p>SAFE audit</p>

Objective	Score at April 2016	Officer responsible for the information	What is working well	Evidence used to substantiate success	What is not in place / not working effectively and needs to improve	Evidence used to substantiate weakness
			<p>conference (SCC/015)</p> <ul style="list-style-type: none"> <li>93.1% of child protection reviews were held on time (SCC/034)</li> </ul> <p>The WASCG have carried out an assessment based on three significant reports completed between 2015 and 2016 in order to take the safeguarding agenda forward.</p>			
<p>9. Engagement with children and young people is at the heart of our safeguarding and child protection activity.</p>	4	<p>Heather Heaney, Liaison Officer for Safeguarding in Education / Tracy Thomas, Youth Service manager</p>	<p>Analysis of the Safeguarding survey undertaken in July 2015 has informed an action plan from Dec 2015 to March 2017 with regular reviews to ensure concerns raised by young people are addressed. At March 2017 a new survey will be carried out and new actions incorporated.</p> <p>Year 8 pupils in Monmouthshire attended a conference in January 2016 to discuss issues that affect them and this has been used to inform the work plan for the South East Wales Safeguarding Children Board.</p>	<p>The action plan:</p>  <p>Monmouthshire Survey outcome actio</p> <p>The report and also, follow up meetings to ensure themes are actioned in 2016.</p>  <p>Report on consultations with you</p>	<p>The action plan is not yet agreed and circulated for implementation and so not all areas been addressed to date. However, the Youth Service and Safeguarding Unit anticipate all actions will be addressed by March 2017.</p> <p>We need to ensure that key actions out of the plan are factored into any other relevant strategies and into relevant teams' service plans.</p>	<p>Lack of progress in agreeing and delivering on the action plan.</p>

**Table 3: The whole authority self-evaluation matrix:**

<b>Level 6 Excellent</b>	Excellent or outstanding
<b>Level 5 Very Good</b>	Good – Major strengths
<b>Level 4 Good</b>	Important strengths with some areas for improvement
<b>Level 3 Adequate</b>	Strengths just outweigh weaknesses
<b>Level 2 Weak</b>	Important weaknesses
<b>Level 1 Unsatisfactory</b>	Major weakness

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<b>SUBJECT:</b>	<b>Proposed changes to the whole authority safeguarding approach</b>
<b>MEETING:</b>	<b>Cabinet</b>
<b>DATE:</b>	<b>6<sup>th</sup> June 2016</b>
<b>DIVISIONS/WARDS AFFECTED:</b>	<b>All</b>

## **1 PURPOSE**

- 1.1 To provide Cabinet members with proposed changes to the whole authority safeguarding approach.

## **2 RECOMMENDATIONS**

The report recommends that members approve the proposed changes to:

- Introduce a Safeguarding Strategy – Appendix 1.
- Underpin the strategy with a programme of three distinct elements covering: Corporate, Children and Young People and Adults. Appendix 2.
- Change the terms of reference and representation of the Whole Authority Safeguarding Coordination Group - Appendix 3
- Discontinue the current performance report mechanism and replace it with a scorecard of key safeguarding measures to monitor performance.

## **3. KEY ISSUES**

- 3.1 The authority has made huge progress within the past three years on assuring safeguarding in the authority. In the main, this has been in response to Monmouthshire having been placed in Estyn Special Measures where Safeguarding was a first of six key recommendations.
- 3.2 The authority has been released from Special Measures since the start of the year. This has given an opportunity to reflect on the framework in place around safeguarding and consider what the authority needs in going forward
- 3.3 The authority must implement the new Social Services and Wellbeing Act (Wales) 2014 and as an integral part of this, the Safeguarding agenda needs to be widened to incorporate Adults.
- 3.4 There needs to be an escalated focus on safeguarding practices applied by agencies and volunteers that the authority works with and by commissioned providers.
- 3.5 Important reviews have been undertaken to assess the current safeguarding framework and the learning gleaned has contributed to taking stock of the current position and assessing what is needed going forward. These reviews are:

- A report completed by the Wales Audit Office on safeguarding across the greater Gwent authorities in 2015
- A report carried out by Ellis Williams on Safeguarding in Monmouthshire in 2015 – the former Rhondda Cynon Taff Social Services chief officer
- A Monmouthshire Internal Audit Service report on safeguarding carried out in 2015 and presented in January 2016

3.6 The above reports are identified as sources of evidence in the programme of activities that underpins the strategy and in this context reflect the issues picked up through them.

3.7 Reflection by the Whole Authority Safeguarding Coordinating Group has led to the following considerations:

- The composition and terms of reference of the current Whole Authority Safeguarding Coordinating Group are no longer appropriate to drive the agenda forward and embed accountability
- The authority needs to develop the level of leadership, accountability, monitoring and review of safeguarding across the authority's services and also within services delivered by external providers
- Adult safeguarding needs to be integrated into the whole authority approach
- Safeguarding needs to be seen as distinct from the specific function of child protection to avoid confusion
- A need to develop the authority's approach to safeguarding in line with the new Social Services and Wellbeing (Wales) Act 2014
- A need to mainstream safeguarding into service planning and decision making across the authority

3.8 This proposal has been shared with Directorate Management Teams and has been presented to the Senior Leadership Team. It has also been informally presented to the Children and Young People and Adults Select Committees. After Cabinet, this proposal will be presented to the Council on 28<sup>th</sup> July for approval.

#### 4. **REASONS**

To ensure that:

- 4.1 Safeguarding across the authority is strategic and robust, is integral to all decisions, is part of everyday operations and that Chief Officers and Council members are robustly held to account.
- 4.2 Services commissioned through other providers apply robust safeguarding practices and procedures.

**5. RESOURCE IMPLICATIONS**

It is not envisaged that additional resources will be needed to support the changes proposed. As now, responsibility will be absorbed within day to day business activities.

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

This proposal sets out to increase the level of safeguarding compliance. An evaluation form is in Appendix 4.

**7. CONSULTEES:**

The Whole Authority Safeguarding Coordinating Group  
All Directorate Management Teams  
The Senior Leadership Team  
The Children and Young People and Adults Select Committees  
The Cabinet

Views received have been considered in the final proposal.

**8. BACKGROUND PAPERS:**

Monmouthshire County Council Safeguarding Policy  
The current constitution and terms of reference of the Whole Authority  
Safeguarding Coordinating Group  
The Internal Audit Service report on safeguarding 2015  
The Wales Audit Office study on safeguarding 2015  
The Ellis Williams report on safeguarding 2015

**9. AUTHOR:**

Teresa Norris, Policy and Performance Officer

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## Monmouthshire County Council Safeguarding Strategy April 2016

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## The Strategy

### 1. What the Safeguarding Strategy sets out to achieve

The Safeguarding strategy has been put in place to ensure that responsibility for safeguarding is adopted by everyone both within the authority and where we deliver services with others. In this sense the strategy aims to clarify the levels of accountability that everyone must take to assure how we safeguard others.

The second purpose of the strategy is to inform what we must do if we have a safeguarding concern.

### 2. The values and principles:

In a policy context, this strategy gives foundation to Monmouthshire's overarching strategy; the Single Integrated Plan 2013 – 17 (which will be replaced from 2018 by Monmouthshire's Wellbeing Plan). It also underpins two of the Council's four priorities of *Supporting Vulnerable People* and *Supporting Education and Schools*. These are a continuous focus in the Improvement Objectives set out in the Council's Improvement Plan. The current plan is for 2016-17. In continuing this alignment, safeguarding is a foremost priority of all chief officer plans and mainstreams through each team service plan.

In terms of legislative compliance, local authorities have a statutory duty to put safeguarding arrangements in place including for strategic planning, in giving support and guidance for all providers of relevant services in its area and in a direct provision of some services. In this sense local authorities have a duty to work in partnership with others to secure the safeguarding and wellbeing of children and adults in their area, including working with the Local Safeguarding Boards. For Monmouthshire, this means the separate regional boards in place for children and young people and for adults.

In line with this, employees and volunteers who work with children and with adults have specific safeguarding duties and responsibilities and authorities must ensure that adequate checks are in place to know that employees and volunteers are of good character. In this same context, authorities must also ensure there are processes in place to monitor and manage working practices and to investigate and record safeguarding allegations made against staff, teachers, support staff and volunteers.

Additionally, members, Chief Executives and senior managers need to ensure that they have proper oversight of the safeguarding arrangements in place across the authority. They should actively seek and gain assurance that arrangements are operating effectively, as without this they are unable to demonstrate that they have discharged their statutory obligation on safeguarding.

This strategy and the programme of activities that supports it sets out how these requirements will be achieved.

### **3. The authority's current performance on safeguarding**

In addition to the work done to align safeguarding to the Council's policies and the Improvement framework, work done over the past three years has given the authority and therefore Monmouthshire as a county, a strong foundation for safeguarding that we can build on. To date, additional work undertaken has been on developing a safeguarding policy, firming up practices of key concern and trying to embed a culture of safeguarding so it is everyone's responsibility. This means in our work with partners and through other agencies too. This has directed activities such as safer recruitment, safeguarding training, auditing safety in the settings used for children and young people and ensuring robust safeguarding processes and practices across a range of council and agency run support. A further focus has been on working with volunteers to embed safeguarding behaviour and practice.

Impact from this work is clearly seen and in the children and young people context particularly has contributed demonstrably to removing the authority from Estyn Special Measures early in 2016.

### **4. The intention: where we want to be on safeguarding and the current gaps in performance**

The Council wants to ensure safeguarding captures the needs of children, young people and adults and wants to embed safeguarding as everyone's responsibility; officers, agency workers, volunteers, elected members and partners. Also, the council wants to more closely make a tie between safeguarding and the issues of domestic abuse and of people radicalisation.

The authority recognises there are gaps between this vision and the situation that exists at this time, for instance, the need to bring adults more cohesively into the whole authority safeguarding agenda and within that, tie a safeguarding culture around adults and children more closely together. Also, the need to respond to the direction outlined in the new Social Services and Wellbeing Act 2014 which means in many ways supporting safeguarding in a much broader context than previously and safeguarding becoming more integrated for children, young people and adults.

However, gaps have been highlighted through other references; work such as a Monmouthshire Internal Audit Service review of safeguarding and a commissioned study of Monmouthshire's safeguarding carried out by Ellis Williams, a former chief officer for Social Services in a neighbouring authority. In broad brush these uncovered the need to improve leadership and accountability at all levels of the authority, the need to mainstream safeguarding through council policies, decision making, service planning and operational delivery, the need to assure a safe workforce, better manage professional concerns and improve how we assure safeguarding through procured and commissioned services.

## **5. Working towards the intent and filling the gaps**

A number of key work streams are underway to take the authority from the current position to where we want to be and essentially this is being developed and managed by the Whole Authority Safeguarding Coordinating Group (WASCG). This includes:

- A safeguarding strategy to set out the authority's intent
- A programme of key milestones and actions across three strands; corporate, children and young people and adults. This will instigate responsibility taken by schools, other partners and volunteers. The programme will be reviewed annually
- A scorecard of measures to monitor and evaluate performance against the programme
- A revised constitution and terms of reference of the Whole Authority Safeguarding Coordinating Group to better steer, manage and monitor the strategy and programme

## **6. Governance and accountability for safeguarding within the authority**

A number of clear accountabilities are designated to specific Monmouthshire officers and elected members and also, to a number of other agencies that we work with. These are outlined in the appendices to the strategy.

In line with this, the terms of reference of the Whole Authority Safeguarding Coordinating Group sets out chief officers and other practitioners' accountabilities for ensuring and assuring safeguarding. This group particularly acts as the safeguarding champions and have responsibility for driving the strategy through operational service delivery, for assuring performance and for ensuring information, advice and guidance on safeguarding to all service areas.

They also have responsibility for ensuring the systematic collation and reporting of key performance information using the activity programme and the measures scorecard. This coordinated performance information will be systematically reported to Department Management Teams, the Senior Leadership Team, the relevant select committees, the Cabinet and the Council.

In addition, safeguarding performance measures extrapolated from the strategy scorecard must be cascaded into all teams' service plans to assist safeguarding performance being regularly monitored at an operational level.

## **7. Governance and accountability for safeguarding by others outside the authority**

Others that work with us also have responsibility for assuring safeguarding. This involves other public sector and voluntary sector organisations that we work with and also, commissioned services that we contract including in the private sector. This will in context reflect different responsibilities and accountabilities from those that need to be taken by the authority. For instance at a regional level, the regional



safeguarding boards for children and for adults keep their own programmes under review. These account for contributions from Monmouthshire County Council too.

The regional boards are represented by the neighbouring authorities and key agencies acting within the region; for instance for children this includes the Joint Fostering Service, the Joint Adoption Service, the Youth Offending Service, Health and for adults includes the Police and Probation Service.

The key accountabilities that fall under this umbrella are shown in Table 2 of the appendices, however, it above does not cover all regional and joint services that the authority works. Monmouthshire's services that liaise with regional and other joint services are responsible for defining the safeguarding accountabilities of these bodies through the governance arrangements and for holding them to account.

## **8. The key safeguarding designations in the council**

As referenced in paragraph 6 the strategic safeguarding accountabilities are highlighted in the diagram and Table 1 in the appendices.

Chief Executive Officer

Chief Officer, Enterprise & Deputy CEO

Chief Officer Children & Young People

Chief Officer, Social Care & Health

Chief Officer, Resources

Head of Governance, Engagement & Improvement

The designated members of the Whole Authority Safeguarding Coordinating Group (WASCG) are listed below. Some designations will duplicate those given above:

### **Officers designated to form the WASCG:**

Chief Officer for Social Care and Health

Chief Officer for Children and Young Peoples directorate

Head of Operations

Head of Adults Services

Head of Children's Services

Head of Governance, Engagement & Improvement

Head of Community Led Delivery

Head of Tourism, Leisure and Culture

Safeguarding Unit Manager

Monmouthshire Housing manager

Monmouthshire Youth Service manager

Interim HR Manager

Programme lead on Volunteering

**9. What to do if you have a concern around safeguarding:**

Any member of staff with concerns for the safety of individuals, or the behaviour of colleagues or members towards children or adults should immediately contact the Designated Officer for Safeguarding in the Social Care, Safeguarding & Health directorate or the designated officer (the Champion) within their service area; see paragraph 8 and Appendix 1 Table 1 and diagram for details.

Staff must also follow any other relevant policies and procedures laid down for their service.

Further advice and guidance can be given by the Safeguarding Unit on 01633 644392.

**10. Other legislation, policies and guidance associated with the Safeguarding Strategy:**

The authority's accountability for safeguarding must be undertaken in tandem with other direct legislation, policies and guidance both at a national and local level. For instance the Social Services and Wellbeing Act 2014, the Equality Act 2010, the Children's Acts and the Wales Interim Policy & Procedure for the Protection of Vulnerable Adults from Abuse Nov 2010.

Even wider legislation includes the Human Rights Act 1998 and wider policies include safeguarding through the Domestic Abuse policy and the policy against radicalisation through PREVENT.

## Appendix 1: Governance Arrangements:

**Table 1: Governance Arrangements within the Authority**

Function	Who does this	The key safeguarding accountabilities
Designated Officer for Safeguarding	Chief officer for Social Care and Health services	Act as the lead on safeguarding for the authority and as the authority's guarantor for safeguarding  Perform the role of the <i>Designated</i> senior leadership team safeguarding champion
Lead officer for safeguarding in education	Chief officer for Children and Young People Services	Perform the role of the <i>Designated</i> safeguarding champion in relation to schools and other education settings and for early years education child care settings for
Cabinet member portfolio for safeguarding	Cabinet member with portfolio for safeguarding	Act as the elected member lead on safeguarding for the authority and as the designated elected member guarantor and champion for safeguarding
Cabinet member portfolio for education	Cabinet member with portfolio for education	Act as the elected member lead on safeguarding in education
The Corporate Parenting Panel	Cabinet member with portfolio for safeguarding acts as Chair of the panel  Additional representative elected members and officers  Designated young people, the National Youth Advocacy Service (NYAS) and foster care representatives	Carry out the legislative Corporate Parenting Responsibilities  Provide annual reports to the Council
The Whole Authority Safeguarding Co-ordinating Group (WASG)	Lead Officer and Chair – Chief Officer for Social Care and Health  Also, representative officers in the group	Set the safeguarding framework for Monmouthshire  Steer the safeguarding strategy, policy and associated programmes of activity for children and young people and for adults.  Assess the need for support across authority services, schools, partners and commissioned providers, including the voluntary sector, to ensure a safeguarding culture and environment

Function	Who does this	The key safeguarding accountabilities
		<p>Monitor and reviews performance against the safeguarding strategy and policy and on safeguarding practices across the authority and by relevant external providers</p> <p>Receive reports from the Regional Boards, Estyn and the Children’s Social Services Inspectorate for Wales, assesses appropriate action in response to findings and reports / liaises with senior managers and elected members</p> <p>Liaise with senior leadership team and elected members on implementation of the Safeguarding strategy, policy and programmes</p>
The Senior Leadership Team	Chief officers and heads of service	<p>Strategically monitor and evaluate the authority’s application and performance on safeguarding through regular reports and also through external inspection and regulation and intervenes as necessary.</p> <p>Perform the role of directorate champions to ensure and assure a safeguarding culture and safeguarding practices across directorates</p>
Department Management Teams	Chief officers and directorate managers	<p>Ensure a standard agenda item for safeguarding at DMT meetings to test out application of the strategy.</p> <p>Ensure officers’ compliance with the expectation that any unsafe practices and concerns are reported to the <i>Designated Officer for Safeguarding</i> and / or the directorate champion.</p> <p>DMT representatives on the WASG act as the conduit between this group and their DMTs</p>
The Safeguarding Team	Safeguarding Unit manager	<p>Provide advice and facilitation to services and schools on safeguarding</p> <p>Act as the key support to the Corporate Safeguarding Co-ordinating Group in driving the whole authority safeguarding strategy, policy and associated programmes of activity</p>

Function	Who does this	The key safeguarding accountabilities
		Report on the progress and impact of the safeguarding programmes to SLT, select committees, Cabinet and Council
Select Committees	Elected members of the Children and Young People's and the Adults Select Committees	Scrutinise and challenge performance achieved and application to safeguarding practices both in relation to the authority and that of authority partners as relevant Scrutinise safeguarding implications in relation to new and revised policies Scrutinise any strategic risks on safeguarding as part of the whole authority strategic risk assessment arrangements
Cabinet	Elected members of the Cabinet	Approve the safeguarding strategy and policy and any subsequent revisions  Consider safeguarding matters in all decisions taken as the Executive for the authority  Direct the authority to act on safeguarding in relation to policies and decisions adopted
Council	All elected members	Collectively consider and sign off the safeguarding strategy and policy and any subsequent revisions  Collectively direct the authority to act on safeguarding in relation to policies and decisions adopted
Service leads	All service managers across the authority	Ensure application to safeguarding is considered in planning and delivering services, including services commissioned through partners  Ensure all staff are checked through the Disclosure Disbarring Service (DBS) and that safe recruitment and safeguarding training is carried out as appropriate to posts  Ensure a safeguarding culture is adopted by the teams and safeguarding practices and procedures are followed in delivering services, including through any commissioned and procured contracts

<b>Function</b>	<b>Who does this</b>	<b>The key safeguarding accountabilities</b>
Operational staff and ward councillors	All officers and members across the authority	Ensure safe practices in contacting vulnerable children and vulnerable adults within the course of their roles and functions Comply with the expectation that any unsafe practices and concerns are reported to the <i>Designated Officer for Safeguarding</i> and / or the directorate champion

**Table 2: Governance Arrangements outside the Authority**

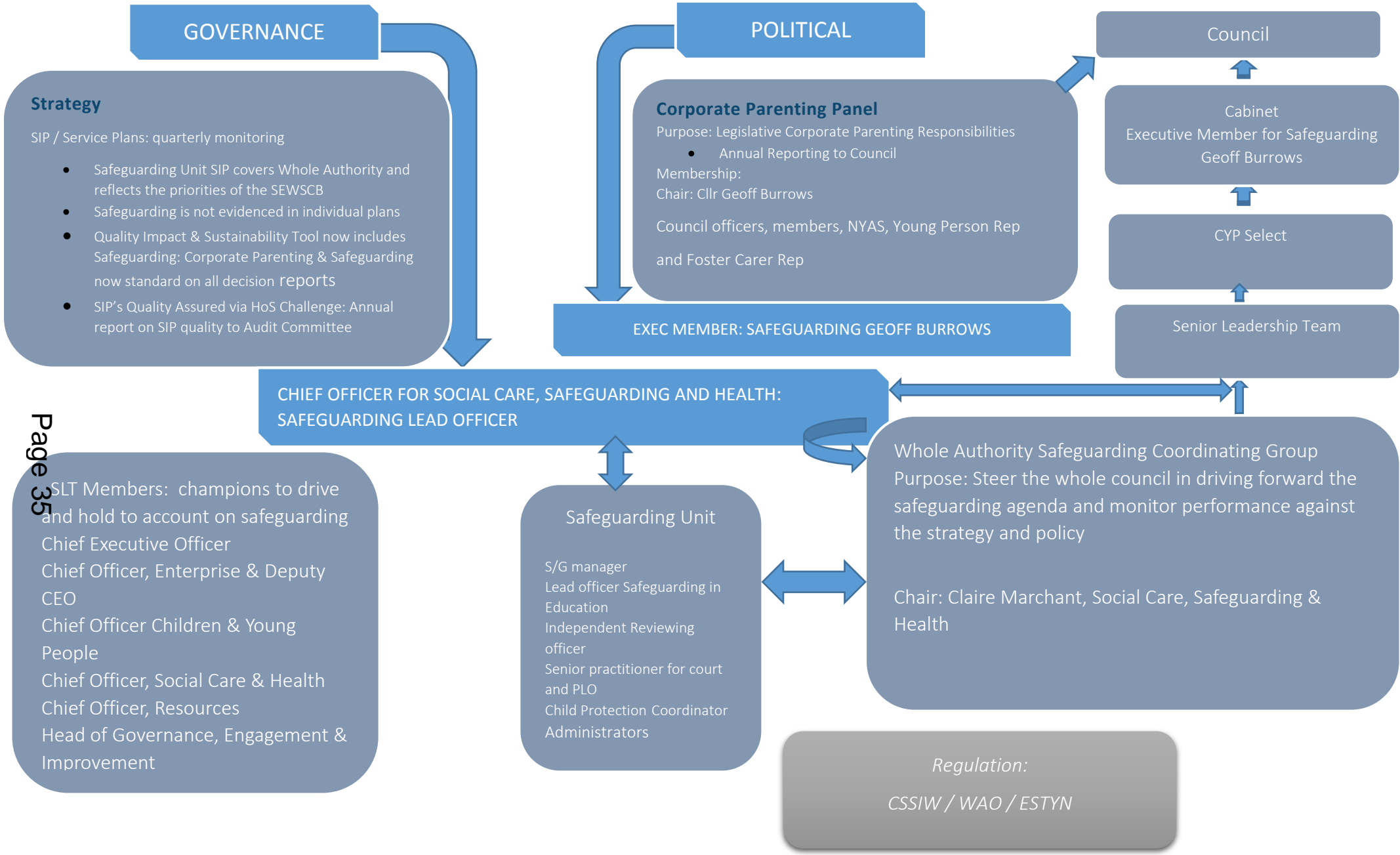
<b>The organisation or body</b>	<b>The key safeguarding accountabilities</b>	<b>Monmouthshire service area that liaises with the organisation</b>
The South East Wales Safeguarding Children Board (the regional board)	<p>Provide strategic leadership and steering a three year action plan</p> <p>Hold agencies to account for discharging their safeguarding responsibilities</p> <p>Share best practice and seek ways to improve practice Undertaking Child Practice Reviews and sharing learning</p> <p>Developing practice guidance, procedures and protocols for multi-agency safeguarding children practice</p> <p>Engage with and consult children and young people, parents and carers, the public and professionals to identify ways in which services can be shaped and improved</p> <p>Develop and deliver safeguarding children training for volunteers and professionals</p> <p>Provide an annual performance report to the WASCG and to the Council</p>	Children's Services in the Social Care, Safeguarding & Health directorate
The Gwent Wide Adults Safeguarding Board (the regional board)	Act as a multi agency board to give a regional strategic steer on	Adult Services in the Social Care, Safeguarding & Health

<b>The organisation or body</b>	<b>The key safeguarding accountabilities</b>	<b>Monmouthshire service area that liaises with the organisation</b>
	<p>safeguarding adults Act as a conduit for senior leaders across local authorities and other key agencies to share and promote good practice</p> <p>Act in a monitoring role to assure safeguarding of adults</p> <p>Provide an annual performance report to the WASCG and to the Council</p>	<p>directorate</p>
<p>The Local Service Board incorporating the Joint Assessment Framework around the Family (JAFF) and the Team Around the Family (TAFF)</p> <p>(the Local Service Board will become the Public Service Board in line with the Wellbeing of Future Generations Act coming into force 2016)</p>	<p>Act as a multi-agency joint board to support effective partnership working including matters on safeguarding</p> <p>Support the South East Wales Safeguarding Children Board in ensuring that robust multi agency governance arrangements are in place</p> <p>Steer, monitor and review the over-arching Single Integrated Plan for Monmouthshire and the programmes of activity that underpin it, including matters on safeguarding (This plan will become the Wellbeing Plan in line with the Wellbeing of Future Generations Act coming into force 2016)</p>	<p>Partnership Team and the Policy &amp; Performance Team (for the Wellbeing Plan) in the Chief Executives Department</p>
<p>Monmouthshire schools and governing bodies</p>	<p>Ensure safe recruitment of school staff and safe election of governors</p> <p>Ensure staff and governors are trained in safeguarding practices</p> <p>Assure that staff, governors and any volunteers are cleared through the Disclosure and Barring Service (DBS checks)</p> <p>Ensure a designated</p>	<p>The Children and Young People's directorate and the Safeguarding Unit</p>

<b>The organisation or body</b>	<b>The key safeguarding accountabilities</b>	<b>Monmouthshire service area that liaises with the organisation</b>
	<p>responsibility is taken for safeguarding across staff and governors</p> <p>Ensure a proper process in dealing with safeguarding matters</p>	
<p>Contracted providers for children and young people including for example bus companies, Additional Learning Needs residential care, Education Other than at School (EOTAS), specialist Pupil Referral support, Youth Service support, foster care and any other specialised children and young people provisions</p>	<p>Comply with contractual specifications and / or legislative regulations in safeguarding children and young people in providing services with or on behalf of the authority</p>	<p>All directorates</p>
<p>Contracted providers for adults including for example home care / domestic care, day and residential care for the elderly, infirm, disabled, mental health care and any other specialised adult provisions</p>	<p>Comply with contractual specifications and / or legislative regulations in safeguarding adults in providing services with or on behalf of the authority</p>	<p>Adult Services in the Social Care, Safeguarding &amp; Health directorate</p>

An overview of Monmouthshire’s key governance arrangements around safeguarding are depicted in the diagram below.





## **Appendix 2: Related Legislation, policy and guidance**

- Social Services and Wellbeing Act 2014
- More than just words 2011
- Equality Act 2010
- Wales Interim Policy & Procedure for the Protection of Vulnerable Adults from Abuse Nov 2010
- Valuing people 2001 and Valuing people now 2009
- All Wales Child Protection Procedures 2008
- Mental Capacity Act 2005
- Carers Act 2004
- Children Act 1989 and 2004
- National Service Framework for children, young people and maternity services 2004
- Framework for the assessment of children in need and their families 2000
- Human Rights Act 1998
- Welsh Government guidance on Direct Payments
- Welsh Government guidance In Safe Hands
- Monmouthshire County Council Whistle Blowing policy
- Monmouthshire County Council Complaints policy

Appendix 2:



**Monmouthshire County Council Safeguarding Strategy Activity Programme 2016 - 2017**

**Consolidating activities in progress and new improvements**

Priority	Profile	Key actions	Accountable Officer/s	Start timescales	Source of evidence
1. Ensure a Senior Leadership Team, Cabinet and Council steer, monitor and scrutinise the whole authority approach to safeguarding	Corporate	1. Review the representation and terms of reference of the Whole Authority Safeguarding Coordinating Group to ensure engagement of all chief officers or nominated heads of service and other key representatives	WASCG	May 2016	WAO study 2015, Ellis Williams review 2015 and WASCG review
		2. Develop a safeguarding strategy to support the safeguarding policy	WASCG	July 2016	
		3. Develop an activity programme to underpin the strategy and a scorecard of key measures	WASCG	July 2016	
		4. Mainstream key strands of the strategy / programme through chief officer reports and service plans	Chief officers	From April 2016	
		5. Review the safeguarding strategy annually and the safeguarding policy bi-annually and make available on the council's website (including schools' websites)	WASCG	Ongoing	
		6. Ensure related council and school policies are kept up to	Employee	Ongoing	

Priority	Profile	Key actions	Accountable Officer/s	Start timescales	Source of evidence
		<p>date e.g. Recruitment, DBS checks etc.</p> <p>7. Monitor performance against relevant strands of the strategy programme and scorecard via all DMTs</p> <p>8. Slim down the reporting framework on safeguarding by providing six monthly performance against the strategy programme and scorecard to SLT, Adults and Children &amp; Young People Select Committees, Cabinet and Council</p>	<p>Services</p> <p>Chief officers</p> <p>WASCG</p>	<p>September 2016</p> <p>September 2016</p>	
<p>3. Drive a safeguarding culture across the authority and in schools</p>	Corporate	<p>1. Present the new safeguarding approach to every DMT to guide and advise on the responsibilities</p> <p>2. Ensure every directorate designates a safeguarding representative</p> <p>3. Develop and implement a process for reporting and dealing with critical safeguarding incidents through a standard agenda item at DMT, SLT and service team meetings</p> <p>4. Set a standard item to share information on safeguarding – particularly on performance on safeguarding at the Senior Manager Network</p> <p>5. Ensure all strategic and operational groups across the authority dealing with the welfare of children and young people have an appropriate safeguarding representative e.g. the Integrated Youth Offer Group; Well-Being Group</p>	<p>WASCG</p> <p>Chief officers</p> <p>Chief officers/ team managers</p> <p>Head of Governance, Engagement &amp; Improvement</p> <p>Chief officers / Safeguarding Unit</p>	<p>August 2016</p> <p>August 2016</p> <p>September 2016</p> <p>September 2016</p> <p>September 2016</p>	<p>WAO study 2015, Ellis Williams review 2015, MCC Internal Audit Service review 2016 and WASCG review</p>

Priority	Profile	Key actions	Accountable Officer/s	Start timescales	Source of evidence
		<p>6. Tighten the safeguarding assessments by officers in reports to select committees and Cabinet to strengthen scrutiny and decision making</p> <p>7. Carry out a safeguarding survey every two years for staff and members on safeguarding awareness based on the WAO survey questions</p>	<p>Head of Governance, Engagement &amp; Improvement</p> <p>Safeguarding Unit</p>	<p>Ongoing</p> <p>January 2017</p>	
<p><b>3. Embed safe recruitment across the authority and in schools:</b></p>	Corporate	<p>1. Develop service plan measures on safeguarding &amp; provide quarterly updates on performance via the Hub to ensure that all officers in regulated posts are DBS checked and all officers in regulated posts are trained to level 1 and level 2 as appropriate</p> <p>2. Introduce a standard agenda item on monitoring DBS checks and safeguarding training at all DMT meetings</p> <p>3. Report on the SAFE audits to the WASCG and to DMTs on settings within the DMT brief to ensure robust monitoring</p> <p>4. Implement a robust mechanism in each directorate for identifying staff, agency workers and ancillary staff (e.g. foster carers) needing reference checks, DBS checks and safeguarding training and ensure a robust system on recording compliance</p> <p>5. Tighten DBS checks and checks on the delivery of safe recruitment training for all school governors and school staff</p>	<p>All team managers</p> <p>Chief officers</p> <p>Safeguarding Unit</p> <p>Chief officers / team managers</p> <p>Chief officer CYP / EAS / Employee</p>	<p>April 2016</p> <p>August 2016</p> <p>August 2016</p> <p>September 2016</p> <p>September 2016</p>	<p>Estyn inspection 2012, WAO study 2015, Ellis Williams review 2015, MCC Internal Audit Service review 2016 and WASCG review</p>

Priority	Profile	Key actions	Accountable Officer/s	Start timescales	Source of evidence
		<p>and provide monitoring reports to CYP DMT and to WASCG on the need and level of compliance</p> <p>6. Identify elected members who work in regulated activity with vulnerable groups (as defined by the Safeguarding Vulnerable Groups Act 2006) and ensure DBS compliance</p> <p>7. Introduce a module on safeguarding within the corporate staff induction process</p> <p>8. Ensure an up to date recruitment policy on recruitment</p> <p>9. Carry out sample audits on safe recruitment and safeguarding processes and report to the WASG for follow up / intervention</p>	<p>Services</p> <p>Head of Governance, Engagement &amp; Improvement / Safeguarding Unit</p> <p>Safeguarding Unit / Employee services</p> <p>Employee services</p> <p>MCC Internal Audit Service</p>	<p>September 2016</p> <p>September 2016</p> <p>September 2016</p> <p>September 2016</p>	
4. Ensure a programme of safeguarding training	Corporate	<p>1. Develop and deliver a training programme for volunteers</p> <p>2. Implement a programme of safeguarding training for all staff and members – for instance on the influence of Domestic Abuse, on PREVENT awareness and referral and on the Social Services and Wellbeing Act 2014 - in complying with the duty to report Adults at risk and in delivering on 'Adult Protection Orders'</p>	<p>Volunteer Coordinator / Safeguarding Unit</p> <p>Chief officer SC&amp;H/ head of Adults Service/ Adults Safeguarding manager</p>	<p>July 2016</p> <p>September 2016</p>	<p>WAO study 2015, Ellis Williams review 2015, MCC Internal Audit Service review 2016 and WASCG review, Gwent Wide</p>

Priority	Profile	Key actions	Accountable Officer/s	Start timescales	Source of evidence
		<ul style="list-style-type: none"> <li>3. Deliver safe recruitment training to school governors and school staff</li> <li>4. Deliver safeguarding training to private settings at a nil cost as far as possible e.g. in completing SAFE audits and risk assessments</li> <li>5. Deliver preventing risks training to vulnerable adult groups</li> </ul>	<ul style="list-style-type: none"> <li>Safeguarding Unit / Employee services</li> <li>Safeguarding Unit</li> <li>Workforce Development manager Adults Services</li> </ul>	<ul style="list-style-type: none"> <li>September 2016</li> <li>Ongoing</li> <li>by April 2017</li> </ul>	Safeguarding Adults Board action plan SSWB Act code 7
<p>5. Ensure the safeguarding strategy supports the work around Domestic Abuse</p>	Corporate	<ul style="list-style-type: none"> <li>1. Participate to shape regional work on Domestic Abuse</li> <li>2. Ensure safeguarding practices and training recognise the impact of domestic abuse</li> <li>3. Ensure cases are referred and that vulnerable people are supported to access the right intervention points</li> </ul>	<ul style="list-style-type: none"> <li>WASCG</li> <li>Actions 2-3: Head of Adults Services / Head of Children's Services</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> <li>Ongoing</li> <li>Ongoing</li> </ul>	
<p>6. Ensure volunteers engaged by MCC direct and engaged through partnership arrangements are SAFE - DBS checked, safeguarding trained and consistently</p>	Corporate	<ul style="list-style-type: none"> <li>1. Implement the volunteer toolkit underpinned by a "Leading volunteers training" programme to provide a clear framework on safeguarding for volunteers</li> <li>2. Review the volunteer policy and the approach taken across services in recruiting volunteers to ensure parity with the safeguarding requirements for MCC employed staff</li> </ul>	<ul style="list-style-type: none"> <li>Volunteer Coordinator for actions 1 to 3 and 5 and 6</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> <li>July 2016</li> </ul>	MCC Internal Audit Service review 2016 and WASCG review

Priority	Profile	Key actions	Accountable Officer/s	Start timescales	Source of evidence
<b>applying the Council's safeguarding approach</b>		<ol style="list-style-type: none"> <li>3. Develop a database to monitor volunteers working with the authority who are supporting children, young people and adults, including on references, DBS checks and training needs and ensure data protection on the shared access to information</li> <li>4. Develop a system to assess volunteer training needs and monitor the level of take up</li> <li>5. Engage with GAVO to raise safeguarding awareness and raise the profile on safe volunteers</li> <li>6. Devise a recognised approach to deal with volunteer non-compliance or "unsafe" practices</li> </ol>	Volunteer Coordinator/ Partnership manager	<p>July 2016</p> <p>July 2016</p> <p>July 2016</p> <p>September 2016</p>	
<b>7. Ensure services delivered through commissioned arrangements and with partners that support children, young people and adults are safe</b>	Corporate	<ol style="list-style-type: none"> <li>1. Raise awareness across directorates on the authority's safeguarding expectations in relation to negotiating, procuring and reviewing contracts</li> <li>2. Give guidance to third sector and voluntary groups on the authority's Safeguarding policy and strategy expectations</li> <li>3. Ensure the Safeguarding policy and strategy expectations are explicit in contractual specifications e.g. on workforce reference checks &amp; recruitment arrangements and monitor compliance of the contracts (also including via service plans actions and measures)</li> </ol>	Chief officers / Service managers for actions 1 to 3	<p>August 2016</p> <p>Ongoing</p> <p>Ongoing</p>	WAO study 2015, MCC Internal Audit Service review 2016 and WASC review



Priority	Profile	Key actions	Accountable Officer/s	Start timescales	Source of evidence
		4. Provide guidance and advice to schools on integrating the Safeguarding policy and strategy expectations into contractual specifications e.g. on workforce reference checks & recruitment arrangements, on monitoring compliance of the contracts and also, in letting agreements	Safeguarding Unit / Employee services	September 2016	
<b>8. Share information and good practice on safeguarding outside the authority</b>	Corporate	<ol style="list-style-type: none"> <li>Promote safeguarding discussions and relationships with private residential homes for adults, children and young people to ensure essential safeguarding information and good practice is shared</li> <li>Participate in the South East Wales Consortium (SEWC) Safeguarding in Education Sub Group (SEG) to standardise and share good practice across the region and nationally</li> <li>Participate in the South East Wales Regional Safeguarding Boards for Adults and for Children to standardise and share good practice across the region</li> <li>Work with the South East Wales Regional Safeguarding Boards to ensure information is shared across all professionals and with families</li> <li>Ensure the annual reports of the South East Wales Regional Safeguarding Boards are systematically filtered through the WASCG for action and review</li> </ol>	Safeguarding Unit on all actions	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Annually on receipt of action plans and end of year reports</p>	WAO study 2015, Ellis Williams review 2015 and WASCG review

Priority	Profile	Key actions	Accountable Officer/s	Start timescales	Source of evidence
<b>9. Ensure settings for children and young people are SAFE</b>	Children & young people	1. Continue to monitor the SAFE audit process and report to the WASCG and to DMTs	Safeguarding Unit	July 2016	Estyn inspection 2012, MCC Internal Audit Service review 2016 and WASCG review
		2. Complete and monitor a needs analysis / compliance record on safeguarding training for directorate staff, agency workers and volunteers operating in settings used by directorates	Chief officers / Service managers	September 2016	
		3. Revise the Safeguarding policy for Child Protection and the Financial Instructions to schools on hiring premises for children and young people's activities and guide staff across the authority and in schools in letting and hiring premises	Safeguarding Unit / CYP Finance Service Manager	September 2016	
		4. Incorporate the inspection of non-maintained settings into the SAFE process	Safeguarding Unit	September 2016	
<b>10. Improve the flow of information and the front door processes among professionals supporting children and young people</b>	Children & young people	1. Pilot access to Plant (the Children's Services recording system) with designated CYP officers and schools	Actions 1 – 2 Safeguarding Unit / Chief officer CYP / school heads	April 2016	CSSIW inspection 2014 and WASCG review
		2. Monitor and evaluate the pilot and if successful roll out to all schools			
		3. Improve integrated working between partnership preventative services and the statutory front door managed through Children's Social Services	TAF Coordinator / Children's Services managers	June 2016	
<b>11. Ensure adherence to recognised processes and practices in Children's Services to</b>	Children & young people	1. Respond to the findings of the Excellence in Children's Services review by the Institute of Public Care (IPC) assessment of Children's Services	Chief officer, SC&H / Head of Children's Services	June 2016	CSSIW inspections 2014 and 2016

Priority	Profile	Key actions	Accountable Officer/s	Start timescales	Source of evidence
<b>assure child protection</b>		<p>2. Implement a quality assurance framework based on best practice identified by the Wales Audit Office (e.g. Neath &amp; Port Talbot) within Children's Services through SCS&amp;H DMT, SLT, CYP select committee and Cabinet and intervene as necessary to drive improvement</p> <p>3. Respond to the findings out of the CSSIW inspection of Children's Services in June 2016 and keep actions under monitoring and review</p> <p>4. Implement regular staff appraisal with directorate and agency staff to ensure laid down processes and practices are applied and to challenge / support non compliance</p>	<p>Chief officer, SC&amp;H / Chief Executive / Council Leader / CYP select committee chair</p> <p>Chief officer, SC&amp;H / Head of Children's Services / Chief Executive / Cabinet member with safeguarding portfolio</p> <p>Head of Children's Services / Children's Service managers</p>	<p>July 2016</p> <p>July 2016</p> <p>July 2016</p>	
<b>12. Ensure schools comply with safeguarding processes and practices</b>	Children & young people	<p>1. Ensure schools' safeguarding policies are annually reviewed</p> <p>2. Ensure the findings out of the SAFE audits are reported to the CYP DMT, WASCg and schools and intervene as necessary to drive improvement</p>	<p>Chief officer CYP / school heads / chairs of governors</p> <p>Safeguarding Unit/ Chief officer CYP / school</p>	<p>Annually</p> <p>Ongoing</p>	Estyn inspection 2012 and WASCg review

Priority	Profile	Key actions	Accountable Officer/s	Start timescales	Source of evidence
			heads / chairs of governors / WASC		
<b>13. Engage with children and young people to support them in keeping safe</b>	Children & young people	<ol style="list-style-type: none"> <li>1. Carry out an 18 monthly survey with young people to assess what makes them feel safe and unsafe and develop and monitor an action plan based on responses to the survey</li> <li>2. Provide generic and targeted information and training to young people on keeping safe such as managing relationships, self-harm, bullying and cyber bullying and sexual exploitation</li> </ol>	Youth Service Manager / Safeguarding Unit LOSIE for actions 1 and 2	(2017/18 – included to give coverage)  Ongoing	Estyn inspection 2012 and WASC review
<b>14. Ensure settings for adults are SAFE</b>	Adults	<ol style="list-style-type: none"> <li>1. Assess performance on safeguarding as part of external providers' application for quality accreditation</li> <li>2. Ensure the Safeguarding policy and strategy expectations are explicit in contractual specifications with external adults' service providers</li> <li>3. Provide reports to the CARE provider forum to assess lessons learnt from an assessment of safeguarding processes</li> <li>4. Extend quality assurance feedback to service users via an apps on safeguarding criteria</li> </ol>	Actions 1 – 3: Lead Commissioner Quality Assurance/ Supporting People  Adults Safeguarding managers	Ongoing  July 2016  Ongoing  September 2016	WASC review
<b>15. Improve the flow of information and the</b>	Adults	<ol style="list-style-type: none"> <li>1. Improve integrated working between the third sector and community services and the statutory front door managed</li> </ol>	Head of Adults Services / Changing	Ongoing	WASC review

Priority	Profile	Key actions	Accountable Officer/s	Start timescales	Source of evidence
front door processes among professionals supporting adults		through Adults' Services	Practice/Changing Lives lead officer		
16. Ensure adherence to recognised processes and practices in the Adults Service to assure adult protection	Adults	<ol style="list-style-type: none"> <li>Contribute to review the All Wales POVA policy and procedures and implement once finalised</li> <li>Ensure the quality assurance of external providers reflects key developments in adults safeguarding</li> <li>Implement regular staff appraisal with directorate and agency staff to ensure laid down processes and practices are applied and challenge / support any non-compliance</li> </ol>	<p>Adults Safeguarding manager</p> <p>Lead Commissioner Quality Assurance/ Supporting People</p> <p>Head of Adults Service / Service managers</p>	<p>September 2016</p> <p>Ongoing</p> <p>Ongoing</p>	WASCG review
17. Engage with adults to support them in keeping safe	Adults	<ol style="list-style-type: none"> <li>Promote CHAT as an engagement activity with adults in care homes</li> <li>Implement the regional safeguarding questionnaire for adults subject to safeguarding processes</li> </ol>	<p>Adults Safeguarding manager</p> <p>Adults Safeguarding manager / GWASB</p>	<p>Ongoing</p> <p>January 2017</p>	WASCG review
18. Protect vulnerable older people in their home	Adults	<ol style="list-style-type: none"> <li>Liaise with the Trading Standards service to identify vulnerable adults at home via the "sucker lists"</li> </ol>	Environmental Services manager / Adults Safeguarding	Ongoing	

Priority	Profile	Key actions	Accountable Officer/s	Start timescales	Source of evidence
		<ol style="list-style-type: none"> <li>2. Work with the Police and Housing associations to monitor and intervene on anti-social behaviour to protect vulnerable adults</li> <li>3. Share information with Police and Housing Associations to protect vulnerable people preyed on by gangs</li> <li>4. Develop a process to warrant appropriate MCC officers to apply for Adult Protection Orders</li> </ol>	<p>manager</p> <p>Actions 2 – 3: Adults Safeguarding manager / Project Officer Anti-social Behaviour</p> <p>Adults Safeguarding manager</p>	<p>Ongoing</p> <p>Ongoing</p> <p>September</p>	
19. <b>Support the Gwent Wide Safeguarding Adults Board (GWASB)</b>	Adults	<ol style="list-style-type: none"> <li>1. Contribute to develop preventative approaches to safeguard adults through the GWASB</li> <li>2. Ensure that regional priorities are focused through the work of the authority on adult safeguarding</li> <li>3. Review the mechanisms in place in the authority and in working with partners for early identification of domestic abuse</li> </ol>	<p>Actions 1-3: Head of Adults Services / Adults Safeguarding manager</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	

## **Monmouthshire County Council Whole Authority Safeguarding Coordinating Group (WASG)**

### **Membership of the WASG:**

The membership of the Whole Authority Safeguarding Coordinating Group will in the main constitute chief officers and heads of service as a leadership core. Lower organisational tier officers will also participate in the group as specifically designated.

Chief officers will be expected to designate nominees in their absence, but the nominees must be at a sufficiently strategic level to take decisions and take action in representation and will need to be agreed with the Chief Officer, Social Care and Health.

### **Officers designated to form the WASG:**

Chief Officer for Social Care and Health  
Chief Officer for Children and Young Peoples Services  
Head of Operations  
Head of Adults Services  
Head of Children's Services  
Head of Governance, Engagement & Improvement  
Head of Community Led Delivery  
Head of Tourism, Leisure and Culture  
Safeguarding Unit Manager  
Monmouthshire Housing manager  
Monmouthshire Youth Service manager  
Interim HR Manager  
Programme lead on Volunteering

### **The purpose of the WASG:**

- To steer the whole authority safeguarding strategy and support programme and keep under review
- To delegate responsibilities as a collective group to WASG representatives on accountabilities for safeguarding
- To monitor progress and performance against the whole authority safeguarding strategy support programme and measures scorecard, to hold others to account across directorates and intervene as necessary

- To report progress and performance against the whole authority safeguarding strategy support programme and measures scorecard to senior leaders and elected members and to respond to challenge
- To act as champions to embed safeguarding through service planning and in day to day operational delivery and ensure directorates mainstream safeguarding practices within directorate activities
- To ensure that designated WASG members represent the authority on the Regional Safeguarding Boards for Adults and for Children and Young People and that they contribute to develop the regional safeguarding action plans and the boards' work. Also, that information on work undertaken by the boards is shared with the WASG
- To ensure safeguarding representation on group working arrangements both within and outside the authority in relation to wellbeing and safeguarding support to adults and to children and young people
- To act as a conduit to ensure an information flow to the Senior Leadership Team and to Directorate Department Management Teams on safeguarding and ensure information is cascaded through service teams
- To share best practice on safeguarding and ensure good practice is shared among service teams
- To participate as nominated by the WASG in external regulation and inspection on safeguarding matters, which may be in addition to any other authority designated accountabilities

### **WASG meeting arrangements:**

WASG will systematically meet on a 2 monthly cycle. Flexibility will be used to call meetings outside this cycle if necessary.

### **WASG reporting arrangements:**

The WASG will systematically report to the Senior Leadership Team, directorate Department Management Teams, the Adults and Children and Young People Select Committees, the Cabinet and the Council. The Chief Officer for Social Care, Safeguarding and Health will keep the Cabinet member with portfolio up to date on key safeguarding matters.



## Appendix 4:

### Future Generations Evaluation

(includes Equalities and Sustainability Impact Assessments)



monmouthshire  
sir fynwy

<p><b>Name of the Officer</b> completing the evaluation</p> <p>Teresa Norris</p> <p><b>Phone no:</b> 07771387935 <b>E-mail:</b> <a href="mailto:teresanorris@monmouthshire.gov.uk">teresanorris@monmouthshire.gov.uk</a></p>	<p><b>Please give a brief description of the aims of the proposal</b></p>
<p><b>Name of Service</b></p> <p>Policy &amp; Performance Unit</p>	<p><b>Date Future Generations Evaluation form completed</b></p> <p>15<sup>th</sup> June 2016</p>

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


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





Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>X</p>	<p>X</p>

<b>Well Being Goal</b>	<b>Does the proposal contribute to this goal? Describe the positive and negative impacts.</b>	<b>What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?</b>
<b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	X	X
<b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood	People in Mouthshire will be better safeguarded through a safe workforce, including volunteer and commissioned providers. Applied practices and processes will be safe and so ultimately people should feel and be safe	A strategy that sets out explicit responsibilities underpinned by a comprehensive activity programme and a robust measures scorecard will drive the safeguarding approach to ensure weaknesses in structure, steer, practice and accountability are addressed
Page 52  <b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected	People in Mouthshire will be better safeguarded through a safe workforce, including volunteer and commissioned providers. Applied practices and processes will be safe and so ultimately people should feel and be safe.  This work will drive activity and accountability with the regional boards on safeguarding and also with partners, volunteers and commissioned services to ensure connections are made so that people too are connected.	A strategy that sets out explicit responsibilities underpinned by a comprehensive activity programme and a robust measures scorecard will drive the safeguarding approach to ensure weaknesses in structure, steer, practice and accountability are addressed
<b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental	The approach will support people in being and feeling safe	A strategy that sets out explicit responsibilities underpinned by a comprehensive activity programme and a robust measures scorecard will drive the safeguarding approach to ensure

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?
wellbeing		weaknesses in structure, steer, practice and accountability are addressed
<b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	X	X
<b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances	The approach does not discriminate but will support everyone across all ages, religions, race and cultures.	Procedures are in place to report and deal with allegations that contravene safeguarding practices and give rise to concerns around workforce and / or other providers working with / on behalf of the authority. Robust monitoring and review will be an integral part of the approach to ensure and assure there is no complacency.

**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>	The proposal has assessed the position to date and considered what needs to be done going forward. From this it has set a programme that delivers short term that fits as part of and will underpin a longer term and more sustainable way.	A strategy that sets out explicit responsibilities underpinned by a comprehensive activity programme and a robust measures scorecard will drive the safeguarding approach to ensure weaknesses in structure, steer, practice and accountability are addressed

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><b>Collaboration</b></p>	<p>The proposal sets out clearly that there are expectations of partners and others to deliver the new safeguarding approach and in line with this, expectations of those accountable within the authority in assuring this is delivered. There are already partnerships embedded around safeguarding and which should be strengthened through the approach.</p>	<p>As part of the new approach, there are clear actions set to build the interaction between MCC services and other providers. This will also be facilitated through the new Social Services and Wellbeing Act Wales 2014.</p>
 <p>Involving those with an interest and seeking their views</p> <p><b>Involvement</b></p>	<p>This is implicit within the entry above and through a key part of how the Public Service Board will act and through delivering on new Social Services and Wellbeing Act Wales 2014.</p>	<p>None that are explicit at this point in time but that will be provided through the arrangements described.</p>
 <p>Putting resources into preventing problems occurring or getting worse</p> <p><b>Prevention</b></p>	<p>The approach will be delivered through existing resources, but the intention of the whole approach is to prevent problems safeguarding occurring.</p>	<p>N/A</p>
 <p>Considering impact on all wellbeing goals together and on other bodies</p> <p><b>Integration</b></p>	<p>Integration is an implicit part of the approach. Regional and authority level working should be strengthened as should authority and external provider and authority and volunteer working. This in turn should positively impact on individuals and communities. Similarly, it should drive a better use of resources.</p>	

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

<b>Protected Characteristics</b>	<b>Describe any positive impacts your proposal has on the protected characteristic</b>	<b>Describe any negative impacts your proposal has on the protected characteristic</b>	<b>What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?</b>
Age	The adult population will become an integral part of the new safeguarding approach and so all ages will be appropriately focused.	None	N/A
Disability	Nothing additional	Nothing additional	N/A
Gender reassignment	Nothing additional	Nothing additional	N/A
Marriage or civil partnership	Nothing additional	Nothing additional	N/A
Pregnancy or maternity	Nothing additional	Nothing additional	N/A
Race	Nothing additional	Nothing additional	N/A
Religion or Belief	Nothing additional	Nothing additional	N/A
Sex	Nothing additional	Nothing additional	N/A

<b>Protected Characteristics</b>	<b>Describe any positive impacts your proposal has on the protected characteristic</b>	<b>Describe any negative impacts your proposal has on the protected characteristic</b>	<b>What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?</b>
Sexual Orientation	Nothing additional	Nothing additional	N/A
Welsh Language	Nothing additional	Nothing additional	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>

<b>Page 59</b>	<b>Describe any positive impacts your proposal has on safeguarding and corporate parenting</b>	<b>Describe any negative impacts your proposal has on safeguarding and corporate parenting</b>	<b>What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?</b>
Safeguarding	<p>People in Mouthshire will be better safeguarded through a safe workforce, including volunteer and commissioned providers. Applied practices and processes will be safe and so ultimately people should feel and be safe.</p> <p>This work will drive activity and accountability with the regional boards on safeguarding and also with partners, volunteers and commissioned services.</p>	None. The point is to improve safeguarding	A strategy that sets out explicit responsibilities underpinned by a comprehensive activity programme and a robust measures scorecard will drive the safeguarding approach to ensure weaknesses in structure, steer, practice and accountability are addressed

Corporate Parenting	<p>Looked After Children in Mouthshire will be better safeguarded through a safe workforce, including volunteer and commissioned providers. Applied practices and processes will be safe and so ultimately children should feel and be safe.</p> <p>This work will drive activity and accountability with the regional boards on safeguarding and also with partners, volunteers and commissioned services.</p>	None. The point is to improve safeguarding	A strategy that sets out explicit responsibilities underpinned by a comprehensive activity programme and a robust measures scorecard will drive the safeguarding approach to ensure weaknesses in structure, steer, practice and accountability are addressed
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**5. What evidence and data has informed the development of your proposal?**

Page 57	<p>Estyn report 2016          CSSIW report 2014 and updated feedback 2015          Monmouthshire's Safeguarding Policy          The current constitution and terms of reference of the Whole Authority Safeguarding Coordinating Group          The Internal Audit Service report on safeguarding 2015          The Wales Audit Office study on safeguarding 2015          The Ellis Williams report on safeguarding 2015          The Whole Authority Safeguarding Coordinating Group assessment 2016</p>
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**6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

<p>None extra in the light that the impact on the considerations throughout this evaluation were fundamental to developing the proposal from the onset.</p>
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**7. ACTIONS:** As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

What are you going to do	When are you going to do it?	Who is responsible	Progress
None			

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

<p><b>The impacts of this proposal will be evaluated on:</b></p> <p>The impact of the approach will be evaluated continuously</p>	<p>The Whole Authority Safeguarding Coordinating Group will evaluate the approach continuously and report to Cabinet and Council members cyclically</p>
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Page 5

**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.	Council meeting	28 <sup>th</sup> July 2016	<i>This will demonstrate how we have considered and built in sustainable development throughout the evolution of a proposal.</i>



<b>SUBJECT:</b>	<b>Annual Report of the Statutory Director of Social Services</b>
<b>MEETING:</b>	<b>Cabinet</b>
<b>DATE:</b>	<b>6<sup>th</sup> July 2016</b>
<b>DIVISIONS/WARDS AFFECTED:</b>	<b>All</b>

## **1 PURPOSE**

- 1.1 To provide Cabinet members with the Annual Report of the Statutory Director of Social Services.

## **2 RECOMMENDATIONS**

- 2.1 That Cabinet members consider and endorse the analysis in 2015/16 Annual Report of the Statutory Director of Social Services concerning the performance, and impact, of adult and children's social care and health services over the last financial year.
- 2.2 That Cabinet members also consider and endorse the 2016/17 areas for improvement set out in the report to address the critical risk and developmental issues in social care and health.

## **3. KEY ISSUES**

- 3.1 This is the Annual Report of the Statutory Director of Social Services, and reflects on the financial year of 2015/16. The report is intended to reflect on progress in delivering the priorities for 2015/16 set out in last year's annual report, performance for that year, and, maps out the key areas for development and improvement in 2016/17. It enables the Care and Social Services Inspectorate for Wales (CSSIW) to test out whether our assessment of progress and development is consistent with the range of evidence gathered and presented to them as well as their direct experience through site visits, regulatory activity and themed inspections. The format of the report is a matter for each Director and Council, but the Director must report on performance and risk and set out plans for improvement in relation to getting help; services provided; the effect on people's lives; shaping services; delivering social services; and providing direction. The annual report provides an opportunity to reflect on what we are doing to make a difference to the lives of the most vulnerable citizens of Monmouthshire, what we do well, and where we need to do even better. The report explains the context in which we are working and how we will improve and modernise.
- 3.2 This Annual Report, alongside the appended reports from the Head of Adults and Head of Children's Services is a balanced analysis of Social Care and Health in Monmouthshire. There is some excellent, leading edge, practice, workforce development, service provision and commissioning. The remodelling

of care at home through the roll out of the Raglan Project is just one example of where this is the case. There are also areas where we need to accelerate an ambitious programme of sustainable improvement. An in-depth review of children's social services has highlighted too much variability in the way we support children and young people. The overall message in this report is that we are one Social Care and Health department and it is important that we organise ourselves, and align our programmes of work and resources, to address inconsistency in standards and the outcomes for our citizens.

- 3.3 The Annual Report articulates a vision and associated priorities for Social Care and Health in Monmouthshire which seeks to build on the many strengths that exist with the aim of delivering consistently excellent outcomes across the board. This is within the context of the new legislative framework for Social Services in Wales, the Social Services and Well-being (Wales) Act (2014), the increasing challenges of demography which could significantly increase demand for social services, and reducing budgets. The annual report demonstrates how the further transformation of social care and health in Monmouthshire is a key part of the work to shape Future Monmouthshire. So much of the success of social care and health is dependent on resilient people, families and communities who live the lives they want to live without the need for care and support from statutory social services.

#### **4. REASONS**

To ensure that:

- 4.1 The Annual Report of the Statutory Director of Social Services is given due consideration by Cabinet.

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

The Annual Report sets out the financial performance of Social Care and Health in 2015/16. It describes the financial context and challenges for coming year and beyond.

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

The report gives a performance appraisal and priorities for improvement. There are no Wellbeing of Future Generations Implications and in this context, an assessment form is not provided. The report provides analysis of safeguarding performance and priorities.

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

Social Care and Health DMT  
Senior Leadership Team

**9. AUTHOR:**

Claire Marchant, Chief Officer, Social Care and Health

**10. CONTACT DETAILS:**

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Telephone: 01633 644487 / 07507710595

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# *Changing Practice, Changing Lives*



## **Annual Report of the Statutory Director of Social Services Monmouthshire County Council**

## **Forward**

This is my first annual report as Statutory Director of Social Services with Monmouthshire County Council. Having taken up my position in November 2015, it is both a privilege, and a considerable responsibility, to start to understand, lead and shape the improvement of outcomes for the most vulnerable people within this County. Like many other local authorities in Wales, Monmouthshire is faced with the twin challenges of declining budgets and an ageing population. Against this backdrop doing more of the same is not an option; nor is doing the same things differently. We are building an evidence base in Monmouthshire that doing different things, better, and for the right reasons, is also more cost effective and by far the best way forward if we are to manage up to another £25 million reduction in the Council's budget.

In my first months in Monmouthshire, I have overseen the most significant change in Social Care legislation in Wales for over 50 years, the implementation of the Social Services and Well-being (Wales) Act 2014. At the heart of the Act are improved outcomes for people. Whilst much specific to the way that we work with children or adults with care and support needs, there is much more that is common to the way we need to work in a strengths based way with people, families and communities. The model of social care and health I want to lead in Monmouthshire is an integrated approach for the people of our County. The ambition and drive for excellence needs to be felt equally across all social care and health. Much work is needed to level up everything we do, to the leading edge practice that is clearly evident in parts of social care. My leadership challenge is, therefore, to create one social care and health department with a clear vision and purpose, with the right people, practice model and range of service offers. This will mean we are well placed to support achievement of the best possible outcomes for all of Monmouthshire's citizens. My approach to leadership is also strengths based, to ensure we build on what works in the different parts of Social Care and Health, recognising we are stronger when we work in partnership, through a coherent purpose and governance for our workforce, practice and commissioning.

One of the key features I became aware of very quickly when I joined the Council was a difference between the culture, capacity to change, and clarity of service model, between different parts of social care and health in Monmouthshire. The implementation of new ways of working in adult social care is well-recognised as leading the way in Wales and beyond. Conversely, parts of our children's service were displaying signs of fragility – evidenced by variations in practice, high numbers of agency social workers, an absence of commissioning priorities and a considerable financial overspend. Our numbers of looked after children were increasing significantly, from 108 at the start of the year to 129 at year end. We have undertaken in-depth analysis of our current strengths, and areas for improvement, in partnership with the Institute for Public Care (IPC). This tells us there is an urgent need to improve social work practice, management capacity and the services we have access to. These improvements need to be underpinned by a confident, permanent workforce, skilled at working with families and partners in the most challenging of situations to prevent the need for children to become looked after in order to be safe, unless there really is no alternative option. Understanding where we were was the first task. The next phase of the improvement

programme in children's services is focussing on getting the basics right, establishing a permanent workforce who are confident and safe in their practice. This is the highest possible priority for the Council, which is giving extensive corporate support to a programme for improvement in Children's Services led by the Senior Leadership Team, supported by an External Reference Group of recognised experts, who will oversee this programme over the next year and beyond if necessary.

In adult services, the last 4 years has seen a practice led transformation. There has been a focus on improving outcomes for people, development of a coherent model of well-being and prevention, and a modernised set of both provided and commissioned services. These are delivered, by a committed and value driven workforce. This has enabled more adults with care and support needs to live the lives they want to live, often without the need for traditional services. Outcomes for people have improved. Costs have reduced despite the challenges of an ageing population. Services, where they are needed are based on 'what matters' to the individual, strong relationships and high standards. Integrated services for older people are very well established and there are positive relationships with primary care and third sector partners. There is still much to do, and risks to manage, particularly, in the provider market, but the improvement journey is well-established, well led and sustainable. There can be a high level of confidence the improvement programme is embedded and most importantly is actively transforming lives.

There are considerable strengths within Social Care and Health in Monmouthshire, in both adult and children's services which can be built on and developed further. Most importantly, the vast majority of the workforce is hugely committed to the work they do. The Council leadership has invested resources and leadership in supporting the transformation of Social Care and Health. All our workforce needs the same direction, development and aligned systems to do the job they strive to do. We have the building blocks, with collaborative leadership across Social Care and Health, to deliver whole service excellence we aspire to for all our citizens. This next year is about making that a reality.

**Claire Marchant**

**Chief Officer, Social Care, Safeguarding & Health**

**(Statutory Director of Social Services)**

## Our purpose

Our purpose in Monmouthshire is:

*“Building resilient and sustainable communities”*

Three themes underpin all our work in this County: Nobody left behind; People are capable, confident and involved and Our County thrives. As a Social Care and Health we play a key part in all these areas and have agreed our own purpose statement to drive our work:

*“Helping People Live Their Own Lives”*

Given the particular pressures of working with families and vulnerable children we have expanded this to:

*“Enabling families and communities to keep children and young people safe and to reach their own potential”*

## Vision

The vision for Social Care and Health in Monmouthshire is clear; *to maximise opportunity for all people to live the lives they want to live and the positive outcomes they identify*. This informs the priorities and actions for the sustainable Social Care and Health in Monmouthshire in 2016/17 and beyond.

In practice, this means we aim to work with people on the basis of what matters to them, recognising their strengths, capabilities and the resources available to them personally, within their network of family, friends and community. Our model of well-being, care and support is based on what people can do, not their deficits. We are committed to the highest standards of safeguarding. We will work alongside people and with them, not ‘do to them.’ We work with partners, inside and outwith the Council, to intervene early and prevent the need for more intensive interventions, or statutory solutions, unless they are absolutely necessary.

We work with people in the closest circle of support to them, to support an individuals’, or a families’, intrinsic motivation to achieve their own wellbeing outcome or to change. This ensures the creation of more natural and sustainable care and support arrangements specific to the each person or family situation. The image below in **figure 1** depicts pictorially this cycle of care and support radiating outwards from the person themselves through family, friends and community via preventative approaches to managed care and support.



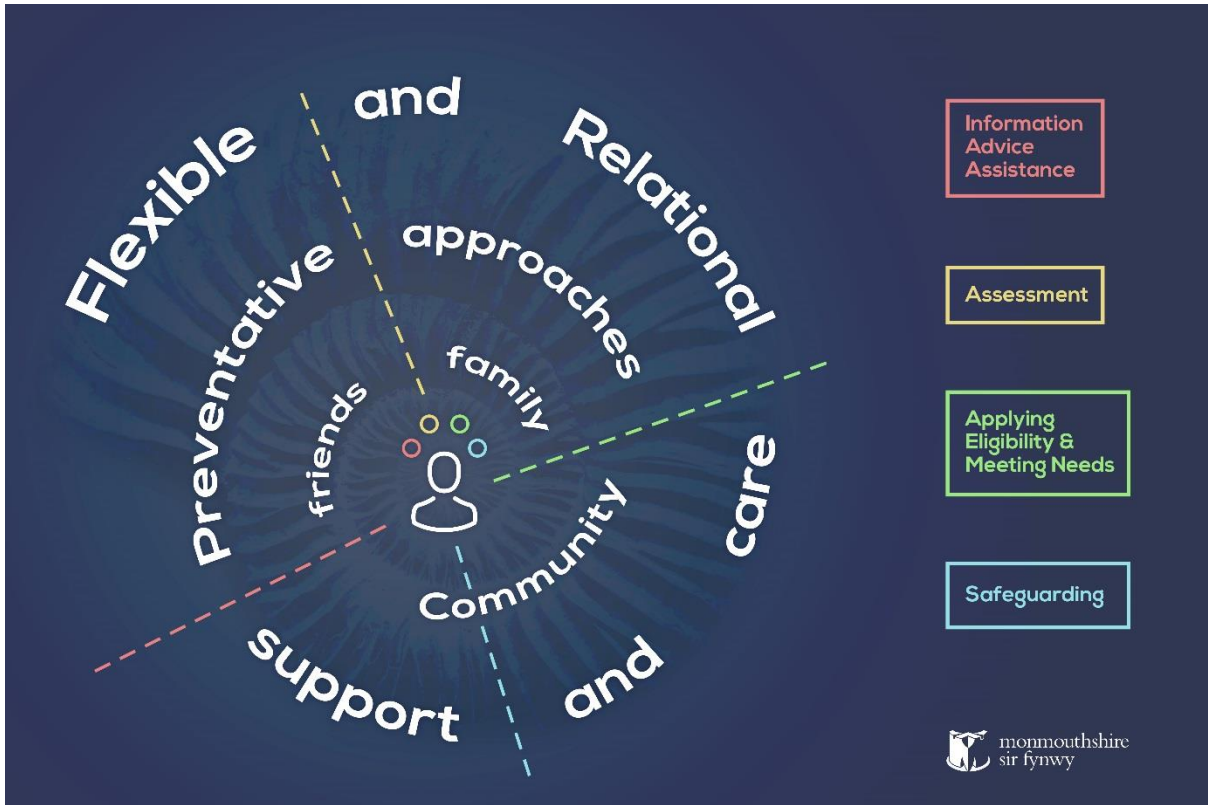


Figure 1

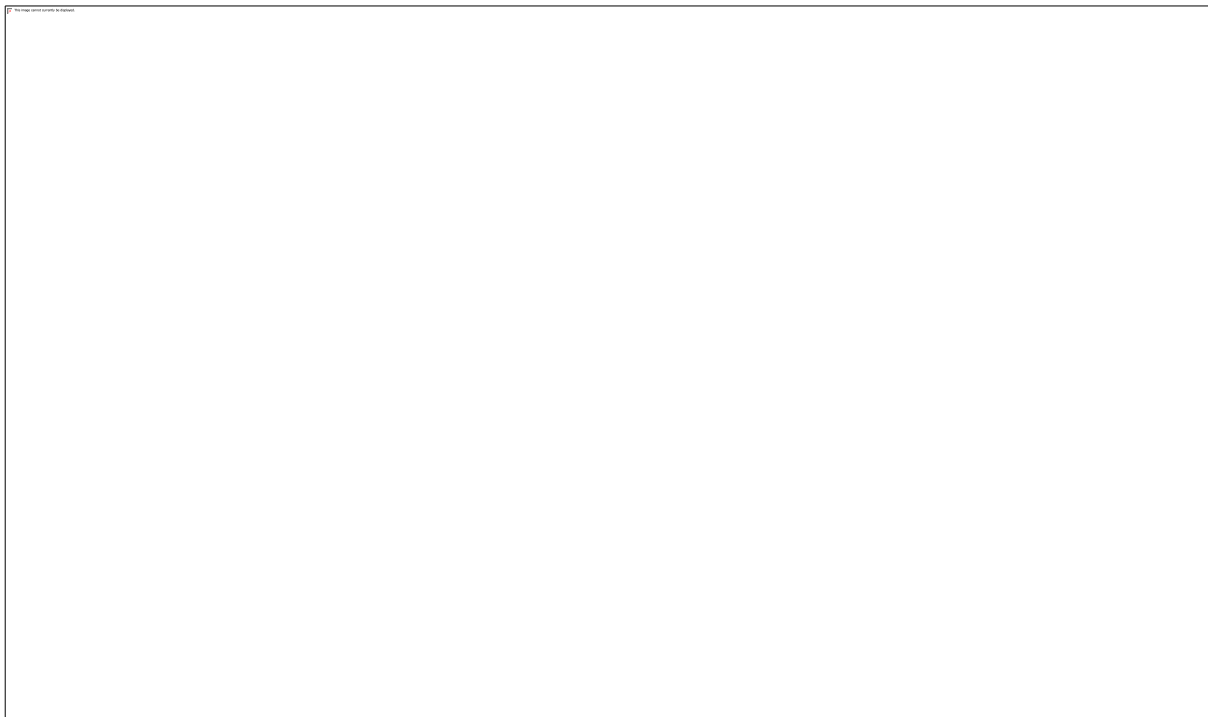
Information, advice and assistance, assessment, applying eligibility and meeting needs and safeguarding vulnerable people are illustrated as cross cutting themes as we undertake these proportionately throughout the cycle of well-being care and support.

## **Social Services and Well-being (Wales) Act (2014)**

**The Act in Action** - This strength based model of well-being, care and support underpins Monmouthshire's approach to implementation of the Social Services and Well-being (Wales) Act. Our social care and health offer will align at every level, and embed operationally, the principles of the Act:

- People's voice
- Partnership
- Early intervention
- Well-being
- Empowerment

The Council is taking a co-ordinated corporate approach to ensure full implementation of the Social Services and Well-being Act. Delivery of the Act is increasingly becoming business as usual. In common with other authorities there are some important areas where 2016/17 is the year when we will develop fully our approach to implementation, as new guidance emerges and we work with regional and local partners, not to 'tick the box', but really embed the Act in practice. We are working in accordance with the vision of *Sustainable Social Services* – that through an increased level of effective earlier intervention / preventative people will be able to be supported without need for managed intensive care and support. Crucially for us this is a place based approach within our communities working closely with community hubs (now incorporating, but not limited to, information and advice, libraries and adult education). These are critical to combatting the scourge that is loneliness and social isolation. **Figure 2** illustrates how we are working closely with all our partners to really create connect people to sustainable solutions within they place live.



The critical areas for the Act implementation are set out in my priorities for improvement later on in this report.

### **Well-being of Future Generations (Wales) Act (2015)**

There is a great deal of synergy between the Well-being of Future Generations (Wales) Act and the Social Services and Well-being (Wales) Act. There is a joined up approach locally, and regionally, for example to the well-being needs assessment and the population needs assessment, to ensure there is a complimentary approach. In setting the priorities for Social Care and Health for 2016/17 and beyond we have been very mindful of the need to balance short-term priorities with the need to safeguard the ability to meet long-term needs. Each detailed policy will be evaluated fully to ensure that the future generations well-being goals are at the heart of everything that is planned and delivered.

### **Future Monmouthshire**

Social Care and Health in Monmouthshire is an integral part of a strategic programme of 'whole-authority' work called 'Future Monmouthshire'. Future Monmouthshire aims to pose a set of questions about our core purpose as a Council, our relationships with communities, citizens and stakeholders and our appetite for economic growth and local prosperity – as we move further forward into a changing public sector landscape. Future Monmouthshire will see the development of a new operating model for the Council in order to equip it to meet its goals amidst increasing change and uncertainty. The new operating model will have a clear purpose: to create the capacity and foresight to develop solutions to some of the county's biggest challenges, ensuring that our Council understands the shifting needs and priorities of communities, positioning itself as an enabler in bringing them about.

The key challenges for Social Care and Health are being addressed through this programme. For the last four years we have managed the tension of growing public demand for services and a reducing funding settlement from the Welsh Government. Our communities are changing: an ageing demography, changing attitudes to community, newly emerging economies which require new skills and capabilities and the growth of digital technologies are all impacting the pattern of life, work and play. The time has come to reconsider the role and purpose of our Council, and Social Care and Health as an integral part. Our financial settlements over the course of the last four years have seen reduction of £10.215million or 10.03% compared to the Welsh average of 6.21%. Looking forward, we can expect to have to find a further £14m over the next four years. In this unchartered territory, answering the question about how we continue to deliver and support sustainable social services and resilient communities, becomes ever more critical.

### **What we do really well**

This section of the report is a flavour of the areas of strengths within Social Care & Health in Monmouthshire. More detail on these, and other achievements, is included in the Heads of Service Annual Reports appended to this Director's Annual Report. There is much to be proud of, and importantly, that people who experience our services, tell us we are doing well.

