

Document Pack



Mark James LLM, DPA, DCA
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County Hall, Carmarthen. SA31 1JP

TUESDAY, 13 NOVEMBER 2018

TO: ALL MEMBERS OF THE EXECUTIVE BOARD

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **EXECUTIVE BOARD** WHICH WILL BE HELD IN THE **CHAMBER, COUNTY HALL, CARMARTHEN, AT 10.00 AM, ON MONDAY, 19TH NOVEMBER, 2018** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

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EXECUTIVE BOARD

MEMBERSHIP - 10 MEMBERS

Councillor	Portfolio
Councillor Emlyn Dole	Leader Corporate Leadership and Strategy; Chair of Executive Board; Represents Council at WLGA; Economic Development Represents the Council on the Swansea Bay City Region; Collaboration; Marketing and Media; Appoints Executive Board Members; Determines EBM Portfolios; Liaises with Chief Executive; Public Service Board
Councillor Mair Stephens	Deputy Leader Council Business Manager; Human Resources; Performance Management; Wales Audit; Training; I.C.T.; T.I.C. (Transformation, Innovation and Change); Strategic Planning
Councillor Cefin Campbell	Communities and Rural Affairs Rural Affairs and Community Engagement; Community Safety; Police; Counter-Terrorism and Security Act 2015; Tackling Poverty; Wellbeing of Future Generations; Third Sector Liaison ;Equalities
Councillor Glynog Davies	Education and Children Schools; Children's Services; Special Education Needs; Safeguarding; Respite Homes; Regional Integrated School; Improvement Service; Adult Community Learning; Youth Services; School Catering Services, Lead Member for Children and Young People; Youth Ambassador
Councillor Hazel Evans	Environment Refuse; Street Cleansing; Highways and Transport Services; Grounds Maintenance; Building Services; Caretaking; Building Cleaning; Emergency Planning; Flooding
Councillor Linda Evans	Housing Housing – Public; Housing – Private, Ageing Well
Councillor Peter Hughes Griffiths	Culture, Sport and Tourism Town and Community Councils Ambassador; Development of the Welsh Language; Theatres; Sports; Leisure Centres; Museums; Libraries; Country Parks; Tourism.
Councillor Philip Hughes	Public Protection Trading Standards; Environmental Health. Environmental Enforcement; Planning enforcement; Unlicensed Waste; Parking Services; Bio diversity
Councillor David Jenkins	Resources Finance & Budget; Corporate Efficiencies; Property/Asset Management; Procurement; Housing Benefits; Revenues; Statutory Services (Coroners, Registrars, Electoral, Lord Lieutenancy); Armed Forces Champion Contact Centres and Customer Service Centres
Councillor Jane Tremlett	Social Care & Health Adult Social Services; Residential Care; Home Care; Learning Disabilities; Mental Health; NHS Liaison/Collaboration/ Integration; Care Home Catering Services, Carers' Champion; Dementia Care Champion; Disability Ambassador

A G E N D A

1. APOLOGIES FOR ABSENCE.
2. DECLARATIONS OF PERSONAL INTEREST.
3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE EXECUTIVE BOARD HELD ON THE 22ND OCTOBER 2018. 5 - 12
4. QUESTIONS ON NOTICE BY MEMBERS (NONE RECEIVED).
5. PUBLIC QUESTIONS ON NOTICE (NONE RECEIVED).
6. COUNCIL'S REVENUE BUDGET MONITORING REPORT. 13 - 36
7. CAPITAL PROGRAMME 2018-19 UPDATE. 37 - 44
8. REVENUE BUDGET STRATEGY 2019-20 / 21-22. 45 - 84
9. MODEL TEACHERS' PAY POLICY 2018/19. 85 - 128
10. MODEL UNATTACHED TEACHERS' PAY POLICY 2018/19. 129 - 168
11. SERVICE DELIVERY PLAN 2018/19 ENVIRONMENTAL PROTECTION. 169 - 220
12. ACQUISITIONS AND DISPOSALS POLICY. 221 - 258
13. DISCLOSURE AND BARRING SERVICE (DBS) CHECKS - POLICY. 259 - 274
14. EMPLOYMENT REFERENCES - GUIDANCE. 275 - 292
15. REVIEW OF GAMBLING POLICY. 293 - 354
16. REVIEW OF LICENSING POLICY. 355 - 470
17. CWMAMMAN FC. 471 - 478
18. FLOOD RECOVERY WORKS
19. ANY OTHER ITEMS OF BUSINESS THAT BY REASONS OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT, 1972.
20. EXCLUSION OF THE PUBLIC

THE REPORTS RELATING TO THE FOLLOWING ITEMS ARE NOT FOR PUBLICATION AS THEY CONTAIN EXEMPT INFORMATION AS

DEFINED IN PARAGRAPH 14 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007. IF, FOLLOWING THE APPLICATION OF THE PUBLIC INTEREST TEST, THE BOARD RESOLVES PURSUANT TO THE ACT TO CONSIDER THESE ITEMS IN PRIVATE, THE PUBLIC WILL BE EXCLUDED FROM THE MEETING DURING SUCH CONSIDERATION.

**21. REDEVELOPMENT OF FORMER PROVISIONS MARKET
LLANDEILO (THE OLD MARKET HALL).**

479 - 488

NB: Reports are only printed in black and white to reduce costs. All reports however are available on-line so that members of the Committee / County Council and the public can view photographs/graphs in colour

MONDAY, 22 OCTOBER, 2018**PRESENT:** Councillor E. Dole [Chair]**Councillors:**

C.A. Campbell, G. Davies, L.D. Evans, P. Hughes-Griffiths, D.M. Jenkins, L.M. Stephens and J. Tremlett

Also in attendance:

Councillors R. James, J.M. Charles and D.M. Cundy

The following Officers were in attendance:

C. Moore, Director of Corporate Services
J. Morgan, Director of Community Services
G. Morgans, Director of Education & Children's Services
Mrs R. Mullen, Director of Environment
W. Walters, Director of Regeneration & Policy
L.R. Jones, Head of Administration and Law
P.R. Thomas, Assistant Chief Executive (People Management & Performance)
N. Daniel, Head of I.C.T.
L. Quelch, Head of Planning
I.R. Llewelyn, Forward Planning Manager
J. Owen, Democratic Services Officer

Chamber, County Hall, Carmarthen : 10.00 am - 10.55 am**1. APOLOGIES FOR ABSENCE AND OTHER MATTERS**

Apologies for absence were received from Councillors H.A.L. Evans and P.M. Hughes.

The Chair provided an update to the Board on the activities that took place in relation to Storm Callum. Carmarthenshire bore the brunt of the storm and was hit by the worst flooding in 30 years.

Condolences were extended to the family of Corey Sharpling who died in a tragic incident on the A484 at Cwmdud between Carmarthen and Cardigan during Storm Callum.

[The Board observed a minutes silence in tribute to Mr Sharpling]

The Chair reported that Carmarthenshire County Council had been instrumental in providing valuable assistance to both residents and businesses affected by the storm.

It was reported that around 160 homes had been affected by the floods. The Council had provided the following support:

- Council Housing Officers had re-housed seven families directly, many of those affected had found their own alternative temporary accommodation or had been supported by their insurance companies.

- A flood recovery relief fund of £100,000 had been set up which offered a £200 advance to anyone in need. Residents were encouraged to apply, online and in person, with teams going out to the worst affected areas using the Councils 'Hwb Bach y Wlad' mobile customer service for rural communities.
- Practical assistance had been provided by collecting damaged furniture and household items, supporting with the completion of insurance claims, carrying out free electrical safety testing, and more.
- The Council worked with Xcel Furniture in Johnstown, Carmarthen, to launch a furniture donation appeal to help people who had lost much of their household items.
- Dehumidifiers provided to as many homes as possible.

It was reported that the Council had provided the following support to businesses:

- Damaged furniture, fittings and equipment had been collected and road sweepers had attended badly affected sites;
- £200,000 of CREF funding allocated to support businesses in need;
- Business Support Officers visited 110 businesses in the affected areas of which 67 businesses continue to receive support. In addition practical help had been provided in order to assist businesses return to normality as quickly as possible.

As result of the devastating affects following Storm Callum, it was estimated that affected businesses had lost in the region of £3-4million, not including loss of earnings.

With regard to highways, infrastructure, cleansing and disposal it was reported that:-

- All road and bridges in affected areas had been inspected, cleared and re-opened with exception to the A484 road at Cwmdud which had been closed due to a landslide.
- Across Carmarthenshire, the initial assessment had estimated that £3million would be required to repair the highway infrastructure alone.
- Specialist teams were being called upon to support crews, including divers to inspect underwater structures.

Further updates would be provided in due course.

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE EXECUTIVE BOARD HELD ON THE 24TH SEPTEMBER 2018

RESOLVED that the minutes of the meeting of Council held on the 24th September, 2018 be signed as a correct record.

4. QUESTIONS ON NOTICE BY MEMBERS (NONE RECEIVED)

The Chair advised that no public questions had been received.

5. PUBLIC QUESTIONS ON NOTICE (NONE RECEIVED)

The Chair advised that no public questions had been received.

6. CAPITAL PROGRAMME 2017-18 UPDATE

The Executive Board, after noting a correction in the title which should read 'Capital Programme 2018-19 update', considered the report which provided an update of the final budgetary position for the 2018/19 capital programme as at the 30th June, 2018.

Departmentally, a net spend of £62,301k was forecasted compared with a working net budget of £60,757 giving a £1,554k variance. The net budget had been re-profiled by £3.81m from 2018/19 to future years in order to take account of the updated spend profile information. Furthermore, the budget slippage from 2017/18 had also been included within the figures appended to the report.

In addition, the Executive Board noted that an Education and Capital Spend budget re-profiling exercise was currently being undertaken to reflect the progress of schemes within the 5 year capital programme on the MEP programme.

UNANIMOUSLY RESOLVED that the capital programme update report be received.

7. COUNCIL'S REVENUE BUDGET MONITORING REPORT

The Executive Board considered the revenue budget monitoring report which provided the latest budgetary position as at 30th June 2018, in respect of 2018/2019.

Overall, the monitoring report forecasted an end of year overspend of £3,016k on the Authority's net revenue budget with an overspend at departmental level of £3,918k. The HRA was predicting a £98k underspend to the year end.

In light of the current forecast for a potentially significant overspend, which would utilise around a third of the Council's general fund, the report recommended that Chief Officers and Heads of Service critically review their budgetary positions and implement all necessary and appropriate actions to deliver their services within their allocated budgets as a matter of urgency.

UNANIMOUSLY RESOLVED that:

- 7.1 the Revenue Budget Monitoring Report be received;**
- 7.2 Chief Officers and Heads of Service critically review their budgetary positions and implement all necessary and appropriate actions to deliver their services within their allocated budgets as a matter of urgency.**

8. TREASURY MANAGEMENT AND PRUDENTIAL INDICATOR REPORT - 1ST APRIL 2018 TO 30TH JUNE 2018

The Executive Board considered an update on the treasury management activities from 1st April 2018 to 30th June 2018.

UNANIMOUSLY RESOLVED that the report be approved.

9. CARMARTHENSHIRE COUNTY COUNCIL - DIRECT PAYMENT POLICY

The Executive Board considered a report on the Carmarthenshire County Council Direct Payment Policy which had been updated in line with changes in legislation, namely the Social Services and Well-being (Wales) Act 2014, the Care and Support (Direct Payments) (Wales) Regulations 2015 and Part 4 of the Code of Practice to the Social Services and Well-being (Wales) Act 2014.

The Executive Board noted the main substantive changes made to the previous 3 Counties policy as outlined within the report. The revised Direct Payment Policy appended to the report had been revised to reflect the changes thereto.

The report outlined that direct payments were a means by which individuals with eligible care and support needs, could purchase their own services to meet those care and support needs. The local authority had a legal obligation to offer direct payments to anyone who were entitled to care and support.

UNANIMOUSLY RESOLVED that the revised Carmarthenshire County Council Direct Payment Policy be approved.

10. INFORMATION SECURITY POLICY

The Executive Board considered a report on the Information Security Policy which had been reviewed and updated to ensure compliance with current legislation (GDPR) and best practices providing a robust policy which aimed to protect the Council's information. Key elements of the Access Control Policy and a Copyright Designs and Patents Act Policy had also been incorporated into the revised Information Security policy.

The Executive Board noted the policies three main objectives:

- The Council's information assets and ICT equipment are adequately protected against any action that could have an adverse effect on the security of information.

- That all information assets must be “owned” by a named officer within the authority. The Council defines all Heads of Service as Information Asset Owners.
- That staff and elected members are aware and comply with all relevant legislation and council policies related to how they conduct their day-to-day duties in relation to ICT.

The report recommended that the policy be published to all staff and elected members via meta-compliance in order to ensure the policy has been read and fully understood.

UNANIMOUSLY RESOLVED that the recommendations as set out in the report be endorsed and the revised Information Security Policy be approved.

11. CORONER PAY ARRANGEMENTS

The Executive Board considered a report on the Coroner Pay Arrangements which provided details of a new national pay framework and guidance for Coroners issued by the Joint Negotiating Committee for Coroners (the JNC).

The guidance provided by the JNC provided assistance to local authorities on the factors to be taken into consideration in order to arrive at a balanced over-arching picture of a Coroner area’s complexity. The JNC-Coroners’ Circular No 61 & 62, were appended to the report at Annex 1 & 2 respectively.

The Executive Board noted that colleagues from Pembrokeshire and Carmarthenshire had met to discuss the Coroner’s salary and had agreed in principle to the new salary which would be paid on the basis of 50:50 by each authority. The report also included the current and the total new proposed salary along with the implication for Carmarthenshire.

In accordance with the guidance and in negotiation with the Coroner a proposed day rate of £440.00 had been determined. The daily rate had been calculated based on the level of complexity of caseload in the county of both Pembrokeshire and Carmarthenshire and the national pay rates set out by the Joint Negotiating Committee (JNC) in January 2018.

The report proposed that the framework set in determining the salary level for both the Coroner and Assistant Coroner be adopted and asked the Executive Board to agree to set the date to backdate the Coroner’s salary.

In accordance with new national framework and guidance, it was;

UNANIMOUSLY RESOLVED that:

- 11.1 the salary for the Coroner and the Assistant Coroner, as set out in the report, be agreed;**
- 11.2 the related salary for the Coroner be backdated to 25th September 2018.**

12. REVISED CARMARTHENSHIRE LOCAL DEVELOPMENT PLAN 2018 - 2033

The Executive Board was advised that the County Council at its meeting on 10th January 2018 approved to formally commence the preparation of a Revised (replacement) Local Development Plan (LDP), along with the Welsh Government's approval of the Delivery Agreement on the 28th June 2018 including its timetable for Plan preparation.

In accordance with that recommendation, the Executive Board considered a report on the Revised Local Development Plan 2018 which sets out the Draft Preferred Strategy by identifying the Council's land use Vision, strategic objectives and strategic growth requirements for the County through to 2033. The following supporting documents were appended to the report:

- Draft Pre-Deposit Preferred strategy
- Draft Initial Sustainability Appraisal (which incorporates the Strategic Environmental Statement)
- Population and Household Forecasts – Briefing Paper

The Executive Board noted, that the Draft Preferred Strategy had been prepared to reflect the Council's statutory responsibilities to produce the revised LDP under the Planning and Compulsory Purchase Act 2004.

The report sought Executive Board approval for its publication as part of a formal public consultation for a minimum statutory period of 6 weeks. The Draft Preferred Strategy, as identified within the Delivery Agreement, would be published in December 2018.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL;

12.1 that the content of the Draft Preferred Strategy (and supporting documents) for the Revised Local Development Plan 2018 – 2033 for formal public consultation be approved;

12.2 to grant officers delegated authority to make non-substantive typographical or factual amendments as necessary to improve the clarity and accuracy of the Draft Preferred Strategy.

13. DIGNITY AND RESPECT IN THE WORKPLACE GUIDANCE FOR SCHOOLS

The Executive Board received a report which included the new Dignity and Respect in the Workplace Guidance for Schools.

The guidance defined unacceptable behaviour and identified strategies that could be utilised to overcome the debilitating effects of such behaviour. The key approach and the essence of the guidance, was to expect and promote acceptable behaviour as the best way to prevent unacceptable behaviour.

Members spoke of the need to ensure that all schools have read and understood the guidance, it was therefore proposed that Headteachers be requested to schedule the guidance within their inset days for discussion.

UNANIMOUSLY RESOLVED that:

13.1 the adoption of the Dignity and Respect in the Workplace Guidance for Schools be endorsed;

13.2 Headteachers be requested to schedule the Dignity and Respect in the Workplace Guidance for Schools into their inset days for discussion.

14. FLEXIBLE WORKING POLICY AND PROCEDURE FOR SCHOOLS

The Executive Board considered a report which included the Flexible Working Policy and Procedure for Schools.

The Policy and Procedure had been developed to assist Headteachers in handling applications from employees who had exercised their statutory right to request flexible working. The statutory right aimed to facilitate discussion and encourage both the employee and the Line Manager to consider alternative flexible working patterns and to find a solution that suited both parties.

The Board noted that under provisions set out in the Employment Rights Act 1996 and regulations made under it, all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly provided they have worked for their employer for 26 weeks continuously at the date of application.

The Deputy Leader emphasised that the statutory right did not provide an automatic right to work flexibly.

Reference was made to point 13 in the guidance which listed the 'Business Grounds for Refusing a Request', concern was raised regarding small schools and how they could be at a disadvantage to accommodate the policy due to the decreasing budgets and limited staff. It was acknowledged that whilst it could be difficult for small schools to provide the same level of flexibility as large schools, particularly during teaching hours, however, there was a duty to maintain a high standard of education.

UNANIMOUSLY RESOLVED that the adoption of the Flexible Working Policy and procedure for Schools be endorsed.

15. ANY OTHER ITEMS OF BUSINESS THAT BY REASONS OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT, 1972.

The Chair expressed his sincere appreciation to staff for all their efforts during and following the storm disaster last weekend. The commitment and readiness of staff to react above and beyond the call of duty meant that the Council had been able to

deal with matters effectively and efficiently in order to meet the needs of the people who had been sorely affected.

PLEASE NOTE: THIS DOCUMENT PACK HAS BEEN RE-PUBLISHED DUE TO A MERGING ERROR.

CHAIR

DATE

EXECUTIVE BOARD 19th November 2018

Council's Revenue Budget Monitoring Report

Recommendations / key decisions required:

That the Board receives the Budget Monitoring report and considers the budgetary position.

In light of the current forecast of a potential significant overspend which would utilise around a third of the council's general fund, Chief Officers and Heads of Service continue to critically review their budgetary positions and implement all necessary appropriate actions to deliver their services within their allocated budgets as a matter of urgency.

Reasons:

To provide the Executive Board with an update on the latest budgetary position as at 31st August 2018, in respect of 2018/2019.

Relevant scrutiny committee to be consulted: NA

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr. David Jenkins

Directorate: Corporate Services

Name of Director:
Chris Moore

Report Author:
Chris Moore

Designations:

Director of Corporate Services

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EXECUTIVE SUMMARY
EXECUTIVE BOARD
19th November 2018

Council's Revenue Budget Monitoring Report

The revenue budget monitoring reports for the period to 31st August 2018 are attached and indicate that:

COUNCIL FUND REVENUE ACCOUNT(Appendix A)

Overall, the monitoring report forecasts an end of year overspend of £2,237k on the Authority's net revenue budget with an overspend at departmental level of £3,432k. The most significant pressure points are within Education and Children's Services and the department needs to critically examine the current forecasted position.

Chief Executive's Department

The Chief Executive Department is anticipating an overspend of £246k for the year. This is made of up a £278k overspend relating to Corporate Savings and £32k underspend on operational budgets.

Corporate Savings (£278k): Efficiencies in relation to Health & Safety are currently under review by the TIC team.

Operational budgets (£32k underspend):

There is an anticipated £14k overspend in People Management as a result of an unfunded post of £21k and unused Assessment Centre Credits of £31k. This is offset by additional external income generation of £44k from Employee Well Being;

Legal and Admin are anticipating a £54k underspend as a result of vacant posts during the year.

There is a £21k overspend in Policy as a result of ongoing running costs following the acquisition of the Guildhall of £46k, unfunded post of £29k and a £25k shortfall in income targets, this is offset by a £76k underspend on vacant posts;

There is a £14k overspend in Electoral Services as a result of by-elections.

Property is anticipating a £63k underspend due to anticipated additional income generated from Opportunity Street

Regeneration is anticipating a £23k overspend due to additional cleaning costs at the Beacon

Department for Communities

The Department for Communities is forecasting an overspend of £794k for the year.

Services supporting Older People and Physical Disabilities are projecting an overspend of £461k: £595k relating to packages of care namely £206k on residential care, £171k on Domiciliary Care and £218k on Direct Payments; staffing and miscellaneous running expenses are underspent by £134k

Services supporting Learning Disabilities, Mental Health and Safeguarding are forecasting an overspend of £304k: £106k for Mental Health residential placements, £179k on Direct Payments and £40k due to a shortfall of income in Day Services, mainly the Catering provisions and an underspend of £21k on miscellaneous expenditure.

Support Services are forecasting an underspend of £22k relating to miscellaneous supplies and services and staffing.

Leisure Services are predicting a nil variance.

Housing & Public Protection Services are predicting a nil variance.

Corporate Services

The Corporate Services Department is projecting a £324k underspend for the year.

This is due to £354k of vacant posts and £10k reduction in our new bank contract costs. This is offset by one off software and data cleansing costs in risk management of £30k.

Department for Education and Children

The Department for Education and Children is forecasting a net overspend of £1,905k at year end.

The main adverse budget variations relate to: increased demand for Special Educational Needs provision £457k within County; Out of County educational placements £161k; school based EVR and redundancy costs £379k; School Meals service sickness cover and kitchens' maintenance £76k ; Music Service running costs (mainly staff) exceeding the SLA income from schools by £229k; Out of County residential care placements £206k; LHB not contributing fully to tripartite agreements for placements at Garreglwyd Residential Unit, which also has staffing pressures £93k; Direct payments to families of disabled children to purchase their own care £65k; School Modernisation property decommissioning costs £60k and Education Welfare £64k.

Environment

The department is anticipating an overspend of £812k for the new financial year largely due to continuing pressures with Planning and car parking income as reported during the previous financial year.

The Waste and Environmental Services division is projecting a £178k overspend. This is due to a £38k anticipated overspend on green waste collection, as it is not yet self-financing, along with a £42k overspend on Wernddu closed Landfill site as a result of essential remedial works following a pump failure. The cleansing service is overspent by £79k, service reviews have commenced to look at ways to reduce costs within the service.

Highways and Transportation are anticipating a £223k overspend for the year. This is largely down to a projected £299k shortfall in car park income as a result of parking fees not increasing in line with increasing income targets. This overspend is offset by vacant posts in the year within the division.

Planning Division is anticipating a £277k overspend for the year.

There is a projected £326k shortfall in development management income but this overspend is offset by vacant posts in the year within the division.

The Property division is anticipating a £60k underspend as a result of vacant posts and higher than anticipated occupancy levels at our industrial premises leading to additional income.

The Business Support Division is expecting an £18k overspend due to various small overspends within the various cost centres.

Capital Charges

Reduced borrowing/interest savings

HOUSING REVENUE ACCOUNT (Appendix B)

The HRA is predicting a £237k overspend to the year end.

Supervision and Management costs are forecasted to be overspent by £55k due to savings on staffing costs (£29k) and travelling expenses (£3k) offset by overspends in supplies and services (£53k) premises related expenditure (£34k mainly maintenance costs). Capital financing charges will be £158k less than budgeted due to a slight reduction in interest rates.

There is a reduction in the provision required for debt write-offs, based on arrears levels and age debt analysis to year end of £305k

Rental income/service charges/other income is forecasted to be £554k lower due primarily to voids losses being higher than predicted.

Income for commission from the collection of water rates will also be reduced by £91k due to implementation of new scheme which benefits eligible tenants.

Lists of the main variances are attached to this report.

DETAILED REPORT ATTACHED?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Chris Moore

Director of Corporate Services

Policy, Crime & Disorder and Equalities NONE	Legal NONE	Finance YES	ICT NONE	Risk Management Issues NONE	Staffing Implications NONE	Physical Assets NONE
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1. Finance

Council Fund

Overall, the Authority is forecasting an overspend of £2,237k.