***Safeguarding is everyone's business*** - Safeguarding is an important area of strength for Monmouthshire. It is highly assuring to have joined an Authority in which safeguarding children and adults is such a high priority for the Council. As Chief Officer for Social Care, Safeguarding and Health, I have responsibility for the Safeguarding and Quality Assurance Unit which has played a key leadership role in supporting the strong progress made by the Council in safeguarding children. This was recognised by Estyn in their monitoring visit in November 2015 which found that the Council has '*responded well*' to recommendations in this area. They also noted that '*the Safeguarding and Quality Assurance Unit (the unit) is a very useful corporate resource*'. Building on success to date, the Whole Authority Safeguarding Co-ordinating Group (WASCG) is now providing leadership on adults as well as children's safeguarding. The safeguarding strategy, work programme and report card will from hereon in cover adults as well as children's safeguarding issues. I am confident that safe recruitment practices are embedded across the Council. This includes the considerable volunteer workforce we benefit from in Monmouthshire. There is a well-developed audit process which means we have a really good understanding of how schools and provider agencies address their safeguarding responsibilities. There are supporting action plans which are actively monitored to address any issues. We actively work through the regional safeguarding boards for children and adults, which are now on a statutory footing. Important reviews (Wales Audit Office, Independent Review of Safeguarding in Monmouthshire by Ellis Williams and Internal Audit) have been undertaken to assess the current safeguarding framework and the learning gleaned has contributed to a stock take of the current position and assess what is needed going forward. Reflection on these reviews by the WASCG has led us to have a focus on mainstreaming safeguarding into service planning across the Authority whilst setting direction, prioritising and managing risk and effectively linking with strategic regional partnerships, through the WASCG.

***Talking about what matters*** - In a number of areas, Monmouthshire social services was in an advanced position prior to the statutory changes in April 2016; particularly, through the *Changing Practice, Changing Lives* programme in adult services. This has delivered a significant change in culture and practice within social work. The 'what matters', strength based approach to assessment and case management is established. Integrated assessment is in place, and is now being rolled out across the rest of the Greater Gwent area. Adult teams in Monmouthshire were part of the National Outcomes pilot. Collaborative Communications training has proved truly transformational to the adult social care workforce in the way they work with people to achieve their well-being outcomes.

***Integrating Health, Social Care & Well-being*** - There is a long history of integrated working in Monmouthshire – health and social care community services for older people work in integrated teams, from integrated bases, under single management arrangements. Following the implementation of the new IT system, NHS employed community nursing and therapy workforce are using a single system. The health and social care workforce have been trained together on the new Act. There are positive relationships with primary care, and the flow from the acute services, through an in-reach model to support hospital discharge, with effective use of community hospital beds, is well-established. There is always more to do, and a priority for this year is to ensure that the place based approach and integrated working is reflected in all teams – learning disabilities, mental health and within children's services; as well as the current integrated teams. We also intend integrating direct service provision

within the 3 integrated bases– Monnow Vale in Monmouth, Chepstow Hospital and Mardy Park in Abergavenny. There are real opportunities to further integrate more health services, primary care and well-being through the Neighbourhood Care Network place based approach. An external academic partner will work with us in 2016 to formally evaluate the success of working in integrated teams over many years.

**Remodelling our service offer** – Models of support have been remodelled to ensure that they are truly person centred and start with the person and their aspiration for a good life. I will give just three examples in this section of the report of those services which have changed to reflect what matters to people and have a strong evidence base of what works:

1. The in-house homecare service now provides a very individual offer of care and support. The development of workforce through a really detailed programme of how to work with people with dementia has supported the very successful roll out of this model. This very different approach to relationship based care at home service was piloted in Raglan and is being rolled out across the County. The pilot has shown that flexible approaches can meet emotional and social needs of people as well as their physical needs. This way of working has also improved wellbeing for staff and awareness and connections with local communities.
2. The second example is the way we support people with disabilities to live their own lives. The 'My Day My Life' approach has broadened opportunities and access to community activities for people. Support staff have taken on a support broker role, working with people one by one, enabling them to overcome barriers to achieve their aspirations and dreams, rather than fitting into a service led solution.
3. The third example, is the further development of the BASE service to provide integrated health and social care support to families (including foster carers and special guardians) working to support children with complex needs. This is a small, psychology led, therapeutic team which is providing direct service interventions and extensive training to the wider workforce and carers, working to an evidence based model of attachment and support. The service aims to sustain non-residential placements which are under pressure and support a model of therapeutic foster carers for children and young people who need additional support.

**Connecting People and Communities** - The Council has invested in new approaches to tackling loneliness and social isolation through development of an 'anatomy of resilience' at both an individual and community level. This is a place based approach to wellbeing and prevention. Community co-ordination and small local enterprise learning pilots have been evaluated. There have been really inspiring successes in the area of volunteering; people who would previously have been recipients of service are actively contributing, which supports their own well-being as well as those of others. A key message is that people need people, and with some initial support communities can sustain their own solutions. The Rogiet Community Café, which is run by the community for the community, is a fantastic example of a sustainable approach to the 'Social Services and Well-being Act in Action'. The next steps include an emphasis on creating wider multi agency response at a local level, and ensuring this is an inclusive approach for children, young people and families – reflecting the focus on 'people'.

## **2015/16 Performance**

2014/15 was a year of considerable improvement against key performance measures. As figure 3 below shows, this was sustained and improved on in some areas, but in other areas performance levels were not sustained.

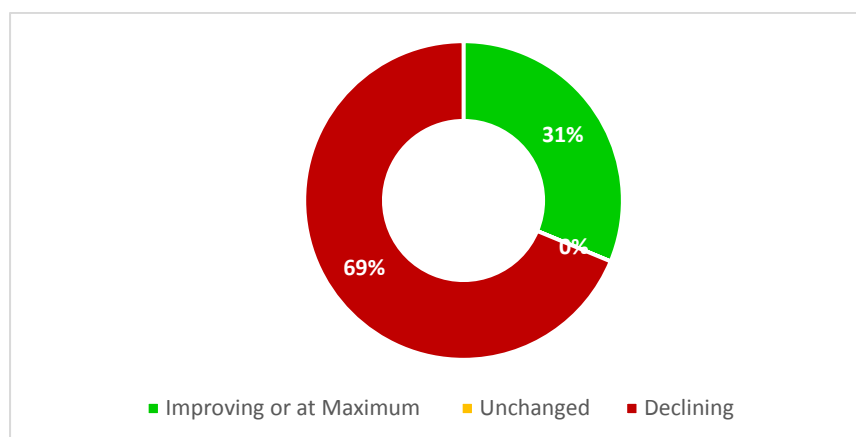


Figure 3

Performance indicators can only ever tell part of the story in any service area. The areas where performance has improved does reflect the intelligence from other sources, quality assurance and talking to people who experience our service, that the service area is well-placed. For example, the increase in the number of reviews of adults with care plans and the on-going reduction in the rate of older people who live in care homes accords with the practice improvement in adult social work teams. It is important to note that whilst the performance indicators are not at the level of the previous year in children’s services; most still show a significant improvement from the 2013/14 position.

	2013/14	2014/15	2015/16*
The number of children looked after at 31 March	103	108	129
The number of children on the child protection register on 31 March	37	49	33
The number (and rate per 1000 population) of older people supported to live at home	56.59 (1134)	52.77 (1091)	53.98 (1148)
The number (and rate per 1000 population) of older people supported in residential settings	11.33 (227)	11.08 (229)	10.96 (233)
The percentage of adult clients who were reviewed during the year	82.1%	84.1%	91.3%
The percentage of carers of adults who were offered their own assessment or review	97.3%	99.7%	98.8%
The percentage of people who were fully independent following reablement	54.6%	52.9%	52.5%
The percentage of surveyed adult service users who were satisfied with the services they received	90%	93%	93%
The percentage of children re-referred to children’s services within a year	13.3%	13.5%	17.8%

The percentage of initial assessments completed within 7 working days	79.1%	76.8%	70.5%
The percentage of Core Assessments completed within 35 working days	86.7%	84.7%	80.0%
The percentage of children looked after or on the child protection register with a social worker	100%	100%	100%
The percentage of reviews of looked after children carried out on time	99.6%	100%	98.5%
The percentage of reviews of children on the child protection register carried out on time	93.9%	95.5%	93.1%
The average education qualification points score of 16 year olds who have been looked after	222	308	241

Table 1

There has been a frustration with performance in the area of Delayed Transfers of Care (DTocS) in the last year. The timely discharge of Monmouthshire citizens from hospitals has long been a strength of integrated working. The integrated teams follow people when they become inpatients and 'reach in' to hospitals to facilitate timely discharge with the right care and support. This has continued to be the case for the last year, but unfortunately, changes in the way that DTocS have been recorded and validated have made it appear as if performance in this very important area of work has deteriorated significantly. In total, health colleagues reported 42 delays for social care reasons, for 26 people, for Monmouthshire residents during 2015/16. Aneurin Bevan University Health Board have confirmed that 12 delays (3 people) were Maindiff Court inpatients with no fixed abode. They had been coded incorrectly as Monmouthshire residents. Removing the Maindiff Court delays leaves us with 30 delays for 23 patients. The breakdown of the delays for these patients is in table 2 below.

Length of delay	Number of patients
< 24 hours	3
1 day	5
2 days	3
3 to 7 days	1
8 to 14 days	3
15 to 28 days	3
29 to 56 days	3
57+ days	2
<b>Total</b>	<b>23</b>

Table 2

10 patients had been delayed for 2 days or less. A small number of patients (5) were delayed more than 29 days, and there are a variety of reasons for this including legal issues relating to safeguarding matters. Understanding the true scale and impact of delays is critical to ensuring that efforts and energy is expended in the right areas to address the complex issues which can lead to long delays, which are so damaging to people's health and well-being.





# How are we doing?

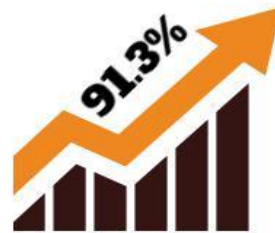
## Social Care and Health in 2015-16



**93%**  
of adults are satisfied with the service they get



**£38m**  
budget for Social Services



**91.3%**  
adult care plans reviewed in 2015-16



**more children looked after**



**84.2%**  
statutory visits to looked after children done on time



**100%**  
of children looked after have a named social worker



**52.5%**  
of people independent after reablement



**42**  
delayed transfers of care from hospital



**223**  
older people in residential care - lowest in Wales



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## **Financial Performance**

This year has seen a challenge on the finance front for Social Care and Health. We had available budget to us of circa £38 million and at year end delivered an overspend of £1.2 million, which included achievement of mandated savings of repayment towards the new IT system.

Within the overall financial position, adult services delivered an underspend of £205,000, against a budget of £29.5million; a fantastic achievement given the budget had reduced by £1.4 million. Particular success has been obtained from practice change within learning disabilities as a strategic area for practice change and budget savings. Another particular area of success has been within the integrated community equipment services, through negotiation of a new cost apportionment methodology as part of a new section 31 agreement. This resulted in a reduction in spend of £90,000 per annum. Investment to facilitate change has been important in adult services – the community co-ordination pilot was supported through reserve investment; Intermediate Care Fund funded a range of initiatives including dementia training for care workforce.

The second half of the financial position is within Children's Services. Following significant investment of £1.321m permanent funding and £153K reserve funding, the outturn was a £1.4million overspend. This is largely due to the increased number of Looked After Children. Numbers rose from 108 to 129. A service and financial plan was approved by Cabinet at the beginning of January, which contained a financial model for achieving financial balance in children's services over a 3 year period. This plan secured an additional £1million investment for the service for 2016/17.

We are currently constructing a commissioning strategy to deal with the increasing Looked After Children numbers and how effectively they can be supported within our financial envelope. All our contracts are being reviewed to determine value for money and statutory funding responsibilities. At the heart of the commissioning strategy is the need to achieve investment in really good family support services which are able to support children and families prior to any statutory intervention by social services, and when they are at the 'edge' of becoming looked after within the care system.

## **Workforce Development and Training**

***Practice Learning (Social Work Students) in Monmouthshire*** - Monmouthshire County Council has well-established partnership agreements with Cardiff University Social Work MA programme and the University of South Wales Newport (USW Newport) Social Work undergraduate degree programme. We arrange up to 30 Practice Learning Opportunities (PLOs) each year. These placements are funded by the Practice Learning Opportunity Funding Scheme this is managed and administered by the Care Council for Wales. We have continued to benefit from strong partnerships with social work and direct care teams within our organisation. Alongside this we have been able to place students in a wide range of third sector organisations. These have provided students with an insight into the varied work undertaken by the third sector.

The Practice Learning Development Officer (PLDO) and Staff Development Officer (SDO) work together to arrange PLOs in statutory agencies and third sector organisations. We provide support for third sector organisations that do not employ social workers and need off-site practice assessment for the students placed with them. Each year the training team provide support for social workers wanting to become practice assessors and to undertake the appropriate post qualifying training. During 2015/16, two social workers completed the Enabling Practice PQ and were mentored by the training team.

We recruited 3 students into various teams across the authority from last year's placement intake, and are looking to strengthen our links with the HEIs with a view to recruiting more efficiently in future years.

**Post-Qualifying Information** – A summary of post-qualifying social work activity is set out below:

- During 2015/16 nine social workers studied for the Consolidation Programme. Two social workers studied for Practice Assessor programmes and became first-time practice assessors
- One senior practitioner completed a module of the CPEL Senior Practitioner Programme, and one social worker completed the first year of the Experienced Practitioner Programme
- Two team managers studied for the Team Manager Development Programme
- One social worker studied for the AMHP programme

**Ensuring our workforce has the knowledge and skills to do their jobs** - there has been a considerable effort to ensure that the workforce has the necessary knowledge to practice in accordance with the Social Services and Well-being (Wales) Act. There has been a regional and local training programme to social services staff and health staff, third sector and independent providers and those most affected in corporate roles. Incorporating the culture shift into practice is being taken forward internally using in-house expertise with the support of the Transformation Team. We have reframed our training strategy to ensure all training provided is aligned with the aspirations, principles and practice enshrined in the Act. Awareness raising has started for other legislation including the Regulation and Inspection Act and the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. In addition, there has been a focus on the skills to meet people's outcomes, recognising the needs of Monmouthshire's population:

- Dementia Care Matters – continuation of last year's training programme across adult social care workforce. This will be rolled out to the workforce of commissioned services from the Autumn of 2016
- Court Skills and Achieving Best Evidence – there will be a regional training programme from September onwards
- Vocational qualifications - in partnership with local FE colleges and independent providers, we have enable staff and foster carers to access QCF qualifications in Health and Social Care L2, L3 and L5 and in the L3 Diploma for Occupational Therapy Support. We are developing our own staff to become QCF assessors.

- Supporting social care providers across the sector to ensure staff delivering services are suitable skilled and qualified to meet the needs of our service users – core training and more specialist content.
- We are part of a Gwent wide programme to develop and deliver an induction programme for informal carers new to the role.
- In partnership with Coleg Gwent, a Welsh for Carers training programme has been developed in recognition of the requirements of Mwy na Geiriau/More than Words.
- Collaborative Communications training has proved transformational for practice in adult social work teams and will be rolled part of a training programme in children’s services in the autumn.

### **Where do we need to do better – Our Priorities for Improvement in 2016/17?**

2015/16 has been a transitional year for social services in Monmouthshire. In addition to changes in statutory leadership, there is also a new Head of Children’s Services appointed in March 2016, following the departure of the former Head of Service in February 2016. The Social Services and Wellbeing (Wales) Act has come into force as the legislative basis for social services in Wales. A new IT system has been implemented which has been designed with practitioners, to reflect the way that they work in accordance with the new Act. In 2016/17 the benefits from these significant changes in leadership, legislation and systems will start to be realised.

As set out in the forward, 2015/16 has been a challenging year for children’s services in Monmouthshire. The service has been focussed on improving practice and performance for a number of years. An action plan to ensure the areas for improvement identified in the inspection undertaken by Care and Social Services for Wales (CSSIW) in November 2014 has driven that improvement. There has been some tangible improvements in key areas such as contact arrangements and working together with partners to achieve best evidence when investigations are needed. There is, however, much still to do. It is critical that the improvements made are embedded sustainably in practice and commissioning. In essence this means we need a permanent children’s services workforce which is confident in practice, who can access a range of evidence based support options which can achieve the best possible outcomes for children and young people; and are delivered within the budget for the service set by the Council on the basis of really understanding the level of investment needed.

Recognising the pressures within the children’s service, one of my first actions as Director was to present a 3 year service and financial recovery plan to the Cabinet, which was approved in January 2016. The plan approved further investment in the service and a clear set of priorities for workforce development, practice improvement, strategic commissioning and financial balance. However, addressing the financial resourcing of the service can only ever be part of the solution. The review undertaken with Institute of Public Care (IPC) to work with the service provided deep analysis of the work required to deliver excellence outcomes in children’s services. This was a very thorough piece, reviewing 40 case files as well as other evidence. The service has fully accepted its findings which reflect, and build on, the analysis within my early report to Cabinet of the areas where action is needed. We need to get the basics right

and organise our workforce to deliver them. I am confident we have a clear understanding and ownership of what our issues are.

It is clear that getting social work practice right is the absolute key to sustainable improvement in children's services. Whilst it is important to acknowledge there is some excellent, child centred practice evident in assessments and care plans, practice is too variable and not supported systemically. As noted above, improvements in performance indicators achieved in 2014/15 were not sustained. The workforce, which included significant numbers of agency staff, struggled to manage the demand upon it, particularly when periods of unavoidably high levels of absence from work occurred during the summer of 2015.

The granularity of the analysis underlying the variation in practice and performance over the last 2 years has given me, as the new statutory director, a really in-depth understanding of where the focus of the improvement programme needs to be. Some areas identified required immediate address; most critically how we work as a service, and with partners, to ensure referrals to children's services are managed so decisions on further action are made immediately (i.e. within 24 hours), and secondly how administrative staff support the social work duty system. The other critical areas form part of the children's services improvement programme and are actively being addressed in a prioritised way which recognises both the need for pace, and, based on experience of elsewhere of sustainable cultural and practice change, the realistic timescales to really embed different ways of working.

The critical areas of improvement to highlight are:

- The need for a really well articulated model of social work practice, so that 'what good looks like' in children's social services is understood by everyone working in, and with, children's social services;
- A need to develop the model of intensive family support which works up to the level of statutory intervention by children's services, edge of care and rehabilitation from care;
- Clarity where the current Team Around the Family (TAF) fits within this family support model, recognising there may be a need to remodel the current offer;
- A new operating model for management of contacts and referrals underpinned by pathways and protocols for all agencies on how Monmouthshire categorises and responds to contacts and referrals and a supportive way of working with referrers to manage risk;
- A review of the role and function of business support as critical to the functioning of the service;
- Having developed the model of family support, clarity with regard the role of the social worker in delivery of intensive interventions support for families in need;
- Practice and protocols for applying eligibility to families in need consistent with the Social Services and Wellbeing (Wales) Act;
- Practice and protocols for undertaking parenting assessments;
- A review of the range and capacity of parenting and attachment support for families;

- Clarify the roles and case responsibilities of senior practitioners, team managers and service managers and support managers to operate management arrangements effectively;
- Ensure quality assurance system is actively driving a cycle of continuous improvement across the service.

The highest priority for Social Care and Health, and indeed for the Council corporately, in 2016/17 is to deliver a programme for improvement which is based on evidence of what works in delivering wholesale service improvement. We have a highly skilled, permanent Head of Children's Services, who has shown through her leadership of safeguarding in the Authority that she has the vision and tenacity to drive improvement at pace. We are beginning to recruit a collaborative leadership team across Social Care and Health. We are building on the strengths within adult social care and have full support corporately which is giving the capacity we need. Indeed, we are drawing into this programme the very best people Monmouthshire has to offer, and will continue to access the external support of IPC where we need it. We will also work with our local and regional partners in schools, health, police and provider sector – working collaboratively, and indeed in an integrated way with them, where it make sense to do so. We will have the support of an external reference group to advise and challenge us as we progress on our improvement journey.

The culture and practice of continuous improvement is well-developed within adult teams within Social Care and Health in Monmouthshire. There are a number of improvement priorities which need to progress at pace in order to maintain the progress in light of reducing budgets, increasing demand and the role adult services needs to play in the whole service focus envisioned in this annual report. The strengths based model of social work practice needs to be continuously reinforced through supervision, coaching, mentoring and quality assurance systems. The placed based model of well-being and prevention which Monmouthshire is implementing requires even stronger productive partnerships which deliver in local areas; drawing in primary care through the Neighbourhood Care Networks, third sector, Registered Social Landlords and importantly the social capital within communities. Recognising, there is different levels of social capital within different communities in Monmouthshire, there will be different challenges for social care and health to manage people's needs outside of more traditional statutory services, and this can have considerable budgetary implications. Finally, Monmouthshire, as other counties in Wales, is managing a considerable level of risk with external provider markets. This has been evidenced in recent years with a number of providers being managed through provider performance procedures for reasons of service quality, financial risk, or both. A critical factor in a county like Monmouthshire is the ability to recruit and retain a quality workforce of care providers. Recognising the range of challenges, particularly in the domiciliary market, the 'Turning the World Upside Down' work is looking to radically challenge the traditional task and time basis of commissioning care and home, with a view to reflecting the lessons from the remodelling of the in-house homecare service in the reset of the market. This work needs to deliver tangible outcomes in the coming year; it is clear the current model of commissioning domiciliary care is not sustainable beyond the short term.

A critical priority across Social Care and Health is to ensure that the benefits are realised from the significant investment in development of an in-house IT system to support practice in adults and children’s services. The development of the new system has been lead by, and is very well supported by, practitioners and there are benefits already being realised in integrated teams through health and social care workforce using the system. A pilot has commenced for 3 schools to be able to directly access the children’s services system which is at an early stage but improving communications. A full benefits realisation plan is now needed. It is important that we have well understood support arrangements, both internally through business support, in-house support; and externally reflected in the Service Level Agreement with the SRS. The potential is there for the system to provide the management and performance information to enable a real cycle of continuous improvement. This is an absolute priority for us. We also need to ensure that practitioners across adults and children’s services are using the system to its optimum so that there is confidence at all levels in the management information and performance reports produced.

**Summary of Areas for Improvement**

The summary of areas for improvement set out below represent a 3 year programme aimed at ensuring excellence across the board in Social Care and Health.

**1. We will deliver a specific, targeted, Programme for Improvement in Children’s Social Services to deliver excellence in our children’s social services.**

- *The programme for improvement will have be overseen by the Council’s Senior Leadership Team and will have the full corporate support of the Council. An external reference group will act as critical friend to the programme. There will be dedicated support to the programme, including access to external advice as necessary*
- *We will develop a practice model for children’s services in Monmouthshire which will align to the overarching vision for Social Care and Health*
- *The programme will ensure there is the right capacity and resource to support improvement in children’s services, at pace but sustainably, with key work streams in the areas of workforce development, pathway and threshold management, commissioning, performance and quality and management and support arrangements.*

**2. We will implement the Social Services and Well-being Act (2014)**

*The Social Services and Well-being Act fundamentally changes the legislative basis for social services in Wales. The priority objectives in implementing the Act in 2016/17 are:*

- *To ensure that every member of the workforce (internal social care, external providers, colleagues across the Council, partners) has the training they need to support delivery of the Act and realise the benefits from it.*
- *To effectively communicate with people, partners, elected Members and Council colleagues the important changes as a consequence of the Act*
- *To review our approaches to information, advice and assistance across adult and children’s services*

- *To work across the Council, with partners and communities to embed a preventative approach and the active promotion of well-being in everything we do.*
- *To continue to embed integrated assessment and care planning in social work practice. This is a proportionate, strength based way of working which focuses on what people can do, not what they can't.*
- *To ensure we work effectively with partners to implement regional safeguarding arrangements and embed adult protection orders in our practice.*
- *To actively promote direct payments as a key enabler for voice and control for people with care and support needs.*
- *To develop alternative models of delivery where these provide the best model for well-being, care and support.*
- *To realise the benefits for people from the statutory partnership arrangements and priorities for integration.*
- *To ensure that people within the secure estate in Monmouthshire are safeguarded and have their social care needs met.*

**3. We will, through the Future Monmouthshire programme, set out the future vision for Social Care and Health in the context of the future of our County**

- *We will develop our strategic operating model for Social Care and Health as part of the Council work to articulate its operating model through the Future Monmouthshire work.*

**4. We will support people to live the lives they want to live by ensuring they have access to the timely, quality, information, advice and assistance**

- *We will review our access points to ensure people are able to easily access the information and advice they need to make decisions about their own lives.*
- *We will work with our Greater Gwent colleagues to implement the Dewis information portal*
- *We will consider how we best assist people if they require it to access their community or a commissioned service, looking at options for better links between the housing gateway and social care access points*
- *The 'professional' front doors into children's and adult social care will provide consistent, quality decision making and there will be clear pathways to other IAA outlets.*

**5. We will ensure there are coherent models of early intervention, prevention, well-being with a focus on connecting people, families and communities – place based approach**

- *Having evaluated the outcomes from community co-ordination, we will build on what works and develop place based approaches to sustaining and developing social capital which promotes individual and community well-being and prevents people's needs escalating to require commissioned services. We will have particular focus on tackling the scourge of loneliness and social isolation.*
- *We will develop a targeted, evidence based model of early intervention and prevention in children's services for families that are showing signs of distress to ensure they can access appropriate support at the earliest opportunity is critical. We will aim to prevent families reaching a point where it is necessary for children's social services to intervene (pre children in need), less still for them to break down to the stage where their children are taken into care (edge of care services)*



- *We will work with partners to review current investment from all funding streams, e.g. core funding, Families First, Supporting People etc. to ensure the right range of targeted support is in place.*
- *We will work with colleagues across the Council and with our partners and communities to embed the principle that well-being and prevention is everyone's business and every service area can make a considerable contribution to well-being.*

**6. We will build on the success of our integrated community health and social care teams to develop place based approaches to well-being, primary, community and social care based on Neighbourhood Care Network boundaries**

- *We will work with statutory and non- statutory partners within the Neighbourhood Care Networks to deliver population health systems which integrated primary, community and social care delivery, alongside well-being and preventative approaches*
- *We will work through the NCNs to develop resilient place based community approaches*
- *We will develop the place based approach for all parts of Social Care and Health, children's services, learning disabilities and mental health teams, as well as teams who support older people.*
- *We will review structures and governance in partnership, reflecting a renewed purpose*
- *Performance measures will be developed which are based on an agreed understanding of what good looks like.*

**7. Confident social work practice will facilitate the best possible outcomes for people**

- *Social Workers will spend their time working with people to understand what matters to them and facilitate them to live the lives they want to live.*
- *We will get the basics right – learning lessons from audits and complaints in key areas such as child protection, Mental Capacity Act and Deprivation of Liberty Safeguards.*
- *Strengths based and outcome focussed practice will be embedded in adult and children's services.*
- *Progression/ recovery/reablement will be at the heart of social work practice.*
- *Quality assurance systems will support continuous improvement in practice and will be fully embedded in the way we work. Reflection as an essential part of practice is critical and a positive approach to learning and review will support us to ensure we understand people's experience of us and improve from it.*
- *We will improve the way we work with young people and their families at the critical time of the transition to adulthood*
- *Where people have care and support needs we will work with them in a way which empowers them to identify, choose and control the support or care they need to live life as they want. There will be more direct payments so people can access the support which is right for them.*

**8. Safeguarding children and adults at risk is our very highest priority**

- *Our whole authority safeguarding group will continue to provide leadership of safeguarding and ensure all parts of the Council address the priority actions within the internal audit report*
- *The whole authority group will provide leadership around adult and children safeguarding, ensuring both are everybody's business*
- *We will develop statutory regional safeguarding boards with our partners which will provide partnership leadership to the safeguarding agenda.*
- *We will ensure our workforce are fully trained in use of adult protection and safeguarding orders*
- *We will continue to work with regional partners to ensure the deprivation of liberty (DoLs) safeguards are used when needed*

**9. We will support and develop the whole social care workforce so they have high levels of confidence, competence and training, underpinned by person centred, values, behaviours and attitudes.**

- *A new leadership structure for Social Care and Health will be in place.*
- *We will implement the workforce plan for children's service, the priority outcome being a stable, permanent workforce*
- *We will work with partners to address critical workforce issues in the care sector*
- *Training and organisational development activity will be aligned to the culture and values we are developing.*

**10. We will commission intelligently, informed by a clear evidence base and analysis of the needs we need to meet. Commissioning and innovative redesign of traditional services will be based on positive, long term relationships with providers. Links between practice and commissioning will be strengthened by using information from assessments and care plans as well as population level assessments.**

- *We will develop an integrated commissioning unit within social care and health which will embed commissioning as a core function within children's services*
- *We will commission a new approach to care at home, 'turning the world of domiciliary care' commissioning upside down. We will also continue to address risks of business sustainability in the sector.*
- *We will reprovide the Council's residential care for older people with dementia through an innovative partnership arrangement*
- *Learning disability mandate*
- *Supporting people*
- *We will deliver the remodelling of Mardy Park as an integrated health and social care hub*
- *We will develop relationships with providers to deliver what matters to people with a learning disability and mental health problems, including increased community connection and reduction in dependency on service provision*
- *We will develop a commissioning framework in children's services and engage with providers to ensure a full range of services which provide positive outcomes for children, young people and families*
- *We will continue to explore procurement approaches which ensure we pay a fair price for care, based on an open book, high trust, relationship*

**12. We will integrate commissioning and delivery of health and social care where there is a clear business case and improved outcomes for people in partnership with ABHB Health Board and other Greater Gwent Local Authorities. We will explore opportunities for wider integration and joint working with other partners, such as the police, schools and housing, where it makes sense to do so.**

- We will agree a new s33 agreement for the frailty service
- We will continue to develop our integrated team models, strengthening further the neighbourhood care networks as the basis for well-being and integration of primary and community care and also strengthening links with older adult mental health services.
- We will develop opportunities for further joint and integrated working in learning disabilities and mental health, learning from the LEAP and BOLD projects in Caerphilly and Blaenau Gwent
- We will improve joint working between children’s social services and partners in health, police, education and preventative services, exploring opportunities for integration where it is in the interest of children, young people and families to do so.
- We will build on successful collaborations with partners in the Greater Gwent areas such as the regional adoption service and frailty service and progress further collaborations where there is a clear business case.

**13. The voice of the people we work with will be at the heart of everything we do**

- We will build on the success of the care leaver apprenticeships to ensure we are doing what matters to children and young people and we involve them fully in all parts of the service.
- We will co-produce our approaches to well-being, care and support with people and communities

**14. We will align our business systems to support delivery of our priorities.**

- We will realise the benefits from our new Flo and Plant systems
- We will ensure our business support is flexible to the way we work
- Each team will understand what good looks like and align measures of performance

**15. We will achieve a balanced budget within adult and children’s services; by doing the right thing, savings will follow**

- We will deliver year 1 of the 3 year financial plan for children’s
- We will deliver the savings mandated to us through improved practice and commissioning.

Table 3

## **Annual Council Report Framework – Children’s Services 2016-17**

### Introduction

In Children’s Service our primary aim is to work together with others to ensure that Monmouthshire’s children and young people reach their full potential and live free from the harmful effects of abuse and neglect. We have established a set of operating principles to guide us as we work to achieve this.

The purpose of this report is to give an end of year appraisal of Children’s Services, including information about the teams. The report considers our journey over the last year and outlines the priorities for service development. It should be read in conjunction with the Chief Officer’s annual report.

Over the last year, Monmouthshire Children’s Services has continued to deliver services in an increasingly challenging and complex context. The work plan for the service from April 2015 - March 2016 was extensive and required the whole service to pull together in developing systems and processes; improving practice and building partnerships. Some of our achievements are described in section 3.

However, there remains much to be done and in some areas we are not as far along our path to improvement as others. In some aspects the service has continued to display signs of fragility evidenced by inconsistencies in practice, instability within the workforce, and considerable financial overspend. Some of the particular challenges that we have experienced are discussed in section 4.

The report has drawn on a number of information sources including statistical and performance information; feedback from service users, staff and partners; internal reviews and case audits; and recommendations from our external regulators. Towards the end of the year, we worked in partnership with the Institute of Public Care (IPC) to undertake an in-depth review of our service in the context of the research and evidence base regarding achieving excellence within social care. This was motivated by the recognition that in some areas the service remained vulnerable and not as prepared as we needed to be in order to meet the challenges and opportunities presented within the Social Services and Well-being Act. The resulting IPC report, has helped us arrive at a balanced view of our progress and provided clear directions for our future plans. Our key priority areas for improvement are set out in section 5.

#### 1. Service Context

Children’s Services provides a range of services to children, young people and families in Monmouthshire. There are around 19,000 children who live in Monmouthshire. The service works with approximately 700 children at any one time. Over the last year there were 3,924 contacts received into the service from a variety of different sources and agencies. This

resulted in 465 referrals going forward as new pieces of work. At the year-end there were 722 cases open across the service. This included 131 children with a disability, 129 Looked After Children, 33 children on the Child Protection Register and 31 young people eligible for services as care leavers.

The current teams within children’s services are:

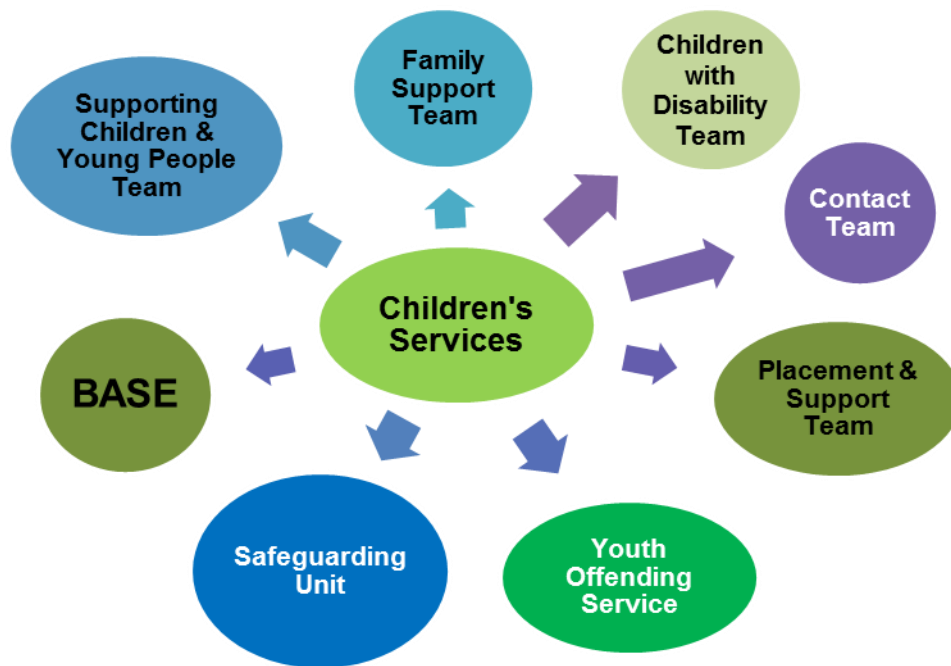


Figure 4

The county covers a large geographical area and is predominantly rural with four comprehensive schools in Abergavenny, Caldicot, Chepstow and Monmouth and one Special School for boys with Emotional and Behavioural Difficulties. There are 31 primary schools and a number of pre-school venues for children. The service works closely with Health, Education, Adult Services, Police, Housing, 3<sup>rd</sup> Sector organisations and other Local Authority areas.

Monmouthshire Children’s Services are well represented within a number of local and regional partnerships allowing us to take a strong role in shaping collaborative and partnership working. Some of our main partnerships include:

- South East Wales Safeguarding Children’s Board
- Children and Families Partnership Board
- Integrated Youth Offer
- Regional Board Violence Against Women, Domestic Abuse & Sexual Violence
- Regional South East Wales Adoption Service

Within Monmouthshire the arrangements for co-ordinated Early Intervention are led by the 'Team Around the Family'(TAF) project currently sitting within the partnerships directorate of the council. The TAF operates through multi-agency meetings within the four comprehensive school and for early years through the Acorn Centre (Integrated Family Centre). Lead workers come from within partner agencies and from within the TAF project itself. The TAF was recognised by IPC as working effectively with children and families requiring early preventative services through a multi-agency approach.

Children's Services work with families when there is a requirement for a social-care led plan of intervention. Often this can be when the difficulties faced by parents have become entrenched with many barriers to overcome to enable the necessary changes to be made. At other times a statutory intervention into family life can be seen as the only way to manage the level of risk in order to ensure a child's safety and well-being. The main reasons for why children need support from statutory children's services remain as illustrated below in figure 5:

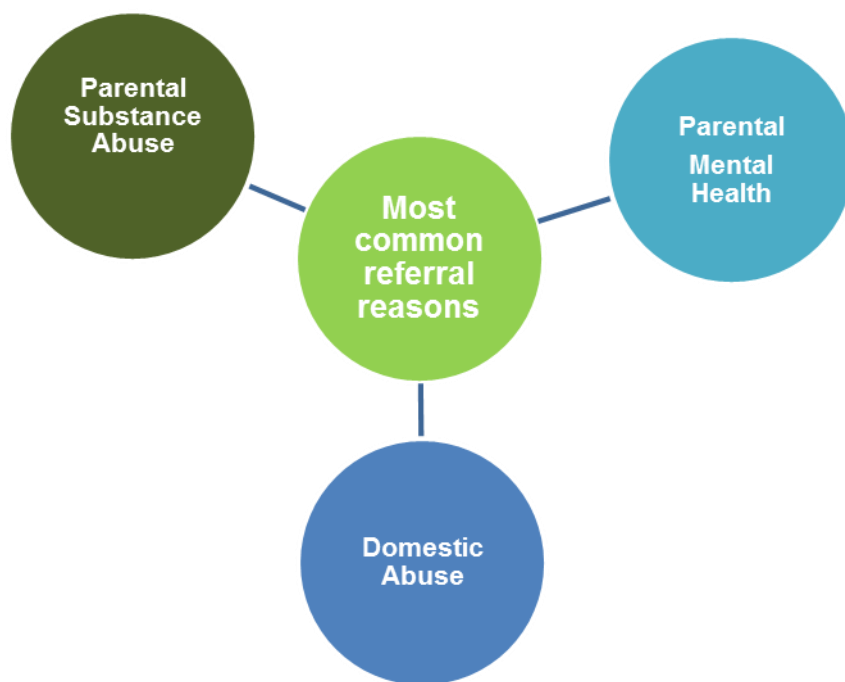


Figure 5

All of these reasons for referral can have a significant impact on children reaching their full-potential due to living in these adverse situations.

Recognising that TAF and Children's services need to form a continuum of intervention with an underpinning model for preventative family support is a key area for development. Operationally there needs to be strong links between the two service areas underpinned by a shared understanding of step-up and step-down arrangements.

## 2. What did Children's Services Achieve in 2015

The work plan for the service from April 2015 - March 2016 set out some of the areas that we wanted to focus on over the year. Against this some of our achievements are represented below in figure 6:

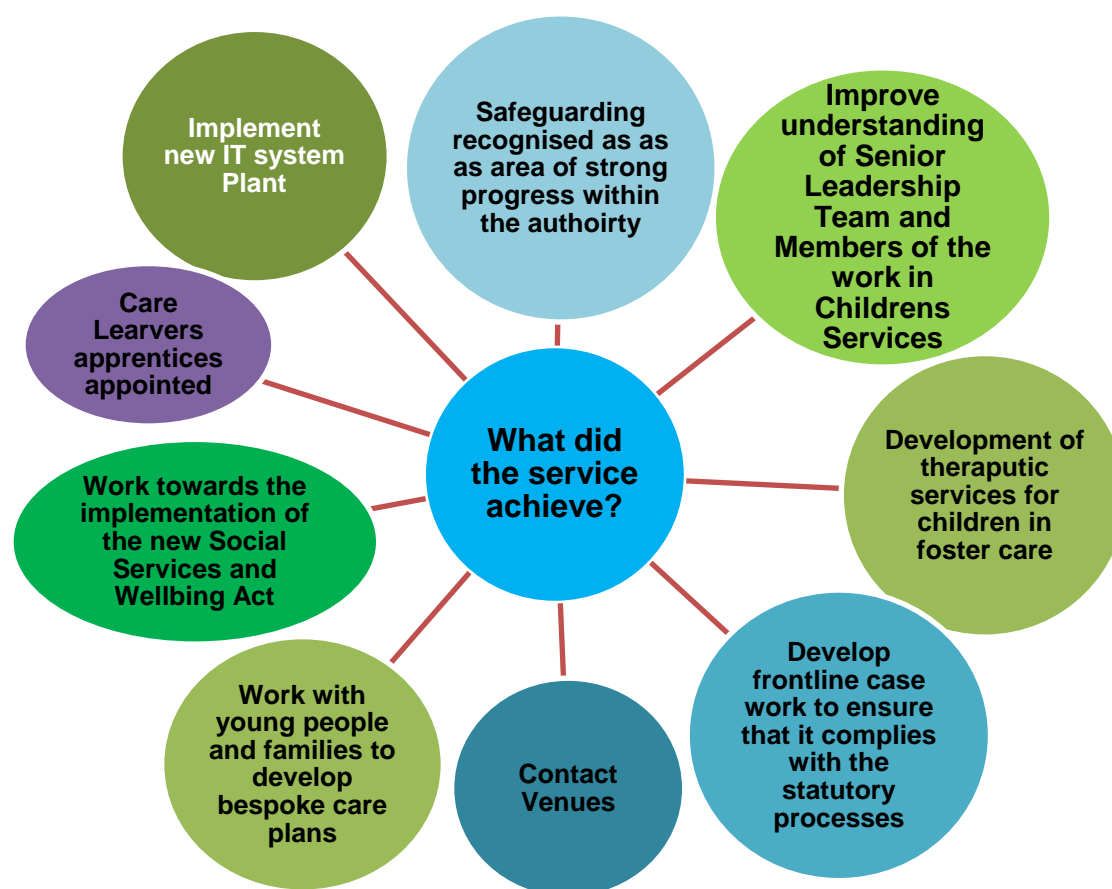


Figure 6

During the year 2 contact venues in Monmouth and Caldicot were established delivering child focused contact to families, where children are not living with their birth parents. A further venue in Abergavenny is currently being planned.

PLANT, the new IT system for Children's Services, was implemented in November 2015. This system continues to be developed to support the practice of our front-facing workers. This has included a pilot scheme for schools and Education Welfare Officers having direct access to the system to facilitate information sharing and timely decision making. We need to continue to develop PLANT as an effective tool for us in for producing performance

information and the statistical data which is required for Welsh Government. There are plans in place to further develop this system over the next year.

Alongside colleagues in the Children and Young People Directorate and within the wider Council, significant work continued regarding safeguarding in the county. This was driven by the Children's Services Safeguarding Unit which was recognised by Estyn to be a 'very useful corporate resource'. In their monitoring visit in November 2015 Estyn found that the Council had 'responded well' to recommendations and that strong progress had been made in respect of safeguarding. During the last year work has been undertaken to continue to deliver the required training across the Council; to continue to provide support and guidance to schools and partners and to implement our SAFE quality assurance framework for safeguarding.

In November 2015 we launched our BASE project as a therapeutic support for foster carers. This project helps to support our looked after children through ensuring that their carers and the wider professional network have the skills to understand and respond to their needs at an emotional and psychological level. We see BASE as the cornerstone to strengthening our in-house foster service provision - helping us to keep some of our most vulnerable children closer to their families and communities.

The Corporate Parenting Group has continued to develop over the year and is chaired by the Lead Member for Children's Services. During the past year the service has taken on two apprentices to develop the Children in Care Group. Our apprentices also attend as members of the Corporate Parenting Panel to ensure they provide a conduit for the views of children and young people in care and take back views and tasks from the Corporate Parenting Panel. From the outset of their time in this role our apprentices have been an asset to the service and Monmouthshire County Council.

As a service we have continued to maintain our focus on the children and families that we work with on both a case by basis and as a wider service. Two good examples of this include:

- the summer events hosted by the children with disabilities team to consult and obtain the views of families and young people in respect of the service we provide and what they feel they need in the future;
- the young people's consultation event and safeguarding survey undertaken in partnership with Monmouthshire Youth Service helping us understand the concerns of young people and how we might shape our services in response.

Improvements to ensure the Senior Leadership Team and members had a better understanding of the work of the service, were implemented over the past year. The Head of Children's Services attended the Senior Leadership Meeting monthly, to update on progress, barriers and relevant issues in Children's Services. In addition Select Committee run by elected Members scrutinised the work of the service regularly throughout the year on a range of subjects and topics. The Cabinet Member for Children's Services met monthly with the Head of Children's Services to discuss current issues for Children's Services. The Lead member also



spent time during the year, meeting and talking to frontline Social Workers and Youth Offending staff at a number of meetings and events.

A Members Briefing took place to advise Members on the changes necessary due to the implementation of the Social Services and Wellbeing Act, from April 2016. This took place in January 2016. Children's Services have been attending training on the Act and have been involved in a number of groups in relation to the implementation of the new Act.

### 3. What were the key challenges for Children's Services in 2015?

#### Performance Reporting

Children's services are required to provide services that are compliant with our statutory obligation to meet the different needs of children and young people. Some of this is measured through key performance data. Our end of year profile for the service is illustrated through the following data in table 4:

Children's Services										
Ref	Description	2012/ 13 Actual	2013/ 14 Actual	2014/ 15 Actual	2015/ 16 Actual	2014/ 15 Wales Av	2015/ 16 Target	Directi on of travel	Targ et Met	Est. Quarti le in Wales
SCC/004 (NSI)	The percentage of children looked after on 31 March who have had three or more placements during the year	2.7% 2	10.7% 11	1.9% 2	<b>8.5% 11</b>	9%	6%	↓	*	Top
SCC/011( b) (NSI)	The percentage of initial assessments where the child has been seen alone by the Social Worker.	22.38 %	33.21 %	57.4%	<b>52.7%</b>	44.8%	60%	↓	*	Upper Middle
SCC/025 (PAM)	The percentage of statutory visits to	66.9%	66.3%	84.5%	<b>84.2%</b>	87.7%	90%	↓	*	Bottom

	looked after children due in the year that took place in accordance with regulations.									
SCC/033(d) (NSI)	The percentage of young people formerly looked after with whom the authority is in contact at the age of 19.	88.9%	92.3%	88.9%	<b>62.5%</b>	93.3%	100%	↓	*	Bottom
SCC/041(a) (NSI)	The percentage of eligible, relevant and former relevant children that have pathway plans as required	68.4%	73.3%	98%	<b>100%</b>	91.2%	98%	↑	✓	Top
SCC/045 (PAM)	The percentage of reviews of looked after children, children on the Child Protection Register and children in need carried out in line with the	59.5%	86.1%	93.9%	<b>92.4%</b>	88.9%	95%	↓	*	Lower Middle

	statutory timetable									
SCC/010	The percentage of referrals that are re-referrals within 12 months	16.2% 69/425	13.3% 55/415	13.5% 65/482	<b>17.8%</b> <b>83/465</b>	N/A	12-30%	↓	✓	N/A
SCC/014	The percentage of initial child protection conferences due in the year which were held within 15 working days of the strategy discussion	84.8% 56/66	93.4% 57/61	75% 57/76	<b>87.7%</b> <b>64/73</b>	N/A	93.2%	↑	*	N/A
SCC/015	The percentage of initial core group meetings due in the year which were held within 10 working days of the initial child protection conference	34.0% 16/47	96.2% 51/53	87.1% 54/62	<b>88.7%</b> <b>55/62</b>	N/A	91.5%	↑	*	N/A
SCC/016	The percentage of reviews of child in need plans carried out in	19.5% 89/456	57.5% 104/181	85.2% 190/223	<b>84.4%</b> <b>239/282</b>	N/A	86%	↓	*	N/A

	accordance with the statutory timetable									
SCC/021	The percentage of looked after children reviews carried out within statutory timescales during the year	100% 296/296	99.6% 284/285	100% 281/281	<b>98.5%</b> <b>336/341</b>	N/A	100%	↓	*	N/A
SCC/024	The percentage of children looked after during the year with a Personal Education Plan within 20 school days of entering care or joining a new school in the year ending 31 March	81.8% 18/22	67.5% 27/40	87.1% 27/31	<b>65.0%</b> <b>26/40</b>	N/A	91.7%	↓	*	N/A
SCC/030a	The percentage of young carers known to Social Services who were assessed	100%	54.5%	100%	<b>100%</b>	N/A	100%	-	✓	N/A
SCC/034	The percentage of child protection reviews carried	90.5% 181/200	93.9% 155/165	95.5% 126/132	<b>93.1%</b> <b>134/144</b>	N/A	100%	↓	*	N/A

	out within statutory timescales during the year									
SCC/039	The percentage of health assessments for looked after children due in the year that have been undertaken	83.6% 133/159	87.8% 137/156	87.7% 114/130	<b>88.9%</b> <b>169/188</b>	N/A	87.7%	↑	✓	N/A
SCC/042(a)	The percentage of initial assessments completed within 7 working days	76.5% 277/362	76.4% 214/280	76.8% 285/371	<b>70.5%</b> <b>210/298</b>	N/A	82.2%	↓	*	N/A
SCC/043(a)	The percentage of required core assessments completed within 35 working days	81.3% 74/91	86.7% 78/90	84.7% 138/163	<b>80.0%</b> <b>72/90</b>	N/A	86.7%	↓	*	N/A

Source: End of Year Performance Report June 2016

Table 4

Performance data is important as it provides some quantitative indicators about our operational activity set against our statutory requirements. In 2014-2015 there was a focussed effort on driving up some of these key performance indicators. This saw a significant improvement around areas of activity such as timescales for undertaking review and visits to our looked after children. Whilst the general trend over recent years continues to be one of improvement, our performance over the last year has seen some slippage. Some of this was impacted by our focus on the implementation of PLANT, however, we are now in a position one again where we must ensure that the use of performance information becomes part of

our internal management processes. We must continue to develop PLANT so that we have the right information to inform us locally about our activities as well as contributing to the wider national development of measuring well-being outcomes for our service users.

### Financial Performance

During the year the service continued to experience significant pressure on its budgets with a £1.4 million overspend despite significant investment of £1.321m permanent funding. The main reasons for this financial pressure include:- continued demand and high cost placements particularly in relation to a small cohort of children with complex needs; difficulties in recruitment resulting in over-reliance on expensive agency and interim cover; increase in legal costs and social work capacity associated with the complexity of case-work; increase in costs incurred through increased numbers of looked after children.

The service has seen investment from the council in developing some invest to save business cases to strengthen our in-house foster care services and our support for children on Special Guardianship Orders. As we move into the second year of these, reviewing our performance against these business cases from a financial perspective is now critical.

A service and financial plan was approved by Cabinet at the beginning of January. This contained within it a model for achieving financial balance in children’s services over a 3 year period. This plan secured an additional £1million investment for the service for 2016/17.

Children’s Services must now continue to closely monitor its expenditure, underpinned by the wider programmes of workforce development; practice development and improving our service offer with a particular emphasis on prevention at all levels.

### Increased LAC population

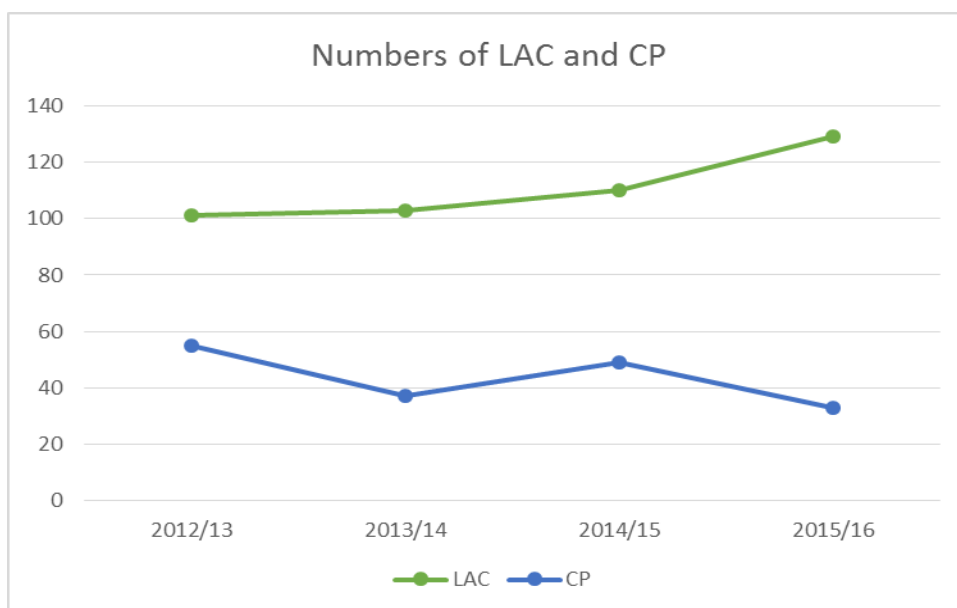


Figure 7

At the year-end Monmouthshire's Looked After Children population was 129 an increase of 21 children based on year-end figures. There has been an upward trend in the number of looked after children over a number of years. This is set against a downward trend in the number of children whose names are included on the Child Protection Register – from 49 at year-end 2015 to 33 at current year end.

Some of the factors which have influenced this trend include:

- Increased level of risk and complexity of cases
- The increased use of court / legal processes to manage risk rather than through a multi-agency child protection plan
- A lack of a consistent preventative LAC strategy including a coherent, multi-agency family support strategy and services to support families who experience difficulties
- The impact of staff turnover, together with a 'built-in' transfer point at the first looked after child review can undermine the timely implementation of alternative risk management processes or care plans for rehabilitation
- The increase use by the courts of children being placed at home with their parent(s) whilst retaining their Looked After Status (Placement with Parent Regulations). The year-end figure for this was 21 children 12% of the LAC population.

The challenge for our service this year is to develop our preventative approaches at all tiers of the service to ensure that children become looked after only when this is absolutely in their best interests and that as soon as it is safe and appropriate for them to return home this is achieved.

Achieving a stable and confident workforce

The last year has continued to pose challenges for us about our ability to permanently recruit to the service. At the year-end our workforce comprised 12 agencies workers which is approximately 22% of the workforce. Reflecting back, some of this relates to out-dated recruitment methods, and the absence of a consistent strategy for planning around the training, development and support needs of the existing work-force. We did, however, develop 'select the best' interview models and these certainly helped us make some very positive recruitment decisions for the service. We can now build on this as we move forward around our work-force planning and development over the next year.

#### 4. What are Children's Services working on in 2016-17

Taking a step back to consider our current position, it is clear that as a service we have a significant improvement agenda ahead of us. Our full service plan is set out within our Service Improvement Plan.



Figure 8

The start of our service planning has been to ask ourselves some searching questions and being relentless in drilling down to some of the root causes of the presenting difficulties and challenges. This provides a good foundation for change and a clear sense of the scope of the changes that are required. Our work with IPC has been fundamental to this: We are at the point where we have a good sense of the diagnostic and a clear sense of direction and drive towards some solutions.

The critical areas of improvement to highlight are:

- The need for a really well articulated model of social work practice, so that ‘what good looks like’ in children’s social services is understood by everyone working in, and with, children’s social services;
- A need to develop the model of intensive family support which works up to the level of statutory intervention by children’s services, edge of care and rehabilitation from care;
- Clarity where the current Team Around the Family (TAF) fits within this of family support model, recognising there may be a need to remodel the current offer;



- A new operating model for management of contacts and referrals underpinned by pathways and protocols for all agencies on how Monmouthshire categorises and responds to contacts and referrals and a supportive way of working with referrers to manage risk;
- Development of our services for children in long-term foster care and supporting their pathway to independence as care leavers;
- A review of the role and function of business support as critical to the functioning of the service;
- Having developed the model of family support, clarity with regard the role of the social worker in delivery of intensive interventions support for families in need;
- Practice and protocols for applying eligibility to families in need consistent with the Social Services and Wellbeing (Wales) Act;
- Practice and protocols for undertaking parenting assessments;
- A review of the range and capacity of parenting and attachment support for families;
- Clarify the roles and case responsibilities of senior practitioners, team managers and service managers and support managers to operate management arrangements effectively;
- Ensure quality assurance system is actively driving a cycle of continuous improvement across the service.

Addressing these challenges will require a programme approach which captures the inter-relatedness of many of the areas for development. The key themes for our work going forward is captured within figure 8 below and will be delivered through three programme streams (see fig 9) in the context of our transformational agenda as we continue to implement the Social Services and Well-Being Act.

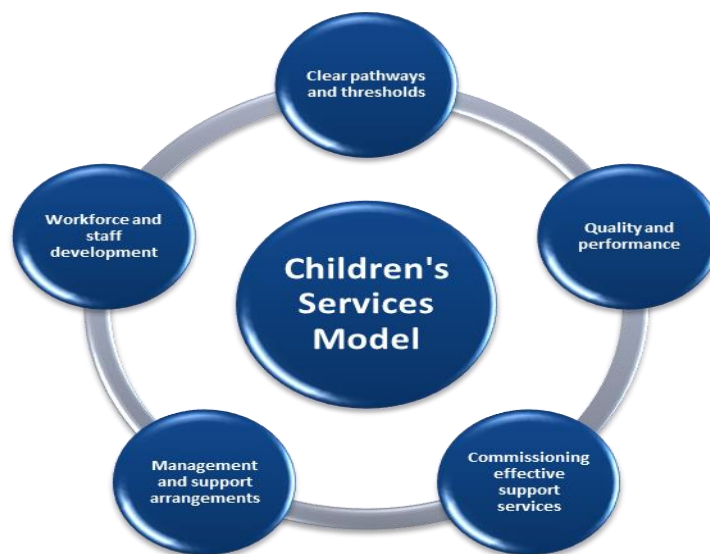


Figure 8 - Source: IPC Delivering Excellent Practice in Children's Services (Monmouthshire June 2016)

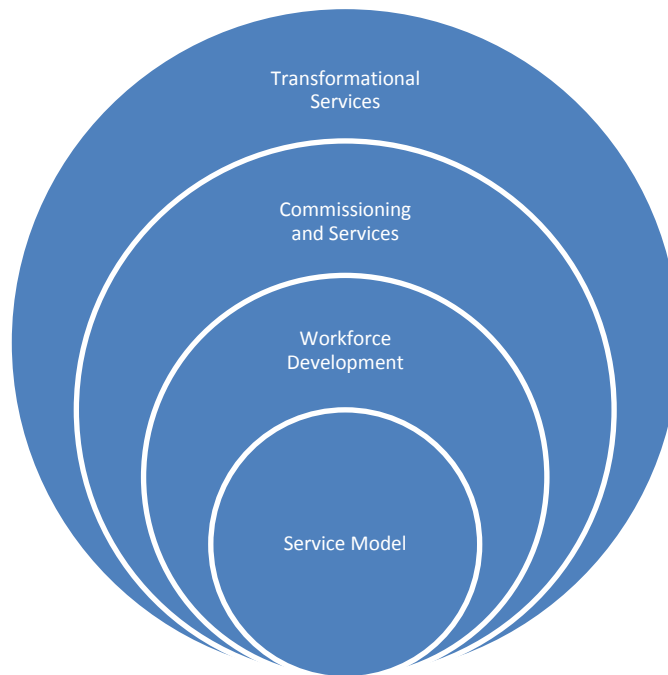


Figure 9 - our work-streams

A summary of key tasks within these work streams are as follows:

We will deliver a specific targeted Programme for Improvement to deliver excellence in our Children’s Social Services	
<b>1. Service Model</b>	
<ul style="list-style-type: none"> <li>• We will develop a common shared evidence-based vision and model for the delivery of children’s services</li> <li>• We will put in place new procedures and policies in each of the identified areas which support the vision and model of service and include clear key pathways and business processes</li> </ul>	
<b>2. Workforce Development</b>	
<ul style="list-style-type: none"> <li>• We will implement a recruitment strategy to reduce our reliance on agency workers</li> <li>• We will clarify the roles and case responsibilities of senior practitioners, team managers and service managers and support managers to operate management arrangements effectively</li> <li>• We will review our business support to ensure business support arrangements are effective in supporting best social work practice</li> <li>• We will design and deliver a programme of training for social work teams to support skills development within the new vision and procedures, and the SSWB Act</li> </ul>	
<b>3. Commissioning and Services</b>	
<ul style="list-style-type: none"> <li>• We will ensure that there are coherent models of early intervention and prevention, with a focus on supporting families</li> </ul>	

- We will develop a model of intensive family support which works up to the level of statutory intervention by children’s services, edge of care and rehabilitation from care
- Develop and implement a commissioning strategy and secure services to support families with complex needs
- Ensure that there is clarity where the current Team Around the Family (TAF) fits within this of family support model, recognising there may be a need to remodel the current offer

Table 5



## Head of Service Challenge / ACRF 2016

### Head of Service area Overview

This is the opportunity for the Head of Service to provide a brief overview of the current context of their service area, which will be further substantiated by the detailed self-evaluation.

### *Head of Service and Service areas managed?*

#### **Adult Services:**

Commissioning Team, Integrated service teams in Monmouth, Chepstow and Abergavenny (Older people) Learning Disability team/ Independent living team Adults with Physical Disabilities. Mental health teams adult /older people. Safeguarding team Direct care services: Mardy Park Resource Centre, Severnview Resource Centre, Home Care support: Dementia, reablement and enablement. Day provision, Budden Crescent, My Day My Life, Individual support services and Monmouthshire meals.

### *What is your services purpose & what outcomes do you align to?*

Adult Social Care and Health Services are striving to make sure that “**people are able to live their own lives**”, and that people are protected from harm. People approach Adult Social Care Services for support at different times in their lives. We want to support and enable people to remain in control of their lives, working with people to find options/solutions that best meet their vision of a good life. We focus on people’s strengths, abilities and contribution. We enable family/friendship networks and communities alongside services to support people to live their own lives.

#### **Vision/operating model.**

The current vision/operating model is driving the transformation journey and preparing us for the implementation of the Social Services and Wellbeing Act (2014).

Over the last 4 years we have changed the approach to the way we deliver Adult Social Care. Like many other local authorities Monmouthshire is faced with the twin challenges of declining budgets and an ageing population. If we want to keep delivering adult social care and health in the same old way we need to find another £25 million a year by 2030. Salami slicing isn’t an option.

The national policy agenda in Wales places great emphasis on a person led approach that respects that people are the best judges of their own wellbeing/quality of life and what they need from others (including formal services) to maintain and improve their wellbeing. Our transformative approach harnesses these values/principles and looks to embed this in all aspects of delivery.

We are re modelling/transforming what we do ensuring that the approach we take focuses on and is driven by what people see as their good life and with a real emphasis on delivering outcomes set by individuals.

#### **What does this mean for people who approach us?**

- People are supported at the first point of contact by the most appropriate person, whether that’s an occupational therapist, a social worker or a district nurse.

- We've changed the way people are supported, discarding the deficit focussed approach in favour of having conversations with people about what matters to them.
- We are re focussing the ways we deliver domiciliary 'at home' support away from episodic to relationship based care.
- We are re focussing what practitioners spend their time doing, more time in communities and less time at desks and we are measuring our performance in terms of the impact we have had on people's lives.
- We have re focussed how we deliver support to people at home, moving away from task based to a relationship based approach that places emphasis on emotional as well as physical wellbeing.
- We have re -defined our longer term commissioning intentions in line with the transformation.
- In developing Community Coordination and Small Local Enterprise we aim to see more people supported in their own communities with a support from family, friends and natural associations.
- Our work with informal Carers is central to all developments and is concentrating on keeping a support focussed co- produced approach.

A little while ago we developed a short animation which further describes the approach to delivering Adult Social Care and Health support. <https://vimeo.com/77894268>

These operating principles guide how we deliver support to people who are in contact with us;

**OPERATING PRINCIPLES:**

- We will work in **partnership** to facilitate solutions, building meaningful rapport/relationships with family's individuals and partners.
- We will know/be clear about the people who we will support in a **timely** manner.
- We will have a plan of how we will support people to develop a 'whole life' plan, and have a method to track progress and **communicate** effectively. (including commissioning)
- We will take an **outcome focused** approach to future planning (long term and short term) with families and individuals to meet their own aspirations and goals.
- We will involve the **right people** at the right time to help people in crisis and will take responsibility for the appropriate pace and continuity of our on-going intervention.
- We will have **honest and transparent** conversations with all people.
- We will work with and **respect** other colleagues and challenge systems to ensure best practice and service delivery.
- We will use knowledge to reflect **learn** and develop on our practice and decisions.

- Everything we record will be **purposeful** and proportionate.
- We will **value and respect our staff** and trust their judgement; and promote wellbeing in the workforce.
- Our IT system will work for us.
- We will work **creatively** and equitably within all resources available.

#### **Key Priorities 2014-2017**

- Developing new models for community living
- Place based approaches to wellbeing
- Consolidate new ways of working/practice change
- Integration with Health
- Safeguarding
- Infrastructure /workforce development/FLO
- Working towards implementing the Act

#### *Where are we currently?*

- We have a clear purpose and vision based on continuous improvement and learning through doing.
- We have a dedicated, passionate and committed workforce delivering high quality support and services to enable people to lead full lives.
- Building on the success of the Raglan project we are rolling out this approach; extending the approach using an accredited 'train the trainer' approach to deliver relationship based home support using a cross section of staff from head of service to frontline home carer.
- Real progress using action learning sets to embed person centred approaches and creating the right conditions for on-going learning and improvement.
- A clear commissioning approach that has evolved and developed alongside the transformation in practice.
- A key programme ;'turning the world upside down' will develop over the next 18 months with a vision to create a sustainable, flexible and relationship based approach to commissioned at home support.
- Community Coordination and SLE approaches have been evaluated following a two year learning project. Next steps are to roll out the approach.
- Progress in the 'My Day My Life' work is beginning to deliver real outcomes for individuals and is being rolled into other areas in Monmouthshire.
- We continue to have high satisfaction levels with services.
- Well- being of staff is a key component to our success we continue to survey and receive high response rates and high levels of well-being reported.

- An uptake in practice assessing places and professional development opportunities.
- Extensive training has been delivered in dementia and collaborative communication and extended mentoring approaches being employed to embed and sustain learning.
- We are seeing a reduction in spend levels through understanding demand which is having a positive impact on the budget.
- Community engagement events at Mardy and MDML have generated opportunities for contribution and co- producing with the community.

### ***Where do we need to be?***

A personal outcome approach that addresses wellbeing, with the right conditions for excellence in practice.

Moving from a deficit based approach to a fully Integrated strengths based approach is certainly a contemporary challenge.

Since the implementation of the NHS & Community Care Act 1990 we have been delivering social care through a largely needs led approach which has often remained service led. The Social Service and Wellbeing Act (Wales) 2014 sets out an extensive and aspirational approach which will transform how we will deliver support to people over the coming decade and beyond.

Transforming practice remains a key focus and one which we have invested in heavily in the last 12 months. As part of the national outcomes framework pilot run in conjunction with SSIA, we have been able to demonstrate some excellent practice but also has given us a view of what is still needed to ensure we can “ help people to live their own lives” The new Social Services and Wellbeing Act (2014) was introduced on the 6TH April and is a real opportunity to shape the future.

It is imperative that we create the conditions within which practitioners can un- learn and re learn. There is a need to set free practitioners to develop relationships with people that really do address what matters to people with much less emphasis on bureaucratic processes. We also need to ensure that our partners in care delivery within the wider market share the same values principles and vision.

This all requires time, thinking and reflection. We need to develop a much more relational approach move away from the reliance on episodic approach to care management and service delivery. Creating opportunities for practitioners to come together e.g. action learning sets, themed workshops all aid the learning of a new language and new practice that is needed.

The question of measurement and knowing if we have done a good job is a key requirement moving forward. Building confidence with people and being able to measure the impact using feedback and engaging to evaluate effectiveness of the approach is the next key challenge

We will also need to :

- Continuing to develop approaches in line with purpose/vision and operating principles
- Further remodelling of workforce to ensure we have sufficient capacity to maintain progression at pace.



<ul style="list-style-type: none"> <li>• Succession planning and growing the skills we need in the workforce to meet the demands of the new approaches.</li> <li>• Delivering against the transformation budget mandates.</li> <li>• Commissioning that support the person centred/relationship approach.</li> <li>• Embed the safeguarding team that has been reviewed and invested in.</li> <li>• Ensure that we can deliver against the new duties in the Social Services and Wellbeing Act.</li> </ul>
<p><i>How will we get there?</i></p>
<ul style="list-style-type: none"> <li>• Continued effort and energy drive and leadership at all levels.</li> <li>• Creating the right conditions within which our staff can deliver against purpose and operating principles.</li> <li>• Keeping sight of purpose and principles and evaluating progress towards these.</li> <li>• Increasingly being able to measure impact using data and stories to evidence we are improving.</li> </ul>

Table 6

## NATIONAL PERFORMANCE INDICATORS.

As part of the National Performance indicators Adult Services continues to perform well. There is some context around the changed delayed transfers of care (DTC) position between years 14/15 and 15/16. Largely this is accounted for in the change in the way the Health Board now collects this data. It is also worthy of note that the figures are derived from a once monthly census day count. We have looked at the model of delivery and the outcomes for people. The outcomes for ensuring people are supported at home in a timely and effective manner remains high despite the anomaly with the figures.

Adult Services										
Ref	Description	2012/13 Actual	2013/14 Actual	2014/15 Actual	2015/16 Actual	2014/15 Wales Av	2015/16 Target	Direction of travel	Target Met	Est. Quartile in Wales
SCA/001 (NSI)	The rate of delayed transfers of care for social care reasons per 1,000 population aged 75 or over	1.77 16	1.83 17	1.27 12	<b>4.37</b> <b>42</b>	4.83	2.15	↓	✘	Lower Middle
SCA/002(a) (NSI)	The rate of older people (aged 65 or over): a) Supported in the community per 1,000 population aged 65 or over at the end of the period	60.28 1159	56.56 1134	52.77 1091	<b>53.98</b> <b>1148</b>	67.30	52.77	↓	✘	Upper Middle
SCA/002(b) (NSI)	The rate of older people (aged 65 or over): b) Whom the authority supports in care homes per 1,000 population aged 65 or over at the end of the period	13.21 254	11.33 227	11.08 229	<b>10.96</b> <b>233</b>	18.82	11.08	↑	✓	Top
SCA/007 (PAM)	The percentage of clients with a care plan at 31 March whose care plans should have been reviewed that were reviewed during the year	54.4% 900/1654	82.1% 1213/1478	84.1% 1036/1232	<b>91.3%</b> <b>1222/1339</b>	80.0%	86.4%	↑	✓	Top
SCA/018(a) (PAM)	The percentage of carers of adults who were offered an assessment or review	74.2% 322/434	97.3% 675/694	99.7% 754/756	<b>98.8%</b> <b>813/823</b>	88.3%	100%	↓	✘	Top

	of their needs in their own right during the year									
SCA/019 (NSI)	The percentage of adult protection referrals completed where the risk has been managed	80.37%	81.2%	100%	<b>99.59%</b> <b>241/242</b>	95.60%	100%	↓	✘	Upper Middle
SCA/018(b)	The percentage of carers of adults who had an assessment or review of their needs in their own right during the year	23.0% 74/322	17.0% 115/675	14.3% 108/754	<b>14.4%</b> <b>117/813</b>	N/A	17.9%	↑	✘	N/A
SCA/018(c)	The percentage of carers of adults who were assessed or re-assessed in their own right during the year who were provided with a service	47.3% 35/74	47.0% 54/155	32.4% 35/108	<b>59.8%</b> <b>70/117</b>	N/A	47%	↑	✓	N/A

Table 7

Here is a link to some examples of compliments we have received in the last 12 months that people have sent to us. [COMPLIMENT DOC](#)

## PROGRESS ON KEY PRIORITIES

### **Prevention and Early Intervention: Place based approaches to wellbeing.**

Getting nearer to an understanding of the ‘anatomy of resilience ‘ at both an individual and community level and supporting this by delivering place based approaches to wellbeing has been the focus of Adult Services in the last few years.

This year the Community Coordination and small local enterprise learning pilot has been evaluated and the next steps include talking the learning to the next level reflecting what has been learnt in particular the importance of contribution for wellbeing and widening the approach. This will include an emphasis on creating wider multi agency response at a local level and developing place based multi-agency teams. We will also be working up the IAA approach through this model.

Some key headlines from the evaluation conclude that :

“People need people “

“People want to contribute “

From the coordinators perspective:

“ a large part of what I do is listen to where the obstacles are and to where the passion is and try and address those issues”

“Use all available resources, don’t think this is a one person job, keep track on facilitating and resist all efforts for you to fix things!”

Here is the full evaluation of the Community Coordination pilot [Coco Evaluation](#) and these two short films that illustrate the impact of this work

[http://corphub/initiatives/VolunteersToolkit/Case%20Study%20Media/Forms/Video/vid\\_eoplayerpage.aspx?ID=32&FolderCTID=0x0120D520A80800383813F488012C46810784E14A7FA036&List=1a5341d2-14bc-463f-bb3f-](http://corphub/initiatives/VolunteersToolkit/Case%20Study%20Media/Forms/Video/vid_eoplayerpage.aspx?ID=32&FolderCTID=0x0120D520A80800383813F488012C46810784E14A7FA036&List=1a5341d2-14bc-463f-bb3f-056455b9d471&RootFolder=%2Finitiatives%2FVolunteersToolkit%2FCase%20Study%20Media%2FDorina%2FAdditional%20Content&RecSrc=%2Finitiatives%2FVolunteersToolkit%2FCase%20Study%20Media%2FDorina)

[056455b9d471&RootFolder=%2Finitiatives%2FVolunteersToolkit%2FCase%20Study%20Media%2FDorina%2FAdditional%20Content&RecSrc=%2Finitiatives%2FVolunteersToolkit%2FCase%20Study%20Media%2FDorina](http://corphub/initiatives/VolunteersToolkit/Case%20Study%20Media/Forms/Video/vid_eoplayerpage.aspx?ID=32&FolderCTID=0x0120D520A80800383813F488012C46810784E14A7FA036&List=1a5341d2-14bc-463f-bb3f-056455b9d471&RootFolder=%2Finitiatives%2FVolunteersToolkit%2FCase%20Study%20Media%2FDorina%2FAdditional%20Content&RecSrc=%2Finitiatives%2FVolunteersToolkit%2FCase%20Study%20Media%2FDorina)

<https://www.youtube.com/watch?v=ACkQzNBJDVg>

By developing approaches to prevention and early intervention we are addressing requirements set out in the Social Services and Wellbeing Act 2015:

Population Needs Assessment (Part 2)

Preventative Services (Part 2)

Information Advice Assistance (Part 2)

By developing different approaches 'offers' that are place based and enable people to contribute we are going to be able to manage demand and ensure that people are able to live their own lives.

**Alternative Models of Provision: Developing new models for community living.**

As part of the Transformation work in Adult Services we have been re modelling provision and models of delivery across the whole range of services we deliver.

Developing models of support that are truly person centred and start from the person and their aspiration for a good life. We will supplement, facilitate and enable people to remain connected to the things that matter most.

For the purpose of this report I have highlighted two areas in detail 'My Day My Life' and 'Raglan model' then added links to the grids which hold detail on the other areas. These also feed the Service improvement plans.

- [Carers](#)
- [Enhanced Reablement](#)
- [MDML](#)
- [Shared lives](#)
- [Mardy Park Resource Centre Development](#)
- [carers grid](#)

Photo folder

**RAGLAN MODEL.**

Raglan Evaluation

- The Raglan model is an at home support service for older people with dementia. The original pilot has now been evaluated. This approach is being rolled out county wide.
- A 6 day Dementia care training course has now being delivered via a train the trainer approach using 10 of our own staff and is now accredited through Dementia Care matters and University of Surrey. 350 Staff have been trained. It is planned to broaden this out to the whole sector in 2016/17.
- This work has demonstrated that flexible approaches can meet emotional and social needs of people as well as their physical needs. Improved wellbeing for staff. Improved awareness and connections with local community.
- This approach was subject to extensive qualitative and quantitative evaluation. Qualitative feedback captured extensively by the staff teams continues to evidence improved outcomes and improved quality of life. ( using i pads and Evernote)

- Two highly successful community groups now run by the communities themselves.
- This is a ground breaking project that has demonstrated well the value of a person led approach. This learning has enabled the approach to be widened out and will form part of the approach we use to develop the independent sectors approach to care.
- We are delivering better outcomes at same cost.