HRA

The HRA is forecasting that it will be £237k over its approved budget.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Chris Moore

Director of Corporate Services

1. Scrutiny Committee – Not applicable

2. Local Member(s) – Not applicable

3. Community / Town Council – Not applicable

4. Relevant Partners – Not applicable

5. Staff Side Representatives and other Organisations – Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
2018/19 Budget		Corporate Services Department, County Hall, Carmarthen

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REPORT OF THE DIRECTOR OF CORPORATE SERVICES

PRELIMINARY EXECUTIVE BOARD 5th NOVEMBER 2018

COUNCIL'S BUDGET MONITORING REPORT 2018/19 as at 31st August 2018

Director and Designation	Author & Designation	Telephone No	Directorate
C Moore, Director of Corporate Services	C Moore, Director of Corporate Services	01267 224120	Corporate Services

Table 1

Forecasted for year to 31st March 2019

Department	Working Budget				Forecasted				Aug 18	Jun 18
	Controllable Expenditure	Controllable Income	Net Non Controllable	Total Net	Controllable Expenditure	Controllable Income	Net Non Controllable	Total Net	Forecasted Variance for Year	Forecasted Variance for Year
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Chief Executive	24,911	-8,500	-2,578	13,832	27,117	-10,462	-2,578	14,078	246	613
Communities	143,186	-56,365	10,892	97,714	144,806	-57,191	10,892	98,507	794	881
Corporate Services	77,110	-50,947	-1,363	24,799	79,442	-53,604	-1,363	24,475	-324	-105
Education & Children	169,727	-30,829	23,768	162,665	173,435	-32,632	23,768	164,571	1,905	1,899
Environment	115,954	-72,797	9,311	52,468	119,527	-75,558	9,311	53,280	812	630
Departmental Expenditure	530,888	-219,439	40,030	351,479	544,328	-229,447	40,030	354,911	3,432	3,918
Capital Charges/Interest/Corporate				-15,425				-15,970	-545	-325
Levies and Contributions:										
Brecon Beacons National Park				142				142	0	0
Mid & West Wales Fire & Rescue Authority				9,582				9,582	0	0
Net Expenditure				345,778				348,665	2,887	3,593
Transfers to/from Departmental Reserves										
- Corporate Services				0				162	162	52
- Environment				0				-812	-812	-630
Net Budget				345,778				348,015	2,237	3,016

Chief Executive Department
Budget Monitoring as at 31st August 2018

Division	Working Budget				Forecasted				Aug 18 Forecasted Variance for Year £'000	Jun 18 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Chief Executive	-314	0	-308	-622	261	0	-308	-47	575	574
People Management	4,204	-1,420	-2,565	219	4,816	-2,018	-2,565	233	14	30
ICT	4,464	-792	-3,736	-65	4,567	-896	-3,736	-65	-0	-0
Admin and Law	4,137	-537	478	4,079	4,025	-478	478	4,025	-54	-23
Regen, Policy & Property										
Policy	5,334	-1,369	-2,767	1,197	5,227	-1,242	-2,767	1,218	21	37
Statutory Services	833	-2	87	918	866	-21	87	932	14	23
Property	1,141	-1,309	816	648	1,135	-1,365	816	585	-63	-45
Major Projects	151	-76	15	90	1,444	-1,369	15	90	0	0
Regeneration	4,676	-2,995	5,403	7,084	4,776	-3,072	5,403	7,107	23	18
Corporate Standby Efficiency	285	0	0	285	0	0	0	0	-285	0
GRAND TOTAL	24,911	-8,500	-2,578	13,832	27,117	-10,462	-2,578	14,078	246	613

Chief Executive Department - Budget Monitoring as at 31st August 2018

Main Variances

Division	Working Budget		Forecasted		Aug 18	Notes	Jun 18
	Expenditure	Income	Expenditure	Income	Forecasted Variance for Year		Forecasted Variance for Year
	£'000	£'000	£'000	£'000	£'000		£'000
Chief Executive							
Corporate Savings Target	-295	0	0	0	295	Corporate Health & Safety efficiency proposal currently under review by TIC team.	580
People Management							
Employee Well-being	826	-379	652	-249	-44	Additional external income	-5
HR Systems Development Team	123	0	136	0	13	Posts regraded with no budgets which are being funded from underspends elsewhere. The division is reviewing its budget with a view to identifying current variances and to delivering the required efficiencies in time for next year's budget.	0
Assessment centre training	0	0	31	0	31	Unused Assessment Centre Credits	0
Admin and Law							
Democratic	1,796	0	1,819	0	22	£10k Webcasting costs, increased photocopying costs £12k	0
Land Charges Administration	149	-288	105	-262	-18	Part year vacant post	-13
Corporate Serv-Democratic	530	0	455	0	-75	Part year vacant posts	-74
Corporate Serv-Legal	1,598	-249	1,582	-216	17	Income target not achievable	60
Regeneration, Policy & Property							
Policy							
Marketing and Media	657	-359	591	-228	65	Unfunded posts being funded from underspends elsewhere and will be resolved as part of an ongoing restructure.	46
Corporate Serv-Translation	510	-32	497	-34	-14	Part year vacant posts	-1
Performance Management	545	-31	468	0	-46	Vacant post	-31
Chief Executive-Policy	504	-27	533	-27	29	Post regraded with no budget currently funded from underspends elsewhere. The issue will be permanently resolved in the near future.	18
Corporate Serv-Administration	425	-31	421	-2	25	Forecasted non-achievement of income target.	23
The Guildhall Carmarthen	0	0	46	0	46	CCC has purchased the building, but no budget has been allocated to cover any costs. Significant premises maintenance & other running costs are forecast resulting in this projected overspend	46
Customer Services Centres	1,085	-328	1,017	-329	-68	Part year vacant posts	-43
ON Sir Gar	169	-129	113	-83	-10	Underspend mainly due to staff vacancies	-4
Marketing Tourism Development	336	-2	355	-55	-34	Planned underspend to offset unbudgeted expenditure / overspend in relation to Tour of Britain costs - see Events below	-4
Events	48	-28	113	-63	30	Overspend in relation to Tour of Britain costs - not budgeted for	-1

Chief Executive Department - Budget Monitoring as at 31st August 2018
Main Variances

Division	Working Budget		Forecasted		Aug 18	Notes	Jun 18
	Expenditure	Income	Expenditure	Income	Forecasted Variance for Year		Forecasted Variance for Year
	£'000	£'000	£'000	£'000	£'000		£'000
Statutory Services							
Elections-Community Council	0	0	18	6	24	By election costs	25
Property							
Commercial Property - Chief Executives	29	-516	38	-579	-55	High occupancy levels during year	-62
Provision Markets	553	-625	497	-581	-12	High occupancy levels during year	11
Regeneration - Core Budgets							
The Beacon	143	-136	180	-151	23	Overspend mainly due to additional cleaning costs	22
Other Variances					1		19
Grand Total					246		613

Department for Communities
Budget Monitoring as at 31st August 2018

Division	Working Budget				Forecasted				Aug 18 Forecasted Variance for Year £'000	Jun 18 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Adult Services										
Older People	56,741	-22,759	2,780	36,762	57,037	-22,625	2,780	37,192	430	392
Physical Disabilities	6,968	-1,344	225	5,849	6,979	-1,324	225	5,880	31	121
Learning Disabilities	37,352	-10,122	1,308	28,538	37,512	-10,070	1,308	28,750	212	288
Mental Health	9,265	-3,363	230	6,132	9,735	-3,741	230	6,224	92	79
Support	6,228	-2,885	992	4,335	6,208	-2,887	992	4,313	-22	0
Homes & Safer Communities										
Public Protection	3,081	-835	588	2,834	3,073	-826	588	2,834	-0	-3
Council Fund Housing	9,220	-7,958	243	1,505	9,909	-8,647	243	1,505	0	3
Leisure & Recreation										
Leisure & Recreation	14,383	-7,099	4,525	11,809	14,355	-7,071	4,525	11,809	0	0
Corporate Standby Efficiency	-51	0	0	-51	0	0	0	0	51	
GRAND TOTAL	143,186	-56,365	10,892	97,714	144,806	-57,191	10,892	98,507	794	881

Department for Communities - Budget Monitoring as at 31st August 2018

Main Variances

Division	Working Budget		Forecasted		Aug 18	Notes	Jun 18
	Expenditure	Income	Expenditure	Income	Forecasted Variance for Year		Forecasted Variance for Year
	£'000	£'000	£'000	£'000	£'000		£'000
Adult Services							
Older People							
Older People - Commissioning	3,567	-625	3,480	-625	-87	Staff vacancies in care management teams: equivalent to one vacant social worker post in TTTs Community Resource Team and part year effect of 4 social workers who have commenced during 2018-2019	-58
Older People - LA Homes	7,349	-4,436	7,482	-4,439	129	Cost of agency staff due to workforce recruitment issues in parts of the county.	52
Older People - Private/ Vol Homes	21,579	-11,897	21,599	-11,747	170	Early projections for residential income are showing lower income than budgeted - this will be reviewed closely as the year progresses. Performance data shows trend for demand remains at similar levels as previous financial years despite demographic pressures as preventative work continues to be effective.	99
Older People - LA Home Care	6,017	-431	5,877	-431	-140	Significant departmental work to monitor and manage demand by continuing to promote independent living through Integrated Care Fund initiatives such as Releasing Time to Care resulting in lower demand eg for double handed care packages. Recruitment is underway for vacant posts.	-130
Older People - Direct Payments	1,156	-287	1,235	-287	79	Direct Payments increasing across client groups linked to promoting independence and cost avoidance.	81
Older People - Private Home Care	9,732	-2,164	10,142	-2,164	410	There has been a significant increase in demand for domiciliary care that has only been partly offset by a fall in residential care placements. There is significant departmental work to monitor and manage demand by audit assessment practice and by continuing to promote independent living through Integrated Care Fund initiatives such as Releasing Time to Care resulting in lower demand eg for double handed care packages. We are currently reviewing whether this initiative requires additional resources to yield the necessary financial savings.	403
Older People - Enablement	2,188	-586	2,090	-586	-99	Staff vacancies - recruitment issues being addressed.	-86
Physical Disabilities							
Phys Dis - Commissioning & OT Services	619	-81	533	-81	-87	Vacancies within the Occupational Therapy Team - being addressed	-13
Phys Dis - Direct Payments	2,282	-555	2,402	-536	138	Direct Payments increasing across client groups linked to promoting independence and cost avoidance.	95

Department for Communities - Budget Monitoring as at 31st August 2018

Main Variances

Division	Working Budget		Forecasted		Aug 18	Notes	Jun 18
	Expenditure	Income	Expenditure	Income	Forecasted Variance for Year		Forecasted Variance for Year
	£'000	£'000	£'000	£'000	£'000		£'000
Learning Disabilities							
Learn Dis - Employment & Training	2,306	-888	2,139	-638	84	Overspend on staffing in Coleshill Day Cebtre £40k due to complexity of clients, shortfall in income at SA31 £20k and Blas Myrddin £20k against budget,	77
Learn Dis - Direct Payments	2,167	-526	2,346	-526	179	Direct Payments increasing across client groups linked to promoting independence and cost avoidance.	203
Learn Dis - Group Homes/Supported Living	8,604	-2,158	8,722	-2,158	118	Costs increasing as a result of sucessful deregistration of residential beds - promotes independence for clients and has lower costs overall across the spectrum to packages of care	21
Learn Dis - Adult Respite Care	976	-812	864	-812	-112	Vacant Manager post, several staff not in pension scheme and miscellaneous running costs.	-12
Mental Health							
M Health - Private/Vol Homes	6,105	-2,573	6,596	-2,958	106	Work continuing to promote independent living and reduce cost of care packages accordingly. Client group difficult to forecast costs as demand led at short notice; forecasts are based on existing levels of packages and work is ongoing to develop alternative provision options	79
Other Variances - Adult Services					-147		70
Homes & Safer Communities							
Public Protection							
Air Pollution	121	-33	117	-18	12	Potential underachievement of income	13
Other Variances - Public Protection					-12		-16
Council Fund Housing							
Home Improvement (Non HRA)	833	-288	742	-247	-50	New funding stream was introduced in 18/19 and working with partners and other council departments, the budget was allocated accordingly. Projects due to commence later in the year	-2
Landlord Incentive	12	-10	70	-10	58	We are anticipating WG funding to tackle homelessness, confirmation not yet finalised. Until the funding is agreed the overspend is to be covered by the underspends in Home Improvement team	-0
Other Variances - Council Fund Housing					-8		5

Department for Communities - Budget Monitoring as at 31st August 2018

Main Variances

Division	Working Budget		Forecasted		Aug 18	Notes	Jun 18
	Expenditure	Income	Expenditure	Income	Forecasted Variance for Year		Forecasted Variance for Year
	£'000	£'000	£'000	£'000	£'000		£'000
Leisure & Recreation							
Pendine Outdoor Education Centre	486	-326	492	-264	68	Reduced income due to enforced closure of centre earlier in year due for building safety compliance works affecting bookings	52
Pembrey ski shop	0	0	0	10	10	Ski shop closed after easter and forecast represents the write down of stock at year end	10
Sport & Leisure West	249	-21	211	-21	-38	In year staff vacancy	-21
Carmarthen Leisure Centre	1,283	-1,329	1,284	-1,297	33	Income shortfall to budget £12k, additional exp relating to in-house delivery of catering £21k	4
Sport & Leisure General	971	-56	992	-66	11	Part year effect of the new Actif Operations Manager post £11k which is currently funded from underspends elsewhere in the Leisure Division and will be resolved as part of ongoing work to align budgets.	-23
Outdoor Recreation - Staffing costs	148	-48	163	-37	25	Park Attendants overspend - being funded from underspends elsewhere in Leisure Services and will be resolved as a result of ongoing work to realign budgets and structures	5
Pembrey Country Park	654	-697	682	-760	-35	Forecast excess income from Caravan/Camping	-32
Carmarthen Museum, Abergwili	161	-16	169	-13	11	One off relocation expenses £6k, increased NNDR £5k	11
Museum of speed, Pendine	70	-24	53	-18	-11	Part year staff vacancy	-2
Museums General	173	0	190	0	17	£10k Documentation Assistant - fixed term contract as a one off project within Museum Service; £7k temporary storage rental	33
Other Variance - Leisure & Recreation					-91		-36
Corporate Standby Efficiency					51		0
Grand Total					794		881

Corporate Services Department
Budget Monitoring as at 31st August 2018

Division	Working Budget				Forecasted				Aug 18 Forecasted Variance for Year £'000	Jun 18 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Financial Services	4,378	-1,984	-2,364	30	4,364	-2,070	-2,364	-71	-101	-89
Revenues & Financial Compliance	4,764	-1,670	-2,158	935	4,495	-1,621	-2,158	716	-220	-6
Other Services	67,967	-47,293	3,159	23,834	70,584	-49,914	3,159	23,830	-4	-10
GRAND TOTAL	77,110	-50,947	-1,363	24,799	79,442	-53,604	-1,363	24,475	-324	-105

Corporate Services Department - Budget Monitoring as at 31st August 2018
Main Variances

Division	Working Budget		Forecasted		Aug 18	Notes	Jun 18
	Expenditure	Income	Expenditure	Income	Forecasted Variance for Year		Forecasted Variance for Year
	£'000	£'000	£'000	£'000	£'000		£'000
Financial Services							
Accountancy	1,675	-369	1,645	-369	-30	Part year vacant posts	-30
Treasury and Pension Investment Section	246	-175	211	-175	-35	Part year vacant posts	-30
Payments	501	-72	462	-72	-39	Part year vacant posts	-32
Revenues & Financial Compliance							
Procurement	518	-32	453	-32	-65	Part year vacant posts	-49
Audit	583	-18	551	-18	-32	Part year vacant posts	-0
Risk Management	136	-0	166	-0	30	one off software costs in 2018-19. Temp post only for 18-19. All funded from within the section from vacant Procurement Manager post.	44
Local Taxation	895	-728	884	-748	-31	Part year vacant posts	0
Housing Benefits Admin	1,621	-750	1,508	-719	-83	Part year vacant posts	0
Revenues	871	-141	792	-102	-39	Part year vacant posts	-0
Other Services							
Bank Charges	64	0	54	0	-10	Reduced costs due to new contract	-10
Other Variances					9		3
Grand Total					-324		-105

Department for Education & Children
Budget Monitoring as at 31st August 2018

Division	Working Budget				Forecasted				Aug 18 Forecasted Variance for Year £'000	Jun 18 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Director & Strategic Management	1,186	0	-94	1,092	1,159	-0	-94	1,065	-28	-13
Education Services Division	129,249	-14,789	18,100	132,559	130,345	-14,829	18,100	133,616	1,057	1,125
Access to Education	8,519	-5,809	2,167	4,877	8,577	-5,732	2,167	5,012	135	103
School Improvement	2,819	-608	463	2,674	3,340	-1,099	463	2,704	30	36
Curriculum & Wellbeing	5,501	-4,112	590	1,980	6,105	-4,463	590	2,233	253	205
Children's Services	22,509	-5,510	2,541	19,540	23,909	-6,509	2,541	19,941	401	444
Corporate Standby Efficiency	-57	0	0	-57	0	0	0	0	57	0
GRAND TOTAL	169,727	-30,829	23,768	162,665	173,435	-32,632	23,768	164,571	1,905	1,899

Department for Education & Children - Budget Monitoring as at 31st August 2018

Main Variances

Division	Working Budget		Forecasted		Aug 18	Notes	Jun 18
	Expenditure	Income	Expenditure	Income	Forecasted Variance for Year		Forecasted Variance for Year
	£'000	£'000	£'000	£'000	£'000		£'000
Director & Strategic Management							
Business Support	405	0	375	-0	-30	Part year vacancy -£20k. Reduction in supplies and services - postages, photocopying recharges, admin and office equipment -£10k	-15
Education Services Division							
School Expenditure not currently delegated	225	0	243	0	18	Additional costs relating to previous years' Church Schools insurance premiums	0
School Redundancy & EVR	1,875	0	2,254	0	379	Budget utilised on existing commitments. Schools are supported and challenged on staffing structure proposals.	340
Special Educational Needs	2,892	-1,493	3,508	-1,463	646	Additional 5 classes to meet increased demand in specialist provision £457k. Full year impact of additional pupils commencing Out of County placements in 2017-18 and fewer pupils from other authorities in specialist provisions within Carmarthenshire, with these places being utilised by Carmarthenshire pupils £161k. Supply costs in SEN management to meet increased demand in inclusion cases £28k.	800
Education Other Than At School (EOTAS)	1,975	-217	2,049	-274	18	Reduction of income due to staff illnesses.	-4
Sensory Impairment	368	0	356	0	-12	Member of staff on maternity leave	-9
Educational Psychology	843	0	871	-12	16	Service demand currently requires staffing level in excess of budget	27
Access to Education							
School Modernisation	55	-5	178	-69	60	Transport recharges outside of Transport Policy for former pupils of closed schools £28k. Premises costs and historic utility costs re closed schools £32k	44
School Meals & Primary Free Breakfast Services	8,254	-5,804	8,189	-5,664	76	Budget pressures across the service especially sickness cover, kitchens' maintenance and food price increases. Strategic review of meal provision commencing September 2018 to identify service efficiencies.	72
School Improvement							
School Effectiveness Support Services	562	-78	577	-63	30	Premises costs for Neuadd Y Gwendraeth	36

Department for Education & Children - Budget Monitoring as at 31st August 2018
Main Variances

Division	Working Budget		Forecasted		Aug 18	Notes	Jun 18
	Expenditure	Income	Expenditure	Income	Forecasted Variance for Year		Forecasted Variance for Year
	£'000	£'000	£'000	£'000	£'000		£'000
Curriculum and Wellbeing							
Music Services for Schools	965	-865	1,182	-854	229	SLA income from schools has reduced more quickly than the progress with staff restructuring. Service is currently appraising options to address the financial position. Awaiting further developments nationally in terms of possible additional funding for music services.	210
Welsh Language Support	461	-175	718	-410	22	Overspend due to earmarked sum for potential repayment to Swansea University. This matter has been referred to legal.	-0
Children's Services							
Commissioning and Social Work	6,706	-78	6,707	-100	-21	Projected salary savings. Movement in period due to salary savings and a reduction in forecasted legal costs	202
Fostering Services & Support	3,950	0	3,995	-32	13	Increase in boarding out allowances in line with Welsh Government guidelines. Forecast increase in residence orders and boarding out payments based on April - August 2018 activity	-2
Out of County Placements (CS)	701	0	969	-62	206	More use of independent care agencies that are more expensive to use, due to a lack of in house placements suitable for their complex needs which require 24 hour support.	-6
Garreglwyd Residential Unit	562	-163	647	-155	93	Contribution from LHB for Tripartite funding is only at draft SLA level due to on-going lack of engagement from LHB. Additional tripartite staffing and premises costs for new placement are also not yet agreed.	181
Short Breaks and Direct Payments	531	-30	711	-145	65	Increased take up of Direct Payments, based on April - August 2018 . Also increased costs for after school and holiday club provision. This provision is currently under review.	22
Education Welfare	393	0	458	-1	64	Review of staffing structure to be progressed Autumn 2018. Any part year impact would reduce the forecast overspend.	46
Other Variances					-23		-45
Corporate Standby Efficiency					57		0
Grand Total					1,905		1,899

Environment Department
Budget Monitoring as at 31st August 2018

Division	Working Budget				Forecasted				Aug 18 Forecasted Variance for Year £'000	Jun 18 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Business Support & Performance	-6	-51	146	89	28	-68	146	107	18	-0
Waste & Environmental Services	23,690	-4,407	1,384	20,666	23,950	-4,490	1,384	20,844	178	75
Highways & Transportation	48,560	-29,467	9,129	28,223	50,575	-31,258	9,129	28,446	223	250
Property	39,686	-36,415	-1,632	1,640	40,844	-37,632	-1,632	1,580	-60	-4
Planning	4,201	-2,457	284	2,027	4,130	-2,110	284	2,304	277	309
Corporate Standby Efficiency	-177	0	0	-177	0	0	0	0	177	0
GRAND TOTAL	115,954	-72,797	9,311	52,468	119,527	-75,558	9,311	53,280	812	630

Environment Department - Budget Monitoring as at 31st August 2018

Main Variances

Division	Working Budget		Forecasted		Aug 18 Forecasted Variance for Year £'000	Notes	Jun 18 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Waste & Environmental Services							
Cleansing Service	2,257	-83	2,334	-81	79	Service reviews have commenced to look at ways of reducing costs within the cleansing service	0
Green Waste Collection	86	0	265	-140	38	The green waste collection service is not yet self-financing	30
Closed Landfill Sites Wernddu	85	0	128	0	42	IWEC pumps failed Dec17 which resulted in a leachate outbreak, NRW involved. Needed to overpump leachate from lagoons into raising mains - 2 sets of pumps used to lower level of lagoon so that CCTV investigation could commence and vavles fitted and blockages removed to reinstate IWEC pumps - To be completed Dec18	42
Highways & Transportation							
Civil Design	954	-1,442	982	-1,487	-16	Increased income recovery	-3
Car Parks	2,136	-3,577	1,847	-2,990	299	Unachievable income target as the income target is increased every year but parking fees have not been increased.	282
Nant y Ci Park & Ride	77	-32	93	-31	16	Increase in NNDR bills.	12
Bridge Maintenance	764	0	746	0	-18	Variance due to 'Highways structures Inspector' post being vacant - should be filled by Oct 18	-18
Street Works and Highway Adoptions	408	-350	426	-412	-45	Vacant posts - street works inspector (filled by Nov 18), Technician & Licensing Officer (to be filled by Dec18)	-23
Public Rights Of Way	303	-12	289	-12	-14	Vacant posts	0
Property							
Strategic Asset Management Business Unit	707	-4	677	-3	-29	Vacant post	-10
Industrial Premises	481	-1,396	387	-1,331	-29	Based on very high occupancy levels which may be subject to variation	-5
Livestock Markets	57	-201	65	-194	14	Dependent on new lease negotiation and variable turnover rent	23
Planning							
Planning Admin Account	334	-9	436	-128	-17	Staff vacancies £6.8k, projected over-achievement of income £2.6k, various net underspends £7.8k	-18
Minerals	339	-205	299	-179	-14	Underspend mainly due to charging out of staff to projects as a 'direct cost'.	-13
Development Management	1,477	-1,265	1,459	-921	326	Overspend due to ongoing shortfall in income which is driven by a small number of larger schemes which attract higher planning fees. This mirrors the trend across Wales.	360
Conservation	407	-31	377	-14	-14	Underspend due to staff vacancies	-30

Environment Department - Budget Monitoring as at 31st August 2018

Main Variances

Division	Working Budget		Forecasted		Aug 18	Notes	Jun 18
	Expenditure	Income	Expenditure	Income	Forecasted Variance for Year		Forecasted Variance for Year
	£'000	£'000	£'000	£'000	£'000		£'000
Other Variances					16		0
Corporate Standby Efficiency					177		0
Grand Total					812		630

Housing Revenue Account - Budget Monitoring as at 31st August 2018

	Working Budget £'000	Forecasted Actual £'000	Aug 2018 Variance for Year £'000	Notes	Jun 2018 Forecasted Variance for Year £'000
Expenditure					
Repairs & Maintenance					
Responsive	1,760	1,760	0		21
Minor Works	2,812	2,812	0		0
Voids	2,350	2,350	0		0
Servicing	1,611	1,611	0		0
Drains & Sewers	128	128	0		0
Grounds	731	731	0		0
Unadopted Roads	102	102	0		0
Supervision & Management					
Employee	4,349	4,320	-29	Underspend due to vacant posts part year	-17
Premises	1,411	1,444	34	Overspend in Rent £28k and Other £6k	50
Transport	67	64	-3		-12
Supplies	874	927	53	Overspend in Legal fees mainly relating to disrepairs £48k and other £2k. Under provision for start up Work choice system costs £43k, which are being covered by an underspend in Compensation payments -£40k	-10
Recharges	1,319	1,319	0		25
Provision for Bad Debt	435	130	-305	Provision for bad debt adjustment based on current and former tenants analysis .	-264
Capital Financing Cost	14,205	14,047	-158	Forecast reduction in interest rate applicable.	-158
Central Support Charges	1,620	1,620	-0		-0
DRF	13,349	13,349	0		0
Total Expenditure	47,123	46,716	-408		-364

Housing Revenue Account - Budget Monitoring as at 31st August 2018

Page 36

	Working Budget £'000	Forecasted Actual £'000	Aug 2018 Variance for Year £'000	Notes	Jun 2018 Forecasted Variance for Year £'000
Income					
Rents	-39,729	-39,235	494	Underachievement of rental income - Void loss prediction at budget setting 2.1%, while current forecast is 2.9% and reduction in rents due .	118
Service Charges	-750	-690	60	Underachievement of service charge income due to predicted void loss	57
Supporting People	-135	-135	0		0
Mortgage Interest	-3	-3	0		0
Interest on Cash Balances	-66	-66	0		0
Other Income	-598	-507	91	Underachievement of water rates commission due to a Government initiative to reduce the water bills for eligible tenants	91
Total Income	-41,280	-40,635	645		266
Net Expenditure	5,843	6,080	237		-98

HRA Reserve	£'000
Balance b/f 1/4/18	20,114
Budgeted movement in year	-5,843
Variance for the year	-237
Balance c/f 31/3/19	14,034

Executive Board 19th November 2018

CAPITAL PROGRAMME 2018-19 UPDATE

Purpose: To report the variances within the capital programme

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That the capital programme update report is received.