We promote a relationship based experience of receiving care- that supports a more natural life, promotes choice, control, independence and meets social and emotional needs of the people we support.

This also supports the informal carer – they are involved and listened to, they will experience improved choice and control, their health and wellbeing will be supported.

My Day My Life’ broadening opportunities and access to community activities.

#### MDML

- Recognised that old approach to project management was not producing results and was replaced with engaging frontline staff to set a journey with each person.
- Supported staff to take on a support broker role, working with people one by one.
- Used action learning sets to embed learning and shape progress supported by Bob Rhodes (lives through friends).
- By starting with a different conversation the individual stories of how this has changed lives are very powerful.
- Pace is variable dependent on level of complexity , examples of opportunities include; Yam yams music workshop, swimming, Touch trust yoga, tea dances, bowling, drumming and other sporting activities.
- Having established the philosophy in Abergavenny we are now rolling this out to Monmouth and Chepstow

Some early results show :

- Some people requiring less paid support as their networks grow.
- Reliance on council transport has decreased with people and families sourcing and providing their own transport solutions.
- 20 people have been through the approach one by one, with many more being supported to access community based activities as opposed to traditional
- Tangible Improvement in self-esteem for many people, evidenced in conversations, dress code, personal hygiene.
- People who previously would not converse now approaching others and initiating conversations
- This approach has significantly contributed to a whole system approach that strives to deliver a person centred approach, examples of huge life impacts are now

common place. Confidence in this approach is growing with staff who are delivering the approach, evidenced through the action learning sets.

The roll out of this approach is iterative and builds on the philosophy of what matters to each person and at a speed that can achieve the aspirations desired.

The approach will continue to be embedded and reviewed across all people who use the service. We are optimistic that following the success and impact of the approach to date, however with change that matters there have been barriers to overcome and these will continue to be worked on. These include: Capacity to manage a programme at a pace and scale. And some staff are finding this paradigm shift hard to live with.

### **Safeguarding**

The vision around safeguarding is that we have a robust process for managing adult protection issues but we develop and more proactive preventative approach in the coming year.

A comprehensive review has been carried out and a new team structure has been developed and implemented which has enabled management of demand to be more effectively.

Attached are the POVA and the regional safeguarding plan GWASB

Both of these plans guide the work we carry out to safeguard people in Monmouthshire Safeguarding procedures are well established across the board but we are working on gaining momentum around the prevention agenda in Safeguarding. The list below are the areas for development

- Prevention agenda is underdeveloped.
- Non- criminal investigations and ability to use workforce to deliver this well.
- New Act and changes required.
- New app/ FLO phase 2.
- QA and performance data management.

## COMMISSIONING



A major focus of our commissioning activity for 16/.17 will be the 'Turning the World Upside Down' programme.

- We are working towards developing a new model of 'At Home Support' which is sustainable and strengths based and which enables people to take responsibility for their own lives and promotes independence.
- In May 2015 we held a series of events for all existing and interested providers of At Home Support. This included not only the independent sector but the voluntary sector and the community. The events were used to signal a desire and commitment to change.
- We are now embarking on a series of systems thinking workshops with providers who have expressed an interest in 'turning the world upside-down' These will take place in June and July over 6 days respectively.
- The interest in taking a new approach to delivering at home support from a wide range of providers has been very encouraging we will be taking a co-produced approach to this. We expect the difference to be significant but this work is only just underway.
- Our overarching aim is to have a new model of At Home Support in place by 2018

### **Workforce planning/development/FLO.**

To deliver support to Adults in Monmouthshire the practice change required and the shift for all staff is challenging; we are supporting this change by a number of different mechanisms training and development remains a key theme.

#### Workforce Development



We have delivered an extensive programme of training and support to staff in the last 12 months and have invested heavily in this as part of the culture shift in practice required this has included: Personal Outcomes Training, Dementia Care Matters, Collaborative These have been supplemented by action learning sets to support practice change and the new IT development (FLO) to support practice change.

As part of this approach we have used 'Doing it different doing it better' (Dibdob) sessions to continue the development and improvement against our purpose. This year has seen a number of events including 'dot to dot', a market place affair that saw all aspects of the transformation journey represented so everyone was able to see their bit in relation to the whole picture.

We have also invested time in checking how staff are feeling in relation to the changes using a few session at 'Dibdob' to check how people are the slide below articulates well the last time we checked.



Finally the change in practice across teams and the new IT system requires a new look at what business support is in moving forwards. A review is underway.

#### **Developing the integration journey.**

We have a good working relationship with health partners and we want to be in a position where we have more explicit autonomy to reduce the levels of bureaucracy and continue to roll out the approach across the whole integrated service.

Integrated Health

A series of senior management meetings with ABUHB with agreement reached to move forward.

More work is in scope to pilot a freeing up from organisational processes.

- We have also delivered Integrated Assessment workshops to the Gwent community to enable sharing of learning.
- All health staff are part of DIDDIB.
- Mental Health approach to Systems work and LEAP are progressing.
- Learning disability will commence systems work in March 15, locally work on integrating Children's services (disability team) and LD/ILT is about to be revitalised with a view towards a 0 to Adulthood service .
- Learning from Mental Health systems work will roll into each area; this is changing the approach from a heavy medical model to a more co- produced approach.
- Involving the whole integrated service in the transformation of practice is the vehicle to ensure we deliver what matters and reduce duplication.  
Permission given to nursing staff to go ahead with practice change.
- People are having 'what matter's conversations regardless of which person they speak to.
- All staff are able to access the integrated assessments avoiding duplication and giving staff relevant information on which to base their work with people.
- Despite distance travelled there is some way to go the Journey around integration is a long standing one and we have made real progress.
- Integrated teams working on the same assessment process with a shared vision is a key achievement, but, we are at a critical point in relation to the integration services of older people, we will need more autonomy if we are to move forward
- Continue to support and drive change in practice.
- Ensure the measurement framework is delivered and the information assists in changing practice.
- Continue to work on models/workforce to deliver a sustainable service.
- The task and culture shift is a big challenge and we are not there yet
- Measurement of personal outcomes will tell us how far people " people are living their own lives"

Table 8

<b>SUBJECT:</b>	<b>Welsh Language Monitoring Report 2015/16</b>
<b>MEETING:</b>	<b>Cabinet</b>
<b>DATE:</b>	<b>6<sup>th</sup> July 2016</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

**1. PURPOSE:**

To ask Cabinet to note the contents of the attached Welsh Language Monitoring Report 2015 – 2016 that has been produced in line with the requirements of the Welsh Language (Wales) Measure 2011. The Monitoring report details our compliance with areas that the Welsh Language Commissioner has specified.

**2. RECOMMENDATIONS:**

- 2.1 To approve the report as a record of the Council's activities over the last year in respect of its compliance with the Welsh Language Scheme. The report will then be forwarded to the Welsh Language Commissioner's Office by the 30<sup>th</sup> June 2016 for their scrutiny, response and formal approval.

**3. KEY ISSUES:**

- 3.1 The Council's Welsh Language Scheme sets out our commitments for the Welsh Language for a three year period 2013 -16 and the Annual Monitoring Report gives a detailed account of our compliance with the detailed time aligned action plan.

The Welsh Language Act 1993 has been formally superseded by the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards have now replaced the schemes as of the 30<sup>th</sup> March 2016.

**4. REASONS:**

Monmouthshire County Council has a statutory responsibility to produce an Annual Monitoring Report under the Welsh Language (Wales) Measure 2011.

**5. RESOURCE IMPLICATIONS:**

- 5.1 There are no additional financial or human resource implications arising out of this monitoring report.

5.2 The Scheme will be published, on approval, on the Council's intranet and corporate website.

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

There are no significant equality impacts identified in the assessment (Appendix 1).

The actual impacts from this report's recommendations will be reviewed annually.

**7. CONSULTEES:**

All Cabinet members, Deputy Leader and Equality Champion, Senior Management Team,

**8. BACKGROUND PAPERS:**

Monmouthshire County Council's Welsh Language Scheme 2013/16

**9. AUTHOR:**

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# Monmouthshire County Council Annual Welsh Language Monitoring Report 2015-2016

This report reflects Monmouthshire County Council's progress on its Welsh language commitments during the financial year 2015-2016.

The report presents data on the required indicators in the following fields in compliance with Standards 158,164 and 170: complaints, staff language skills, Welsh medium training for staff and recruiting to empty posts (page 3.) This report will be published by 30 June in compliance with Standard 158. Next year we will present a more detailed analysis of progress and effect

## Legislative requirements

This year has been a year of transition from implementing the Welsh Language Scheme under the Welsh Language Act 1993 to implementing the Welsh Language Standards under the Welsh Language (Wales) Measure 2011. It has been a very challenging time due to the volume of work and complexity of the Welsh Language Standards. Having said that due to the level of compliance already in place within the Council the process has not quite been as difficult as we first thought it would be.

## Managing change

In terms of changing functions and systems, and changing hearts and minds we have come a long way. A challenge for the coming year is to monitor our progress in service delivery and to encourage the public to take up our Welsh Language service. The response from our service areas has been very positive and as always has been driven by the Monmouthshire ethos of "if we have to do it we will do it properly".

## Timetable of key Welsh Language Standards dates 2015-2016

Date	Action
June 2015	<ul style="list-style-type: none"><li>• Consultation draft of MCC's Compliance Notice received from Welsh Language Commissioner</li></ul>
July 2015	<ul style="list-style-type: none"><li>• MCC responds to the Draft Welsh Language Standards, challenging 10 Standards.</li></ul>
September	<ul style="list-style-type: none"><li>• MCC's Compliance Notice received</li><li>• The compliance notice for MCC states that we have to meet 143 standards within six months and 25 standards within one year. It is comparable with those issued to the other neighbouring Local Authorities.</li></ul>
Sept 2015- March 2016	<ul style="list-style-type: none"><li>• All Services Areas were represented and engaged through meetings Welsh Language Officer</li><li>• Budget allocated within the overall budget to make provision for Welsh Language (£57k).</li></ul>
March 2016	<ul style="list-style-type: none"><li>• Council challenges 3 of the standards - 2 to current standards ( 9 and 41) and 1 to future standards (64 ) for presentation to the Welsh Language Commissioner</li></ul>

30 March 2016	<ul style="list-style-type: none"> <li>Implementation date for the majority of the Standards</li> </ul>
6 <sup>th</sup> June 2016	<ul style="list-style-type: none"> <li>Welsh Language Commissioner only accepts the challenge for standard 64 as valid which has allowed us an extension to the 30<sup>th</sup> September 2017 for having a Welsh Language service available on all receptions</li> </ul>

**Data required each year from 1 April – 31 March from March 2016**

- Information on complaints (*Standard 158(2); 164(2); 170(2)(d)*)
- Information on staff language skills (*Standard 170(2)(a)*)
- Welsh medium training for staff (*Standard 170 (2)(b+c)*)
- Recruiting to empty posts (*Standard 154, 170(ch)*).

**Information on complaints (Standard 158(2); 164(2); 170(2)(d))**

No complaints were received in 2015-2016:

**Information on staff language skills (Standard 170(2)(a))**

**Welsh Language Skills of Employees as at 31/03/16**

Staff Welsh Competency	Total staff	Beginner	Intermediate	Advanced	Fluent
Welsh Language	3,700	24	14	5	27

**Welsh language spoken skills by service area at 31 March 2016.**

	Beginner	Intermediate	Advanced	Fluent	Total
Chief Executive	1	2	0	2	7
Children and Young People Services	0	1	0	3	4
Democracy and Regulatory	5	1	0	4	10
Enterprise	5	4	4	7	20
Finance	1	0	1	0	2
Operations	5	1	0	2	8
Social Care and Health	4	4	0	8	16
Elected Members	3	1	0	1	5
<b>Grand Total</b>	<b>24</b>	<b>14</b>	<b>5</b>	<b>27</b>	<b>72</b>

## **Welsh medium training for staff (*Standard 170 (2)(b+c)*)**

In 2015-16, we ran three separate Welsh Language sessions:-

**10** members of staff attended the Cwrs Mynediad Year 1 Cymraeg yn y Gweithle 2 hour 30 week course provided by MCC Adult Education section.

**8** members of staff attended Cwrs Mynediad year 2 Cymraeg yn y Gweithle 2 hour 30 week course also provided by MCC Adult Education section.

**12** members of staff attended a bespoke 2 hour 2x per week Reception course designed and run by Coleg Gwent.

## **Recruiting to empty posts (*Standard 154, 170(ch)*).**

Job application processes have been amended to be fully accessible in Welsh in accordance with the Standards.

Below are the details of advertised posts in 2015 - 2016

(a) The number of vacant/new posts advertised from 1st April 2015 – 31st March 2016; - **250**

(b) The number of the vacant/new vacant posts advertised from 1st April 2015 - 31st March 2016 that had 'Welsh language skills essential'; **10**

(c) The number of vacant/new vacant posts advertised from 1st April 2015 – 31st March 2016 that had 'Welsh language skills desirable'; **2**

(d) The number of vacant/new posts advertised from 1st April 2015 – 31st March 2016 specified as posts where it is 'necessary to learn Welsh-language skills when someone is appointed to the post'; - **0**

(e) The number of vacant/new posts advertised from 1st April 2015 – 31st March 2016 that 'did not require Welsh language skills'; **238**

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## REPORT

**SUBJECT: Proposals for the future provision of public car parks by MCC**

**MEETING: Cabinet**

**DATE: 6<sup>th</sup> July 2016**

**DIVISION/WARDS AFFECTED: all**

***Note: A summary of consultation feedback is provided – appendix 3. The complete record of the consultation feedback (appendix 2) is available as hard copy upon request.***

### 1. PURPOSE

To seek approval to advertise and implement a new car park order and implement other changes to the provision of public car parks by Monmouthshire County Council.

### 2. RECOMMENDATIONS

2.1 That members note the contents of the draft car park order and statement of reasons– appendices 1a, 1b, 1c and subsequent to the consultation exercise and feedback from the Economy and Development Select Committee, amend the order as follows:

2.1.1 That no charge be introduced for blue badge holders but that all other regulations apply (short stay, parking outside bays etc.)

2.1.2 That the current charging arrangements for Byefield Lane car Park, Abergavenny continue (i.e. that no daily charge be introduced but the Tuesday charge remains).

2.1.3 That the current charging and management arrangements for Welsh Street Car Park, Chepstow continue (i.e. that Welsh Street does not become a short stay car park and remains as a long stay car park).

2.1.4 That the offer of a 'free hour' parking in Chepstow short stay car parks and after 4.00 in Abergavenny be suspended until the financial implications of the new car park order (inclusive of the amendments listed above and capital investment demands) can be re-assessed to ascertain the affordability of the free hour offer.

2.1.5 That the 30 minute free spaces scheduled for introduction in Glendower Street car park, Monmouth be suspended again awaiting financial assessment.

2.2 Following amendment that the order be advertised and implementation commence following the statutory advertisement period (assuming no judicial challenge).

- 2.3 That the introduction of Electric vehicle (EV) charging points proceed (subject to future income analysis and affordability) in one car park in Abergavenny, Chepstow and Monmouth and that car park income revenue be used to create any capital investment required (if over and above the capital budgets recommended in 2.4 below)
- 2.5 That members acknowledge receipt of a petition titled ‘ Petition to prevent Monmouthshire County Council introducing daily parking fees at Byefield car park’ – appendix 6
- 2.4 That capital budgets of (i) £250,000 for new car park ticket machines, (ii) £300,000 for improvements/refurbishment to existing car parks, EV points and signage be created and that these be funded by ‘invest to save’ using revenue generated through the new car park order and management regime (subject to Council approval of revised 2016/17 capital budget).
- 2.5 That the feasibility of a discounted car park charge for rail users parking in the Station Car Park, Chepstow be assessed and implemented.
- 2.6 That the asset, maintenance and management of Usk car parks be transferred to Usk Town Council (subject to ‘claw back’ arrangements should the car parks or any part thereof be required for some alternative use).
- 2.7 That Cabinet acknowledge the need and confirm that investigations continue into the provision of parking facilities for HGV and buses in and around our towns.

### **3. KEY ISSUES**

- 3.1 In September 2014 Cabinet received a report on the future management of car parks. Some decisions were implemented (increase charges, development of new car parks) but to change the charging regime for all car parks requires the preparation and publication of a draft car parking order.
- 3.2 The draft car park order includes all changes to the car park management regime and is subject to statutory consultation. The consultation exercise took place in April of this year and the feedback (including a summary schedule) received is provided in appendix 2 and 3.
- 3.3 The feedback from the consultation exercise was scrutinized by the Economy and Development Select Committee on the 22<sup>nd</sup> April 2016.  
Link to minutes:

<http://democracy.monmouthshire.gov.uk/documents/g284/Printed%20minutes%2014th-Apr-2016%2010.00%20Economy%20and%20Development%20Select%20Committee.pdf?T=1>

The minutes reflect that members of the select committee showed particular concern about the impact of blue badge charging and asked Cabinet to give this due consideration when reviewing the outcome of the consultation exercise.

- 3.3 The reason behind the service review has been to better reflect the demands of the various communities and stakeholder groups whilst also providing a budget to sustain the service and create investment into the service infrastructure. The exercise has been protracted but the recommendations in this report will complete the exercise. It should be acknowledged that implementation will also take significant time and resource to implement.

#### **4. REASONS**

- 4.1 The proposals were developed after extensive consultation and research into priorities of various stakeholder groups. The need to modernise the car park equipment and the general condition of the car parks were also highlighted and incorporated into the financial modelling for the service. As a result of the consultation feedback and scrutiny by select committee Cabinet are now provided with recommendations for amendments to the draft order that recognise some of the major themes arising through the consultation exercise but that also include amendments that render the necessary investment demands affordable. The rationale behind the amendments is discussed below:

- 4.1.2 The draft order proposes the introduction of charges for blue badge holders. The proposal includes mitigation of an extra hour (for example three hours parking for the price of two). The consultation highlighted concern about affordability quoting evidence indicating that a larger proportion of disabled people are in poverty than within the general population. This was not tested out in the context of those disabled that have use of a car but generally scrutiny members seemed sympathetic.

Charging blue badge holders has been introduced in some other local authorities (evidenced in the select committee reports). However it is suggested that the authority does not proceed with charging blue badge holders at this time. There is a financial impact by taking this decision but it is feasible if other recommendations of amendments to the draft order (included in the recommendations discussed below) are also pursued.

- 4.1.3 The draft order proposes introducing a daily charge for Byefield Lane car park. Consultation highlighted that this is presently the only free car park (excluding Tuesdays) In Abergavenny so to introduce a daily charge would have a significant impact upon retail workers and others working within the town centre. Although it was recognised early on in the review that the demands of each town are different, the loss of any free parking provision is recognised as of major impact for part time, low paid workers. As such it is suggested that the car park charging remain as is i.e. free (excluding Tuesdays) and financial modelling be adjusted accordingly.

- 4.1.4 The draft order proposes that Welsh Street Car park is designated a short stay car park (i.e. parking for a maximum of 4 hours) but that the Drill Hall car park should have a reduced (long stay) daily charge of £1 to increase its usage and make it an attractive alternative for long stay parking when Welsh St becomes short stay. The consultation highlighted concern amongst workers that routinely use Welsh Street all day that the alternative long stay parking is too remote from their workplace. The exercise also generated feedback that the reduced charge in the Drill Hall would increase usage significantly rendering it more difficult to park for the local residents that rely upon the car park to provide off street parking to park, the outcome being the risk of greater congestion by increased on street parking. The feedback suggests that the assessment of long stay users in Welsh Street may have been underestimated so the proposal will create unanticipated parking problems. As such it is suggested that the order be revised that Welsh Street remains a long stay car park but in light of this amendment reducing pressure upon other long stay car parks that Drill Hall car park does become a £1 all day car park.
- 4.1.5 The draft order proposes a charge being introduced at the Station car park, Chepstow. Feedback indicated that the car park is widely used by train travellers and it would be unfortunate if public transport became less attractive to users due to the introduction of a charge for car parking. In discussion the feasibility of subsidised parking solely for rail users has been suggested. Therefore it is recommended that the order retains the charge but that officers investigate discounted parking for rail users parking in Station car park.
- 4.1.6 Some of the original proposals in the draft order, amongst others, create income which is used to invest back into the car park service. Following the consultation and in light of the recommendations above to amend the order, which will all reduce income, it is suggested that for the time being the free hour parking in Chepstow short stay car parks and in Abergavenny car parks after 4.00 p.m. also included in the draft order, are postponed until such time as the financial impact of the revised order is clear. Also that the proposed 30 minute free parking spaces in Glendower Street Car park, Monmouth do not proceed for the time being. A revised budget forecast to reflect the amendments is provided in appendix 4 but it should be emphasised that the actual outcome will obviously be affected by how motorists might change their travelling and parking arrangements so it would be prudent to assess this prior to introducing the new 'free parking' proposals which will further reduce revenue income.
- 4.1.7 The recommendations include the creation of budgets for reinvestment into the service infrastructure, particularly the pay and display machines, signage and essential repairs to the fabric (line markings surface conditions etc.). The need for investment is essential as the existing pay machine design is now obsolete. However the new machines will allow the various permutations on ticket selection now being offered to be easily managed and offer options to pay by card rather simply by cash. Similarly signage can be brought up to date and directional signage improved (one of the recommendations of the review). Furthermore EV points are recommended

for installation in one car park in each town ( Abergavenny, Chepstow and Monmouth).

**5. RESOURCE IMPLICATIONS;**

A forecast of the financial impact of the amended proposals is given in appendix 4 and includes a comparison to the original forecast that was first reported to the Economy and Development select Committee in July 2014. A summary of the resource implications is shown below highlighting a possible net benefit of £36,000 to the authority if proposals are approved.

Total New Commitments		Total Cash Savings/Benefits	
Loan For New Machines	30,000	Price Increases	156,312
Loan for Car Park Refurbishment	36,000	Introduction of New Charges	118,299
Loan For Granville/Rockfield Car Parks	50,000		
Historical Budget Deficit	110,000		
Free Spaces Glendower Street	12,000		
	<b>238,000</b>		<b>274,611</b>
		<b>TOTAL NET BENEFIT</b>	<b>36,611</b>

Members will note that the report recommends the creation of two capital budgets totalling £550,000 in 2016/17 that, if approved, will be reported to Council as an amendment to the Council's 2016/17 capital budget.

**6. FUTURE GENERATIONS & EQUALITY ASSESSMENT:**

An FGA assessment was presented to the Economy and Development Select committee in April 2016. This is replicated as appendix 6 as it remains relevant. However the FGA highlighted the impact upon the disabled of the introduction of a charge for parking for blue badge holders. If the recommendations of this report are approved then this negative impact will have been addressed by members.

**SAFEGUARDING ASSESSMENT:**

No risks arise in relation to safeguarding as a result of this report.

**7. CONSULTEES:**

SLT  
Cabinet members

**8. BACKGROUND PAPERS:**

Previous reports to Cabinet and the Economy and Development Select committee referenced within this report.

**9. AUTHORS**

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**MONMOUTHSHIRE COUNTY COUNCIL    Appendix 1A**  
**SECTIONS 32, 33,34 and 35 - ROAD TRAFFIC REGULATION ACT 1984**  
**MONMOUTHSHIRE COUNTY COUNCIL (OFF STREET PARKING PLACES) ORDER 2016**

**NOTICE OF INTENTION TO MAKE A PERMANENT ORDER**

Notice is hereby given that Monmouthshire County Council of County Hall, The Rhadyr, Usk NP15 1GA propose to make an order under sections 32,33,34 and 35 of the Road Traffic Regulation Act 1984

Effect of the Order:

1. Designate all car parks as long, short stay or non charging

**Long Stay Charging Car Parks**

Bus Station Car Park, Abergavenny  
Byefield Lane Car Park, Abergavenny  
Castle Street Car Park, Abergavenny  
Fairfield Car Park, Abergavenny  
Tudor Street Car Park, Abergavenny  
Castle Dell Car Park, Chepstow  
Drill Hall Car Park, Chepstow  
Station Road Car Park, Chepstow  
The Station Car Park, Chepstow  
Cattle Market Car Park, Monmouth  
Cornwall House Car Park, Monmouth  
Cinderhill Street Car Park, Monmouth  
Wyebridge Car Park, Monmouth        (Proposed new car park)  
Monnow Street Car Park, Monmouth  
Rockfield Road Car Park, Monmouth (Proposed new car park)  
Rowing Club Car Park, Monmouth  
Sports Ground Entrance Car Park, Monmouth  
Rogiet Playing Field Car Park, Rogiet

**Short Stay Charging Car Parks**

Brewery Yard Car Park, Abergavenny  
Tiverton Place Car Park, Abergavenny  
Trinity Terrace Car Park, Abergavenny  
Nelson Street Car Park, Chepstow  
Welsh Street Car Park, Chepstow  
Chippenham Car Park, Monmouth  
Glendower Street Car Park, Monmouth

**Non Charging Car Parks**

Jubilee Way Car Park, Caldicot  
Woodstock Way Car Park, Caldicot  
Goytre Car Park, Goytre  
Main Road Car Park, Gilwern  
Magor Square Car Park, Magor  
Sycamore Terrace Car Park, Magor  
Withy Close Car Park, Magor  
Chepstow Road Car Park, Raglan  
Maryport Street North Car Park, Usk  
Maryport Street South Car Park, Usk  
Twyn Square Car Park, Usk

2. That charges be introduced Monday to Saturday in the following car parks:

Byefield Lane car park, Abergavenny charged @ £1.00 per day

Charges at Cinderhill Street Car Park and Rowing Club Car Park, Monmouth be introduced on completion of the proposed free car park on Rockfield Road @ £1.00 per day.

Station Road Car Park, Chepstow, charged as current long stay car parks.

The Station Car Park, Chepstow charged @ £1.00 per day

That an all-day charge of £1.00 be introduced at Drill Hall Car Park, Chepstow

3. That Blue Badge holders pay to park in all charging car parks with a concession of an additional free hour's parking over the tariff paid. Subject to new pay machines being installed.
4. That the Sports Ground Entrance Car Park, Monmouth be designated Long Stay for Season Permit holders only.
5. That the boundary of Chippenham Car Park, Monmouth be extended to include the access road (Plan T226)
6. That 8 car parking spaces be designated free for a maximum of 30 minutes at Glendower Street car park, Monmouth. Subject to new pay machines being installed.(Plan 229A)
7. There will be no charge at any council car park after 4pm in Abergavenny.
8. That a first free hour be introduced at the designated short stay car parks of Nelson Street and Welsh Street, Chepstow. Subject to new pay machines being installed.
9. To introduce a five day/weekly parking ticket in Long stay car parks at a reduced rate of £15.00 and £18.00 respectively at current charges. Subject to new pay machines being installed.
10. That Parent and Toddler car parking spaces be introduced within the following car parks;  
Castle Street Car Park, Fairfield Car Park, Abergavenny  
Nelson Street Car Park Chepstow, Welsh Street Car Park, Chepstow  
Cattle Market Car Park, Monmouth Glendower Street Car Park, Monmouth
11. A maximum stay of 20 minutes loading/unloading within the loading bay at Glendower Street car park. (Plan 229A)
12. That the existing season permit be replaced with a designated season permit for either long stay, short stay or for the reduced rate car parks.
13. Introduce a parking charge of £2 per day at Rogiet Playing Field car park.
14. That the new car parks at Rockfield Road, Monmouth (Plan T232) Wyebridge Street, Monmouth (Plan T233) and Chepstow Road, Raglan (Plan T238) be included within the Parking Order.
15. The overstay charge will only be applicable in long stay car parks. There will no permitted return within two hours at any short stay car park.

A copy of the Draft Order, Statement of Reasons for making the order, the Monmouthshire County Council (Off Street Parking Places) Order 1996, Monmouthshire County Council (Off Street Parking Places) (Amendment No. 1) Order 2001, Monmouthshire County Council (Off Street Parking Places) (Amendment No. 2) Order 2010 (which will be affected by the proposed order) may be examined during normal office hours at :

County Hall, The Rhadyr, Usk NP151GA

Abergavenny One Stop Shop, Cross Street, Abergavenny NP7 5HD

Caldicot Community Hub, Woodstock Way, Caldicot NP264DB

Chepstow Community Hub, Library Building, Manor Way, Chepstow NP16 5HZ

Monmouth Community Hub, Library Building, Rolls Hall, Monmouth NP253BY

Usk Community Hub, 35 Maryport Street, Usk NP151AE

By visiting [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk)



Representations or objections should be made in writing to Roger Hoggins, Head of Operations, PO Box 106 Caldicot NP26 9AN or alternatively by email to [carparking@monmouthshire.gov.uk](mailto:carparking@monmouthshire.gov.uk) no later than 22 April 2016

If you wish to obtain further information about these proposals please telephone the Car Parking Section on 01633 644702

Dated: 08 March 2016

Roger Hoggins  
Head of Operations  
Monmouthshire County Council  
The Rhadyr  
Usk  
NP151GA

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MONMOUTHSHIRE COUNTY COUNCIL  
(OFF-STREET PARKING PLACES) ORDER 2016

Monmouthshire County Council (hereinafter called "the Council") in exercise of its powers under section 32,33,34 and 35 of the Road Traffic Regulation Act 1984 (hereinafter called "the 1984 Act") and Traffic Management Act 2004 after consultation with the Chief Officer of Police in accordance with paragraph 20 of Schedule 9 to the 1984 Act hereby makes the following Order:-

PART 1

GENERAL

1. This Order shall come into operation on the                      day of                      two thousand and sixteen and may be cited as "the Monmouthshire County Council (Off-Street Parking Places) Order 2016".
  
2. The Monmouthshire County Council (Off-Street Parking Places) Order 1996 as amended is hereby revoked.
  
3. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them:-  
  
"Authorised Officer" means a person authorised by or on behalf of the Council to supervise any Parking Place or a police constable in uniform.  
  
"Contravention Fee" means a charge payable to the Council and specified in Articles 36 to 40 inclusive.

“Contravention Notice” means a notice issued by an Authorised Officer of the Council in accordance with the provisions of Article 41.

“Council Offices” means:-

- (i) County Hall, The Rhadyr Usk NP15 1GA; or
- (ii) Monmouth Community Hub, Priory Street, Monmouth NP25 3XA  
or
- (iii) Caldicot Community Hub Woodstock Way, Caldicot, NP6 4DB; or
- (iv) Abergavenny Area Office, Market Hall, Cross Street,  
Abergavenny, NP7 5HD; or
- (v) Chepstow Community Hub, Library Building Manor Way,  
Chepstow NP16 5HZ
- (vi) Usk Community Hub 35 Maryport Street Usk, NP15 1AE

“Charging Car Parks” means those parking places specified in column 1 of the Schedule and shown numbered 1,2,4,5,6,7,8,9,10,13,15,16,17,18,19,26,27,28,29,30,31,32,33,34,35, 37 and 42 inclusive.

“Days of Operation” means the days prescribed in column 3 of the Schedule.

“Disabled Persons Vehicle permitted to park in designated disabled bays” means:-

- (i) an invalid carriage as defined in section 136(5) of the 1984 Act; or

- (ii) a vehicle issued for a disabled person by the Department of Health in lieu of an invalid carriage; or
- (iii) any vehicle which bears at the front or rear in a conspicuous position a badge issued by any local authority to the driver in pursuance of section 21 of the Chronically Sick and Disabled Persons Act 1970.

“Driver” in relation to a vehicle waiting in a Parking Place means the person driving the vehicle at the time it was left in the Parking Place.

“Excess Charge” means a charge of £5 payable, in accordance with the provisions of Article 32, by the Driver of any vehicle parked in Long Stay Charging Car Park between the hours of 9 a.m. and 5 p.m.

“Hours of Operation” means the period prescribed in column 4 of the Schedule.

“Loading Bay” means the loading bay area at Glendower Street Car Park Monmouth identified hatched in Blue on the plan no.T229a.

“Owner” in relation to a vehicle which is required to be licensed under the provisions of the Vehicle Excise and Registration Act 1994 means the person in whose name the vehicle was registered under the said Act on the date on which the vehicle was left in the Parking Place in question.

“Driver” in relation to a vehicle waiting in a Parking Place means the person driving the vehicle at the time it was left in the Parking Place

“Parent and Toddler Parking Place” means any parking bay designated for the sole use of an adult with a child travelling in the vehicle using such a parking bay .

“Parking Fee” means the sum to be paid in accordance with the provisions of this Order and as specified in column 5 of the Schedule by the Driver of any vehicle left in a Charging Car Park and for the avoidance of doubt where any vehicle tows any other vehicle into a Charging Car Park the appropriate Parking Fee shall be paid in respect of each vehicle.

“Parking Permit” means a permit issued by the Council under the provisions of Article 47 to include season permits for use in long stay car parks and season permits for use in short stay car parks and permits that may only be used in specific car parks.

“Parking Place” means a place specified in column 1 of the Schedule and provided by the Council pursuant to section 32(1) of the 1984 Act for the purpose of vehicle parking within the area outlined in red and being the car parks identified on the corresponding Plan numbered and identified in that column.

“Parking Ticket” means any ticket issued from a Ticket Machine or issued by an Authorised Officer at a Charging Car Park including weekly tickets and five(5) day tickets.

“Permitted Position” means, where parking bays are provided, wholly within a bay marked on the Placing Place.

“Permitted Vehicles” means a motor car, motor cycle, invalid carriage as defined in section 136 of the 1984 Act, commercial vehicles not exceeding 2.5 tonnes unladen weight, caravan, trailer and pedal cycles.

“Plan” means a plan attached to and forming part of this Order.

“Public Service Vehicle” means a motor vehicle of a type defined in section 1 of the Public Passenger Vehicles Act 1981.

“the Schedule” means the Schedule attached to and forming part of this Order.

“Ticket Machine” means an apparatus provided by the Council at any Charging Car Park and which is designed to indicate on a Parking Ticket the time at which a vehicle arrived and the time at which it ought to leave or one or other of these items.

“Vehicle” includes motor cycle, caravan, trailer and pedal cycle.

- (2) For the purposes of this Order where a vehicle is drawing a trailer or caravan the vehicle and the trailer or caravan shall be deemed to be

separate vehicles and the driver of the leading vehicle shall be deemed to be the driver of both the vehicles.

- (3) References in this Order to any Article without further designation shall be construed as a reference to the Article so numbered
- (4) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, extended, modified or re-enacted by any subsequent enactment.
- (5) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 22 of that Act this Order were an Act of Parliament and the provisions revoked by Article 2 were enactments thereby repealed.

## PART II

### USE OF PARKING PLACES – GENERAL

4. Except with the written authority of the Council no Parking Place may be used other than as a parking place for such classes of vehicle as are specified in relation to that Parking Place in column 2 of the Schedule on the Days of Operation and during the Hours of Operation and in accordance with the following provisions of this Order.
5. Except with the written authority of the Council the Driver of a vehicle shall not permit the vehicle to wait in a Parking Place for longer than the



maximum period permitted for waiting specified in column 6 of the Schedule in relation to that Parking Place.

6. No person shall use a Parking Place or any part thereof which has been closed in part or in whole by authority of the Council.
7. The Driver of a vehicle using a Parking Place shall not permit the vehicle to be left in that Parking Place otherwise than in the Permitted Position.
8. Where in a Parking Place signs are erected or surface markings are laid for the purpose of indicating that part of the Parking Place is reserved no person shall allow a vehicle to be left within such part of a Parking Place unless such person is the holder of a valid Parking Permit authorising them to park within that part of the Parking Place PROVIDED THAT they shall only park within that part of the Parking Place in accordance with any terms and conditions which are attached to their Parking Permit.
9. No person shall without the written authority of the Council while a vehicle is in a Parking Place use the Parking Place for any purpose other than parking the vehicle, boarding or alighting from the vehicle or taking articles out of or into the vehicle, and in particular but without prejudice to the generality of the foregoing provisions of this Article shall not:-
  - (a) carry out any work of construction, overhauling, alteration, cleaning or repair in respect of the vehicle except such as may be necessary to enable the vehicle to be moved from the Parking Place;

- (b) use the vehicle in connection with the sale of any article to persons in or near the Parking Place or in connection with the selling or offering for hire of his or someone else's skill or services;
  - (c) use the vehicle for the purpose of storing any goods or materials with a view to selling or delivering such articles to persons in or near to the Parking Place.
- 10. No person shall use any part of a Parking Place or any vehicle left in a Parking Place:
  - (i) for sleeping or camping purposes; or
  - (j) for eating or cooking purposes.
- 11. No person shall permit a vehicle other than a Disabled Persons Vehicle a Motor Cycle or Pedal Cycle to wait in any part of a Parking Place which the Council has set aside only for the parking of Disabled Persons Vehicles Motor Cycles and/or Pedal Cycles.
  - (i) There will be no concession for disabled drivers; the appropriate charge must be paid (other than the additional permitted period as set out in Article 12)
- 12. Vehicles carrying a disabled person and displaying a blue badge will be permitted to park in any available bay and will benefit from receiving an additional hour free in addition to the time permitted on the payment made.

13 No person shall permit a vehicle other than a vehicle carrying a child to park in a parking bay within Car Parks identified in Column 1 of the Schedule being car parks 6,7,16,19,26, and 31 where parent and toddler bays are designated for that purpose

14 No person shall in any Parking Place:

(i) erect or cause or permit to be erected any tent, booth, stand, building or other structure without the written consent of the Council; or

(j) light or cause or permit to be lit any fire.

15 The Driver of a vehicle other than a caravan, trailer or pedal cycle shall not permit that vehicle to be left in a Parking Place unless the vehicle is licensed in accordance with the provisions of section 1 of the Vehicle Excise and Registration Act 1994 and unless there is in relation to the use of the vehicle by the Driver such a policy of insurance as complies with the requirements of Part V1 of the Road Traffic Act 1988.

16 No person shall except:-

(a)with the permission of the Council or an Authorised Officer, or

(b)where they have a legal right of access through the Parking Place,

drive any vehicle or ride any pedal cycle or other machine in a Parking Place other than for the purpose of leaving that vehicle in the Parking

Place in accordance with the provisions of this Order or for the purpose of departing from the Parking Place.

- 17 No person shall in a Parking Place destroy, damage, interfere with or deface any property belonging to the Council and in addition to the penalty provided by Schedule 2, Part 1, to the Road Traffic Offenders Act 1988 any person so doing shall be liable for and shall pay to the Council the full cost of repair of the damage.
- 18 No person shall in a Parking Place wantonly shout or otherwise make any loud noise or sound any horn or other similar instrument or do anything to the disturbance or annoyance of users of the Parking Place or residents or occupiers of premises in the neighbourhood.
- 19 No person shall in a Parking Place use any threatening, abusive or insulting words or behaviour with intent to put any person in fear or to provoke a break of the peace.
- 20 No person shall in a Parking Place distribute or cause to be distributed or sell or cause to be sold any leaflets, pamphlets, papers, journals or any other similar material or publications without the written consent of the Council.
- 21 No person shall within any Parking Place do anything which if the Parking Place were land in the open air would constitute an offence under the provisions of the Refuse Disposal (Amenity) Act 1978.

22 Where in a Parking Place signs are erected or surface markings are laid for the purpose of:-

(a) indicating the entrance to or exit from the Parking Place; or

(b) indicating that a vehicle using the Parking Place shall proceed in a specified direction within the Parking Place,

(c) no person shall drive or cause or permit to be driven any vehicle:-

(i) so that it enters the Parking Place otherwise than by an entrance or leaves the Parking Place otherwise than by an exit so indicated; or

(ii) in a direction other than that specified.

23 No person shall in a Parking Place cause or permit to be driven any vehicle in a reckless or dangerous manner or at a speed exceeding 10 m.p.h.

### PART III

#### REMOVAL AND DISPOSAL OF VEHICLES IN A PARKING PLACE

24 Where an Authorised Officer is of the opinion that any of the provisions contained in Articles 4, 5, 6, 7, 8, 9, 10, 11, 13, 27 44 and

46 have been contravened or not complied with in respect of a vehicle left in a Parking Place he may remove the vehicle or cause it to be removed from the Parking Place PROVIDED THAT where a vehicle is left in a Parking Place in a position other than a Permitted Position an Authorised Officer may move the vehicle or cause it to be moved to a Permitted Position or may remove the vehicle or cause it to be removed from the Parking Place.

25 In case of emergency an Authorised Officer or any other person duly authorised by the Council may move or cause to be moved any vehicle left in a Parking Place to any place he thinks fit.

26 Any person moving or removing a vehicle in accordance with Article 24 or 25 may do so by towing or driving or in such a manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to move or remove it as aforesaid.

(i) When an Authorised Officer moves or removes a vehicle or causes it to be moved or removed from a Parking Place in accordance with Article 24 or 25 he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle but neither such Authorised Officer nor the Council, its servants or agents shall be liable for any loss or damage to any such vehicle or its contents arising from or in consequence of the exercise of the powers contained in Articles 24 and 25.

(ii) Section 102 of the 1984 Act shall apply to this Order in respect of the recovery by the Council of charges for the moving or removal of vehicles in

accordance with Articles 24 and 25 for storage and custody of such vehicles and for disposal of abandoned vehicles.

27 Where a vehicle has been removed from a Parking Place in accordance with Article 24 or 25 and it appears to the Council to have been abandoned the Council may sell or otherwise dispose of the vehicle after having made reasonable enquiry to ascertain the name and address of the owner of the vehicle PROVIDED THAT the Council shall be deemed to have made reasonable enquiry to ascertain the name and address of the owner of any vehicle to which this Article applies if it has taken in relation to that vehicle such steps as may be prescribed by any regulations for the time being in force by virtue of the 1984 Act, the Refuse Disposal (Amenity) Act 1978 or any other Act authorising the Council to sell or otherwise dispose of abandoned vehicles.

#### PART IV

#### CHARGES AND CONTRAVENTIONS

28 Subject to the provisions of Article 34, the Driver of a vehicle using:-

- (i) a Charging Car Park (excluding that Parking Place numbered 5 in column 1 of the Schedule and known as Byefield Car Park) between the hours of 9 a.m. and 4 p.m. and
  
- (ii) the said Byefield Car Park between the hours of 8 a.m. and 5 p.m.

on any day (except Sundays) who is not the holder of a valid Parking Permit shall

(iii) pay the Parking Fee in respect of that Parking Place as specified in column 5 of the Schedule, and

(iv) affix a Parking Ticket on the dashboard inside the vehicle in respect of which it was issued so that the date and time of issue or expiry (as appropriate) of the Parking Ticket may be read by an Authorised Officer and shall cause the said ticket to be so exhibited at all times while the vehicle is parked in that Charging Car Park.

29 The Parking Fee shall be paid:-

(i) by the insertion in a Ticket Machine of a coin or coins, bank notes, payment cards or tokens such as may be required by the appropriate Ticket Machine; or

(ii) in the case of that Parking Place numbered 5 in column 1 of the Schedule and known as Byefield Car Park, by payment to an Authorised Officer making up the amount of the charge for the period for which payment is being made.

30 When a Parking Ticket has been exhibited on a vehicle in accordance with the provisions of Article 28(iv) no person shall remove the Parking Ticket the vehicle until the vehicle is removed from the Charging Car Park.

31 Where any vehicle is left in a Charging Car Park and the provisions of Articles 7, 8 or 9 are contravened a Contravention Fee of sixty pounds (£60) shall become due.



32 Where the Driver of a vehicle has left that vehicle in a Long Stay Charging Car Park and the Driver has purchased a Parking Ticket but has left his vehicle for longer than the period paid for a Contravention Fee of sixty pounds (£60) shall become due PROVIDED THAT the Council may waive payment of that Contravention Fee where the Driver of any vehicle within one hour of the expiry time specified on the Parking Ticket purchased for that vehicle on that day has:-

(i) paid the Excess Charge by purchasing an additional ticket from the Ticket Machine, and

(ii) sent to the Head of Operations of the Council within five days the original ticket, the additional ticket and the Contravention Notice.

33 The Driver of any Disabled Persons Vehicle shall be permitted to remain in a parking bay for one extra hour over the tariff paid period

34 Where in any Charging Car Park a Ticket Machine becomes inoperable for any reason the Driver of any vehicle using any such Parking Place shall when so requested by an Authorised Officer pay to that Authorised Officer the appropriate Parking Fee in respect thereof and shall obtain from an Authorised Officer a Ticket indicating that the appropriate Parking Fee has been paid and shall display the Parking Ticket in accordance with Article 28(d).

- 35 In the event of the failure of a Ticket Machine at any Charging Car Park the Council shall be at liberty to operate any such Parking Place by means of an Authorised Officer in accordance with Article 34 until such time as the failure is rectified.
- 36 Unless it shall be proved to the contrary indications given by a Ticket Machine of the date and time of issue or expiry (as appropriate) of a Parking Ticket, of the Parking Fee paid and of the machine number of the issuing Ticket Machine shall be evidence of such facts for the purpose of:-
- (i) any proceedings for the recovery of any Contravention Fee payable to the Council in accordance with the provisions of this Order and of section 35 of the 1984 Act and section 4(3) of the Road Traffic Offenders Act 1988, and
  - (ii) any prosecution brought by the Council under section 35A of the 1984 Act.
- 37 Subject to Articles 31, 32 and 38 to 40 inclusive, where a Driver has left a vehicle in a Parking Place otherwise than in accordance with the provisions of Part II of this Order a Contravention Fee of one hundred pounds (£100) shall become due.
- 38 Where the Driver of a commercial vehicle exceeding 2.5 tonnes unladen weight parks the vehicle in a Parking Place other than as permitted in respect of those Parking Places numbered 3 and 12 in column 1 of the Schedule a Contravention Fee of one hundred pounds (£100) shall become due.

- 39 Where any vehicle is left in a Parking Place and the provisions of Article 5 are contravened a Contravention Fee of sixty pounds (£60) shall become due.
- 40 Where any vehicle is left in a Parking Place and the provisions of Article 9 or Article 23 are contravened a Contravention Fee of one hundred pounds (£100) shall become due.
- 41 Where any vehicle is left at any time in a Parking Place otherwise than in accordance with the provisions of this Order a Contravention Notice shall be attached to the vehicle in a conspicuous position by an Authorised Officer which shall include the following particulars:-
- (a) the registration mark of the vehicle or where the vehicle is being used under a trade licence the number of the trade plate carried by the vehicle;
  - (b) the time at which it was noticed that a Contravention Fee specified in Articles 30, 31 and 36 to 40 had been incurred.
  - (c) a statement that the Contravention Fee or Excess Charge (as appropriate) is required to be paid;
  - (d) The manner in which the time within which the Contravention Fee or Excess Charge (as appropriate) should be paid and including:-
    - (i) where the Contravention Notice relates to payment of a Contravention Fee a statement referring to the provisions of

Article 42 relating to the payment of the Contravention Fee in the manner specified in that Article; and

(ii) where the Contravention Notice relates to payment of the Excess Charge a statement referring to the provisions of Article 31 relating to the payment of the Excess Charge in the manner specified in that article.

(k) a statement that it is an offence under this Order and Section 35A of the 1984 Act for the Driver of a vehicle who has left a vehicle in a Parking Place to fail to pay the Contravention Fee or Excess Charge (as appropriate).

42 Subject to Article 43 the Driver of a vehicle in respect of which a Contravention Fee specified in Articles 30, 31 and 36 to 40 has been incurred shall pay the Contravention Fee to the Council either by cheque or postal order which shall be delivered or sent by post so as to reach the County Engineer and Surveyor of the Council not later than 4.30 p.m. on the thirtieth day following the day on which the Contravention Fee was incurred or in cash at the Council Offices not later than aforesaid PROVIDED that if the thirtieth day falls upon a day on which the Council Offices are closed the period within which the payment of the Contravention Fee shall be made to the Council shall be extended until 4.30 p.m. on the next full day on which the Council Offices are open.

43 Where payment of any Contravention Fee specified in Articles 31 , 32 and 37 and 40 is received by the Head of Operations of the Council:-

(a)not later than 4.30pm on the fourteenth day on which the Contravention Fee was incurred.

- 44 When a Contravention Notice has been attached to a vehicle in accordance with the provisions of Article 41 no person shall remove the Contravention Notice from the vehicle until the vehicle is removed from the Parking Place.

PART V  
MISCELLANEOUS PROVISIONS

- 45(a) Where the Driver of a vehicle is alleged to be guilty of an offence to which this Order applies the Owner of the vehicle shall give such information as to the identity of the Driver as he may be required to give by or on behalf of the Council and such information shall be given in writing if so required by the Council, and

(b) any other person shall if required as foresaid give in manner aforesaid any information it is in his power to give which may lead to the identification of the Driver.

- 46 Notwithstanding the fact that a Contravention Notice may have been issued by an Authorised Officer in respect of a breach of any provision of this Order and that payment of the Contravention Fee specified in that Contravention Notice may have been made, the Council shall be entitled to prosecute under

section 35A of the 1984 Act the Driver of any vehicle who was responsible for such a breach.

- 47 The Council may issue to any person or persons a Parking Permit valid for use in such Parking Places and on such conditions as may be determined by the Council and the Council may require payment or payments of such sums as it may determine prior to the issue of any Parking Permit.
- 48 The Council may permit free parking in any of the towns within Monmouthshire on up to three Saturdays in the run up to Christmas in any year
- 49 Any Parking Ticket issued shall be transferrable on the day of issue between Charging Car Parks situated in the same town where the Parking Fees payable in respect of those Charging Car Parks are the same.
- 50 Any appeal made to the Council arising out of any contravention of any 'article' in the Order will be processed in line with (1) The Civil Enforcement of Parking Contraventions (General Provision) (ales) (No.2) Regulations 2008 and (23) The Civil Enforcement of Parking Contraventions (Representations and Appeals) (Wales) Regulations 2008.

DATED this                    day of                    two thousand and sixteen

GIVEN under the Commons Seal of

MOUNMOUTHSHIRE COUNTY COUNCIL

Member of the Council

Authorised Signatory

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
Name of Parking Place	Class of vehicle for which Parking Place may be used	Days of Operation	Hours of Operation of Parking Place	Parking Fees for permitted vehicles Monday to Saturday between 9am and 4pm (Abergavenny Car Parks)	Maximum Period for which vehicles may wait in Parking Place.
1. Brewery Yard Car Park, Abergavenny. (Plan No. T200)	Permitted Vehicles	Every Day (except Tuesdays)	All Hours	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours with no return within 2 hrs of departure Short Stay Season Permit Parking at £490.00 per annum £250 half year and £125 quarterly	4 Hours
2. Bus Station Car Park, Abergavenny. (Plan No. T201)	Permitted Vehicles	Every Day	-Ditto-	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours or part thereof; or £4.00 all day. Long Stay Season Permit Parking at £390.00 per annum £200 half year and £100 quarterly	24 Hours
3. Bus Station, Abergavenny. (Plan No. T202)	Public Service Vehicles Caravans Commercial Vehicles exceeding 2.5 tonnes unladen weight	-Ditto- -Ditto- -Ditto-	7am to midnight 8am to 6pm 6pm to 8am	No Charge	17 hours 10 Hours 14 Hours



4. St Mary's Priory Car Park, Abergavenny (Plan No. T203)	Permitted Vehicles	Every Day	-Ditto-	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours or part thereof; or £4.00 all day. Long Stay Season Permit Parking at £390.00 per annum £200 half year and £100 quarterly	24 Hours
5. Byefield Car Park, Abergavenny. (Plan No. T204)	Permitted Vehicles	Every Day	All Hours	£1.00 all day Car Park Specific Reduced Rate Permit £125 per annum	24 Hours
6. Castle Street Car Park, Abergavenny. (Plan No. T205)	Permitted Vehicles	Every Day	All Hours	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours or part thereof; or £4.00 all day Long Stay Season Permit Parking at £390.00 per annum £200 half year and £100 quarterly	24 Hours
7. Fairfield Car Park, Abergavenny. (Plan No T206)	Permitted Vehicles	Every Day	All Hours	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours or part thereof; or £4.00 all day Long Stay Season Permit Parking at £390.00 per annum £200 half year and £100 quarterly	24 Hours

8. Tiverton Place Car Park, Abergavenny. (Plan No. T207)	Permitted Vehicles	Every Day	All Hours	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours with no return within 2 hrs of departure Short Stay Season Permit Parking at £490.00 per annum £250 half year and £125 quarterly	4 Hrs
9. Trinity Terrace Car Park, Abergavenny. (Plan No. T208)	Permitted Vehicles	Every Day	All Hours	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours with no return within 2 hrs of departure Short Stay Season Permit Parking at £490.00 per annum £250 half year and £125 quarterly	4 Hrs
10. Tudor Street Car Park, Abergavenny. (Plan T209)	Permitted Vehicles	Every Day	All Hours	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours or part thereof; or £4.00 all day Long Stay Season Permit Parking at £390.00 per annum £200 half year and £100 quarterly	24 Hours
<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>	<b>COLUMN 6</b>
<b>Name of Parking Place</b>	<b>Class of vehicle for which Parking Place may be used</b>	<b>Days of Operation</b>	<b>Hours of Operation of Parking Place</b>	<b>Parking Fees for permitted vehicles where stated Monday to Saturday between 9am and 5pm.</b>	<b>Maximum Period for which vehicles may wait in Parking Place.</b>
11. Jubilee Way Car Park, Caldicot (Plan T210)	Permitted Vehicles	Every Day	All Hours	No Charge	24 Hours

12. Woodstock Way Car Park, Caldicot. (Plan No. T211)	Every Day	All Hours	No Charge	24 Hours
13. Castle Dell Car Park, Chepstow. (Plan No. T212)	-Ditto- -Ditto-	-Ditto- -Ditto-	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours or part thereof; or £4.00 all day Long Stay Season Permit Parking at £390.00 per annum £200 half year and £100 quarterly	24 Hours 24 Hours
14. Castle Dell Coach Parking, Chepstow. (Plan No. T212A)	Every Day	7am to Midnight	No Charge	17 Hours
15. Drill Hall Car Park, Chepstow. (Plan No. T213)	Every Day	All Hours	£1.00 all day Car Park Specific Reduced Rate Permit £125 per annum	24 Hours
16. Nelson Street Car Park, Chepstow. (Plan No. T214)	Every Day	All Hours	First hour free thereafter which £1.00 for 2 hours or part thereof; £1.50 for 3 hours or part thereof; 4 hour maximum stay with no return within 2 hrs of departure Short Stay Season Permit Parking at £490.00 per annum £250 half year and £125 quarterly	4 Hours

17. Station Road Car Park, Chepstow. (Plan No. T215)	Permitted Vehicles	Every Day	All Hours	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours or part thereof; or £4.00 all day Long Stay Season Permit Parking at £390.00 per annum £200 half year and £100 quarterly	24 Hours
18. The Station, Chepstow, (Plan No. T216)	Permitted Vehicles	Every Day	All Hours	£1.00 all day Car Park Specific Reduced Rate Permit £125 per annum	24 Hours
19. Welsh Street Car Park, Chepstow. (Plan No. T217)	Permitted Vehicles	Every Day	All Hours	First hour free thereafter which £1.00 for 2 hours or part thereof; £1.50 for 3 hours or part thereof; 4 hour maximum stay with no return within 2 hrs of departure Short Stay Season Permit Parking at £490.00 per annum £250 half year and £125 quarterly	4 Hours
20. Main Road Car Park, Gilwern. (Plan No. T218)	Permitted Vehicles	Every Day	All Hours	No Charge	24 Hours
21. Goytre Car Park, Goytre. (Plan No. T219)	Permitted Vehicles	Every Day	All Hours	No Charge	24 Hours
22. Magor Square Car Park, Magor. (Plan No. T220)	Permitted Vehicles	Every Day	All Hours	No Charge	24 Hours

23. Sycamore Terrace/Brassknocker Street Car Park, Magor. (Plan No. T221)	Permitted Vehicles	Every Day	All Hours	No Charge	24 Hours
24. Withy Close Car Park, Magor. (Plan No. T222)	Permitted Vehicles	Every Day	All Hours	No Charge	24 Hours
25. Old Dixton Road, Monmouth (Plan No. T223)	Permitted Vehicles	Every Day	All Hours	No Charge	24 Hours
26. Cattle Market Car Park, Monmouth. (Plan No. T224)	Permitted Vehicles	Every Day	All Hours	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours or part thereof; or £4.00 all day Long Stay Season Permit Parking at £390.00 per annum £200 half year and £100 quarterly	24 Hours
27. Sports Ground Car Park, Monmouth. (Plan No. T225)	Permitted Vehicles	Every Day	All Hours	Long Stay Season Permit Parking only	24 Hours
28. Chippenham Car Park, Monmouth. (Plan No. T226)	Permitted Vehicles	Every Day	All Hours	£1.00 for 2 hours or part thereof; £1.50 for 3 hours or part thereof; 4 hour maximum stay with no return within 2 hrs of departure Short Stay Season Permit Parking at £490.00 per annum £250 half year and £125 quarterly	4 Hours

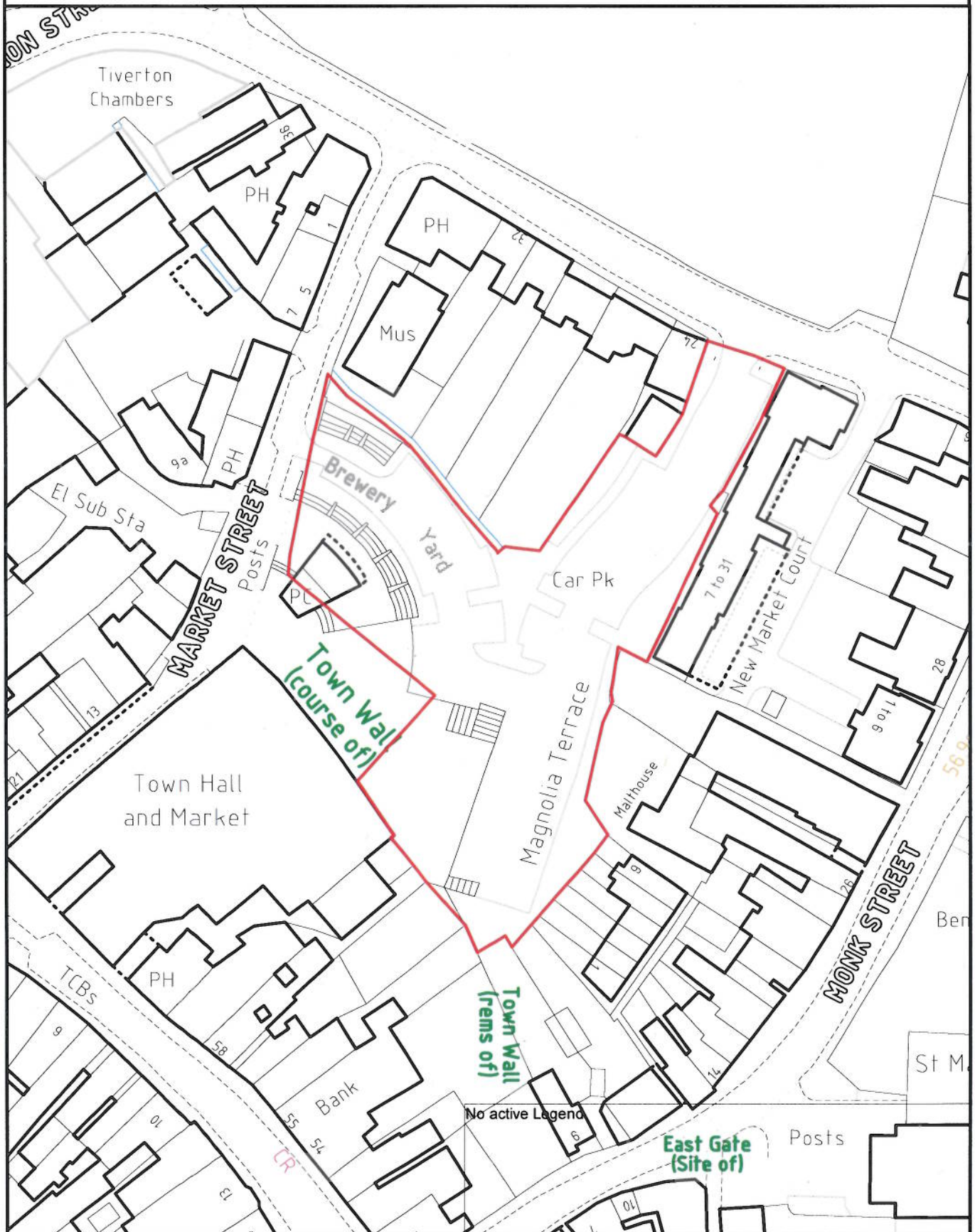
29. Cinderhill Street Car Park, Monmouth. (Plan No. T227)	Permitted Vehicles	Every Day	All Hours	£1.00 all day on completion of new free Rockfield Road car park Car Park Specific Reduced Rate Permit £125 per annum	24 Hours
30. Cornwall House Car Park, Monmouth. (Plan No. T228)	Permitted Vehicles	Every Day	All Hours	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours or part thereof; or £4.00 all day Long Stay Season Permit Parking at £390.00 per annum £200 half year and £100 quarterly	24 Hours
31. Glendower Street Car Park, Monmouth. (Plan No. T229)	Permitted Vehicles	Every Day	All Hours	£1.00 for 2 hours or part thereof; £1.50 for 3 hours or part thereof; 4 hour maximum stay with no return within 2 hrs of departure Short Stay Season Permit Parking at £490.00 per annum £250 half year and £125 quarterly	4 Hours
32. Loading Bay at Glendower Street Car Park Monmouth (Plan No. T229A)	Permitted Vehicles	Every Day	All Hours	No Charge	20 Minutes
33. Glendower Street Car Park, Monmouth (Plan T229A)	Permitted Vehicles	Every Day	All Hours	Free 30 Minutes in 8 designated spaces	30 Minutes
34. Rear of Monnow Street Car Park, Monmouth.	Permitted Vehicles	Every Day	All Hours	£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00	24 Hours

(Plan No. T230)					for 4 hours or part thereof; or £4.00 all day Long Stay Season Permit Parking at £390.00 per annum £200 half year and £100 quarterly	
35. Rowing Club Car Park, Monmouth. (Plan No. T231)	Permitted Vehicles	Every Day	All Hours		£1.00 all day on completion of new free Rockfield Road car park Car Park Specific Reduced Rate Permit £125 per annum	24 Hours
36. Rockfield Road Car Park, Monmouth (T232)	Permitted Vehicles	Every Day	All Hours		No Charge	24 Hours
37. Wyebridge Car Park, Monmouth (T233)	Permitted Vehicles	Every Day	All Hours		£1.00 for the first 2 hours or part thereof; £1.50 for 3 hours or part thereof; £2.00 for 4 hours or part thereof; or £4.00 all day Long Stay Season Permit Parking at £390.00 per annum £200 half year and £100 quarterly	24 Hours
38. Maryport Street (North) Car Park, Usk. (Plan No. T234)	Permitted Vehicles	Every Day	All Hours		No Charge	24 Hours
39. Maryport Street (South) Car Park, Usk (Plan No. T235)	Permitted Vehicles	Every Day	All Hours		No Charge	24 Hours
40. Maryport Street (South) Car Park, Usk. Coach Parking	Public Service Vehicles	Every Day	7am to Midnight		No Charge	17 Hours

(T235A)							
41. Twyn Square Car Park, Usk. (Plan No. T236)	Permitted Vehicles	Every Day	All Hours	No Charge	24 Hours		
42. Rogiet Playing Field Car Park (Plan No. T237)	Permitted Vehicles	Every Day	All Hours	£2.00 All Day Charge Car Park Specific Reduced Rate Permit £250.00 per annum	24 Hours		
43. Chepstow Road Car Park, Raglan (Plan No. T238)	Permitted Vehicles	Every Day	All Hours	No Charge	24 Hours		

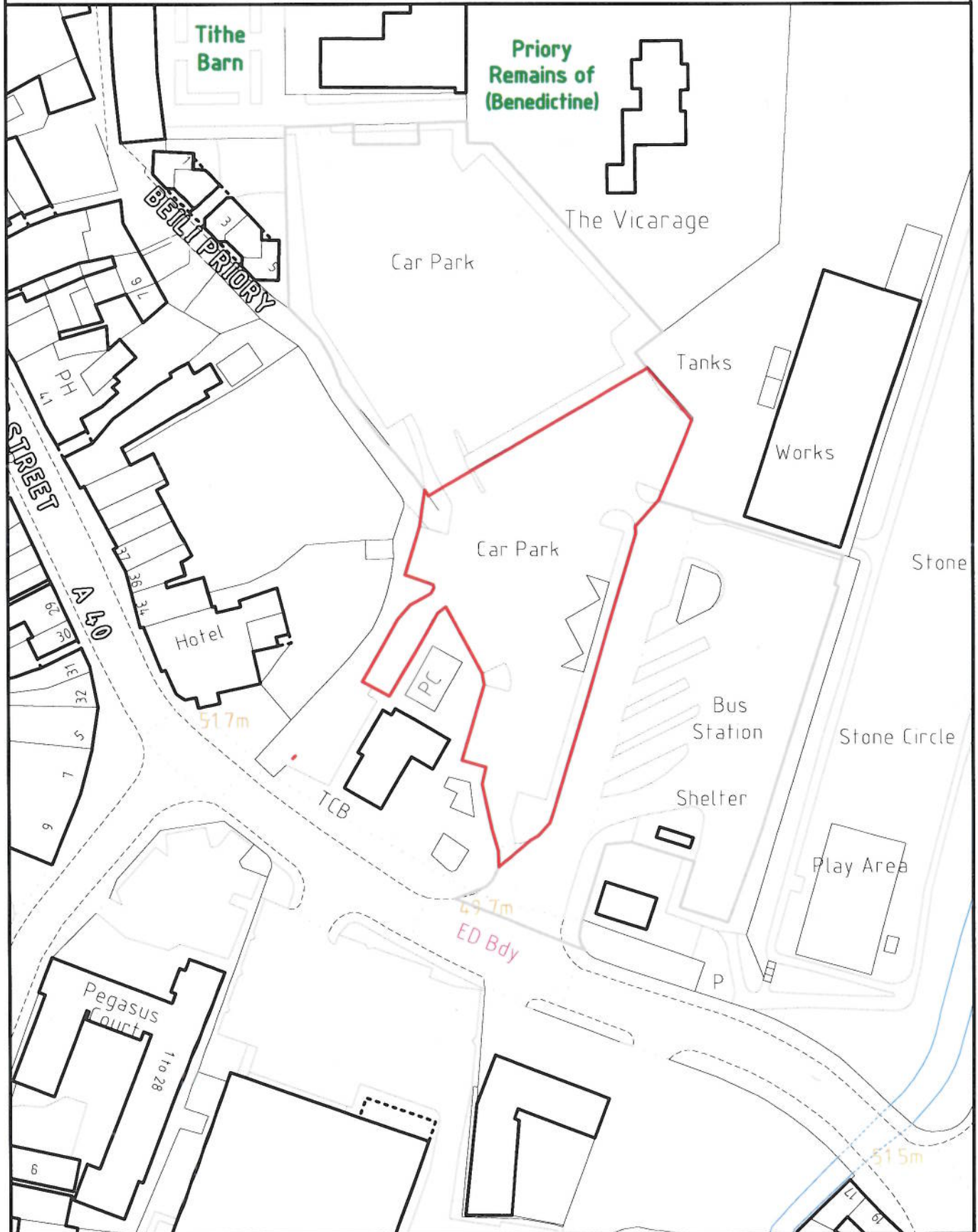


# Brewery Yard Car Park Abergavenny T200



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# Bus Station Car Park Abergavenny T201



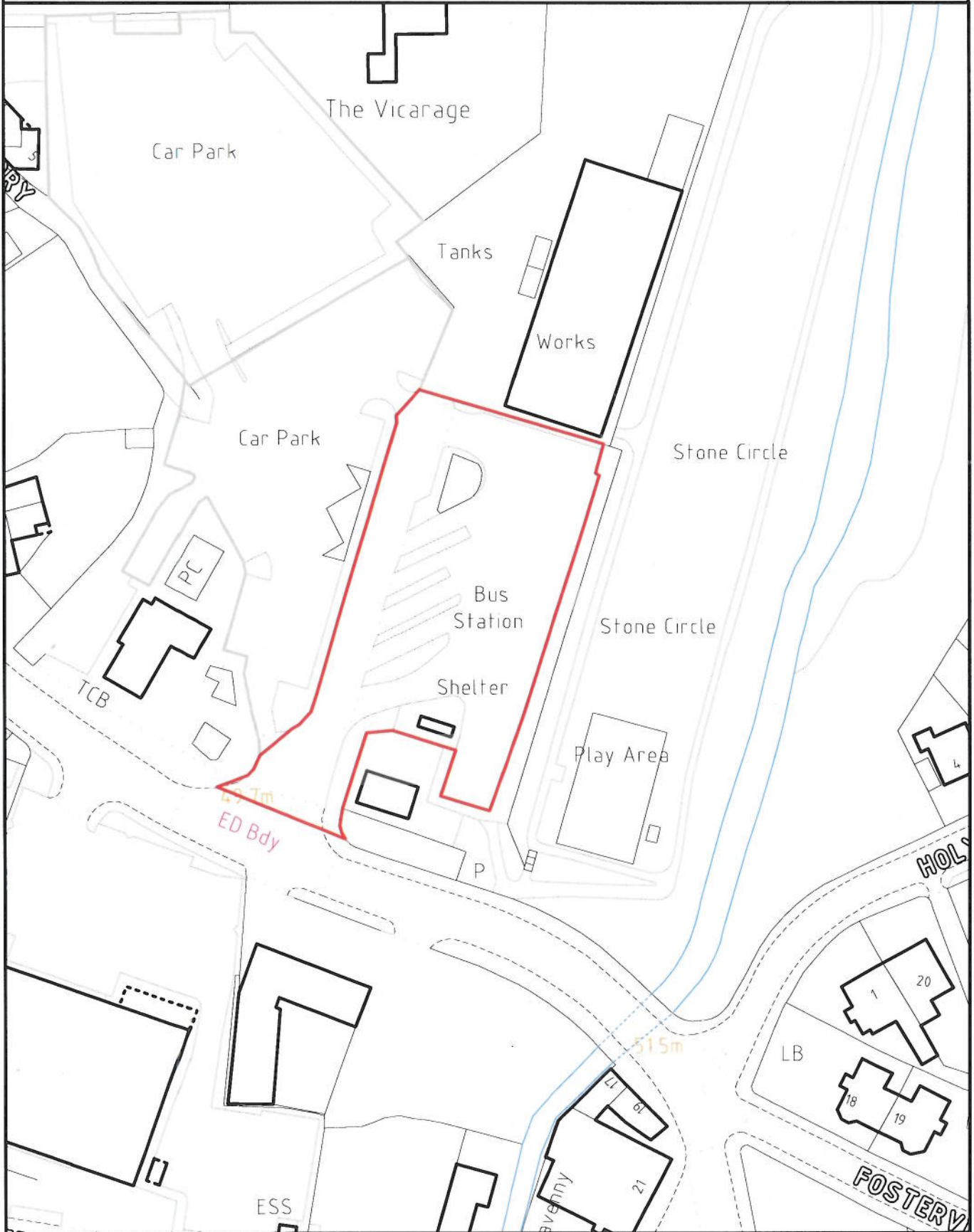
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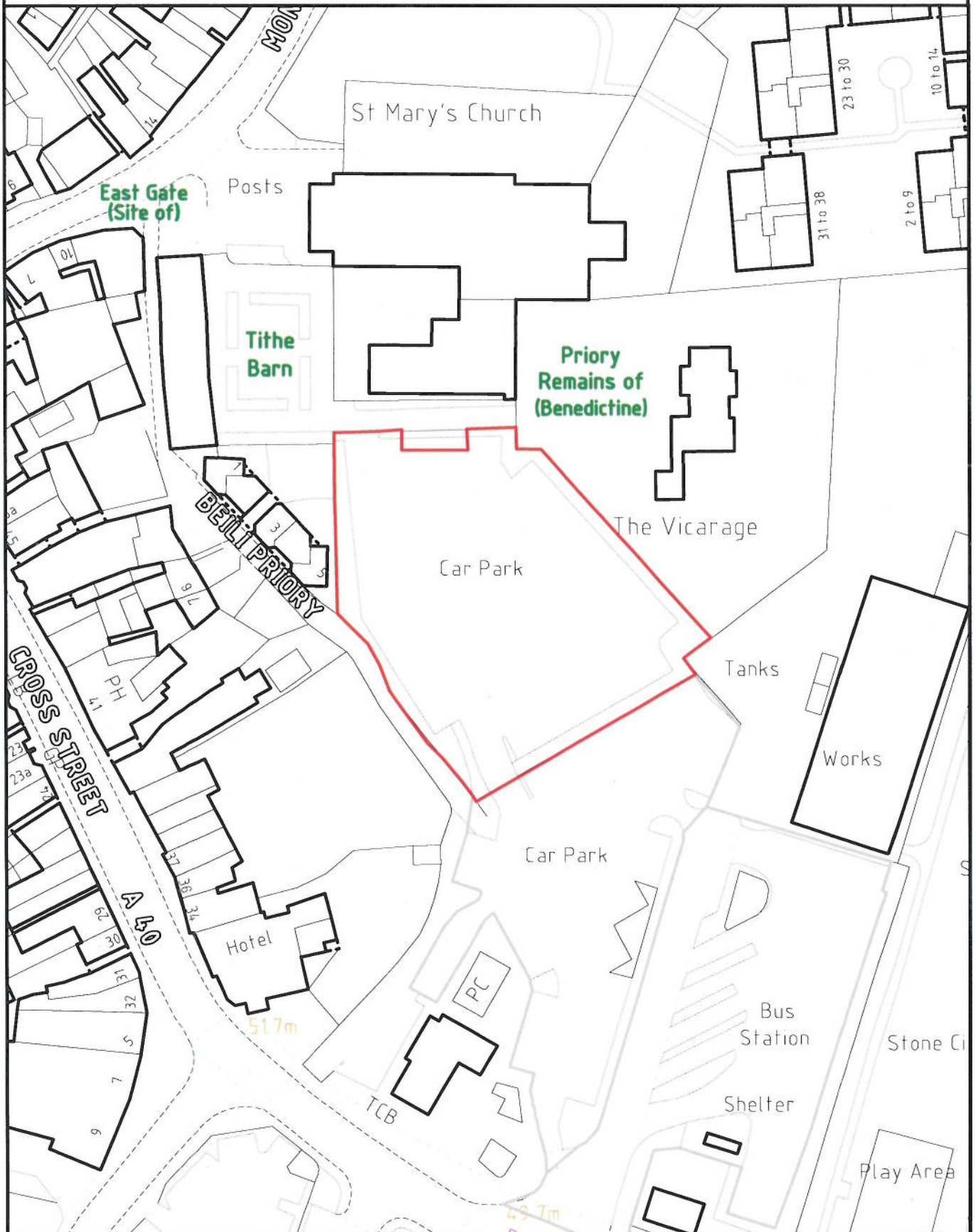