REASONS:

To provide Executive Board with an update of the latest budgetary position for the 2018/19 capital programme, as at the 31st August 2018.

Relevant scrutiny committees to be consulted N/A

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER: Cllr David Jenkins

Directorate: Corporate Services Name of Director of Corporate Services: Chris Moore Report Author: Chris Moore	Designation: Director of Corporate Services	Tel No. 01267 224120 E Mail Address: Cmoore@carmarthenshire.gov.uk
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EXECUTIVE SUMMARY

Executive Board

19th November 2018

This report provides an update on the Capital programme spend against budget for 2018/19 as at the 31st August 2018.

Appendix A which is shown departmentally, shows a forecasted net spend of £57,535k compared with a working net budget of £57,241k giving a **£294k** variance.

The net budget has been re-profiled by a further £4.642m from 2018/19 to future years to take account of updated spend profile information and the budget slippage from 2017/18 is also included within the attached figures.

There is also an Education budget re-profiling exercise currently being undertaken to reflect the progress of schemes within the 5 year capital programme on the MEP programme.

Appendix B details the main variances within each department.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: C.Moore

Director of Corporate Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	YES	NONE	NONE	NONE	YES

Finance

The capital programme shows an in year variance of **+£294m**, which will be re-profiled across the future years of the capital programme.

Physical Assets

The capital programme will have an impact on the physical assets of the Authority.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: C. Moore

Director of Corporate Services

1. Scrutiny Committee Relevant Scrutiny Committees will be consulted.

2. Local Member(s) N/A

3. Community / Town Council N/A

4. Relevant Partners N/A

5. Staff Side Representatives and other Organisations N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
2018-19 Capital Programme		Corporate Services Dept., County Hall, Carmarthen

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Capital Programme 2018/19							
Capital Budget Monitoring - Report for August 2018							
	Working Budget			Forecasted			Variance for Year £'000
DEPARTMENT	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000	
COMMUNITIES							
- Public Housing	23,125	-6,190	16,935	22,782	-6,209	16,573	
- Private Housing	1,897	0	1,897	1,989	-92	1,897	
- Social Care	704	0	704	718	-12	706	
- Leisure	5,667	-120	5,547	5,667	-120	5,547	
ENVIRONMENT	20,865	-4,395	16,470	20,879	-4,511	16,368	
EDUCATION & CHILDREN	13,811	-6,491	7,320	12,369	-4,293	8,076	
CHIEF EXECUTIVE	1,893	0	1,893	1,893	0	1,893	
REGENERATION	9,514	-3,039	6,475	7,226	-751	6,475	
TOTAL	77,476	-20,235	57,241	73,523	-15,988	57,535	294

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Capital Programme 2018/19						
Capital Budget Monitoring - Report for August 2018 - Main Variances						
	Working Budget			Forecasted		
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000
DEPARTMENT/SCHEMES						
COMMUNITIES						
- Public Housing	23,125	-6,190	16,935	22,782	-6,209	16,573
Stock Condition Survey 2018/19 - County Wide	150	0	150	50	0	50
Managing Private Sector Homes (Social Lettings)	106	0	106	35	0	35
Empty Homes	197	0	197	0	0	0
Other Projects with Minor Variances	22,672	-6,190	16,482	22,697	-6,209	16,488
- Private Housing	1,897	0	1,897	1,989	-92	1,897
- Social Care	704	0	704	718	-12	706
- Leisure	5,667	-120	5,547	5,667	-120	5,547
ENVIRONMENT	20,865	-4,395	16,470	20,879	-4,511	16,368
Murray Street Car Park, Llanelli	257	0	257	125	0	125
Major Structural Highway Improvements	2,851	0	2,851	2,905	0	2,905
Other Projects with Minor Variances	17,757	-4,395	13,362	17,849	-4,511	13,338
EDUCATION & CHILDREN	13,811	-6,491	7,320	12,369	-4,293	8,076
MEP External Funding Income	0	-6,491	-6,491	0	-4,293	-4,293
Ysgol Pen Rhos CP School - New School	-170	0	-170	496	0	496
Ysgol Trimsaran - New School Building	189	0	189	568	0	568
Gorslas - New School	1,827	0	1,827	300	0	300
Ysgol Coedcae - Phase 1	404	0	404	557	0	557
St John Lloyd	473	0	473	593	0	593
Ysgol Y Castell	39	0	39	100	0	100
Five Roads	1,655	0	1,655	600	0	600
Pembrey CP	853	0	853	500	0	500
Other Projects with Minor Variances	8,541	0	8,541	8,655	0	8,655
CHIEF EXECUTIVE	1,893	0	1,893	1,893	0	1,893
REGENERATION	9,514	-3,039	6,475	7,226	-751	6,475
TOTAL	77,476	-20,235	57,241	73,523	-15,988	57,535

Variance for Year £'000	Comment
-362	
-100	Method and capacity to capture and analyse data still being confirmed.
-71	Successful use of alternative funding streams.
-197	Level of capital investment needed reduced from original assessment, further work being undertaken in relation to what is needed for future years.
6	
0	No Major Variances.
2	No Major Variances.
0	No Major Variances.
-102	
-132	Expenditure profile being planned in accordance with whole of life care plan. Funding required for future year maintenance.
54	Unforeseen additional scheme costs.
-24	
756	Full re-profile of MEP Schemes required (in progress) to reflect varying progress of schemes.
2,198	Re-profile of income required to reflect varying progress of schemes.
666	Re-profile of budget required (in progress).
379	Additional significant ground works identified during scheme progress.
-1,527	Delayed start on site (working on cost gap in relation to Welsh Government cost and size standards.)
153	Additional urgent works to roof of Sports Hall identified during scheme progress.
120	Additional works to sports facility identified during scheme progress.
61	Scheme ahead of schedule - no anticipated overspend on whole scheme.
-1,055	Delayed start on site (working on cost gap in relation to Welsh Government cost and size standards.)
-353	Delayed start on site (working on cost gap in relation to Welsh Government cost and size standards.)
114	
0	No Major Variances.
0	No Major Variances.
294	

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EXECUTIVE BOARD 19TH NOVEMBER 2018

REVENUE BUDGET STRATEGY 2019/20 to 2021/22

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

1. THAT EXECUTIVE BOARD:

- 1.1. Note the contents of the report and approve the three year budget strategy as a basis for consultation. Specifically seeking comments from consultees on the efficiency proposals in Appendix A.
- 1.2. Give consideration as to what additional savings proposals can be identified to deliver a balanced budget in each of the three financial years

REASONS:

To provide the Executive Board with an overview of the budget issues and outlook for the forthcoming years.

Relevant Scrutiny Committee Consulted	TBA
Exec Board Decision Required	YES
Council Decision Required	NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr. David Jenkins

Directorate: Corporate Services Name of Director Chris Moore Report Author: Randal Hemingway	Designations: Head of Financial Services	Tel Nos. (01267) 224886 E Mail Addresses: Rhemingway@carmarthenshire.gov.uk
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EXECUTIVE SUMMARY EXECUTIVE BOARD 19TH NOVEMBER 2018

REVENUE BUDGET STRATEGY 2019/20 to 2021/22

The report provides members with an overview of the Revenue Budget for 2019/20 and the following two financial years.

It details the budget process timetable, the current Welsh Government (WG) provisional settlement, the Final settlement timetable and identifies the validation and budget pressures that need to be considered by members in setting next year's revenue budget.

The report will also form the basis of the budget consultation process that will be undertaken during the period November to January.

DETAILED REPORT ATTACHED?	YES
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INTEGRATION

I confirm that the Community Strategy Integration Tool has:	
Not been used to appraise the subject of this report as it is not appropriate to do so.	
Signed: Randal Hemingway	Head of Financial Services

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :	
Signed: C Moore	Director of Corporate Services

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
YES	NONE	YES	NONE	NONE	NONE	NONE

1. Policy and Crime & Disorder

The budget has been prepared having regard for the Council's Corporate Strategy, and the Well-being of Future Generations (Wales) Act 2015. Equalities Impact Assessments have been undertaken on the budget proposals in order to consider and assess the potential impact with respect to protected characteristic groups. The Equalities Impact Assessments will be further developed following consideration of possible mitigation measures.

3. Finance

The report provides an initial view of the Budget Strategy for 2019/2020, together with indicative figures for the 2020/21 and 2021/22 financial years. The impact on departmental spending will be dependent upon the final settlements from Welsh Government, and the resultant final Budget adopted by County Council.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: C. Moore

Director of Corporate Services

1. Local Member(s) Not applicable

2. Community / Town Council Not applicable

3. Relevant Partners

Consultation with relevant partners will be undertaken and results will be reported during the budget process.

4. Staff Side Representatives and other Organisations

Consultation with other organisations will be undertaken and results will be reported during the budget process.

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
2019/2020 3 year Revenue Budget		Corporate Services Department, County Hall, Carmarthen.
WG Provisional Settlement		Corporate Services Department, County Hall, Carmarthen.

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REPORT OF DIRECTOR OF CORPORATE SERVICES

Executive Board

19th November 2018

REVENUE BUDGET STRATEGY 2019/20 to 2021/22

HEAD OF SERVICE & DESIGNATION.	DIRECTORATE	TELEPHONE NO.
C Moore, Director of Corporate Services	Corporate Services	01267 224121
AUTHOR & DESIGNATION	DIRECTORATE	TELEPHONE NO
R Hemingway, Head of Financial Services Officer	Corporate Services	01267 224886

1. INTRODUCTION

- 1.1. Executive Board in July 2018 received a report on the Revenue Budget Outlook for 2019/2020 to 2021/2022 which appraised Members of the financial outlook and the proposals for taking forward the budget preparation for the three year period.
- 1.2. This report provides Members with the current view of the Revenue Budget for 2019/2020 together with indicative figures for the 2020/2021 and 2021/2022 financial years. The report is based on officers' projections of spending requirements and takes account of the provisional settlement issued by Welsh Government on 9th October 2018. It also reflects the current departmental submissions for savings proposals.
- 1.3. Whilst significant work has already been undertaken in preparing the budget, this is only an initial position statement which will be updated over the coming months as the budget is further developed, council members are engaged, public consultation takes place, and the final settlement is received from Welsh Government.
- 1.4. The report is broken down into 5 parts:
 - Funding Projections
 - Budget Requirement
 - Impact on the Authority's budget requirement
 - Consultation
 - Conclusion
 - Recommendations

2. PROVISIONAL SETTLEMENT

- 2.1. The provisional settlement was announced on Tuesday 9th October 2018. Indicative figures for individual Local Authorities were provided for one financial year only, 2019/20, with no further information about future years' settlements.
- 2.2. Whilst the headline provisional settlement was better than this Council had forecast, it was a reduction on the current year's settlement. When inflationary factors, demographic and demand changes are considered there is a significant negative impact on the Council's resources.
- 2.3. Speaking on BBC Radio Wales on the day of the provisional settlement, the First Minister acknowledged the financial difficulty that this placed upon councils. He therefore committed that if there was a favourable Barnett consequential following the Chancellors Autumn Statement on 29 October, local government would be "first in the queue" for additional funding in Welsh Government's final budget, to be published in December.

However, responding to the Barnett consequential of £550m (£486m revenue by 2019-20) Cabinet Secretary for Finance Mark Drakeford was dismissive, saying that £365m had already been planned into the Welsh Government budget. WLGA's own indicative analysis is that there could be around £59m in 2019-20 available for WG to allocate in the final revenue settlement, published in December, if they so choose.

- 2.4. The main points of the Provisional Settlement 2019/2020 on an all Wales basis are as follows:

- 2.4.1. Local government revenue funding for 2019-20 set at £4.214 billion, a reduction of 0.3% (£12.3 million) compared to 2018-19, but this is after transfers into the settlement which WG have included at £12.1 million.

- 2.4.2. Our analysis suggests there are however inconsistencies in this:

WG's draft budget published on 2 October clearly states that £13.7 million has been included towards the cost of the September 2018 Teachers pay award, yet only £8.1 million has been provided. We therefore consider that the true settlement is £5.6 million worse than publicised. This appears to contradict both the Secretary of State for Wales' letter to Welsh Council Leaders as well as Welsh Government's own draft budget detailed proposals.

Similarly, there was explicit reference to £7.0 million of additional funding to meet Local Authorities costs arising from WG's approach to free school meals. On this, it is

clear that only £4.0 million has been provided, making the true settlement £3.0 million worse than publicised.

Like last year, there is reference in WG's draft budget to an extra £20 million for social care, however there is simply no extra money for this.

- 2.4.3. The WG budget does not include any funding for substantial increases in the Teachers' Pensions employer contribution rates (referred to in paragraph 3.2.3 below). WG officials have been unable to provide any clarity on the matter. We consider it likely that this information became available too late in the process to be included with the WG budget, and indeed some funding appears to have been set aside in the Chancellor's Autumn Statement.
- 2.4.4. £2.5 million floor funding to ensure that no authority sees a reduction of greater than 1.0% compared to its 2018-19 settlement allocation.
- 2.4.5. No information regarding any future arrangements on the WG previously stated aims as to how to make the Council Tax Reduction Scheme fairer.

2.5. The Settlement figures for Carmarthenshire are:

- 2.5.1. After adjustments for WG identified transfers, the reduction in the provisional settlement is 0.5% (£1.343m). The Aggregate External Finance (AEF) therefore reduces to £258,831k in 2019/20.

2.5.2. New responsibilities and transfers in:

- £422k for Free School Meals eligibility, however only £238k has actually been transferred in
- £843k for Teachers pay, of which only £497k has been transferred in

Taking account of these, the reduction for Carmarthenshire is 0.7% (£1.873m).

As this year's settlement includes a funding floor of -1.0%, and in the absence of any forward guidance for future years, the MTFP assumptions for 2020/21 and 2021/22 have each been revised upwards from -1.5% to -1.0%. This reduces the budget gap by £2.6m over the MTFP period.

2.6. Details of the Welsh Government Service Specific Grants were updated on 23rd October 2018, albeit there is no information for around £150m of

grants at an all Wales level. Of those published, the majority have been maintained at a ***cash standstill position***, reducing the value of output which can be delivered once inflation is taken into account. There are however some important updates :

- There is a new social services grant of £30m across Wales. As there are no specific details, we are planning on the basis that this can be used in full towards the obvious and unavoidable service pressures. The Chancellor's autumn statement confirmed the National Living Wage increase from £7.83/hour to £8.21/hour which will impact significantly on the cost of many commissioned services.
- There is a new education grant of £15m across Wales. By contrast the Cabinet Secretary for Education has said publicly that this is to be largely used for teachers' professional development. As such we have not been able to count it when considering new pressures funding.
- There is a new "super grant" named the Children and Communities Grant of £135m which brings together previously separate funding streams of Flying Start, Families First, Communities for Work Plus and Communities First Legacy Education Improvement Grant.
- The temporary funding put in place in 2018/19 for Ethnic, Minority Gypsy Roma Traveller Learners has been maintained at £8.7m but there is no information on whether the current distribution, which does not favour Carmarthenshire, is to be changed or not.
- The £9m planned all Wales cut to Education Improvement Grant has not been implemented.
- The Concessionary Fares grant has increased by £2m to £60m, though no details are available on any conditions attached to this increase.

3. BUDGET REQUIREMENT 2019/2020

3.1. Current Years performance (2018/2019)

3.1.1. As the Authority's core spending requirements remains constant year on year, a review of current year's performance is important in identifying whether there are any underlying problems within the base budget

3.1.2. The current projection for the Revenue Outturn for 2018/19 (based on the August 2018 monitoring) is as follows

Service	Approved Budget £'000	Total Expenditure Forecast £'000	Variance Forecast For Year £'000
Chief Executive	13,832	14,078	246
Communities	97,714	98,507	793
Corporate Services	24,799	24,475	-324
Education and Children's Services	162,665	164,571	1,906
Environment	52,468	53,280	812
Departmental Expenditure	351,479	354,911	3,432
Cont from Dept/Earmarked Reserves		-650	-650
Capital Charges	-15,425	-15,970	-545
Levies and Contributions	9,724	9,724	0
Transfer to/ from Reserves	0	0	0
Net Expenditure	345,778	348,015	2,237

The main reasons for the departmental overspends are as follows:

- Chief Executive's Department: proposed savings in Corporate Health and Safety (285k) under review by TIC team.
- Communities Department: overspends against budget in the areas of Older People and Physical disabilities, Learning Disabilities, Mental Health and Safeguarding.
- Education and Children's Services: continues to face pressure due in the main to school based EVR and redundancy costs, Special Educational Needs Statements, shortfall in the Music service SLA income from schools and Out of County Placements.
- Environment Department: overspends are primarily due to non-achievement of car park income targets and a decrease in planning application income.

The Authority is currently forecasting a variance of £2.237m at the year-end that will have to be met from General Balances.

3.2. Validation

3.2.1. Validation reflects the changes in expenditure requirements to deliver the **current level** of services in future years. Primarily this is inflation, but also includes some service specific changes. The key validation factors are as follows:

	<u>2019/20</u> <u>Original</u>	<u>2019/20</u> Proposed	<u>2020/21</u>	<u>2021/22</u>
General inflation	2.3%	2.3%	2.0%	2.0%
Electricity	5.0%	5.0%	5.0%	5.0%
Gas	5.0%	5.0%	5.0%	5.0%
Fuel	5.0%	5.0%	5.0%	5.0%
Pay Inflation - non teaching	2.0%	2.0%	2.0%	2.0%
Pay Inflation - Teaching	2.0%	1.6%	2.0%	2.0%
Levies	2.9%	2.9%	2.5%	2.5%
Pension Contributions	£209k	£209k	£213k	£218k
New Pay Spine	£1800k	£2000k	n/a	n/a
Capital Charges	£250k	£250k	£250k	£250k

3.2.2. There are very significant pressures in terms of the council's pay bill. With a clear cessation of the 1% public sector pay cap over the last year, the budget is built on the an assumption of a 2% per annum increase generally – with two exceptions:

- Teachers pay - Factoring in the full year effect of the September 2018 award, but then reverting to the annual 2% each September;
- NJC pay spine – implementing the nationally agreed pay spine, which for Carmarthenshire means an average increase of 3.5% in April 2019, based on budgeted Top-of-Grade salaries, then reverting to 2% each April.

3.2.3. Furthermore, our draft budget considers the effect of the increase in Teachers Pensions Employer contributions. The increase from 16.48% to 23.6% is forecast to cost £2.75m in 2019/20 (September implementation) and a further £1.75m in 2020/21, totalling c. £4.5m full year effect. Our working assumption is that either this is fully funded through a direct grant in 2019/20 or accommodated in full in the final settlement

published in December. **Anything other than a fully funded position will further add to the budget cuts faced by Local Authorities – therefore if it factored into the settlement, this is likely to add around £50 million to the headline figure without providing any true relief.**

- 3.2.4. As a result of these factors, validation is high relative to recent years and adds £11.8m to the current year's budget.

3.3. Cost reduction Programme

- 3.3.1. In anticipation of the settlement reductions, significant work in identifying further service efficiencies/rationalisation proposals has been undertaken.

- 3.3.2. The savings targets set for each financial year are as follows:

	2019/20 £m	2020/21 £m	2021/22 £m
Original targets (July Budget Outlook report)	11.473	11.240	10.249
Updated targets (following Provisional Settlement)	9.825	9.539	8.481

- 3.3.3. Accordingly departments have developed a range of proposals, and these efficiencies are included in **Appendix A** of this report.

- The efficiency proposals are categorised as follows:
 Managerial – Efficiencies that result in no perceivable change to the overall level of service delivery but may in some instances affect quality of service provided;
 Policy – Efficiency or service rationalisation proposals that will directly affect service delivery.

	2019/20 £m	2020/21 £m	2021/22 £m
Managerial	5.527	3.878	3.893
Existing Policy	3.078	3.126	3.021
New Policy	1.220	0.660	0.696
Total	9.825	7.664	7.610
Shortfall	0	1.875	0.871

(Detail at **Appendix A**)

- 3.3.4. The summary sheet at Appendix A sets out the savings targets set for individual departments and the value of savings currently identified.

3.4. New Expenditure Pressures

- 3.4.1. New expenditure pressures are the combination of additional cost to meet existing service needs e.g. increased client base/greater service take up and the costs of meeting change in service provision e.g. policy changes.

- 3.4.2. The original budget outlook report included £3m per annum to meet growth pressures.

- 3.4.3. Initial growth bids of £7.4m have been submitted by departments for 2019-20. Based on an evaluation of the value and unavoidable nature of pressures submitted, the current estimated value required has risen to £4m, of which £2.2m will need to be met from corporate funding and is allocated as follows:

	£'000
Communities (£1.8m to be met from social services grant)	400
Education	500
Environment	1,300

Departments will need to prioritise their departmental allocation against their original submissions

The detail is provided at **Appendix B**.

3.5. Schools Delegated Budgets

- 3.5.1 The current budget strategy proposals adopted in February 2018 and maintained in the July 2018 Budget strategy report assumed a cash neutral settlement to schools. This does require schools to identify their own efficiencies to meet known inflationary pressures, but provides relative protection when compared against the larger reductions allocated to other council departments. The council has allocated dedicated support from the TIC team to help schools identify efficiencies and has allocated a dedicated invest to save fund of £500k as an enabler.

The significant and clearly unavoidable pressure related to Teachers Pensions Employer Contributions is considered outside this process – for the purposes of Schools Delegated Budgets it is assumed to be fully funded. **Should funding not be confirmed in full by the time of our final budget in February 2019, this may have a significant detrimental effect on service provision and/or require an unprecedented jump in the scale of council tax increases.**

3.6. Internal Funding

3.6.1. Generally speaking whilst the use of reserves to support annual budgets should not be summarily discounted, it must be treated with caution. Funding on-going expenditure from such funds merely defers and compounds difficult financial problems to the following year. One-off items of expenditure within any budget proposal lend themselves better for such funding support.

3.6.2. In deliberating this point however, members must bear in mind any **inherent risks** that may be built into the budget strategy. These include:

- Challenging Efficiency targets
- Future inflation/interest rates
- Current economic and political climate continuing
- Impact of BREXIT
- A new First Minister to take over in December 2018
- Additional pressure on demand lead Services

In spite of positive progress last year, this year there is no indication from Welsh Government in respect of future settlements, therefore it remains difficult to construct multi-year budgets in the absence of any clear forecasts.

3.6.3. The following table summarises the main categories of reserves held by the Authority.

	1 st Apr 2018 £'000	31 st Mch 2019 £'000	31 st Mch 2020 £'000	31 st Mch 2021 £'000
Schools Reserves	1,515	-474	-474	-474
General Reserves	9,783	7,598	7,598	7,598
Earmarked Reserves	81,139	52,844	39,077	20,167

3.6.4. School Reserves

- Schools have delegated responsibility for the management of their own finances. The level of reserves held by an individual school at any point in time will depend on a number of factors

including the level of contingency fund that the school governing body considers appropriate, and the particular plans each school has for expenditure. Officers have yet to be informed of any transfers to/from these reserves by individual schools for future years.

- Legislation allows schools to carry forward reserves from one financial period to another. The School Funding (Wales) Regulations 2010 requires schools to limit their accumulated reserves at year end to £50,000 for Primary Schools and £100,000 for Secondary and Special Schools or 5% of their budget dependant on what is greater. School Improvement officers are currently working with schools to ensure they comply with the guidance. As at 31st March 2018, 28 primary, 5 secondary and no special schools were in deficit and 18 primary and 6 secondary schools held surpluses in excess of the thresholds above, a small improvement from the year before.

3.6.5. **General Reserves**

- In the changeable and challenging environment currently facing Local Government the Authority is committed to maintaining a reasonable level of General reserves or Balances. Whilst there is no prescribed minimum level for Balances, Council has previously deemed 3% of net expenditure as being a prudent level, which has been accepted by our Auditors as being reasonable
- The overall level of balances is taken into consideration each year when the annual budget is set and has on occasions been utilised to augment expenditure/reduce council tax. The 2018-2019 budget was set on the basis of no transfers from the General Reserves. Based upon the August Budget monitoring (outlined in paragraph 3.1.2 above) there could be draw of £2,237k against General Reserves at the end of the current financial year.

- Given the likely draw on this reserve in the current year therefore it is deemed imprudent at this stage to assume any further support for future years budgets from the current General Reserves.
- Taking account of the reduction in general reserves forecasted, consideration needs to be given to how these balances are built back up over future years.

3.6.6. Earmarked Reserves

- The Authority holds earmarked reserves which have been set up to finance the delivery of specific projects, or in protecting the authority against future liabilities or issues. The reserves can be summarised as follows:

Reserve	31 March 2018	31 March 2019	31 March 2020	31 March 2021
	£'000	£'000	£'000	£'000
Insurance	10,741	11,041	11,216	11,391
Capital Funds	43,212	26,189	16,187	-653
Development Fund	1,627	923	1,091	1,257
Corporate Retirement Fund	2,959	2,202	1,445	688
Joint Ventures	1,248	1,284	1,386	1,488
Other	21,352	11,205	7,752	5,996
TOTAL	81,139	52,844	39,077	20,167

- As can be seen from the table above the level of earmarked reserves fluctuates greatly year on year, and whilst the level in each fund is not an exact science it is based on an informed estimate and past experience of the likely call on the authority in future years in line with the intended purpose of each reserve. Great care must therefore be taken when considering utilising such funds for purposes other than those which they were created as this could lead to the authority being faced with substantial unfunded liabilities in the future
- The budget proposals therefore assume nil contribution from reserves in support of the revenue budget in 2019/20 and a further analysis of the reserves held will be undertaken over the coming months with any further proposed utilisation being considered at the budget finalisation stage.
- Taking account of the proposals within this report, the Director of Corporate Services confirms that overall the estimated level of financial reserves (as indicated above) is adequate for the financial year 2019/20, with the General Reserves being at the minimum that could be supported. However the Director is very conscious of the ongoing commitment to capital projects and of the demand on future services and therefore feels the reserves will need to be monitored closely going forward.

4. IMPACT ON THE AUTHORITY'S BUDGET STRATEGY

The table below provides an updated position on the current financial outlook taking account of the provisional settlement and also other recent validation changes.

4.1. The Current Financial Outlook (updated for the Provisional Settlement) is set out in the table below:

	Current MTFP		Proposed Financial Model		
	2019/20 £'000	2020/21 £'000	2019/20 £'000	2020/21 £'000	2021/22 £'000
Previous Year's Budget	345,778	346,988	345,778	349,996	352,503
General Inflation	2,367	2,526	3,201	2,815	2,874

Pay Inflation	6,019	4,840	6,219	4,840	4,324
Transfers in & other	1,052	713	2,423	1,392	1,101
Growth	3,000	3,000	2,200*	3,000	3,000
Savings proposals	-8,812	-8,209	-9,825	-7,664	-7,610
Further savings to be identified	-2,417	-2,791	0	-1,875	-871
Net Expenditure	346,988	347,065	349,996	352,503	355,321
Funded by:					
Revenue Settlement	-256,793	-254,941	-258,831	-256,243	-253,680
Council Tax Receipts	-90,194	-94,124	-91,165	-96,260	-101,641
Council Tax Increase:	3.78%	3.67%	4.89%	4.89%	4.89%

*Assumes new £30m Social Services grant can be used to fund pressures

- 4.2. The total of cost reductions now required for 2019/20 is £9.8m and for the 3 year period are estimated at £28m.

5. CONSULTATION

Budget consultation has been planned for the coming months and a summary of the individual approaches are as follows:

- 5.1. Members seminars. (November and December 2018)
- 5.2. The consultation process will commence online from the 20th November 2018.
- 5.3. Town & Community Councils and commercial ratepayers consultation in December 2018.
- 5.4. Consultation with Scrutiny Committees during December 2018 and January 2019.
- 5.5. 'Insight' youth conference in December 2018.
- 5.6. Consultation with the Schools Budget Forum in November 2018
- 5.7. Trade Union Consultation December 2018/January 2019

6. WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

- 6.1. In considering the budget proposals, members need to take into consideration the requirements of the Wellbeing of Future Generations (Wales) Act 2015. The Act requires that we must carry out sustainable development, improving the economic, social environmental and cultural well-being of Wales.

‘... the public body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs’

6.2. In doing so, we must demonstrate the following 5 ways of working:

- Looking at the long-term so that we do not compromise the ability of future generations to meet their own needs
- Understanding the root causes of the issues to prevent them recurring
- Taking an integrated approach so that we look at all well-being goals and objectives of other services and partners
- Collaboration – Working with others in a collaborative way to find shared sustainable solutions
- Involving a diversity of population in decisions that affect them

6.3. Carmarthenshire’s Well Being objectives:

Start Well

1. Help to give every child the best start in life and improve their early life experiences
2. Help children live healthy lifestyles
3. Continue to improve learner attainment for all
4. Reduce the number of young adults that are Not in Education, Employment or Training

Live Well

5. Tackle poverty by doing all we can to prevent it, help people into work and improve the lives of those living in poverty
6. Create more jobs and growth throughout the county
7. Increase the availability of rented and affordable homes
8. Help people live healthy lives (tackling risky behaviour and obesity)
9. Support good connections with friends, family and safer communities

Age Well

10. Support the growing numbers of older people to maintain dignity and independence in their later years
11. A Council wide approach to support Ageing Well in Carmarthenshire

In a Healthy and Safe Environment

- 12. Look after the environment now and for the future
- 13. Improve the highway and transport infrastructure and connectivity
- 14. Promote Welsh Language and Culture

Governance

- 15. Building a Better Council and Making Better Use of Resources

7. CONCLUSION

- 7.1. Currently the budget proposals assume the full delivery of all of the savings proposals submitted, together with the identification and delivery of the shortfall in savings proposals 2020-21, and 2021-22.
- 7.2. Further cost reductions need to be identified and/or larger council tax increases be agreed to deliver a balanced budget in each of the three years.
- 7.3. Given the scale of the budget gap forecast, Council Tax increases have been increased from the previous MTFP to 4.89% in each of the three financial years. This provides at least some mitigation to the savings proposals which the council needs to consider.

8. RECOMMENDATION

- 8.1. Note the contents of the report and approve the three year budget strategy as a basis for consultation. Specifically seek comments from consultees on the efficiency proposals in Appendix A.
- 8.2. Give consideration as to what additional savings proposals can be identified to deliver a balanced budget over the financial planning period.

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	ORIGINAL TARGETS			
	2019/20	2020/21	2021/22	Total
	£'000	£'000	£'000	£'000
Chief Executive	679	665	600	1,944
Education & Children	1,535	1,503	1,356	4,394
Schools Delegated	2,642	2,593	2,452	7,687
Corporate Services	292	286	258	837
Community Services	4,234	4,145	3,738	12,117
Environment	2,090	2,047	1,846	5,983
	11,473	11,240	10,249	32,962

	REVISED TARGETS			
	2019/20	2020/21	2021/22	Total
	£'000	£'000	£'000	£'000
Chief Executive	552	534	464	1,551
Education & Children	1,249	1,208	1,048	3,505
Schools Delegated	2,642	2,593	2,452	7,687
Corporate Services	238	230	199	667
Community Services	3,443	3,330	2,890	9,664
Environment	1,700	1,644	1,427	4,772
	9,825	9,539	8,481	27,845

Proposals					Page 12-13				Page 14-17				TOTAL PROPOSALS				
	MANAGERIAL				EXISTING POLICY PROPOSALS				NEW POLICY PROPOSALS								
	2019/20	2020/21	2021/22	Total	2019/20	2020/21	2021/22	Total	2019/20	2020/21	2021/22	Total	2019/20	2020/21	2021/22	Total	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
	Chief Executive	498	279	153	930	0	0	0	0	0	7	0	7	498	286	153	937
	Education	380	235	0	615	50	50	0	100	610	475	280	1,365	1,040	760	280	2,080
Schools Delegated	0	0	0	0	2,642	2,593	2,452	7,687	0	0	0	0	2,642	2,593	2,452	7,687	
Corporate Services	292	286	228	806	0	0	0	0	0	0	0	0	292	286	228	806	
Community Services	3,361	2,646	2,815	8,822	74	14	14	102	188	110	105	403	3,623	2,770	2,934	9,327	
Environment	996	432	697	2,125	312	469	555	1,336	422	68	311	801	1,730	969	1,563	4,262	
	5,527	3,878	3,893	13,298	3,078	3,126	3,021	9,225	1,220	660	696	2,576	9,825	7,664	7,610	25,099	

SHORTFALL - to be identified	
	Total
	£'000
Chief Executive	614
Education & Children	1,425
Schools Delegated	-0
Corporate Services	-139
Community Services	336
Environment	510
	2,745

Department	2018-19 Budget	FACT FILE	'2019-20 Proposed	'2020-21 Proposed	'2021-22 Proposed	Total	EFFICIENCY DESCRIPTION
	£'000		£'000	£'000	£'000	£'000	

Chief Executive

Information Technology

Information Technology	3,672	ICT Services underpins and contributes towards all that the Council delivers both internally as an organisation and externally to service users and communities, independently or in partnership. It is a vital function providing innovative opportunities for improving services and achieving our priorities in an efficient and effective way. IT Services is pivotal as an enabler of change and a vehicle for driving forward transformational improvement to all services. We have a workforce of 62.5 FTE's which has reduced over the last 7 years from 109 FTE's and we have delivered £3.1m in efficiency savings over the last 9 years. As we continually strive to deliver our solutions in an efficient manner and in line with our key Digital Strategies (Digital Transformation Strategy, Digital Technology Strategy, Digital Schools Strategy) our major savings in 2019/20 are delivered through rationalising software and hardware maintenance contracts that we hold.	173	169	153	495	2019/20 - £135k will be delivered by rationalising the software maintenance contracts we have in ICT Services. £38k from operational costs e.g reduce travelling costs, consumables, subscriptions. 2020/21 - Over the years the BT technology has been superseded with modern Internet Protocol based solutions. ICT Services will be replacing this aging infrastructure in order to utilise the latest technology which in turn will deliver the £150k revenue efficiencies. £19k will be delivered through reducing Operational Costs. 2021/22 - Technology improvements being implemented by ICT and BT on the PSBA network will deliver reduced revenue costs. We will be looking to benefit from the latest technology regarding ChatBotts and Artificial Intelligence to assist in delivering services and this will allow us to consider staff EVR requests.
Total Information Technology			173	169	153	495	

Democratic Services

Council & Committee Reports		The cost of officer support to County Councillors including administrative support, member allowances and expenses.		25		25	County council has approved that meeting report packs will in future be sent to councillors electronically. This will reduce administration cost, printing and postage
Total Democratic Services			0	25	0	25	

People Management

Human Resources	798	HR provides advice and guidance to people managers as well as ensuring the Authority is compliant with employment legislation . Employment Policy framework development and maintenance. The service is currently being reviewed with a view to providing a more integrated HR/Payroll Support service to its users and meet the challenges of the Education agenda and collaborative working.	38			38	2019/20 income generation ie Pembs OH service
Payroll	353	Payroll: administering pay for all employees and members, managing payroll records and providing a number of returns and statistics on staffing.The corporate Payments Service provides a range of payment solutions that support both internal and external clients in the settlement of supplier invoices relating to the receipt of goods and services.	40			40	2019-20 Structure realignment & postage
Learning & Development	474	The service is currently responsible for meeting the corporate, generic learning & development needs of Carmarthenshire County Council's workforce & through a strategic partnership enabling the needs of the social care sector workforce in Carmarthenshire to be met. All corporate L&D programmes are developed to meet the needs of the organisation by closely aligning with the vision, objectives & priorities of the organisation. Social care workforce development is closely aligned with WAG/Care Council/SSIW regulations, guidance & frameworks and the needs of changing service provision, in particular the integration of Health & Social Care. It coordinates the Investors in People programme supporting the organisation via the LiP Steering group to maintain LiP recognition	0	35		35	2020/21 SCWDP regional working
Total People Management			78	35	0	113	

Total Chief Executive, IT, PMP & Administration & Law	251	229	153	633
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Regeneration, Policy & Property

Customer Focus & Policy

Registrars	130	Carmarthenshire Registration Service is a single district civil registration authority, co-terminous with the county boundary, called Carmarthenshire Sir Gaerfyrddin district 822. The district is managed and delivered by Carmarthenshire Registration Service. The Carmarthenshire Registration Service consists of 26 members of staff, who work across the county as one team with three offices open to the public in Carmarthen, Llanelli and Ammanford. In any given year the service registers approximately 500 marriages / civil partnerships, 2700 births and 2300 deaths.	9			9	Reduce supplies & Services expenditure
Net Departmental Administration	394	The Unit discharges the budget monitoring and acts as the support role for the services of the department based at County Hall, i.e. Chief Executive, Regeneration and Policy and Administration and Law, together with departmental staffing functions and business support including the central mail service and the management of access to buildings under the Council's Security Card System and the issuing of identification cards.	25			25	2019-20 - Realignment of service area to focus on wider departmental services within Chief Executives;

Department	2018-19 Budget	FACT FILE	'2019-20 Proposed	'2020-21 Proposed	'2021-22 Proposed	Total	EFFICIENCY DESCRIPTION
	£'000		£'000	£'000	£'000	£'000	
Performance Management	514	The Performance Management Unit is responsible for providing a corporate lead on performance management for the Council that ensures a strong ethos of continuous improvement runs through everything the Council does.	5			5	2019-20 Income generation from provision of Performance Management software to other Authorities
Marketing and Media (contact centres, press, communication, translation and customer services)	1,533	Newly formed business unit comprising of translation, marketing and tourism, contact centres, customer services, press and communications.	96			96	2019-20 - Continued service review within the newly formed Marketing and Media section (this also to include contact centres and customer services)
Total Customer Focus & Policy			135	0	0	135	

Regeneration

Economic Development Division	1,541	Economic Development Division forms part of Carmarthenshire County Council's Chief Executive Department. Led by the Director of Regeneration and Policy , it plays a fundamental role in regenerating both Carmarthenshire and the Region through investment and support. Economic Development is an extremely proactive service which has to constantly change to address the needs of Carmarthenshire's businesses and communities through the Integrated Community Strategy as well as addressing and contributing to the delivery of the policies and strategies of the newly formed Swansea Bay City Region, European Commission, UK and Welsh Governments.	112	50		162	Supporting of severance application. Continue to work with external funding partners to maximise income streams. Continue to review the contributions to current programmes and activities. Year 2 - Continue to review all business units within the portfolio
Total Regeneration			112	50	0	162	
Total Regeneration, Policy & Property			247	50	0	297	
Chief Executive Total			498	279	153	905	

Department	2018-19 Budget	FACT FILE	'2019-20 Proposed	'2020-21 Proposed	'2021-22 Proposed	Total	EFFICIENCY DESCRIPTION
	£'000		£'000	£'000	£'000	£'000	
Education & Children							
Director & Management Team							
Departmental - cross cutting	556	Casual travel budgets across the Department	25	25		50	Reduce all casual mileage budgets by approximately 5% per annum through better journey planning, challenging the need for journeys, and utilising cheaper travel options including use of pool cars
Departmental - cross cutting	5,503	Budgets for supplies & services across the Department	50	25		75	Reduce budgets for supplies and services across the Department (e.g. training, stationery)
Departmental - cross cutting	5,503	Cross-departmental support costs including adminstration, financial processing, & premises management	100	100		200	Root & branch review of support services across the Department in order to realise savings and increase flexibility
Total Director & Management team			175	150	0	325	
Access to Education							
Catering Services	276	The management & administration of school meals income and banking	55	45		100	Provide the ability for parents to pay online for school meals (& other school payments, e.g. trips). Introduce electronic meal registers in primary schools, removing paper based systems. The changes will likely mean the removal of the School Meal Clerical role.
Catering Services	1,316	<ul style="list-style-type: none">The Catering Service provides school meals in all Carmarthenshire primary schools and 11 of the 12 secondary schools.Based on current charges for a primary school meal, Carmarthenshire prices are the joint highest in Wales.Costs have been saved over recent years by reducing staffing levels and smarter purchasing of food and other supplies.		40		40	Remodel the central Catering Services Management Team in light of changes to school meal payment processes (reducing the full time equivalent)
Total Access to Education			55	85	0	140	
Education Services & Inclusion							
Home Tuition	270	A service to meet the needs of learners who due to illness cannot access their mainstream school.	20			20	Reduce costs
Business Support	405	The central Business Support Team provides a range of support services to the Department and Building 2 at St. David's Park, Carmarthen. This includes reception duties, management of pool cars, processsing applications for Free School Meals, administering School Milk, and School Clothing Grants, and processing creditor payments across the Department	30			30	possible severance or reduction across multiple budget headings pending workload review
Total Education Services & Inclusion			50	0	0	50	
Children's Services							
Children's Services	6,628	A range of preventative and support services for children.	100			100	Review of services/utilisation of grants
Total Children's Services			100	0	0	100	
Education & Children Total			380	235	0	615	

Department	2018-19 Budget	FACT FILE	'2019-20 Proposed	'2020-21 Proposed	'2021-22 Proposed	Total	EFFICIENCY DESCRIPTION
	£'000		£'000	£'000	£'000	£'000	
Corporate Services							
Financial Services							
Accountancy	1,306	The provision of a decentralised accounting and financial management service, covering: • Technical Accounting (Preparation of final accounts, corporate accounting and taxation), • Management Accounting (Month end close, maintenance of financial records and budgeting) • Strategic Finance functions (projects, planning and financial advice to members)	138	135	122	395	2019-20 - Increased SLA's income £50k, Reduction in external audit fees £58k, reduction in subscriptions £30k; 2020-21 - additional income from receivership work £50k, £15K reduction in subscriptions; restructuring £70k; 2021-22 Restructuring £122k
Total Financial Services			138	135	122	395	
Revenues & Financial Compliance							
Audit& Risk	701	The Division's costs are primarily made up of staffing costs: Head of Division (1 FTE), Internal Audit (10.8 FTE), Risk Management / Insurance (3 FTE), Corporate Procurement Unit (8.8 FTE) and Corporate Services Business Support Unit (2.6 FTE). Audit Committee have made consistent representations to maintain and strengthen the Internal Audit provision which currently stands at 10.4 FTE. The Risk Unit maintains the Corporate Risk Register and co-ordinates the approach to Risk Management across the Authority whilst also dealing with the Authority's Insurances (including management of all "live claims" made against the Council by employees and the public). The Corporate Procurement Unit supports Departments in ensuring cost effective legally compliant procurement of the array of goods and services utilised by the Authority's various Services (savings emanating from better procurement are shown in Departmental savings). Finally a small Departmental Business Support Unit supports the whole Corporate Services Department's approach to Performance & Development work and the range of administrative requirements including FOIA and Appraisal Monitoring.	0	0	20	20	Income generation from work undertaken on behalf of external organisations
Revenues & Benefits	1,768	Revenue Services Unit is responsible for the administration, billing and collection of Council Tax and Non Domestic Rates from householders and businesses, respectively. The unit also undertakes on behalf of all the Authority's departments, the billing, collection and recovery of miscellaneous income (known as Sundry Debts) as well as having responsibility for operating the Councils full time cash offices with the associated back-office income functionsIn addition to these income collection functions, the unit is responsible for the administration of Council Tax Reduction scheme (formerly Council Tax Benefit) and Housing Benefit schemes which help low income households meet their rent and /or Council Tax. Although the Housing Benefits Fraud Investigation function formerly undertaken within the unit transferred the Department for Work & Pensions in 2015/16 the service continues to investigate Council tax Reduction fraud	54	50	86	190	2019-20 Realignment of Management Structure £54k; 2020-21 Further evaluation and potential relignment of division following implemetation of Universal Credit
Council Tax Reduction Scheme	15,826		50			50	Budget currently greater than the demand for the scheme
Rent Allowances recovered	-117		50	50		100	Increase income target to reflect the high efficiency of overpayment recovery
Procurement	486			51		51	Structure Realignment
Total, Revenues and Financial Compliance			154	151	106	411	
Corporate Services Total			292	286	228	806	

Department	2018-19 Budget	FACT FILE	'2019-20 Proposed	'2020-21 Proposed	'2021-22 Proposed	Total	EFFICIENCY DESCRIPTION
	£'000		£'000	£'000	£'000	£'000	
Community Services							
Leisure							
Pembrey Country Park	-43	Pembrey Country Park has been transformed into one of Wales's top visitor attractions providing a unique blend of coast and countryside. Eight miles of golden sands set against the spectacular backdrop of the Gower Peninsula and overlooking the coastal scenery of Carmarthen Bay. There is everything from caravan and camping (with electric), 550 acres of idyllic woodlands, 130m long dry ski slope to the longest toboggan run in Wales - all providing a perfect family day out or a relaxing holiday in idyllic surroundings.	40			40	PCP Efficiency saving from previously implemented Invest 2 Save project - no impact on service delivery
Pembrey Country Park	-43	Pembrey Country Park has been transformed into one of Wales's top visitor attractions providing a unique blend of coast and countryside. Eight miles of golden sands set against the spectacular backdrop of the Gower Peninsula and overlooking the coastal scenery of Carmarthen Bay. There is everything from caravan and camping (with electric), 550 acres of idyllic woodlands, 130m long dry ski slope to the longest toboggan run in Wales - all providing a perfect family day out or a relaxing holiday in idyllic surroundings.	25	25	25	75	Increased Income - combinatation of Campsite / parking / events
Pembrey Country Park	-43	Pembrey Country Park has been transformed into one of Wales's top visitor attractions providing a unique blend of coast and countryside. Eight miles of golden sands set against the spectacular backdrop of the Gower Peninsula and overlooking the coastal scenery of Carmarthen Bay. There is everything from caravan and camping (with electric), 550 acres of idyllic woodlands, 130m long dry ski slope to the longest toboggan run in Wales - all providing a perfect family day out or a relaxing holiday in idyllic surroundings.		5	10	15	Energy production schemes
Country Parks	115	Our Country Parks generate significant quantities of waste, especially at the caravan and campsite in Pembrey. Whilst every effort is made to minimise and re-cycle waste, the are opportunities to be more efficient in this area		8		8	Improved Waste Management procurement
Dinefwr Bowls Club	5	The Indoor Bowls in Ammaford is being managed by a local management board on a reducing subsidy from the authority.	5			5	Dinefwr Bowls - last year of reducing subsidy
Llanelli Leisure Centre	214	There are 6 Leisure Centres in Carmarthenshire. Llanelli, Carmarthen, Ammanford, Llandovery, St Clears and Newcastle Emlyn. A variety of activities at your local leisure centre such as; Swimming, Diving, Canoeing, Fitness, Cycling, Badminton, Tennis, Table Tennis, Squash, Hockey, Netball, Basketball, Football, Rugby, Cricket, Gymnastics, Birthday Parties, Holiday programmes. There were over a million visits to the Leisure facilities in 2017/2018.			50	50	New Llanelli LC improved trading position
Gwendraeth Leisure Centre	3	Gwendraeth Sports Centre has a 4 court hall, 2 squash courts;and mulit function room. Management has recently been transferred to a community group generating savings of circa £16k. Future community asset transfer via long term lease will deliver further savings.	11			11	Gwendraeth LC - saving from already agreed asset transfer
Carmarthen Leisure Centre	-53	Salix funding has been secured to invest in more energy efficient lighting and the installation of swimming pool covers to reduce overnight heat loss at our leisure centres	6			6	Carmarthen LC Energy Efficiency saving from previously implemented project - no impact on service delivery
Carmarthen Leisure Centre	-53	There are 6 Leisure Centres in Carmarthenshire. Llanelli, Carmarthen, Ammanford, Llandovery, St Clears and Newcastle Emlyn. A variety of activities at your local leisure centre such as; Swimming, Diving, Canoeing, Fitness, Cycling, Badminton, Tennis, Table Tennis, Squash, Hockey, Netball, Basketball, Football, Rugby, Cricket, Gymnastics, Birthday Parties, Holiday programmes. There were over a million visits to the Leisure facilities in 2017/2018.	21	17	12	49	CLC increased income - combination of new products and increased usage
Amman Valley Leisure Centre	51	Salix funding has been secured to invest in more energy efficient lighting and the installation of swimming pool covers to reduce overnight heat loss at our leisure centres	5			5	Amman Valley LC Energy Efficiency saving from previously implemented project - no impact on service delivery
Amman Valley Leisure Centre	51	There are 6 Leisure Centres in Carmarthenshire. Llanelli, Carmarthen, Ammanford, Llandovery, St Clears and Newcastle Emlyn. A variety of activities at your local leisure centre such as; Swimming, Diving, Canoeing, Fitness, Cycling, Badminton, Tennis, Table Tennis, Squash, Hockey, Netball, Basketball, Football, Rugby, Cricket, Gymnastics, Birthday Parties, Holiday programmes. There were over a million visits to the Leisure facilities in 2017/2018.	15	15	15	45	AVLC increased income - combination of new products and increased usage
Llanelli Leisure Centre	214	Salix funding has been secured to invest in more energy efficient lighting and the installation of swimming pool covers to reduce overnight heat loss at our leisure centres		5	1	6	Llanelli LC Energy Efficiency saving from previously implemented project - no impact on service delivery
Llanelli Leisure Centre	214	There are 6 Leisure Centres in Carmarthenshire. Llanelli, Carmarthen, Ammanford, Llandovery, St Clears and Newcastle Emlyn. A variety of activities at your local leisure centre such as; Swimming, Diving, Canoeing, Fitness, Cycling, Badminton, Tennis, Table Tennis, Squash, Hockey, Netball, Basketball, Football, Rugby, Cricket, Gymnastics, Birthday Parties, Holiday programmes. There were over a million visits to the Leisure facilities in 2017/2018.	13	13	16	42	Llanelli LC increased income - combination of new products and increased usage
Coedcae Sports Centre	28	Coedcae Sports Centre is a dual use site, predominantly used for educational purposes by Coedcae School. The facility is opened up for community use in the evenings and weekends, mainly for club bookings, however, there is also individual use of the fitness facility and associated membership offers. The centre compliments and adds capacity to the local authority's offer at Llanelli Leisure Centre		2		2	Coedcae - extra fitness income
St Clears Leisure Centre	98	Salix funding has been secured to invest in more energy efficient lighting and the installation of swimming pool covers to reduce overnight heat loss at our leisure centres			4	4	St Clears Energy Efficiency saving from previously implemented project - no impact on service delivery
Llandovery Swimming Pool	108	Salix funding has been secured to invest in more energy efficient lighting and the installation of swimming pool covers to reduce overnight heat loss at our leisure centres			2	2	Llandovery Pool Energy Efficiency saving from previously implemented project - no impact on service delivery
Pembrey Ski & Activity Centre	38	Pembrey Ski Centre compliments the wider Country park. It has a 130m dry ski slope, one of few left across Wales, and the longest toboggan run in Wales. There is scope to develop the centre for adreniline based activities and an improved catering offer	15	15	15	45	Pembrey Ski & Activity Centre - new income streams from adrenaline based activities and improved catering offer
Theatres	848	Y Ffwrnes, The Miners Welfare Theatre and The Lyric form part of the Theatres portfolio. We are planning to undertake carbon trust energy assessments of all Cultural buildings, with a view to reducing costs through more efficient use and management of energy.			5	5	Building Energy savings
Theatres	848	Carmarthenshire Theatres manages the Miners' Ammanford, Lyric Carmarthen and Ffwrnes Llanelli and promotes a broad range of events and productions throughout the year for all age groups and interests. During 2017/18 a total in excess of 100,000 paying customers and participants visited and made use of our facilities. As Carmarthenshire's flagship theatre The Ffwrnes is increasingly establishing itself as one of Wales's leading Cultural and Entertainment venue. 266 visiting companies and hirers 400 performances/events 74,130 attendances 33,805 participants	29	15	8	52	Reduced agency staffing costs & Increased income - Theatres