# Bus Station Abergavenny T202



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# St Marys Priory Car Park Abergavenny T203



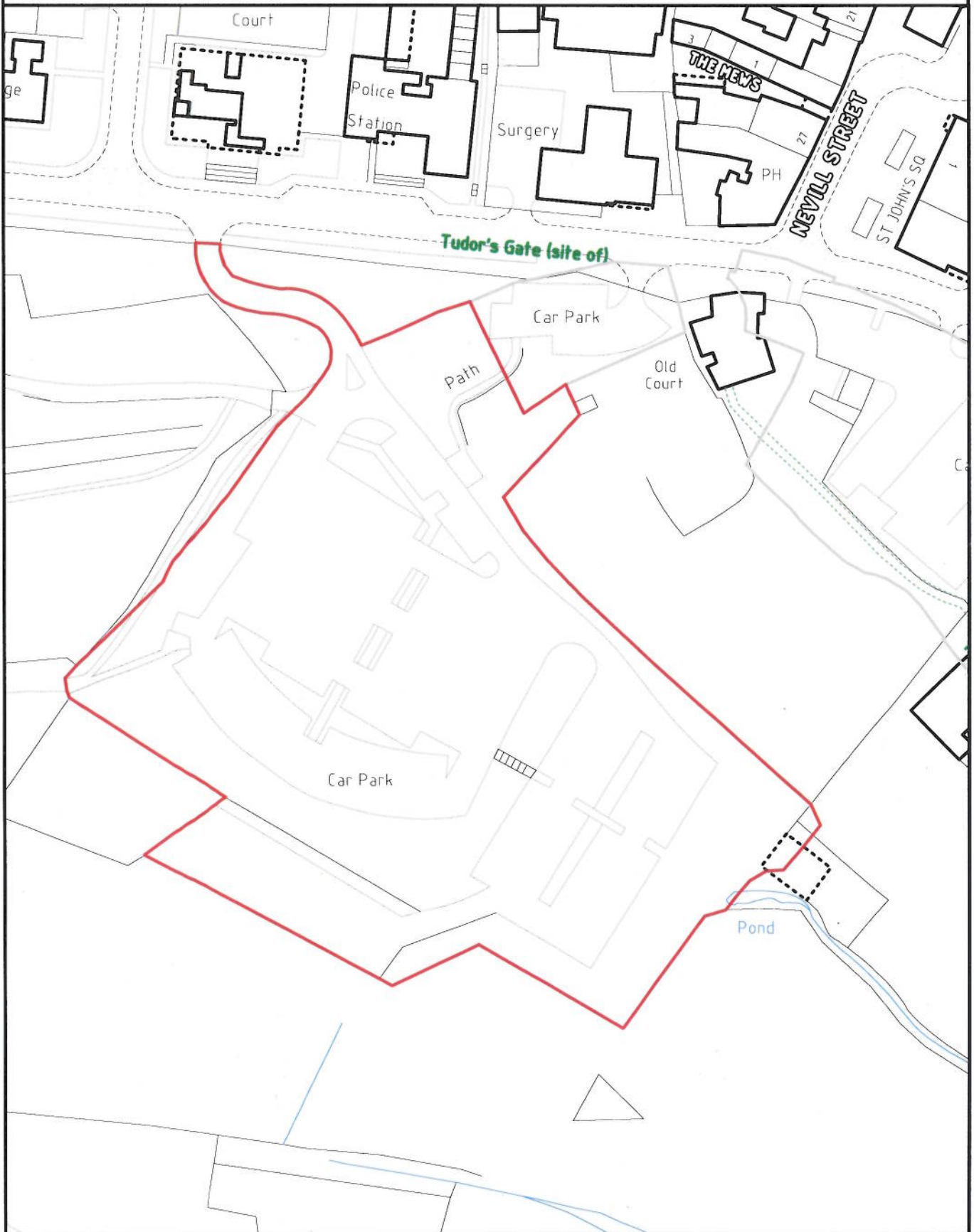
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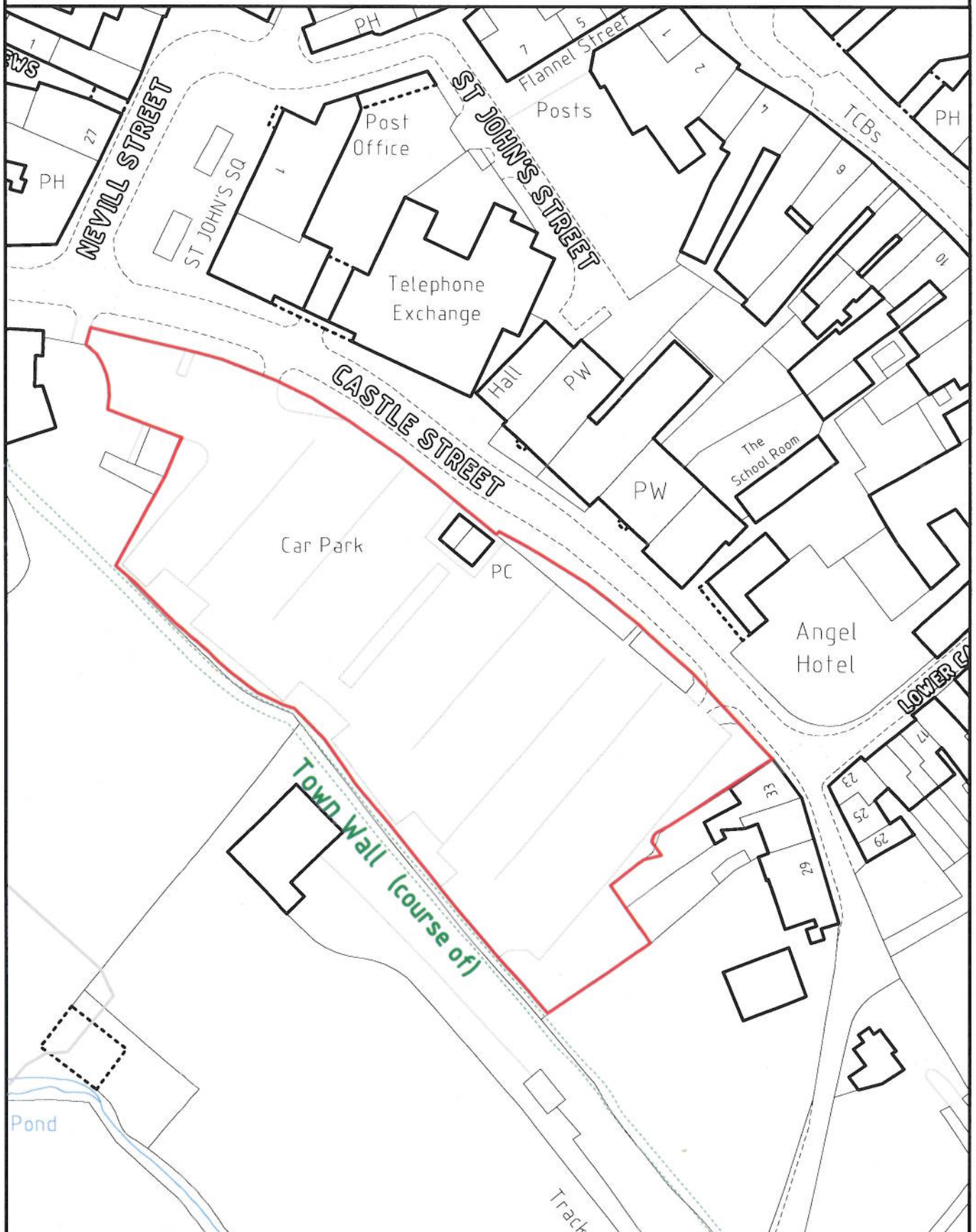



# Byefield Lane Car Park Abergavenny T204



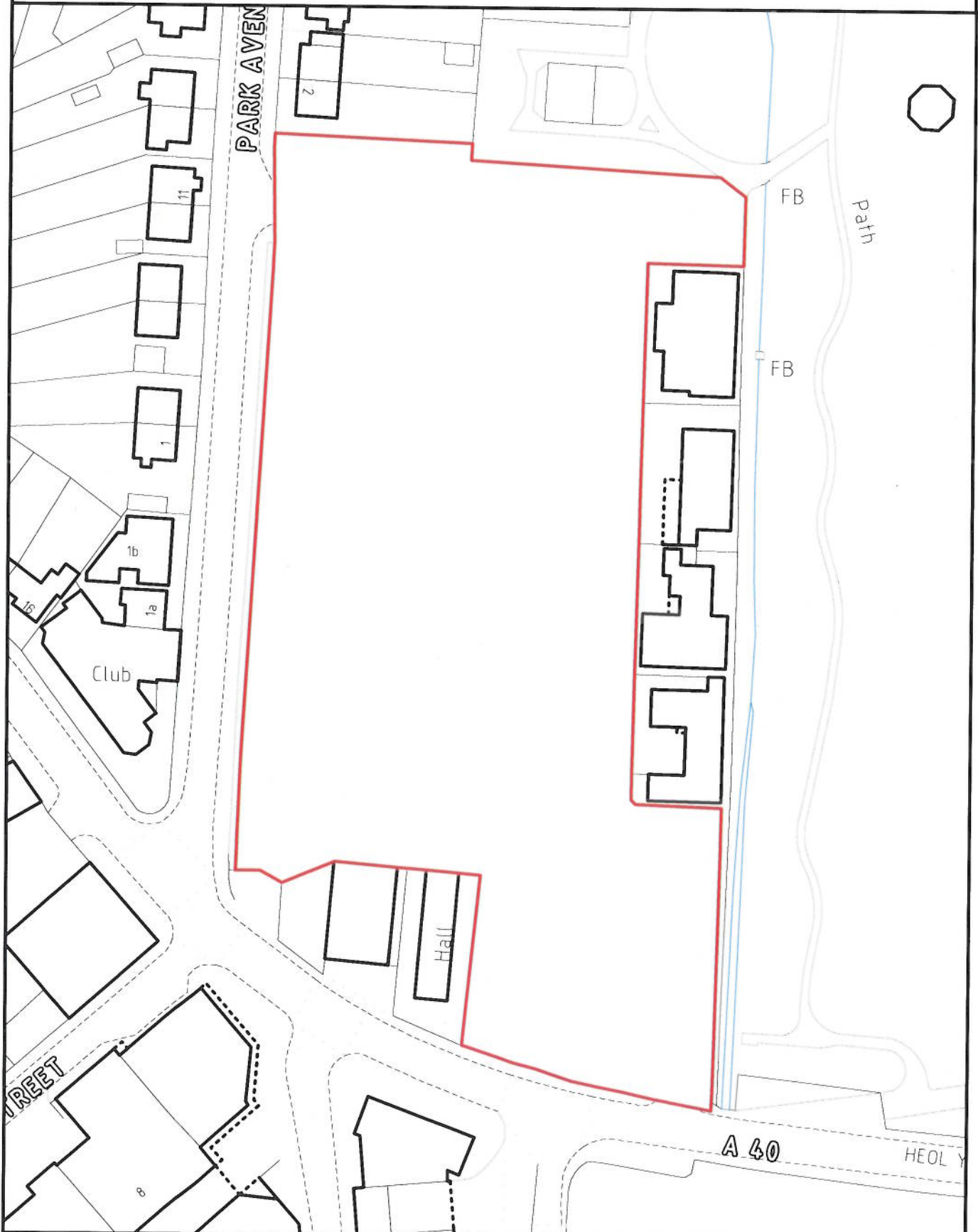
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# Castle Street Car Park Abergavenny T205



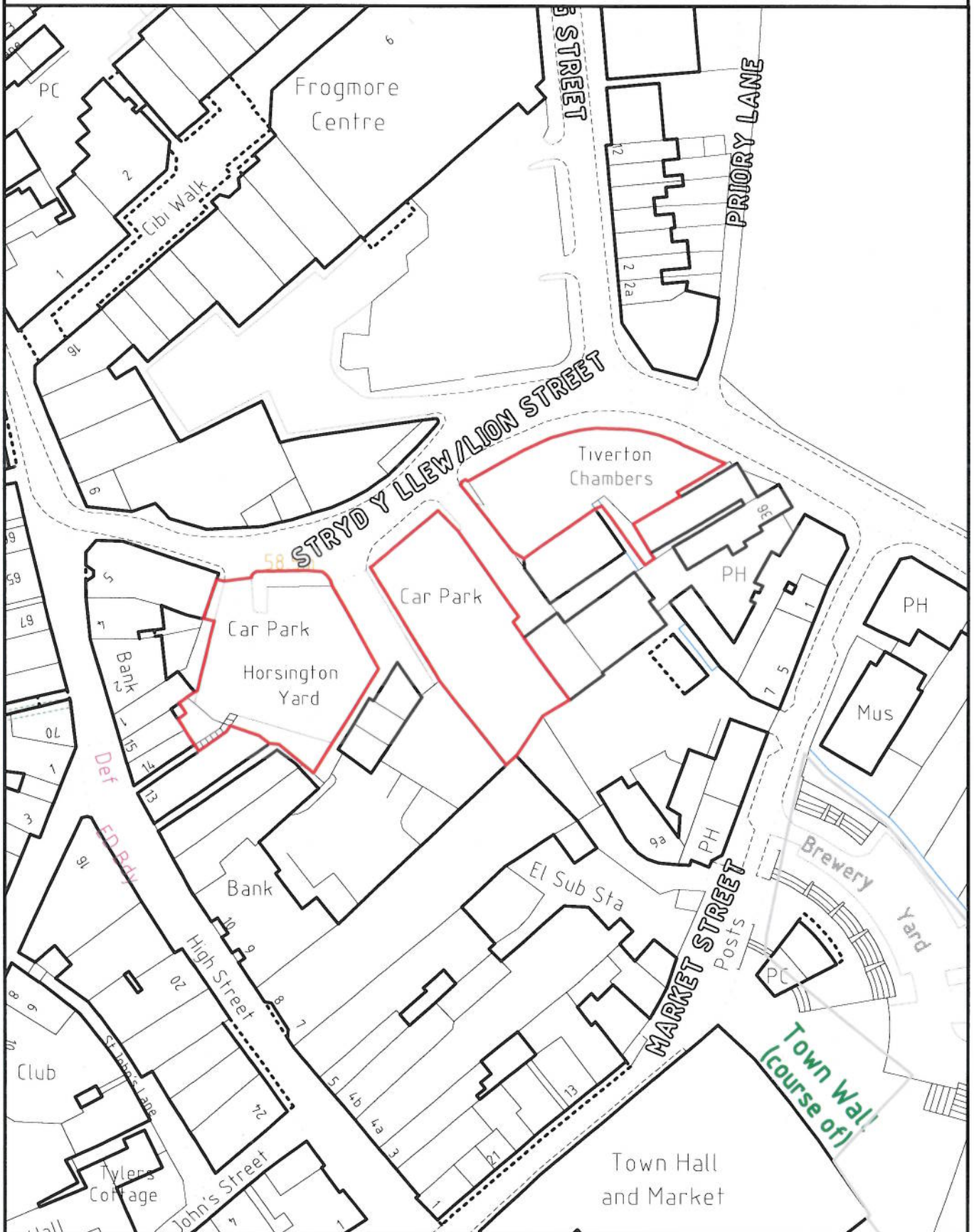
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# Fairfield Car Park Abergavenny T206



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# Tiverton Place Car Park Abergavenny T207



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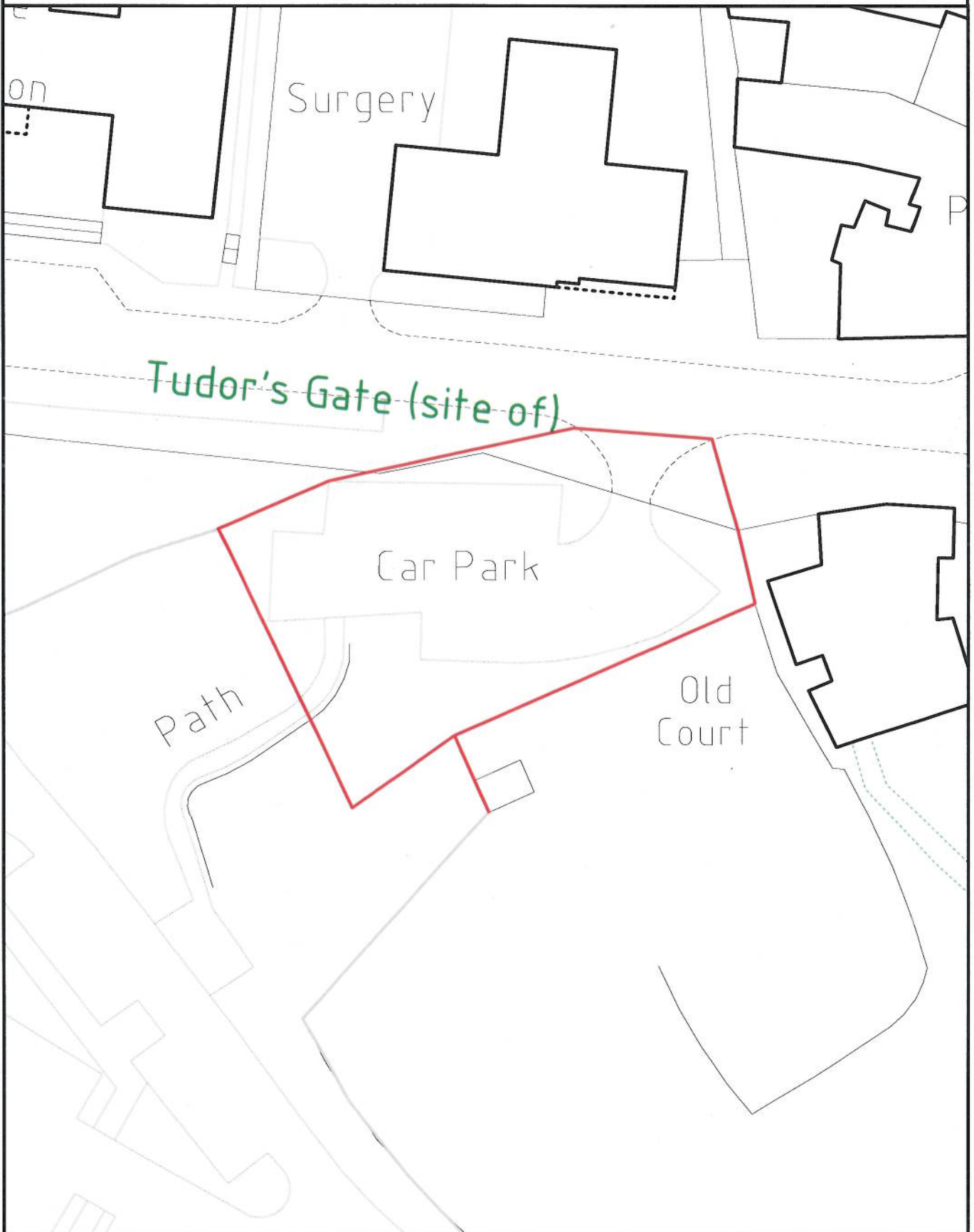
# Trinity Terrace Car Park Abergavenny T208





No active Legend.

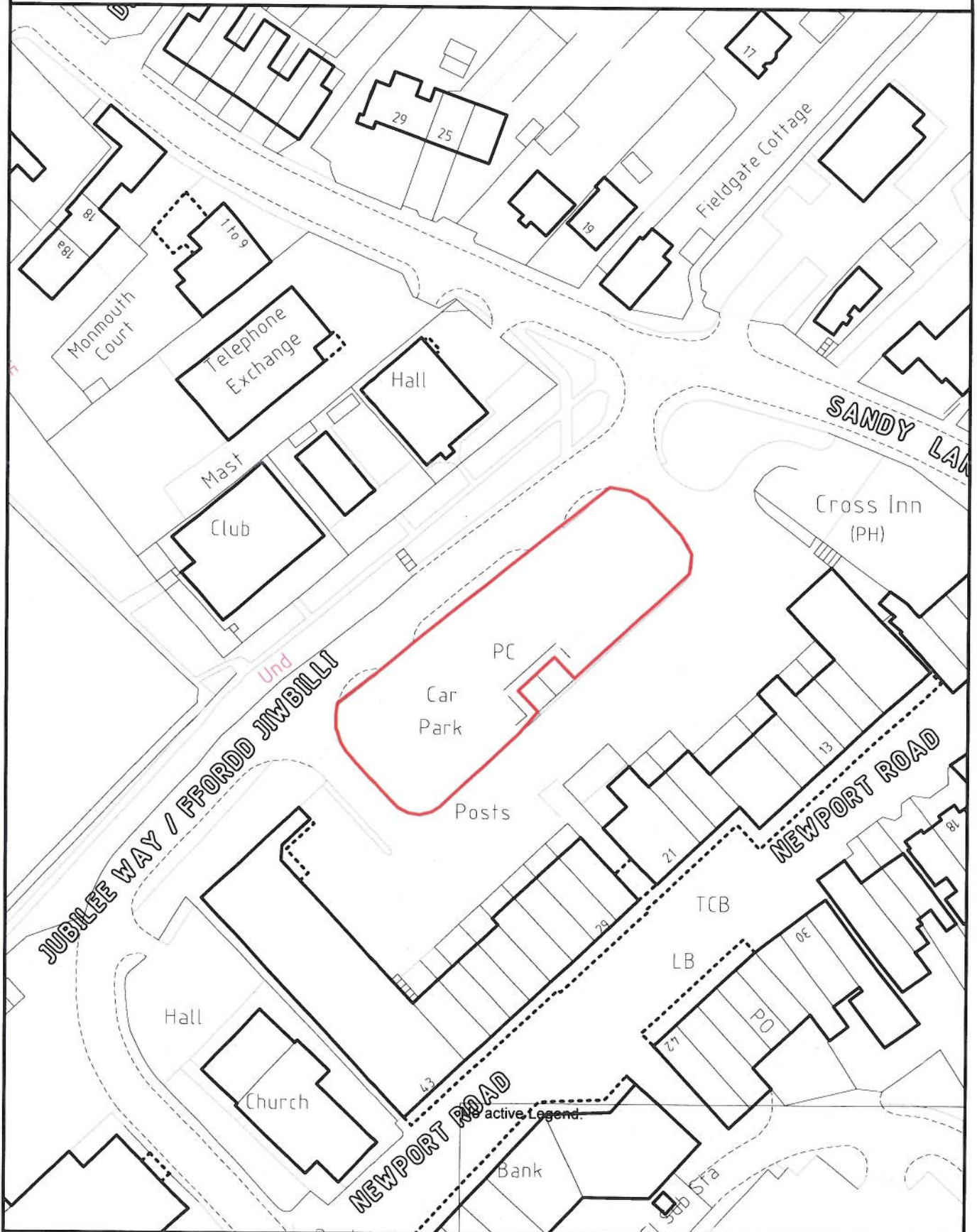
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Tudor Street Car Park Abergavenny T209



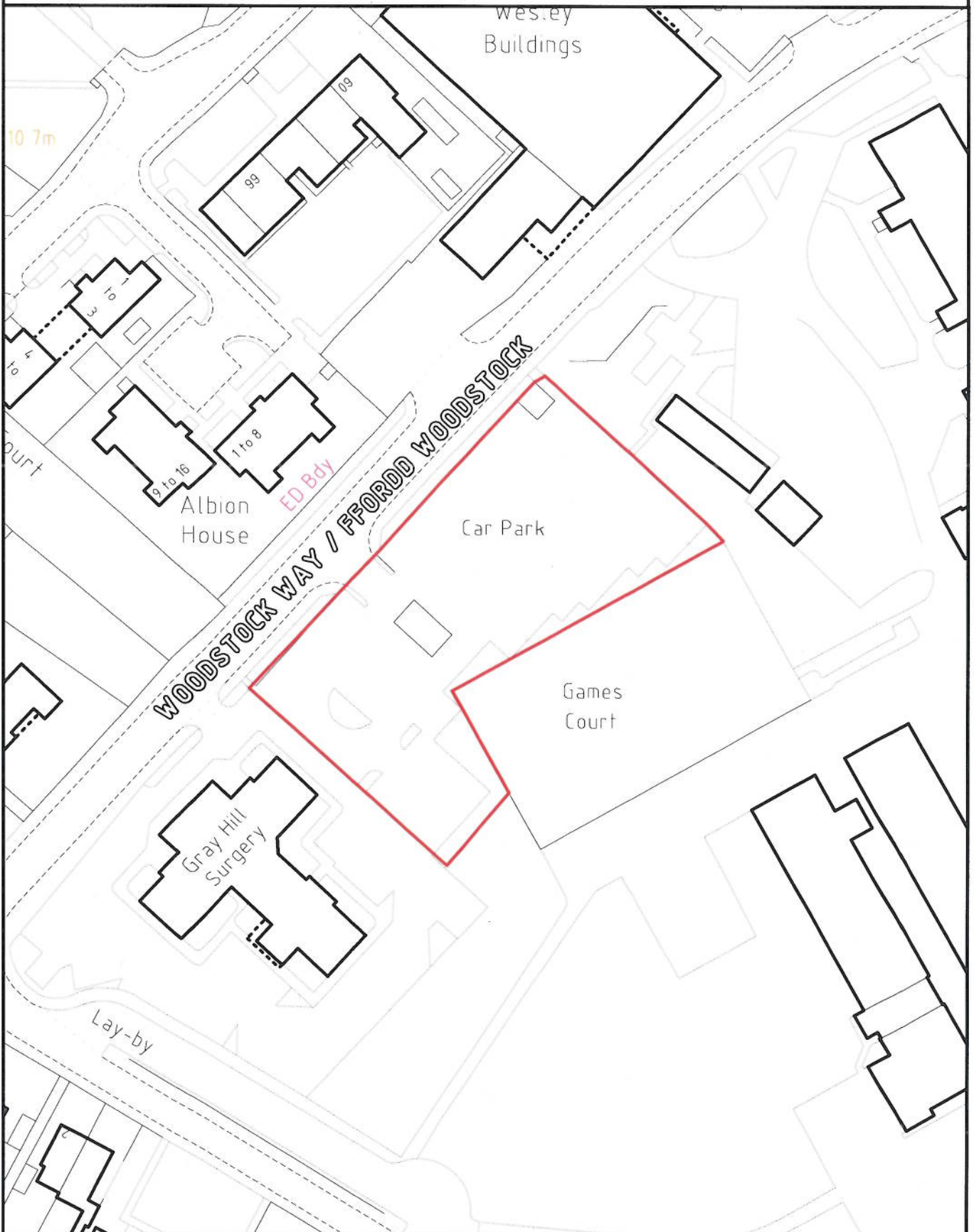
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# Jubilee Way Car Park Caldicot T210



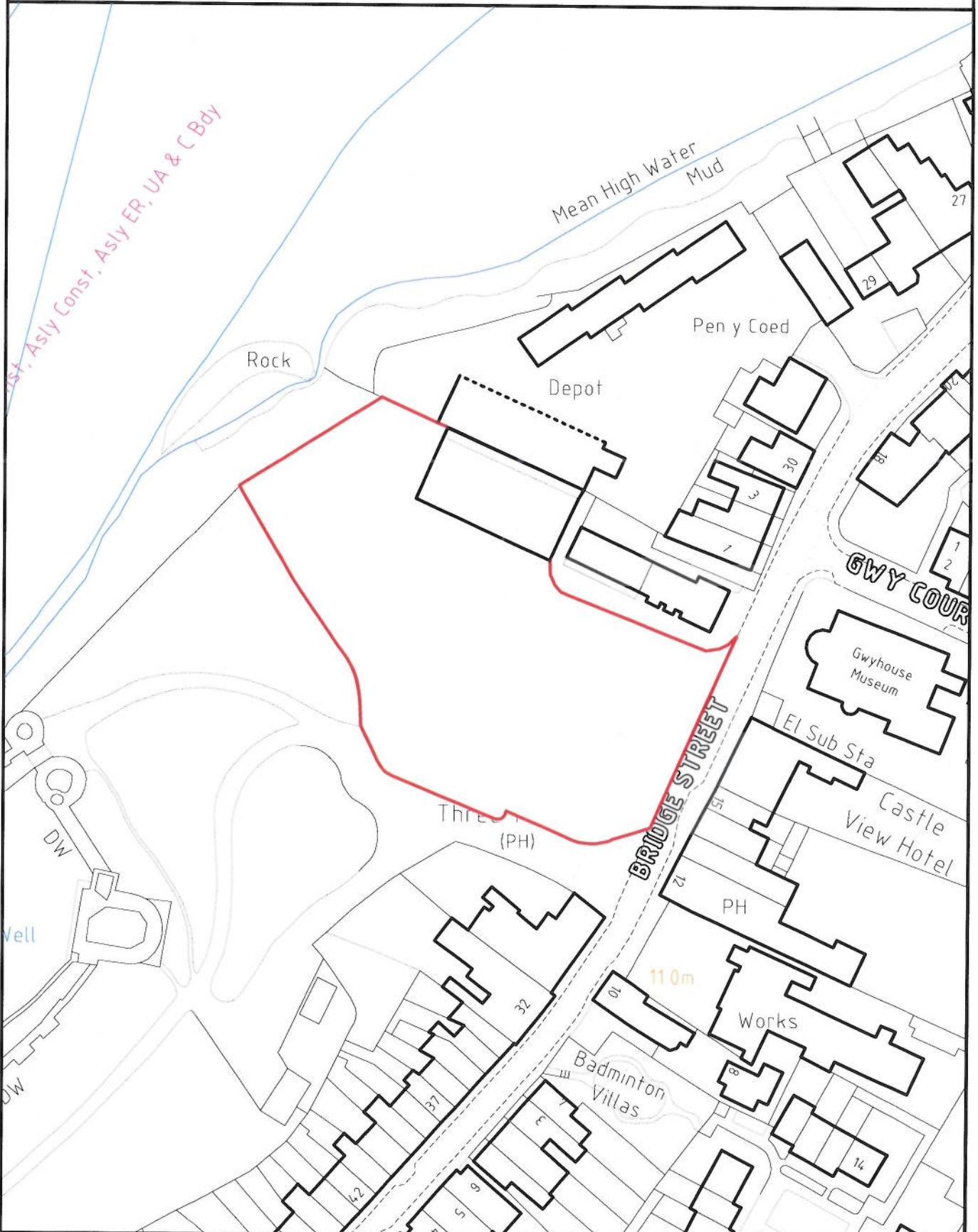
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# Woodstock Way Car Park Caldicot T211

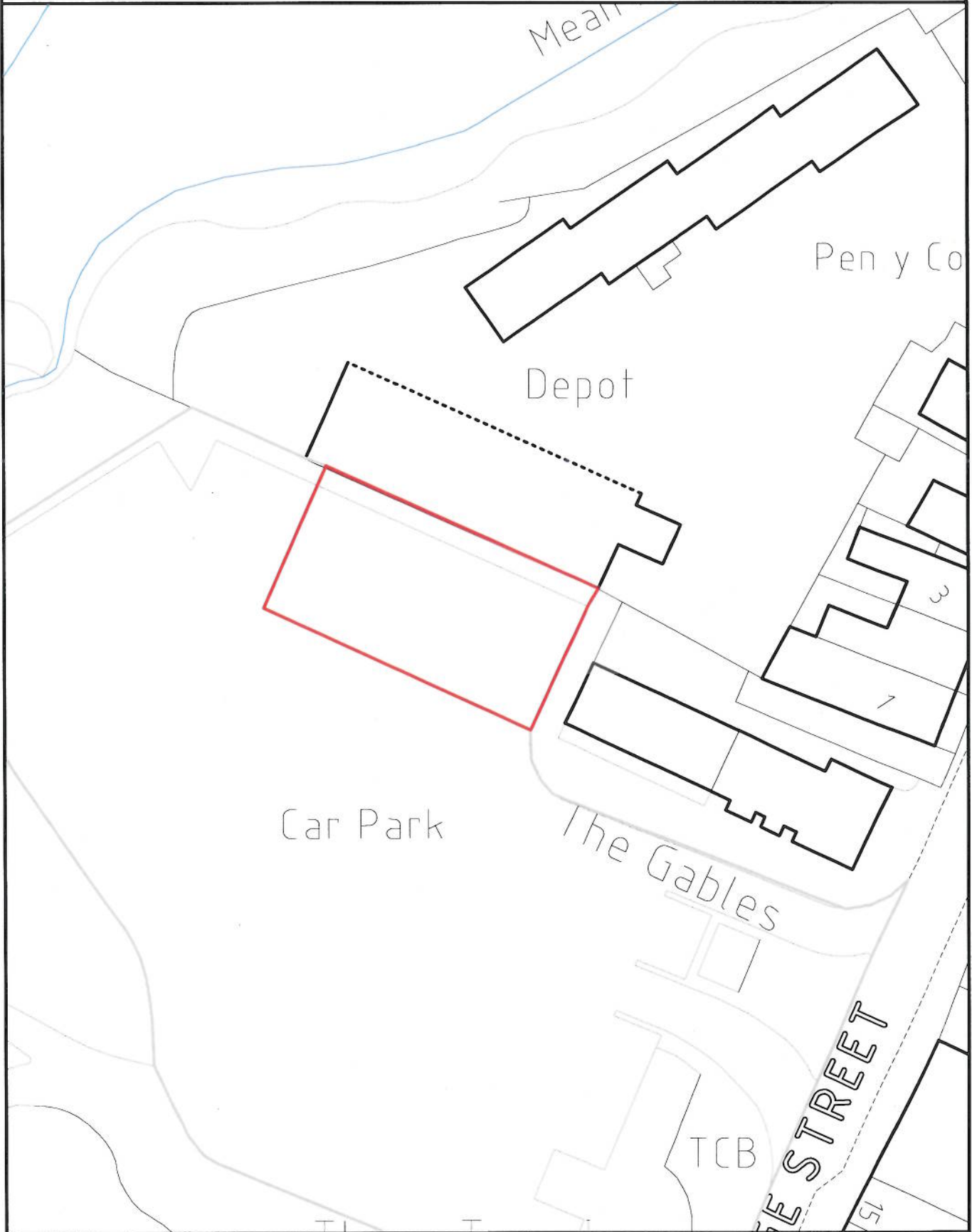




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# Castle Dell Car Park Chepstow T212

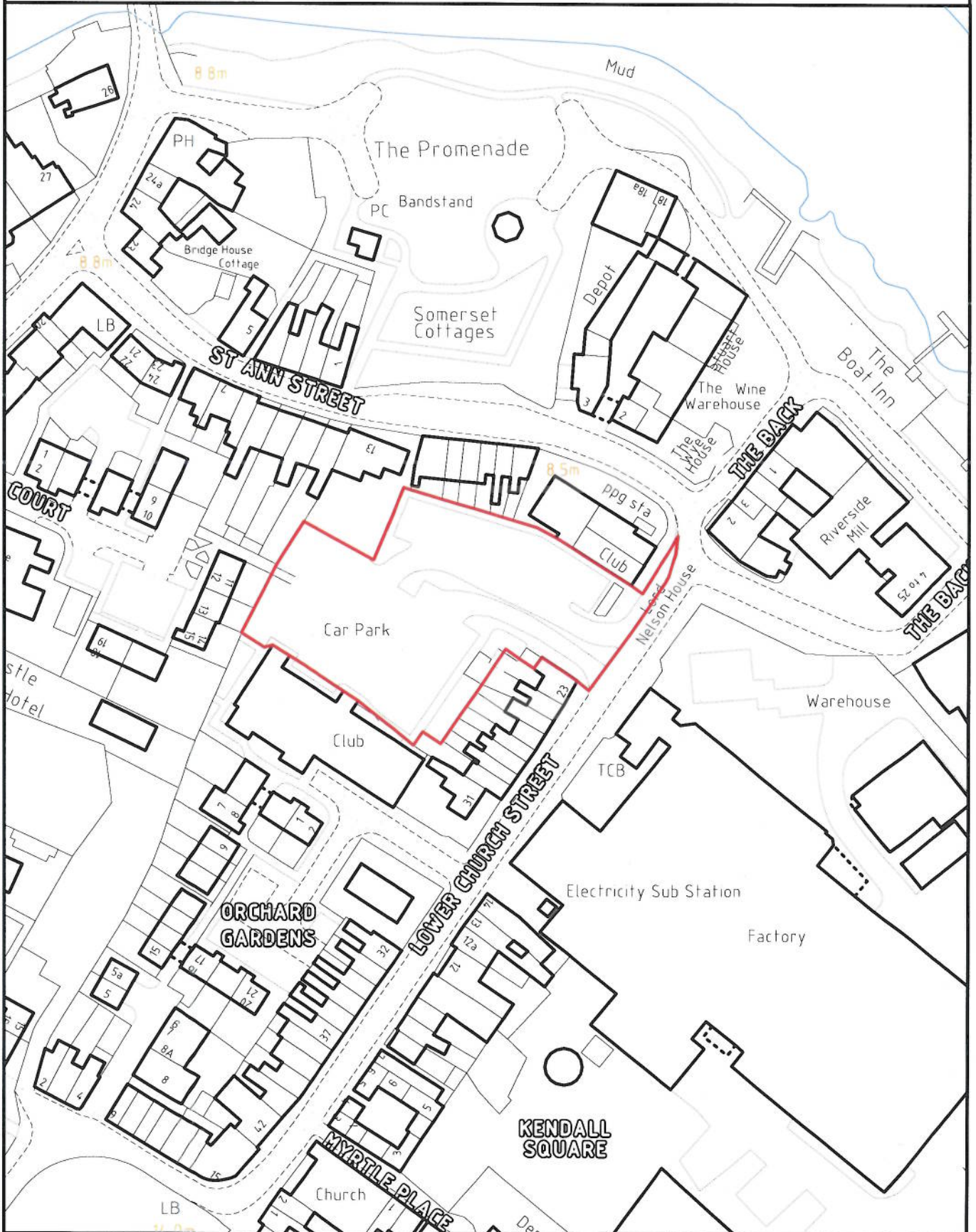


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# Drill Hall Car Park Chepstow T213



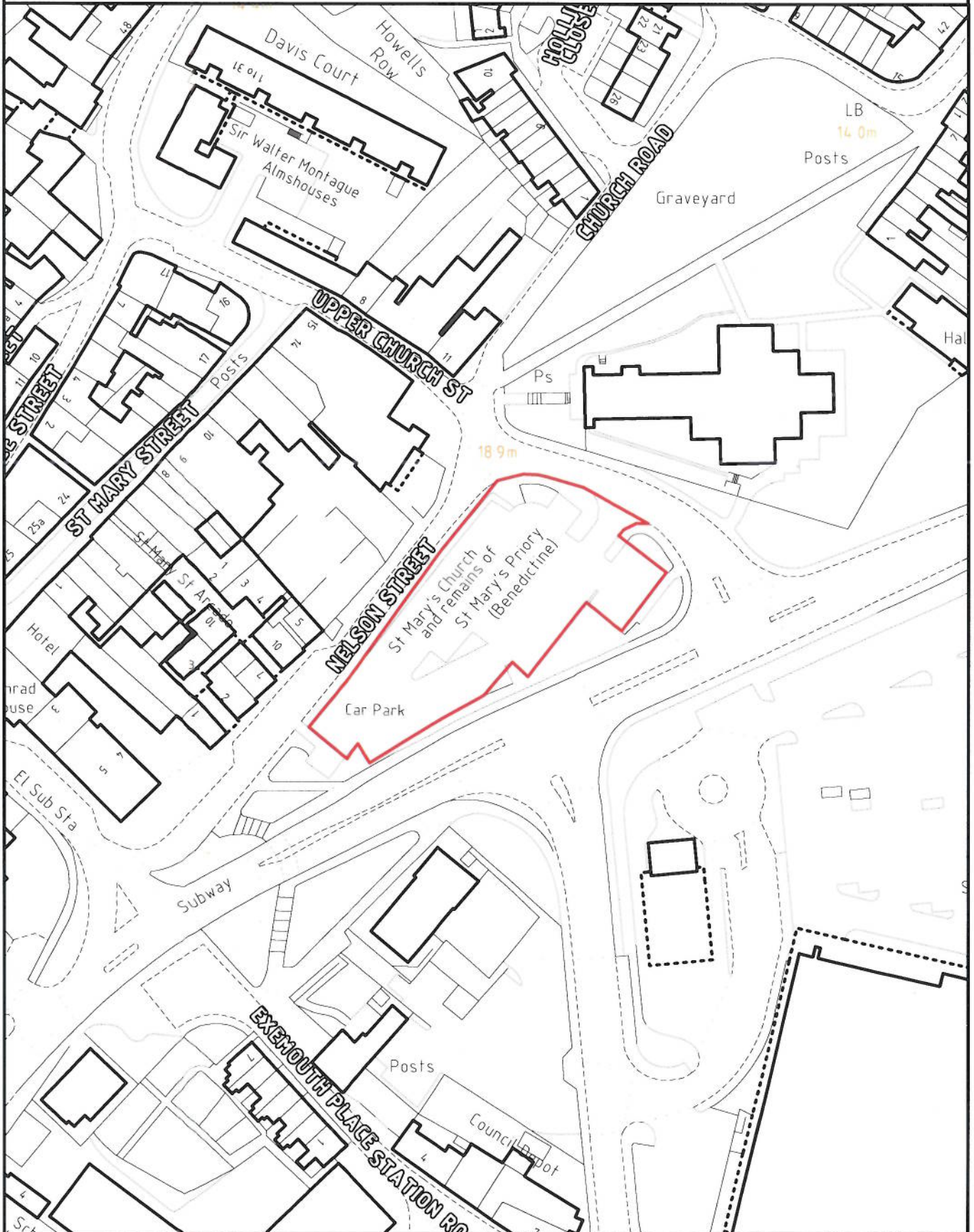
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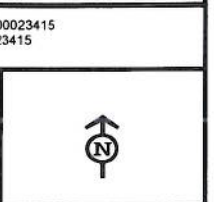
# Nelson Street Car Park Chepstow T214



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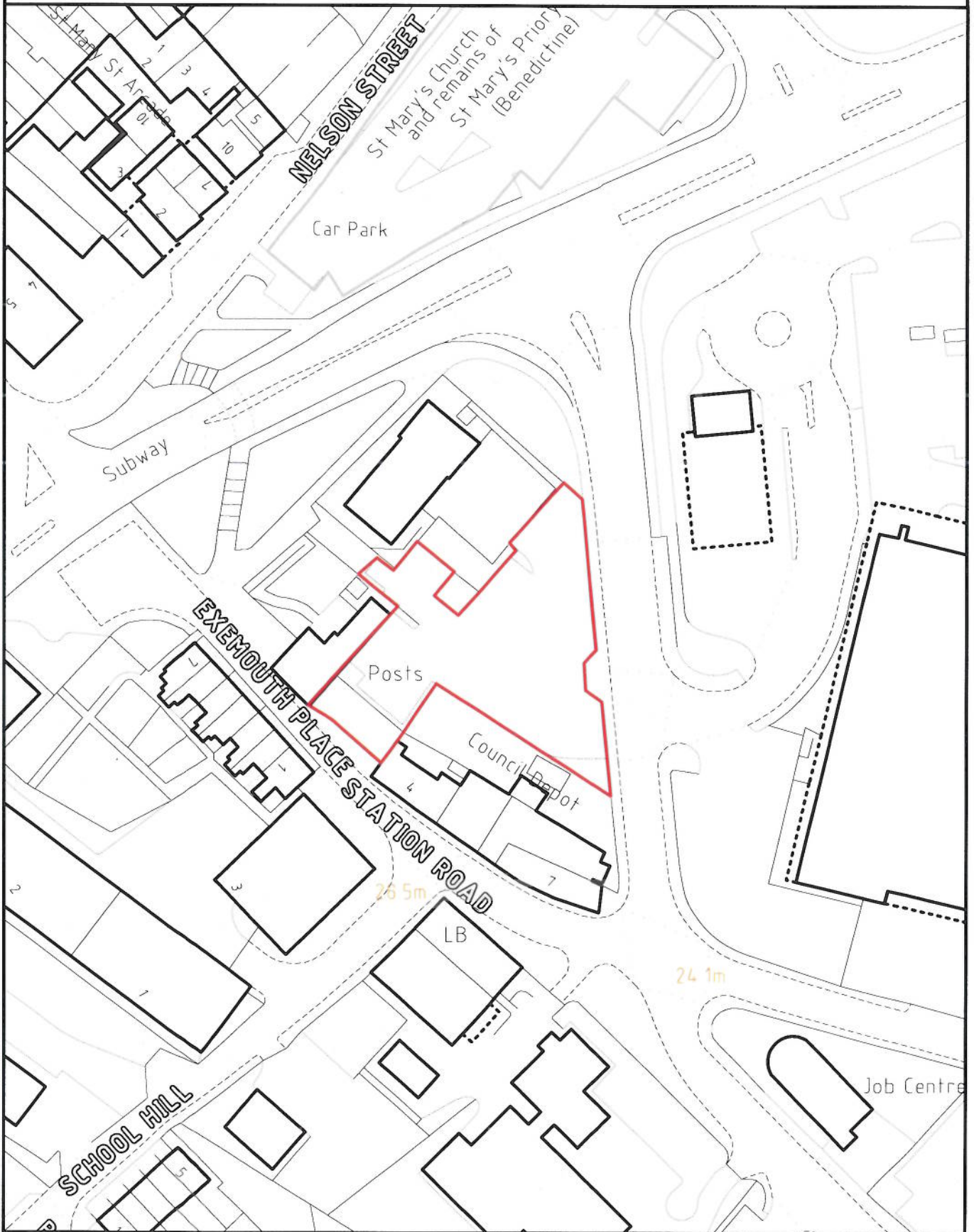
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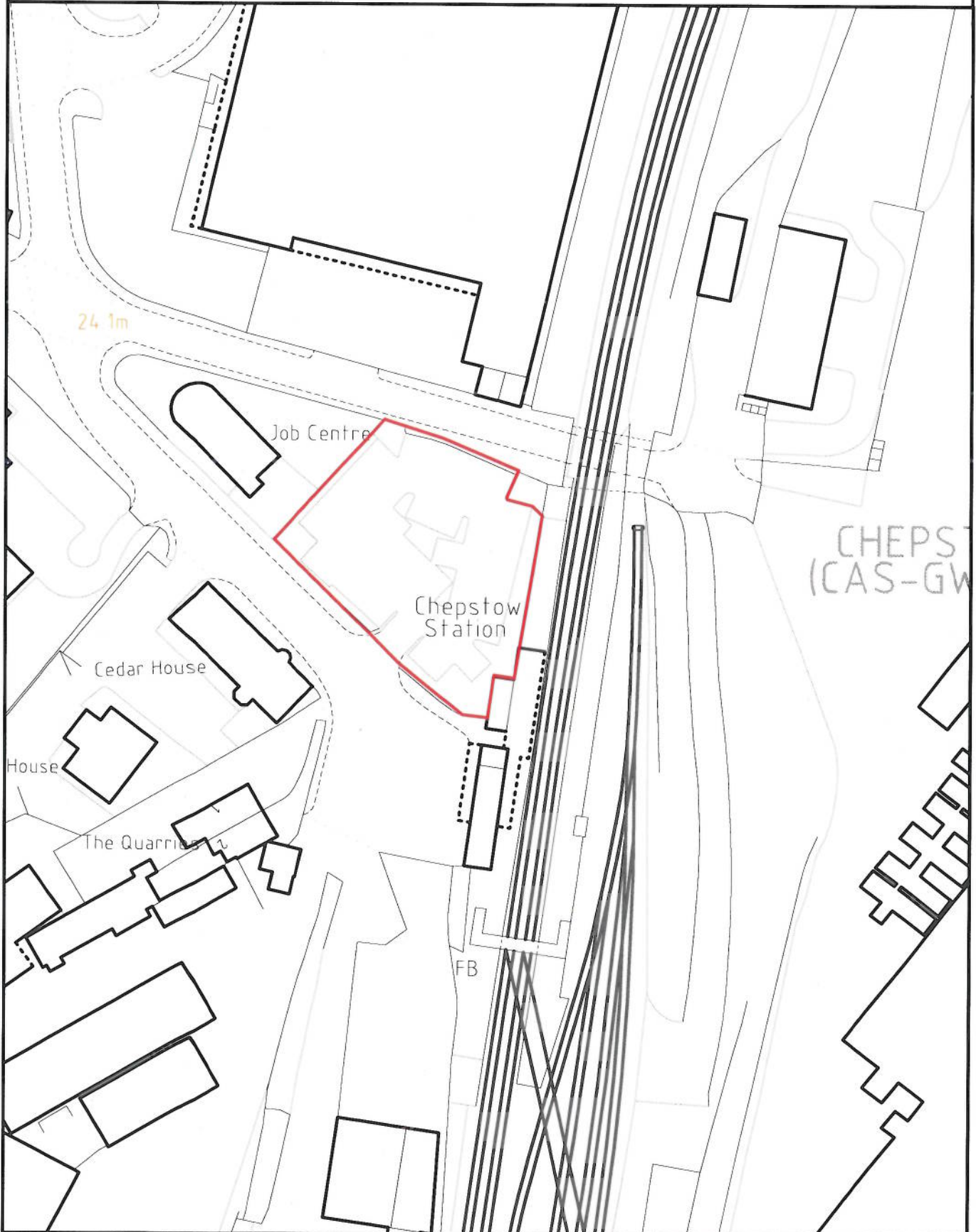




# Station Road Car Park Chepstow T215



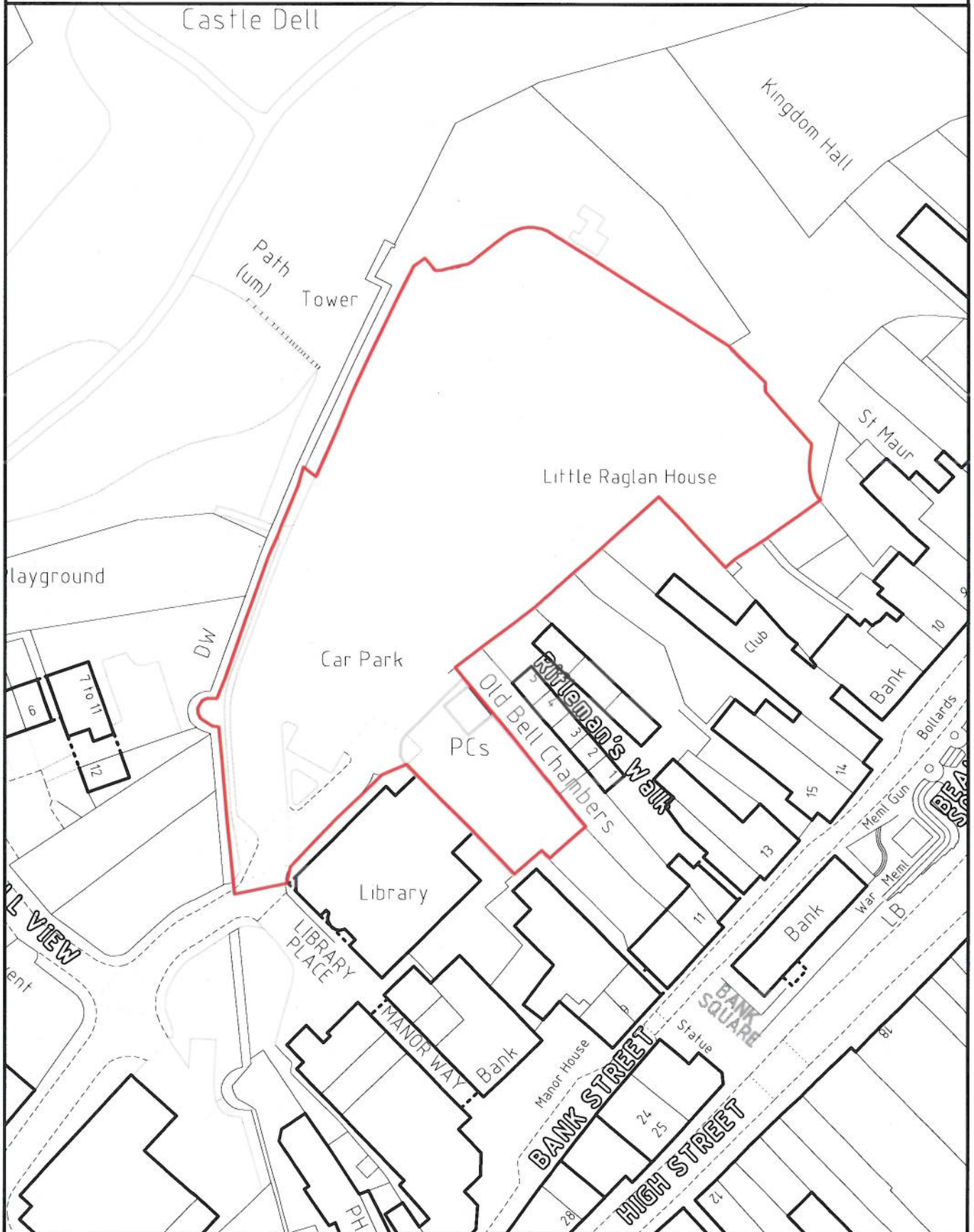
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# The Station Car Park Chepstow T216



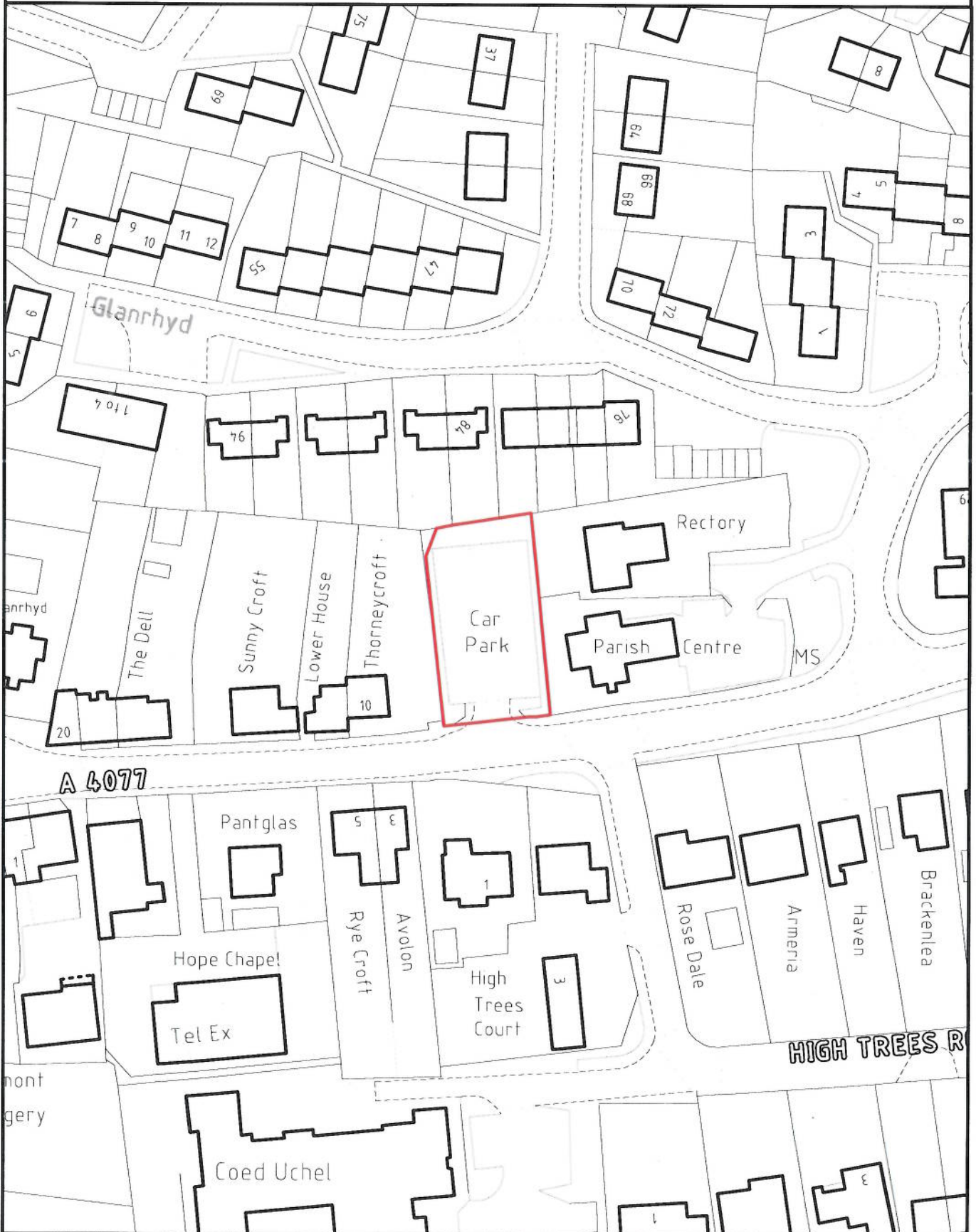
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# Welsh Street Car Park Chepstow T217



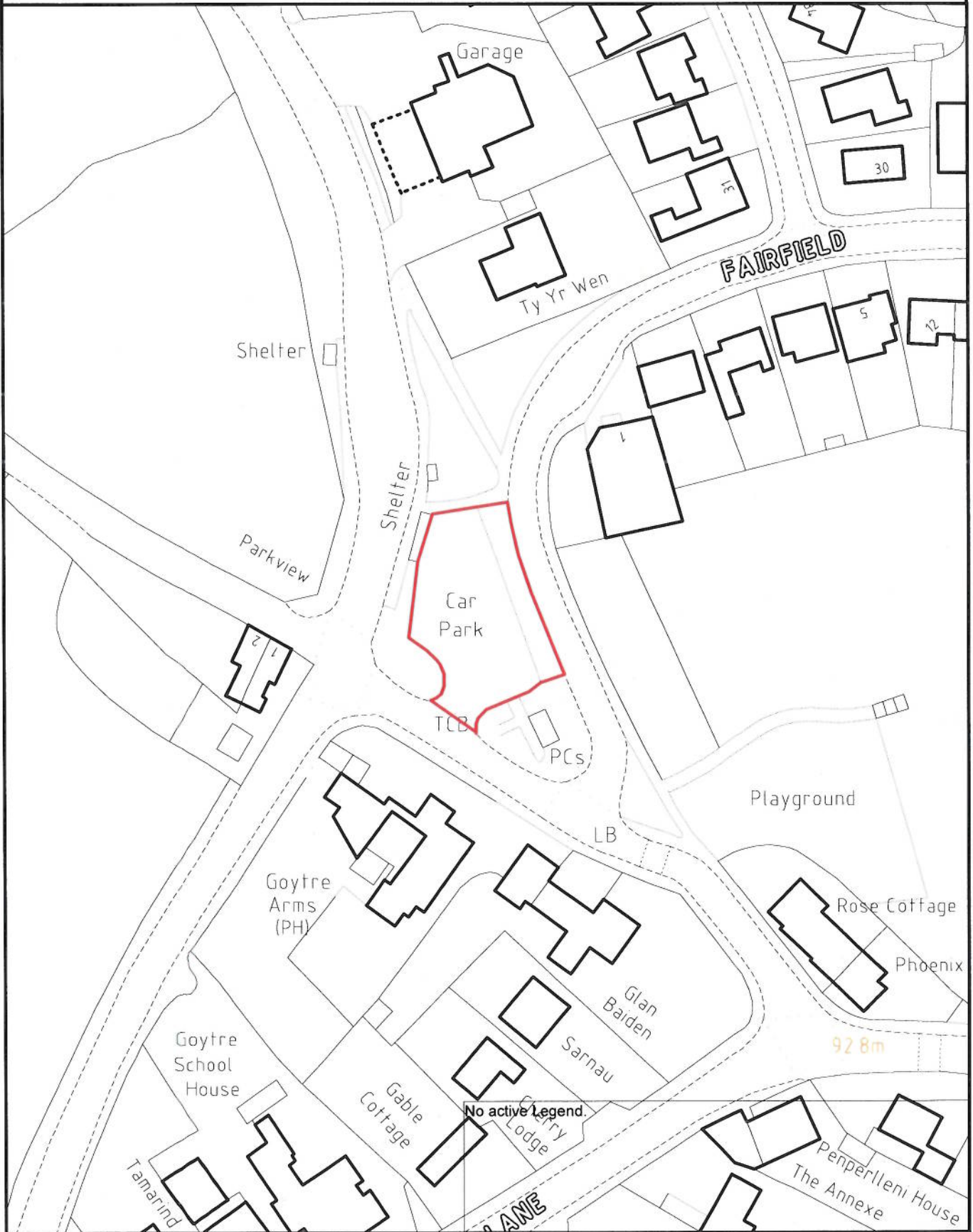
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# Main Road Car Park Gilwern T218



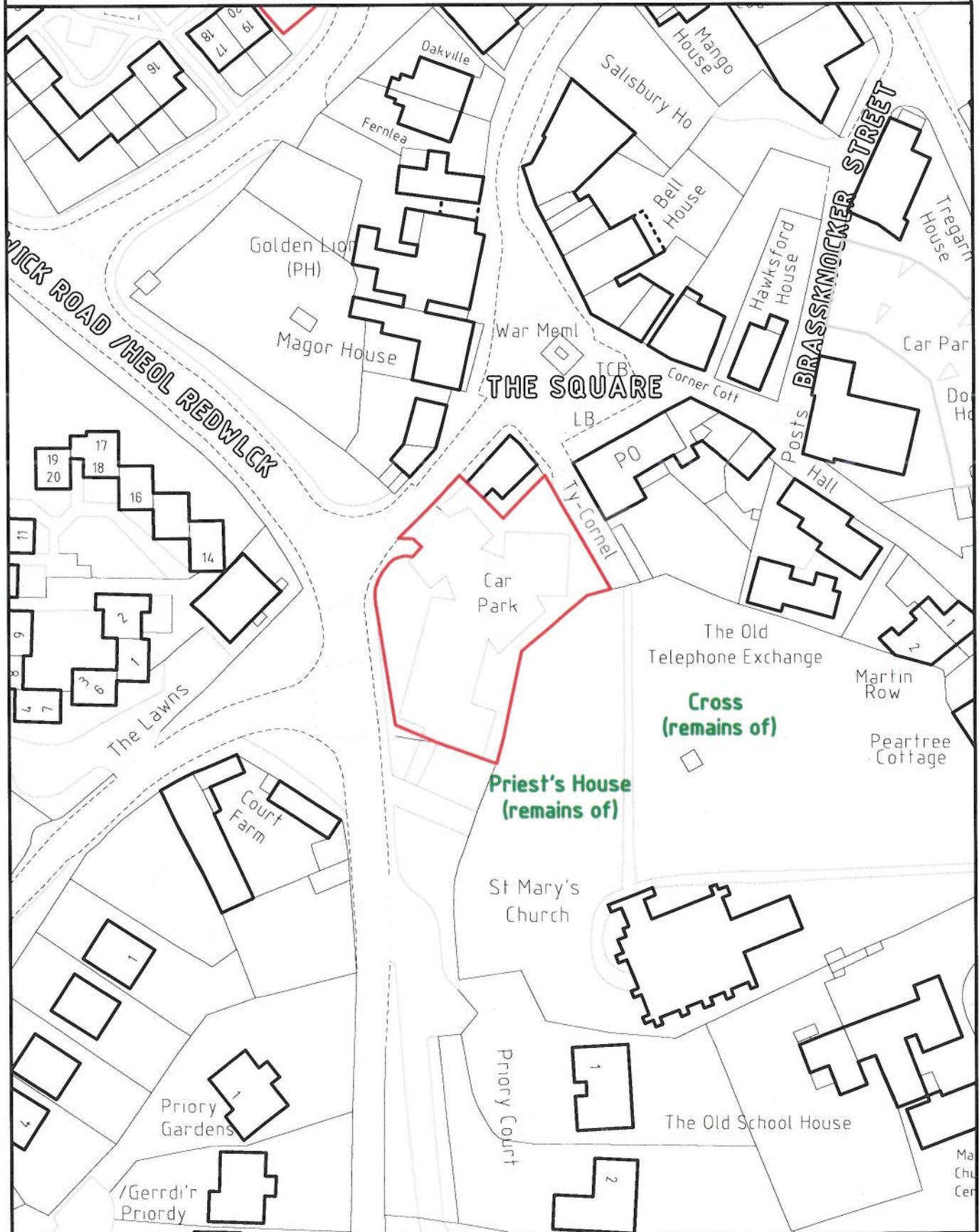
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# Goytre Car Park Goytre T219



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<b>File Pathname / Project / Drawing No.</b>				

# Magor Square Car Park Magor T220



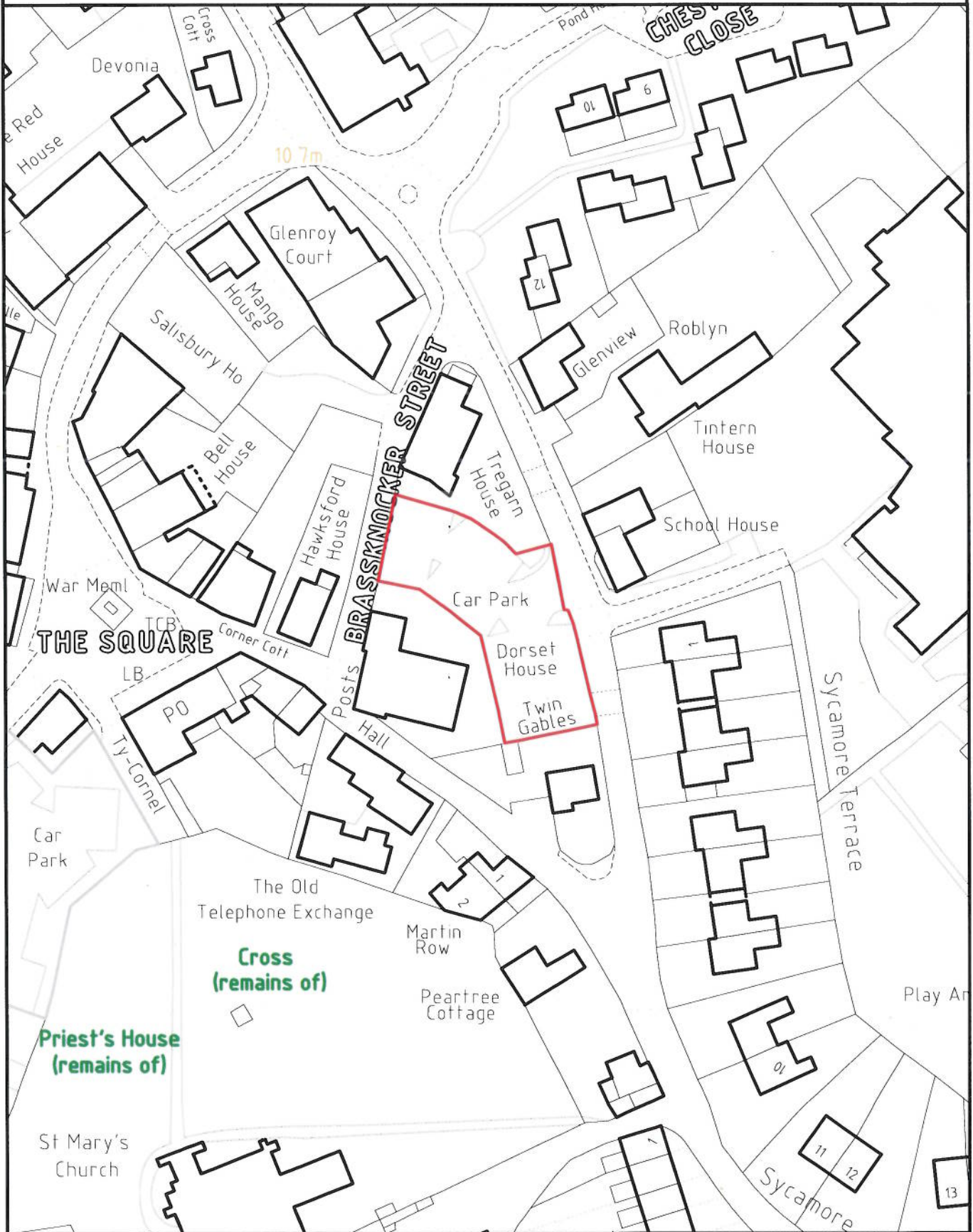
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<b>File Pathname / Project / Drawing No.</b>		



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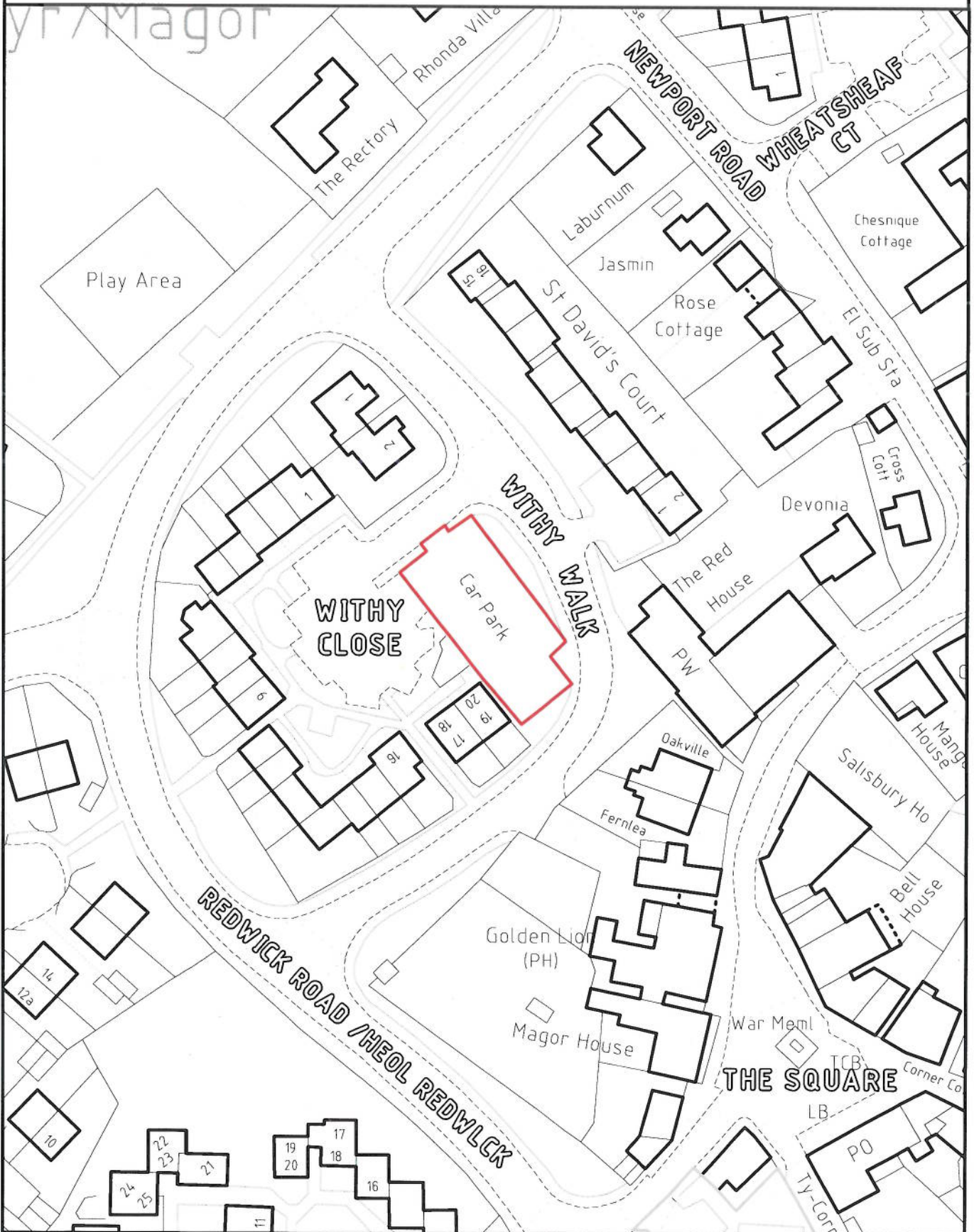




# Brassknocker Street Magor T221



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	Map Detail text		© Crown copyright and database rights 2013 Ordnance Survey 100023415	
	<b>Drawn by</b> Lang.L	<b>Scale</b> 1:1000	<b>Date</b> 24/11/2015	Monmouthshire County Council Innovation House, Wales 1 Business Park Newport Road Magor NP26 3DG <a href="http://www.monmouthshire.gov.uk/maps">www.monmouthshire.gov.uk/maps</a>
File Pathname / Project / Drawing No.				

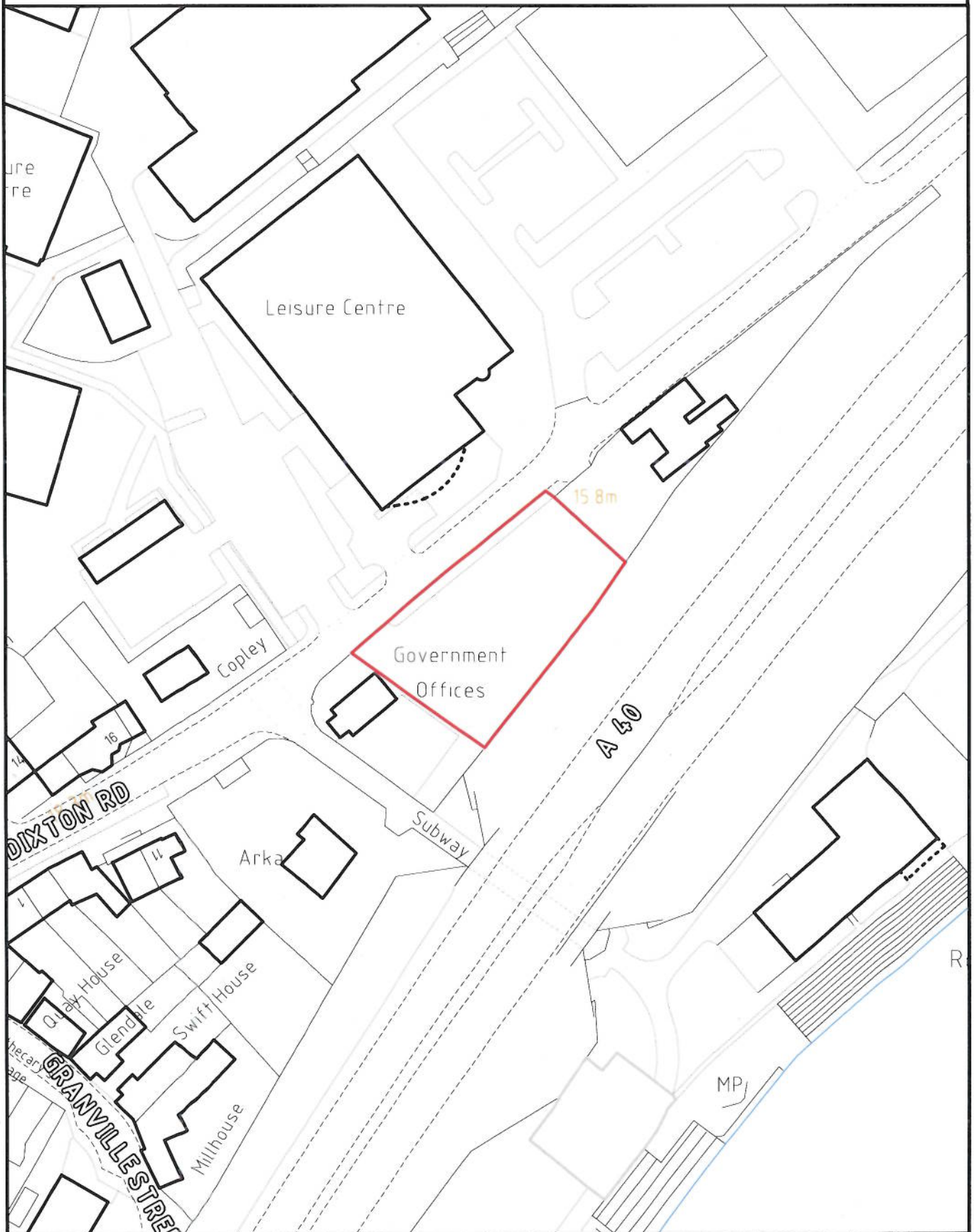
Withy Close Magor T222





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File Pathname / Project / Drawing No.							