Department	2018-19 Budget	FACT FILE	'2019-20 Proposed	'2020-21 Proposed	'2021-22 Proposed	Total	EFFICIENCY DESCRIPTION
	£'000		£'000	£'000	£'000	£'000	
Libraries	2,421	Carmarthenshire libraries provides an extensive choice of books, DVDs, CDs, online services, newspapers and magazines, there is something for everyone! With over half a million books on offer between 3 regional, 13 branch and mobile libraries you're never too far away from a centre of knowledge. Public access computers and Wi-Fi are available at all libraries. Keeping up to date with technology there is now the Playstation 4 available at Llanelli, Carmarthen and Ammanford library. Carmarthenshire is the 4 th busiest Library in Britain. There have been over 600,00 issues of books per year. Promoting a new mobile service in January 2017 as an out of reach service, linking up with various partners to deliver this new service.	5	5	37	47	Libraries - cost efficiencies and income generation through room hire
Museums	429	The Museums Service is made up of the County Museum at Abergwili, Parc Howard, The Museum of Speed, and Kidwelly Industrial Museum which is managed through a Trust.			13	13	Museums - reduced costs & increased income
Arts	249	Arts venues include Oriel Myrddin Art Gallery in Carmarthen, Y Gat in St. Clears and the Dylan Thomas Boathouse, Laugharne	10	10	10	30	Arts Venues - reduced costs & increased income
Archives	128	A new archive is currently being built at the rear of Carmarthen Library. Arhive material is currently stored at Glamorgan Archives in Cardiff and the Richard Burton Archive in Swansea.		2	2	4	Archives - income generation
Total Leisure			200	137	224	560	

Communities - Excl Leisure

Domiciliary Care	15,527	Domiciliary Care Services, also known as Homecare, provide practical or personal care for someone in their own home. This could be because health or mobility is declining, or a person may have been in hospital or they have a long term health condition. As at the end of August 2018 there were 1,098 clients receiving a Domiciliary Service.	298	300	100	698	Domiciliary Care Reduce % of Double handed care to match best performing authorities' performance. Needs an £80k Invest to Save
Domiciliary Care	15,527	Domiciliary Care Services, also known as Homecare, provide practical or personal care for someone in their own home. This could be because health or mobility is declining, or a person may have been in hospital or they have a long term health condition. As at the end of August 2018 there were 1,098 clients receiving a Domiciliary Service.	75	75	75	225	Domiciliary Care Reduce % of people receiving 4 calls+ per day
Domiciliary Care	15,527	Domiciliary Care Services, also known as Homecare, provide practical or personal care for someone in their own home. This could be because health or mobility is declining, or a person may have been in hospital or they have a long term health condition. As at the end of August 2018 there were 1,098 clients receiving a Domiciliary Service.	130	130	130	390	Domiciliary Care Outcome focused Dementia care / Fulfilled Lives
Domiciliary Care	15,527	Domiciliary Care Services, also known as Homecare, provide practical or personal care for someone in their own home. This could be because health or mobility is declining, or a person may have been in hospital or they have a long term health condition. As at the end of August 2018 there were 1,098 clients receiving a Domiciliary Service.	164	0	0	164	Rightsizing of long term care packages for new clients discharged from hospital, including improved reablement
Care Management		Management costs to support frontline care delivery	60	0	0	60	Review/remove vacant posts & general review of staffing
Domiciliary Care	15,527	Domiciliary Care Services, also known as Homecare, provide practical or personal care for someone in their own home. This could be because health or mobility is declining, or a person may have been in hospital or they have a long term health condition. As at the end of August 2018 there were 1,098 clients receiving a Domiciliary Service.	94	156	140	390	Domiciliary Care Halve the number of small packages of care by 2020
Domiciliary Care	15,527	Domiciliary Care Services, also known as Homecare, provide practical or personal care for someone in their own home. This could be because health or mobility is declining, or a person may have been in hospital or they have a long term health condition. As at the end of August 2018 there were 1,098 clients receiving a Domiciliary Service.	0	186	186	372	Information Advice & Assistance Support people to manage their difficulties without care
Residential Care	25,161	Residential care is provided in local authority and private sector care homes for individuals who can no longer live independently in the community. Depending on the nature of their needs, their placement may be made by the local authority or jointly with the health board, or entirely by the health board if they qualify for free continuing health care (CHC).	60	30	30	120	Residential Care Moving 6 S.U out to Adult Placements
Residential Care	25,161	Residential care is provided in local authority and private sector care homes for individuals who can no longer live independently in the community. Depending on the nature of their needs, their placement may be made by the local authority or jointly with the health board, or entirely by the health board if they qualify for free continuing health care (CHC).	150	300	300	750	Residential Care Manage Demand from hospital inc CHC + Out of County placement
Residential Care	25,161	Residential care is provided in local authority and private sector care homes for individuals who can no longer live independently in the community. Depending on the nature of their needs, their placement may be made by the local authority or jointly with the health board, or entirely by the health board if they qualify for free continuing health care (CHC).	0	0	0	0	Respite/Short Term - proposal under development
Domiciliary Care	15,527	Domiciliary Care Services, also known as Homecare, provide practical or personal care for someone in their own home. This could be because health or mobility is declining, or a person may have been in hospital or they have a long term health condition. As at the end of August 2018 there were 1,098 clients receiving a Domiciliary Service.	0	0	0	0	TEC Solutions - proposal under development
Residential Care Homes	25,161	People may move into a care home because they have gradually found it more difficult to manage at home, or because an illness or accident has affected their ability to live independently. Residential care homes offer services such as laundry and meals and help with personal care. Some homes offer short-term stays but normally they provide more long-term or permanent care. As at August 2018 there were 199 Mental Health & Learning Disability clients funded in a Private Residential Care Home	120	80	80	280	Stepping down 9 individuals from residential care into Shared Lives settings £1000-£350 = £650pw, £300k (half year effect = £150k)
Residential Care Homes	25,161	People may move into a care home because they have gradually found it more difficult to manage at home, or because an illness or accident has affected their ability to live independently. Residential care homes offer services such as laundry and meals and help with personal care. Some homes offer short-term stays but normally they provide more long-term or permanent care. As at August 2018 there were 199 Mental Health & Learning Disability clients funded in a Private Residential Care Home	41	50	50	141	Conversion of residential placements into Supported Living for 6 individuals Based on evidence of Y BWA project in February 2018
Supported Living	6,863	Supported living is a type of residential support that helps vulnerable adults, including people with learning disabilities, to live independently in the community. Supported living arrangements are very flexible and are designed to give each person choice and control over their home and the way they live their life. As of the 30th September 2016 there were 146 Mental Health & Learning Disability clients receiving supported accommodation.	255	100	100	455	Review of hours in supported living 3.5% reduction of hours of 7m
Residential Care Homes	25,161	People may move into a care home because they have gradually found it more difficult to manage at home, or because an illness or accident has affected their ability to live independently. Residential care homes offer services such as laundry and meals and help with personal care. Some homes offer short-term stays but normally they provide more long-term or permanent care. As at August 2018 there were 199 Mental Health & Learning Disability clients funded in a Private Residential Care Home	195	100	100	395	reduction in 1:1 hours in residential care due to reviews / right sizing and intervention of Positive Behaviour Team 25 x 10 hours per week x 52 weeks x £20ph based on 9 months

Department	2018-19 Budget	FACT FILE	'2019-20 Proposed	'2020-21 Proposed	'2021-22 Proposed	Total	EFFICIENCY DESCRIPTION
	£'000		£'000	£'000	£'000	£'000	
Residential Care Homes	25,161	People may move into a care home because they have gradually found it more difficult to manage at home, or because an illness or accident has affected their ability to live independently. Residential care homes offer services such as laundry and meals and help with personal care. Some homes offer short-term stays but normally they provide more long-term or permanent care. As at August 2018 there were 199 Mental Health & Learning Disability clients funded in a Private Residential Care Home	300	200	200	700	Review existing and new joint funded service users to ensure correct CHC contribution
LD Day Services	4,249	LD & MH day services currently provide support for approximately 300 individuals across the county utilising 9 different sites. The services provide opportunities for individuals to receive therapy, maintain their health and wellbeing, gain skills, socialise whilst also providing respite for carers. The review of day services has highlighted the need to develop community options and specialist services which will see a decline in the use of building based services. This will provide opportunities for us to develop intergenerational services in partnership with adult services within Coleshill and Manor rd and vacate the premises at Crosshands.	216	100	10	326	Collaboration with social enterprise for craft / Reprovision of a day centre / transport
Community Inclusion		LD & MH day services currently provide support for approximately 300 individuals across the county utilising 9 different sites. The services provide opportunities for individuals to receive therapy, maintain their health and wellbeing, gain skills, socialise whilst also providing respite for carers. The review of day services has highlighted the need to develop community options and specialist services which will see a decline in the use of building based services. This will provide opportunities for us to develop intergenerational services in partnership with adult services within Coleshill and Manor rd and vacate the premises at Crosshands.	138			138	restructure of management posts in Community Inclusion and removal of vacant posts
Community Services	2,216	Provision by the private sector of Day Care and Community Support for people with learning disabilities	60	30	30	120	Improved commissioning framework for LD Community Services
Residential Care Homes	25,161	People may move into a care home because they have gradually found it more difficult to manage at home, or because an illness or accident has affected their ability to live independently. Residential care homes offer services such as laundry and meals and help with personal care. Some homes offer short-term stays but normally they provide more long-term or permanent care. As at August 2018 there were 199 Mental Health & Learning Disability clients funded in a Private Residential Care Home	0	100	200	300	Develop market for range of accommodation
Residential Care Homes	25,161	People may move into a care home because they have gradually found it more difficult to manage at home, or because an illness or accident has affected their ability to live independently. Residential care homes offer services such as laundry and meals and help with personal care. Some homes offer short-term stays but normally they provide more long-term or permanent care. As at August 2018 there were 199 Mental Health & Learning Disability clients funded in a Private Residential Care Home	0	50	150	200	Utilisation of Intermediate care Fund Capital and Housing revenue Account
Preventative Services		Preventative services for Mental Health, Learning Disability and Substance Misuse clients need to be developed and strengthened in order to prevent crisis, escalation of need and to enable service users to live as well and independently as possible. There are a range of services currently available and a number of opportunities to explore with in house provision and external partners	0	100	200	300	Investment in preventative services
Management		This proposals will explore the possibilities of working closer and building on existing relationships with our partners in other organisations and sectors.	0	50	50	100	Explore opportunities for regional and integrated management structure
Packages of care		Resource Allocation System is a tool to allow for a more fair, transparent and equitable distribution of resources for social care. Evidence suggests that the current systems produce a mismatch in the allocation of resources relative to need and that the proposed model results in better choice and control for service users and their families and lower overall expenditure.	0	50	150	200	Employment of resource allocation system
Local Authority Residential Care Service	2858	People may move into a care home because they have gradually found it more difficult to manage at home, or because an illness or accident has affected their ability to live independently. Residential care homes offer services such as laundry and meals and help with personal care. Some homes offer short-term stays but normally they provide more long-term or permanent care. As at August 2018 there were 875 clients funded in a Residential Care Home for Older People and Physical Disabilities	120	120	120	360	Care Homes Voids - Quicker turnaround of empty beds in Care Homes, increasing availability and not buying care home placements from private sector.
Local Authority Residential Care Service	2858	People may move into a care home because they have gradually found it more difficult to manage at home, or because an illness or accident has affected their ability to live independently. Residential care homes offer services such as laundry and meals and help with personal care. Some homes offer short-term stays but normally they provide more long-term or permanent care. As at August 2018 there were 875 clients funded in a Residential Care Home for Older People and Physical Disabilities	180			180	Care Homes - convalescence beds - Additional income received from remaining 12 convalescence beds in Care Homes
Local Authority Domiciliary Care Service	15527	Domiciliary Care Services, also known as Homecare, provide practical or personal care for someone in their own home. This could be because health or mobility is declining, or a person may have been in hospital or they have a long term health condition. As at the end of August 2017 there were 1,041 clients receiving a Domiciliary Service.	120	50	50	220	Domiciliary Care - introduction of new IT system- 3% efficiency through increased contact capacity to take on additional service users thus reducing reliance on private sector commissioning.
Local Authority Domiciliary Care Service	15,527	Domiciliary Care Services, also known as Homecare, provide practical or personal care for someone in their own home. This could be because health or mobility is declining, or a person may have been in hospital or they have a long term health condition. As at the end of August 2017 there were 1,041 clients receiving a Domiciliary Service.	45			45	Domiciliary Care - introduction of new IT system - 10% reduction in mileage costs due to better rostering planning
Local Authority Domiciliary Care Service	15,527	Domiciliary Care Services, also known as Homecare, provide practical or personal care for someone in their own home. This could be because health or mobility is declining, or a person may have been in hospital or they have a long term health condition. As at the end of August 2018 there were 1,098 clients receiving a Domiciliary Service.	26			26	Domiciliary Care - introduction of new IT system - Reduction in stationery/postage costs
Local Authority Day Services	1,014	Day Care Services provide an opportunity for people to take part in activities or learn new skills outside of the home, whilst providing a break for carers. There are four day centres for older people managed by Carmarthenshire County Council: Llys y Bryn and Y Bwthyn in Ilanelli, and the day centres at Cartref Cynnes and Cwmamman. Demand is low in some areas. Day Care Services are also provided by other providers.	20			20	Reduction in transport related costs to in-house Day Services - New IT system will result in review of routes and more efficient planning)
Financial Investiagtor	-24	Trading Standards enforce around 40 Acts of Parliament and over 1,000 associated regulations, which impact on all aspects of life, from the safety of children's toys, to the honesty of property descriptions when buying a home. It is responsible for ensuring that sales are carried out within the law. Trading Standards list a number of local handypersons and gardeners on the Registered Traders Scheme.	100	100	100	300	Proceeds of Crime Act (POCA) - Utilisation of POCA income to support current service provision

Department	2018-19 Budget	FACT FILE	'2019-20 Proposed	'2020-21 Proposed	'2021-22 Proposed	Total	EFFICIENCY DESCRIPTION
	£'000		£'000	£'000	£'000	£'000	
Council Fund Housing	1,160	The Housing Options and Advice Team receive over 30,000 calls a year for housing related advice. One of the duties of the team is to assist homeless households with rehousing. Interim accommodation is used whilst completing an investigation into our statutory duty to rehouse. B&Bs were historically used to provide temporary accommodation while the investigation was undertaken. However, this was costly and often not the most appropriate type of accommodaton. We now procure/lease properties from the private rented sector which is better vale and allows us to place households in appropriate accommodation. Lease contracts are currently being reviewed so that they are fit for purpose and provide better value for money. There are also identified oportunties to increase the income of the section through fees and recharges.	100			100	Realignment of funding for existing posts as a result of utilisation of Homelessness Prevention Grant and reassessment of Housing Revenue Account support
Support Services	2,244	The service provides business support for Social Care. The functions include payment of creditors, management of transport and premises; the assessment and collection of income for residential and non residential services; and general business support	15	10	10	35	Supplies & Services
Support Services	2,244	The service provides business support for Social Care. The functions include payment of creditors, management of transport and premises; the assessment and collection of income for residential and non residential services; and general business support	18	14		32	Staffing
Support Services	2,244	The service provides business support for Social Care. The functions include payment of creditors, management of transport and premises; the assessment and collection of income for residential and non residential services; and general business support	21	21	21	63	Income
Regional Collaboration	195	The Regional Collaboration Unit provides strategic support for the West Wales Care Partnership which is one of seven strategic partnerships across Wales which oversee delivery of the Sustainable Social Services agenda and ensure that statutory requirements of the Social Services and Wellbeing (Wales) Act 2014 are met. The Regional COllaboration Unit coordinates development and delivery of the regional programme. It is hosted by Carmarthenshire County Council.	9	9	9	27	Contribution to West Wales Care Partnership Regional Collaboration Unit
Care management	3,465	Community Resource Team Social Workers responsible for commissioning services for older people and those with physical disabilities - receive referrals, carry out assessments, review care packages	15	0	0	15	Reduce staff travelling budget
Grants to Voluntary Organisations	211	Provision of grants to Voluntary Organisations related to support provided to older people	17	0	0	17	No inflation for voluntary organisations
Total - Communities Excl Leisure			3,161	2,510	2,591	8,262	
Community Services Total			3,361	2,646	2,815	8,822	

Department	2018-19 Budget	FACT FILE	'2019-20 Proposed	'2020-21 Proposed	'2021-22 Proposed	Total	EFFICIENCY DESCRIPTION
	£'000		£'000	£'000	£'000	£'000	

Environment

Business Support and Performance

Additional training income	-51	Alcamus is a training records software package	2	0	0	2	Income from neighbouring authorities (Pembrokeshire & Ceredigion CC) for use of Alcamus and managing their operational training database.
Business Support review	1,662	A further review of the departmental business support function will be undertaken during the next 3 years but this is dependant on system developments to enable more efficient processes.	22	45	77	144	2019/20 : Potential reduction of 1 Business Support Assistant post - dependant on system developments to enable more efficient processes. 2020/21 : deletion of Customer Focus officer post - duties to transfer to other posts; potential to delete another BSA post - dependant on system developments. 2021/22 : further realignment of the Business support team - all dependant on system developments to enable more efficient processes.
Total Business Support and Performance division			24	45	77	146	

Highways & Transport

Highways	7,281	The County Council maintains 3,371 km of highway in Carmarthenshire. It is the second largest length of highway network in Wales. The Authority has a statutory duty to maintain the network to a safe standard to facilitate the safe movement of goods and people. Over fifty five percent of the Gross Expenditure relates to supplies and services.	120	0	0	120	Improving the efficiency across the supply chain from supplies and services, programme management and works delivery.
Highways	as above	-----"	0	70	70	140	Reduce mechanical plant hire
Highways	as above	-----"	80	0	0	80	Commuted sums
Civil Design	-488	The Engineering Design Unit is responsible for the design and delivery of infrastructure Projects. Projects are diverse and range from small traffic management and passenger transport schemes through to new road constructions projects such as the Cross Hands Link Road. Engineering Design provides Engineering advice corporately across all departments of the Authority. It also manages the 'Gateway' function for Regional frameworks for both Engineering Design and Engineering Contractors Frameworks.	80	0	0	80	We currently do not have capacity within the team to deliver all work , we are therefore having to pay externally for this work. We intend to employ a Structural Engineer and CAD technicians to improve capacity to generate income.
Service reconfiguration	divisional budget		0	0	100	100	Reconfiguration of services within the division
Public Rights of Way	292	The Countryside Access Team has responsibility for the Definitive Map and Statement of Public Rights of Way in Carmarthenshire which is the conclusive legal record. Public Rights of Way include footpaths, bridleways, restricted byways and byways open to all traffic. There are urban and semi-urban routes in towns and villages but much of the 1,500 mile network is out in the countryside crossing fields, farmland and open country. It's a fantastic leisure and recreational resource for the people of Carmarthenshire and visitors to the County with the Wales Coast Path and numerous other walking/riding and cycling routes on offer.Enforcement and legal issues associated with the implementation of the Rights of way Improvement plan.	8	2	10	20	2019/20 : PROW Increased Income from Path Orders (Increase in number of Orders Processed). 2020/21 & 2021/22 : PROW Enforcement + Furniture Maintenance
Total Highways & Transport division			288	72	180	540	

Planning

Development Management	211	<ul style="list-style-type: none">The Development Management Unit manages the statutory planning application process (including pre application and also discharge of conditions and variation of conditions post approval).The Unit deals with between 1700 and 1900 applications on average each year (roughly 150 cases per annum per Officer).The unit is also responsible for planning enforcement matters including enforcement of planning conditions and unauthorised development and built conservation matters, dealing with roughly 500 cases per annum.	12.5	20	10	42.5	2019/20 - £10k : additional predicted income from new statutory Pre-application service; £2.5k : reduction in meeting costs. 2020/21 - £10k : additional predicted income from new statutory Pre-application service. 2020/21 - £20k : additional predicted income from new statutory Pre-application service. 2019/20 start charging for discretionary pre application advice. Schedule being worked up to take through Council by December 2018. On average in last 2 years we have dealt with 250 of these but have not charged. The fee will vary depending on the advice being sought, type of proposal etc.
Minerals & Waste	134	<ul style="list-style-type: none">The Team ensure that the significant aggregate resources and waste within Carmarthenshire are provided and managed in a sustainable way.This involves dealing with applications for waste and mineral workings/sites, dealing with enforcement matters relating to such sites and also required monitoring regarding the operation of such sites.The Team also undertake the above functions in whole or in part for another 7 Local Authorities in South and West Wales.	10	10	0	20	Increase in income through various Service Level Agreements coupled with some savings to be made through reconfiguration of the Team which is aimed at improving the resilience of the Team going forward.
Forward Planning	548	<ul style="list-style-type: none">Division responsible for producing and assisting with implementation, including on-going monitoring of plan delivery and on-going revision of evidence base, of all development plans which cover or part cover Carmarthenshire.These plans include:<ul style="list-style-type: none">Spatial plans – the potential for plans to span more than one (or part of) County in future yearsthe Local Development Plan which was adopted for Carmarthenshire in 2014 andDevelopment Briefs for specific sites and areas - a number of which have now been produced for the County.Also involved in assisting with development and or disposal of Council owned land/property in relation to advising on potential uses and providing consultancy role regarding preparation of planning applications on behalf of the Council.	3.5	3.5	0	7	General savings identified within the Forward Planning budget which are not related to the production of the LDP.
Rural Conservation	377	Conservation of the natural environment.	2	0	0	2	2019/20 - reduction in travel costs.
Planning Admin.	325	<ul style="list-style-type: none">Budget covers Head of Service functions along with business and administrative support to all functions within the Planning Division including: Development Management & Built Heritage (incl. Enforcement); Building Control, Rural Conservation, Waste and Minerals, Forward Planning (Development Plans) .Functions include general research and policy work, publishing and printing, business planning, budget planning, orders and payments, monitoring, health and safety, IT systems and licenses, general procurement.	9.3	0	0	9	£5.3k : Reduction in translation and postage budgets; £2k : Use QGIS by 2019/20, can reduce mapinfo license annual fee for 10 users; £2k : revised contract with scanner/printer company.
Planning Admin.	See above	-----"	4	0	0	4	Increase street Name and Numbering fees which hasn't been done for a number of years
Building Control	148	<ul style="list-style-type: none">The Building Control Unit has overall responsibility for the management and administration of building control compliance in accordance with statutory requirements.	5	0	0	5	2019/20 Start charging for demolition notices. Other LAs charge between £200 and £400 for these, no extra work as do this work already but for free. Checking number per annum. Had 11 last year but we know there are far more that shold be getting permission - by checking weekly lsist more business could be picked up
Total Planning division			46	34	10	90	

Department	2018-19 Budget	FACT FILE	'2019-20 Proposed	'2020-21 Proposed	'2021-22 Proposed	Total	EFFICIENCY DESCRIPTION
	£'000		£'000	£'000	£'000	£'000	
Property							
Admin Buildings	2,381	Energy, rates, telephone and cleaning costs for Administrative Office buildings including St David's Park	97	68	35	200	Savings on the running costs of the Council's office accommodation following vacation and subsequent sale or rental.
Cleaning	297	Cleaning budgets ie. labour, plant, materials and sub-contractor costs associated with the undertaking of cleaning related works on behalf of the Authority and other organisations, including Mid & West Wales Fire Service.	0	0	20	20	Efficiencies following revised cleaning contract arrangements
Industrial Premises	-914	Rental income and costs of managing the Coucnil's 400 industrial units, which provide business accommodation supporting 2,000 jobs in the County	10	20	20	50	Above-inflation increase in income target
Carbon Reduction Programme	277	Payments under the Government's Carbon Reduction Commitment	35	0	0	35	Reduction in CRC payments
Total Property division			142	88	75	305	
Waste & Environmental Services							
Waste Treatment and Disposal	7,809	Targeted campaigns to reduce waste and increase the awareness and use of all recycling schemes/initiatives. It is anticipated that this will result in the diversion of waste from the residual waste stream to the the recycling waste stream, thereby realising savings due to the differential in the treatment costs as set out.	0	100	0	100	2020/21 : By undertaking waste minimisation activities realising an overall reduction in Residual Waste by 500t saving = £53k Further diversion of food waste @ 500t - gate fee saving = £24k Further diversion into Blue Bag Recycling @ 350t - saving = £11k Further diversion to Green/Garden Waste @ 175t - saving = £12k
Closed landfill Sites	230	We currently manage the ongoing aftercare at two former refuse landfill sites - Nantycaws (Phase 1) in Carmarthen and Wern Ddu in Ammanford. This includes dealing with leachate from the landfill sites and ensuring the adequacy and functionality of the infrastructure, including drainage systems.	0	0	5	5	Reduction in annual expenditure due to a regular maintenance programme.
Grounds - Plant rationalisation	1,316	The Grounds Maintenace Section incorporates the direct responsibility of managing and maintaining parks and playgrounds, inland water areas and a large number of public open spaces within Carmarthenshire. It also maintains grounds for many other departments of the County Council such as Social Care and Housing, Cultural Services, Education and many individual schools. The Section also has numerous external clients such as Town and Community Councils and private sports clubs.	15	10	0	25	Review of Fleet Replacement Programme - due to the success of the Community Asset Transfer programme and resulting rationalisation of plant, some items of plant due for renewal within the Fleet Renewal Programme can be disposed of instead of replaced.
Grounds - income generation	as above	-----"	0	0	50	50	Following the proposed review of the Grounds maintenance service, with a view to developing a more commercially-focused service, there is potential to increase income into the Authority for additional works undertaken.
Asset Transfers - Parks	as above	Transfer of Parks, Playgrounds and Amenity areas to Town Councils, Community Councils or Sports organisations.	179	0		179	Reduction in maintenance costs following the transfer of assets to Town/Community Councils or sports organisations.
Waste Operational - vehicle cleaning	2,615	The refuse collection vehicles are required to change their rounds weekly from a black bag route to a blue bag recycling route. It is therefore necessary to cleanse the refuse vehicles after they return to the depot on a Friday afternoon to ensure the cleanliness of the vehicles for Monday morning. Any contamination from the black bag collection will affect the quality of recycling, thus impacting on our recycling targets.	70	0	0	70	A vehicle washing service is created within the council's Waste Services Department by the employment of two additional part-time members of staff and therefore terminate the external contract.
Waste Operational - collection rounds	as above	Following the assessment of resources within the Waste Operational Team the new levels of resource requirements has been identified. Following this an assessment of current usage of agency staffing for leave, sickness and absence cover has been undertaken.	83	83	0	166	Adjustments to resources (agency) as a result of amendments to existing collection rounds.
Waste Operational - Plant	as above	Following the assessment of resources within the Waste Operational Team the new levels of resource requirements has been identified.	99	0		99	Adjustments to fleet requirements resources as a result of amendments to existing collection rounds.
Bring site - operational	301	Bring sites are located across the County to provide recycling facilities within communities.. They currently cater for glass, paper and cans in the main.	35	0	0	35	By rationalising bin types and converting all sites to galss only (with the exception of textiles and small electrical items at some sites) we can make collection rounds more efficient.
Bring sites - glass collection	as above	-----"	15	0	0	15	Increased income through renegotiated contract.
Public Conveniences	546	Operation and maintenance of Public Conveniences	0	0	300	300	Review of general expenditure budgets and a reduction in the anticipated costs of the public convenience maintenance contract (Danfo facilities) - the anticipated reduction will be due to the capital upgrade cost contained within the original contract no longer being applicable.
Total Waste & Environmental Services division			496	193	355	1,044	
Environment Total			996	432	697	2,125	