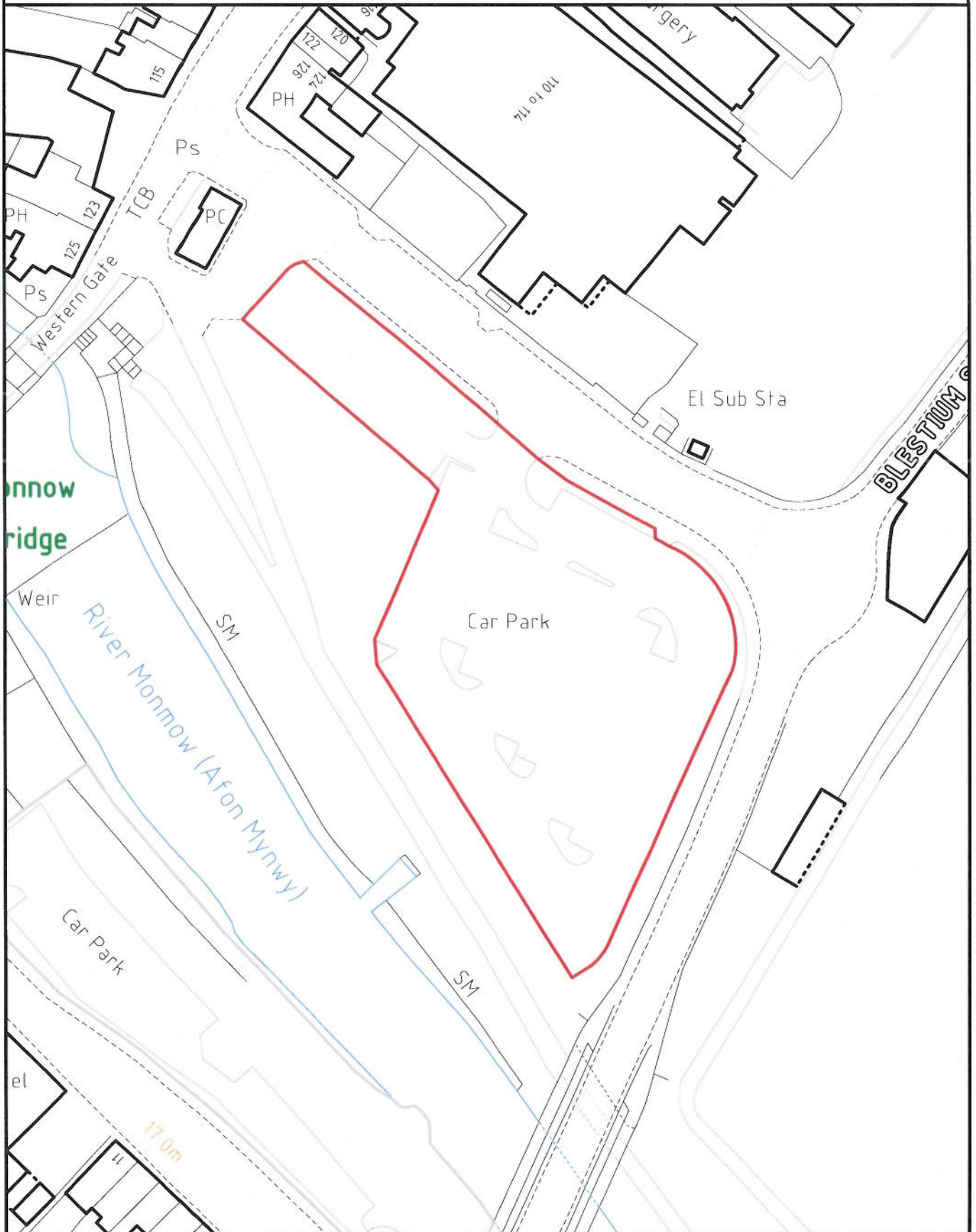


# Old Dixton Road Car Park Monmouth T223



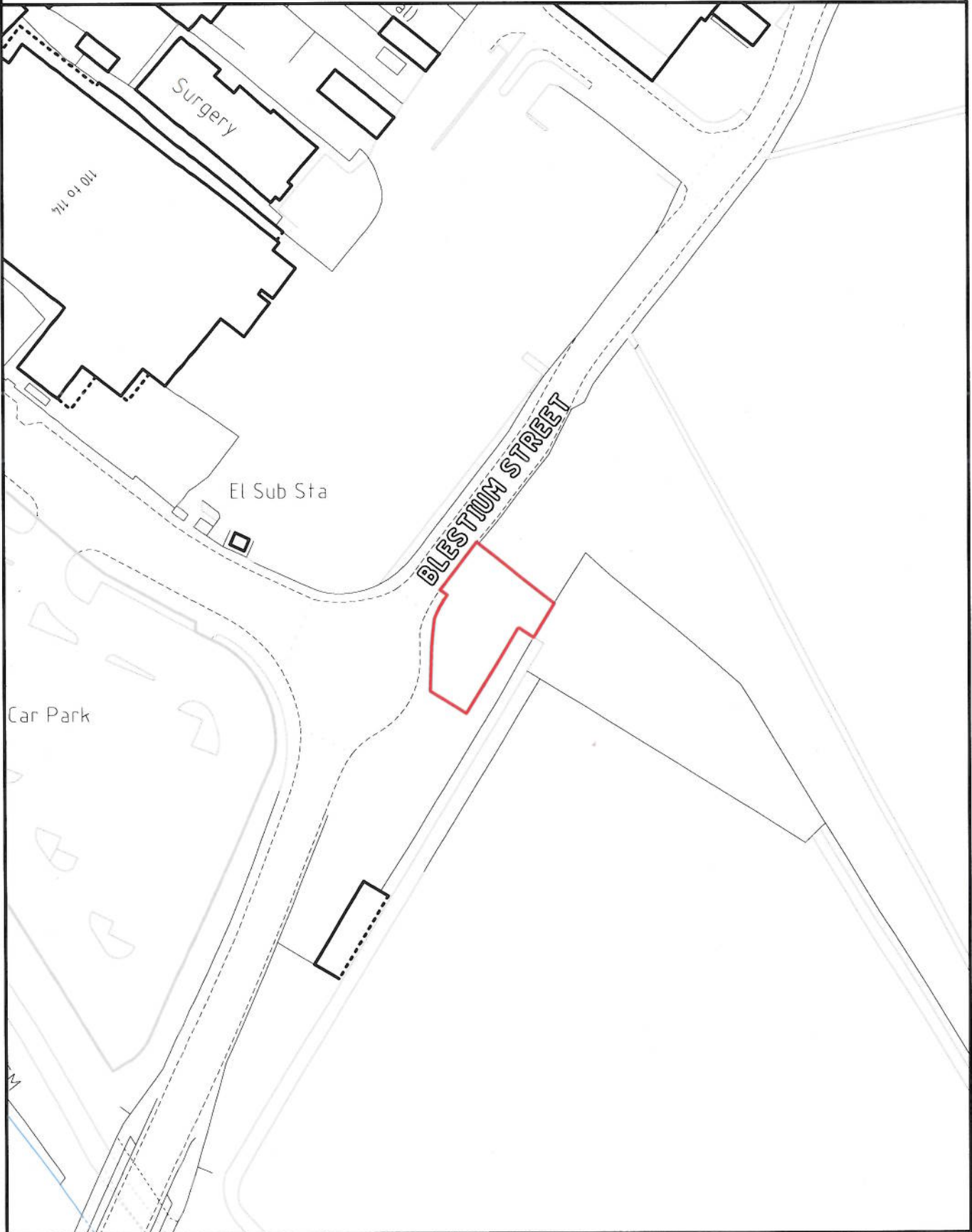
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	<b>Drawn by</b> Lang.L	<b>Scale</b> 1:1000	<b>Date</b> 24/11/2015	Monmouthshire County Council Innovation House, Wales 1 Business Park Newport Road Magor NP26 3DG <a href="http://www.monmouthshire.gov.uk/maps">www.monmouthshire.gov.uk/maps</a>
File Pathname / Project / Drawing No.				


# Cattle Market Car Park Monmouth T224



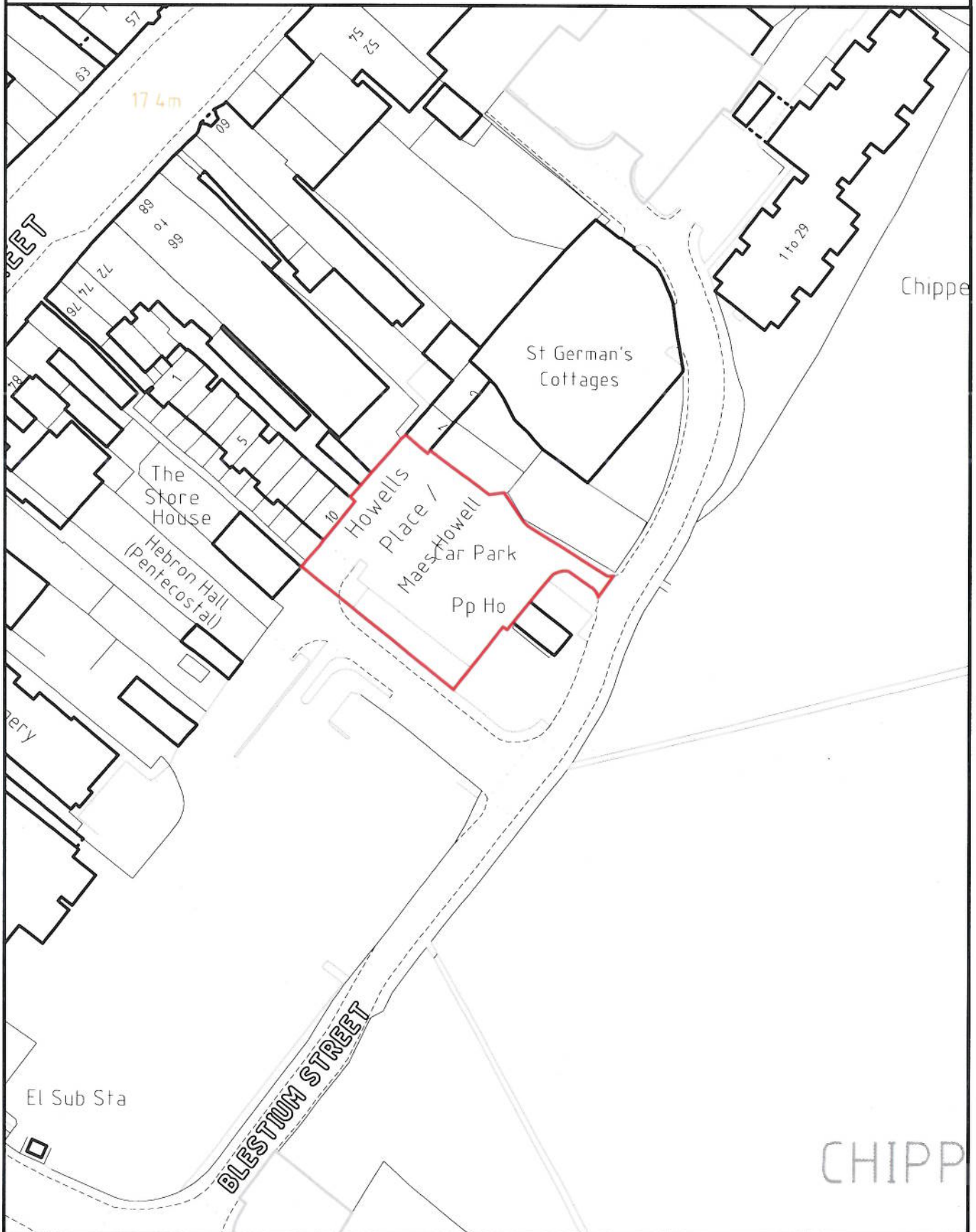
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File Pathname / Project / Drawing No.			Monmouthshire County Council Innovation House, Wales 1 Business Park Newport Road Magor NP26 3DG <a href="http://www.monmouthshire.gov.uk/maps">www.monmouthshire.gov.uk/maps</a>		

# Sports Ground Car Park Monmouth T225



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	Map Detail text			
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# Chippenham Car Park Monmouth T226



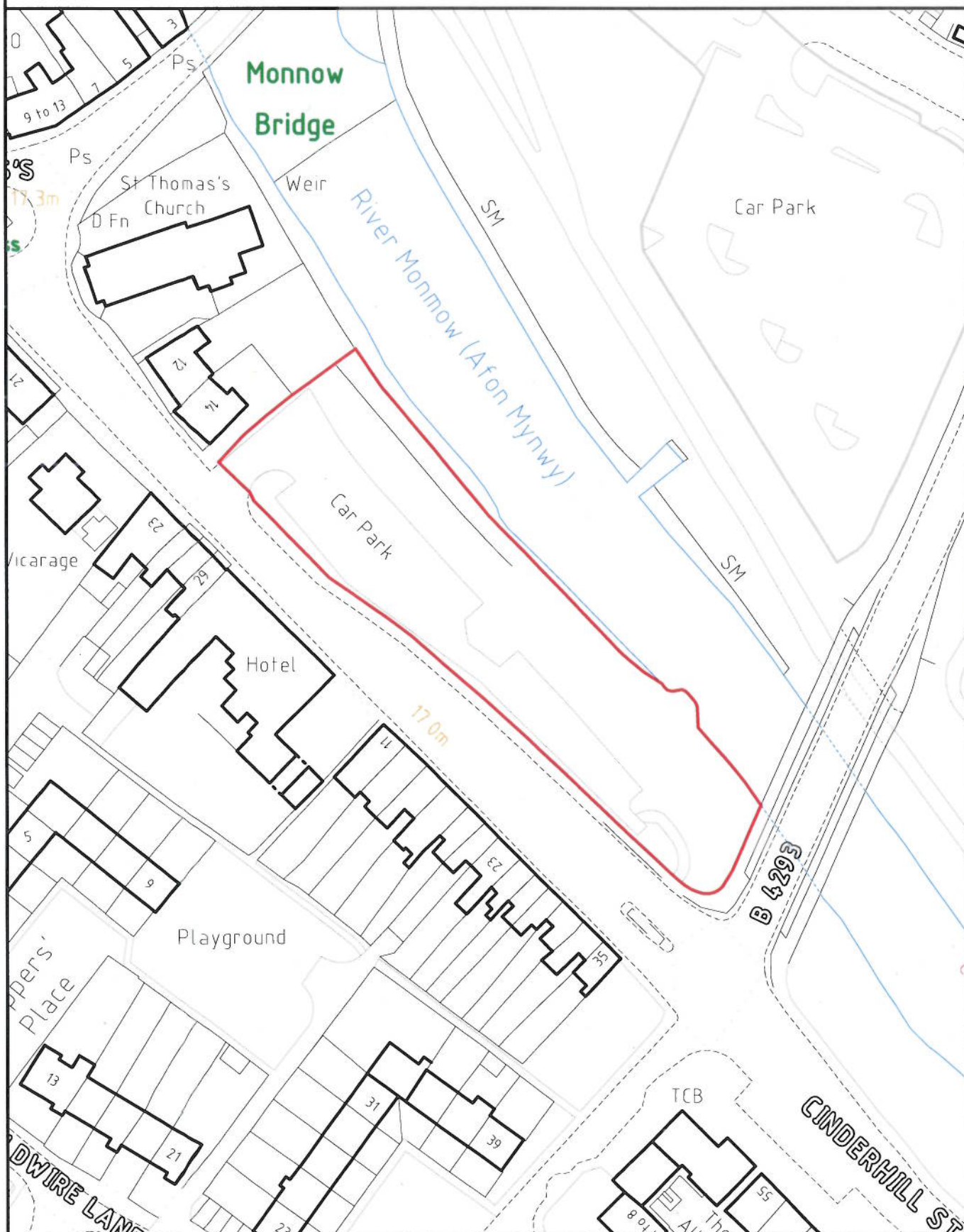
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<b>File Pathname / Project / Drawing No.</b>		

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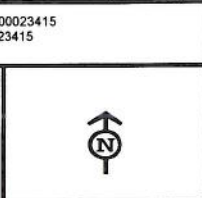
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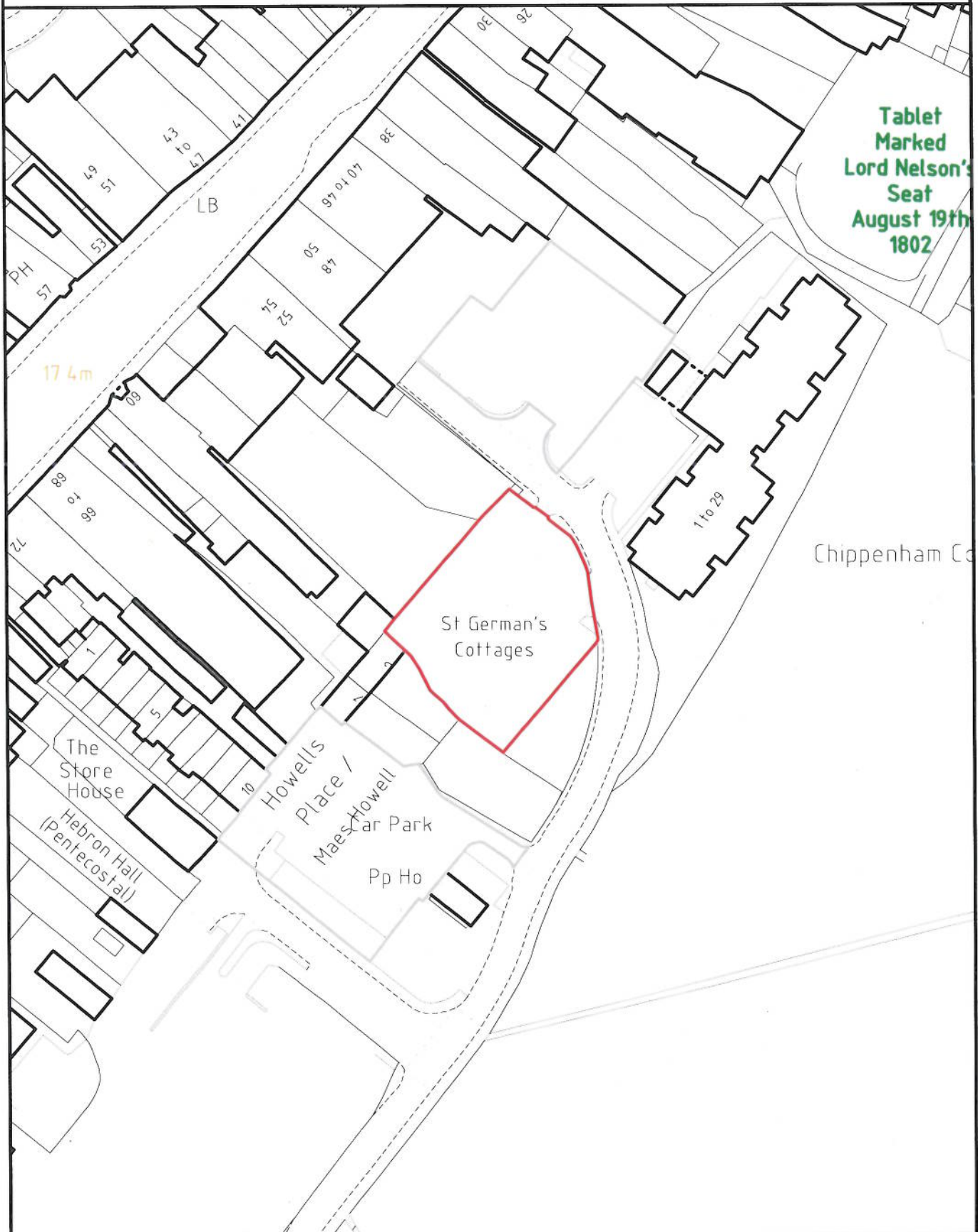
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# Cornwall House Car Park Monmouth T228

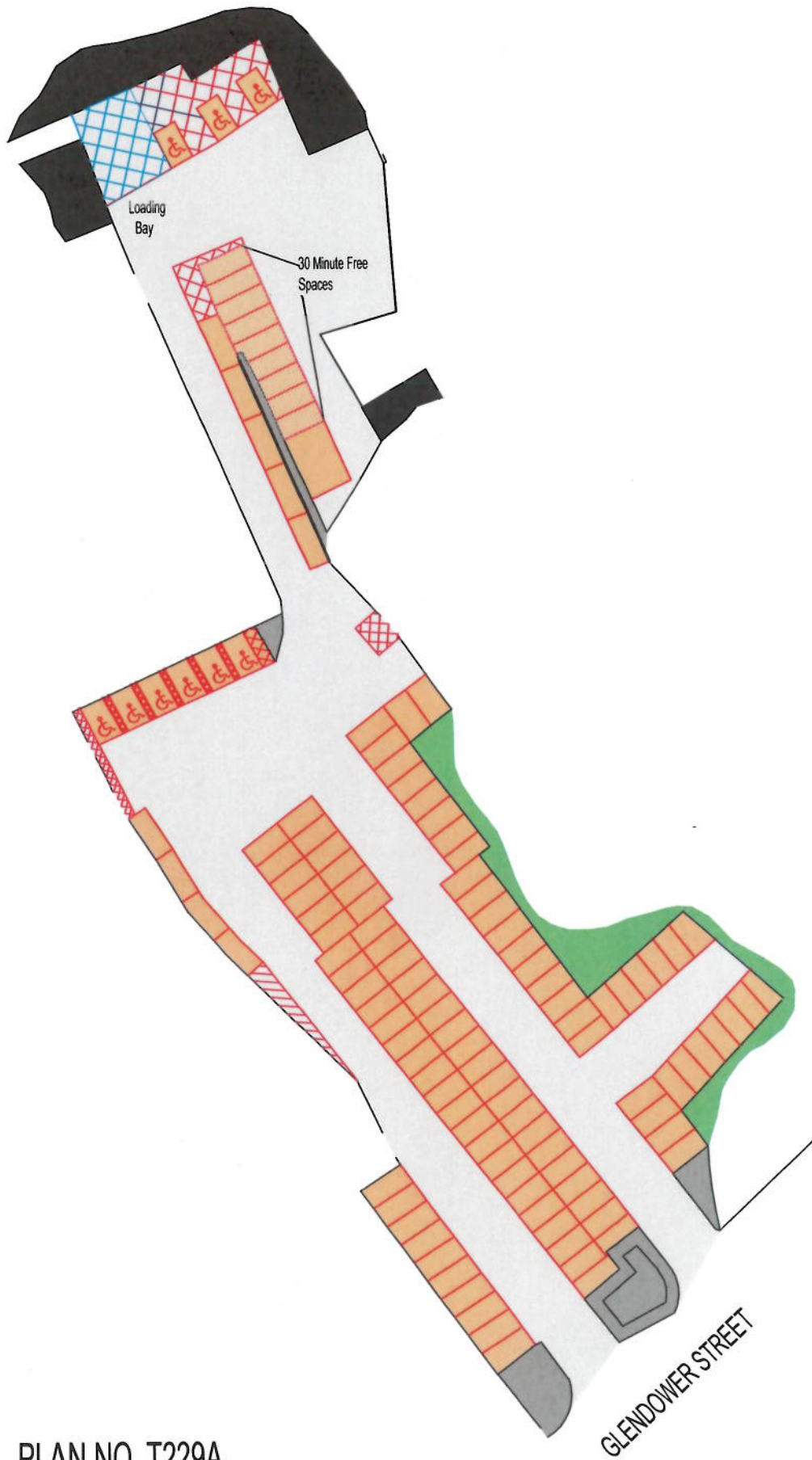


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<b>File Pathname / Project / Drawing No.</b>				

# Glendower Street Car Park Monmouth T229



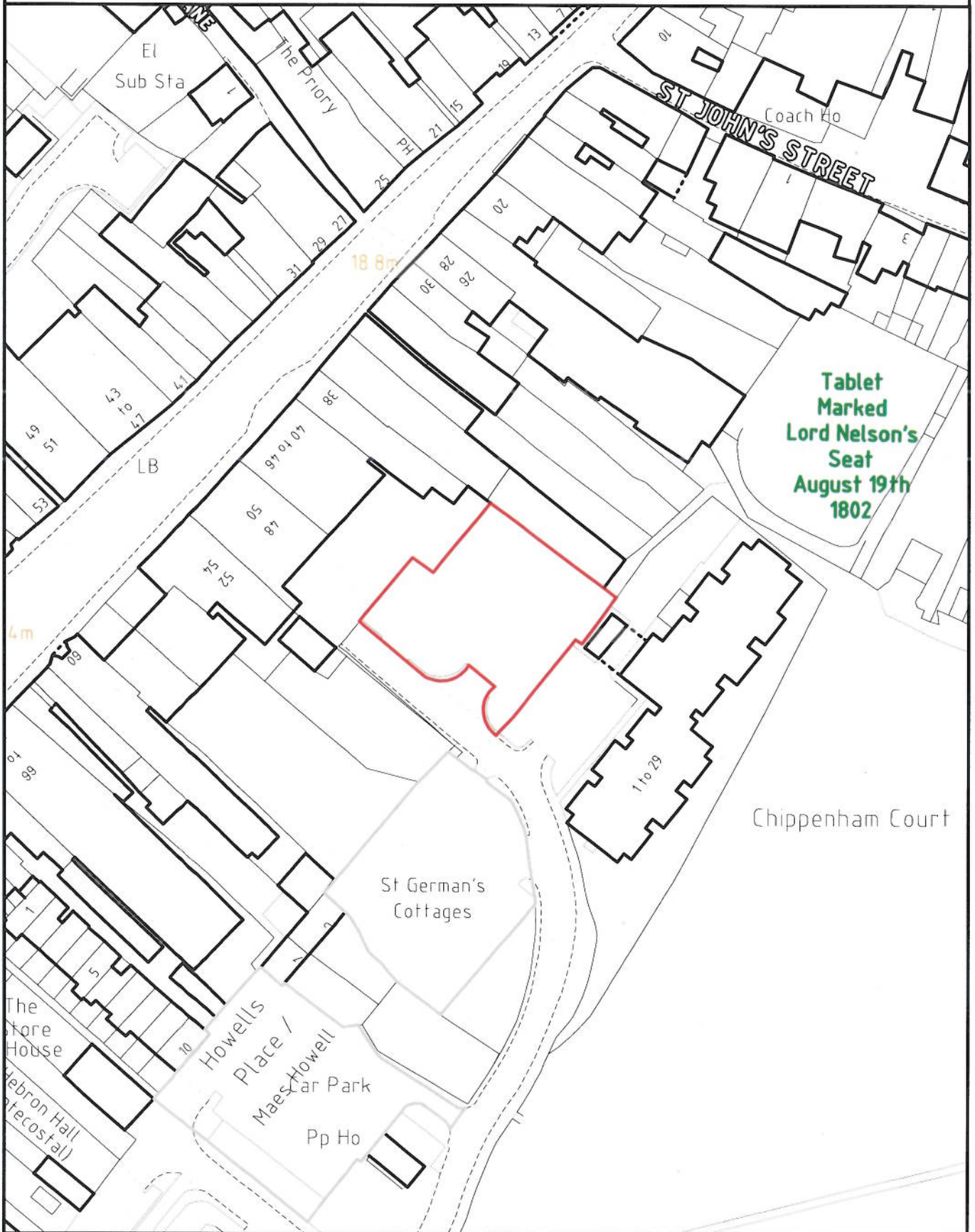
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File Pathname / Project / Drawing No.						





PLAN NO. T229A  
GLENDOWER STREET MONMOUTH

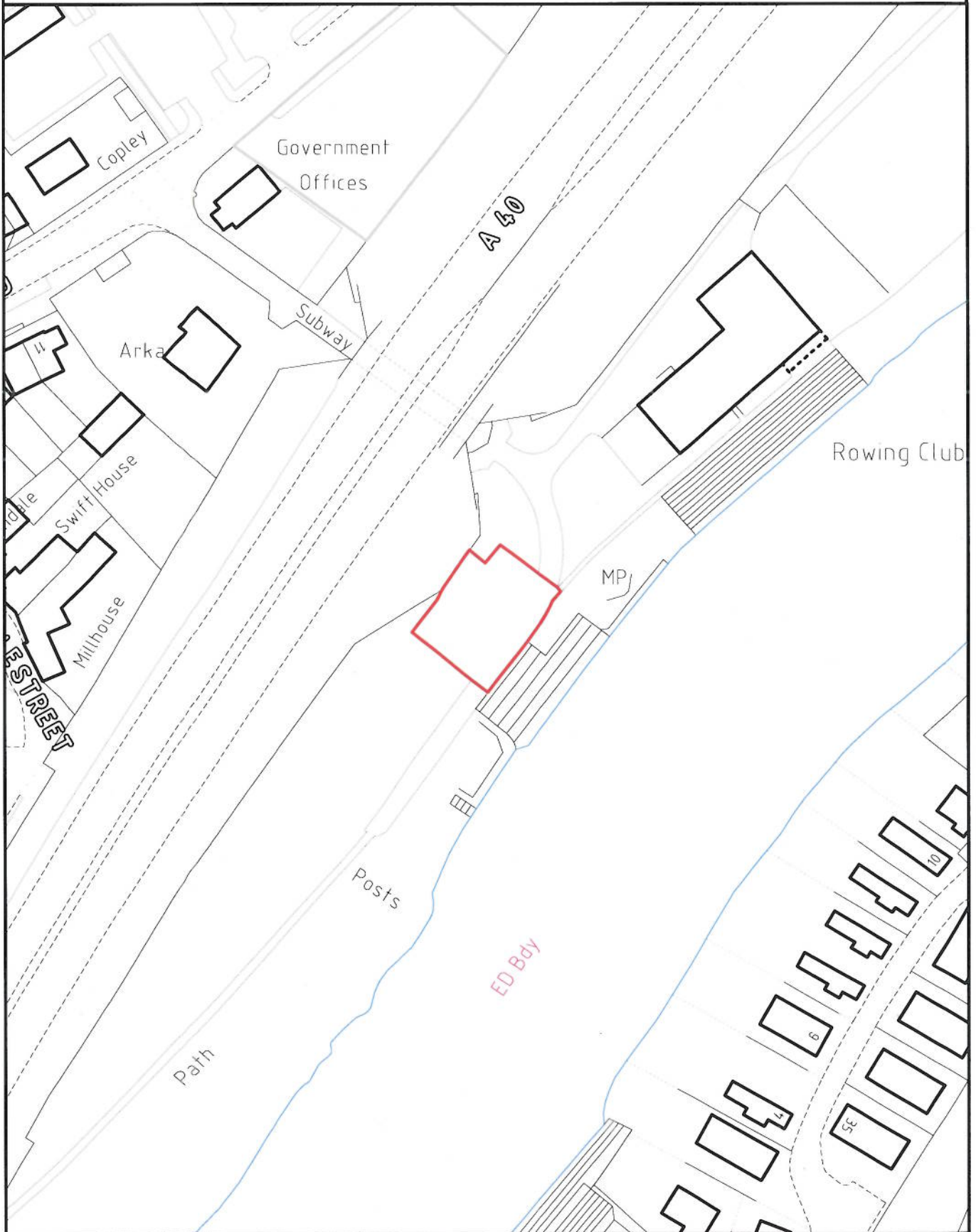


# Rear of Monnow Street Car Park Monmouth T230



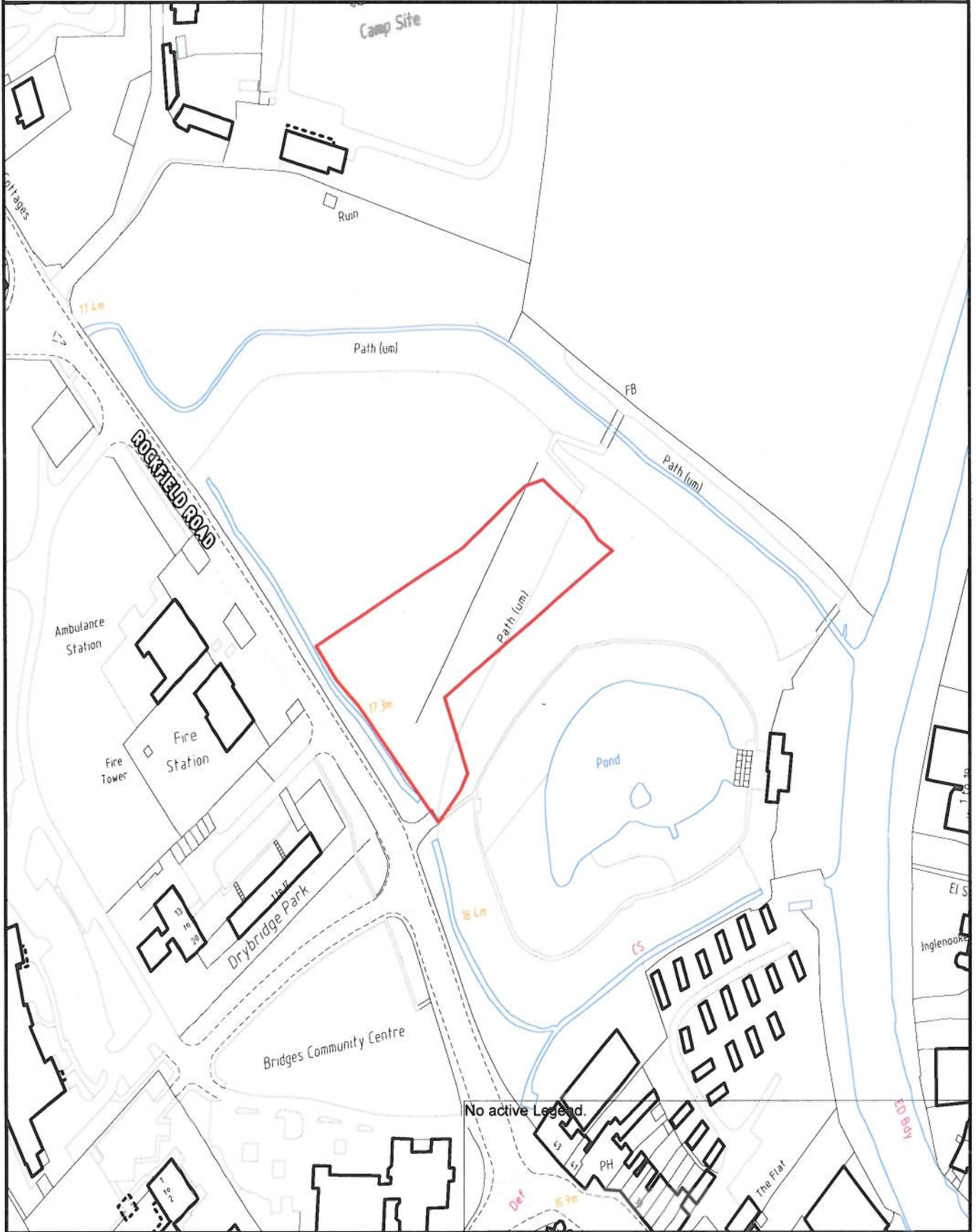
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<b>Drawn by</b>	<b>Scale</b>	<b>Date</b>					
Lang.L	1:1000	24/11/2015					
File Pathname / Project / Drawing No.							

# Rowing Club Car Park Monmouth T231





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	<b>Drawn by</b> Lang.L	<b>Scale</b> 1:1000	<b>Date</b> 24/11/2015	Monmouthshire County Council Innovation House, Wales 1 Business Park Newport Road Magor NP26 3DG <a href="http://www.monmouthshire.gov.uk/maps">www.monmouthshire.gov.uk/maps</a>
<b>File Pathname / Project / Drawing No.</b>				

# Rockfield Road Car Park Monmouth T232





No active Legend.

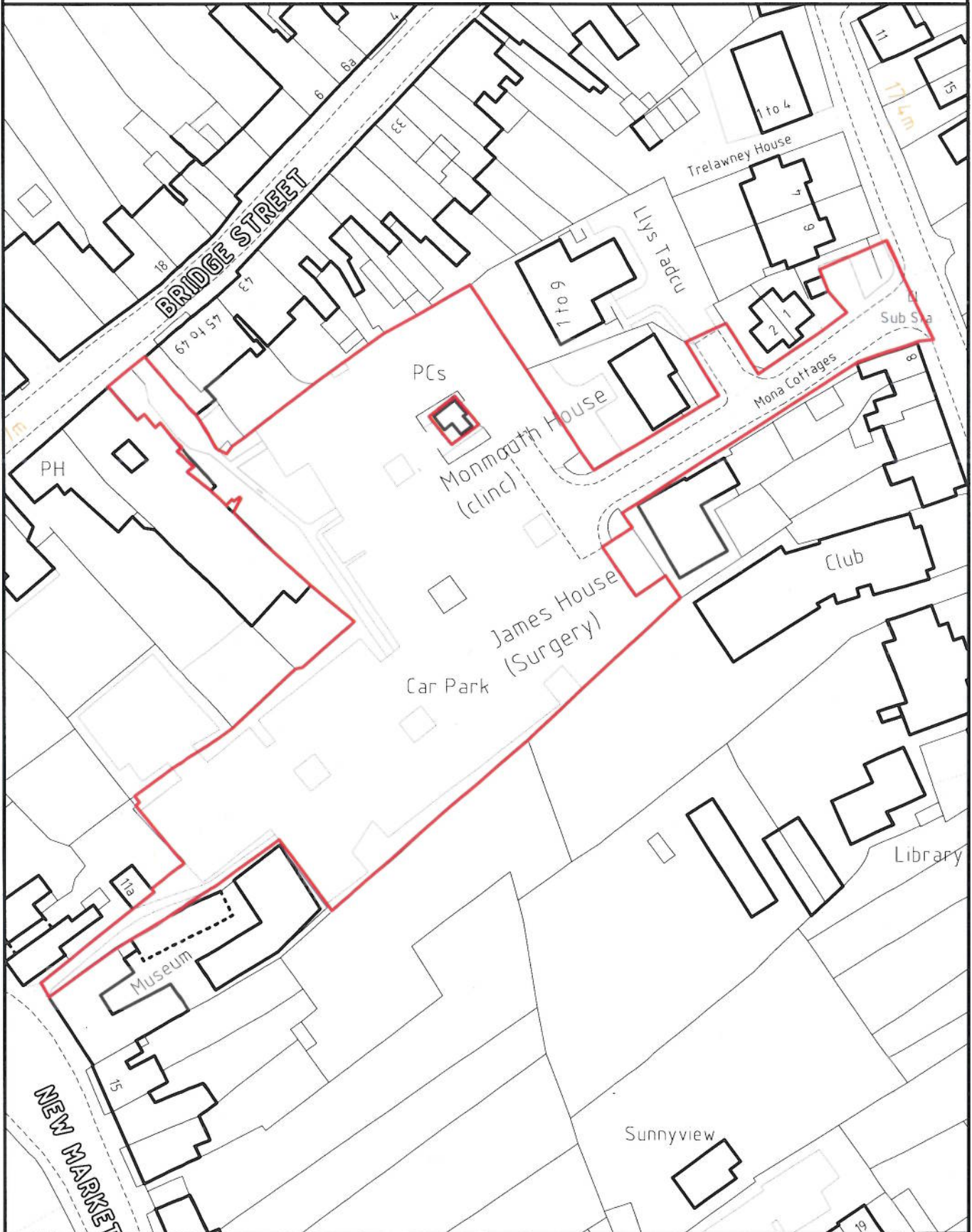
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	<b>File Pathname / Project / Drawing No.</b>					



# Wyebridge Street Car Park Monmouth T233



	<b>Details</b>			
	Map Detail text			© Hawlfraint y Goron a hawliau cronfa ddata 2013 Arolwg Ordnans 100023415 © Crown copyright and database rights 2013 Ordnance Survey 100023415
	Drawn by Lang.L	Scale 1:1000		Date 24/11/2015
File Pathname / Project / Drawing No.				

# Maryport Street North Car Park Usk T234



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	Map Detail text					Monmouthshire County Council Innovation House, Wales 1 Business Park Newport Road Magor NP26 3DG <a href="http://www.monmouthshire.gov.uk/maps">www.monmouthshire.gov.uk/maps</a>
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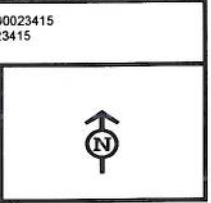
# Maryport Street South Car Park Usk T235

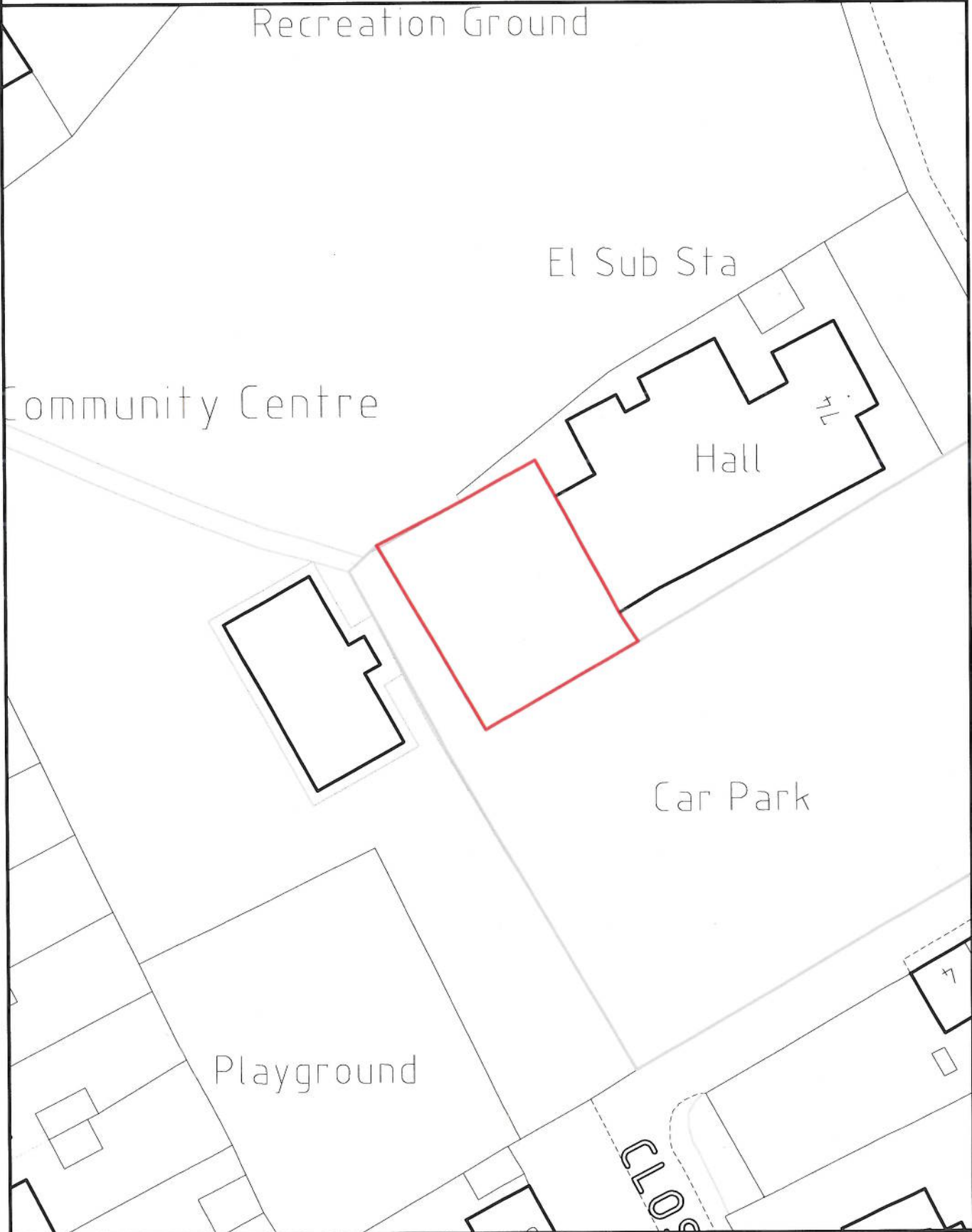




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<b>File Pathname / Project / Drawing No.</b>		

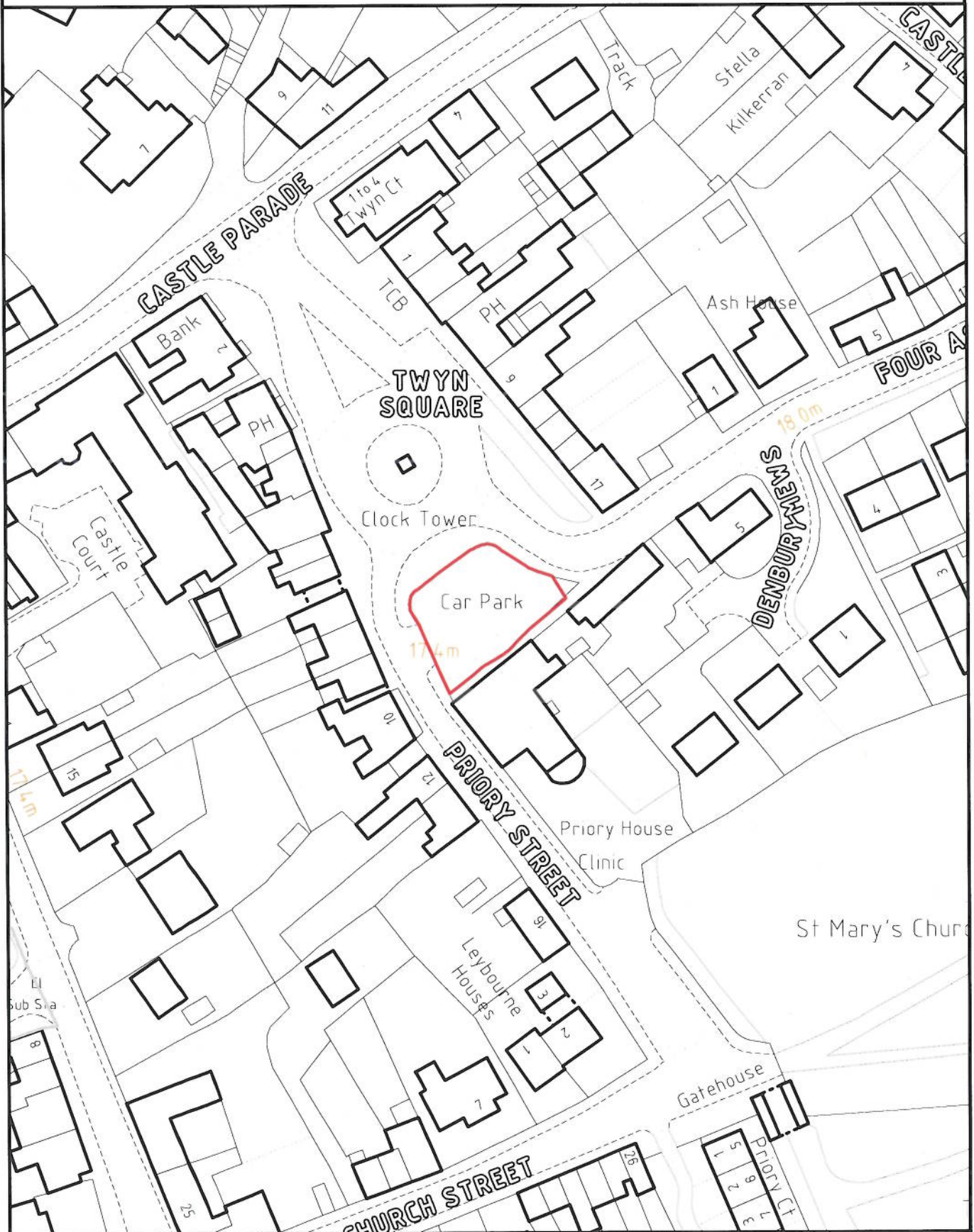
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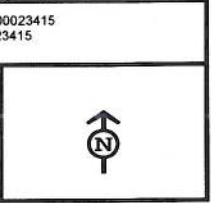
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	Map Detail text		© Crown copyright and database rights 2013 Ordnance Survey 100023415	
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<b>Details</b>		
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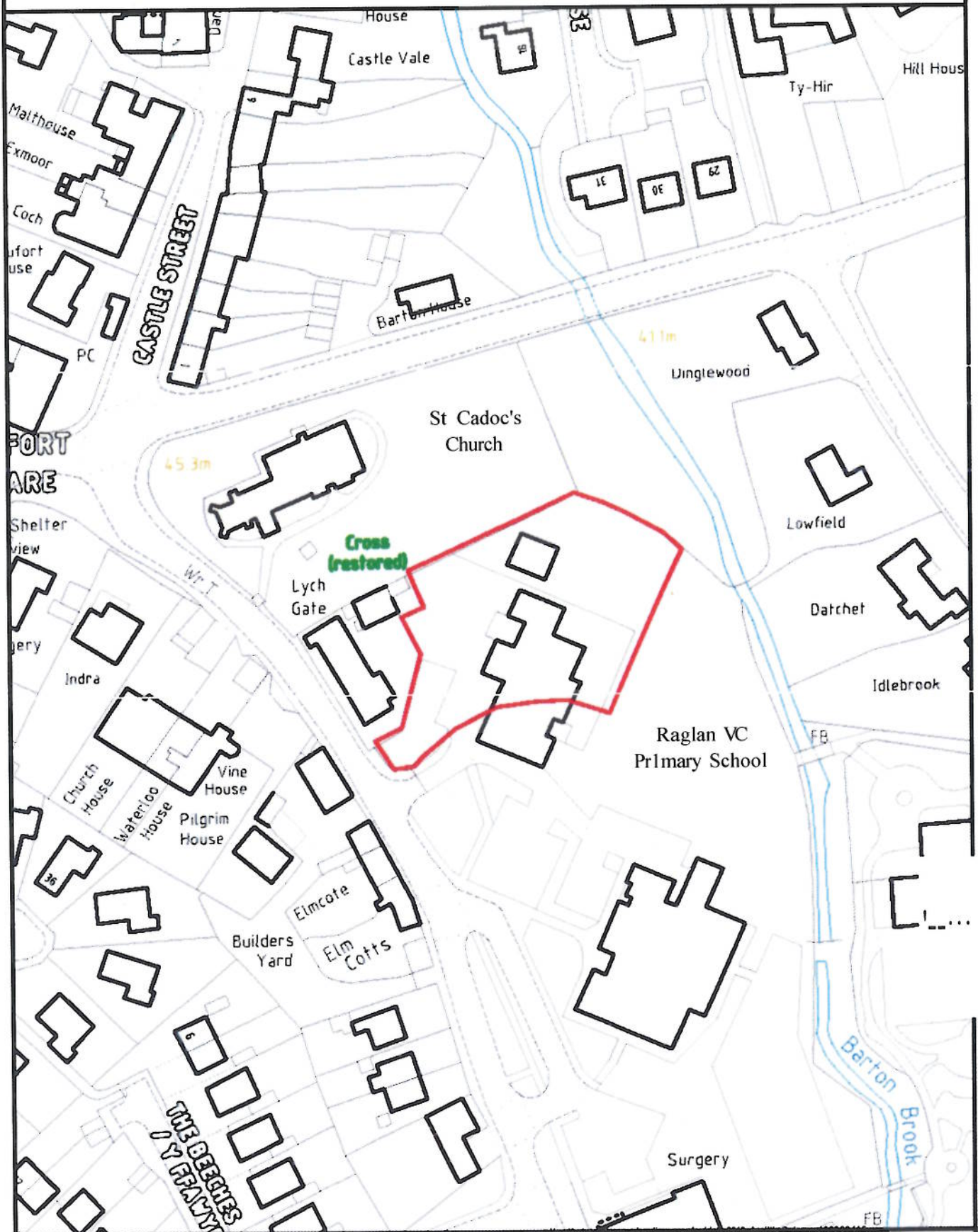







PLAN NO. T237  
ROGIET PLAYING FIELD CAR PARK

# T238 Chepstow Road Car Park Raglan



	Details Map Detail text		©Crown copyright and database rights 2013 Ordnance Survey 100023415		
	Drawn by Lang L	Scale 1:1250	Date 25/02/2016	Monmouthshire County Council Innovation House, Wales 1 Business Park Newport Road	
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MONMOUTHSHIRE COUNTY COUNCIL  
(OFF STREET PARKING PLACES) ORDER

STATEMENT OF REASONS

Background

Monmouthshire County Council has undertaken a review of off street public car parking owned by the county council within the county. Following extensive consultation the review was reported to the county council's Cabinet in September 2014. The review can be found on the Council's website by following the link:

<http://democracy.monmouthshire.gov.uk/Data/Cabinet/20140903/Agenda/Full%20Cabinet%20Agenda.pdf>

The decision was taken, amongst other things, to draft a proposed new car park order that reflected the findings and recommendations of the report. Any decision taken to introduce a proposed new car park order requires that it be made available for public consultation for a minimum period of 28 days. The outcome of this public consultation exercise and any recommendations for further amendments to the order will be reported to the Council's Economy and Development Select Committee for scrutiny and subsequently to the Council's Cabinet at some time in the future.

The detail of the changes to the order is described below, in the notice of making a permanent order and in the car park schedule which should be read in conjunction with this document. However the intention is to create extra parking and some free parking, reflecting the priorities in each community, and to fund these changes and improvements through adjustments to the current car park charges .

The proposed Order will amend and consolidate certain of the provisions contained in the Monmouthshire County Council (Off Street Parking Places) Order 1996 as previously amended by the Monmouthshire County Council (Off Street Parking Places) (Amendment No.1) Order 2001 and (Amendment No.2) Order 2010.

1. It is proposed to designate all car parks as short or long stay, to limit the maximum stay in short stay car parks with a no return of two hours to achieve a much needed turnaround of spaces particularly in proximity to retail areas..
2. It is proposed to reduce the charge currently paid only on Tuesday at Byefield Lane car park, Abergavenny and introduce a reduced rate daily charge Monday to Saturday to encourage vehicles to park in the car park on Tuesdays when the car park is underutilised.

It is proposed to introduce car parking charges at Station Road and The Station car parks at Chepstow to fund car park improvements and changes to the charging regime elsewhere (e.g. a free hour in short stay car parks).

It is proposed to remove current tariffs at Drill Hall car park, Chepstow and introduce a daily tariff at a reduced rate to encourage drivers to park in this car park which is currently underutilised and which will be of benefit to workers within the town.

It is proposed to construct a new free car park at Rockfield Road, Monmouth and subsequently introduce a reduced rate charge at Cinderhill Street car park and Rowing Club car parks to increase the car parking capacity within the town.

3. It is proposed to extend the charging policy to include Blue Badge holders with a concession of an additional hour to the amount of time purchased. It is intended to position pay machines in close proximity to improved and suitably located disabled spaces.
4. It is intended to incorporate The Sports Ground Entrance car park, Monmouth into the order and introduce permit parking only in lieu of pay and display and take enforcement action where vehicles are currently parking inappropriately and obstruction access.
5. It is intended to extend the boundary of Chippenham car park Monmouth to regularise the physical boundary into the Order.
6. It is proposed to incorporate 8 free short term parking spaces (of no more than 30 minutes) into the Order for Glendower Street car park, Monmouth.
7. It is proposed to cease the charge for car parking after 4pm daily in all of Abergavenny's pay and display car parks to encourage business within the town.
8. It is proposed to offer the first hour free in any marked bay within the short stay car parks of Chepstow to encourage business within the town.
9. It is proposed to introduce a 5 day and 6 day pay and display ticket @ £15.00 and £18.00 respectively at the current parking charge. This will be on offer only when the new pay machines are installed as part of the aim to offer more payment options and an alternative to making daily cash payments.
10. It is proposed to incorporate parent and toddler spaces within selected car parks
11. It is the intention to introduce a maximum 20 minute period for loading/unloading at the loading bay situated at Glendower Street car park, Monmouth to enable recording and controls on use of the area.
12. It is proposed to offer season permits specific to long and short stay car parks along with season permits for the reduced charge car parks in the aim to offer more payment options and an alternative to making a daily cash payment and benefiting workers within the towns.
13. To create long stay parking at a charge of £2.00 per day at Rogiet Playing fields in order to create much needed parking and alleviate parking problems with the community generally.
14. That the new car parks at Rockfield Road, Monmouth Wyebridge Street, Monmouth and Chepstow Road Raglan be included within the Order.

15. The overstay charge will only be applicable in long stay car parks. There will no permitted return within two hours at any short stay car park.

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<b>Date Received</b>	<b>Subject</b>
13th April 2016	Abergavenny Car Park Charges
9th March 2016	Abergavenny Car Park Charges
24th March 2016	Abergavenny Car Parks/Petition for Byefield Lane
18th April 2016	Blue Badge Car Park
18th April 2016	Blue Badge Holder
14th April 2016	Blue Badge Holder
6th April 2016	Blue Badge Holder/Drill Hall/Welsh street
17th April 2016	Blue badge holders
22nd April 2016	Blue Badge Holders
29th March 2016	Blue Badge Holders
21st April 2016	Blue Badge Holders
13th March 2016	Blue Badge Holders
22nd April 2016	Blue Badge Holders
11th March 2016	Blue Badge Holders
17th March 2016	Blue Badge Holders
13th March 2016	Blue Badge Holders
15th March 2016	Blue Badge Holders
14th March 2016	Blue Badge Holders
19th March 2016	Blue Badge Holders
21st March 2016	Blue Badge Holders
30th March 2016	Blue Badge Holders
30th March 2016	Blue Badge Holders
20th March 2016	Blue Badge Holders
18th April 2016	Blue Badge Holders
13th April 2016	Blue Badge Holders
21st March 2016	Blue Badge Holders
27th March 2016	Blue Badge Holders
16th March 2016	Blue Badge Holders
24th March 2016	Blue Badge Holders
26th March 2016	Blue Badge Holders
18th April 2016	Blue Badge Holders
15th April 2016	Blue Badge Holders
3rd April 2016	Blue Badge Holders
17th March 2016	Blue Badge Holders
13th April 2016	Blue Badge Holders
25th March 2016	Blue Badge Holders
19th April 2016	Blue Badge Holders
19th April 2016	Blue Badge Holders
27th May 2016	Blue Badge Holders
9th April 2016	Blue Badge Holders
18th March 2016	Blue Badge Holders
13th april 2016	Blue Badge Holders
21st March 2016	Blue Badge Holders
11th March 2016	Blue Badge Holders
16th March 2016	Blue Badge Holders
14th April 2016	Blue Badge Holders
17th April 2016	Blue badge Holders
12th April 2016	Blue Badge Holders
10th March 2016	Blue Badge Holders
21st April 2016	Blue Badge Holders
8th April 2016	Blue Badge Holders

18th March 2016	Blue Badge Holders
19th March 2016	Blue Badge Holders/Byefield Car Park
15th March 2016	Blue Badge/Aber, Mon & Chepstow Charges
22nd April 2016	Brewery Yard Car Park/Blue Badge Holders
21st April 2016	Byefield Car Park
31st March 2016	Byefield Car Park
12th March 2016	Byefield Car Park
13th March 2016	Byefield Car Park
31st March 2016	Byefield car Park
14th March 2016	Byefield lane
18th March 2016	Byefield Lane
31st March 2016	Byefield lane
16th April 2016	Byefield Lane
14th April 2016	Byefield Lane Car Park
18th April 2016	Byefield Lane Car Park
19th April 2016	Byefield Lane Car Park
22nd April 2016	Byefield Lane Car Park
10th May 2016	Byefield Lane Car Park
10th March 2016	Byefield Lane Car Park
10th May 2016	Byefield Lane Car Park
22nd April 2016	Byefield Lane Car Park
22nd April 2016	Byefield Lane Car Park
11th March 2016	Byefield Lane Car Park
13th April 2016	Byefield lane car Park/Blue Badge
31st March 2016	Byefield Lane/Blue Badge Holders
11th March 2016	Cattle Market Car Park
24th March 2016	Chepstow Car Park
15th April 2016	Chepstow Car Park Charges
31st March 2016	Chepstow Car Parks
17th March 2016	Chepstow Car Parks
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12th March 2016	Chepstow Car Parks
15th April 2016	Chepstow Car Parks
21st April 2016	Cinderhill Street Car Park
17th March 2016	Drill Hall
21st March 2016	Drill Hall
23rd March 2016	Drill Hall
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7th April 2016	Drill Hall Car Park
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8th April 2016	Drill Hall Car Park
21st April 2016	Drill Hall Car Park
4th March 2016	Drill Hall Car Park
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15th March 2016	Drill Hall/Castle Dell Car Parks
17th March 2016	Drill Hall/Welsh Street
18th March 2016	Drill Hall/Welsh Street











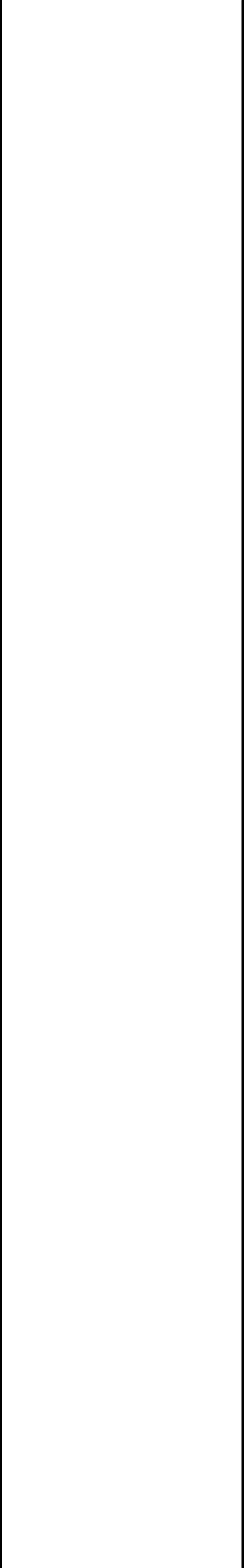














































ORIGINAL REPORT JULY 2014	SCHEDULE OF FUNDING IMPLICATIONS OF PROPOSALS WITHIN CAR PARKING REPORT -APPENDIX 4				JUNE 2016
<b>Gross Increase (£)</b>		Tickets sold	Gross income (£) - Pre price increase	Post price increas - gross income (£)	<b>Gross Increase (£)</b>
99,641	Abergavenny	525,967	569,472	664,979	99,641
53,856	Chepstow	243,580	271,572	318,758	53,856
51,404	Monmouth	231,098	289,572	330,106	51,404
-52,589	Less current overpayment income				-52,589
<b>152,312</b>				<b>Sub Total</b>	<b>152,312</b>
<b>98,177</b>	<b>2 Introduction of charges for blue badge holders</b> Taken from Parsons Brinkerhoff analysis (reported February '14)				<b>0 withdrawn</b>
<b>25,740</b>	<b>3 introduction of Sunday charging</b> 1981 paid parking spaces with an assumed 25% occupancy				<b>0 withdrawn</b>
<b>3,000</b>	<b>5 overstay payment be increased from £2 to £5</b> estimated				<b>3,000</b>
<b>1,000</b>	<b>7 increase in residential parking permit charge from £30 to £40</b>				<b>1,000</b>
<b>-30,000</b>	<b>8 introduction of new pay machines and works to make accessible</b> 42 machines @£5,000 each plus ancillary works - pc sum -£40,000 capital sum £250,000 paid over 10 years - assume £30,000 per annum				<b>-30,000</b>
<b>48,500</b>	<b>9,10,11 - introducing charges in Monmouth car parks</b> Cinderhill, Sports ground, Rowing club, Granville st (assuming planning consent granted) assume 50% occupancy				<b>48,500</b>
<b>-50,000</b>	<b>12,13 - developing new car parks in Granville st and Rockfield rd and providing 30 minute free spaces in Glendower st car park</b> Granville st and Rockfield rd - capital cost - £230k and £220k respectively £450k paid over 10 years - assume £50k per annum withdrawn				<b>-12,000</b>
<b>-45,000</b>	<b>14,15 - remove car park charges in Abergavenny after 4.00 p.m.</b> current ticket sale after 4.00 - 19,756@ 80p = £15,804 - assume behaviour change -				<b>0 withdrawn</b>
<b>12,500</b>	£1 flat rate charge for Byefield Lane car park Existing income is £10,500, new income is estimated at £22,500				<b>0 withdrawn</b>
<b>-90,000</b>	<b>16, - Free one hour parking in Chepstow town</b> present 2 hour income is £138,308 - assume behaviour change -				<b>0 withdrawn</b>
<b>69,799</b>	<b>17, 18 introduce charging in Station road and the Station car parks</b> Long stay and £1 per day for Station rd and the Station respectively				<b>69,799</b>
<b>-12,000</b>	<b>19, introduce charging for parking in Usk Town</b> No income is assumed given the proposal to eneter into discussions with Usk TC.				<b>ongoing</b>
<b>-110,000</b>	<b>21, Car park refurbishment plus improved signage on the highway and car parks</b> Allow £300k recovered over 10 years				<b>-36,000</b>
<b>-110,000</b>	Note : ongoing budget deficit on car park income (£117k in 12/13, £108k in 13/14)				<b>-110,000</b>
<b>74,028</b>	<b>NET BUDGET IMPACT</b>				<b>36,611</b>



**SCHEDULE OF FUNDING IMPLICATIONS OF PROPOSALS WITHIN CAR PARKING REPORT - JULY '14 - APPENDIX 5**

**1 increase in daily charges:**

	tickets sold	current gross income (£)	Proposed gross income (£)	Gross increase (£)
Abergavenny	525,967	569,472	664,979	99,641
Chepstow	243,580	271,572	318,758	53,856
Monmouth	231,098	289,572	330,106	51,404
Less current overpayment income				-52,589
			sub total	<b>152,312</b>

**2 Introduction of charges for blue badge holders**

Taken from Parsons Brinkerhoff analysis (reported February '14) **98,177**

**3 introduction of Sunday charging**

1981 paid parking spaces with an assumed 25% occupancy **25,740**

**5 overstay payment be increased from £2 to £5**

estimated **3,000**

**7 increase in residential parking permit charge from £30 to £40**

**1,000**

**8 introduction of new pay machines and works to make accessible**

38 machines @£4,500 each plus DDA works - pc sum -£80,000  
capital sum £251,000 paid over 10 years - assume £30,000 per annum **-30,000**

**9,10,11 - introducing charges in Monmouth car parks**

Cinderhill, Sports ground, Rowing club, Granville st (assuming planning consent granted)  
assume 50% occupancy **48,500**

**12,13 - developing new car parks in Granville st and Rockfield rd and providing 30 minute free spaces in Glendower st car park**

Granville st and Rockfield rd - capital cost - £230k and £220k respectively  
£450k paid over 10 years - assume £50k per annum **-50,000**

**14,15 - remove car park charges in Abergavenny after 4.00 p.m.**

current ticket sale after 4.00 - 19,756@ 80p = £15,804 - assume behaviour change - **-45,000**

£1 flat rate charge for Byefield Lane car park **12,500**  
Existing income is £10,500, new income is estimated at £22,500

**16, - Free one hour parking in Chepstow town**

present 2 hour income is £138,308 - assume behaviour change - **-90,000**

**17, 18 introduce charging in Station road and the Station car parks**

Long stay and £1 per day for Station rd and the Station respectively **69,799**

**19, introduce charging for parking in Usk Town**

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## Perrin, Amanda

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**From:** Perrin, Amanda  
**Sent:** 22 April 2016 14:01  
**To:** 'feodora shearman'  
**Subject:** RE: Charging for the free car park

Dear Mrs Shearman

I can confirm that the petition has been received and will be considered with other feedback received during the consultation exercise.

Kind regards  
Amanda

---

**From:** feodora shearman [mailto:feodorashearman@hotmail.co.uk]  
**Sent:** 17 April 2016 19:57  
**To:** Perrin, Amanda <AmandaPerrin@monmouthshire.gov.uk>  
**Subject:** RE: Charging for the free car park

Thank-you for that information, I will finalise the petition that is currently being for filled over the coming days. Where am I to take/send the petition and show evidence to my customers that the petition has been submitted? Thank you for your on going support and information. Regards Mrs Shearman.

---

**From:** [AmandaPerrin@monmouthshire.gov.uk](mailto:AmandaPerrin@monmouthshire.gov.uk)  
**To:** [feodorashearman@hotmail.co.uk](mailto:feodorashearman@hotmail.co.uk)  
**Date:** Thu, 31 Mar 2016 16:26:13 +0100  
**Subject:** RE: Charging for the free car park

Apologies the close for representations is 22 April 2016

Regards  
Amanda

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**From:** feodora shearman [mailto:feodorashearman@hotmail.co.uk]  
**Sent:** 31 March 2016 16:18  
**To:** Perrin, Amanda <[AmandaPerrin@monmouthshire.gov.uk](mailto:AmandaPerrin@monmouthshire.gov.uk)>  
**Subject:** Re: Charging for the free car park

Amanda, I'm pleased to hear that you are considering all feedback from those affected by the proposals and would like to thank you for your reply. However you still haven't answered my original question of the closing date for petition submissions? Regards Mrs Shearman.

Sent from my iPhone

On 30 Mar 2016, at 15:02, Perrin, Amanda <[AmandaPerrin@monmouthshire.gov.uk](mailto:AmandaPerrin@monmouthshire.gov.uk)> wrote:

Dear sir/Madam

Thank you for your communication, your comments will be considered with other feedback received during the consultation exercise.#

Regards



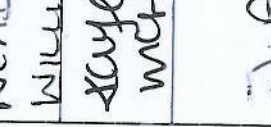
# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition summary and background		Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.		
Printed Name	Signature	Address	Comment	Date
Hilson Sheehan	<i>[Signature]</i>	10 Blue Bear, Tollymore, Porthpool.	This will effect my decision to shop in Chepstow in the future.	14/3/16
FEODORA SHEEHAN	<i>[Signature]</i>	85 DEWILL ST. ABERGAVENNY	it will effect my staff + business.	14/3/16
ROSEMARY CHARLES	<i>[Signature]</i>	17 Cross St Chepstow.	<del>All</del> car parks should be FREE. This will be a <del>set</del> bad	15.3.16
Cable Gough	<i>[Signature]</i>	flats Benedict Ct.	All car parks should be free	16.3.16
Tommy Brooks	<i>[Signature]</i>	109 Rother Avenue	This will effect my parking for work.	15.3.16
MEGAN DAVIES	<i>[Signature]</i>	4 Station Road Goyilar	every other car park is paying this is being exploited in	15/3/16.
GEMMA DAVIES	<i>[Signature]</i>	20 PARK CRESCENT ABERGAVENNY.	SHORT SIGHTED IDEA WHICH WILL INCREASE VISITORS TO TOWN	15/3
Chyelas Dittes	<i>[Signature]</i>	2, Moorfield, school lane Goyilar	Nothing in but Tolls + free parking would help another discouragement for visitors to town	15/3/16
Jane Engel	<i>[Signature]</i>	57 Park Crescent Abergavenny		15/3/16

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park










Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.				
Petition summary and background	Printed Name	Signature	Address	Date
	Charlotte York		137 Queen Street, NANTYGLO.	16/3/16
	Helen Bennett		20 Penybont, Gwilon	16/3/16
	M. Rhoads		61 LILWYN LANE	16/3/16
	DAMIAN COLE		4 SCHOOL WAY LLANFOIST.	16/3/16
	Hazel Smaggapple		Yr Hen Llythyrddy Llanover	16/3/16
	STUART BARNES		30 CRESTWOT DRIVE ABERGAVENNY	16/3/16
	Lesley Miles	L.J. Miles	Byn Y Gwernin Abergavenny	16/3/16
	ANNE POSEY		CONDOR HOUSE FANBVA	16/3/16
	Dayna media		100 underhill Crescent Abergavenny	

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.				
Petition summary and background	Printed Name	Signature	Address	
			Comment	
	Lynnda DAVIES Y. Morgan	S. Davies Y. Morgan	1, Glebeaton World	Shall go to Cumbrian shopping if charge is introduced 17.3.16
	Rhian Auty	R DARDINGTON	Dany Rhosfe NP17 5PA 12 Greystones Ave Mardy, Abargavenny	17.3.16
	Wendy Williams Kaye McHugh	W G Williams 	24, Arches Close, Dukestown NP23 4DS  <del>Artery Road</del>	17.3.16 Huge impact to businesses + the town if car park charge introduced. Stop being so greedy. Don't let us have enough!! 17/3/16
	J.A. HALL R.M. Trigg	J.A. Hall 	Priory Rd Abargavenny 1 Cardlich Gw Blingy	17.3.16
	Craig Ashby		33 Riverside drive Newport, Abargavenny	17.3.16 Impact to local business









# Petition to prevent Monmouthshire County Council introducing daily parking fees at Byefield Car Park

Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.				
Petition summary and background	Printed Name	Signature	Address	
			Comment	
			Date	
	Morgan Annett		12 Prospect road	17/3/16
	KATH Coffey		Windsor Hse Ebbw Vale	17-3-16
	SEAD GRAY		15 BRYN TERRACE	17-3-16
	J LANE		8, Gobannium Way	17/3/16
	KAY ANSTEE		134 OLD Barn Way	18/3/16
	HAYLEY Young		15TH CREWYN CHURCH VILLAGE	18/3/16
	BARBARA BUTLER		4 Jubilee Court St Davids Road	18/3/16
	Stephanie Bookch		NP7 97H	18/03/16
	Kerij Anne Price		21, Heol Wawn.	18/3/16

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.			
Petition summary and background	Signature	Address	Date
Printed Name		Comment	
ANGELA TAYLOR	<i>Angel Taylor</i>	Chapel Farm Llanvaylay	DO NOT charge 18/3/16
Dawn Millsey	<i>Dawn Millsey</i>	2 Riverside drive Manforst Abergavenny	if you start charging in the only free car park, town will become another ghost town 18/3/16
Hymie Stock	<i>H Stock</i>	1 Dantingynllys Dungosime	PLEASE NO!
Tracey Williams	<i>J Williams</i>	Elm Drive Howell	Please leave a free car park! 18-3-16
Andrea Rickoff	<i>Au. Rickoff</i>	3, School lane Govilon	Bad for Business! 18.3.16
Sarah Simmons	<i>Simmey</i>	6 The Stepping Stones, Gwytre.	Bad for Abergavenny town! 18.3.16
Emma Bowen	<i>E Bowen</i>	Cadger Farm Gwilon	" " " 18.3.16
Rose Edwards	<i>Rose Edwards</i>	4 Belmont close NP7 5HW	BAD FOR Business 19-3-16
			Bad for Abergavenny H

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.			
Petition summary and background	Printed Name	Signature	Address
	ALICE REES		14A CAMPBELL ST WAINFELIN NP4 6DU
	BETH SANDHIRE		8 HUNST ST NP4 7DT
	Airi Coulson	A. Coulson	8 Maes y Llanydd
	B Holloman		Weston - Super Mare
	Ralph Connor		12 WOODLAND TEE CUMTILERY NP13 1LA
	Hazel Wadding		40 VICTORIA ST CUMBRON
	LUKE WADDINGS		1 Malpas Street CUMBRON
	Emma Waddley	Emma Waddley	1 Malpas Street CUMBRON

Comment	Date
	19/3/16
	19/3/16
	22/3/2016
I come to Abergavenny for Haw cuts + Meat Shopper	22/3/2016
	3/2016
	22/03/16
	22/03/16
	23/3/16
	23/3/16










## Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.				
Printed Name	Signature	Address	Comment	Date
Jenny Hopkins	<i>J Hopkins</i>	Penrynmore		23/3/16
Doobed Mrs Salter	<i>D. J. Salter</i>			
SUSAN KITCHIN	<i>S. Kitchen</i>	Wanpwl Abergavenny		23/3/16
LOUISE WHITE	<i>L. White</i>	ALBERT RD Abergavenny		
Anna Bell	<i>A. Bell</i>	The Star Inn Talybotton-Usk		24/3/16
So CUBBY	<i>S. Cobby</i>	Post office		24/3/16
SUE COOMBS	<i>S. Coombs</i>	Gilwern		24/3/16
SIAN WATKINS	<i>S. Watkins</i>	Abergavenny		24-3-16
Heddwyn Granger	<i>H. M. Granger</i>	11, Ark Grove, Danellin Abergavenny		24/3/16

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition summary and background		Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.		
Printed Name	Signature	Address	Comment	Date
V. Genta	<i>[Signature]</i>	18 Gwent Place Nerdy Abergavenny		23/3/16
ANON - MAXINE	<i>[Signature]</i>	21 The Glass Range NP7 0EA		26/03/16
A. WAINWRIGHT	<i>[Signature]</i>	9 Gympenny Fawcett Drive		28/03/16
C. PEICE	<i>[Signature]</i>	New House Farm, Fis Rd, Llancarney, NP78XU.		25/3/16
c Beran	<i>[Signature]</i>	Ty Carew, Perpetuum Abergavenny. NP19UY		25/3/16
R. Moore	<i>[Signature]</i>	USKSIDO Glawlan NP23HT		25.3.16
Sandra Fuchs	<i>[Signature]</i>	Kyalawni, Merthyr Rd, Llanfoist Abergavenny NP7 4LN		25/3/16
DONNA CHARLEY DENNEY.	<i>[Signature]</i>	DOBSONS FARM NP7 9SS.		26/3/16
Anna Cichon O'Car	<i>[Signature]</i>	17, Highfield Crescent. Abar		26/3/16

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Byefield Car Park

Petition summary and background		Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.		
Printed Name	Signature	Address	Comment	Date
KAREN EVERITT		2 De Wallingford Close Abergavenny.		26/3/16
Lorraine Jenkins		62 derwon way Abergavenny		29/3/16
TANNA O'SHEA		18 WYNDFRAM RD ABERGAVENNY		29/3/16
VICTORIA GRAFFITHS- PRICE		8 TRESHOWON NPT 80G		29/3/16
LYALETTE CAIN		PRIORS WOOD COTTAGE ST. LIEDNARDS. HR2 8PN		31.3.16
Clare Morgan.		Barron Bridge, Raglan, Mon.		31/3/16
Jackie Godfrey		83 Northst, Aber		31/3/16
Lesley Lorraine.		74 Marchwood Cardiff		31/3/16
Vicki Woods		21 Intermediate Rd Brynmar		31/3/16

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.			
Printed Name	Signature	Address	Comment
R Leighton		20 Windsor Rd Abergavenny	helps Abergavenny grow!
F. ANSARI		know rd.	
F. Woods		Sp. Kweh.	
Z. Frie		Pen-y-Pend Abergavenny	
C. Cillett		2 Dan Bryn	
D. HEAD		14 Downer Way Canton	
M. GAVIN		West Wind Llwyns Court	
A. Davies.		44 RICHMOND RD, ABERGAVENNY.	
V. Belli		9 Park Lane	

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition summary and background		Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.		
Printed Name	Signature	Address	Comment	Date
Siaín McGrath	S. McGrath	Rhons Farm Chylychan NP40LS	Abergavenny being out to Valley towns.	18/4/16
Sophie Morgan	S. Morgan	17 MILLERSON AVENUE NANTICHO NP23 4PR	-	5/4/16
Jenifer Woods	J. Woods	AS ABOVE	-	5/4/16
Beverley Smith	[Signature]	BWYDERS, 30 WATKINS WAY, ABERGAVENNY	All car parks in town should be free - enough sales one third.	6.4.16.
Gerrant Tibbs	[Signature]	3 Zion Place Bryn Hill Ebbw Vale NP23 6BL	look at Cumbernau how well it is done with free parking	6/4/16
Tracey Hargy	A. Hargy	6 Oxford St Abergavenny	People will be young elsewhere!	6/4/16
Shen Rennie Morgan	[Signature]	Honeysuckle Burn Cecil Works - Abergavenny	.	6/4/16
TONY ROSSER	[Signature]	115 UNDERHILL CREBS ABERFARNEY.		6/4/16
REV. ROSSER	[Signature]	AS ABOVE		6/4/16



# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.				
Petition summary and background	Printed Name	Signature	Address	
			Comment	
			Date	
Heather Clelland	<i>Heather Clelland</i>	<i>Heather Clelland</i>	FLAT 13, 4 PEN Y RHOED ABERGAVENNY - NP750D	6/4/16
<i>J. Davies</i>	<i>J. Davies</i>	<i>J. Davies</i>	16 PARK ST ABERGAVENNY.	6/4/16.
NATHAN THOMAS	<i>Nathan Thomas</i>	<i>Nathan Thomas</i>	8 PLAINES STREET, ABERGAVENNY	
KATE PHIPPS	<i>Kate Phipps</i>	<i>Kate Phipps</i>	Twest new Terrace SIX BELLS NP23 2LT	6/4/16.
LES WILLIAMS	<i>Les Williams</i>	<i>Les Williams</i>	24 PEN Y RHOED TRAYBACT - NP750D	6/4/16
SCOE	<i>Scoe</i>	<i>Scoe</i>	2 mania Court Newport	6/4
M. Bohm	<i>M. Bohm</i>	<i>M. Bohm</i>	15, fosterville Cres.	6/4/16.
P. E. CLEMENTS	<i>P. E. Clements</i>	<i>P. E. Clements</i>	51 Poplars close Healey	6/4/16.
J. DAVIES	<i>J. A Davies</i>	<i>J. A Davies</i>	54 Ross Rd ABERGAVENNY	6/4/16.










# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition summary and background		Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.			
Printed Name	Signature	Address	Comment	Date	
A. EVANS	<i>A Evans</i>	Abergavenny		6/4/16	
J. Helt-Wilson	<i>J Helt</i>	Cefn Maeri, Raglan		6/4/16	
A. O'Bullivan	<i>A O'Brien</i>	The Little house Llanforis, High Wyload Ross Road.		7/4/16	
H. Goswami	<i>H Goswami</i>	Abergavenny		7-4-16	
B. Howell	<i>B Howell</i>	Blaina		7-4-16	
K.A. FALCONER	<i>K.A Falconer</i>			8-4-16	
K. J. Milner	<i>K.S. Milner</i>	Clydach		8-4-16	
A. Pousson	<i>A.J. Pousson</i>	Gowron, Aber		8/4/16	
P. Jones	<i>P Jones</i>	Abergavenny		8/4/16	

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park









Petition summary and background		Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.		
Printed Name	Signature	Address	Comment	Date
Clare Davies - Green		Ty Gwent, forest coal pit, Abegyny, NP77 7CW		8/4/16
KEYS LEWIS		ZINNON MARKET COWET ABERGAVENNY	PARKING CHARGES KILLS TOWN'S,	"
EMMA COOPER-WATERS		Abergavenny.	More attempts to kill trade in Aber.	8/4/16
Kaura Pantor		Essex. SS9 5NJ.	Parking charges are always detrimental to trade in small towns	8/4/16
L. Mackin		Abergavenny.	As above - parking charges discourage visiting	8/4/16
M SMITH		ABERGAVENNY	USED EXTENSIVELY NO NEED FOR CHARGE	8/4/16
J. Glenn		Pandy, Abergavenny		9/4/16
Janet Jones		THE GREEN About 750 ft S + the Green Abergavenny	when funds are needed to attract people into town this is a barrier	9/4/16
K Jones				"

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition summary and background		Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.		
Printed Name	Signature	Address	Comment	Date
N. Cook		44 Gwynnys New Treogyn.		11/4/16.
R. J. ...		8 NPT 200		11/4/2016
B. Kelly		H. Victoria St NPT 7 5SDS		11/4/2016
K. J. & C. Reynolds		1, THE NEWLANDS HARDY NP76HG		11.4.2016
Judy Evans		1 RECENT ST.		11/4
Sheela Gibbon		103, Chaperon Rd. Aberg NP7 7 DN		11/4
ANNA FETTS		35 Park Ave NP7 5SH		"
Marcus Harrison		14 Clos Burg Capel NP7 6AA		11/4
Jordan William		9 Prospect Road Abergavenny.		11/4



# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition summary and background		Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.		
Printed Name	Signature	Address	Comment	Date
PATTY PAPAGEORGIOU		20, DAN-Y-CRAW CROUCHHILL NP81DD	The most helpful comment place to park for out-of-town visitors when shopping.	13/04/16
HELEN PICKERING		11 Ivy cottages NP7 0ER		13/04/16
RACHEL BOSAMPTON		west Lodge, Dington		13/4/16
LUKE SALMON		8 SILVER VIEW USIC		13/4/16
PHIL DAVIES		3 HILLGROVE AVE MARDY.		14/4/16
CHRIS DAVIES		3. HEEGROVE AVE MARDY		14.4.16
KAREN MOIC		Roseaden, Gowilan.		14/4/16
SUSAN THOMAS		Poplar Rd Abergavenny		14/9/16
M FILE	M. File	Vale View Abergavenny.		14/9/16

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.				
Petition summary and background	Printed Name	Signature	Address	Date
	E. C. A. Woyles	E. C. A. Woyles	6 WERN CIFFORD NP7 8RS	we do not want any C.P. charges in Aberqweary 14/4/16
	K. GREGG-SERRASS	K. Gregg-Serrass	FRIDY CEF NP1 5BF	local parking charges will deter shoppers 14/4/16
	A. JONES	A. Jones	50 CASTLE RD NP8 1AP	No fees on Tues Friday or Saturday 14/4/16
	B. Head	B. Head	28 Chestnut Drive NP7 5JZ	no. 14/4/16
	Hester Sealey	H. Sealey	6K14 3EL	NO Sport visits. 14/4/16
	C. THOMAS	C. Thomas	28 <sup>th</sup> FRYMORE STREET	14/4/16
	C. Allen	C. Allen	Aberqweary	14/4/16
	K. HANS	K. HANS	Whun house	14.16.16
	S. James	S. James	Doerillery	Affecting visitors 15.04.16

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Bye Field Car Park

Petition against Monmouthshire County Councils proposals to introduce daily parking fees to Bye Field Carpark.				
Printed Name	Signature	Address	Comment	Date
S. HANCOCK		Apartlebery	Affecting Visitors	14/04/16
A. Rees		New Inn		16/04/16
K. Hamson		Trevelthin		16/4/16
T. Pugh		Abergavenny	Affects local working businesses	16.04.16
J. Pugh		Abergavenny	Probs Hinders local businesses as it plus shoppes off coming	16/04/16
S. Pochron		Hill Court Abergavenny	The free car park is a BOON to the town	18/04/16
C. Dewfield		Fal-y-Coed NP7 8TL	1	19/4/16
K. Jones		PANDY NP7 8DT	Affects local business	19.4.16
SHARON CRESS		De-y-Dei Abergavenny.	11	19.4.16.



# Petition to prevent Monmouthshire County Council introducing daily parking fees at ByeField Car park

Petition against Monmouthshire County Councils proposals to introduce daily parking fees by ByeField Car park

Printed Name	Signature	Address	Comment	Date
S. Bevson	<i>[Signature]</i>	32 The new lands Hardy	Cumbrum has free parking we need the same	23/03
S. TAYLOR	S. Taylor	4 A Howslam Rd.	Please keep the free parking	24/3
MIKE SHOOTER	<i>[Signature]</i>	Upper Clanoer	No...no...no!	25.3.16
Peter Cooles	<i>[Signature]</i>	12 Cooper Street	Pls Help us.	25.3.16
Rosemary Cooles	<i>[Signature]</i>	12 Cooper Street	Free parking is good	25/3/16
WILSON DUFFY	<i>[Signature]</i>	3 Church Rd.	keep free for Gwynon woods.	25/3/16
PAT CHAYTON	<i>[Signature]</i>	18 Elmistive Rowells	People who work will be penalised	25/3/16
SIÂN ELCOMB Fred Meredith	S. Elcom <i>[Signature]</i>	18, GIM Drive	Keep parking free!	25/3/16
MARY SHOOTER	<i>[Signature]</i>	32 THE NEWLANDS MUNY. TH BODA UPPER LLANOVER	To encourage more cycling.	26/3/16
G F HOBBY	<i>[Signature]</i>	17 Gwynk's Linnic Mill	Encourage people to come to town!	26/3/16
D. CEATON	<i>[Signature]</i>	17 Gwynk's Linnic Mill	KEEP IT WE PAY COUNCIL NEED TO KEEP TOWNS LIKE COUNTRYSIDE "ALIVE" NOT COASTED BY PARKING CHARGE	26/3/16

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Byefield Car park













Petition summary and background		Petition against Monmouthshire County Councils proposals to introduce daily parking fees by Byefield Car park		
Printed Name	Signature	Address	Comment	Date
SCOOK	<i>[Signature]</i>	CUMBRAND		2-4-16
A.M. KELLET	<i>[Signature]</i>	Abergavenny		4-4-16
G.M. FESSLER	<i>[Signature]</i>	Cumbran.		7.4.16
A STRAW	<i>[Signature]</i>	CRICKHOWELL		7.4.16
A STUBBS	<i>[Signature]</i>	Crickhowell		7.4.16
BOARDMAN	<i>[Signature]</i>	Llanwaler		8/4/16
S.A. KAYCOX	<i>[Signature]</i>	MAR-y-Uweryrth		9/4/16
<i>[Signature]</i>	<i>[Signature]</i>	SKYNGEUS, ROSS		9/4/16
M Jones	<i>[Signature]</i>	Holywell Crescent.		9/4/16
S. BERTHON-PAUL	<i>[Signature]</i>	CARLIF		12/4/16
JENNIFER GIBBERN	<i>[Signature]</i>	Gilwern		18/04/16

# Petition to prevent Monmouthshire County Council introducing daily parking fees at Byefield Car park

Petition against Monmouthshire County Councils proposals to introduce daily parking fees by Byefield Car park

Printed Name	Signature	Address	Comment	Date
S. Bensley	<i>[Signature]</i>	Abergweny	we need to help the high street!!	3/13
DAVID JAMES	<i>[Signature]</i>	Hangers Green.	HELP!	3/13
M Williams	<i>[Signature]</i>	Abergweny	CAR PARK CHARGES! TOILET CLOSURE WHAT NEEDS?	3/13
M Barry	<i>[Signature]</i>	Blaenauon		31/3/16.
S. BARRY	<i>[Signature]</i>	BLAENAUON	OTHER TOWN'S FREE PARKING	31-3-16.
G. KOLETZ	<i>[Signature]</i>	Hobbs Court	WHAT ABOUT COMBATING	1-4-16
E.P. Beque	E.P. Beque	Abergweny	Part of car park should remain free, rest used by all day	1-4-16
—	—	—	Parkos paid for.	—
C. DOBSON	<i>[Signature]</i>	ABELG AVEWAY		2-4-16
D. DOBSON	<i>[Signature]</i>	ABELG AVEWAY		2-4-16
A. DEAR	<i>[Signature]</i>	USA		2-4-16
S. SEARON	<i>[Signature]</i>	PORSTPOD.		2-4-16

# Petition to prevent Monmouthshire County Council introducing daily parking fees at ByeField Car park

Petition summary and background		Petition against Monmouthshire County Councils proposals to introduce daily parking fees by ByeField Car park			
Printed Name	Signature	Address	Comment	Date	
D. R. COSTA		174 LAUNDRY, CAPANRY FARM	ENCOURAGES VISITORS TO TOWN	26/3/16	
Don Cunningham		MORRISON ST	KEEP IT FREE	26/5/16	
A. TENGATE		MAMMETH WALES	BETTER FOR TOWN	26/3/16	
P. CANTY		CUMBATH CLOSE N.B. A.P.	CHARGES DOWN SUBTRACT VISITORS	28/3	
N. NICHOLSON		50 WESTERN ROAD	FREE PLEASE	30/3	
M. SAUNDERS		PRYDDY FAN		30/3	
P. WILLIAMS		PRYDDY LANE	REALLY WHAT ABOUT USK NO CHARGES!	30/3	
S. JONES		PARK ST.	WHAT NEXT!!	30/3	
E. BAYTON		ABERTILEY, BILWENAN	THIS WILL KEEP VISITORS	30/3/16	
J. DODDS		CLYDACH	SHORT SIGHTED INDEED.	30/3/16	
L. DODDS		Clydach	KEEP IT FREE!	30/3/16	
R. HUBBARD		Longtun Hereford	Should encourage local shopping	30.3.16	



<p><b>Name of the Officer</b> completing the evaluation Roger Hoggins</p> <p><b>Phone no:</b> 01633 644133 <b>E-mail:</b> rogerhoggins@monmouthshire.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p><b>Amendments to the MCC public car parking regime to better reflect need and for reinvestment into the service and infrastructure</b></p>
<p><b>Name of Service; MCC car parking</b></p>	<p><b>Date Future Generations Evaluation</b> 06/04/2016</p>






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

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>The plan, amongst other things, seeks to improve car parking services to assist commerce within our towns by creating parking space closer to shops and the amount of parking available.</p>	
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>		

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood		
<b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected	This review has sought to use changes to the car parking regime to support retail and business in the larger towns in Monmouthshire. Supporting retail in particular helps to sustain the prosperity of our town centres with all of the knock on benefits to employment and the sustainability of our towns as attractive places to visit and live in.	
<b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing		
<b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation		
<b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances		

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

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Long-term Balancing short term need with long term and planning for the future</p>	<p><i>The proposals are intended to improve the car park service. Funding is generated but this is reinvested into the service to improve the car parking infrastructure which requires modernization.</i></p>	
 <p>Collaboration Working together with other partners to deliver objectives</p>		
 <p>Involvement Involving those with an interest and seeking their views</p>	<p><i>There have been several rounds of consultation with many stakeholder groups as detailed in the various reports referred to in previous reports to the Economy and Development Select Committee and Cabinet</i></p>	
 <p>Prevention Putting resources into preventing problems occurring or getting worse</p>		
 <p>Integration Positively impacting on people, economy and environment and trying to benefit all three</p>	<p><i>The car park management regime and charging structure is changing. The new regime reflects feedback from various stakeholders and seeks to balance the need for investment with schemes that are tailored to individual towns rather than a uniform approach across the county.</i></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			
Disability	Improved parking facilities (less obstruction, better delineated spaces )	Charges are proposed for blue badge holders whereas charging has been free to blue badge holders to date in MCC public car parks	Extra time is proposed for blue badge holders (for example 2 hours parking would be provided for a 1 hour charge
Gender reassignment			
Marriage or civil partnership			
Race			
Religion or Belief			
Sex			
Sexual Orientation			
Welsh Language	<i>Under the Welsh Language measure of 2011, we need to be considering Welsh Language in signage, documentation, posters, language skills etc.</i>		

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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	No safeguarding or parenting implications are anticipated as a result of these proposals		
Corporate Parenting			

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

Extensive consultation has taken place whilst arriving at the proposals,. This has been with local councils, chambers of commerce, and locally representatives of disabled groups (through CAIR). Individuals have also been invited to comment through the statutory consultation process. Information about this has been provided on the website, sent to local councils and brought to the attention of interested groups. The draft order has also been posted on all car park signs throughout the county to bring the changes to the attention of all car park users.

The impact of the introduction of charging for blue badge holders has created significant feedback. This has previously been reviewed by the Economy and Development select committee and by Cabinet prior to the draft order being published. The statutory consultation has offered stakeholders the opportunity again to comment upon the proposals and these are provided in the appendices to the report.

Whilst the issue of blue badges relates to the applicants' health and is not 'means tested' correspondents objecting to the charge highlight that in information provided at the Equality and Human Rights Commission Annual Conference 2013 stated that 23% of the population in Wales is living in poverty, that 23% of the population is disabled and that 46% of disabled people in Wales are living in poverty. Comparable information for Monmouthshire is not available but analysis of blue badge issued by MCC shows that of 5955 issued 267 (4.4%) have been issued on the basis of Personal Independence Payments (PIP). Neither the whole wales figures or the MCC blue badge figures offer a definitive assessment of affordability for blue badge holders but are provided to inform any decisions that members contemplate.

The proposal offers mitigation by way of additional time provided for blue badge holders. For example a blue badge holder purchasing 2 hours parking will be granted 3 hours parking to reflect that mobility issues may delay a blue badge holder returning to a car park. The ticket will also be valid in various car parks within the town in any one day allowing a blue badge holder to move between car parks without incurring further charges.

Within Wales seven councils charge blue badge holders to use their car parks. Mitigation is offered by way of extra hours or an initial free period. The arrangements with neighbouring English authorities vary where charges are imposed some form of mitigation is often provided for blue badge holders.

The MCC proposal requires that the blue badge holder purchases parking time and extra time is then granted. Some correspondents have suggested that this be amended to offer an hour as free parking and time over and above that hour be paid for. Both examples are in use in other authorities.

**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?**

*Mitigation has already been proposed for blue badge holders subsequent to previous consultation.*

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

<b>The impacts of this proposal will be evaluated on:</b>	<b>Six monthly from the implementation of the order and changes otherwise proposed in the plan ( new pay machines, improvements to the car parks)</b>
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**SUBJECT: MANAGEMENT OF COMMERCIAL OBSTRUCTIONS ON THE HIGHWAY**

**MEETING: CABINET**

**DATE: 6<sup>th</sup> JULY 2016**

**DIVISION/WARDS AFFECTED: ALL**

**1. PURPOSE:**

1.1 To seek approval for the adoption of a policy titled 'Provision of a Management of Commercial Obstruction on the Highway'. The Policy will cover various occasions when a business wants to use the Public Highway for reason of benefit to that company. It will bring a consistency to the policy, both within MCC processes and the wider Local Authority community by using a specific licensing and charging mechanism for any organisation seeking to make use of the public highway.

**2. RECOMMENDATIONS:**

2.1 That Cabinet approves the adoption of the new policy 'Commercial Obstruction on the Highway' having given due consideration to its constituent parts as listed below:

2.2 (3) 'A' Board Policy,

2.3 (4) Flyposter Policy,

2.4 (5) Commercial Provision Policy,

2.5 (7) Community Provision Policy.

To be included in overall Policy, ( policy previously approved ) :-

2.6 (6) Verge Sponsorship Policy

**3. KEY ISSUES:**

3.1 Enforcement action taken by Highways Operation's Department forms a significant element of their work. This enforcement, usually against business and people, that are aware of the MCC's current policies / guidance, could be developed into a system that is more readily available, encompassing all private activity on the Public Highway. The policy will more effectively control apparatus in the highway and will recover the cost associated with enforcement.

3.2 Monmouthshire County Council has a statutory obligation to provide 'unhindered access to the Highway', while this Duty needs to be managed it currently uses valuable Council resources to provide the service of approval, of advice and of enforcement. Unfortunately this service is not consistent throughout Monmouthshire. We currently licence and charge scaffold and skip hire

companies for the use of the Highway space, but not other uses such as a business who occupy the highway for commercial purposes. This policy seeks to bring consistency, safety and clarity in this area.

3.3 Commercial obstruction of the Public Highway can be defined as an obstruction created by the placement of an object on the public Highway, for the purpose of private gain, without consent. Commercial obstruction of the Public Highway can be divided into a number of categories –

- a. Flyposting. Installing, usually short time, advertising on Highway Furniture without permission.
- b. 'A' Frames, installing, usually long time, advertising on the Public Highway for adjacent Businesses without permission.
- c. Table and Chairs. Can be seasonal, short term or long term placement of furniture on the Public Highway for the benefit of adjacent Businesses without permission.
- d. Ad-hoc Furniture. Can be seasonal, short term or long term placement of plants, sale items and sale rails on the Public Highway for the benefit of adjacent Businesses without permission.
- e. Static Furniture. Usually a permanent feature such as a memorial bench or memorial tree for the benefit of the community and normally placed with permission.

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

4.1 It is not unreasonable that the beneficiaries of service requests made to MCC should pay for the cost associated with those requests, especially when a failure to comply, with The Highway Act 1980, would normally lead to enforcement action being taken and possible fines and costs being charged.

4.2 An interest by Companies to use the public Highway as a site to benefit their business is evident throughout MCC. This benefit, usually through advertising or by the direct use of the Public Highway as a premise from which to sell goods or to supply a service, needs to be managed. However, this benefit can conflict with MCC's statutory Duty to '.... assert and protect the rights of the public to the use and enjoyment of any highway....', Highway Act 1980 : Section 130, and needs to be managed effectively

4.3 It is the Duty of Monmouthshire County Council to control such activities. The use of licences that are free, the use of licences that have associated nominal fees and licences that have charges that reflect the market value are all used in this policy.

4.4 Feedback was received from Strong Community Select Committee, their concerns have been incorporated within the revised policy.

4.5 Consultations with Business and Access Forums provided useful viewpoints.

4.6 The use of a third party company to provide the marketing, selling and financial controls on these business opportunities will be considered. The option to manage in house and to seek support from NCC in this area is also open to a positive collaboration. However to optimise income to MCC at this stage it is recommended that it is managed in house and performance reviewed in twelve months of implementation, when we may seek external help

## 5. RESOURCE IMPLICATIONS:

5.1 Staff resources are currently engaged in guidance and enforcement. A shift to guidance and licensing will require additional resources. An additional post has already been approved, within Static Advertising Policy, and this will provide the detailed administrative support and financial control that the scheme demands.

5.2 income generation is not the aim of the policy, clarity and safety are. However, it is anticipated one off fees will be generated to a value of £10,000 and £5,000 annual renewal fees will also be anticipated. These will go towards supplementing the Highway advertising savings (mandate B13) that was set up in teh 16/17 MTFP.

5.3 the annual fees generated will support the costs associated with approval, enforcing and supporting the community and charity applications

5.4 The proposal for fees ( table 1 ) was derived through a small survey of other Authorities approach to this problem.

Table 1	A BOARD	SEATING / DISPLAYS	ADVERTS / BANNERS	'PITCH' one off
<b>MCC PROPOSAL</b>	<b>£50 one off application</b>  288 x 70% x £50 = £10,080	<b>SEATING / SALE RAILS / DISPLAYS.</b> First application will always be £125. The annual renewal will be based on area occupied Use Sqm rates : 0 to 6 = £120 6 to 12 =£240 12 to 18 = £360 Larger areas not permitted	<b>Continue with similar policy whereby only charities are allowed to advertise and are not charged. Funding helped by income</b>	<b>£75 first application</b> <b>£50 subsequent</b>
<b>Yearly rental 70% take up</b>	<b>Based on enforcement</b>	31 x 70% x £240 = £5208	£0	<b>MCC STREET TRADING POLICY DEALS WITH</b>

## 6. FUTURE GENERATIONS AND EQUALITY ASSESSMENT:

6.1 The significant equality impacts identified in the FGE (Attachment 1) and are summarised below for Cabinet consideration:

6.2 The access for all forum were consulted. The bringing together of policy that reduces and prevents uncontrolled proliferation of obstructions while providing a less cluttered environment was seen as a positive step forward.

6.3 The policy will provide an improving position for access and safety. The management of the unsolicited use of the Public Highway will ensure that the policy achieves an improving situation with regard Commercial Obstructions and will provide benefit to all Citizens

6.4 The actual impacts from this report's recommendations will be reviewed at year 1, and when changes are required, and criteria for monitoring and review will include:

Enquiry numbers, accident / incident numbers, insurance claims, canvassing accessibility groups, canvassing business forums

### SAFEGUARDING ASSESSMENT

No risk arise in relation to safeguarding as a result of this report

## 7. CONSULTEES:

- 7.1 Cabinet Members
- 7.3 Strong Community Committee
- 7.4 Town and Community Council
- 7.5 CAIR

## 8. BACKGROUND PAPERS:

### 8.1 SUPPORTING PAPERS

- 1. Commercial obstruction in the highway policy FGE assessment

2. Management of commercial activity on the public highway policy / report ( 2 parts )
3. 'A' board policy
4. Flyposter policy
5. Commercial provision policy
6. Community provision policy

**9. AUTHOR:**

Steve Lane, Operations Manager, County Highways

**10. CONTACT DETAILS:**

**Tel:** 01291 431678 / 07885 225972  
**E-mail:** [stevelane@monmouthshire.gov.uk](mailto:stevelane@monmouthshire.gov.uk)



## **APPENDIX 1 part 1**

### **MONMOUTHSHIRE COUNTY COUNCIL**

#### **MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY**

#### **1. Introduction**

1.1 Monmouthshire County Council has a statutory obligation to provide 'unhindered access to the Highways', while this Duty needs to be managed it currently uses valuable Council resources to provide the service of approval, of advice and of enforcement. Unfortunately this service is not consistent throughout Monmouthshire. We currently licence and charge scaffold and skip hire companies for the use of the Highway space. This policy seeks to bring consistency, safety and clarity in this area.

#### **1.2. What is Commercial obstruction of the Public Highway?**

Commercial obstruction of the Public Highway can be defined as an obstruction created by the placement of an object on the public Highway, for the purpose of private gain, without consent. Commercial obstruction of the Public Highway can be divided into a number of categories –

- (i) Flyposting. Installing, usually short time, advertising on Highway Furniture without permission.
- (ii) 'A' Frames, installing, usually long time, advertising on the Public Highway for adjacent Businesses without permission.
- (iii) Table and Chairs. Can be seasonal, short term or long term placement of furniture on the Public Highway for the benefit of adjacent Businesses without permission.
- (iv) Ad-hoc Furniture. Can be seasonal, short term or long term placement of plants, sale items and sale rails on the Public Highway for the benefit of adjacent Businesses without permission.
- (v) Static Furniture. Usually a permanent feature such as a memorial bench or memorial tree for the benefit of the community and normally placed with permission.
- (vi) Verge Sponsorship. A new provision whereby Businesses can advertise from a static sign location, installed by Monmouthshire County Council, for business advertising. Dealt with under the Static Advertising Policy approved in 2015.

## MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

### **1.3 The problems associated with Commercial obstruction of the Public Highway?**

Apart from being illegal, Commercial obstruction of the Public Highway is also unfair on those companies who choose to trade legitimately. It also puts an additional cost on the Authority who are required to manage the Highway.

Commercial obstruction of the Public Highway places unnecessary strain and may pose additional risk to all users of the Public Highway, especially those who may have an additional need for unhindered access.

Monmouthshire County Council may be placed at risk of third party claims of personal injury, should an incident arise and Monmouthshire County Council has not acted upon its Duty of Care. Monmouthshire have to manage a robust policy in a way that limits risk and does not become burdensome.

### **1.4 Legislation**

- (i) Under section 130 of the Highway Act 1980 (1) it is the Duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste which forms part of the it.
- (ii) Under section 132 of the Highway Act 1980 it is an offence for any person to paint, inscribe or affix any picture, letter, or sign on the surface of a Highway, any tree, or structure without the consent of the Highway Authority.
- (iii) Under section 149 of the Highway Act 1980 (1) if anything is so deposited on a highway as to constitute a nuisance, the highway authority for the highway may by notice require the person who deposited it there to remove it forthwith.....
- (iv) Under section 149 of the Highway Act 1980 (2) if the highway authority for any highway have reasonable grounds for considering –
  - a. That anything unlawfully deposited on the highway constitutes a danger.....to the users of the highway, and
  - b. That the thing in question ought to be removed without the delay involved in giving notice.....Under this section,  
the authority may remove the thing forthwith
- (v) Under section 50 of the New Roads and Street Works Act 1991.(1) The street authority may require the payment of—
  - (a)a reasonable fee in respect of legal or other expenses incurred in connection with the grant of a street works licence, and
  - (b)an annual fee of a reasonable amount for administering the licence;

and any such fee is recoverable from the licensee.

# MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

## **2. Methods of Prevention**

The Council aims to prevent infringement, and so protect legitimate Business, by enforcing the removal of any Commercial obstruction of the Public Highway that is placed without lawful authority or excuse.

Those activities listed as i to vii in section 1.2. above, will be licenced as this process and the Policy relating to them, those with no licence will be removed while following the enforcement process.

### **2.1 Highways activity**

The Authority's Highways division has two existing policies and one guidance note that cover their activities around controlling fly posters and advertising on their property. These are –

- a. POLICY : 'Control of Goods Displayed on the Public Highway' policy, adopted and effective from 1 April 2002. This covers aspects such as displaying of goods and advertising hoardings on public footways. The intention is to ensure a consistent approach, to ensure Highways Officers are clear when endeavouring to determine whether an obstruction is acceptable or not. This policy covers issues such as obstruction, for example where 'A boards' may cause an obstacle for people with disabilities (including the visually impaired) and people with pushchairs to negotiate. There is also reference here to the Council not adopting a rigid ban on street advertising. The policy refers to 'trader's livelihoods could be damaged by the imposition of a rigid ban. Some displays are considered to add colour and vibrancy to the street scene of our towns and are an accepted component of some retail businesses'.

It should be noted the policy was agreed following extensive consultation with the Town Councils covering Abergavenny, Monmouth, Chepstow, Caldicot and Usk, their respective Chambers of Commerce and CAIR (Monmouthshire Disablement association). Each trader potentially affected by the policy received a letter and background information prior to 1 April 2002.

- b. POLICY : 'Tourism signing' policy, adopted and effective from 19 May 2006. This policy sets about making it easier for visitors to find facilities and attractions, thereby enhancing the local economy,. notably in the run up to the Ryder Cup in 2010. It encourages the removal of illegal and shabby signs, through a grant scheme to replace with better standard and legal signage. It also encourages the removal of too many signs in certain locations.

Consultees included 260 tourism businesses across the County, all Community and Town Councils, and the Monmouthshire Tourism Alliance.

- c. GUIDANCE : control of goods displayed on the Highway. A board Guidance. The Council introduced guidance to control the placement of goods and advertising hoardings on town pavements. It recognises that a limited amount of street advertising and display gives colour and vibrancy to the street scene and adds to the character and atmosphere of our towns and villages, but it also has a statutory duty under the Highways Act ( section 149 ) to maintain the footways primarily for the unhindered passage of pedestrians. In an effort to acknowledge these conflicting interests the Council has adopted a

## MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

guidance to allow traders to display goods and advertising hoardings on street footways on the understanding that they comply with stipulated criteria

Highway undertake regular, low level, enforcement against those who obstruct the public highway for Commercial benefit. This would typically be objects projecting too far into a pavement or tables and chairs obstructing the pavement, and preventing the 'the use and enjoyment of a highway'. This enforcement is carried out under the Highway Act 1980 section 149, it currently exceeds 80 occasions a year and continues to be a drain on resources.

### **3. Our Approach**

- 3.1 This Authority recognises and supports the need and indeed the desire of Business to use the public Highway as opportunity to increase revenue through sales and advertising. However the Authority must adopt and manage a robust policy to ensure that the public and the Authority have adequate safeguards. This policy would cover the various occasions when a Business wants to use the Public Highway for reason of benefit to that company. We currently licence and charge scaffold and skip hire companies for use of the Highway space. This review seeks to bring a consistency to the policy, both within MCC processes and the wider Local Authority community.
- 3.2 The Authority will seek to licence those Business', companies, Charities or individuals who seek to take advantage of this policy by placing an object for their gain or purpose on the Public Highway. These licences will be considered in the following processes
- a. A ' FRAMES : An advertising board displayed on a pavement outside business
  - b. FLYPOSTER : An advert displayed on highway usually away from business
  - c. COMMUNITY ACTIVITIES : Memorial benches planting areas notice boards & pitch booths
  - d. COMMERCIAL ACTIVITIES : Café tables etc 'Sale rails' 'Planters' or adhoc spaces
- 3.3 This Authority recognises the need for some obstructions, for example for village fetes, charitable events, 'Give Blood', temporary road safety awareness signs, etc. but also the desire to increase the vibrancy of the street scene through 'alfresco opportunities', sales pitches, memorial provision or advertising. It does not therefore seek a 'zero tolerance' approach, recognising the difficulties this would present to businesses, charitable groups, statutory bodies and others. To provide guidance to the public, businesses, charities and other event organisers, a leaflet has been produced. A copy of the leaflet is provided as Attachment 5 at the end of this policy document.
- 3.4 Any complaints / enquires regarding Commercial Obstruction on the Highway will in the first instance be recorded at our One Stop Shops. A 'process map' outlining the procedure for dealing with Commercial Obstruction on the Highway is provided in Attachment 1. ~~Page 278~~ SS's will be updated to reflect recent

## MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

changes in both legislation and personnel (notably in Highways). Highways would be the first point of reference for any Commercial Obstruction on the Highway complaints, referring to colleagues in other teams where the situation demands – as outlined in Section 2 above. The 'one point of reference' will allow the Authority to measure numbers of complaints, any trends, and our effectiveness.

3.5 It is the view of Officers in Highways, Planning and Environmental Health, that they deal with their elements of existing legislation, due to professional and competency issues. Thus Highway Engineers will determine compliance with the Highways Act provisions, Planning with Town & Country Planning Act etc. However, that does not preclude better joint working, with improved communication between the three teams. So, for example, Environmental Health have two Environmental Wardens who, if instructed, can remove / report infringements while out on the district. Similarly they could contact Planning for any breaches they see during their routine activities. It is the intention to provide a quicker response to infringement.

3.6 Businesses or organisers benefiting from unapproved Commercial Obstructions will be warned of the consequences by letter. Repeat offenders will be referred to our Legal Services Section by a Planning Enforcement officer, with a view to prosecute.

Our staged approach to action will be by way of standard letters. In appropriate circumstances, names and addresses will be traced, but it must be noted that companies are aware that it can be difficult to trace a 'responsible' person or company when they display limited information.

3.7 Highways staff, in the interests of clarity, will adopt the following prescribed approach:

Permitted Obstruction in the Highway -

All local businesses, organisations, national or local charities or individuals can with approval participate in this policy providing their activities :

- do not cause offence
- do not cause a traffic or pedestrian hazard or safety issue in any way
- do not damage hardware by their presence
- are of presentable quality and not excessive in number
- are present in an agreed location
- are removed by the organisations concerned when required by an Officer of this Authority, an Officer of the Emergency services or an Officer of the Statutory undertakers who requires access.
- Are licensed on all occasions and that that licence is displayed, where required at the location
- Meet the general list of criteria, as noted in licence, standard permission but may change with local conditions for the activity that they are undertaking
- All fees are paid in relation to the application and those fees are applicable to the period licenced. These fees will be in line with the actual Licence type sought and the criteria relating to each application.
- The fees are outlined in the Policy for each process.
- These fees may change from time to time, as agreed by Cabinet members, under the relevant approval process.

Approved Organisations

## MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

Approved organisations, determined by the Highways Section, shall have, but not be limited to the following

Be in possession of an up to date, and applicable licence, with all monies paid, or arrangements made to pay all fees in connection with the application.

Third party public liability insurance, of a value current to time and duration of application

Applicants may be expected to demonstrate that they have no other reasonable way of undertaking their business. Regard will also be made to the 'purpose when determining applications, for example advertising near to the premises of a similar business may not be permitted or permission for alfresco arrangements when an adjacent business has already made arrangements and further development will, at the discretion of the Authority, cause a greater risk will not be permitted High impact events may require special consideration

The following organisations are expressly not permitted to erect signs:

Those not in possession of an up to date, and applicable licence, with all monies paid, or arrangements made to pay all fees in connection with the application.

Those without suitable third party public liability insurance of a value current to time and duration of application

Those without public liability which do not have the full support of the Authority or local council, their liability would be encompassed by the Authority

Party political organisations

- 3.8 Approved organisations who fail to observe the Council's conditions may have their permit withdrawn and may risk prosecution.

#### **4. Outcomes**

- 4.1 The outcome sought is threefold :-

1. to ensure the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway, by consistent licencing, engagement and enforcement.
2. to protect Monmouthshire County Council and its stakeholders from the expense relating to failures to manage the unhindered access to the highway
3. to ensure a quick and effective response to illegal obstructions. By consistent recording of incidents, working together better with early intervention, problems associated with Commercial Obstructions will be reduced.

- 4.2 Officers involved with the policy will ensure all relevant Officers, including One Stop Shop staff, are aware of the content of this policy and monitor compliances, to update their procedures and provide some training.

- 4.3 The policy will be reviewed after 12 months to determine whether it assists in reducing conflicts and achieving its aims in Monmouthshire. Reviewed every 3 years after.

#### **5. Report Contributors**

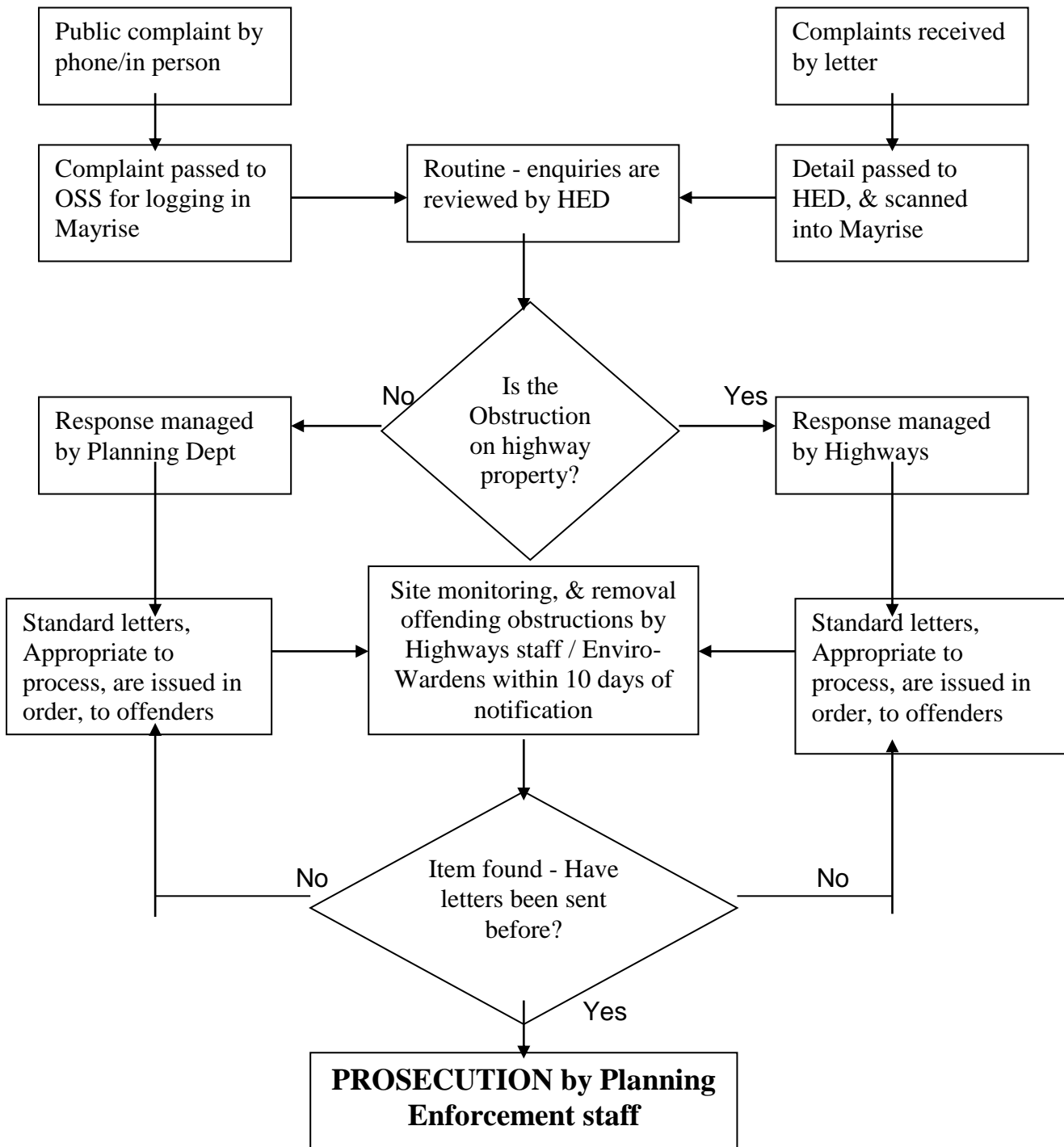
#### **6. Report Authors –**

Steve lane  
Highway Manager  
Highways Operations

# MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

Attachment 1  
Monmouthshire County Council  
Highways Operations

## Process Commercial Obstruction in the Carriageway complaints



### Notes:

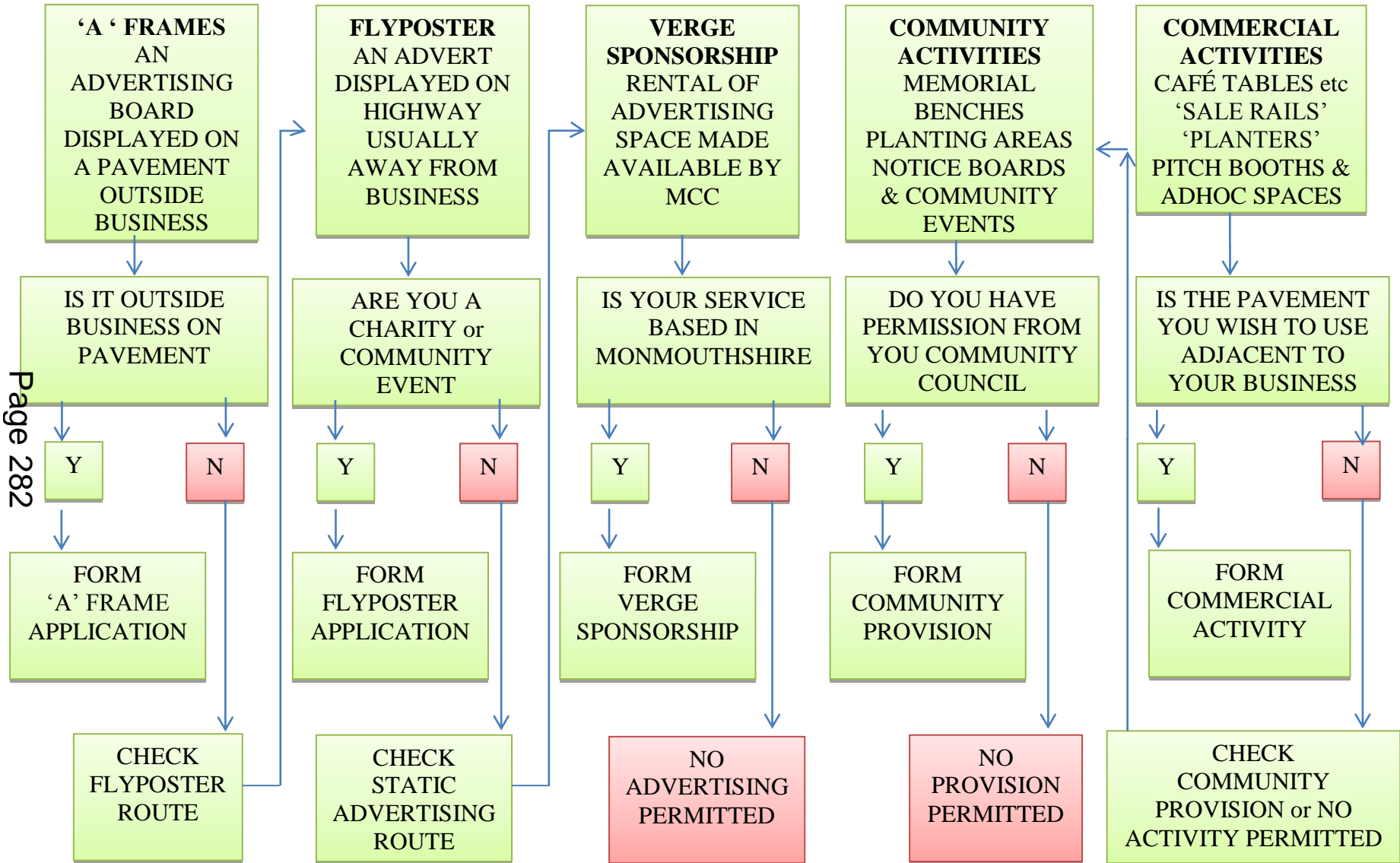
Mayrise = Highways enquiry system

HED = Highways Enquiry Desk

OSS = One Stop Shop

MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE PUBLIC HIGHWAY

1:1 : NEW OVERALL FLOW







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## APPENDIX 1 part 2

### 1.1 OBJECTIVE :

Provision of a Management of Commercial Obstruction on the Highway Policy. This would cover the various occasions when a Business wants to use the Public Highway for reason of benefit to that company. We currently licence and charge scaffold and skip hire companies for use of the Highway space. This review seeks to bring a consistency to the policy, both within MCC processes and the wider Local Authority community.

### 2.1 CURRENT SITUATION

Enforcement action taken by Highways Operation's Department forms a significant element of their work. This enforcement, usually against business and people, who are aware of the MCC's current policies, could be developed into a system that is more readily available, encompassing all private activity on the Public Highway. The policy will effectively control apparatus in the highway and will recover the cost associated with enforcement.

This policy is based on the following premise :-

1. It is not unreasonable that the beneficiaries of service requests made to MCC should pay for the cost associated with those requests, especially when a failure to comply, with The Highway Act 1980, would normally lead to enforcement action being taken. ( e.g. a service request highlighting the need to fill a pothole is different from one requesting the opportunity to place scaffold or advertising on the highway ).
2. An interest by Companies to use the public Highway as a site to benefit their business is evident throughout MCC ( e.g. 'A' boards and Coffee tables ). This benefit, usually through advertising or by the direct use of the Public Highway as a premise from which to sell goods or to supply a service, needs to be expanded. However, this benefit can conflict with MCC's statutory Duty to '... assert and protect the rights of the public to the use and enjoyment of any highway....', Highway Act 1980 : Section 130, and needs to be managed effectively

### 3.1 CONCLUSION :-

By managing and licencing access to the Public highway by Companies who benefit from its use MCC can help, through charges, to encourage vibrancy to the street scene in an area that is an accepted component of some retail business. Introduction of charges for requests and licences, in line with a number of other Authorities, MCC can be seen to be proactive and fair in its management of the Highway space. Consistency needs to be achieved by further consultation with business and interested forums. The proposal for fees ( table 1 ) was derived through a small survey of other Authorities approach to this problem.

Table 1	A BOARD	SEATING / DISPLAYS	ADVERTS / BANNERS	'PITCH' one off
<b>MCC PROPOSAL</b>	<b>£50 one off application</b>  <b>288 x 70% x £50 = £10,080</b>	<b>SEATING / SALE RAILS / DISPLAYS. First application will always be £125. The annual renewal will be based on area occupied</b> <b>Use Sqm rates :</b> <b>0 to 6 = £120</b> <b>6 to 12 =£240</b> <b>12 to 18 = £360</b> <b>Larger areas not permitted</b>	<b>Continue with similar policy where by only charities are allowed to advertise and are not charged. Funding helped by income</b>	<b>£75 first application</b> <b>£50 subsequent</b>
<b>Yearly rental 70% take up</b>	<b>Based on enforcement</b>	<b>31 x 70% x £240 = £5208</b>	<b>£0</b>	<b>MCC STREET TRADING POLICY DEALS WITH</b>

4.1 INDEX

1.1	:	Objectives
2.1	:	Current Situation
3.1	:	Conclusion
4.1	:	Index
5.1	:	Background
6.1	:	Data and Evidence
7.1	:	Process for Flyposter, old and new
8.1	:	Process for 'A' Frame, old and new
9.1	:	New Overall Flow

### 3 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

#### 5.1 BACKGROUND :-

The prevalence of A boards, flyposting and seating areas throughout Monmouthshire appears to exceed 544 units ( 70 poster applications per year / 288 A boards present in Dec 2012 / 31 seating areas at 6 seats each ( guestimate ) ).

The 544 units suggests a need and willingness to display or use the Public Highway, by business. The potential for a financial reward, for the business is made after some initial investment in the form of :-

1. Manufacture of flyposter, banners measuring 10 feet by 3 feet on occasions
2. Manufacture of A boards, varying from simply chalk boards to aluminium frames
3. Manufacture of seating areas, tables, chairs and barriers
4. Investment in benches and trees for community and memorial reasons

It should not be considered unreasonable to formalise an approval process for each of the above installations. A one off yearly fee for each A frame / each seat ( 0.5metre square ). A fixed charge based on cost of facilitating and enforcement could be arrived at ( circa £50 to £100 per application / year ). A take up rate of 70% would deliver an income of around £6k per annum on annual renewal fees. Enforcement / management currently exceeds £17k per annum and is a continual drain on the Highway resources. These costs would reasonably be expected to reduce on time and actual fines / enforcement incomes will initially rise before falling off.

Memorial tribute in the form of planting and benches etc. providing they are backed by the community will only be subject to the first year's approval charge, as would the community council.

Sources of approval that require bringing into process and flows:

1. Flyposter : Flow 7.1
2. A frames : Flow 8.1
3. Table and chairs : No flow exists
4. Adhoc furniture, plants, sale rails etc. : No flow exists
5. Community / Memorial, benches and plantings etc. : No flow exists
6. Overall Process : Flow 9.1

Interested parties. Consultation / notification required

1. Head of Operations
2. Highways Management
3. Head of Public Health and Culture
4. Head of Legal Services
5. MCC income / planning
6. County Councillors
7. Community Councils
8. OSS Managers
9. Access Forums
10. Business Forums

## 4 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

### 6.1 DATA and EVIDENCE

#### 1. OPINION

The Opinion of Stakeholders has been sort through a small survey of the Public. This was done by asking a set of questions of people through OSS, calls and street corners. The sample consisted of 121 people who wished to express their opinion. A number of engagement sessions were held throughout Monmouthshire, held in local halls and meeting places. These attracted members of the public, business people and access representatives. The raw data is included in point 5 below

#### CANVASSING : A BOARD : SOME CONCLUSIONS

There appears to be a solid support to allow the continuation of advertising with 'A boards' (*'SIGNS ENCOURAGE BUSINESS AND GIVE CONTINENTAL FEEL' – 'ONE SMALL BOARD OUTSIDE SHOP IS FINE'*), a solid feeling that safety, with rules that are followed, should be implemented by MCC. MCC have a number of Duties including removal of any obstruction and assert and to protect the rights of the public to the use and enjoyment of any highway. A significant, but small number of people do feel that their needs are not being protected (*'SIGNS CAN BE A DANGER TO VISUALLY IMPAIRED PEOPLE SO BETER TO PLACE THEM AGAINST' – 'CREATING OBSTACLES WHICH IS UNFAIR TO VISUALLY IMPAIRED'*). There is a willingness to see a small charge, although not an overwhelming one, but it can be seen against a backdrop that a number of those who felt no fees should be made (*'ENOUGH RATES PAID SHOULD NOT PAY MORE'*) also feel no rules should be set and not fines if the law is broken should be enforced. This is not a reasoned response and could result in proliferation of hazards (*'SHOULD ONLY BE ALLOWED OUTSIDE A SHOP, IF NO RULES WE WILL HAVE SIGNS ETC EVERYWHERE'*). A strong sense that MCC should help by placing communal advertising in open spaces and carparks to promote local service is evident (*'USE TECHNOLOGY, FINGER POSTS, ADVERTISING AWAY FROM FRONTAGE, HELP TOURISM AND TRADE'* )

A mandate exists to allow the continuation of 'A Board' use, but in a controlled way.

In order to protect the stakeholders rights and the Duties of MCC, given the financial pressure being imposed on the authority we are seeking support to adopt this policy in full. This would include an administration fee of £50 per year.

#### CANVASSING : CAFÉ AREA / DISPLAY AREA: SOME CONCLUSIONS

There appears to be a solid support to allow the continuation and expansion of Café areas (*'CAFÉ SOCIETY IS GOOD', - 'THEY DO ADD VIBRANCY' – 'LOVELY TO SEE SEATS/TABLES IN CAFÉ AREAS.'*), a solid feeling that safety, with rules that are followed, should be implemented by MCC. MCC have a number of Duties including removal of any obstruction and assert and to protect the rights of the public to the use and enjoyment of any highway. A significant, but small number of people do feel that their needs are not being protected (*'ONLY ALLOW IF THEY DO NOT CAUSE OBSTRUCTION, - 'ENOUGH ROOM IS LEFT FOR PEDESTRIANS, PUSHCHAIRS, WHEELCHAIRS ETC' – 'SOME SECTIONS OF FOOTWAY TOO NARROW BUT GOODS ARE PLACED'*). There is a willingness to see a small charge, although not an overwhelming one, but it can be seen against a backdrop that a number of those who felt no fees should be made (*'LEAVE SMALL BUSINESSES ALONE' – 'IS IT ANOTHER WAY TO SQUEEZE MONEY OUT OF SMALL BUSINESSES'*) also feel no rules should be set and no fines if the law is broken should be made. This is not a reasoned response and could result in proliferation of hazards (*'IT IS A QUESTION OF DEGREE, ONLY ALLOW IF THEY DO NOT CAUSE OBSTRUCTION' – 'ONLY WHEN THEY DO NOT HINDER PEDESTRIANS'*).

The results suggests a mandate exists to allow the continuation of Café Areas and Display areas to continue and the expansion of the Café Society would encourage vibrancy and new business could be supported by all

In order to protect the stakeholders rights and the Duties of MCC, given the financial pressure being imposed on the authority, we are seeking support to adopt this policy in full. This would include a One Off approval fee of £125 on

## 5 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

successful application / agreement. And an ongoing Annual licence based on the area occupied : less than 6m<sup>2</sup> = £120 or 6m<sup>2</sup> to less than 12m<sup>2</sup> = £240 or 12m<sup>2</sup> to 18m<sup>2</sup> = £360

**2. ENFORCEMENT AND PERMISSION COST**

**ENFORCEMENT COST** : first / second / third stage typical

Administration : first contact @ £10?	10
Administration : support and processing 60 mins @ £20 per hour	20
Supervisor : 3 stage communication by letter 45 mins each @ £35 per hour	26
Highway Operatives : 2 men and truck collect / store depot 60 mins @ £50 per hour	50
Operations Staff : chat + data collection for legal, 120 mins @ £30 per hour	60
	166 +legal

86 complaints in 12/13 therefore potential resources allocation worth £14,276 + legal fees ( 86 occs @ £166 ) was made. Enforcement would need to be more rigorous or faith in system would be lost.

**APPLICATION COST** : typical Flyposter

Administration : first contact @ £10?	10
Administration : support and processing 30 mins @ £20 per hour	10
Operation's staff : 30 mins each @ £35 per hour	17.5

82 applications in 12/13, therefore potential resource allocation worth £3,075 ( 82 occs @ £37.5 ) was made. Applications would increase and yearly renewals would need significant input.



## 7 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

### 3. FEE COMPARISON WITH OTHER LOCAL AUTHORITIES

COMPARISON : CHARGES IN RELATION TO PRIVATE OBSTRUCTIONS IN HIGHWAY			
	'A' BOARDS	CAFÉ AREAS	
GLOUCESTER	£50 per year	-	
SOMERSET	£165 per year + Licence	£165 per year + £350 licence	
CAERPHILLY	£160 fee + yearly fee ?	£408 + yearly fee ?	
BRISTOL CITY	No fee. guidance and £50 fine	Currently no fee. Similar debate to MCC, too much clutter and increased risk so need to manage	
LIVERPOOL	£50 per year	-	
NOTTINGHAM	£0 for licence	-	
SWANSEA	£58 per year	£132 for 6 chairs per year £264 for 12 chairs per year	
NEWPORT	-	£399 for max 3 tables + chairs per year	
PLYMOUTH	-	£500 for 0 to 15 chairs per year	
TORBAY	-	£226 for 0-10m2 per year £336 for 10-20m2 per year	
DEVON	-	£210 for 0-10m2 per year £315 for 10-20m2 per year £110 one off licence	
CARDIFF	-£165 first year fee £115 per year	£165 for 6 chairs £30 per chair after	
NORTH YORKSHIRE	-	£69 for 0-10m2 per year £265 fee £122 for 10-20m2 per year £478 fee	
NORTH SOMERSET	-	£168 for 3 tables per year £672 for 6 tables per year	
TAMWORTH	£95 plan / £25 licence £50 per year	-	
TEST VALLEY	-	£199 per year	
TORFAEN CC	Are investigate away from precinct 'A' Boards	Tend to be in precinct, which is private and not TCC controlled. Investigating elsewhere	
AVERAGE	£55 first year fee £81 per year 2 have no charge	£161 for licence fee £223 for 0 to 10m2 per year £351 for 10 to 20m2 per year	
MCC PROPOSED	£50 first year ( one off admin charge ) £40 per year £166 charge if owner fails to comply	£125 for one off licence fee + £120 for 0 to 6m2 per year £240 for 6 to 12m2 per year £360 for 12 to 18m2 per year	
COST OVER FIRST THREE YEARS	£217 average £50 MCC one off fee	£830 for up to 10m2 average £1178 for up to 20m2 average £485 for 6m2 MCC ( 58% of average ) £847 for 12m2 MCC ( 72% of average ) £1205 for 18m2 MCC ( 102% of average )	
Average : simple average, anywhere a fee is charged it was added and divided by total number of charges A square area charge was proposed to cover sale rails and displays in a similar and simple way			
COMPARISON : CHARGES IN RELATION TO VERGE SPONSORSHIP			
	8cm x 3 columns	8cm x 5 columns	17.8cm x 8 columns Half page
South Wales Argos	8x3x£7 = £168	8x5x£7 = £280	£756 with discount
Free Press	8x3x£3.5= £84	8x5x£3.8= £140	£375 with discount
Beacon	8x3x£3.8= £91.2	8x5x£3.8= £152	£541.12 no discount
Radio	From £644 = 4 x 30sec adds, alternate days to £1092 = 4 x 30secs, alternate days to £1365 = 5 x 30secs each day over 13 weeks		
	Higher Profile	Lower Profile	
Verge Sign	£1500 per year > 5,000 vehicles per day	£1000 per year < 5,000 vehicles per day	
Car park Sign	£1500 per year > 50,000 tickets per year	£1000 per year < 50,000 tickets per year	

### 4. EVIDENCE OF SCALE AND LOCATION OR BUSINESS NEEDS

## 8 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

Table 1			
A BOARD AND FLPOSTER COMMUNICATION : 1/12/11 TO 1/12/12			
	TOTALS	APPLICATIONS	COMPLAINTS
POSTER APPLICATIONS VIA ALL SOURCES	86	86	
POSTER / A BOARD COMPLAINTS VIA LETTER & EMAIL	52		82
A BOARD COMPLAINTS VIA CALLS & WALK UPS	16		
POSTER COMPLAINTS VIA CALLS & WALK UPS	14		

Table 2				
A BOARD, FLYPOSTER, SEATING AND MISCELANIOUS ACTIVITY : DECEMBER 2012				
	A BOARDS	FLYPOSTERS	SEATING AREAS	MISC
MONMOUTH	60	3	5	10
USK	20	0	3	8
ABERGAVENNY	90	3	14	10
CHEPSTOW	88	0	6	9
CALDICOT	17	0	1	1
MAGOR	13	0	2	3
<b>TOTAL</b>	<b>288</b>	<b>6</b>	<b>31</b>	<b>41</b>
Misc : planters and sale rails etc				

9 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

5 CANVASSING SUMMARY

**CANVASSING : A BOARD SUMMARY : SHOPPERS / CUSTOMERS TO OSS / CALLS**

<b>A Boards : A sign placed on the Public Highway, usually small triangular stands that are bright and colourful that advertise a shop / business</b>	<b>YES</b>	<b>NO</b>	<b>?</b>
1. Do you find the signs helpful and informative?	<b>88</b> nos 73 %	<b>26</b> nos 22 %	<b>6</b> nos 5 %
2. Do you find these signs a hindrance when visiting your town or village amenities?	<b>26</b> nos 22 %	<b>87</b> nos 73 %	<b>6</b> nos 5 %
3. Have you ever, or know someone who has, tripped, bumped, knocked or had to squeeze past a sign and so be put at risk?	<b>31</b> nos 26 %	<b>85</b> nos 71 %	<b>3</b> nos 3 %
4. MCC have a Duty to maintain unobstructed access to the Highway, do you think signs should be allowed on the public Pedestrian area or footway?	<b>65</b> nos 54 %	<b>46</b> nos 39 %	<b>8</b> nos 7 %
5. MCC's duty to maintain unobstructed access to the Highway means that it could be liable if a claim is made against a business. Should Businesses comply with safety guidelines?	<b>106</b> nos 88 %	<b>10</b> nos 8 %	<b>4</b> nos 4 %
6. Should businesses be fined if they continually hinder your access to the highway / footway and so break the law?	<b>88</b> nos 74 %	<b>23</b> nos 19 %	<b>8</b> nos 7 %
7. No rates, fees or licences are paid by a business to use the Public highway for their private purpose, do you believe they should be licenced and pay a small fee to place items on the Public Highway?	<b>69</b> nos 58 %	<b>42</b> nos 35 %	<b>8</b> nos 7 %

**Comments :**

SOME AREAS ARE FINE, BUT HIGHWAY SHOULD BE KEPT CLEAR AT ALL TIMES — WARNINGS SHOULD BE ISSUED BEFORE FINES — SHOULD NOT BE ALLOWED AT ALL — IF THERE IS ROOM FOR A BOARD TO BE DISPLAYED WITHOUT HINDERING PEDESTRIANS THEY ADD TO ATMOSPHERE AND VIBRANCY — IF LOCATION ALLOWS SAFELY — ENOUGH RATES PAID SHOULD NOT PAY MORE — SIGNS OKAY OF PAVEMENT IS LARGE ENOUGH WITHOUT RESTRICTING WAY — SIGNS ENCOURAGE BUSINESS AND GIVE CONTINENTAL FEEL, THEY ARE OKAY SO LONG AS THEY LEAVE SPACE — CANNOT BELIEVE THIS IS A VIABLE POINT OF DEBATE, WE ARE A NATION OF SHOPKEEPERS — SIGNS CAN BE A DANGER TO VISUALLY IMPAIRED PEOPLE SO BETTER TO PLACE THEM AGAINST WALLS — 'A' BOARDS ARE ADVERTISING, THEY HAVE TO PAY TO ADVERTISE IN PAPERS ETC. SO WHY NOT PAY TO ADVERTISE ON THE STRET — SIGNS FOR SHOPS ARE FINE, SHOULD BE LICENCED BUT FEELS THEY PAY ENOUGH — ONLY ALLOWED IF THEY DO NOT CAUSE AN OBSTRUCTION — SHOULD FOLLOW RULES — DEPENDING WHERE THEY ARE PLACED CAN BE A NUISANCE — DEPENDS IF PEOPLE CAN GET AROUND — HELPFUL SO LONG AS NOT IN ANYONES WAY — NO PROBLEM SO LONG AS SPACE IS LEFT TO ALLOW PEDESTRIANS TO PASS — SHOULD ONLY BE ALLOWED OUTSIDE A SHOP, IF NO RULES WE WILL HAVE SIGNS ETC EVERYWHERE — SHOULD NOT BE ALLOWED — BOARDS HAVEMULTIPLIED IN SOME AREAS CREATING OBSTACLES WHICH IS UNFAIR TO VISUALLY IMPAIRED — ONE SMALL BOARD OUTSIDE SHOP IS FINE

**Sample size 121, some chose not to answer all questions**

10 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

**CANVASSING : A BOARD SUMMARY : PUBLIC MEETINGS MAY 2015**

<b>A Boards : A sign placed on the Public Highway, usually small triangular stands that are bright and colourful that advertise a shop / business</b>	<b>YES</b>	<b>NO</b>	<b>?</b>
1. Do you find the signs helpful and informative?	<b>15nos</b> <b>75%</b>	<b>4nos</b> <b>20%</b>	<b>1nos</b> <b>5%</b>
2. Do you find these signs a hindrance when visiting your town or village amenities?	<b>7nos</b> <b>33%</b>	<b>13nos</b> <b>62%</b>	<b>1nos</b> <b>5%</b>
3. Have you ever, or know someone who has, tripped, bumped, knocked or had to squeeze past a sign and so be put at risk?	<b>10nos</b> <b>50%</b>	<b>9nos</b> <b>45%</b>	<b>1nos</b> <b>5%</b>
4. MCC have a Duty to maintain unobstructed access to the Highway, do you think signs should be allowed on the public Pedestrian area or footway?	<b>14nos</b> <b>70%</b>	<b>5nos</b> <b>25%</b>	<b>1nos</b> <b>5%</b>
5. MCC's duty to maintain unobstructed access to the Highway means that it could be liable if a claim is made against a business. Should Businesses comply with safety guidelines?	<b>19nos</b> <b>100%</b>	<b>0nos</b> <b>-</b>	<b>0nos</b> <b>-</b>
6. Should businesses be fined if they continually hinder your access to the highway / footway and so break the law?	<b>18nos</b> <b>90%</b>	<b>2nos</b> <b>10%</b>	<b>0nos</b> <b>-</b>
7. No rates, fees or licences are paid by a business to use the Public highway for their private purpose, do you believe they should be licenced and pay a small fee to place items on the Public Highway?	<b>13nos</b> <b>68%</b>	<b>3nos</b> <b>16%</b>	<b>3nos</b> <b>16%</b>

**Comments :**

YOU DO NEED STANDARDS OR SHOPS WILL NOT BE ACCESSIBLE-EACH TOWN IS DIFFERENT, TREAT THEM SO TOURISM OR LOCAL TRADE MAY BE MORE IMPORTANT-UTILITIES/ROADWORKS AND SCAFFOLD GET IN WAY- SEEN THEM BLOW AROUND FOOTPATH-CONSISTENCY IS REQUIRED-AN ABOARD CAN GENERATE 40% EXTRA INCOME ON SIDE STREETS-CAN WE HAVE CARPARK SIGNING TO ADVERTISE US-CAN WE SIGN SERVICE NOT JUST EVENTS-20YRS AGO MCC WOULD REMOVE WITHOUT QUESTION WHY STOP-OKAY SO LONG AS NOT OBSTRUCTION AND CAN PASS SAFELY- MUM HAS FALLEN OVER A BOARD-SHOULD BE HIGHLY VISIBLE- CONDITION OF PAVEMENTS MORE IMPORTANT-EACH TOWN IS UNIQUE, USE TECHNOLOGY TO CENTRALISE ADVERTISING-THEY ARE VITAL TO BUSINESS' OFF MAIN STREET, WHY A NEED TO PAY-IF UNSAFE REMOVE THEM-LICENCE, NO FEE- ALLOW SHOPS TO HAVE BOARD AWAY FROM FRONTAGE IF ON SIDE STREET-GENERALLY NOT ROOM FOR BOARDS AND PEDESTRIANS-RETAILERS NOT PLEASED WITH PAST PROMISES, DEPENDS HOW MUCH ROOM THEY TAKE UP-BUSINESS NEED HELP FROM MCC-FINGER POSTS WILL HELP-PAVEMENTS TOO BUSY TO BE OBSTRUCTED-LICENCE NO FEE-ENFORCE 1.5M- COMMUNAL ADVERTISING WOULD BE GOOD-SIGNAGE FROM CARPARKS WOULD HELP-IMPROVE GENERAL SIGNAGE-ALL RAISED IN 2011 AND NO ACTION-PROBLEMS HIGHLIGHTED-LICENCE NO FEE-WHY EXCLUDE CHARITIES UNFAIR-HOW DOES POLICY REMOVE LIABILITY-PROTECT LOCAL BUSINESS-JUST A TAX-FINGER POSTS-£40 A YEAR TOO CHEAP-HAVE A MCC A BOARD OF CHARACTER-VISITORS LIKE A BOARDS-PAYMENTS YES-CONSISTENT APPROACH-RAISE SIGNS OF PAVEMENTS-CHAMBERS OF COMMERCE NEED TO BE ON BOARD, SOME ARE SUPPORTIVE-CHARGES COULD HELP PAY FOR TOWN WARDENS—SHOULD BE INCLUDED IN RATE-SAFETY FIRST-LICENCE, NO FEE :

**Sample size approximately 36, with around 20 returns, some chose not to answer all questions**

11 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

**CANVASSING : CAFÉ AREA / DISPLAY AREA SUMMARY : SHOPPERS / CUSTOMERS TO OSS / CALLS**

Café area / Displays : A table or chair placed on the Public Highway or shelves, boxes and items for sale placed on the Public Highway	YES	NO	?
1. Do you find these areas pleasurable when visiting your town or village amenities?	95 nos 79 %	20 nos 17 %	5 nos 4 %
2. Do you find these areas a hindrance when visiting your town or village amenities?	19 nos 16 %	94 nos 79 %	6 nos 5 %
3. Have you ever, or know someone who has, tripped, bumped, knocked or had to squeeze past these areas and so put at risk?	24 nos 20 %	93 nos 78 %	2 nos 2 %
4. MCC have a Duty to maintain unobstructed access to the Highway, do you think seating / sale areas etc. should be allowed on the public pedestrian area or footway?	70 nos 59 %	40 nos 33 %	9 nos 8 %
5. MCC's duty to maintain unobstructed access to the Highway means that it could be liable if a claim is made against a business. Should Businesses comply with national guideline?	105 nos 87 %	9 nos 8 %	6 nos 5 %
6. Should businesses be fined if they continually hinder the access to the highway and so break the law?	92 nos 77 %	16 nos 13 %	12 nos 10 %
7. No rates, fees or licences are paid for by a business to use the Public highway for their private purpose, do you believe they should be licenced and pay a small fee to place items on the Public Highway?	70 nos 58 %	44 nos 37 %	6 nos 5 %

Comments:

KEEP ACCESS CLEAR AT ALL TIMES — SHOULD HAVE MORE PUBLIC SEATING — SHOULD NOT REDUCE TO LESS THAN TWO BUGGIES OR MOBILITY SCOOTER, PEDESTRIANS SHOULD NOT BE FORCED IN TO TH EROAD — MORE SEATINGFOR DISABLED — WARNING BEFORE A FINE — THEY SHOULD NOT BE ALLOWEED AT ALL, FINE IF ENCROACH — AS LONG AS TABLES AND CHAIRS ARE I A REASONABLY LARGE AREA THEY DO ADD VIBRANCY — APPROPRIATE SIGNAGE AND OUTSIDE TABLE AND CHAIRS CAN ADD TO VIBRANCY — SO LONG AS CARE IS TAKEN IN PLACING ITEMS IT SHOULD BE ALLOWED — TABLES AND CHAIRS BEEN PLACED FOR YEARS, SOME SECTIONS OF FOOTWAY TOO NARROW BUT GOODS ARE PLACED—ONLY WHEN THEY DO NOT HINDER PEDESTRIANS—CAFÉ SOCIETY IS GOOD, A SMALL LICENSE FEE COULD BE CHARGED AS ADMIN FOR COMPLIENCE — ROOM FOR BUGGY AND MOBILITY SCOOTER — GOOD TO SEE LOCAL BUSINESS FLOURISHING AND BEING MORE INVITING, DO NOT PUNISH THEM WITH MORE COSTS — CAFÉ AND PUBS ARE GENERATING BUSINESS FOR THE AREA AND WOULD REDUCE IF SEATING ETC. WERE NOT AVAILABLE — ROOM FOR PEDESTRIANS — LICENSE BUT NOT FEES — IT IS A QUESTION OF DEGREE, ONLY ALLOW IF THEY DO NOT CAUSE OBSTRUCTION — IF THEY ATTRACT BUSINESS THEN YES — IS IT ANOTHER WAY TO SQUEEZE MONEY OUT OF SMALL BUSINESSES — PUBLIC TRIP UP END OF!..., LEAVE SMALL BUSINESSES ALONE — SO LONG AS ENOUGH ROOM IS LEFT FOR PEDESTRIANS, PUSHCHAIRS, WHEELCHAIRS ETC. — IF CAUSING HINDERANCE THEN SHOULD NOT BE ALLOWED — LOVELY TO SEE SEATS/TABLES IN CAFÉ AREAS.