Department	18-19 Budget	FACT FILE	'2019-20 Proposed	'2020-21 Proposed	'2021-22 Proposed	Total	EFFICIENCY DESCRIPTION
	£'000		£'000	£'000	£'000	£'000	
Education & Children							
Catering Services - primary school breakfasts	857	The Catering Service delivers the Welsh Government's free primary breakfast initiative to all those primary schools in Carmarthenshire that request it (currently 96). Savings have been delivered in the last 2 financial years by remodelling the staffing level.	50	50		100	Review Breakfast club provision to distinguish between catering and care element of the service, with the consideration of a parental charge towards care element (20 pupils paying £1 per day in 30 schools would be £114k per annum).
Education & Children Total			50	50	0	100	

Schools Delegated Budget

Delegated school budget	107,446	<ul style="list-style-type: none">This is the budget delegated to every school under the Fair Funding formula.The budget is to meet all the costs associated with running a school e.g. staff costs, premises costs, SEN specialist support, Service Level Agreements for specific services such as HR, IT, legal, grounds maintenance, music.	2,642	2,593	2,452	7,687	<ul style="list-style-type: none">The proposal is to provide a cash neutral budget to schoolsSchools will need to meet inflationary pressuresTo manage this level of reduction, there will be an impact on staffing as a high % of a school's budget is used to employ staff.Schools have been encouraged to work in partnership and collaborate with other schools in matters of resourcing and employment, however the scale of the budget reduction will result in some redundancies.Reduced provision could impact on the high standards achieved by Carmarthenshire's learners and the support provided for vulnerable/disabled pupils.
Schools Delegated Budget Total			2,642	2,593	2,452	7,687	

Community Services

Y Gat	51	Y Gât (formerly known as St. Clears Craft Centre) is an arts facility that also hosts the local library and a franchise catering operator. The facility has an open gallery / shop area along with conference rooms facilities and studio spaces for local artisits to hire.	14	14	14	42	Business review of Y Gat (St. Clears)
Local Authority Day Services	1,014	Day Care Services provide an opportunity for people to take part in activitis or learn new skills outside of the home, whilst providinga break for carers. There are four day centres for older people managed by Carmarthenshire County Council: Lllys y Bryn and Y Bwthyn in llanelli, and the day centres at Cartref Cynnes and Cwmamman. Demand is low in some areas. Day Care Services are also provided by other providers.	60			60	Redevelopment and expansion of Lllys y Bryn (continuation of relocating day service provision to Y Bwthyn / Coleshill)
Community Services Total			74	14	14	102	

Environment
Highways & Transport

Parking Services	-1,441	The County Council provides off street car parking facilities in towns and villages to support the expeditious movement of traffic to enable town centres to function. Parking supports these wider transport policy objectives and enables the authority to maintain highway and public transport services. There are 57 car parks across the county.	100	100	100	300	Increase charges to allow investment in new parking technology and payment systems and to support investment in transportation and highway related services.
School Crossing Patrols	147	Manage and maintain an efficient , effective and safe school crossing patrol service.	38	0	0	38	Circa 50% of the school crossing patrol sites are below the threshold for provision when assessed against the national criteria. The proposal is to phase out the SCP's at those sites where the national criteria is not met.
Road Safety	176	The Road Safety unit is responsible for delivery of road safety initiatives to meet road casualty reduction targets. The unit has responsibility for road safety education, training and publicity, the School crossing patrol service, national driver improvement schemes and road safety outside schools.	0	120	0	120	Road safety innovation
Highways	7,281	The County Council maintains 3,371 km of highway in Carmarthenshire. It is the second largest length of highway network in Wales. The Authority has a statutory duty to maintain the network to a safe standard to facilitate the safe movement of goods and people.	25	0		25	Reduction in frequency of verge mowing
School transport policy review	8,078	The County Council provides school and college transport for 8,258 pupils/students who are eligible for assistance. Circa 3.07 million passenger journeys per annum are undertaken on the school/college network of services. Elements of the service are provided on a non statutory basis - many authorities have chosen to restrict free school/college transport provision to the statutory requirements.	0	65	455	520	This will mean charging or removal of transport for post 16 education. The saving has been put back one year to allow the authority to meet the statutory obligations in terms of changes. If Executive Board support, then we will need to have consulted and have the revised policy in place by 1st October in the preceding year to effect the change. i.e. 1st October 19 to effect the change in 2020. If Members are not of a mind to approve removal or full charging, they may wish to consider introducing a charge of £200 (payment twice per 2*£100 or just over £1 per day for the bus pass as this is likely to reduce the numbers whereby some use the bus pass as an insurance policy in case the car breaks down. Efficiency level would reduce to circa 200k in 2021-22 and zero in 2020-21.
Total Highways & Transport division			163	285	555	1,003	

Waste & Environmental Services

Cleansing	1,752	The County Council maintain over 3,500km of roads throughout the County. The Cleansing Service provides for the sweeping and de-littering of streets and footways. The service includes mechanical sweeping of highways, footways and pedestrianised town centre areas, hand litter picking and emptying bins, chewing gum removal, graffiti and illegal poster removal, clearing up illegal dumping of rubbish and dog mess. On average the County Council removes around 40 tonnes of litter every week, the equivalent of 5 elephants.	0	164	0	164	Review and re-configure the routine scheduled mechanical sweeping of residential areas with a view to undertaking sweeping/cleansing work on a reactive basis in the future, potentially adopting a zoned approach. In order to achieve the saving identified, the number of mechanical sweepers will need to be reduced, together with the number of drivers through voluntary severance.
Clinical Waste Collections	221	<p>The collection of hygiene waste is currently undertaken by a third party contractor. The contract comes to an end in November 2019.</p> <p>Hygiene waste includes the following types of waste:</p> <p>Items used to dispose of urine, faeces and other bodily secretions or excretions including:</p> <p>Disposable bed pans</p> <p>Bed pan liners</p> <p>Incontinence pads</p> <p>Stoma bags</p> <p>Urine containers</p> <p>This type of waste can be placed in black bags.</p>	10	20	0	30	The current contract has provision within it to re-negotiate the contractual terms at the end of Nov 2018. It is predicted that a reduction in costs will be achieved through this process.
Trade Waste	129	The collection of trade waste from commercial premises.	129	0	0	129	The current service is running at a loss. If the collection service is transferred to CWM i.e. the client list onl. The existing plant can be sold/offhired and operatives will be placed within vacancies within the department. This loss would then be negated and CWM could provide the service at more attractive commercial rates in line with their wider business model.
Grounds at Llanelli Town Hall	included in Grounds budgets	The Maintenance of the grounds surrounding the Town Hall	10	0	0	10	We propose to review the supply and planting of Spring Bedding, leaving the bed fallow. Non planting of spring bedding will result in colourful flower displays through the summer months only.
Total Waste & Environmental Services division			149	184	0	333	
Environment Total			312	469	555	1,336	

Department	2018-19 Budget	FACT FILE	'2019-20 Proposed	'2020-21 Proposed	'2021-22 Proposed	Total	EFFICIENCY DESCRIPTION
	£'000		£'000	£'000	£'000	£'000	
Chief Executives							
Democratic Services		The cost of running the democratic services unit - includes administrative support, County Councillor allowances and travel expenses		7			Proposal to change full County Council meetings from Monthly to Quarterly - the saving will be achieved through the reduction in County Councillor travelling expenses incurred
Chief Executives Total			0	7	0	0	

Education & Children

Education Support Services to Schools	1,141	The service provides support to all our schools to improve leadership, provision and therefore raised educational standards and achievement. The service is delivered through collaboration between the Carmarthenshire Team of Challenge Advisers and the regional consortium Associate Advisory staff (supporting 6 neighbouring LAs) and our schools.	55			55	Currently Carmarthenshire contributes the sum of £55k following delegation of the grant from WG to the regional consortium and then on to the Council. Implementation of this proposal would reduce the funding retained by the regional consortium, increasing the funding available to the council. The reduction represents 5% of the budget available to the service.
School Improvement	1,141	he Council is obliged to employ a notional number of officers to provide a School Improvement Service to meet the needs of our schools. With a reduced number of schools it is possible to review this notional figure.	20	50		70	Not replacing an Advisory Team member following recent retirement. Senior Council officers are currently reviewing a range options in an attempt to mitigate any reduction in service provision and therefore ensure ongoing high quality support to our schools.
Curriculum and Wellbeing- Learning Transformation	1,141	A small service to support schools with partnership working, curriculum development and 14-19 learning networks. Areas of activity include helping secondary schools to prepare for the new national curriculum and promoting pupils' learning pathways into further and higher education and future careers. This develops young peoples' employability. Vulnerable learners are monitored and supported, as are the more able and talented.	20			20	Not replacing 1 Full-time member of staff following an employee leaving the service. Temporary arrangements are in place where duties have been distributed to a range of other team members. These arrangements will be monitored and evaluated. The permanent solution to this area of service delivery is anticipated to deliver a modest saving, whilst also maintaining an acceptable level of service delivery.
Curriculum and Wellbeing- Youth Support Services	772	The Youth Support Service provides a range of statutory and non-statutory functions to meet the needs of Carmarthenshire's children and young people. The service offers support from universal youth support (e.g. Duke of Edinburgh & Youth Clubs) through to specialist interventions in working with children and young people with complex needs. This incorporates School-based Youth Work; Youth Justice and post 16 provision.	100	50		150	This reduction represents 13% of the budget available to the service. There will be an actual reduction in the staffing capacity given to offer support young people/schools, for example in the provision of the Duke of Edinburgh Award; the Costs for the school trip risk assessment software would need to be re-distributed to county schools; withdrawal of funding currently given over to support vulnerable young people (attending a town centre youth project); withdrawal of funding to 3 Welsh Language medium Youth Clubs; withdrawal of funding for specialist provision for Harmful Sexual Behaviour; not recruiting to a vacant post that is core funded. Reducing county youth club provision.
Curriculum and Wellbeing- Athrawon Gwella'r Gymraeg a Dwyieithrwydd	286	A team of advisory teachers are employed to support the promotion and development of Welsh in our schools. This helps learners to become confidently bilingual. Newcomers and latecomers to the County are supported as well as those who require additional linguistic support. This team provide key support for the statutory Welsh in Education Strategic Plan	25	25		50	Reduction of 1 advisory teacher available to support schools by not replacing a member of staff who will be retiring. The staffing will be restructured to accommodate this saving. Service provision will need to adjust accordingly.
Primary School Delegated Budget	55,897	• This is the budget delegated to every school under the Fair Funding formula. • The budget is to meet all the costs associated with running a school e.g. staff costs, premises costs, SEN specialist support, Service Level Agreements for specific services such as HR, IT, legal, grounds maintenance, music.	100	250	250	600	Rationalise primary schools that are disproportionately expensive to operate and unable to sustain educationally effective teaching and learning structures due to low pupil numbers. Through carefully selected decommissioning and strategically driven school federations the primary school estate will be reduced.
Education Otherwise than at School	1,488	This service meets the needs of learners who, due to a wide range of often complex behaviour and engagement issues, cannot access education in mainstream schools. These learners require a bespoke and specialist package of support.	60	50		110	Under this proposal, the council will reconsider recoupment of the true value of provision from schools (ensuring consideration of all elements of cost related activities e.g. officer time within administration / monitoring and progress reviews etc) . Currently, the Council only recoups the allocated basic entitlement funding for pupils in mainstream education and not the true cost of provision.
Children's Services- Welfare Service	393	The EWS (Education welfare Service) works in close partnership with schools, other professionals within the LA, and other statutory and voluntary agencies in order to promote and enforce regular and punctual school attendance of children of compulsory school age.	180			180	Cease provision of service to schools who already manage most aspects of attendance. Staff would transfer into existing vacancies across Children's Services. Balance of budget maintained to ensure LA's statutory responsibilities can be met.
Children's Services- Education and Child Psychology	540	The Educational and Child Psychology Service use the psychology of how people learn, behave, think and feel to help support children and young people to reach their potential. They work mostly in schools but also in preschool settings, at home, in foster homes and in respite care settings.	50	50		100	Reduce number of Education and Child Psychologists and reconsider structure
Children's services- School Counselling Service	303	Access to professional counselling support is available for young people in post-primary schools during difficult and vulnerable periods in their lives. Counselling contributes to tackling barriers to learning which may result from personal trauma, difficult home circumstances, stress, bullying and child abuse.			30	30	Review SLA with external provider at next renewal which may reduce level of service to schools/young people
Education & Children Total			610	475	280	1,365	

Community Services

Leisure & Culture

Pendine Outdoor Education Centre	160	Pendine Outdoor Education Centre offers residential opportunities for primary schools from Carmarthenshire and beyond to experience Outdoor recreation, catering for up to 120 children at any given time. The service has an excellent reputation with schools and often provides the first opportunity for children to spend time away from their family on a residential basis.		50	50	100	The proposal is to close the Outdoor Education Centre. The service is not statutory and can be provided by alternative private providers, albeit at greater cost. The centre's infrastructure requires investment to meet modern standards.
Libraries	2,421	Carmarthenshire libraries provides a wide variety of books, DVDs, CDs, online services, newspapers and magazines for the residents of Carmarthenshire. The libraries contain over half a million books between 3 regional, 13 branch and mobile libraries, furthermore, all libraries also have public access computers and Wi-Fi.	10	5	5	20	This proposal considers the potential to co-locate branch libraries with other businesses or premises to help reduce running costs and potentially increase visitor numbers.
Parc Howard	52	Parc Howard Museum is located within the listed Mansion house at Parc Howard, Llanelli. The costs of running Parc Howard are shared between Carmarthenshire County Council and Llanelli Town Council.	8			8	This proposal considers revised opening hours for the Museums, reducing overall opening periods, especially during the Winter months when visitor numbers drop off significantly. Feedback is welcomed on revised opening hours (times / days and seasonally) to improve the efficiency of the service.

Kidwelly Industrial Museum	16	Kidwelly Industrial Museum which is managed through a Trust, forms part of the wider Carmarthenshire Museums service. The local authority provides some funding support for the facility, however, the site requires significant investment and development to meet required health and safety standards.		5		5	The proposal is to cease the local authority's support funding for the facility, which is likely to result in the facility closing to the public or only being open on certain days of the year for special events.
			18	60	55	133	

Community Services - Excluding Leisure & Culture

Page 80

LD Day Services	4,249	The Mental Health and Learning Disability division has offered training opportunities for those who face barriers to training and employment in two commercial catering settings within the council. There has been a significant decline in the take up of the catering training with those require this being supported in commercial ventures in the community.	120			120	Cease provision of one LD Day Services which used to provide catering training - no service users affected
Third Sector Contracts	447	The Council provides grants to third sector organisations to support people with learning disabilities and mental health issues.	50			50	Work with third sector providers to develop services and projects together
LD Day Services	4,249	LD & MH day services currently provide support for approximately 300 individuals across the county utilising 8 different sites. The services provide opportunities for individuals to receive therapy, maintain their health and wellbeing, gain skills, socialise whilst also providing respite for carers. The review of day services has highlighted the need to develop community options and specialist services which will see a decline in the use of building based services. This will provide opportunities for us to develop community hubs, social enterprises and activites in existing community venues.	0	50	50	100	Improve building usage in day centre provision to reduce by one building, saving building operating costs.
			170	50	50	270	
Community Services Total			188	110	105	403	

Environment
Highways & Transport

Highways - Grounda Maintenance	Highways Budget: 8,871	The Grounds Maintenance Unit undertake maintenance of the flower beds in Carmarthen town centre. These areas will consist of beds and planters with both spring and summer bedding plants provided annually. Maintenance will also include weeding of the beds and planters.	38	0	0	38	Review maintenance of Flower Beds and Shrubbery in town centres. The proposal is to cease town centre planting or transfer to town councils as we are aware that some town councils have expressed an interest in undertaking this work.
Highways - Eastgate Roundabout Planting	as above	Grounds Maintenance Unit undertake maintenance of the roundabout at Eastgate in Llanelli. The roundabout will be planted with both spring and summer bedding plants annually. Maintenance will also include weeding of the flower beds	0	19	0	19	To cease planting on Eastgate roundabout but will engage with TC and BID to explore option of transfer.
Highways - Amenity Grass Cutting	as above	Amenity grass cutting is undertaken on urban 30/40 mph speed roads inside towns and villages and is not undertaken on rural class roads or high speed roads. This type of cutting regime which utilises sit on or push along mowers results in a finer cut compared to the rural verge mowing operation which uses tractor mounted flail mowers. Unlike the verge mowing operation which in undertaken for safety purposes once per year , amenity grass cutting is undertaken 4 No. times throughout the summer season.	0	49	0	49	To cease Amenity Grass Cutting around town centres or transfer to town councils as we are aware that some town councils have expressed an interest in undertaking this work.
Highways - Winter Gritting	as above	Carmarthenshire has an area of 934 square miles and its road network comprises Motorway, Trunk, County, Principal, Non Principal and Unclassified Roads. This network is primarily rural in character, but there is a significant urban element as well. The total length of the highway network is some 3,649km. The total pre-salt gritting run treats around 1040km of carriageway, which is approx. 30% of the entire County/Trunk Network.	32	0	0	32	Review all winter maintenance routes to rationalise the number of routes that are subject to treatment.
Highways - Rural Road Sweeping	as above	Sweeping of rural roads is undertaken on a demand / ad-hoc basis and is generally concentrated on rural class 3 and 4 roads. There are no regular programmes or prioritised zones associated with highway sweeping. Sweeping demands will generally be identified following routine highway safety inspections carried out by our Highway Inspectors or following complaints / requests from the public or police. The operation primarily concerns removal of earth, mud, stones, leaves and other organic type matter from the road surface. We do not undertake sweeping of any litter.	282	0	0	282	Cease scheduled mechanical sweeping on rural roads. The proposal is that Highways will not continue to undertake ad hoc sweeping and will respond on a reactive basis to emergencies by hiring if there is a safety issue. Highways will also procure brush attachments to support the patch planing operation.
Highways	as above	Surface dressing is a highway maintenance treatment used extensively by all highway authorities in Wales, UK and indeed many other countries around the world. Surface Dressing treatments have been used extensively across Carmarthenshire for a number of years with great success. Surface dressing is the prescribed treatment for prolonging the life of the carriageway surface and sub-structure. The authority carries out a large programme of surface dressing works each year. The maintenance procedure which involves the application of a bitumen binder sprayed onto the carriageway surface ollowed by a dressing of stone seals the carriageway and restores skid resistance. This operation prevents the ingress of water into the surface and sub-structure of the carriageway and prevents degradation and formation of potholes thereby substantially prolonging the life of the carriageway. The treatment also improves the safety of road users by increasing the skid resistance properties of the road surface which assists in reducing wet skidding accidents. Many roads across the whole of Carmarthenshire have benefitted from this treatment over the past 50 years. Carmarthenshire County Council has a large network of roads to maintain and surface dressing provides a cost effective solution for keeping the roads in a safe and serviceable condition ensuring continuity for public and business travel alike.	0	0	150	150	The proposal is to reduce the number of schemes delivered by the surface dressing programme. The annual surface dressing programme totals approx. £1,300k.
Total Highways & Transport division			352	68	150	570	

Waste & Environmental Services

Household Waste recycling centres	included in total waste services budget	There are currently four HWRCs located across the County that serve all communities. The HWRCs are open 7 days a week. The waste recycled at the sites account for a significant proportion of Carmarthenshire's overall recycling performance.	0	0	25	25	Review the operating parameters for all sites to provide a less costly service.
Household Waste recycling centres	as above	There are currently four HWRCs located across the County that serve all communities. The HWRCs are open 7 days a week. The waste recycled at the sites account for a significant proportion of Carmarthenshire's overall recycling performance.	70	0	70	140	HWRC-review future provision in the north of the County
Bring sites	301	There are over 150 bring sites located in communities across the County for the disposal of mainly glass (although provision for paper and cans are currently also offered).	0	0	66	66	A review of all bring site provision is proposed with the aim of rationalising and standardising collections, thereby making the collection rounds more efficient. Glass currently accounts for about 6%age points in overall recycling performance. The review would take into account levels of usage and any other difficulties with the sites. A reduction of between 30 and 40% is predicted reducing performance by up to 2% points
Total Waste & Environmental Services division			70	0	161	231	
Environment Total			422	68	311	801	

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Demographic, Legislative or continuing pressures

APPENDIX B

	2019-2020 £'000	2020-2021 £'000	2021-2022 £'000	Description	Proposed Allocation 2019-20 £'000
Project Development Officer - Llanelli Wellness Centre	55				
Total for the Chief Executives Department	55	0	0		0
Childrens Services	100	50		Increasing cost of legal services due to cases tending to be more complex. Trends suggest that this pressure will continue	
ALN Reform	400			Provide key team to implement statutory reform provision & dissipate future financial /lgal challenges arising from a lack of capacity to deal with an increasing numbers of ALN/Inclusion challenges.	
Behaviour Support Services	200			Initial stage of behaviour review - setting up inclusion bases/behaviour pods	
WESP strategy implementation	70			Revenue funding to staff Welsh language immersion centres	
Curriculum Reform - Local	25			To support local curriculum developments as further releases of curriculum reform are progressed	
Transforming 14-16 Learning Pathways & Young Apprenticeships	200			Continuing work previously grant funded - partnership working, curriculum chioce, developing links, helping to reduce NEETs.	
Families First Hub coordinator	40			Provide more flexibility across the 3 hubs and ensure staff are deployed effectively to maixmise benefit to young people.	
Youth Worker- Health & Well being	36			Previously funded via a grant and recognised as good practice to provide such a service.	
Governance/Finance/School Reorganisation Challenge Advisor	60			Education post to coordinate school management and review with HR & Finance	
School Meals Service - legislative kitchen maintenance	100			Maintenance of school kitchens is on a priority basis and current budget does not cover urgent works across over 100 kitchens.	
School Admissions-IT Development and Post	50			Further development of software required to meet needs of the LA. In the longer term, an additional member of staff would then enable system maintainence & upgrade.	
Assessment team - additional social worker	45			Existing teams need additional resource to manage case loads within appropriate time constraints.	
Direct payments	50			Ongoing review of most effective support for families. Increasing offer of flexibility for families moving away from traditional respite support.	
Total for the Education & Childrens Department	1,376	50	0		500
Demographic Pressure 3.9% population growth 75+	1,797	1,867	1,940	Based on anticipated increase in demand on residential and domiciliary care related to population growth	
National Living Wage pressure on Commissioned care	1,695	1,695	1,145	Current estimate on commissioned services if Govt make mandatory increases in hourly rate of Dom care and res care	
Domiciary Care - impact of Allied Health situation	100	100	100		
Total for the Communities Department	3,592	3,662	3,185		2,200 (400 excl grant)
Housing Benefit - Administration Grant reduction	50			reduction in administration grant received from DWP	
Corporate Insurance	53			Increase in premium for corporate cover	
Total for the Corporate Services Department	103	0	0		0
Waste strategy	205	590	644	as per draft Waste strategy costings.	
Potential reduction in SWM Grant	156	156	156	Estimated shortfall in the Sustainable Waste Management grant based on the reduction between 17/18 and 18/19.	
Kerbside Glass Collection		250		Potential net cost of introducing kerbside glass collection (cost offset by reduction in Bring Site provision).	
Potential New HWRC in northern sector of County.		50		Running costs for potential new HWRC in the northern sector of the County, over current and previous provision.	
Eradication of Japanese knotweed	25			Statutory obligation to remove the knot weed from Council land	
Purchase of litter bins	25			Purchase of litter bins	
Creation of a Sustainable Drainage Approval Body	108	76		Implementation of schedule 3 of the Flood and Water Management Act 2010. From the 7th of January 2019 CCC will be required to review and approve applications for all developments with 'drainage implications'. In addition, there is a requirement for the SAB to adopt and manage the surface water drainage systems once they are satisfied that, if constructed, the drainage system is compliant with national standards. The cost of funding 3 FTEs as the first phase of implementation would be approximately £108k (Systems Officer, Engineer & Technician) with an additional 2 FTES in the following year.	
Transport					
Cycle routes maintenance	75			Highways maintenance of cycle routes plus on road C class routes to support the Cycling strategy.	
School transport	200	180	180	Market pressures, Demographic growth and MEP pressures. Review of profiling to be undertaken.	
Public rights of way	70	80		ROWIP commitments - cessation of a ROWIP grant	

	2019-2020 £'000	2020-2021 £'000	2021-2022 £'000	Description	Proposed Allocation 2019-20 £'000
Tywi Valley path	50	70	50	Maintenance of the Tywi valley path	
Active Travel Act	45	45		Requirements of the Active Travel Act as a legislative demand, particularly given the future shape of LTF funding; we currently spend Circa £15-£20 p.a. on the administration elements (this does not include scheme delivery that recognises our requirement to demonstrate continuous improvement)	
Parking Services - income	451			Car Park validation of income not achievable plus carry forward of legacy policy decisions on charging.	
Parking Services - ticket machines	160			Modernise car park ticket machines	
Highway Maintenance	500	500	500	Adverse weather repairs to highway	
Delivery of the Highways Asset Management Plan	100	150	150	Highway drainage inventory and condition survey - Collection of above and below ground inventory data to address flood risk management and risk based maintenance prioritisation. (£50k in years 2 and 3); Infrastructure video inventory update - Network video survey enabling inventory capture, point cloud data and condition assessment (£100k in years 1,2 and 3)	
Planning					
LDP - Programme Officer & enquiry costs	10	90		Additional funding required to meet the ongoing costs associated with the legislative requirements arising from the review and preparation of the Local Development Plan including ICT requirements, evidence gathering and examination costs.	
Built Heritage Projects & Training Co-ordinator	29	17		Additional funding is required to employ a Projects and Training coordinator within the Built Heritage team. A business plan is currently being developed that demonstrates that the continued development of the Built Heritage Team will have outcomes which will contribute to meeting the requirements of the Well-being of Future Generations (Wales) Act 2015	
Establishment of a Development and Delivery Unit.	104			Establishment of a Development and Delivery unit that would support delivery of CCC's statutory functions, capital projects, generation of capital receipts and regeneration ambitions. The unit would put in place an innovative approach aimed at delivering the above, adding value and control through bringing planning support in house reducing external commissions etc. and building on skills across the authority.	
Total for the Environment Department	2,313	2,254	1,680		1,300
TOTAL	7,439	5,966	4,865		4,000 (2,200 excl grant)

Executive Board Meeting

19th November 2018

MODEL TEACHERS' PAY POLICY 2018/19

Recommendations / Key Decisions Required:

To endorse the Model Teachers' Pay Policy 2018/19 prior to circulation to Schools for formal adoption by their Governing Bodies.