Sample size 121, some chose not to answer all questions

12 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

**CANVASSING : CAFÉ AREA / DISPLAY AREA SUMMARY : PUBLIC MEETINGS MAY 2015**

Café area / Displays : A table or chair placed on the Public Highway or shelves, boxes and items for sale placed on the Public Highway	YES	NO	?
1. Do you find these areas pleasurable when visiting your town or village amenities?	20nos 95%	1nos 5%	0nos -
2. Do you find these areas a hindrance when visiting your town or village amenities?	5nos 26%	13nos 69%	1nos 5%
3. Have you ever, or know someone who has, tripped, bumped, knocked or had to squeeze past these areas and so put at risk?	11nos 52%	10nos 48%	0nos -
4. MCC have a Duty to maintain unobstructed access to the Highway, do you think seating / sale areas etc. should be allowed on the public pedestrian area or footway?	16nos 76%	5nos 24%	0nos -
5. MCC's duty to maintain unobstructed access to the Highway means that it could be liable if a claim is made against a business. Should Businesses comply with national guideline?	18nos 95%	1nos 5%	0nos -
6. Should businesses be fined if they continually hinder the access to the highway and so break the law?	16nos 84%	2nos 11%	1nos 5%
7. No rates, fees or licences are paid for by a business to use the Public highway for their private purpose, do you believe they should be licenced and pay a small fee to place items on the Public Highway?	14nos 70%	4nos 20%	2nos 10%

**Comments:**

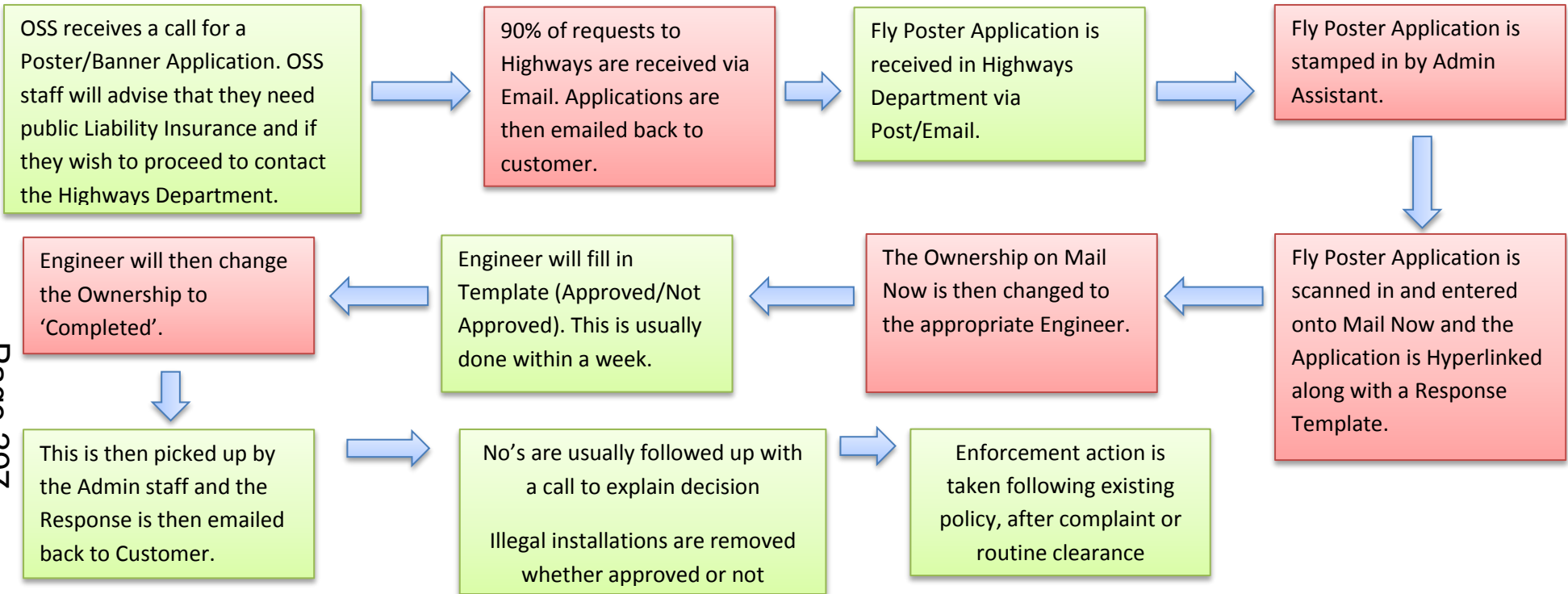
YOU DO NEED STANDARDS OTHERWISE SHOPS NOT ACCESSIBLE, 1.2M-SOME TABLES AND CHAIRS NOT ENFORCED-UTILITIES, ROADWORKS GET IN WAY ALSO SCAFFOLD-CONGESTION IN SIDE STREET, 20 YEARS AGO MCC WOULD REMOVE WITHOUT QUESTION WHY STOP-OKAY SO LONG AS NOT OBSTRUCTING AND CAN PASS SAFELY, OTHERWISE NO-SHOULD BE HIGHLY VISIBLE-TOWNS UNIQUE NEED FLEXIBILITY-GENERAL CONDITION OF PAVEMENTS IS MORE IMPORTANT-VITAL TO CHARACTER AND ASSET TO AREA-WHY DO TRADERS HAVE TO PAT, IF UNSAFE THEN REMOVE-WE NEED UNOBSTRUCTED PAVEMENTS FOR OLD, DISABLED, VISUALLY IMPAIRED AND PUSHCHAIRS-RETAILERS NOR PLEASED WITH PAST PROMISES-SMOKERS REQUIRE AREA-WILL A SMALL FEE ALTER THE PAVEMENT SIZE?-MCC SHOULD BE HELPING-PAVEMENTS ARE NOT ALWAYS WIDE ENOUGH-LICENCE AND NOMINAL FEE ALL RAISED IN 2011, NO ACTION-PROBLEMS HIGHLIGHTED-HOW DOES POLICY REMOVE LIABILITY-CHAMBER OF COMMERCE NEED TO BE ON SIDE, SOME ARE-CHARGES COULD HELP PAY FOR WARDENS-CHARGES SHOULD APPLY BUT IS IT A TAX-INFORMATIVE-SHOULD BE INCLUDED IN RATES-TO HAVE IS FAVOURABLE, ENCOURAGE THEM-APPROACH SEEMS FAVOURABLE-THEY CONTRIBUTE TO AMBIENCE BUT FEES MAY DISCOURAGE THEM-HOW BIG IS PROBLEM REALLY-MORE COMPARISONS WITH OTHER WELSH COUNCILS

**Sample size approximately 36, with around 20 returns, some chose not to answer all questions**

13 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

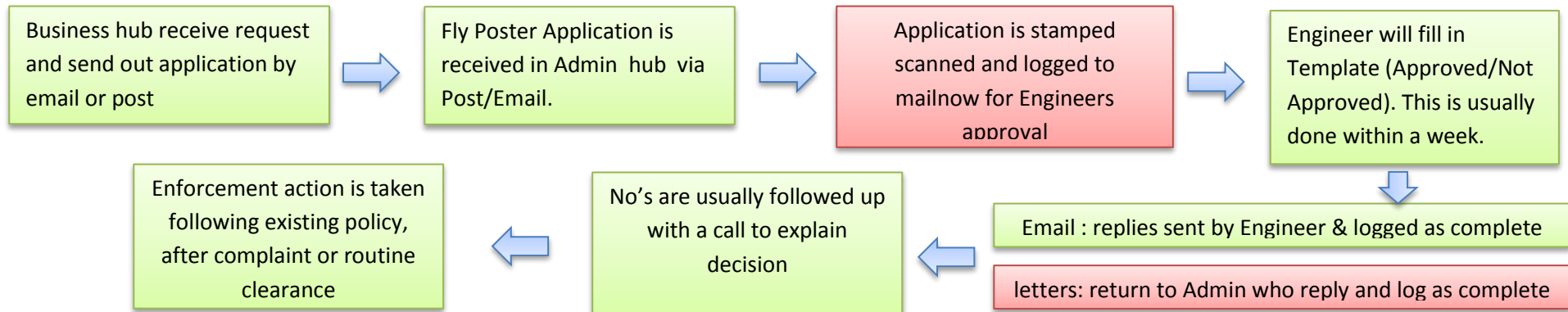
7.1 PROCESS FOR FLYPOSTER : 86 applications 12/11 to 12/13

OLD



Page 297

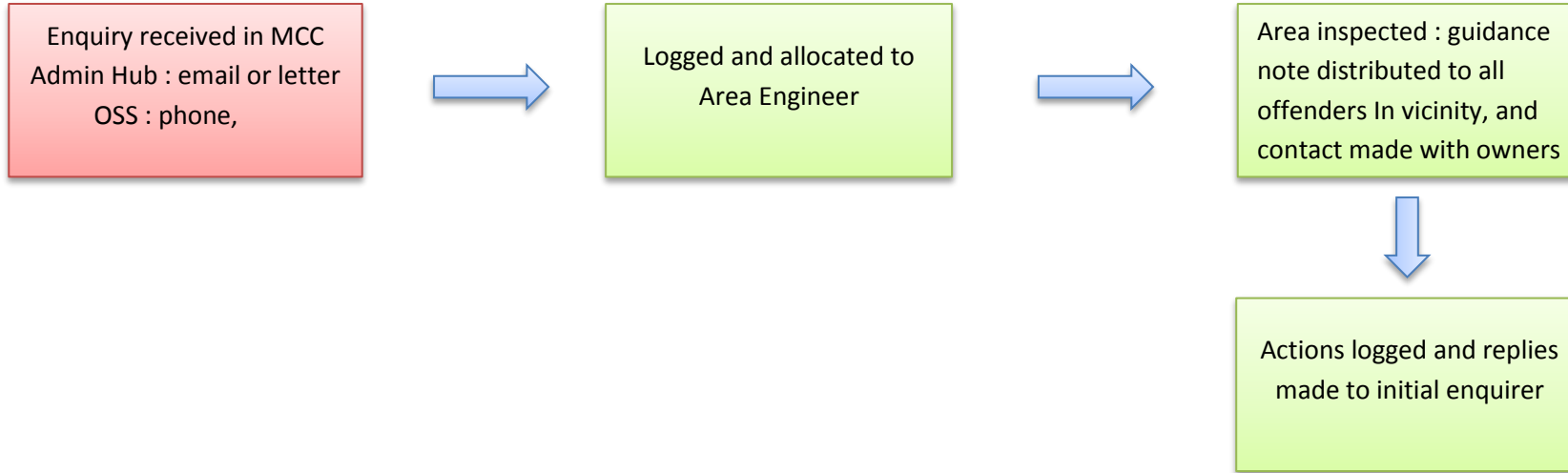
NEW



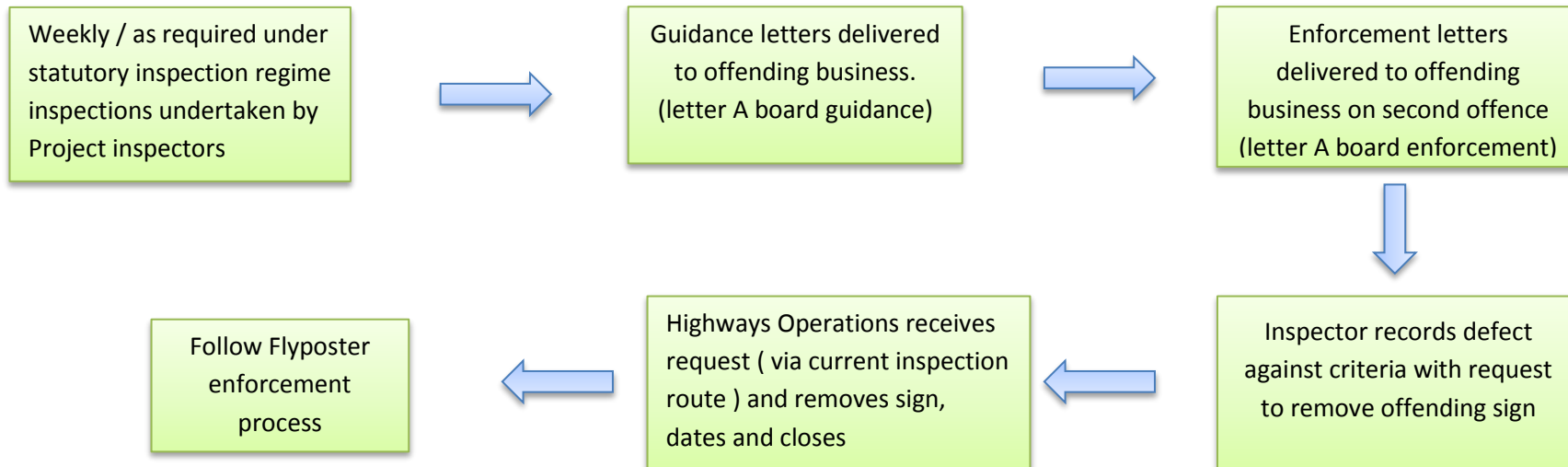
14 MANAGEMENT OF COMMERCIAL OBSTRUCTION ON THE HIGHWAY REPORT

8.1 PROCESS FOR A FRAMES : circa 41 complaints 12/11 to 12/13

OLD

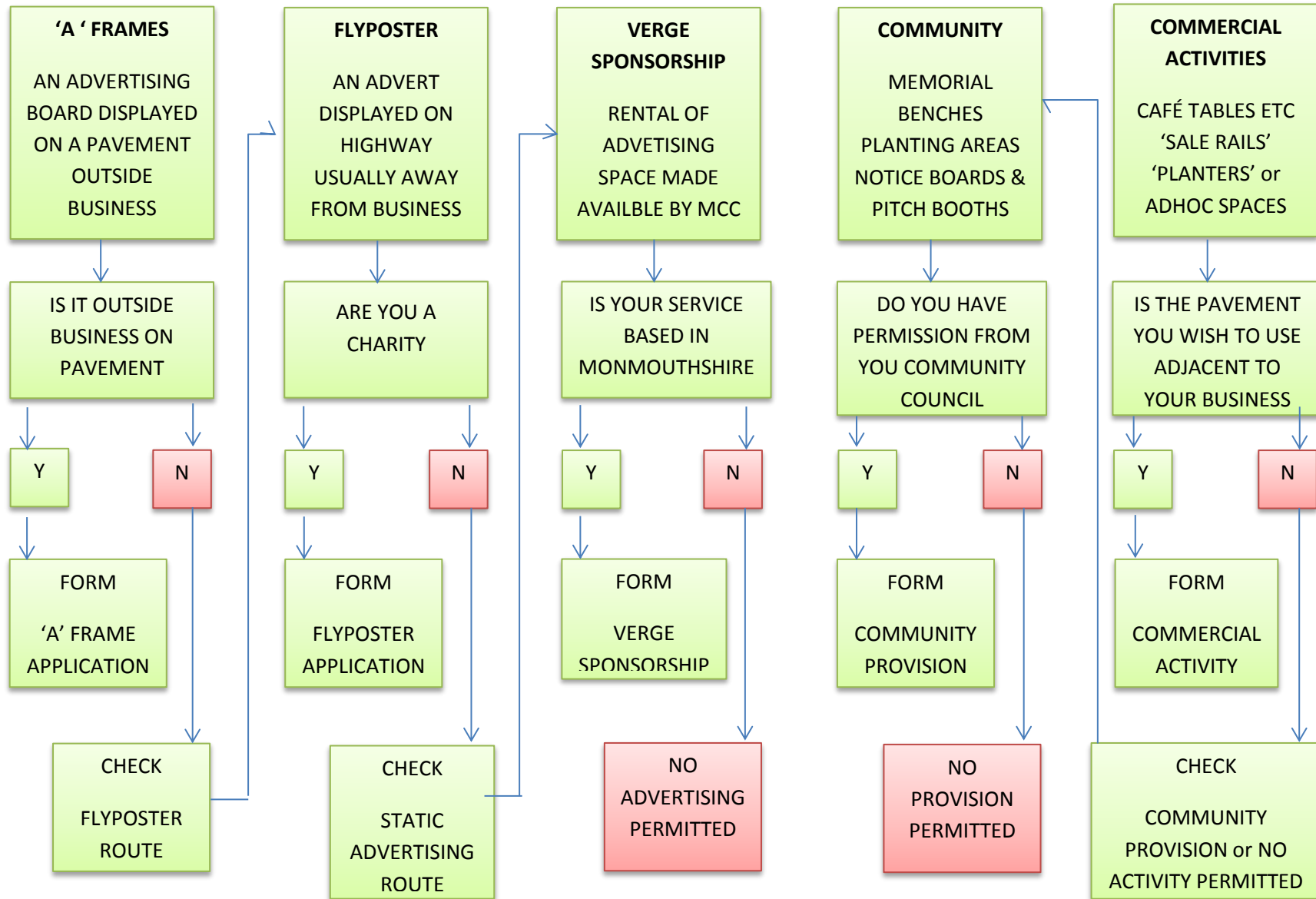


NEW





9.1 : NEW OVERALL FLOW



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# MONMOUTHSHIRE COUNTY COUNCIL

## A BOARD POLICY - CHARGE

### **1. Introduction**

**1.1** 'A Board' advertising, apart from being an illegal activity, can degrade the local 'street scene' and can contribute to an impression of urban decay. Monmouthshire County Council would therefore aim to reduce damaging 'A board' displays throughout the county, and to control inappropriate 'A board' displays through education and enforcement.

### **1.2. What is an A Board?**

An A Board is defined a free standing advertising board, usually a two sided A frame located within the Public Highway. They usually advertise a business immediately adjacent.

### **1.3 The problems of using A Boards**

Apart from being illegal, MCC have requirement to maintain a clear and unobstructed highway ( Highway Act 1980, Section 132 )

'A Board' Displays can have a detrimental effect on the public's use of pedestrian areas of our County. They can be the subject of third party claims, for which MCC may be the most likely defender.

### **1.4 Legislation**

- (i) Under section 224 of the Town and Country Planning act 1990 it is an offence for any person to display an advertisement in contravention of the regulations. The relevant legislation is contained in the Town and Country Planning (Control of Advertisements) Regulations 1992. Any person contravening the legislation is liable on summary conviction to a fine, currently not exceeding £2500, recently increased under the provision of the Anti-Social Behaviour Act 2003. In the case of a continuing offence, there is £250 for each day on which the offence continues after conviction.
- (ii) Under section 132 of the Highway Act 1980 it is an offence for any person to paint, inscribe or affix any picture, letter, or sign on the surface of a Highway, any tree, or structure without the consent of the Highway Authority. If guilty of an offence the person can be liable to a fine of up to £1000, in the case of a second offence up to £2500.
- (iii) Under section 50 of the New Roads and Street Works Act 1991. The Authority has the power to impose conditions on permissions they think fit, including conditions requiring the payment to the council of such reasonable charges as they may determine

## 2. Methods of Prevention

The Council aims to prevent 'A Board' displays through a number of methods.

### 2.1 Highways activity

The Authority's Highways division has an existing policy that covers their activities around controlling 'A Board' displays and advertising on their property. These are –

- a. 'Control of Goods Displayed on the Public Highway' policy, adopted and effective from 1 April 2002. This covers aspects such as displaying of goods and advertising hoardings on public footways. The intention is to ensure a consistent approach, to ensure Highways Superintendents are clear when endeavouring to determine whether an obstruction is acceptable or not. This policy covers issues such as obstruction, for example where 'A board' displays may cause an obstacle for people with disabilities (including the visually impaired) and people with pushchairs to negotiate. There is also reference here to the Council not adopting a rigid ban on street advertising. The policy refers to 'trader's livelihoods could be damaged by the imposition of a rigid ban. Some displays are considered to add colour and vibrancy to the street scene of our towns and are an accepted component of some retail businesses'.

It should be noted the policy was agreed following extensive consultation with the Town Councils covering Abergavenny, Monmouth, Chepstow, Caldicot and Usk, their respective Chambers of Commerce and CAIR (Monmouthshire Disablement association). Each trader potentially affected by the policy received a letter and background information prior to 1 April 2002.

- b. 'Tourism signing' policy, adopted and effective from 19 May 2006. This policy sets about making it easier for visitors to find facilities and attractions, thereby enhancing the local economy, notably in the run up to the Ryder Cup in 2010. It encourages the removal of illegal and shabby signs, through a grant scheme to replace with better standard and legal signage. It also encourages the removal of too many signs in certain locations.

Consultees included over 120 members of the public during town and village centre surveying, business and stakeholder contribution during 5 open meetings.

### 2.2 Planning activity

The Planning Enforcement team have no specific policy regarding dealing with 'A board' display, since it is usually restricted to the Public Highway.

A 'Planning Enforcement Policy' was approved by Council on 13th September, 2007 which reflects the national 'enforcement concordant principles' - see 2.4 below

### 2.3 Environmental Health activity

Environmental Health have no involvement with 'A Board' display, most complaints going to Highways for investigation

### 2.4 General

This Authority is also signed up to the 'Enforcement Concordat' which lays down national principles of good enforcement. This includes reference to being open about our approach to enforcement, being helpful, proportionate and consistent. The Authority awaits further guidance from the newly formed Local Better Regulation Office regarding a new 'compliance code' which will outline similar enforcement principles.

### **3. Our Approach**

- 3.1 This Authority recognises the desire for 'A Board' display. It does not seek a 'zero tolerance' approach, recognising the difficulties this would present to local business. To provide guidance to the public, businesses, charities and other event organisers, a guidance letter has been produced. A copy of the Guidance is provided as Attachment 5 at the end of this policy document.
- 3.1 An application, received from a business, for permission to place an 'A board' will be recorded at our Customer Contact Centre. A 'process map' outlining the procedure for dealing with 'A Board' Displays is provided in Attachment 1. The process allows for a business to receive a license or be advised of reason that no licence will be issued.
- 3.3 Any complaints regarding 'A Board' display will in the first instance be recorded at our Customer Contact Centre. A 'process map' outlining the procedure for dealing with 'A Board' Displays is provided in Attachment 1A. Staff at the OSS's will be updated to reflect recent changes in both legislation and personnel (notably in Highways). Highways Inspectors would be the first point of reference for any 'A Board' complaints, referring to colleagues in other teams where the situation demands – as outlined in Section 2 above. The 'one point of reference' will allow the Authority to measure numbers of complaints, any trends, and our effectiveness.
- 3.4 It is the view of Officers in Highways, Planning and Environmental Health, that they deal with their elements of existing legislation, due to professional and competency issues. Thus Project Inspectors will determine compliance with the Highways Act provisions, Planning with Town & Country Planning Act etc. However, that does not preclude better joint working, with improved communication between the three teams. So, for example, Environmental Health have two Environmental Wardens who, if instructed, can remove fly posters on street furniture while out on the district. Similarly they could contact Planning for any breaches they see during their routine activities.
- 3.5 It is recognised that much of the 'A Board' advertising in Monmouthshire tends to be restricted to the main urban pedestrianised areas but not limited to. (Abergavenny, Caldicot, Chepstow, Magor, Monmouth, Usk and Tintern) . Highway Superintendents will be charged with their removal, once Projects Inspectors have identified offenders and followed process. Business' benefiting from 'A Boards' that do not comply will be warned of the consequences by letter. Repeat offenders will be referred to our Legal Services Section by a Planning Enforcement officer, with a view to prosecute.

Our staged approach to action will be by way of staged letters. These are provided in Attachments 2, 3 and 4. In appropriate circumstances, names and addresses will be traced from telephone numbers advertised on 'A Boards'.

- 3.6 Highways staff, in the interests of clarity, will adopt the following prescribed approach:

Permitted temporary posting -

Approved organisations are permitted to erect signs on street furniture on a temporary basis, provided the signs:

- do not cause offence
- do not cause a traffic or pedestrian hazard or safety issue in any way
- do not damage hardware by their presence
- are of presentable quality and not excessive in number
- are removed by the organisations concerned

#### Approved Organisations

The list of approved organisations, determined by the Highways Section, will be strictly limited. Initially it will include:

Adjacent Business'  
Blood Transfusion Service  
Polling Stations  
Registered and legitimate not for profit organisations

The Head of Highways may extend the list of approved organisations. Applicants will be expected to demonstrate that they have no other reasonable way of spreading their message.

The following organisations are expressly not permitted to erect signs:

Business' advertising other than their business  
Business' advertising away from their frontage, unless agreed in licence conditions

- 3.7 Approved organisations who fail to observe the Council's conditions may have enforcement action taken and may risk prosecution.
- 3.8 To assist organisations and businesses determine what may be acceptable, and what specifically is not, a guidance leaflet is available - Attachment 5.
- 3.9 the 'A Board' is compliant with attachment 5

#### 4. Outcomes

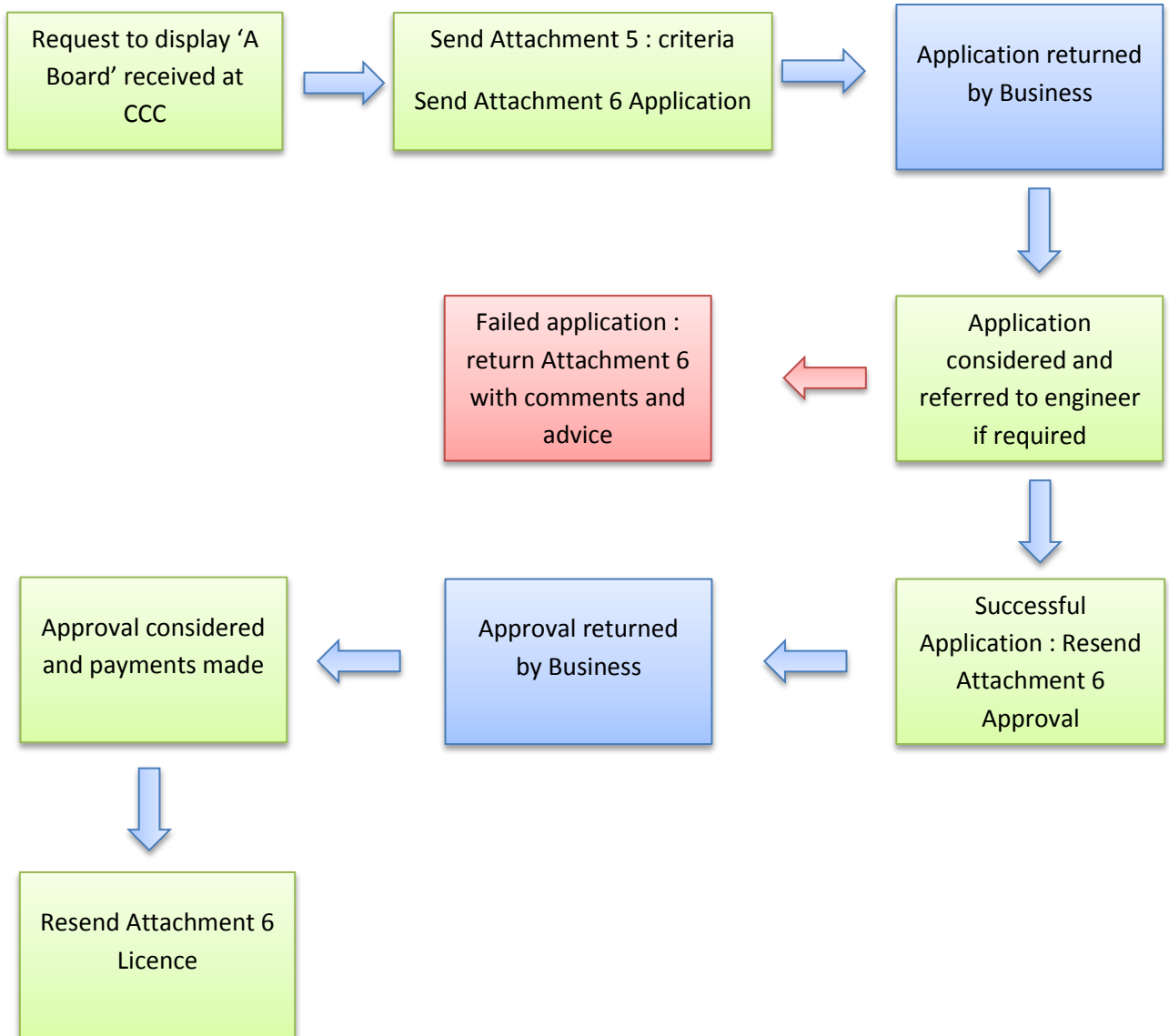
- 4.1 The outcome sought is to ensure a quick and effective response to 'A board' advertising that may be considered a risk. By consistent recording of incidents, working together better with early intervention, problems associated with fly posting will be reduced.
- 4.2 Officers involved with the policy will ensure all relevant Officers, including Customer Contact Centre staff, are aware of the content of this policy and monitor compliances, to update their procedures and provide some training.
- 4.3 The policy will be reviewed every 12 months to determine whether it assists in reducing non-compliance in Monmouthshire.

5. **Report Contributors**  
Policy substantively as 2008

6. **Report Authors –**  
Steve Lane, Highways Manager, Highways Operations

**Attachment 1 : A BOARD**

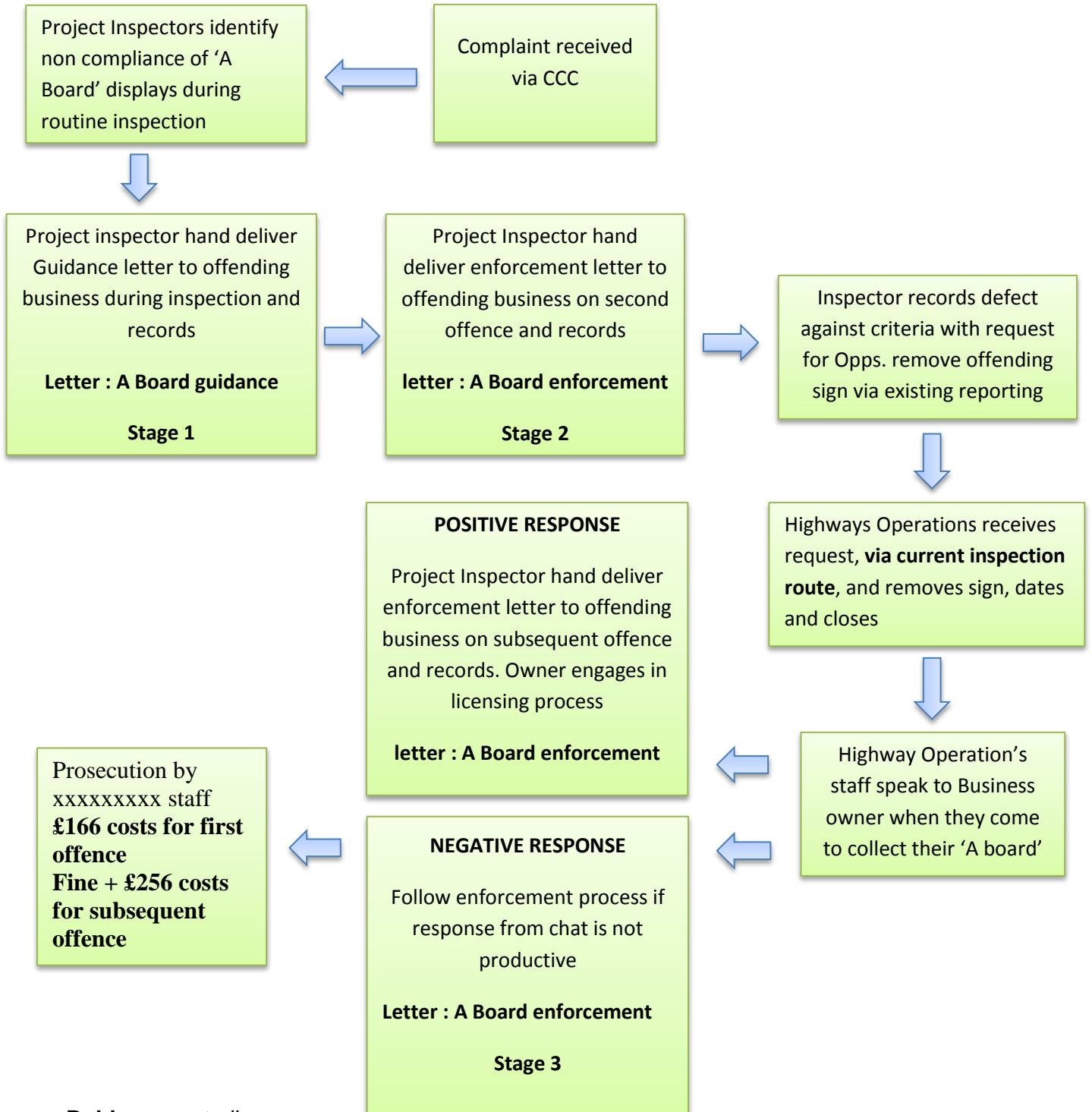
**LICENCE FLOW**



CCC = Customer Contact Centre / call centre

**ATTACHMENT 1A : A BOARD**

**ENFORCEMENT FLOW**



**Bold** = paper trail  
CCC = Customer Contact Centre / call centre



## Attachment 2 : A BOARD

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Dear Sir/Madam

### **RE:- CONTROL OF GOODS DISPLAYED ON THE PUBLIC HIGHWAY : ‘ A BOARD’ DISPLAYS ‘A BOARD’ GUIDANCE : FIRST STAGE ENFORCEMENT**

It has been recorded that an ‘A Board’ Display, identifying your business, has been positioned on the Public Highway that fails to comply with the Council Policy.

The Council has introduced guidance to control the placement of goods and advertising hoardings on town pavements. It recognises that a limited amount of street advertising and display gives colour and vibrancy to the street scene and adds to the character and atmosphere of our towns and villages, but it also has a statutory duty under the Highways Act ( section 149 ) to maintain the footways primarily for the unhindered passage of pedestrians.

In an effort to acknowledge these conflicting interests the Council has adopted a policy to allow traders to display goods and advertising hoardings on street footways on the understanding that they comply with the following criteria, viz;

- i) The obstruction does not encroach onto the footway by more than 1 metre from the shop frontage.
- ii) That the residual unobstructed footway width is not less than 1.2 metres or the footway width, whichever is the lesser. The footway width is deemed to be measured from the back of footway to the kerb line or the ditched channel, whichever is the lesser.
- iii) That ‘A’ frame boards are secure so that they do not collapse if they are hit.
- iv) The sign shall measure no more than H900mm, W450mm, D450mm approx., when displayed.
- v) That all placements in the footway shall be highly visible or shall have a contrasting horizontal band at least 3 inches wide across its width, at the top, in order to render them visible to visually impaired persons.
- vi) Where the existing designated footways have less than 1.5 metres unobstructed width no displays will be permitted.
- vii) Exceptions by agreement may be considered subject to maintaining a minimum access width in pedestrianised areas or limited vehicular access areas.
- viii) That traders provide evidence, when requested, of Public Liability Insurance cover to the minimum value of £5,000,000 indemnifying the County Council against third party claims for damage or personal injury as a result of an accident involving an obstruction in the highway.

**Cont’d/2.....**

The above criteria have been established following widespread consultation with the Chambers of Trade and Commerce for the main towns and villages, CAIR (Monmouthshire Disablement Association) and many stakeholders..

Although it will be still possible for the Council to prosecute for an obstruction in the highway under powers within the Highways Act 1980 ( section 149 ), it would not be in the spirit of the agreement to do so for an obstruction which is placed within the criteria outlined above although it would be desirable to prosecute any trader who refuses to comply.

It is hoped that this policy will require very little policing and that traders will abide by the criteria in the knowledge that every endeavour has been made to strike a fair balance between the needs of traders to advertise their wares and the rights of pedestrians to have safe and unhindered passage of the pavements.

This policy came into effect on the 1 April 2016 but if in the meantime you would like to discuss this matter or to meet a Highway Inspector to agree the location of apparatus fronting your premises then please contact the Highway Enquiry Desk on 01633 644725.

The Council wishes to pursue this matter in a spirit of co-operation, but will reserve the right to prosecute if the obstructions in the highway extend beyond the agreed limits or cause a danger or hazard to other users.

Your co-operation in complying with Council 'A Board' policy will be appreciated.

Yours faithfully

Steve Lane  
**Highway Operations Manager**  
**Operations Directorate**

### **Attachment 3 : A BOARD**

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Dear Sir/Madam

**RE:- CONTROL OF GOODS DISPLAYED ON THE PUBLIC HIGHWAY : ‘A BOARD’  
DISPLAYS**

#### **‘A BOARD’ GUIDANCE : SECOND STAGE ENFORCEMENT**

I am writing to advise you that an ‘A Board’ Display, identifying your business, has again been positioned on the Public Highway and that it fails to comply with the Council Policy. I must remind you that it is an offence under section 149 of the Highways Act 1980 to erect such an object on the Council’s equipment without meeting the criteria outlined in the guidance. No permission has been given for this sign to be erected, so it is therefore being removed by the Council regardless of its location in the near future.

The sign will be available for collection from a nearby storage depot. Your co-operation in refraining from business advertising in this way will be appreciated, as we prefer such matters not to escalate to a prosecution. Court action is not in the interests of either party, and the courts generally favour the local authority in such cases.

You should be aware that it is the policy of the Council to prosecute people who carry out repeat ‘A Board’ displaying that is not in compliance with the policy, and no further warnings will be issued to you on this matter.

You should request the guidance and seek permission to place an ‘A Board’ through the an application procedure that is available, by calling your local Customer Contact Centre / call centre or calling 01633 644725 please.

Yours faithfully

Steve Lane  
**Highway Operations Manager**  
**Operations Directorate**

**Attachment 4 : A BOARD**

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Dear Sir/Madam

**RE:- CONTROL OF GOODS DISPLAYED ON THE PUBLIC HIGHWAY : ‘A BOARD’  
DISPLAYS**

**‘A BOARD’ GUIDANCE : STAGE 3 ENFORCEMENT**

I am writing to advise you that an ‘A Board’ display, identifying your business, has again been positioned on the Public Highway and that it fails to comply with the Council Policy. I have reminded you in the past that it is an offence under section 149 of the Highways Act 1980 to erect such an object on the Council’s equipment without consent. No permission has been given for this sign to be erected, so it is therefore being removed again by the Council.

The sign will be available for collection from a nearby storage depot.

I am passing the matter to the Council’s solicitors, who will now instigate legal proceedings. Our costs will be recovered through the courts.

Yours faithfully

Steve Lane  
**Highway Operations Manager**  
**Operations Directorate**

## **Attachment 5 : ABOARD**

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Dear Sir/Madam

### **RE:- CONTROL OF GOODS DISPLAYED ON THE PUBLIC HIGHWAY : ‘A BOARD’ DISPLAYS ‘A BOARD’ GUIDANCE**

The Council has introduced guidance to control the placement of goods and advertising ‘A Boards’ on town pavements. It recognises that a limited amount of street advertising and display gives colour and vibrancy to the street scene and adds to the character and atmosphere of our towns and villages, but it also has a statutory duty under the Highways Act ( section 149 )to maintain the footways primarily for the unhindered passage of pedestrians.

In an effort to acknowledge these conflicting interests the Council has adopted a policy to allow traders to display goods and advertising hoardings on street footways on the understanding that they comply with the following criteria, viz;

- i) The obstruction does not encroach onto the footway by more than 1 metre from the shop frontage.
- ii) That the residual unobstructed footway width is not less than 1.2 metres or the footway width, whichever is the lesser. The footway width is deemed to be measured from the back of footway to the kerb line or the ditched channel, whichever is the lesser.
- iii) That ‘A’ frame boards are secure so that they do not collapse if they are hit.
- iv) The sign shall measure no more than H900mm, W450mm, D450mm approx., when displayed.
- v) That all placements in the footway shall be highly visible or shall have a contrasting horizontal band at least 3 inches wide across its width, at the top, in order to render them visible to visually impaired persons.
- vi) Where the existing designated footways have less than 1.5 metres unobstructed width no displays will be permitted.
- vii) Exceptions by agreement may be considered subject to maintaining a minimum access width in pedestrianised areas or limited vehicular access areas.
- viii) That traders provide evidence, when requested, of Public Liability Insurance cover to the minimum value of £5,000,000 indemnifying the County Council against third party claims for damage or personal injury as a result of an accident involving an obstruction in the highway.

**Cont’d/2.....**

The above criteria have been established following widespread consultation with the Chambers of Trade and Commerce for the main towns, CAIR (Monmouthshire Disablement Association) and the Town Councils.

Although it will be still possible for the Council to prosecute for an obstruction in the highway under powers within the Highways Act 1980 ( section 149 ), it would not be in the spirit of the agreement to do so for an obstruction which is placed within the criteria outlined above although it would be desirable to prosecute any trader who refuses to comply.

It is hoped that this policy will require very little policing and that traders will abide by the criteria in the knowledge that every endeavour has been made to strike a fair balance between the needs of traders to advertise their wares and the rights of pedestrians to have safe and unhindered passage of the pavements.

The Council wishes to pursue this matter in a spirit of co-operation, but will reserve the right to prosecute if the obstructions in the highway extend beyond the agreed limits or cause a danger or hazard to other users.

Your co-operation in complying with Council 'A Board' policy will be appreciated.

Yours faithfully

Steve Lane  
**Highway Operations Manager**  
**Operations Directorate**

**Attachment 6 : A BOARD**

**APPLICATION : COMMERCIAL OBSTRUCTION IN THE HIGHWAY LICENCE  
TYPE A : 'A' BOARD ADVERTISING**

Subject to section 132 of the Highway Act 1980  
Section 50 of the New Roads and Street Works Act 1991 permits and Licence

Agreement by both parties, will require the payment of a single approval / licence fee, by the applicant, to  
Monmouthshire County Council.

On successful application a £50 administration fee will be payable.

Should the A Board be displayed in accordance with the licence then no further fees are payable.

Should the A Board not comply, it will be removed and costs, £166, charged to the Licensee.

Fees of £256, and fines, may be charged on subsequent infringements.

'A Board' organisations are reminded that permission granted is subject to the full policy of Monmouthshire County Council. (copies available on request.) In particular, (a) the obstruction does not encroach onto the footway by more than 1 metre from the shop frontage, (b) the residual unobstructed footway width is not less than 1.2 metres or the footway width, whichever is the lesser. The footway width is deemed to be measured from the back of footway to the kerb line channel, or the dished channel, whichever is the lesser, (c) the 'A' frame boards are secure so that they do not collapse if they are hit, (d) The sign placed in the footway shall be highly visible or shall have a contrasting horizontal band at least 3 inches wide across its width, at the top, in order to render them visible to visually impaired persons., (e) Where the existing designated footways have less than 1.5 metres unobstructed width no displays will be permitted, (f) exceptions by agreement may be considered subject to maintaining a minimum access width in pedestrianised areas or limited vehicular access areas, (g) cause offence, (h) cause a traffic hazard or safety issue, (i) One 'A board' is permitted per business and will only be considered for outside premises, if the criteria can be achieved. (j) the sign shall measure no more than H900mm, W450mm, D450mm approx., when displayed. (k) failure to comply with the licence may require the sign to be removed and costs being payable to MCC. (l) you may be required to display a small receipt on the sign at all times.

**Completed by Applicant :** I wish to apply for permission to display an 'A Board' on the Highway

My organisation.....

Responsible representative :.....Signature :.....

Email Address :.....Tel No. :.....

Postal Address :.....

Public liability insurance to be held for whole period that business utilises the licence

Size of 'A board : A=.....W=.....B=.....

'A Board ' : Is it highly visible or contain a contrasting 3 inch horizontal band

Is the 'A Board' outside your business

Details of location : sketch and notes.....

.....  
 .....  
 .....  
 .....

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**Official use : The Permission :**

Given : please refer to Attachment 5 detailing criteria :  resend agreement attachment 6 & 5

Refused : please give reasons in comments  send attachment 5 with comments

Referred to Area Engineer for comments :

Comments

.....  
.....  
.....  
.....

Signed : \_\_\_\_\_ Date : \_\_\_\_\_

**Completed by Applicant:**To be completed by the responsible Person, of the business, on successful agreement to place an 'A Board' on the highway.

Please return, with payments, to allow the issue of a Licence. You will be contacted prior to the completion of the Licence period to renew at you request. Please note that any sign not displayed as guidance and or that is not Licenced will be removed and the Policy enforced.

Please find enclosed Payments as prescribed below. I understand that (a) I will need to ensure that I comply with the Guidance and in particular (b) I will ensure that my Public Liability Insurance is maintained and my Business will remain covered, and Monmouthshire County Council will be indemnified for the whole duration of the Licence, (c) I will ensure the 'A board' does not cause a traffic hazard or safety issue.

Please call 01633 644725 to arrange payment

£50 application and approval fee, payment per Business and or per premise

Date Licence to commence :.....

I understand that this document will form the :Licence only when signed and dated below by Officer of Monmouthshire County Council. . The licence will be displayed in a prominent place, window, door or similar position, accessible by the Public and Monmouthshire County Council Officers and usually within sight of the A Board.

Signed : Responsible representative : (As application above).....

Signature :.....Date :.....

**Official use : The Licence :**

Payments received  : Licence Agreed  : Licence sent

Signed : \_\_\_\_\_ Date : \_\_\_\_\_  
Licence to place and display 'A Board' as above agreement





**LICENCE FOR COMMERCIAL ACTIVITY SECTION 50**

Reference :

Official use : The Licence in force when : This document and applicable stipulation / drawings received and

Approval fees paid

Yes

Licence Agreed

Yes

PLAN

Signed : \_\_\_\_\_ Date : \_\_\_\_\_

Monmouthshire County Council Highways

Licence to place an A Board within the Area defined above and as agreement

Should you wish to enquire, or have concerns, about the provision detailed in the agreement above please contact Monmouthshire County Council via your local Customer Contact Centre or [Highways@monmouthshire.gov.uk](mailto:Highways@monmouthshire.gov.uk)

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# MONMOUTHSHIRE COUNTY COUNCIL

## FLY POSTING POLICY

### 1. Introduction

1.1 Fly posting, apart from being an illegal activity, can degrade the local 'street scene' and can contribute to an impression of urban decay. Monmouthshire County Council would therefore aim to reduce fly posting throughout the county, and to control inappropriate fly posting and advertising through education and enforcement.

### 1.2. What is fly posting?

Fly posting is defined as 'the display of advertising material on buildings and street furniture without the consent of the owner'. Fly posting can be divided into three categories –

- (i) Advertises primarily for local events, for example advertising bands playing in pubs, car boot sales and fairs, and personal events, typically birthdays. They appear attached to lampposts, railings and street furniture, or pasted on equipment or buildings.
- (ii) Posters advertising products of large organisations and put up by professional poster companies.
- (iii) Posters displayed by pressure groups or political bodies, put up ad hoc and sporadically.

### 1.3 The problems of fly posting

Apart from being illegal, fly posting is also unfair on those companies who choose to advertise legitimately. It also puts an additional cost on the Authority and other landowners, who are required to remove fly posters from their street furniture, walls, etc.

Fly posting has a detrimental effect on the local environmental quality of our County. It can lead to an increase in local residents fear of crime, and act as a disincentive to new businesses setting up.

### 1.4 Legislation

- (i) Under section 224 of the Town and Country Planning act 1990 it is an offence for any person to display an advertisement in contravention of the regulations. The relevant legislation is contained in the Town and Country Planning (Control of Advertisements) Regulations 1992. Any person contravening the legislation is liable on summary conviction to a fine, currently not exceeding £2500, recently increased under the provision of the Anti-Social Behaviour Act 2003. In the case of a continuing offence, there is £250 for each day on which the offence continues after conviction.
- (ii) Under section 132 of the Highway Act 1980 it is an offence for any person to paint, inscribe or affix any picture, letter, or sign on the surface of a Highway, any tree, or structure without the consent of the Highway Authority. If guilty of an offence the person can be liable to a fine of up to £1000, in the case of a second offence up to £2500.
- (iii) Sections 48 – 52 of the Anti-Social Behaviour Act 2003, as amended by the Clean Neighbourhoods and Environment Act 2005, enable the Authority to serve a 'defacement removal notice' on the owners, occupiers, operators (such as telecommunication companies) of 'relevant surfaces' whose property is defaced with graffiti and/or any fly posters.

### 2. Methods of Prevention

The Council aims to prevent fly posting through a number of methods.

## 2.1 Highways activity

The Authority's Highways division has two existing policies that cover their activities around controlling fly posters and advertising on their property. These are –

- a. 'Control of Goods Displayed on the Public Highway' policy, adopted and effective from 1 April 2002. This covers aspects such as displaying of goods and advertising hoardings on public footways. The intention is to ensure a consistent approach, to ensure Highways Superintendents are clear when endeavouring to determine whether an obstruction is acceptable or not. This policy covers issues such as obstruction, for example where 'A boards' may cause an obstacle for people with disabilities (including the visually impaired) and people with pushchairs to negotiate. There is also reference here to the Council not adopting a rigid ban on street advertising. The policy refers to 'trader's livelihoods could be damaged by the imposition of a rigid ban. Some displays are considered to add colour and vibrancy to the street scene of our towns and are an accepted component of some retail businesses'.

It should be noted the policy was agreed following extensive consultation with the Town Councils covering Abergavenny, Monmouth, Chepstow, Caldicot and Usk, their respective Chambers of Commerce and CAIR (Monmouthshire Disablement association). Each trader potentially affected by the policy received a letter and background information prior to 1 April 2002.

- b. 'Tourism signing' policy, adopted and effective from 19 May 2006. This policy sets about making it easier for visitors to find facilities and attractions, thereby enhancing the local economy, notably in the run up to the Ryder Cup in 2010. It encourages the removal of illegal and shabby signs, through a grant scheme to replace with better standard and legal signage. It also encourages the removal of too many signs in certain locations.

Consultees included 260 tourism businesses across the County, all Community and Town Councils, and the Monmouthshire Tourism Alliance.

## 2.2 Planning activity

The Planning Enforcement team have no specific policy regarding dealing with illegal advertising and fly posting, but deal with all complaints received. They report currently dealing with approximately 20 cases per year, such as trailers advertising on the side of the highway on private land, and large banners hanging off buildings. The Planning Enforcement Manager is now a member of the 'Unlawful Advertising & Fly posting Database' group which allows all Councils around the country to share information regarding successful prosecutions, which can then be used after conviction to increase persistent offenders' fines.

A 'Planning Enforcement Policy' was approved by Council on 13th September, 2007 which reflects the national 'enforcement concordant principles' - see 2.4 below

### 2.3 Environmental Health activity

Environmental Health rarely have involvement with fly posting, most complaints going to Highways and Planning for investigation. Where there was a persistent problem, e.g. pasted advertising on telecommunication boxes, or on a privately owned building, then they could intervene to ensure the property owner or occupier removes the poster.

### 2.4 General

This Authority is also signed up to the 'Enforcement Concordat' which lays down national principles of good enforcement. This includes reference to being open about our approach to enforcement, being helpful, proportionate and consistent. The Authority awaits further guidance from the newly formed Local Better Regulation Office regarding a new 'compliance code' which will outline similar enforcement principles.

## 3. Our Approach

3.1 This Authority recognises the need for certain temporary signage, for example for village fetes, charitable events, 'Give Blood', temporary road safety awareness signs, etc. It does not therefore seek a 'zero tolerance' approach, recognising the difficulties this would present to charitable groups, statutory bodies and others. To provide guidance to the public, businesses, charities and other event organisers, a leaflet has been produced. A copy of the leaflet is provided as Attachment 5 at the end of this policy document.

3.2 Any complaints regarding fly posting will in the first instance be recorded at our Customer Contact Centre ( CCC ). A 'process map' outlining the procedure for dealing with fly posters is provided in Attachment 1. Staff at the CCC's will be updated to reflect recent changes in both legislation and personnel (notably in Highways). Highways would be the first point of reference for any fly posting complaints, referring to colleagues in other teams where the situation demands – as outlined in Section 2 above. The 'one point of reference' will allow the Authority to measure numbers of complaints, any trends, and our effectiveness.

3.3 It is the view of Officers in Highways, Planning and Environmental Health, that they deal with their elements of existing legislation, due to professional and competency issues. Thus Highway Engineers will determine compliance with the Highways Act provisions, Planning with Town & Country Planning Act etc. However, that does not preclude better joint working, with improved communication between the three teams. So, for example, Environmental Health have two Environmental Wardens who, if instructed, can remove fly posters on street furniture while out on the district. Similarly they could contact Planning for any breaches they see during their routine activities. It is the intention to provide a quicker response to illegal fly posting.

3.4 It is recognised that much of the fly posting in Monmouthshire tends to be small, often A3 or A4 size adverts on railings and lamp posts. Highway Superintendents will be charged with the removal of all but a small number of permitted signs. Businesses or organisers benefiting from unapproved fly posters will be warned of the consequences by letter. Repeat offenders will be referred to our Legal Services Section by a Planning Enforcement officer, with a view to prosecute.

Our staged approach to action will be by way of staged letters. These are provided in Attachments 2, 3 and 4. In appropriate circumstances, names and addresses will be traced from telephone numbers advertised on posters.

- 3.5 Highways staff, in the interests of clarity, will adopt the following prescribed approach:

Permitted temporary posting -

Approved organisations are permitted to erect signs on street furniture on a temporary basis, provided the signs:

- do not cause offence
- do not cause a traffic or pedestrian hazard or safety issue in any way
- do not damage hardware by their presence
- are of presentable quality and not excessive in number
- are present for no more than 15 days
- are removed by the organisations concerned
- are erected no further than 3 miles from the activity publicised
- general list of criteria, as attachment 5, standard permission but may change with local conditions

Approved Organisations

The list of approved organisations, determined by the Highways Section, will be strictly limited. Initially it will include:

The AA & the RAC

Blood Transfusion Service

Registered Charities, who have applied for blanket permission

Legitimate not-for-profit advertisers approved from time to time to provide public information. Approval by town or Community Council and or relevant Cabinet Member. (*note : this would allow for the church fete or local council approved car boot sale*)

The Head of Highways may extend the list of approved organisations, by written permit in exceptional circumstances. Applicants will be expected to demonstrate that they have no other reasonable way of spreading their message. Regard will also be made to the 'main interest' of the advert, when determining applications. High impact events may require special consideration

The following organisations are expressly not permitted to erect signs:

Advertisers for commercial benefit (*note : This would eliminate the pubs / fitness clubs etc who legally flypost by linking an event to a charity*)

Party political organisations

- 3.6 Approved organisations who fail to observe the Council's conditions may have their permit withdrawn and may risk prosecution.
- 3.7 To assist organisations and businesses determine what may be acceptable, and what specifically is not, a guidance leaflet is available - Attachment 5.
- 3.8 New provisions under the Clean Neighbourhood and Environment Act 2005, that came into force in March 2007, are shared with Planning Enforcement. This covers the aspect described in section 1.4 (iii) above. If there was repeat defacement in a particular location, (for example, persistent pasted posters on end wall to a corner shop), this would then be referred to the local Community Safety Action Team, for them to consider multi-agency intervention.
- 3.9 In addition to our enforcement options outlined above, Monmouthshire County Council will also consider any notable practice from other Local Authorities. For example, certain city Authorities have had success with the use of 'cancelled' stickers, deterring organisers of band performances particularly. Paragraph 2.2

above also referred to our participation in the 'Unlawful Advertising & Fly Posting database' which shares information and best practice.

#### **4. Outcomes**

- 4.1 The outcome sought is to ensure a quick and effective response to illegal fly posters. By consistent recording of incidents, working together better with early intervention, problems associated with fly posting will be reduced.
- 4.2 Officers involved with the policy will ensure all relevant Officers, including One Customer Contact Centre, are aware of the content of this policy and monitor compliances, to update their procedures and provide some training.
- 4.3 The policy will be reviewed after 12 months to determine whether it assists in reducing fly posting in Monmouthshire, and subsequently every 3 years

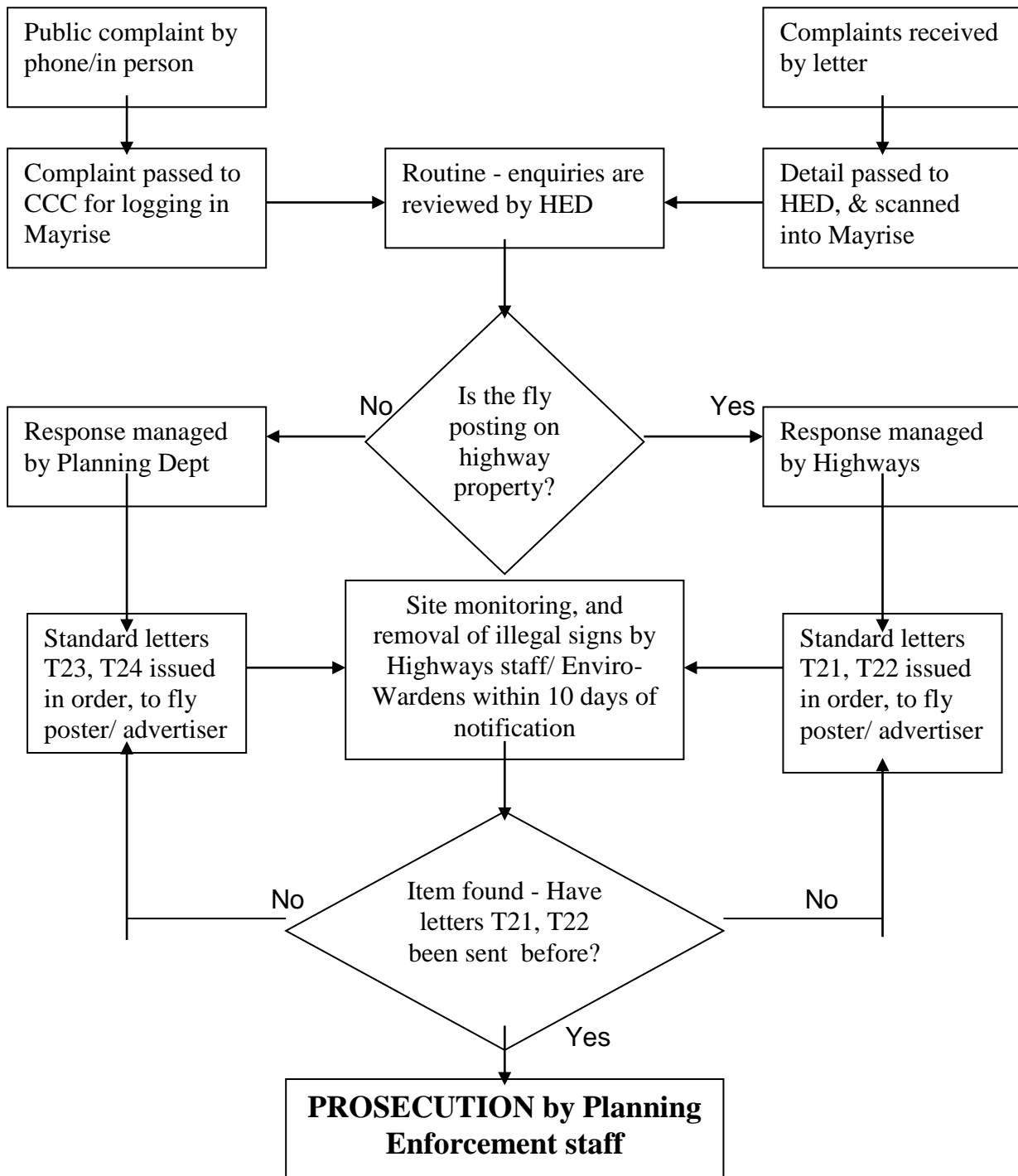
#### **5. Report Contributors**

#### **6. Report Authors –**

Steve Lane  
Highways Manager  
Highways Operations

FLYPOSTINGPOLICY

### Process Flowchart for Fly posting complaints



**Notes:**

Mayrise = Highways enquiry system

HED = Highways Enquiry Desk  
 CCC = Customer Contact Centre



The person dealing with this matter is:  
Highway Enquiry Desk  
Tel.No./Ffôn: 01633 644725  
Fax/Ffacs: 01633 644725  
Email/Ebost:

Our Ref:/Ein Cyf: HED/ **T21**  
Your Ref: Eich Cyf:  
Date/Dyddiad :

Dear Sir/Madam

I am writing to advise you that a sign bearing your identity has been found illegally placed on street furniture in Monmouthshire. It is an offence under section 132 of the Highways Act 1980 to erect such an object on the Council's equipment. No permission has been given for this sign to be erected, so it is therefore being removed by the Council.

Your co-operation in refraining from this fly posting activity will be appreciated.

Yours faithfully

Steve Lane  
**Highway Operations Manager**  
**Operations Directorate**

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Our Ref:/Ein Cyf: HED/**T23**

Your Ref: Eich Cyf:

Date/Dyddiad : 28 June 2016

Dear Sir/Madam

I am writing to advise you that a sign bearing your identity has again been found illegally placed on street furniture or structures in Monmouthshire. I have reminded you in the past that it is an offence under section 132 of the Highways Act 1980 to erect such an object on the Council's equipment without consent. No permission has been given for this sign to be erected, so it is therefore being removed again by the Council.

I am passing the matter to the Council's solicitors, who will now instigate legal proceedings. Our costs will be recovered through the courts.

Yours faithfully

Steve Lane  
**Highway Operations Manager**  
**Operations Directorate**

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Our Ref:/Ein Cyf: HED/**T23**

Your Ref: Eich Cyf:

Date/Dyddiad : 28 June 2016

Dear Sir/Madam

Thank you for your recent request.

Permission to position signs at the locations described is given. The following criteria should be met:-

- Posters not to be fixed at or near junctions where they can distract drivers (shall need to be 30 metres or more from a junction)
- Posters not to be fixed at or near roundabouts where they can distract drivers (shall need to be 30 metres or more from a roundabout)
- Posters not to be fixed to pedestrian guardrails / furniture at crossing points
- Should be fixed on straight sections of road away from junctions if drivers are the target of sign.
- Can be attached to street lights or timber post and rail fence
- We cannot approve fixing to BT or Electric poles; these companies have been known to prosecute fly posting companies
- We cannot approve fixing to private fences or property.
- All posters to be removed soon after last event
- Soft fixings to be used with loose ends removed

Signs that are legal have received permission and are installed in accordance with the criteria above. All other signs are illegal, either because they were not given permission or have been erected incorrectly.

**APPLICATION : COMMERCIAL OBSTRUCTION IN THE HIGHWAY LICENCE**  
**TYPE B : FIX A POSTER TO HIGHWAY FURNITURE**  
 Subject to section 132 of the Highway Act 1980

Posting organisations are reminded that permission granted is subject to the full posting policy of Monmouthshire County Council. (copies available on request.) In particular, posters and signs must not a) cause offence, b) cause a traffic hazard or safety issue, c) damage street furniture by their presence, or d) compromise safety if fixed street furniture. They must be of accepted quality and size. Poster cannot be erected more than 15 days before an event, and must be removed immediately afterwards. An event to which the application applies must occur within the boundaries of Monmouthshire.

I wish to apply for permission to erect a poster(s) fixed to highways furniture in Monmouthshire

My organisation.....

Responsible representative :.....Signature : .....

Email Address :.....Tel No. : .....

Postal Address : .....

Are you a charity :  You are not allowed to advertise, seek support of Community Council or permission refused

Charity Nos.:.....

Event(s) promoted : .....

Public liability insurers :.....Policy expiry date : .....

Size of poster(s) :.....Total number of posters : .....

Event dates(s) :.....Will there be repeat events : .....

Signs to be fixed to : .....

Location(s) : .....

Official use : Permission :

Given : please refer to Attachment 5 detailing criteria :  send attachment 5 with comments

Refused : please give reasons in comments :  send attachment 5 with comments

Referred to Area Engineer for comments :

Comments : .....

.....

.....

## Background



Monmouthshire County Council welcomes the promotion of voluntary activities in its towns and in the countryside. This improves the range of activities on offer to citizens, and adds to the character of the area.

We need to balance the benefits of these events with the need for a safe, clean and welcoming place for residents and visitors.

The Council has developed a fly-posting policy to reflect this balance. It shows how we manage the use of the public highway for the display of temporary promotional posters.

This leaflet outlines the main parts of the policy and the limitations which apply to the erection of posters advertising such events in Monmouthshire.

Generally, we prefer organisations not to advertise using signs on or near our roads. Such signs tend to generate a cluttered street scene and detract from highway safety, giving the impression of a neglected environment.

However, community groups, registered charities and not-for-profit organisations may be allowed to advertise on the public highway, subject to certain terms which are summarised in this leaflet.

## The Environment

We all want a better environment. We want it to be safe, clean, neat and well organised. That means a level of “good housekeeping” in our streets and verges. Strictly controlling the display of advertising material in public places helps to create areas we can be proud of, in which people can travel, shop and relax with comfort.



## Fly-posting

“Fly-posting” is the unauthorised display of advertising signs, posters and stickers in public places. It can make our streets look uninviting to visitors and shoppers. Old and damaged signs can cause a hazard to road users and make our environment unsightly.

Fly-posting gives an unfair advantage to those who trade from it. Clearing up after illegal fly-posting also costs money. This money is better spent on other functions.

We do not want unauthorised fly-posting on our roads, signs and structures. But we will permit a limited number of signs for a short while to help promote community events.

## Action

The Council will act in the interest of its citizens. Our highway staff will act on any complaints about fly-posting. We will remove any unauthorised signs from our roads. Records are kept of these actions. Persistent offenders will be prosecuted.

## The Advertisers

So, who can advertise on Monmouthshire’s roads? Applications from the following types of organisation, who are adequately insured, will be considered:

- Registered charities
- Non-commercial organisations
- Public bodies

Advertisers such as developers, traders and party-political groups are generally not allowed to post notices on the highway.

## The Conditions

Posters on our roads must be:

- licensed by our Head of Highways
- of presentable quality
- erected for no longer than 15 days
- less than 3 miles from the event
- generally fewer than 20 posters per event
- removed within 24 hours of the event ending

Posters must not:

- Cause offence
- Cause a hazard to traffic or pedestrians
- Cause damage to street furniture

Recurring events may only advertise on the event day. Those not meeting our terms risk losing the future right to advertise, or in extreme cases, may be prosecuted.

## Who to contact

Call in at the one stop shop for an application form, or phone one of our 4 One-Stop-Shops, or email: [highways@monmouthshire.gov.uk](mailto:highways@monmouthshire.gov.uk) to apply.

## *The Law – (the small print)*

It is illegal to display any advertisement without first getting the permission of the site owner, or a person who has legal powers to grant that permission. The Council has powers to grant permission.

## *The Highways Act 1980*

Under section 132 of the Highway Act 1980 it is an offence for any person to paint, inscribe or affix any picture, letter, or sign on the surface of a Highway, any tree, or structure without the consent of the Highway Authority. If guilty of an offence the person can be liable to a fine of up to £1000, or in the case of a second offence up to £2500.

## *Town and Country Planning Act 1990*

Under section 224 of the Town and Country Planning act 1990 it is an offence for any person to display an advertisement in contravention of the regulations. The relevant legislation is contained in the Town and Country Planning (Control of Advertisements) Regulations 1992. Any person contravening the legislation is liable on summary conviction to a fine, currently not exceeding £2500, recently increased under the provision of the Anti-Social Behaviour Act 2003. In the case of a continuing offence, there is £250 added for each day on which the offence continues after conviction.

## *Anti-social behaviour act 2003*

Sections 48 – 52 of the Anti-Social Behaviour Act 2003, as amended by the Clean Neighbourhoods and Environment Act 2005, enable the Authority to serve a 'defacement removal notice' on the owners, occupiers, operators (such as telecommunication companies) of 'relevant surfaces' whose property is defaced with graffiti and/or any fly posters.

## *How you can help*

We want to know about illegal fly-posting. Our Customer contact Centres located in, Monmouth, Chepstow, Caldicot and Abergavenny will be pleased to hear from you. You can call in or phone these numbers:

**Monmouth:** 01600 - 775200  
(Whitecross Street)

**Chepstow:** 01291 - 635700  
(Steep Street)

**Caldicot:** 01291 - 426400  
(Woodstock Way)

**Abergavenny:** 01873 - 735800  
(Cross Street)

Or you can email us at:

**[highways@monmouthshire.gov.uk](mailto:highways@monmouthshire.gov.uk)**

Tell us exactly when and where you saw the problem and the name of the organisation or the event advertised, and we will do the rest.

We will treat your approach confidentially, and will aim to remove unauthorised signs quickly and safely.

If you think a sign does not meet our strict guidelines, it is probably illegal. Help us to make Monmouthshire a better place for our citizens and visitors.

## *Report that Fly-poster!*

## *A guide to using posters in public places*

*Canllawiau ar gyfer defnyddio  
posterï mewn mannau cyhoeddus*



# MONMOUTHSHIRE COUNTY COUNCIL

## COMMERCIAL PROVISION POLICY

### 1. Introduction

1.1 Commercial activities can help form part of a vibrant street scene. This policy aims to help coordinate, reduce the risks involved and provide a system that can be managed and readily understood. The policy makes provision for an annual licencing fee, and a one off licence charge to cover the administration costs.

### 1.2. What is a Commercial Provision?

Commercial Provisions' are defined as, for profit, business or non-charitable organisation's activities provided to improve the business and contribute to Highway Street scene. They can include the following activities, or activities of a similar nature.:-

- (i) Café Tables and chairs
- (ii) Tables and benches
- (iii) Sale rails, sale displays, furniture and items of a temporary nature

### 1.3 The problems of Commercial Provision

These provisions, because they are unmanaged, create unnecessary risks and hazards to highway users. A single system aimed at approving and registering these provisions will allow Monmouthshire County Council to ensure its duty to 'assert and protect the rights of the public to the use and enjoyment of any highway'. The agreement, which would include a plan and notes to confirm approval will further improve Monmouthshire County Council's management of the risk.

### 1.4 Legislation

- (i) Under section 130 of the Highway Act 1980 (1) it is the Duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste which forms part of the it.
- (ii) Under section 149 of the Highway Act 1980 (1) if anything is so deposited on a highway as to constitute a nuisance, the highway authority for the highway may by notice require the person who deposited it there to remove it forthwith.....
- (iii) Under section 149 of the Highway Act 1980 (2) if the highway authority for any highway have reasonable grounds for considering –
  - a. That anything unlawfully deposited on the highway constitutes a danger.....to the users of the highway, and
  - b. That the thing in question ought to be removed without the delay involved in giving notice.....  
Under this section, the authority may remove the thing forthwith
- (iv) Under section 50 of the New Roads and Street Works Act 1991. The Authority has the power to impose conditions on permissions they think fit, including conditions requiring the payment to the council of such reasonable charges as they may determine

### 2. Methods of Prevention

The Council aims to prevent illegal Commercial Provision at source. Applications are normally made to Monmouthshire County Council at an early stage and by guiding applicants through this process will provide the prevention method. By

circulating the new policy to all businesses / business forums, either at consultation or implementation stage it will again provide a degree of prevention.

## 2.1 Highway activity

The Highway Operations Department have a high activity in this area. Intervention through education with written and oral guidance have only limited success.

## 2.2 General

This Authority is committed to helping and engaging the community when requested. No formal approach exists and applications are treated on personal experience and not through official guidance.

## 3. Our Approach

3.1 This Authority recognises the need, and the desire, for Local Community provision. It does not therefore seek a 'zero tolerance' approach, recognising the difficulties this would present to charitable and community groups, Business, statutory bodies and others.

3.2 Any complaints regarding commercial provision will in the first instance be recorded at our One Stop Shops. A 'process map' outlining the procedure for dealing with commercial provision is provided in Attachment 1. Staff at the Customer Contact Centre's will be updated to reflect recent changes in both legislation and personnel (notably in Highways). Highways would be the first point of reference for any commercial provision complaints, referring to colleagues in other teams where the situation demands – as outlined in Section 2 above. The 'one point of reference' will allow the Authority to measure numbers of complaints, any trends, and our effectiveness.

3.3 It is the view of Officers in Highways that they deal with their elements of existing legislation, because of their professional and competent approach. This policy will allow Highway Engineers to manage and determine compliance with the Highways Act provisions with more confidence. Better joint working, with improved communication, between those teams who maintain open spaces will help ensure acceptance throughout the organisation. For example, a provision request made to the Highway Department on a Public Right of Way can be relayed to Countryside directly with an understanding that they will manage any provision.

3.4 Retrospective applications will be pursued.

3.5 Highways staff, in the interests of clarity, will adopt the following prescribed approach:

Any Organisations are permitted to apply under this provision, provided they :-

- do not cause offence
- do not cause a traffic or pedestrian hazard or safety issue in any way
- do not damage hardware by their presence
- are of presentable and safe in quality
- are maintained, where stipulated in the agreement, by the organisations concerned
- adequate free passage for pedestrians and vehicles is maintained

The following organisations are expressly not permitted to erect signs:

- Party political organisations



- Companies with no fixed address
- Companies that do not comply with this policy in any way
- From time to time any company, business or organisation that may be deemed or their display may be deemed inappropriate for any reason

3.6 Approved organisations who fail to observe the Council's conditions may have their permit withdrawn and may risk prosecution.

#### **4. Outcomes**

4.1 The outcome sought is to ensure a quick and effective response to requests. By consistent recording of requests and successful applications, working together better with early intervention, resolution and enforcement of problems will limit the current confusion.

4.2 Officers involved with the policy will ensure all relevant Officers, including Customer Contact Centre staff, are aware of the content of this policy and monitor compliances, to update their procedures and provide some training.

4.3 The policy will be reviewed every 12 months to determine whether it assists in reducing fly posting in Monmouthshire.

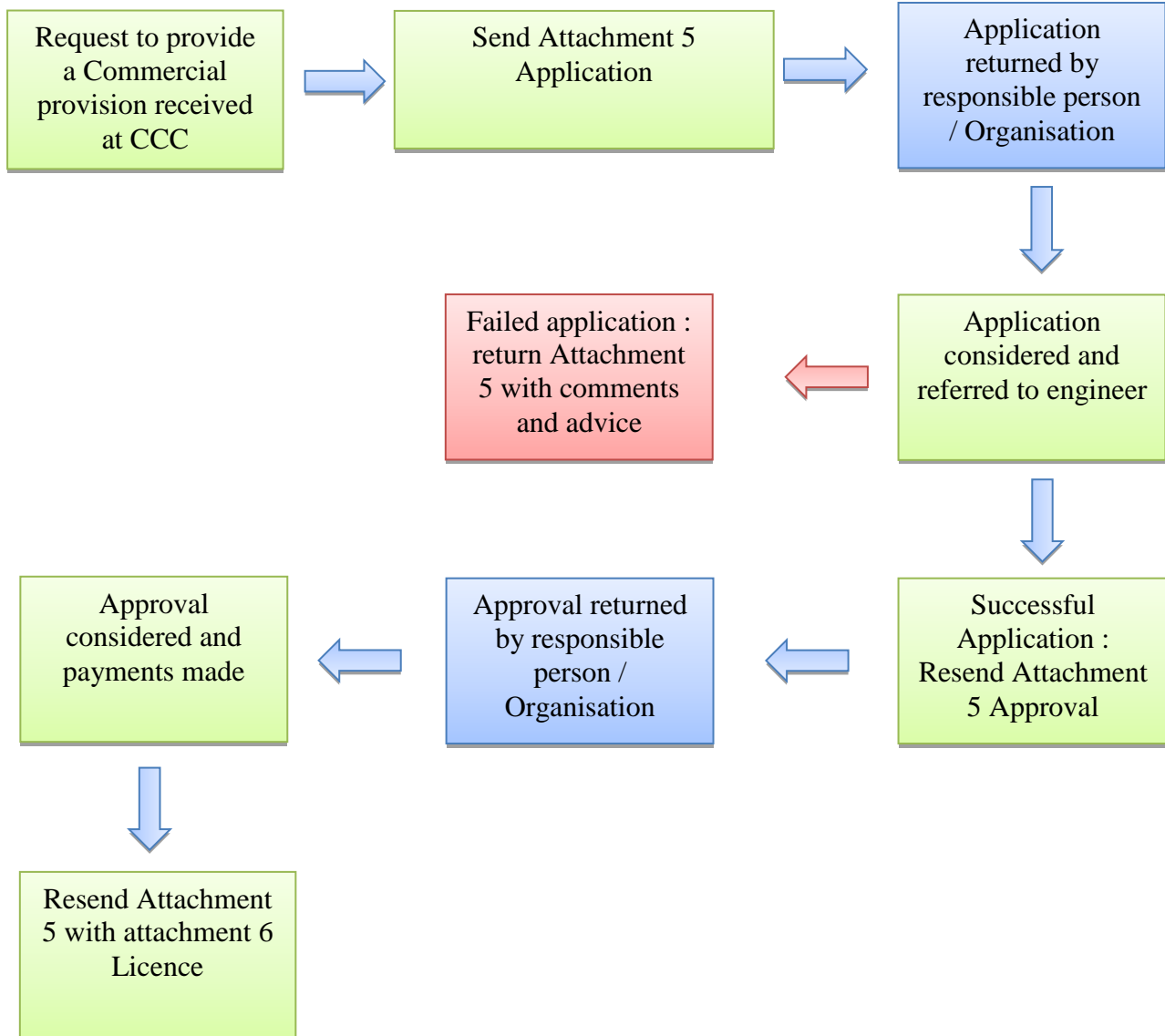
#### **5. Report Contributors**

#### **6. Report Authors –**

Steve Lane  
Highways Operations Manager  
Operation Directorate

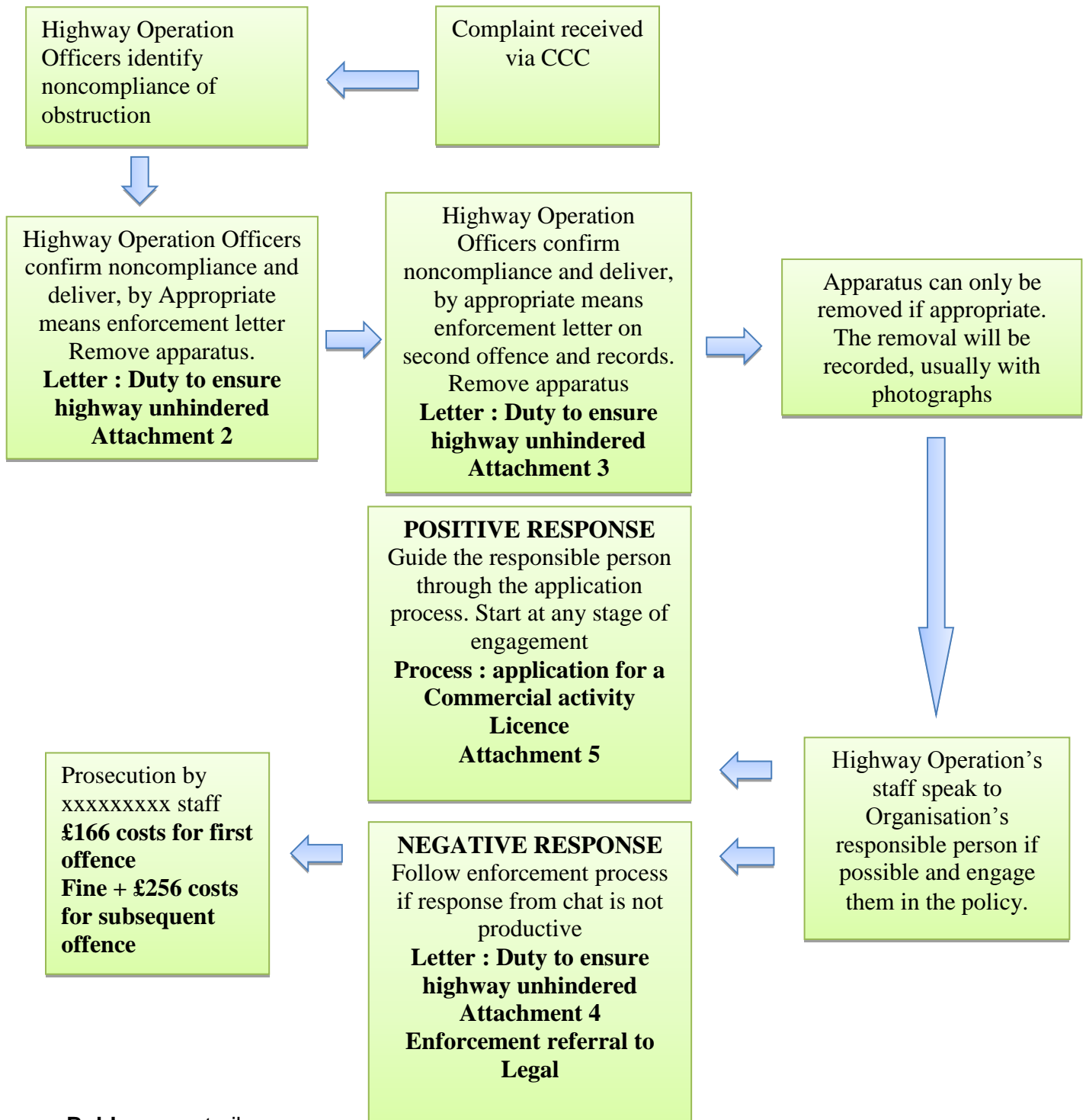
**Attachment 1**

**LICENCE FLOW**



CCC = Customer Contact Centre / call centre

**ENFORCEMENT FLOW**



**Bold** = paper trail  
CCC = Customer Contact Centre / call centre

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Our Ref:/Ein Cyf: HED/ **T21**

Your Ref: Eich Cyf:

Date/Dyddiad :

Dear Sir/Madam

Highway Act 1980 Section 130 : Duty to ensure Highway is unhindered

I am writing to advise you that apparatus, we believe belongs to you or bears your identity has been found illegally placed on Highway in Monmouthshire. It is an offence under section 149 of the Highways Act 1980 to erect such an object on the highway. No permission has been given for this apparatus to be placed on the highway, so it is therefore, may be, removed by the Council.

Monmouthshire County Council have a policy that allows organisations, who meet the local needs, to install apparatus in the Highway. Some fees are required to do so but should you wish to make an application please do so by contacting your local Customer Contact Centre or calling 01633 644725.

Yours faithfully

Steve Lane  
**Highway Operation's Manager**  
**Operations Directorate**

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Our Ref:/Ein Cyf: HED/**T22**

Your Ref: Eich Cyf:

Date/Dyddiad : 28 June 2016

Dear Sir/Madam

Highway Act 1980 Section 130 : Duty to ensure Highway is unhindered

I am writing to advise you that apparatus, we believe belongs to you or bears your identity has been found illegally placed on Highway in Monmouthshire. I must remind you that it is an offence under section 149 of the Highways Act 1980 to erect such an object on the highway without consent. No permission has been given for this apparatus to be erected, so it is therefore being removed again by the Council.

Your co-operation in refraining from the activity will be appreciated, as we prefer such matters not to escalate to a prosecution. Court action is not in the interests of either party, and the courts generally favour the local authority in such cases.

You should be aware that it is the policy of the Council to prosecute people who repeatedly obstruct the highway. No further warnings will be issued to you on this matter.

Monmouthshire County Council have a policy that allows organisations, who meet the local needs, to install apparatus in the Highway. Some fees are required to do so. You should ensure, if you wish to persist with these obstructions, to make an application please do so by contacting your local Customer Contact Centre or calling 01633 644725.

Yours faithfully

Steve Lane  
**Highway Operations Manager**  
**Operations Directorate**

The person dealing with this matter is:

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Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Our Ref:/Ein Cyf: HED/**T23**

Your Ref: *Eich Cyf*:

Date/Dyddiad : 28 June 2016

Dear Sir/Madam

Highway Act 1980 Section 130 : Duty to ensure Highway is unhindered

I am writing to advise you that apparatus, we believe belongs to you or bears your identity has been found illegally placed on Highway in Monmouthshire. I have reminded you in the past that it is an offence under section 149 of the Highways Act 1980 to erect such an object on the highway without consent. No permission has been given for this apparatus to be erected, so it is therefore being removed again by the Council.

I am passing the matter to the Council's solicitors, who will now instigate legal proceedings. Our costs will be recovered through the courts.

Yours faithfully

Steve Lane  
**Highway Operations Manager**  
**Operations Directorate**



**APPLICATION : COMMERCIAL OBSTRUCTION IN THE HIGHWAY LICENCE  
TYPE E : COMMERCIAL ACTIVITY PROVISION IN HIGHWAY**  
Subject to section 50 of the New Roads and Street Works Act 1991

Agreement by both parties, to this arrangement, will require the payment of a one off approval fee and an annual licence fee to Monmouthshire County Council  
These fees are : One Off approval fee of £125 on successful application / agreement. Annual licence : less than 6m2 = £120 or 6m2 to less than 12m2 = £240 or 12m2 to 18m2 = £360.

Organisations are reminded that permission granted is subject to the full policy of Monmouthshire County Council. (copies available on request.) In particular, all proposed activity must not a) cause offence, b) Cause a traffic hazard or safety issue, c) damage street furniture by their presence, d) compromise safety if a permanent feature. e) project must be of accepted quality and be appropriate, or f) Will remove the provision immediately on the request of a Police officer, a member of the Emergency services or an Officer of Monmouthshire County Council.

I wish to apply for permission to use the Public Highway in Monmouthshire

My organisation.....

Responsible representative :.....Signature :.....

Email Address :.....Tel No. :.....

Postal Address :.....

Is the proposal adjacent to your premises :  No you may not be able to use the public highway, unless safe. continue with application

Yes continue with application

Proposal : Supply detail drawings / plans / specification as required .....

.....  
.....  
.....  
.....

Public liability insurers :.....Policy expiry date :.....

Duration :.....

Is this a permanent feature :.....

Location : Please supply detail plan and design as required for clarity.....

.....  
.....  
.....

Official use : Permission :

Given : please refer to Attachment 5 detailing criteria :  send attachment 5 with comments

Refused : please give reasons in comments :  send attachment 5 with comments

Referred to Area Engineer for comments :

Area approved from plan

Less than 6m2 £120 annual fee	6m2 to less than 12m2 £240 annual fee	12m2 to 18m2 £360 annual fee
----------------------------------	--	---------------------------------

Comments / Stipulations to licence :..include drawings and specifications that will form agreement.....  
 .....  
 .....

**Completed by Applicant:**To be completed by the responsible Person, of the business, on successful agreement to undertake the Commercial Provision.

Please return, with payments, to allow the issue of a Licence.. Please note that the comment / stipulations made above will form part of the licence. Failure to comply with the Licence will require the removal of the provision.

Please find enclosed Payments as prescribed below. I understand that (a) I will need to ensure that I comply with the Guidance, employ a suitable management regime, and in particular (b) I will ensure that my Public Liability Insurance is maintained and my Organisation will remain covered, and Monmouthshire County Council will be indemnified for the whole duration of the Licence, (c) I will ensure the Provision does not cause a hazard or safety issue. Please call 01633 644725 to arrange payment

£125 application and approval fee, one off payment per application

£..... licence fee as detailed above and appropriate to below, e.g. :-

- (iv) Café Tables and chairs
- (v) Tables and benches
- (vi) Sale rails, sale displays, furniture and items of a temporary nature
- (vii) The provision and licensing of street markets will remain with Area Services Officers who currently organise and charge market stall holders for their events

Date Licence to commence : .....

I understand that this document will form the Licence only when signed and dated below by Officer of Monmouthshire County Council. The licence will be displayed in a prominent place accessible by the Public and Monmouthshire County Council Officers and within sight of the Commercial provision.

Signed : Responsible representative : (As application above).....

Signature : .....Date : .....





**LICENCE FOR COMMERCIAL ACTIVITY SECTION 50**

Reference :

Official use : The Licence in force when : This document and applicable stipulation / drawings received and

Approval fees  Yes :

Licence Agreed  Yes

PLAN

Signed : \_\_\_\_\_ Date : \_\_\_\_\_  
Licence to place Provision within the Area defined above and agreement until,  
**DATE**.....

Should you wish to enquire, or have concerns, about the provision detailed in the agreement above please contact Monmouthshire County Council via the Customer Contact Centre or [Highways@monmouthshire.gov.uk](mailto:Highways@monmouthshire.gov.uk)

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# MONMOUTHSHIRE COUNTY COUNCIL

## COMMUNITY PROVISION POLICY

### 1. Introduction

1.1 Community supported activities form part of a vibrant street scene. This policy aims to help coordinate, reduce the risks involved and provide a system that can be managed and readily understood. Unfortunately in drawing in the Commercial activities to a robust policy means that in order to prevent misuse then all activity needs to be managed fairly. The policy makes no provision for an annual licencing fee, but a one off licence charge will be made to cover the administration costs.

### 1.2. What is a Community Provision?

Community Provisions' are defined as, not for profit or fund raising activities provided to improve the Highway Street scene. They can include the following activities, or activities of a similar nature:-

- (i) Community Council notice boards
- (ii) Memorial benches, trees, planting areas
- (iii) Community sponsored planting areas, street furniture and permanent features

This Policy will not cover those events covered by the Temporary Entertainments Notices (TEN's) or the Safety Advisory Group (SAG) process, which are by nature not permanent features in the highway. These will continue to be coordinated under the New Roads and Street Works Act 1991 and administered by the Highway Network Management Section.

The provision and licensing of street markets will remain with Area Services Officers who currently organise and charge market stall holders for their events

### 1.3 The problems of Community provision

These provisions, because they are unmanaged, often lead to confusion about ownership and long term maintenance regimes, or create unnecessary risks and hazards to highway users. A single system aimed at approving and registering these provisions will allow Monmouthshire County Council to ensure its duty to 'assert and protect the rights of the public to the use and enjoyment of any highway'.

### 1.4 Legislation

- (i) Under section 130 of the Highway Act 1980 (1) it is the Duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste which forms part of the it.
- (ii) Under section 149 of the Highway Act 1980 (1) if anything is so deposited on a highway as to constitute a nuisance, the highway authority for the highway may by notice require the person who deposited it there to remove it forthwith.....
- (iii) Under section 149 of the Highway Act 1980 (2) if the highway authority for any highway have reasonable grounds for considering –
  - a. That anything unlawfully deposited on the highway constitutes a danger.....to the users of the highway, and
  - b. That the thing in question ought to be removed without the delay involved in giving notice.....Under this section, the authority may remove the thing forthwith

## **2. Methods of Prevention**

The Council aims to prevent illegal Community Provision at source. Applications are normally made to Monmouthshire County Council at an early stage and by guiding applicants through this process will provide the prevention method. By circulating the new policy to all Community Councils, either at consultation or implementation stage it will again provide a degree of prevention.

### **2.1 Highway activity**

The Highway Operations Department have a limited activity in this area, most are trying to resolve historical provision or dealing with applications made through the Community Councils.

### **2.2 General**

This Authority is committed to helping and engaging the community when requested. No formal approach exists and applications are treated personal experience and not through official guidance.

## **3. Our Approach**

3.1 This Authority recognises the need, and the desire, for Local Community provision. It does not therefore seek a 'zero tolerance' approach, recognising the difficulties this would present to charitable and community groups, statutory bodies and others.

3.2 enforcement action is likely to be minimal. Someone wishing to place a permanent structure, such as a seat, will normally contact the council to seek advice. A process is outlined in attachment 2 in order to provide consistency and clarity.

3.2 Any complaints regarding community provision will in the first instance be recorded at our Customer Service Centre ( CCC ). A 'process map' outlining the procedure for dealing with community provision is provided in Attachment 1. Staff at the CCC's will be updated to reflect recent changes in both legislation and personnel (notably in Highways). Highways would be the first point of reference for any community provision complaints, referring to colleagues in other teams where the situation demands – as outlined in Section 2 above. The 'one point of reference' will allow the Authority to measure numbers of complaints, any trends, and our effectiveness.

3.3 It is the view of Officers in Highways that they deal with their elements of existing legislation, because of their professional and competent approach. This policy will allow Highway Engineers to manage and determine compliance with the Highways Act provisions with more confidence. Better joint working, with improved communication, between those teams who maintain open spaces, will help ensure acceptance throughout the organisation. For example, a provision request made to the Highway Department on a Public Right of Way can be relayed to Countryside directly with an understanding that they will manage any provision.

3.4 Retrospective applications will not be pursued.

3.5 Highways staff, in the interests of clarity, will adopt the following prescribed approach:

Organisations are permitted to apply under this provision, provided they :-

- do not cause offence

- do not cause a traffic or pedestrian hazard or safety issue in any way
- do not damage hardware by their presence
- are of presentable and safe in quality
- are maintained, where stipulated in the agreement, by the organisations concerned

#### Approved Organisations

The list of approved organisations, determined by the Highways Section, will be strictly limited. Initially it will include:

- Community Councils
- Community groups supported by the Community Council
- Statutory organisations, such as the NHS, Fire or Ambulance
- Registered Charities, such as the guide dog association
- Legitimate not-for-profit advertisers approved from time to time to provide public information. The local Church notice board or a Scouts group wishing to plant an apple orchard.

The Head of Highways may extend the list of approved organisations, by written permit in exceptional circumstances. Applicants will be expected to demonstrate support from the local community is real.

The following organisations are expressly not permitted to erect signs:

- Commercial businesses or members of the Public who cannot demonstrate the support of the Community, either the Community County Council or the County Council elected member for the locality of the application.
- Party political organisations

3.6 Approved organisations who fail to observe the Council's conditions may have their permit withdrawn and may risk prosecution.

#### **4. Outcomes**

4.1 The outcome sought is to ensure a quick and effective response to requests. By consistent recording of requests and successful applications, working together better with early intervention, resolution and enforcement of problems will limit the current confusion.

4.2 Officers involved with the policy will ensure all relevant Officers, including Customer Contact Centre staff, are aware of the content of this policy and monitor compliances, to update their procedures and provide some training.

4.3 The policy will be reviewed every 12 months to determine whether it assists in reducing fly posting in Monmouthshire.

#### **5. Report Contributors**

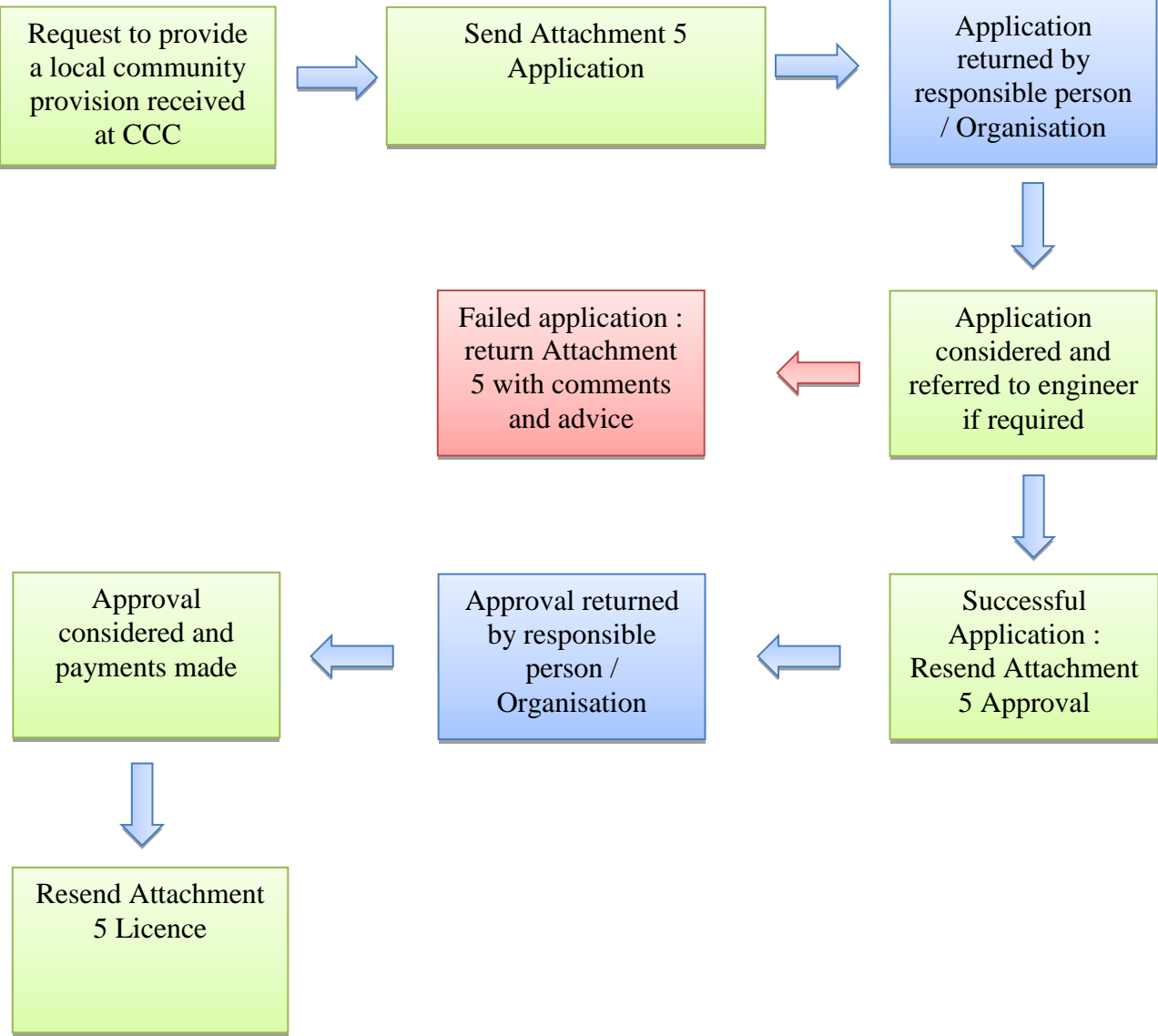
#### **6. Report Authors –**

Monmouthshire County Council, Highways Operations

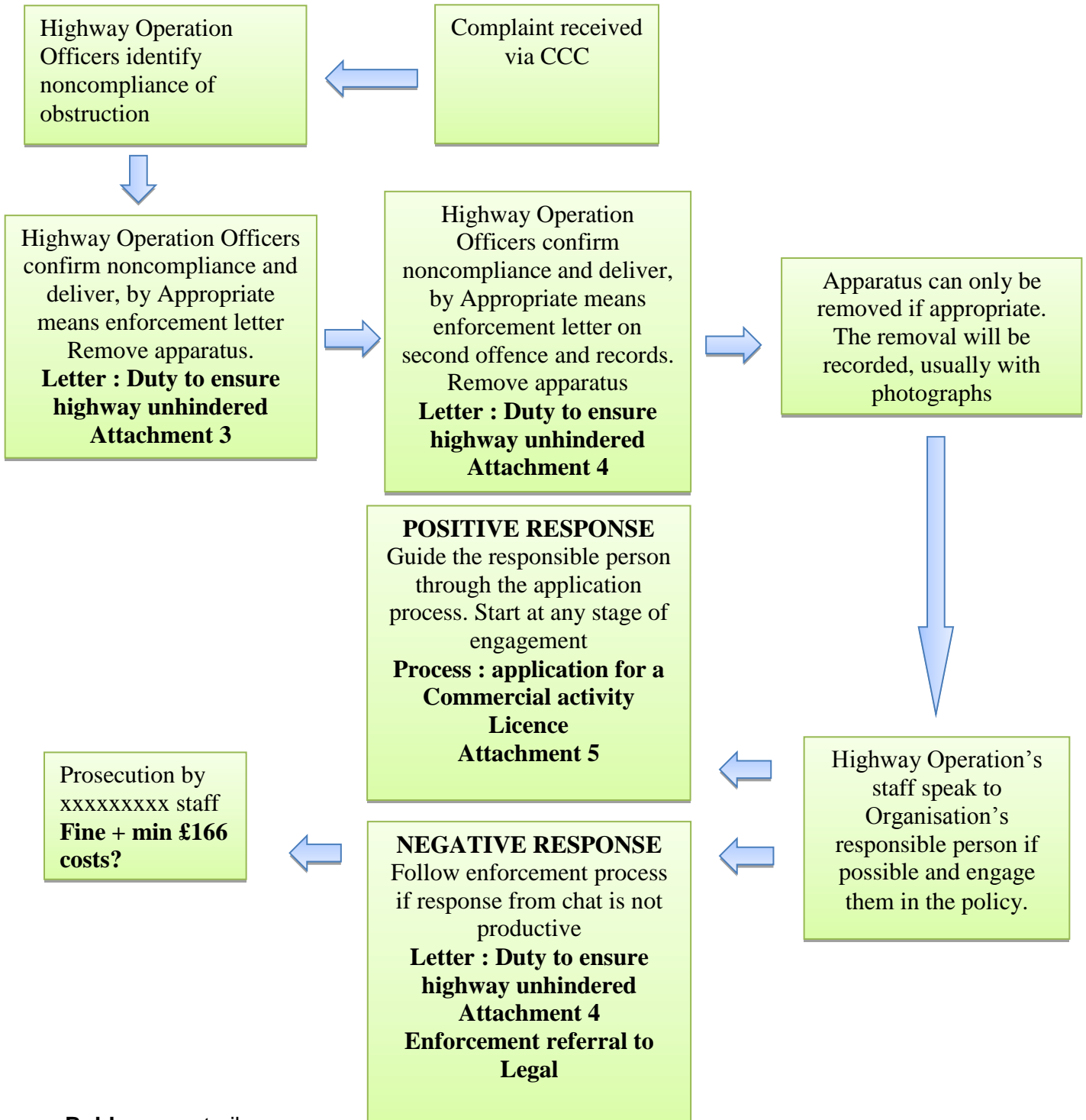
Attachment 1

### **Attachment 1**

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**ENFORCEMENT FLOW**



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Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Our Ref:/Ein Cyf: HED/ **T21**

Your Ref: *Eich Cyf*:

Date/Dyddiad :

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Yours faithfully

Steve Lane  
**Highway Operations Manager**  
**Operations Directorate**



The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Our Ref:/Ein Cyf: HED/**T22**

Your Ref: Eich Cyf:

Date/Dyddiad : 28 June 2016

Dear Sir/Madam

Highway Act 1980 Section 130 : Duty to ensure Highway is unhindered

I am writing to advise you that apparatus, we believe belongs to you or bears your identity has been found illegally placed on Highway in Monmouthshire. I must remind you that it is an offence under section 149 of the Highways Act 1980 to erect such an object on the highway without consent. No permission has been given for this apparatus to be erected, so it is therefore being removed again by the Council.

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Yours faithfully

Steve Lane  
**Highway Operations Manager**  
**Operations Directorate**

The person dealing with this matter is:

Highway Enquiry Desk

Tel.No./Ffôn: 01633 644725

Fax/Ffacs: 01633 644725

Email/Ebost:

Our Ref:/Ein Cyf: HED/**T23**

Your Ref: Eich Cyf:

Date/Dyddiad : 28 June 2016

Dear Sir/Madam

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I am passing the matter to the Council's solicitors, who will now instigate legal proceedings. Our costs will be recovered through the courts.

Yours faithfully

Steve Lane  
**Highway Operation's Manager**  
**Operations Directorate**



**APPLICATION : COMMERCIAL OBSTRUCTION IN THE HIGHWAY LICENCE  
TYPE D : COMMUNITY ACTIVITY PROVISION IN HIGHWAY**  
Subject to section 50 of the New Roads and Street Works Act 1991

Agreement by both parties, to this arrangement, will require the payment of a single approval fee, but may include an appropriate maintenance agreement, by the applicant, to Monmouthshire County Council  
These fees are : on successful application a £0 administration

Organisations are reminded that permission granted is subject to the full policy of Monmouthshire County Council. (copies available on request.) In particular, all proposed activity must not a) cause offence, b) cause a traffic hazard or safety issue, c) damage street furniture by their presence, d) compromise safety if a permanent feature., or e) may be subject to a maintenance agreement. A project must be of accepted quality and appropriate .

I wish to apply for permission to erect a 'Feature' on the highway in Monmouthshire

My organisation.....

Responsible representative :.....Signature :.....

Email Address :.....Tel No. :.....

Postal Address :.....

Seek support of Community Council or permission refused.

Confirm support of Community Council and attach

Proposal : Supply detail drawings / plans / specification as required .....

.....  
.....  
.....  
.....

Public liability insurers :.....Policy expiry date :.....

Is this a permanent feature :.....

Location : Please supply detail plan and design as required for clarity.....

.....  
.....  
.....  
.....



Official use : Permission :

Reference :

Given : please refer to Attachment 6 detailing criteria :

Yes

send attachment 6 with comments

Refused : please give reasons in comments :

Yes

send attachment 6 with comments

Referred to Area Engineer for comments :

Yes

No

Comments / Stipulations to licence :..include drawings and specifications that will form agreement.....

.....  
.....  
.....

Signed : Date :

**Completed by Applicant:**To be completed by the responsible Person, of the business, on successful agreement to undertake the Community Provision.

Please return, with payments, to allow the issue of a Licence.. Please note that the comment / stipulations made above will form part of the licence. Failure to comply with the Licence will require the removal of the provision.

Please find enclosed Payments as prescribed below. I understand that (a) I will need to ensure that I comply with the Guidance and in particular (b) I will ensure that my Public Liability Insurance is maintained and my Organisation will remain covered, and Monmouthshire County Council will be indemnified for the whole duration of the Licence, (c) I will ensure the Provision does not cause a hazard or safety issue. Please call 01633 644725 to arrange payment, (d) I will ensure the 'Feature' is maintained and kept safe, as stipulated in the licence, and or removed, at the cost of the Licensee

£0 application and approval fee, one off payment per application as below, e.g. :-

- a) A permanent feature, such as memorial bench.
- b) A permanent feature, such as a Community planting area or notice board

Date Licence to commence :.....

I understand that this document will form the Licence only when signed and dated below by Officer of Monmouthshire County Council.

Signed : Responsible representative : (As application above).....

Signature :.....Date :.....



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<p><b>Name of the Officer</b> completing the evaluation Steve Lane</p> <p><b>Phone no:</b> 07885 225972 <b>E-mail:</b> stvelane@monmouthshire.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>This report will allow obstructions in the Highway to be officially placed under a new policy and licencing regime. This will remove a degree of uncertainty about what a Citizen can expect.</p>
<p><b>Name of Service;</b> MCC Highways Operations</p>	<p><b>Date Future Generations Evaluation</b> 20/06/2016</p>

Page 35





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


Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>The proposal will reduce street clutter and some of the risks associated with uncontrolled Commercial Obstructions on the Highway.</p>	
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>		
<p><b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood</p>		

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected</p>	<p>The new management procedure, this policy, will bring some certainty to the current situation, which is fragmented and does not encompass all aspects.</p> <p>Commercial Obstructions already exist, it is the proposal to formally agree / licence these Commercial Obstructions that will provided the positive impact</p> <p>Supporting retail in particular helps to sustain the prosperity of our town centres with all of the knock on benefits to employment and the sustainability of our towns as attractive places to visit and live in.</p>	<p>Reinvestment of some raised income into local signing, allowing Businesses to advertise away from their frontages or, provide business opportunities adjacent to them, but in a controlled manner will help provide a positive outcome</p>
<p><b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>		
<p><b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation</p>		
<p><b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances</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>Ultimately bringing together existing guidance and policy into one place will simplify Consultation and fact finding with engagement of, Citizens, Business, other Authorities, CAIR, Legal, Planning, and front line Teams will ensure balance and a long term stable policy.</p>	
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>		
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>There have been several rounds of consultation with many stakeholder groups as detailed in the report. These have enabled a proposal that seeks to balance the needs of a vibrant, prosperous Monmouthshire with the need to protect the highway user</p>	
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>Controlling the proliferation of uncontrolled obstructions will protect MCC and stakeholders, reducing risk and exposure to hazards and claims. The policy will provide a robust protocol that will ensure the following to prevent adverse outcomes</p> <p>Review of policy after year one and then as appropriate. Routine inspections to highlight hazards.</p> <p>Rigorous enforcement procedures in place that are communicated to all Staff involved in the process</p> <p>Clear / consistent guidance given to applicants</p>	

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p data-bbox="147 341 315 379">Integration</p> <p data-bbox="331 213 517 400">Positively impacting on people, economy and environment and trying to benefit all three</p>	<p data-bbox="546 213 1310 363">The new regime reflects feedback from various stakeholders and seeks to balance the need for a vibrant Business Community with that of a clean safe environment for those using the Public Highway</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			
Disability	The proposal will reduce street clutter and some of the risks associated with uncontrolled Commercial Obstructions on the Highway.	Positive feedback has been received to the proposal	People will be able to see, and understand, what can be expected in relation to an obstruction they may expect to encounter
Gender reassignment			
Marriage or civil partnership			
Race			
Religion or Belief			
Sex			
Sexual Orientation			
Welsh Language			

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

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	No safeguarding or parenting implications are anticipated as a result of these proposals		
Corporate Parenting			

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

Extensive consultation has taken place whilst arriving at the proposals,. This has been with local councils, chambers of commerce, and locally representatives of disabled groups (through CAIR). Individuals have also been invited to comment through a consultation process. Information about this has been provided within the policy documents, sent to local councils and brought to the attention of interested groups.

Clarity for the business and the citizen will be made. Clear licence stipulations, clearly displayed and rigorously enforced will ensure Citizens will experience a Highway with reduced clutter that will help fulfill MCC Duty to assert and protect the rights of the Public to the use and enjoyment of any Highway for which they are the Highway authority.

A need for Businesses to advertise is evident, they are doing so in an uncontrolled way at present. Business's were keen, during consultation to provide a way forward that provides clarity and consistency . the policy has taken into account their concern at the cost of such a scheme. These concerns have been adressed in this proposal.

The desire for a street scene clear of all obstruction was seen as a desire by Representatives of Disabled groups ( CAIR ), although a need for consistency and clarity was viewed as a more achievable aim

Evidence, from other Authorities, means we will be undertaking control, licencing and enforcement in a similar way. Fees and charges are also at or substantially below those made by many of the Authorities.

**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?**

Clarity for the business and the citizen will be main achievement.

Safe guarding the Highway user, protecting them from hazards while protecting MCC from risk make this policy worth while

Guidance and Licencing will affect business flexibility and fees will affect their budgets, these have been mitigated by proposing single, one off, administration fee for A boards and low fees for other business use.

Investigation into charges made by other Authorities in this area have been made and the policy reflects the needs for Business to flourish

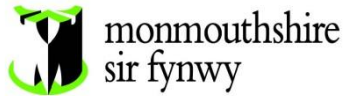
**7. Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.**

What are you going to do	When are you going to do it?	Who is responsible	Progress
Review Policy once accepted	Review after year one and then as required or when changes are required	Highways Operations Manager	

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

The impacts of this proposal will be evaluated on:

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**SUBJECT: Review of Earmarked Reserves**

**MEETING: Cabinet**

**DATE: 6<sup>th</sup> July 2016**

**DIVISION/WARDS AFFECTED: All**

## 1. PURPOSE:

- 1.1 To review the level of earmarked reserves held by the Council at the end of 2015/16, the rationale for each reserve and the protocols for using them.

## 2. RECOMMENDATIONS:

- 2.1 That Cabinet approve the revised protocols for the use of Earmarked reserves contained in the Policy on Earmarked Reserves at Appendix 1 to ensure purposeful use of earmarked reserves.

## 3. KEY ISSUES:

### Background

- 3.1 Cabinet received a review of reserves in 2012, at that time the Council had £18m in earmarked reserves and £6.2 million in general reserve. At the end of 2015/16 the Council had £9.2 million in earmarked reserves and this is expected to reduce to £6.2 million by the end of 2016/17. The general reserve balance has slightly increased to £7 million and is expected to be maintained at this level over the medium term. Replenishment of reserves over this period has been limited to circa £570k from underspends in 2015/16, however there have been opportunities to redistribute reserves as the need for funds such as Single Status reserve expired. The overall use of ear marked reserves has totalled £9 million and has resulted in a 50% reduction in earmarked reserves over the 4 year period, which is a much faster reduction in the use of these reserves than was expected at the last review. The balance on earmarked reserves expected at the end of 2015/16 in the last review was £11.2 million, compared to the actual balance of £9.2 million.

- 3.2 In summary the main uses of the earmarked reserves has included:

- Redundancy costs £1.9 million
- Invest to redesign £2.2 million, including budget implementation, innovation centre, Adults social care transformation and social care system
- Priority Investment £2.3 million – including Raising education standards and IT technicians for schools £850k, social care £600k, business related £375k, People services strategy £150k,

- IT Investment £1.2 million
- Capital funding to release assets or support capital programme £1.5 million
- Treasury Equalisation - £340k
- Service reserves – Elections and Grass routes £200k

3.3 A further £3 million of earmarked reserves is planned to be used in 2016/17, taking the balance on earmarked reserves to £6.2 million

It is important that all councils undertake periodic reviews of reserves which considers:

- The rationale for keeping each reserve, with reference to the council's future spending plans
- The funds needed
- How long reserves have been held and projections for using them, which should be monitored.
- The protocols for the management of reserves

### Definitions of Reserves

3.4 Local Authorities in following proper accounting practices, provide a Movement in Reserves Statement as part of the Local Authority financial statements. This statement presents the movement in the year of reserves of the authority analyses into 'usable' and 'unusable' reserves.

3.5 This report is concerned with Usable reserves rather than Unusable reserves. Unusable reserves arise out of the interaction of legislation and proper accounting practice, either to store revaluation gains or as adjustment accounts to reconcile accounting requirements driven by reporting standards to statutory requirements. These reserves are not resource backed and cannot be used for any other purpose.

3.6 Usable reserves are referred to as cash-backed reserves that can be used to fund future expenditure. As at 31 March 2016 the Council held the following usable reserves:

	31/03/14 £000	31/03/15 £000	31/03/16 £000
General Fund Balance	7,080	6,991	6,989
Schools reserves	988	1,140	1,156
Earmarked Reserves	13,249	10,980	9,269
<b>Total revenue reserves</b>	<b>21,317</b>	<b>19,112</b>	<b>17,415</b>
Capital receipts	8,023	17,629	5,423
Capital Grants unapplied	953	3,130	2,546



Some of these reserves are subject to restrictions on their usage. These include:

Schools Reserve – for use in schools as governed by the Fair Funding Scheme for Financing schools,

Capital Grants Unapplied – this will relate to specific capital projects and will be restricted by the grant terms and conditions

Capital Receipts – this holds the proceeds from the sale of assets and in accordance with regulations these funds can only be used for capital purposes or set aside to repay debt. From April 2016 WG has provided additional flexibilities for Local Authorities to spend 100% of capital receipts from asset sales on the revenue costs of reform projects. Given the pressures on the capital programme, the need to minimise the cost of debt in the revenue account, and the fact that MCC has an earmarked reserve for invest to save projects it is unlikely that capital receipts will be drawn on for this purpose.

### **General Reserve (Unallocated reserve)**

- 3.7 This is a working balance to help cushion the impact of uneven cash flows to avoid unnecessary temporary borrowing and to provide a contingency to cushion the impact of unexpected events or emergencies. There is no prescriptive guidance on minimum or maximum reserves. The authority needs to assess the strategic, operational and financial risks facing it when assessing the adequacy of the general reserve. A WAO report indicated that of the 50% of authorities that did set a minimum level, they typically range between 3 and 5% of net revenue expenditure.
- 3.8 In Monmouthshire a range of between 4 and 6% of net revenue expenditure has been used. Unlike some other Authorities, Monmouthshire has no contingency within the base budget to help cushion the impact of unexpected variations and so relies on its general reserve for this purpose. The Authority's risk register is reviewed when assessing the level of reserves required at budget setting and this is reported to Cabinet and Council. As can be seen in the table above the general reserve has remained fairly constant over the period and at the end of 2015/16 represented 5.1% of net revenue expenditure. Whilst comparisons can be difficult because each authority faces its own particular set of circumstances and risks, some comparisons are published based on the number of day's turnover covered by unallocated reserves. Based on 2014/15 data, the average for Wales was 10 days turnover is covered by unallocated reserves, with a range from 3.4 days to 17.2 days. The figure for Monmouthshire was 14.3 days. The level of the general reserve will continue to be reviewed annually as MTFP work progresses, to ensure is it sufficient for the level and type of risks to which the authority is exposed.

### **Earmarked reserves**

- 3.9 These reserves are a means of building up funds to meet known or predicted requirements. Reviews completed by WAO in 2012 and more recently by the Welsh Government, identified varying levels of disclosure and clarity about the purpose, use and expected timing of use of earmarked reserves as part of the statutory accounts process. In MCC information is regularly provided throughout the year on earmarked reserves as part of

budget forecasting reports, at budget setting stage through reports to Cabinet and Council as well as in the Statement of Accounts.

- 3.10 However, given the last review of reserves was carried out in 2012 and the depletion of reserves in recent years, a further review is considered timely as the Authority faces the next four years of continued austerity. In terms of comparisons with the rest of Wales the average level of earmarked reserves as a percentage of gross revenue expenditure in 2014/15 was 12% with a range of between 3% and 24%. The comparative figure for Monmouthshire was 6% and so at the low end compared to others. Whilst comparisons may be useful, the levels of reserves required in any given authority needs to be assessed against the situation of that Authority, as each authority will be in a different place in relation to the risks they face. The attached review supplements the information provided during the year relating to reserves and focuses on developing clearer protocols for the management of reserves.
- 3.11 As reserves have been used extensively and there is less opportunity to replenish reserve balances as budgets get tighter, earmarked reserves need to work harder to help the Authority through the financial challenges and risks it faces. Reserves should not be used to plug the funding gap and fund on going expenditure, they are needed to help with one off costs to invest and transform services so that they can operate within a reduced financial envelope. Having clearer protocols and responsibility assigned can help to ensure the return from the use of reserves in the future is maximised. The benefits/return from any reserve investment should be monitored as the investment takes place and reviewed once the investment is complete to ensure the expected benefits have been delivered and to gain the learning for future investment decisions.
- 3.12 Given the forecast use of earmarked reserves that was being projected through the 2015/16 budget monitoring reports, Cabinet has already approved some changes in practice to ensure that earmarked reserves remain adequate for the Medium Term Financial Plan:
- Increase workforce planning and redeployment to reduce the need for reserves to cover redundancies
  - Any request for reserve funding must first explore whether existing budgets, or external funding sources can be used for the proposal accepting this may require a change in priorities if existing budget are used
  - Use of reserves to implement budget savings must use the saving first to repay the reserve
  - IT investment bids will need to be considered in the core capital programme when the IT investment reserve is extinguished, this may necessitate displacing some of the core capital programme allocations depending on the priorities agreed
- 3.13 This has now been incorporated into a more thorough review of the protocols that should be attached to each earmarked reserve and is included in the Policy on Earmarked Reserves in Appendix 1 attached. If action is not taken to slow down the use of earmarked reserves through tighter protocols, consideration will increasingly need to be given to budgeting to replenish reserves or including in the base budget requests that would normally have been funded by reserves, both of which will increase the resource gap in the MTFP and the need for a greater extent of revenue savings and upheaval to services.

As redundancy and pension strain costs have become an on-going feature of today's financial climate, school based redundancies are now contained in the base budget. Including other general redundancy costs as part of the base budget needs to be considered as part of the MTFP.

#### **4. REASON**

A review was necessary due to:

Faster than expected use of earmarked reserves over the last 4 year period  
Limited opportunities to replenish reserves from in year underspends as budgets get tighter  
Limited opportunities to redistribute reserves as various reserves are used up  
Risks around the on-going austerity measures, the projected gap in the MTFP and the lack of clarity on the Authority's future business model or longer term financial plan to respond to this, notwithstanding the work recently commenced around 'Future Monmouthshire'.  
Huge commitment of capital resources to Future Schools  
The need for reserves to work harder  
The need to consider some issues as requiring base budgets rather than continued funding from reserves e.g. redundancy costs are unfortunately going to be an ongoing feature of expense for the Authority every year.  
To comply with best practice regarding the management and review of earmarked reserves and the Financial Procedure Rules within the Authority's constitution.

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

None arising directly from this report. The governance arrangements outlined in this report are designed to ensure that the appropriate resource implications are considered when earmarked reserves usage or replenishment is being considered.

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

The Future Generations process has been completed and the form is attached at Appendix 2

#### **7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:**

NONE

#### **8. CONSULTEES:**

SLT  
Monitoring officer  
Audit Committee on 30<sup>th</sup> June 2016

#### **9. BACKGROUND PAPERS: Nil**

#### **10. AUTHOR: Joy Robson**

**11. CONTACT DETAILS:**

**Tel: 01633 644270**

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

## APPENDIX 1 – Policy on Earmarked Reserves

### 1 Definitions of Reserves

Local Authorities in following proper accounting practices, provide a Movement in Reserves Statement as part of the Local Authority financial statements. This statement presents the movement in the year of reserves of the authority analyses into 'usable' and 'unusable' reserves.

This Policy is concerned with Usable reserves (in particular earmarked reserves) rather than Unusable reserves. Unusable reserves arise out of the interaction of legislation and proper accounting practice, either to store revaluation gains or as adjustment accounts to reconcile accounting requirements driven by reporting standards to statutory requirements. These reserves are not resource backed and cannot be used for any other purpose.

**Usable reserves** are referred to as cash-backed reserves that can be used to fund future expenditure.

The General Reserve is a working balance to help cushion the impact of uneven cash flows to avoid unnecessary temporary borrowing and to provide a contingency to cushion the impact of unexpected events or emergencies.

However some usable reserves are subject to restrictions on their usage. These include:

Schools Reserve – for use in schools as governed by the Fair Funding Scheme for Financing schools,

Capital Grants Unapplied – this will relate to specific capital projects and will be restricted by the grant terms and conditions

Capital Receipts – this holds the proceeds from the sale of assets and in accordance with regulations these funds can only be used for capital purposes or set aside to repay debt. From April 2016 WG has provided additional flexibilities for Local Authorities to spend 100% of capital receipts from asset sales on the revenue costs of reform projects. Given the pressures on the capital programme, the need to minimise the cost of debt in the revenue account, and the fact that MCC has an earmarked reserve for invest to save projects it is unlikely that capital receipts will be drawn on for this purpose.

Earmarked reserves are a means of building up funds to meet known or predicted requirements and it is the protocols around the management of these reserves that are considered below:

### 2. Holding Earmarked Reserves

The Council recognises the need to hold and maintain earmarked reserves but also recognises the opportunity cost of holding balances as reserves. For this reason it is important to set out clearly, and regularly review the framework through which reserves

are managed. Management of reserves is a key tool of the Council's overall MTFP and financial resilience over the longer term, key to this is the need to ensure resources are effectively focussed on priorities and risk can be managed.

### **3. Building Earmarked Reserves**

The Head of Finance is authorised to annually review and recommend the appropriate level of earmarked reserves during the budget setting process and at the end of the financial year, taking into account all relevant factors at the time of the review.

Earmarked reserves may be established, as part of setting the budget for a specific purpose to be used in the future. Or they can be created at the end of the financial year if the final outturn allows the creation of a new reserve or the addition to an existing reserve. Responsibility for the approval of adding funds into earmarked reserves is for Cabinet.

### **4. Using reserves**

Earmarked reserves can only be used for the purpose for which they were created. Cabinet, however, can change the use of the earmarked reserves if it so wishes or move funds between reserves. Earmarked reserves must have Cabinet approval before they are used for a specific purpose, unless there is another specific mechanism for approval as outlined in the table below.

Any request for reserve funding must first explore whether existing budgets, or external funding sources can be used for the proposal accepting this may require a change in priorities if existing budget are used

The Cabinet, on the recommendation of the Head of Finance, can eliminate or reduce the funds in the earmarked reserves by adding them to the general reserve.

Earmarked reserves can only be used once and so should not be held to fund on-going expenditure.

The use of reserves is reported to members on a quarterly basis as part of the budget forecasting reports to Cabinet and Select committees.

### **5. Risk Analysis**

Any recommendations on the planned use of reserves needs to take account of the significant risks facing the council. This analysis forms part of the final budget report to Cabinet and Council and includes consideration of the following:

- Future funding gap and continuing low settlements
- Pressures arising from such issues as increasing demand, new and changing legislation, changes in the wider economy and hard to predict events.
- Grant funding streams being reduced or stopped at short notice
- Capital receipts and other income streams not being achieved
- Saving proposals not being delivered and increased demand on services leading to overspends

- Uncertainty in financial markets and the wider economy
- Factors affecting partners working closely with the Council

## 6. Rationale for keeping each reserve

Earmarked reserves have been set up where there has been a need to set aside resources for a specific future purpose. The purpose of each earmarked reserve is detailed below. Utilisation of these reserves is under the control of the Cabinet and will require approval by it, unless specifically stated otherwise.

<b>Earmarked reserve</b>	<b>Rationale for reserve</b>	<b>Funds needed</b>	<b>Protocol – procedures for management and control of the reserve</b>
Invest to redesign	To fund service redesign to either improve the service, generate income or reduce costs	Investment in projects of an transformational nature	Business case justification of one off investment, must relate to delivery of MTFP and the strategic direction of the Authority as agreed by Council. Must also provide evidence of exploring the use of existing budgets first. Any savings made as a result of the investment must first repay the reserves wherever possible.
IT Transformation reserve	To invest in information technology in support of the organisations outcomes and generation of improved service efficiency, income generation or cost savings.	ICounty strategy Digital by default Big data	Business case submission through the Digital Board
Capital Investment reserve	To finance future capital expenditure	Considered when reviewing the capital MTFP, or to fund unexpected overspends outside of the Authority's control.	Approval to use this funding source is a part of the capital budget and capital MTFP process. Any extraordinary overspends or new schemes requiring funding via this reserve would require Council approval as this would be a change to the capital budget.
Priority Investment reserve	To fund additional one off investment in the Authority's agreed priorities	To address specific issues which are preventing the Authority from achieving its specific priorities. Examples include investment to improve standards in schools, and investment to improve the outcomes for looked after children, and vulnerable adults.	Business case will need to demonstrate the outcomes to be achieved and how the results of the investment will be measured either by quantitative or qualitative KPIs
Redundancy and Pensions Reserve	To meet redundancy costs and commuted payments for early	Link with People Strategy, need to minimise call by	Business case for changes to posts/structures which leads to associated redundancy or pension strain costs needs to demonstrate

	retirements over a maximum of 5 years.	improved workforce planning	ongoing saving as a result, to be paid for if possible from savings arising from the restructure.
Insurance and Risk Management reserve	To meet excesses and administration costs on claims against the Council, to provide cover on self-insured risks and contribute to risk management activities	Actuarial valuation of outstanding insurance claims on a periodic basis (normally every 4 years). Annual assessment of changes to claims experience	Insurance cost centre managed through year to minimise impact on reserve.  Business case assessment of risk management activity to demonstrate investment reduces claims activity/exposure
Treasury Equalisation reserve	Originally created from rescheduling discounts and premia, intended for use under the concept of prudence to permit a long term view to be taken of treasury decisions.	The Future schools programme more than doubles the existing capital programme and the Authority's funding requirements. Timing of receipts and interest rate forecasts all introduce a risk which is increased in size due to the program	Treasury forecasts as part of the MTFP are provided and assessed for volatility over the medium term. Use of the reserve will form part of the MTFP process to smooth out the impact of cashflows on the revenue account.
Capital Receipt Generation Reserve	Securing capital receipts is a vital element of the Authority's capital investment strategy. Improving the final disposal value by investment, either in the fabric of the asset or by proper disposal expertise ensures the Council obtains the best possible value for surplus assets.  Current accounting regulations are such that investing in disposal must be taken against the revenue account and these costs cannot be fully offset against the ultimate capital receipt. The reserve has been established to finance such expenditure.	In accordance with the Asset management plan and County farms strategy.	Estimate of requirement to use this funding mechanism should be made when the approval for selling the asset is sought, so generally captured as part of the Capital budget/MTFP process and approved through Cabinet and Council. Enhancing expenditure needs to demonstrate increased value/return on investment.
Museums Acquisitions Reserve	To receive donations to purchase exhibits for display to general public enhancing the visitor experience to the County	To purchase exhibits	Must demonstrate exhibit is of value to enhancing overall visitor experience, of relevance to the area and enhancing existing collection
Elections Reserve	To fund local elections every 5 years	A constant contribution to the reserve is budgeted every year so that in	A budget to undertake the local election needs to be estimated as part of the budget process in the year prior to the election taking



		year 5 there is sufficient funds to pay for the local election	place. This will enable a budget to be included in the revenue account and funded from reserves in an election year.
Grass Routes Buses Reserve	To replace buses	Originally grant funded and income derived from scheme is ring fenced, so that any balance on the cost centre at the year end is carried forward in this account.	Requirement to fund replacement vehicles or purchase new vehicles needs to be supported by a business case reviewing the options available.
Youth Offending Team	The Authority has lead authority status for administering funds on behalf of other partner organisations in relation to this function.	Under and overspends on the in-year running costs associated with the service are accommodated through holding a balance in reserve.	Protocol for maintaining and using the reserve for this partnership should be included in the agreements in place which govern the operation of the partnership. In the absence of such agreements, recommendations to use or contribute to the reserve should be agreed amongst the partners
Building Control trading reserve	Building Control enforces the Building (Local Authority Charges) Regulations 2010 to ensure building construction is carried out in a safe manner alongside the control of dangerous structures and demolitions. The Regulations state that a "break even" position should be maintained on the chargeable trading element and an earmarked reserve for surpluses and losses be set up and reviewed over a suggested three year rolling basis.	Under and overspends on the in-year running costs associated with the chargeable service are accommodated through holding a balance in reserve.	Use of the reserve to invest in the service would require a business case to demonstrate the benefits to be derived and the specific measures to assess success.
Outdoor education centres trading reserve	The Authority has lead authority status for administering funds on behalf of other partner organisations in relation to this function.	Under and overspends on the in-year running costs associated with the service are accommodated through holding a balance in reserve.	Protocol for maintaining and using the reserve for this partnership should be included in the agreements in place which govern the operation of the partnership. In the absence of such agreements, recommendations to use or contribute to the reserve should be agreed amongst the partners
CYP Maternity cover	An SLA between the Authority and the schools regarding the volatility of costs associated with maternity cover requires that any	Under and overspends on the in-year position are accommodated through this reserve.	Expenditure on maternity cover will be monitored through the year, in accordance with the SLA between the schools and the Authority. If the reserve is insufficient to cover an overspend position the balance

	underspends are carried forward in a reserve and overspends funded via the reserve		would need to be funded through the revenue account.
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This policy will be subject to periodic review and approval by Cabinet.

#### SUMMARY POSITION

		2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Account	Cat2(T)	B/F	B/f	C/F	C/F	C/F	C/F
<b>Council Fund</b>							
Council Fund (Authority)		-6,184,035	-6,184,035	-7,061,035	-6,971,903	-6,970,143	-6,970,143
School Balances		-1,024,684	-1,024,684	-772,684	-924,672	-940,802	-940,802
<b>Sub Total</b>		<b>-7,208,718</b>	<b>-7,208,718</b>	<b>-7,833,718</b>	<b>-7,896,574</b>	<b>-7,910,944</b>	<b>-7,910,944</b>
<b>Earmarked Reserves:</b>							
<b>Invest to Redesign</b>							
		-3,563,989	-3,228,444	-2,208,161	-1,483,522	-1,298,155	-639,943
<b>IT Transformation</b>							
		-1,651,656	-1,382,573	-946,845	-639,840	-826,835	-577,974
<b>Insurance and Risk Management</b>							
		-1,717,576	-1,522,862	-1,968,388	-2,250,388	-1,236,396	-1,236,396
<b>Capital Receipt Generation Reserve</b>							
		-518,707	-331,803	-244,246	-460,342	-322,361	-226,985
<b>Treasury Equalisation Reserve</b>							
		-1,124,693	-1,124,693	-1,124,693	-990,024	-990,024	-990,024
<b>Redundancy and Pensions Reserve</b>							
		-735,056	-622,319	-744,243	-599,936	-1,274,256	-681,735
<b>Capital Investment Reserve</b>							
		-2,121,696	-1,592,413	-1,636,445	-1,620,945	-1,264,599	-645,363
<b>Priority Investment Reserve</b>							
		-4,063,902	-3,449,640	-2,468,935	-1,973,294	-1,120,069	-416,155
<b>Service reserves</b>							
YG33	Museums Acquisitions Reserve	-57,303	-59,798	-59,798	-59,798	-56,760	-56,760
YG33	Elections Reserve	-108,183	-33,183	-58,183	-83,183	-108,183	-33,183
YG33	Grass Routes Buses Reserve	-246,502	-259,441	-186,528	-160,615	-139,702	-144,702
<b>Restricted Use Reserves</b>							
		<b>-579,212</b>	<b>-502,443</b>	<b>-550,477</b>	<b>-658,423</b>	<b>-631,287</b>	<b>-631,287</b>
<b>Total Earmarked Reserves</b>							
		<b>-18,040,309</b>	<b>-15,661,446</b>	<b>-13,248,776</b>	<b>-10,980,311</b>	<b>-9,268,628</b>	<b>-6,280,507</b>
<b>TOTAL GENERAL And EARMARKED RESERVES</b>							
		<b>-25,249,028</b>	<b>-22,870,165</b>	<b>-21,082,495</b>	<b>-18,876,885</b>	<b>-17,179,572</b>	<b>-14,191,452</b>



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






<p><b>Name of the Officer</b> completing the evaluation Joy Robson</p> <p><b>Phone no:</b>01633 644270 <b>E-mail:</b>joyrobson@monmouthshire.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>To review the level of earmarked reserves held by the Council at the end of 2015/16, the rationale for each reserve and the protocols for using them.</p>
<p><b>Name of Service</b></p> <p>Finance</p>	<p><b>Date Future Generations Evaluation</b> form completed</p> <p>13/06/16</p>

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

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Clearer protocols for the use of significantly reduced balances on earmarked reserves and the use of a business case to apply for reserve usage will help ensure efficient use of resources.</p>	<p>Monitoring and evaluation of the use of earmarked reserves will enable an assessment of the benefits of any investment of reserves and capture any learning for future use of reserves.</p>
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>		

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood		
<b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected		
<b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing		
<b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation		
<b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances	<i>This includes the protected characteristics of age, disability, gender reassignment, race, religion or beliefs, gender, sexual orientation, marriage or civil partnership</i>	

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

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Long-term Balancing short term need with long term and planning for the future</p>	<p>The revised protocols will help ensure that earmarked reserves can be sustained over the medium to longer term to assist with developing a future business plan within the work on Future Monmouthshire.</p>	<p>The business case for applications for reserve usage will ensure the FGA principles are considered when applications are made</p>
 <p>Collaboration Working together with other partners to deliver objectives</p>		
 <p>Involvement Involving those with an interest and seeking their views</p>	<p><i>Who are the stakeholders who will be affected by your proposal? Have they been involved?</i></p>	
 <p>Prevention Putting resources into preventing problems occurring or getting worse</p>		
 <p>Integration Positively impacting on people, economy and environment and trying to benefit all three</p>	<p><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</i></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.

Business case applications will assess the impact on the protected characteristics of any earmarked reserve usage

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			
Disability			
Gender reassignment			
Marriage or civil partnership			
Race			
Religion or Belief			
Sex			
Sexual Orientation			
Welsh Language	<i>Under the Welsh Language measure of 2011, we need to be considering Welsh Language in signage, documentation, posters, language skills etc.</i>		

159037

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>

Business case applications will assess the impact on the Corporate parenting and safeguarding of any earmarked reserve usage

	<b>Describe any positive impacts your proposal has on safeguarding and corporate parenting</b>	<b>Describe any negative impacts your proposal has on safeguarding and corporate parenting</b>	<b>What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?</b>
Safeguarding	<i>Safeguarding in this context applies to both children (not yet reached 18<sup>th</sup> birthday) and vulnerable adults (over 18 who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of himself or herself, or unable to protect himself or herself against significant harm or serious exploitation.)</i>	<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	<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>		

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

The use of business cases and review of the impact of the reserve investment before and after the investment happens, will mean that in future there will be data available to assess the FGA, safeguarding and protected characteristic implications of any earmarked reserve application.



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

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

**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
Ensure the business case/ application form for requesting reserve usage asks for consideration of the FGA, safeguarding and protected characteristic implications	Immediately	Head of Finance	Forms developed for consultation with Performance team

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

<b>The impacts of this proposal will be evaluated on:</b>	Through the periodic budget forecasting reports, at budget setting and at year end.
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<b>SUBJECT:</b>	<b>WELSH CHURCH FUND WORKING GROUP</b>
<b>MEETING:</b>	<b>Cabinet</b>
<b>DATE:</b>	<b>6<sup>th</sup> July 2016</b>
<b>DIVISIONS/WARD AFFECTED:</b>	<b>All</b>

## 1. PURPOSE:

- 1.1 The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications for the Welsh Church Fund Working Group meeting 1 of the 2016/17 financial year held on the 16<sup>th</sup> June 2016.

## 2. RECOMMENDATION:

- 2.1 We resolved that the following grants be awarded as per the schedule of applications.

### SCHEDULE OF APPLICATIONS CONSIDERED 2016/17 – MEETING 1.

- (1) Caldicot Town Team requested £1,000 to assist in the purchase of branded market stall equipment to increase footfall and attract new customers to the market.

Recommendation – £500 was awarded to assist in purchasing branded specialised equipment to assist this community group.

- (2) Goetre Village Hall requested £500 to assist in the replacement of non compliant doors for disabled access.

Recommendation - £500 awarded to assist in provision for disabled access to the community facility.

- (3) Penterry Church Field & restoration Committee requested £2,500 to assist in the refurbishment of church roof.

Recommendation - £1,250 awarded to assist in the renewal of the church roof. .

- (4) John Richard Buck requested £618 towards the cost of adapting a kitchen for disability.

Recommendation - £618 was awarded on the deemed need for this updated facility.

- (5) Friends of 'Our Lady of Tintern' requested £1,000 to assist in staging a non charging 'Sungvespars' event at Tintern.

Recommendation – awarded £250 for assistance in organising this popular community event.

- (6) Emma Thomas requested £150 to assist in attending a residential National Scout and Guide Orchestra residential course

Recommendation - £150 awarded to assist in helping the candidate achieve a qualification that can be used to benefit others in the community.

- (7) Methodist Church Abergavenny requested £1,000 to assist in the funding and refurbishment of the damaged portico / frontage of the Church and improve drainage in church grounds.

Recommendation – £1,000 was awarded so essential repairs could be carried out to the church.

- (8) St Mabli's Church Abergavenny requested £5,000 towards the cost of fitting a disabled toilet and new kitchen along with associated groundwork's.

Recommendation – further information to be requested in regard to other proposed funding streams on this large project before an award is considered

- (9) Nelson Garden Preservation Trust requested £1,000 to assist in the Preservation of the garden buildings and provision of a disabled toilet.

Recommendation - £500 was awarded towards the cost of this community group project.

- (10) Olivia Bartieri requested £450 towards being able to compete at the British Youth Fencing Championships.

Recommendation - £200 has awarded to help in providing support for the Monmouthshire resident to compete at national level

- (11) United Reformed Church, Abergavenny required £1,000 to help in replacing three large windows at the front of the chapel in need of repair / replacement

Recommendation - £500 was awarded for assistance in the upkeep of the church after consideration of other financial resources available.

- (12) H. E. Lawton requires assistance (£750 request) in funding the fees for a placement at the Royal Academy of Music to study for a Masters in Performance from September 2016.

Recommendation - £500 was awarded to further the educational achievement of a Monmouthshire resident

- (13) Raglan Parish Church requested £1,000 to assist in the installation and the equipment of a kitchenette in the Vestry of the Church

Recommendation - £1,000 awarded towards updating catering facilities for the users of the church

## **2.3 KEY ISSUES**

The nature of the request in each case is set out in the attached schedule.

## **3. REASONS**

A meeting took place on Thursday, 16<sup>th</sup> June 2016 of the Welsh Church Fund Cabinet Working Group to recommend the payment of grants as detailed in the attached schedule and to confirm administrative procedures for the financial year 2016/17.

County Councillors in attendance:

County Councillor D.L. Edwards (Chairman)  
County Councillor B. Strong (Vice Chairman)  
County Councillor D. Evans

OFFICERS IN ATTENDANCE:

D. Jarrett      Central Finance Officer  
P. Harris      Senior Democracy Officer

### **3.1 DECLARATIONS OF INTEREST**

It was agreed that declarations of interest would be made under the relevant item.

### **3.2 APOLOGIES FOR ABSENCE**

Councillors A. Webb

### **3.3 ELECTION of CHAIR**

We elected County Councillor D. L. Edwards as Chair

### **3.4 APPOINTMENT of VICE CHAIR**

We appointed County Councillor B. Strong as Vice-Chair.

### **3.5 CONFIRMATION OF REPORT OF PREVIOUS MEETING**

The minutes of the meeting of the Welsh Church Fund Working Group held on Thursday 10th March 2016 were confirmed as an accurate record and signed by the Chairman.

## **4. RESOURCE IMPLICATIONS**

A total of £6,718 was allocated at meeting 1 of the Welsh Church Fund Committee. The remaining budget of £31,191 is available for distribution in the 2016/17 financial year.

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

There are no equality or sustainable development implications directly arising from this report. The assessment is contained in the attached appendix.

**6. CONSULTEES:**

Senior Leadership Team  
All Cabinet Members  
Head of Legal Services  
Head of Finance  
Central Management Accountant

**7. BACKGROUND PAPERS:**

Welsh Church Fund Schedule of Applications 2016/17– Meeting 1 (Appendix 2)

**8. AUTHOR:**

David Jarrett – Senior Accountant – Central Finance Business Support

**9. CONTACT DETAILS**

Tel. 01633 644657  
e-mail: [daveJarrett@monmouthshire.gov.uk](mailto:daveJarrett@monmouthshire.gov.uk)



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

<p><b>Name of the Officer</b> D Jarrett</p> <p><b>Phone no: 4657</b></p> <p><b>E-mail: davejarrett@monmouthshire.gov.uk</b></p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>To assess the Grant Allocation Processes of the Welsh Church Fund for the meeting of the Welsh Church Fund Working Group on the 16<sup>th</sup> June 2016.</p>
<p><b>Name of Service</b></p> <p>Finance</p>	<p><b>Date Future Generations Evaluation</b></p> <p>16<sup>th</sup> June 2016</p>


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





Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been / will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Positive in relation to developing the skills and proficiencies of applicants</p>	
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>No impact</p>	
<p><b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>Positive in regard to providing equipment to assist in the preservation of life</p>	

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been / will be taken to mitigate any negative impacts or better contribute to positive impacts?
<b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected	Positive in relation to connecting the community and its constituents	
<b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive in relation to social well-being. Helping the environmental well-being of the community through preservation of history.	
<b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Positive in relation to the promotion of culture in the community	Positive impact on the education of individuals in regard to recreational achievements
<b>A more equal Wales</b> People can fulfill their potential no matter what their background or circumstances	No impact	

**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	Not applicable to Welsh Church Fund Trust	



Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p><b>Collaboration</b> Working together with other partners to deliver objectives</p>	Not applicable to Welsh Church Fund Trust	
 <p><b>Involvement</b> Involving those with an interest and seeking their views</p>	Not applicable to Welsh Church Fund Trust	
 <p><b>Prevention</b> Putting resources into preventing problems occurring or getting worse</p>	Not applicable to Welsh Church Fund Trust	
 <p><b>Integration</b> Positively impacting on people, economy and environment and trying to benefit all three</p>	Not applicable to Welsh Church Fund Trust	

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	No impact	No impact	
Disability	Positive impact in the provision of disabled facilities	None	
Gender reassignment	No impact	No impact	
Marriage or civil partnership	No impact	No Impact	
Race	No impact	No Impact	
Religion or Belief	Positive impact in relation to the preservation and accessibility of religious services	None	
Sex	No impact	No impact	
Sexual Orientation	No impact	No Impact	
Welsh Language	No impact on Welsh Language	No impact on Welsh Language	

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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 note <http://hub/corporatedocs/Democratic%20Services/Equality%20impact%20assessment%20and%20safeguarding.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	<b>Describe any positive impacts your proposal has on safeguarding and corporate parenting</b>	<b>Describe any negative impacts your proposal has on safeguarding and corporate parenting</b>	<b>What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?</b>
Safeguarding	Not applicable		
Corporate Parenting	Not applicable		

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

The evidence and data used for the assessment of each applicant to the Welsh Church Fund is supplied by the applicant upon submission of their application. The data and information supplied or subsequently requested is used to form the basis of the Committees' decision on whether to award a qualifying grant.

**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 grant aid supports and highlights the positive effect that decisions the Welsh Church Fund Working Group have on the applicants funding requests from Voluntary Organisations, Local Community Groups, Individuals and Religious Establishments. All awards are made in the belief that the funding is utilised for sustainable projects and cultural activities that benefit individuals, organisations, communities and their associated assets. All grants are awarded within the Charitable Guidelines of the Trust

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

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What are you going to do	When are you going to do it?	Who is responsible	Progress
Award grants	July 2016	Welsh Church Fund	On target

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

<b>The impacts of this proposal will be evaluated on:</b>	The Payment of grants awarded to the successful applicants
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**WELSH CHURCH FUND - APPLICATIONS 2016/17**  
**MEETING 1 -16th June 2016**

**APPENDIX 2**

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<u>ORGANISATION</u>	<u>ELECTORAL DIVISION</u>	<u>Signed by Councillor</u>	<u>REQUEST</u>	<u>DECISION</u>	<u>NATURE OF REQUEST</u>	<u>APPROX COST</u>	<u>DATE Received</u>	<u>D of I*</u>	<u>Comments</u>
<b>NEW APPLICATIONS AWAITING DECISION</b>			£	£		£			
1 Caldicot Town Team	West end' Caldicot	D Evans	£1,000	£500	Assistance required to purchase branded market stalls to increase specialised markets and improve footfall and trade.	£8,098	18/03/16	Yes	These stalls are available for local Traders, Community Groups and for use at local events such as Caldicot Carnival
2 Goetre Village Hall	Goetre Fawr	Brian Jones	£500	£250	Funding assistance for the replacement of external doors to conform to disabled access requirements and building regulations	£2,920	18/03/16	No	Present doors do not conform to disabled access requirements to allow all residents to attend functions and meetings at the hall.
3 Penterry Church, Field & Restoration Committee	St Arvans	A Webb	£2,500	£1,250	Repairs required to Church roof	£9,240	18/03/16	Yes	Work required, slate repairs, repointing, lead flashing repairs, guttering and fascia boards.
4 John Richard Buck	Priory	J Prosser	£618	£618	Assistance to providing an adaptive kitchen for a disabled ex-serviceman that is blind in one eye and suffers from a cataract in the other. Also, suffers from partial hearing, arthritis and other medical problems.	£2,326	22/04/16	No	This application has been made with the assistance of a caseworker from the SSAFA charity (Lifelong Support for our forces and their families)
5 Friends of 'Our Lady of Tintern'	St Arvans	A Webb	£1,000	£250	Funding assistance required to help in staging a non charging 'Sungvespars' event at Tintern.	£1,035	22/04/16	Yes	This event is an annual event that is funded through voluntary donations and refreshment sales on the day.
6 Emma Thomas	Portskewett	P. Fox	£150	£150	Assistance required to attend a residential National Scout and Guide Orchestra residential course in Stourbridge in July 2016	£470	25/04/16	No	
7 Methodist Church - Abergavenny	Grofield	D Edwards	£1,000	£1,000	Assistance required to repair and refurbish the damaged portico / frontage of Church and improve drainage in church grounds	£34,117	03/05/16	Yes	The building is Grade ii listed built in 1829
8 St Mabli's Church Hall, Abergavenny	Llanover	S Jones	£5,000	defer for HLF	Assist in fitting a disabled WC and kitchen including associated ground and utility supply work	£112,575	03/05/16	No	The Hall is used by several community groups for Concerts , meetings etc. and is staffed exclusively by volunteers.
9 The Nelson Garden Preservation Trust	Mitchell troy	G Burrows	£1,000	£500	Funding required to assist in the Preservation of the garden buildings and provision of a disabled toilet.	£100,228	10/05/16	No	The purpose of the trust is to preserve the historic fabric of the gardens for the local community and visitors to Monmouth
10 Olivia Bartelli	Rogiet	L Guppy	£450	£200	Assist and provide assistance for the applicant to compete at the British Youth Fencing Championships.	£458	11/05/16	No	Olivia is currently ranked 2nd in Wales for girls in the Youth Category and has represented Wales at international level
11 United Reformed Church, Abergavenny	Llantillio Crossenny	R Edwards	£1,000	£500	Funding required to help replace three large windows at the front of the chapel in need of repair / replacement	£15,432	17/05/16	No	
12 Harriet Elizabeth Lawson	Devauden	B Greenland	£750	£500	Requires assistance in funding the fees for a placement at the Royal Academy of Music to study for a Masters in Performance from September 2016	£22,120	10/05/16	No	The applicant has been studying her B. Mus fro 4 years and this is the final year in September
<b>Late Application</b>									
13 Raglan Parish Church	Raglan	P. Jones	£1,000	£1,000	Assistance to install and equip a kitchenette in the Vestry of the Church	£6,000	08/06/16	No	This kitchen will provide up to date facilities for the wider use of the church and community.
<b>Deferred Applications</b>									
<b>SUB TOTAL Meeting 1</b>			<b>£15,968</b>	<b>£6,718</b>					
<b>Meeting 1 Award</b>				6,718					
<b>TOTAL AWARDED FOR 2016/17 TO DATE</b>				6,718					
<b>BUDGET 2016/17</b>				<b>31,400</b>					
<b>BALANCE B/F TO 2016/17</b>				<b>£6,509</b>					
<b>Monmouthshire's Allocation for 2016/17</b>				<b>£37,909</b>					
<b>REMAINING BALANCE</b>				<b>£31,191</b>					

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