Reasons:

The Model Teachers' Pay Policy has been updated to reflect September 2018 pay award as detailed in the School Teachers' Pay and Conditions Document 2018.

Relevant scrutiny committee to be consulted	NO
Executive Board Decision Required	YES
Council Decision Required	NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER: Cllr. Mair Stephens; Cllr. Glynog Davies

Directorate: Chief Executive's / People Management; Education & Children's Services

Name of Head of Service:	Designations:	Tel Nos.: E-Mail Addresses:
Paul R. Thomas	Assistant Chief Executive (People Management)	01267 246123 PRThomas@sirgar.gov.uk
Gareth Morgans	Interim Director of Education & Children's Services	01267 224888 EDGMorgans@sirgar.gov.uk
Report Author: Julie Stuart	Senior Business Partner (HR)	01267 246375 JStuart@sirgar.gov.uk

**EXECUTIVE SUMMARY
EXECUTIVE BOARD
19TH NOVEMBER 2017**

MODEL TEACHERS' PAY POLICY 2018/19

1. BRIEF SUMMARY OF PURPOSE OF REPORT

All schools are required to adopt a pay policy that sets out the basis on which it determines teachers' pay and the date by which it will determine the teachers' annual pay review and also establish procedures for addressing teachers' grievances in relation to their pay. The document called School Teachers' Pay and Conditions (STP&CD) is updated each year which can lead to amendments in the model pay policy offered to schools.

This revised model Pay Policy has been updated to reflect September 2018 pay award as detailed in the School Teachers' Pay and Conditions Document 2018. The HR Group of the Education Regional Working (ERW) Consortium has updated the current Pay Policy to be offered to all schools across the region. The ERW Consortium consists of the following County Councils, Carmarthenshire, Ceredigion, Neath & Port Talbot, Pembrokeshire and Powys and City of Swansea.

Teaching associations have been fully consulted on the Model Teachers' Pay Policy 2018/19, both regionally and locally.

The ERW region developed a regional Model Teachers' Pay Policy which it can distribute to schools for consideration and adoption by governing bodies. This policy encompasses the changes to teachers' pay arrangements as outlined in the STPCD 2018 and will assist in achieving a high level of consistency across the region.

Each Local Authority is going through their individual Council process for endorsement of the policy and ERW advice to all schools is not to do anything further about introducing a new pay policy until the final model pay policy is released by the Director of Education & Children's Services. This will be done as soon as possible but is likely to be December 2018.

Detailed report attached: **Yes**

IMPLICATIONS

Policy, Crime & Disorder & Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	YES	YES	NONE

1. Policy, Crime & Disorder

The document called School Teachers' Pay and Conditions (STPCD) is updated each year which can lead to amendments in the model pay policy offered to schools.

2. Legal

The Model Teachers' Pay Policy has been updated to reflect legislative changes introduced by the School Teachers' Pay and Conditions Document 2018.

3. Finance

No corporate financial implications as the schools have their own delegated budget.

5. Risk Management Issues

The schools are statutorily bound to have a pay policy in place.

6. Staffing Implications

The HR Team will provide advice and guidance to schools on the application of the Model Teachers' Pay Policy 2018/19 as required.

CONSULTATIONS

I confirm that the appropriate consultations have taken place and the outcomes are as detailed below:

Signed: _____



ASSISTANT CHIEF EXECUTIVE (PEOPLE MANAGEMENT)

1. Scrutiny Committee None

2. Local Member(s) None

3. Community / Town Council None

4. Relevant Partners None

5. Staff Side Representatives and other Organisations

Education & Children's Services Department Employee Relations Forum - 15th October 2018
ERW HR / TU Forum - 18th October 2018

Section 100D Local Government Act, 1972 - Access to information
List of Background Papers used in the preparation of this report:

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Model Teachers' Pay Policy 2018/19		

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Ein Rhanbarth ar Waith
Education through Regional Working

Model Teachers' Pay Policy 2018/2019

Cynghrair o 6 awdurdod lleol yw ERW a reolir gan gyd-bwyllgor cyfansoddiadol cyfreithiol.
Y nod yw gweithredu strategaeth a chynllun busnes rhanbarthol cytunedig a chefnogi gwelliant ysgolion.

ERW is an alliance of 6 local authorities governed by a legally constituted joint committee.
Its aim is to implement the agreed regional strategy and business plan to support school improvement.



DOCUMENT CONTROL	
Policy Name	Teachers' Pay Policy 2018/19
Department	Human Resources
Reviewing Officers	ERW HR Group on behalf of the 6 constituent Local Authorities
CONSULTATION PROCESS	
<p>The following Trade Unions have been consulted in respect of this Policy:</p> <ul style="list-style-type: none">• ASCL• NAHT• NASUWT• NEU• UCAC	

MODEL TEACHERS' PAY POLICY 2018/19

The Governing Body of _____ School
formally adopted this Policy on _____ .

TABLE OF CONTENTS

1.	Introduction	4
2.	Statement of Intent	4
3.	Equalities Legislation	4
4.	Equalities and Performance Related Pay	4
5.	Job Descriptions	5
6.	Appraisal	5
7.	Governing Body's Obligations	5
8.	Headteacher's Obligations	5
9.	Teachers' Obligations	6
10.	Differentials	6
11.	Safeguarding	6
12.	Capability and Pay Progression	6
13.	Pay Determination	7
14.	Headteacher Pay	7
15.	Deputy / Assistant Headteacher Pay	8
16.	Pay Progression for Leadership Group Members	9
17.	Classroom Teacher Pay	10
18.	Applications to be paid on the Upper Pay Range	11
19.	Leading Practitioner Role	13
20.	Unqualified Teachers	14
21.	Discretionary Allowances and Payments	14
22.	Part-Time Teachers' Pay and Time Calculations	17
23.	Teachers Employed on a Short Notice Basis (Supply)	17
Appendix 1:	2018/19 Pay Ranges	18
Appendix 2:	Annual Teachers' Pay Review Statement	22
Appendix 3:	Upper Pay Range Progression Criteria	23
Appendix 4:	Upper Pay Range Application Form	24
Appendix 5:	Flowchart of Pay Review Process	25
Appendix 6:	Leadership Group Salaries Guidance	26
Appendix 7:	Leadership Group Annual Review Form	34
Appendix 8:	Pay Review Process	35
Appendix 9:	Part-Time Teachers' Pay and Time Calculations	38
Appendix 10:	School Staffing Structure	39

1. INTRODUCTION

- 1.1. This Pay Policy provides a framework for making decisions on Teachers' pay. It has been developed to comply with the requirements of the School Teachers Pay and Conditions Document (STPCD) and has been subject to consultation with all recognised Teaching Associations.

2. STATEMENT OF INTENT

- 2.1. The primary statutory duty of Governing Bodies in Wales, as set out in paragraph 21(2) of the Education Act 2002 is to '...conduct the school with a view to promoting high standards of educational achievement at the school'. This Policy intends to support that statutory duty.
- 2.2. The procedures for determining pay in this School will be consistent with the principles of public life: objectivity, openness and accountability.
- 2.3. The Governing Body will act with integrity, confidentiality, objectivity and honesty in the best interest of the School in relation to the operation of this Policy.
- 2.4. The Governing Body will be open about pay decisions made and actions taken, and will be prepared to explain decisions and actions to the interested persons.
- 2.5. Any future revisions to this policy will comply with the STPCD and will be subject to consultation with relevant parties, including recognised trade unions.

3. EQUALITIES LEGISLATION

- 3.1. The School is committed to ensuring equality in everything that we do. The Equality Act 2010 has replaced and strengthened previous equality legislation. The Governing Body will comply with all relevant equalities legislation.
- 3.2. This Policy will be applied consistently to all employees irrespective of age, disability, race, gender (sex), gender reassignment, marriage / civil partnership, pregnancy / maternity, religion, belief and sexual orientation.
- 3.3. The Governing Body will promote equality in all aspects of school life, particularly in relation to all decisions on the advertising of posts, appointing, promoting and paying staff, training and staff development.

4. EQUALITIES AND PERFORMANCE-RELATED PAY

- 4.1. The Governing Body will ensure that pay processes are transparent and fair. All decisions made will be objectively justified and recorded. Reasonable adjustments will be made on a case by case basis to take account of individuals' circumstances such as long-term absence on the grounds of maternity or ill-health

5. JOB DESCRIPTIONS

- 5.1. The Headteacher will ensure that each member of staff is provided with a job description in accordance with the School's staffing structure (**see Appendix 10**), as agreed by the Governing Body.

6. APPRAISALS

- 6.1. The Governing Body will comply with the School Teacher Appraisal (Wales) Regulations 2011 concerning the appraisal of Headteachers and Teachers through the application of the School's Performance Management Policy.

7. GOVERNING BODY'S OBLIGATIONS

- 7.1. The Governing Body will:
- fulfil its obligations as set out in the STPCD and the Conditions of Service for School Teachers in England and Wales (the 'Burgundy Book');
 - establish a Pay Committee and Pay Appeals Committee;
 - determine all pay progression decisions, taking account of recommendations from the Headteacher;
 - ensure that it makes funds available to support pay decisions, in accordance with this Pay Policy and the School's spending plan;
 - ensure that Teachers, via the Headteacher, are informed about pay decisions which affect them, and that records are kept of recommendations and decisions made; and
 - monitor, on an annual basis, the outcomes of pay decisions, including the extent to which different groups of Teachers may progress at different rates. The outcome of the review will be shared with school-level trade union representatives.

8. HEADTEACHER'S OBLIGATIONS

- 8.1. The Headteacher will:
- ensure that all appraisers (where not the Headteacher,) provide accurate, relevant, complete and timely information about pay recommendations;
 - moderate performance assessments and initial pay recommendations to ensure consistency and fairness;
 - submit pay recommendations to the Pay Committee and ensure the Pay Committee has relevant information upon which to make pay decisions;

- inform Teachers about the School's Pay Policy and ensure its accessibility;
- notify payroll and/or HR staff within the Local Authority about pay decisions to be implemented; and
- ensure that a report on the operation of the Pay Policy is presented to the Governing Body and the relevant Trade Unions on an annual basis.

9. TEACHERS' OBLIGATIONS

9.1. Teachers will:

- familiarise themselves with the provisions of this Pay Policy, the STPCD, the relevant professional standards and all relevant school employment policies; and
- engage positively with the processes set out in this Policy

10. DIFFERENTIALS

- 10.1. Within the framework of the STPCD, appropriate differentials will be created and maintained between posts within the School, recognising accountability and job weight, and the Governing Body's need to recruit and retain sufficient Teachers of the required quality at all levels.

11. SAFEGUARDING

- 11.1. Where a pay determination leads, or may lead, to the start of a period of safeguarding, the Governing Body will comply with the relevant provisions of the STPCD and will give the required notification as soon as possible and within no later than one month after the determination.

12. CAPABILITY AND PAY PROGRESSION

- 12.1. Where a Teacher's performance has been assessed as being unsatisfactory and the Teacher is subject to the School's Capability Procedure, the School's performance management processes will be suspended in relation to the Teacher concerned until the Capability Procedure has been concluded.
- 12.2. On conclusion of the Capability Procedure, the Teacher will resume performance management processes in accordance with the School's Policy.
- 12.3. Pay progression will not be permissible in accordance with this Pay Policy while a Teacher is subject to the School's Capability Procedure.
- 12.4. On conclusion of the Capability Procedure, the Teacher would re-enter the Performance Management cycle.

- 12.5. Pay progression will not be applied retrospectively in any case of capability.

13. PAY DETERMINATION

- 13.1. The Governing Body has delegated its pay determination powers to the Pay Committee.

13.2. Annual Determination of Pay

- 13.2.1. All teaching staff salaries, including those of the leadership group, will be reviewed annually to take effect from 1st September. The Governing Body will conclude Teachers' annual pay reviews, and assessments of applications to progress to the Upper Pay Range, by 31st October; the Headteacher's annual pay review will be concluded by 31st December.
- 13.2.2. Reviews may take place at other times of the year to reflect, for example, any changes in circumstances, changes in a job description that lead to a change in the basis for calculating an individual's pay and in cases where a Teacher resumes performance management arrangements following capability processes.
- 13.2.3. The Governing Body will apply any future national pay awards as specified by the STPCD.

13.3. Notification of Pay Determination

- 13.3.1. A written statement will be given to each Teacher setting out the pay and any other financial benefits to which they are entitled following a determination. Where applicable, this will include information about the basis on which it was made. This will be done by 31st October for Teachers, 31st December for Headteachers, or by no later than one month following the determination.

13.4. Appeals Procedure

- 13.4.1. The Governing Body has an appeals procedure in relation to pay. This is set out in **Appendix 8** of this Pay Policy.

14. HEADTEACHER PAY

- 14.1. The Governing Body will ensure that the process of determining the remuneration of the Headteacher is fair and transparent.
- 14.2. The Governing Body will assign a seven-point leadership pay range which can be reviewed as necessary for the Headteacher based on the school group size and any permanent additional relevant factors as determined within the framework of the STPCD (specifically paragraphs 9.2, 9.3 and 9.4).
- 14.3. Additional factors to be taken into account will include all permanent responsibilities of the post, challenges specific to the role and all other relevant considerations, alongside any factors relating to recruitment and retention.

- 14.4. The Governing Body may re-determine the Headteacher's pay range if it becomes necessary to change the Headteacher group (including where the Headteacher becomes responsible and accountable for more than one school in a federation on a permanent basis). The Headteacher's pay range may also be reviewed at any time if it considers it necessary to reflect a significant change in the responsibilities of the post.
- 14.5. Payments in respect of temporary responsibilities for the Headteacher will not be included in the pay range but will be determined in accordance with the STPCD as explained in **Appendix 6**.
- 14.6. In this School, the Governing Body will apply discretionary reference pay points for leadership pay as indicated in **Appendix 1** and has agreed a seven step pay range of L xxx to L xxx (*details to be inserted here by the school*).

14.7. Pay on Appointment

- 14.7.1. For new appointments, the Governing Body will determine the leadership pay range to be advertised and will agree the starting pay on appointment, taking account of the full role of the Headteacher and the provisions of the STPCD.
- 14.7.2. The Governing Body will adopt a three-stage process when setting the pay for new Headteacher appointments as set out in **Appendix 6**.
- 14.7.3. The Pay Committee will review the School's Headteacher group and the Headteacher's leadership pay range, as necessary, to ensure fair pay relativities within the School.
- 14.7.4. See **Appendix 6** of this Pay Policy for guidelines on leadership pay ranges and **Appendix 7** for the Annual Review Pay Statement.

15. DEPUTY / ASSISTANT HEADTEACHER PAY

- 15.1. In this School, the Governing Body will use the discretionary reference pay points for leadership pay as indicated in **Appendix 1**.
- 15.2. The Governing Body will assign a five-point leadership pay range which can be reviewed as necessary for Deputy / Assistant Headteacher posts based on the school group size and any permanent additional relevant factors as determined within the framework of the STPCD.
- 15.3. The range for individual posts will be determined according to the duties and responsibilities of the post and may vary between posts.
- 15.4. In this School, the Deputy Headteacher five step pay range is L xx to L xxx (*pay details to be inserted here by the school*).
- 15.5. In this School, the Assistant Headteacher five step pay range is L xx to L xxx (*pay details to be inserted here by the school*).

15.6. Pay on appointment

- 15.6.1. When a new appointment needs to be made, the Governing Body will determine the leadership pay range for the post to be advertised and will agree the starting pay on appointment.
- 15.6.2. The pay range will be determined in accordance with the STPCD.
- 15.6.3. The Governing Body will adopt the three-stage process when setting the pay for new appointments to the wider leadership team as set out in **Appendix 6**.

16. PAY PROGRESSION FOR LEADERSHIP GROUP MEMBERS

- 16.1. The Governing Body must consider annually whether or not to increase the salary of members of the leadership group who have completed a year of employment since the previous pay determination and, if it determines to do so, to what salary within the relevant pay range determined in accordance with the STPCD and the School Teachers Appraisal (Wales) Regulations 2011.
- 16.2. Leadership Group members will be awarded pay progression following a successful appraisal review. The review will be deemed to be successful where the member of staff has evidenced a sustained high quality of performance and has met, or has made significant progress towards meeting, his / her performance management objectives.
- 16.3. Competence in relation to the relevant standards will be taken into account as part of the School's performance management process.
- 16.4. A sustained high quality of performance on the part of the member of staff should give him/her an expectation of progression to the top of the relevant pay range, having always taken account of the recommendation made on the member of staff's performance management appraisal statement.
- 16.5. Where a member of staff's performance management objectives have not been met, or significant progress has not been made towards meeting the objectives, pay progression will not be awarded unless the Governing Body is satisfied that there are relevant extenuating circumstances. Where such a discretionary award of pay progression is made, this decision will be recorded accordingly.
- 16.6. In making its decision regarding pay progression, the Governing Body's Pay Committee will take account of the appraiser's recommendation regarding pay progression, as outlined on the member of staff's performance management appraisal statement.
- 16.7. The Pay Committee will record its decision regarding pay progression on the Annual Pay Review form contained at **Appendix 7**. A copy of this form will be provided to the member of staff.
- 16.8. Where pay progression is granted, the member of staff's salary will increase with effect from 1st September of the current academic year.

- 16.9. Where pay progression is not granted, the rationale for that decision will be recorded on the Annual Pay Review form. The member of staff has the right to appeal against any decision not to grant pay progression. The appeals procedure is set out in **Appendix 8**.

17. CLASSROOM TEACHER PAY

17.1. Pay on Appointment

- 17.1.1. Advertisements for vacant posts in the School will be considered by the Headteacher **[and the (insert details of committee) where appropriate]**. All posts will be advertised either internally or externally, locally or nationally as appropriate.
- 17.1.2. The advertisement will include details of the pay range and any additional payments or allowances applicable to the post.
- 17.1.3. The Governing Body will determine the starting salary of a vacant classroom Teacher post, in accordance with the Main Pay Range and Upper Pay Range, detailed at **Appendix 1**.
- 17.1.4. The Governing Body is committed to the principle of pay portability for Teachers **who are currently paid in accordance with the provisions of the STPCD** and will apply this principle in practice when making new permanent and fixed-term appointments.
- 17.1.5. The Governing Body will not restrict the pay range advertised, or starting salary and pay progression prospects available for classroom Teacher posts, other than the minimum of the Main Pay Range and the maximum of the Upper Pay Range.

17.2. Pay Progression for Existing Main Pay Range and Upper Pay Range Teachers

- 17.2.1. The Governing Body must consider annually whether or not to increase the salary of Teachers (excluding NQTs undertaking their induction year) who have completed a year of employment since the previous pay determination and, if it determines to do so, to what salary within the relevant pay range determined in accordance with the STPCD and the School Teachers Appraisal (Wales) Regulations 2011.
- 17.2.2. A sustained high quality of performance on the part of the Teacher should give him / her an expectation of progression to the top of the relevant pay range, having always taken account of the recommendation made on the Teacher's performance management appraisal statement.
- 17.2.3. Teachers will be awarded pay progression following a successful appraisal review. The review will be deemed to be successful where the Teacher has evidenced a sustained high quality of performance and has met, or has made significant progress towards meeting, his / her performance management objectives.
- 17.2.4. Where a Teacher's performance management objectives have not been met, or significant progress has not been made towards meeting the objectives, pay progression will not be awarded unless the Governing Body is satisfied that there

are relevant extenuating circumstances. Where such a discretionary award of pay progression is made, this decision will be recorded accordingly.

- 17.2.5. Competence in relation to the relevant standards will be taken into account as part of the School's performance management process.
- 17.2.6. In the case of Teachers who are already on the Upper Pay Range, the Pay Committee will also take account of whether:
 - The Teacher has maintained the criteria for assessment to the Upper Pay Range (see **section 18.7** – 'Assessment', and **Appendix 2**); and
 - The Teacher continues to be highly competent in all elements of the relevant standards.
- 17.2.7. In making its decision regarding pay progression, the Governing Body's Pay Committee will take account of the appraiser's recommendation regarding pay progression, as outlined on the Teacher's performance management appraisal statement. The Pay Committee will be advised by the Headteacher in making all such decisions.
- 17.2.8. The Pay Committee will record its decision regarding pay progression on the Annual Teachers' Pay Review Statement contained at **Appendix 2**. A copy of this form will be provided to the Teacher.
- 17.2.9. Where pay progression is granted, the Teacher's salary will be increased with effect from 1st September of the current academic year.
- 17.2.10. Where pay progression is not granted, the rationale for that decision will be recorded on the Annual Teachers' Pay Review Statement. The Teacher has the right to appeal against any decision not to grant pay progression. The appeals procedure is set out in **Appendix 8**.

18. APPLICATIONS TO BE PAID ON THE UPPER PAY RANGE

- 18.1. A qualified Teacher may apply once each year to be paid on the Upper Pay Range in accordance with the STPCD and this School's Pay Policy.
- 18.2. It is each Teacher's responsibility to decide whether to submit an application.
- 18.3. In order for the assessment to be robust and transparent, it will be an evidence based process.
- 18.4. Personal objectives for the forthcoming appraisal cycle will be set, and agreed where possible, at a level which is sufficient to ensure that the criteria included in the STPCD for progression to the Upper Pay Range can be met, including that the Teacher is highly competent in all elements of the relevant standards.
- 18.5. Teachers who have been absent from work for sickness, disability or maternity-related reasons, along with those who are not subject to the Appraisal Regulations

2011 (i.e. a Teacher who is employed on a short term contract of less than one term), may cite written evidence from a suitable and relevant period before the date of application in support of their application.

18.6. Process

18.6.1. The closing date for an application to be submitted by a Teacher to his / her appraiser is *(school to insert date here - normally prior to the end of the Summer Term)*.

18.6.2. Exceptions may be made in some specific circumstances, e.g. those Teachers who are on maternity leave or on sick leave as at the closing date for receipt of applications. In such circumstances, the Teacher may request - at least 2 weeks before the specified closing date - an extension of no more than half a term for the submission of an application.

18.6.3. The process for applications is:

- Teacher to inform appraiser in writing, within the required timescale (see paragraphs 16.7 and 16.8 above) that he / she wishes to be considered for progression to the Upper Pay Range and that his / her personal objectives for the forthcoming appraisal period should reflect this request.

Following completion of the relevant appraisal period:

- The appraiser will complete an assessment pro-forma as shown in **Appendix 4**, setting out the appraiser's recommendation in relation to progression to the Upper Pay Range, following completion of the relevant appraisal period;
- The Headteacher will consider the appraiser's recommendation and will make a recommendation to the Pay Committee;
- The Pay Committee will make a decision about pay progression, following receipt of advice from the Headteacher;
- The Teacher will receive written notification of the outcome of their application by 31st October in the relevant year;
- Where the application is unsuccessful, the written notification will set out details of the areas of the Teacher's performance which are not considered to have satisfied the relevant criteria set out in this Policy (see "Assessment" below);
- If requested, oral feedback will be provided by the Headteacher. Oral feedback will normally be given within 10 working days of the date of notification of the outcome of the application. Feedback will be given in a positive manner and will include advice and support about areas for improvement in order for the Teacher to meet the relevant criteria; and

- Successful applicants will move to step 1 of the Upper Pay Range with effect from 1st September of the academic year following their application being supported.

18.6.4. Unsuccessful applicants may appeal the decision as outlined in **Appendix 8**.

18.7. Assessment

18.7.1. An application will only be successful where the Governing Body is satisfied that all of the requirements of the STPCD have been met, including that:

- the Teacher is highly competent in all elements of the relevant standards; and
- the Teacher's achievements and contribution to an educational setting or settings are substantial and sustained.

18.7.2. For the purposes of this Pay Policy, the Pay Committee will be satisfied that the Teacher has met the Governing Body's expectations for progression to the Upper Pay Range where the Upper Pay Range criteria (see **Appendix 3**) have been satisfied as evidenced by a successful appraisal review.

18.7.3. Further information, including details about sources of evidence, is contained in the School's Performance Management Policy.

19. LEADING PRACTITIONER ROLE

19.1. The Governing Body may establish Leading Practitioner posts for Teachers whose primary purpose is the modelling and leading improvement of teaching skills.

19.2. Where the Governing Body wishes to establish such posts it will determine the responsibilities and pay range for these posts. Consultation with relevant staff and trade unions will take place in relation to any such proposed changes to the staffing structure.

19.3. The Policy of the Governing Body will be to appoint any new Leading Practitioner Teacher to a 5-point range, as deemed appropriate by the Governing Body.

19.4. The pay range for Leading Practitioners will be in accordance with the STPCD, which is currently a minimum of £40,162 per annum (i.e. Leadership Pay Point 1) and a maximum of £61,055 per annum (i.e. Leadership Pay Point 18).

19.5. In this School, the Governing Body will use the discretionary reference pay points detailed at **Appendix 1**.

19.6. Pay progression for Leading Practitioners will be determined as per the process set out at 17.2.1 to 17.2.10 above

20. UNQUALIFIED TEACHERS

- 20.1. A Teacher on the unqualified pay range will be paid an annual salary between £17,208 and £27,216 per annum. In this School, the Governing Body will use the discretionary reference pay points detailed at **Appendix 1**.
- 20.2. Under the Education (Specified and Registration) (Wales) Regulations 2010 there are specific circumstances when those other than qualified Teachers who are registered with the Education Workforce Council may carry out 'specified work'.
- 20.3. The School will comply with these legal requirements and will only employ unqualified Teachers as specified in these Regulations.
- 20.4. The Governing Body may pay an additional allowance to an unqualified Teacher who meets the criteria as defined in the STPCD.
- 20.5. In order to progress up the pay range, unqualified Teachers will need to show that they have met or made significant progress towards meeting their performance management objectives, along with demonstrating the required improvement in their teaching skills.
- 20.6. In making its decision regarding pay progression, the Governing Body's Pay Committee will take account of the appraiser's recommendation regarding pay progression, as outlined on the Teacher's performance management appraisal statement. The Pay Committee will be advised by the Headteacher in making all such decisions.
- 20.7. The Pay Committee will record its decision regarding pay progression on the Annual Teachers' Pay Review Statement contained at **Appendix 2**. A copy of this form will be provided to the unqualified Teacher.
- 20.8. Where pay progression is granted, the unqualified Teacher's salary will be increased with effect from 1st September of the current academic year.
- 20.9. Where pay progression is not granted, the rationale for that decision will be recorded on the Annual Teachers' Pay Review Statement. The Teacher has the right to appeal against any decision not to grant pay progression. The appeals procedure is set out in **Appendix 8**.
- 20.10. An unqualified Teacher who obtains qualified Teacher status will be paid on the pay ranges for qualified Teachers, in accordance with this Pay Policy.

21. DISCRETIONARY ALLOWANCES AND PAYMENTS

21.1. Teaching and Learning Responsibility Payments (TLRs)

- 21.1.1. The Governing Body will award TLR 1 and TLR 2 payments to post holders as indicated in the School's staffing structure (see **Appendix 10**).

- 21.1.2. These payments will be awarded to Teachers who undertake clearly defined and sustained additional responsibility in the context of the School's staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning and for which the Teacher is made accountable.
- 21.1.3. All job descriptions will be regularly reviewed and will make clear the responsibility or package of responsibilities for which a TLR is awarded.
- 21.1.4. The criteria for awarding a TLR 1 and TLR 2 payment will be in accordance with the STPCD.
- 21.1.5. The minimum and maximum range for a TLR 1 is £7,853 to £13,228 per annum.
- 21.1.6. The minimum and maximum range for a TLR 2 is £2,721 to £6,646 per annum.
- 21.1.7. In this School the value of TLRs currently in use is as follows
- TLR 1** - (details of each TLR 1 to be inserted here by school)
TLR 2 - (details of each TLR 2 to be inserted here by school)
- 21.1.8. The Governing Body may award a fixed-term TLR 3 payment to a Teacher of between £540 and £2,683 per annum for a clearly time-limited school improvement project, or one-off externally driven responsibilities.
- 21.1.9. The duration of the fixed term, and the amount of annual payment will be established at the outset and will be paid on a monthly basis.
- 21.1.10. Where the Governing Body wishes to make TLR 3 payments, the proposed responsibilities, level of payment and the duration of payment will be set out clearly following consultation with relevant staff and union representatives.
- 21.1.11. A Teacher in receipt of either a TLR1 or 2 may also hold a concurrent TLR3.
- 21.1.12. No safeguarding will apply in relation to an award of a TLR3.
- 21.1.13. A TLR1 or 2 payment awarded to a part time Teacher will be on a pro rata basis but where a TLR3 payment is awarded to a part time Teacher, the pro rata principle will **not** apply.

21.2. Special Educational Needs (SEN) Allowances

- 21.2.1. The Governing Body will award SEN allowances in accordance with the criteria and provisions set out in the STPCD.
- 21.2.2. An SEN Allowance of no less than £2,149 per annum, and no more than £4,242 per annum, will be payable to a classroom Teacher in accordance with STPCD.
- 21.2.3. In this School, the SEN values are: (details of each SEN Allowance / value to be inserted here by school)

- 21.2.4. In deciding the SEN value, the Governing Body will take into account the structure of the School's SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the Teacher relevant to the post, and the relative demands of the post.

21.3. Acting Allowances

- 21.3.1. Acting allowances are payable to Teachers who are assigned and carry out the duties of Headteacher, Deputy Headteacher or Assistant Headteacher in accordance with the STPCD.
- 21.3.2. The Governing Body will, within a four-week period of the commencement of acting duties, determine whether or not the acting post holder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance may be agreed in advance and paid from the first day of absence.
- 21.3.3. Any Teacher who carries out the duties of Headteacher, Deputy Head, or Assistant Head, for a period of four weeks or more, will be paid at an appropriate point of the Head's pay range, Deputy Head pay range or Assistant Head pay range, as determined by the Pay Committee. Payment will be backdated to the commencement of the duties but will normally be paid a month in arrears.
- 21.3.4. Acting allowances may also apply to Teachers covering absent colleagues in receipt of a TLR and / or SEN allowance.

21.4. Additional Payments

- 21.4.1. With exception of those on the leadership range the Governing Body may make additional payments to a Teacher, in respect of:
- continuing professional development undertaken outside the school day;
 - activities relating to the provision of initial Teacher training as part of the ordinary conduct of the School;
 - participation in out-of-school hours learning activity agreed between the Teacher and the Headteacher; and
 - additional responsibilities and activities due to, or in respect of, the provisions of services by the Teacher relating to the raising of educational standards to one or more additional schools.

21.5. Recruitment or Retention Incentive Benefits

- 21.5.1. The Governing Body can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive. In deciding any such awards, the Governing Body will have regard to the STPCD and specialist HR advice.

- 21.5.2. Headteachers, Deputy Headteachers and Assistant Headteachers may not be awarded such a payment other than as reimbursement of reasonably incurred housing or relocation costs.
- 21.5.3. All other recruitment and retention considerations in relation to a Headteacher, Deputy Headteacher or Assistant Headteacher post will be taken into account when determining the pay range.
- 21.5.4. The reason for the award of any additional payment, the expected duration of any such incentive or benefit, and the review date after which they may be withdrawn will be made clear at the outset, in writing.
- 21.5.5. The Governing Body will conduct an annual review of all such awards.

22. PART-TIME TEACHERS' PAY AND TIME CALCULATIONS

- 22.1. Teachers employed on an ongoing basis at the school but who work less than a full working week will be deemed to be part-time.
- 22.2. Part-time Teachers will be provided with a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the School's timetabled teaching week for a full-time Teacher in an equivalent post. This does not affect the TLR3 payment which is not pro rata for part time staff. See **Appendix 9** for further information.

23. TEACHERS EMPLOYED ON A SHORT-TERM NOTICE BASIS (SUPPLY)

- 23.1. Teachers employed on a supply basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro rata.

2018/19 PAY RANGES

Main Pay Range:

Point	Value
MPR 1	£23,720
MPR 2	£25,344
MPR 3	£27,380
MPR 4	£29,488
MPR 5	£31,811
MPR 6	£35,008

Upper Pay Range:

Point	Value
UPR 1	£36,646
UPR 2	£38,004
UPR 3	£39,406

Leading Practitioner Pay Range:

Point	Value
LP 1	£40,162
LP 2	£41,167
LP 3	£42,195
LP 4	£43,246
LP 5	£44,323
LP 6	£45,435
LP 7	£46,658

LP 8	£47,735
LP 9	£48,926
LP 10	£50,183
LP 11	£51,486
LP 12	£52,672
LP 13	£53,989
LP 14	£55,335
LP 15	£56,712
LP 16	£58,219
LP 17	£59,557
LP 18	£61,055

Unqualified Teachers Pay Range:

Point	Value
UNQ 1	£17,208
UNQ 2	£19,210
UNQ 3	£21,210
UNQ 4	£23,212
UNQ 5	£25,215
UNQ 6	£27,216

Leadership Pay Range:

Point	Value
L1	£39,965
L2	£40,966
L3	£41,989

L4	£43,034
L5	£44,106
L6	£45,213
L7	£46,430
L8	£47,501
L9	£48,687
L10	£49,937
L11	£51,234
L12	£52,414
L13	£53,724
L14	£55,064
L15	£56,434
L16	£57,934
L17	£59,265
L18*	£60,153
L18	£60,755
L19	£62,262
L20	£63,806
L21*	£64,736
L21	£65,384
L22	£67,008
L23	£68,667
L24*	£69,673
L24	£70,370
L25	£72,119
L26	£73,903

L27*	£74,985
L27	£75,735
L28	£77,613
L29	£79,535
L30	£81,515
L31*	£82,701
L31	£83,528
L32	£85,605
L33	£87,732
L34	£89,900
L35*	£91,223
L35	£92,135
L36	£94,416
L37	£96,763
L38	£99,158
L39*	£100,568
L39	£101,574
L40	£104,109
L41	£106,709
L42	£109,383
L43	£111,007

* These points and Point L43 are the maximum scale points for the eight Headteacher Group Ranges

ANNUAL TEACHERS' PAY REVIEW STATEMENT

Name:	Employee No.:
School:	Effective Date:

SALARY DETAILS

Salary and Point - Main Pay Range (S1 - S6)	£	Point
Salary and Point - Upper Pay Range (S1 – S3)	£	Point
Salary and Point - Unqualified Range (S1 - S6)	£	Point
Salary and Leading Practitioner Range	£	Point

ALLOWANCES

**Details e.g. temp
(with dates), reason
for allowance**

Teaching and Learning Responsibility Payments (See Pay Policy Advice) TLR1 / TLR2 / TLR3	TLR____ £
Recruitment or Retention (See Pay Policy Advice)	£
Special Educational Needs Allowance (See Pay Policy Advice)	£
Other Allowances - Please specify (See Pay Policy Advice)	£
SAFEGUARDING	£
TOTAL SALARY	£

Pay Committee Meeting on:

Signature of Headteacher / Chair of Committee: Date:

UPPER PAY RANGE PROGRESSION CRITERIA

1. Professional Attributes

- 1.1. Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

2. Professional Knowledge and Understanding

- 2.1. Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.
- 2.2. Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.
- 2.3. Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.
- 2.4. Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.
- 2.5. Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people

3. Professional Skills

- 3.1. Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.
- 3.2. Have teaching skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.
- 3.3. Promote collaboration and work effectively as a team member.
- 3.4. Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

ASSESSMENT OF TEACHER APPLICATION TO PROGRESS TO UPPER PAY RANGE

For Completion by the Teacher's Appraiser

Teacher's Name:	
Post:	

Evidence from most recent appraisal
Please state which appraisal statement is attached:

***Criteria Met**

***Criteria Not Met**

(* Please delete as appropriate)

If criteria have not been met in full, please record details below (and continue overleaf, as necessary) about the areas of the Teacher's performance which do not satisfy the criteria:

Signed **(Appraiser)**

Date:

TO BE SUBMITTED TO THE HEADTEACHER

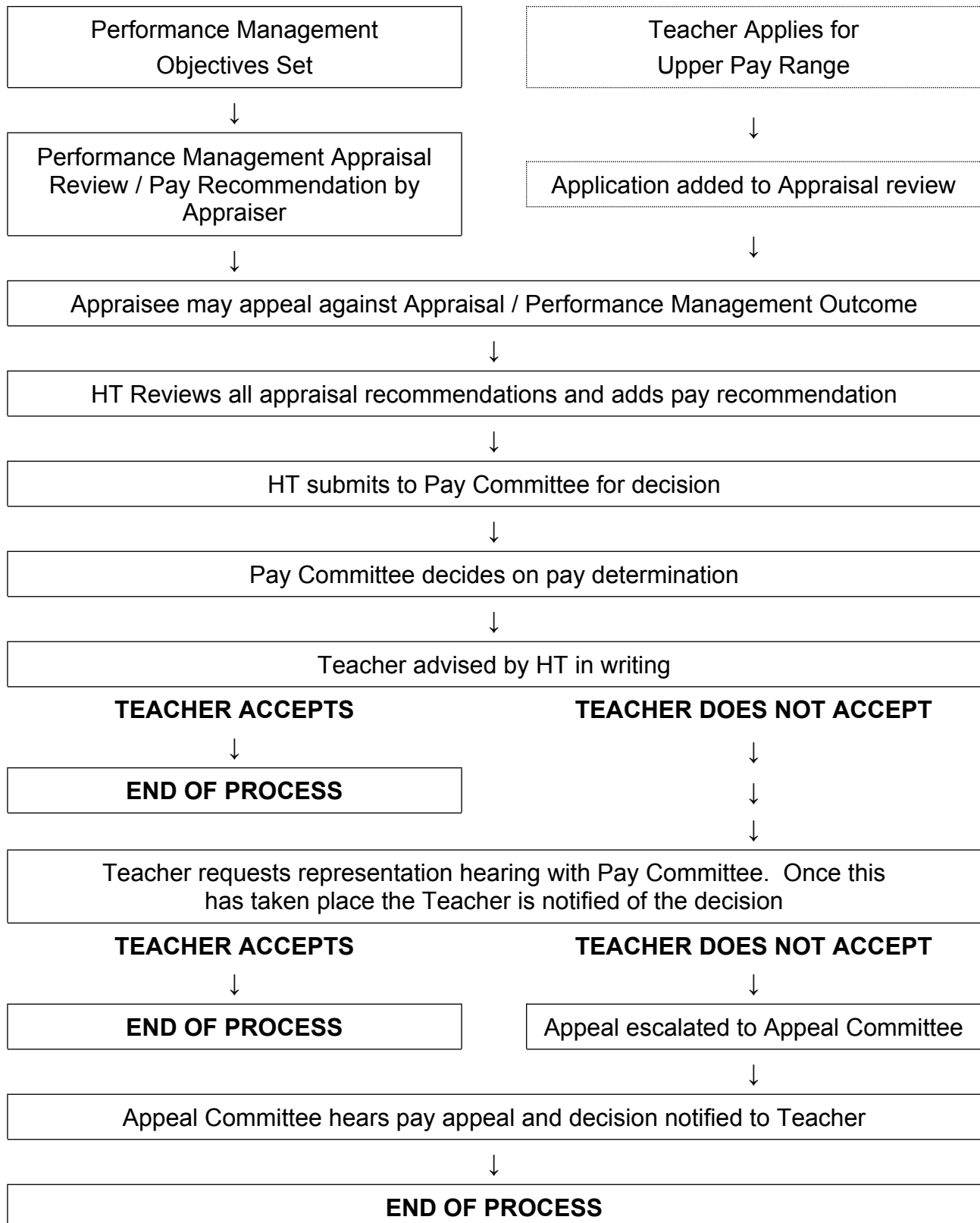
School Use Only

Application Form Received on:

Assessment made on:

By:

**FLOWCHART OF PAY REVIEW PROCESS
(Not including Headteachers)**



LEADERSHIP GROUP SALARIES GUIDANCE

1. Headteacher and Leadership Team (ALL SCHOOLS)

Whilst there is no longer a national pay scale published for leadership posts within the STPCD, the national employers along with the recognised trade unions have published indicative pay rates based on a 43 step leadership salary scale on which a Headteacher, Deputy Headteacher and Assistant Headteacher could be paid as determined by the Governing Body. These are set out below.

2. School Groups (ALL SCHOOLS)

There are eight school groups determined from the unit score of the school. The STPCD specifies a maximum and minimum pay value for each group and the indicative pay rates published jointly by the employers and trade unions attach values to individual pay points within those ranges

The Governing Body has established a 7 point pay range for the Headteacher and a 5 point pay range for all other leadership posts.

3. Unit Score of School**a. All Schools (excluding Special Schools)**

The unit score is calculated to determine the group of the School, using the formula in the STPCD. In this Authority*, the LA will recalculate the unit score annually and the results will be applied from 1st January each year. If a school has reasonable grounds to expect a change in pupil numbers, they should request a recalculation by the Authority at that time.

** Delete if not appropriate*

Information on how the unit score is calculated:

This is determined by pupil numbers as shown on the most recent STATS 1 (annual school census) return to the Welsh Government.

For each pupil at the foundation phase/ KS1/KS2	7 units
For each pupil in the school at KS3	9 units
For each pupil in the school at KS4	11 units
For each pupil in the school at KS5	13 units

Each pupil with a **statement of special educational needs** shall, if she/he is in a special class consisting wholly or mainly of such pupils, count three units more than she/he would otherwise count. If she/he is not in such a special class count three such units only where the relevant body so determine.

APPENDIX 6.

Each pupil who attends for no more than half a day on each day for which she/he attends the school shall count half as many units as she/he would otherwise count.

Total Unit Score	School Group
Up to 1,000	1
1,001 - 2,200	2
2,201 - 3,500	3
3,501 - 5,000	4
5,001 - 7,500	5
7,501 - 11,000	6
11,001 - 17,000	7
17,001 and over	8

b. Modified Unit Score (Special Schools Only)

The modified unit score is calculated to determine the group of the school, using the formula in the STPCD. In this Authority* the LA will recalculate the unit score annually and the results will be applied from 1st January each year. If a school has reasonable grounds to expect a change in pupil numbers, they should request a recalculation by the Authority at that time.

** Delete if not appropriate*

A special school must be assigned to a Headteacher group in accordance with the following table by reference to its modified total unit score calculated in accordance with sub-sections (i) and (ii) below:

Total Unit Score	School Group
Up to 2,200	2
2,201 - 3,500	3
3,501 - 5,000	4
5,001 - 7,500	5
7,501 - 11,000	6
11,001 - 17,000	7
17,001 and over	8

(i) **Information on how the staff-pupil ratio is calculated**

The proportion of staff to pupils at the school must be calculated and expressed as a percentage ('the staff-pupil ratio') in accordance with the following formula:

$$\frac{A}{B} \times 100$$

Where A is the number of Teachers and Support Staff weighted as provided at (a) below, and B is the number of pupils at the school weighted as provided at (b) below:

- a) The weighting for a Teacher is two units for each full-time equivalent Teacher, and the weighting for each Support Staff member is one unit for each full-time equivalent individual; and
- b) The weighting for a full-time pupil is one unit and the weighing for a part-time pupil is half a unit.

The staff-pupil ratio modifier must be calculated in accordance with the following table by reference to the staff-pupil ratio determined in accordance with the above:

Staff-Pupil Ratio	Staff-Pupil Ratio Modifier
1 - 20%	1
21 - 35%	2
36 - 50%	3
51 - 65%	4
66 - 80%	5
81% or more	6

NB: 'Support Staff member' means a member of the school staff who is not:

- A Teacher;
- A person employed in connection with the provision of meals;
- A person employed in connection with the security or maintenance of the school premises; or
- A person employed in a residential school to supervise and care for pupils out of school hours.

(ii) Information on how the modified total unit score is calculated

This is determined by pupil numbers as shown on the most recent STATS 1 (annual school census) return to Welsh Government.

The relevant body must determine the school's total unit score in accordance with the number of pupils on the school register calculated as follows:

Key Stage	Units Per Pupil
For each pupil in the Foundation Phase, KS1 and KS2	10
For each pupil in KS3	12
For each pupil in KS4	14
For each pupil in KS5	16

The relevant body must determine the school's modified total unit score by multiplying the school's total unit score determined under this section (i.e. as per the above table) by the staff-pupil ratio modifier calculated under section 3.

NB: Where the Headteacher is appointed as Headteacher of more than one school on a permanent basis, the relevant body of the Headteacher's original school or, under the Collaboration Regulations (5), the collaborating body must calculate the Headteacher group by combining the unit score of all the schools for which the Headteacher is responsible to arrive at a total unit score, which then determines the Headteacher group.

4. New Leadership Appointments / Changes to existing Leadership Pay Structures - Three Stage Process (ALL SCHOOLS)

The Governing Body should follow the three stage process when setting the pay for **new appointments or revising existing pay structures in respect of headship or the wider leadership team.**

Stage 1 - Defining the role and determining the Headteacher group

Stage 2 - Setting the indicative pay range

Stage 3 - Deciding the starting salary and individual pay range

All decisions and the reasons for them should be well documented at every stage. All pay decisions must be made on objective criteria so that there is no discriminatory effect of any group of Teachers with a particular protected characteristic under the Equality Act 2010.

It is suggested that schools seek advice when calculating and recording leadership pay structure decisions

Stage 1 - Defining the Role and Determining the Headteacher Group

The Governing Body should, at this stage, define the job and identify the broad pay range as a provisional guide to determining appropriate level of pay. The Governing Body will need to define and set out the specific role, responsibilities and accountabilities of the post as well as the skills and relevant competences required.

For Headteacher posts, the Governing Body will assign the School to a Headteacher group (as defined in 3 above) which will determine the appropriate broad pay range as outlined below:

Group Size	Range of Steps	Salary Range (STPCD 2017)
1	L6 - L18	£45,213 - £60,153
2	L8 - L21	£47,501 - £64,736
3	L11 - L24	£51,234 - £69,673
4	L14 - L27	£55,064 - £74,985
5	L18 - L31	£60,755 - £82,701
6	L21 - L35	£65,384 - £91,223
7	L24 - L39	£70,370 - £100,568
8	L28 - L43	£77,613 - £111,007

For other leadership group posts, the Governing Body should consider how the role fits within the wider leadership structure of the School. The pay range for a Deputy Headteacher or Assistant Headteacher should only overlap the Headteacher's pay range **in exceptional circumstances**.

Stage 2 - Setting the Indicative Pay Range

At this stage, the Governing Body will need to consider the complexity and challenge of the role in the particular context of the School and make a judgement on pay in light of this.

For Headteacher posts, it is expected that normally the Governing Body will conclude that the total unit score fully captures the complexity of the Headteacher role and that the relevant broad pay range accommodates appropriate levels of reward, in line with the STPCD. The Governing Body will need to consider whether the indicative pay range should start at the minimum of the Headteacher group or whether they wish it to start at a higher level because of the level of challenge of the post.

APPENDIX 6.

There may be circumstances, however, in which there are additional factors that suggest the indicative pay range should be higher than would be provided by the basic calculation in Stage 1.

The following represent some examples of additional factors to be considered (this list is not exhaustive):

- The context and challenge arising from pupils' needs e.g. if there is a high level of deprivation in the community (Free School Meal entitlement and/or English as an Additional Language) or there are high numbers of looked after children or children with Additional Learning Needs and this affects the challenge in relation to improving outcomes;
- A high degree of complexity and challenge e.g. accountability for multiple schools or managing across several dispersed sites, which goes significantly beyond that expected of any Headteacher of similar-sized school(s) and is not already reflected in the total unit score used at stage 1;
- Additional accountability not reflected in stage 1, e.g. leading a teaching school alliance; and
- Factors that may impede the school's ability to attract appropriately qualified and experienced leadership candidates e.g. location, language medium, subject area / specialism and/or level of support from the wider leadership team.

The Governing Body may set the indicative pay range with a **maximum of up to 25% above the top of the relevant Headteacher group range**.

Above that limit, external independent advice must be sought and, should the advice suggest a range which exceeds this limit is appropriate, a business case must be made and agreed by the full Governing Body.

The Governing Body should ensure that no **double counting** takes place e.g. of things taken account of in stage 1, such as responsibility for an additional school already reflected in the total unit score; or from using overlapping indicators, such as FSM and the pupil premium.

The Governing Body **SHOULD NOT** increase base pay nor pay an additional allowance for regular local collaboration which is part of the role of all Headteachers.

For other leadership roles the process is broadly the same. The Governing Body will wish to consider how the other leadership roles should be set in accordance with the level set for the Headteacher and to ensure that there is sufficient scope for progression. Consideration should also be given to any teaching posts that carry additional allowances.

At the end of this stage, the Governing Body should decide where in the broad range to position the indicative pay range and set this out clearly when advertising the post. An overall judgement should be made on the position and breadth of range, allowing

APPENDIX 6.

appropriate scope for performance-related progression over time, clearly linked to school improvement priorities and outcomes.

There should be a clear audit trail for all decisions made and the reasoning behind them.

It is also expected where possible that the School will undertake a process of benchmarking of salaries before setting the pay range for the Headteacher or other leadership posts.

For those factors which are not expected to persist, such as temporary responsibility for an additional school, these should be reflected through an allowance rather than consolidated into the indicative pay range.

Stage 3 - Deciding the starting salary and Individual Pay Range for new appointments

The first two stages provide the means for determining the appropriate pay range. The third stage is essentially about deciding on the starting salary for the individual who is to be offered the post.

At this stage, the Governing Body will have a preferred candidate for the role and will wish to set the starting salary in the light of candidate-specific factors, such as the extent to which the candidate meets the specific requirements of the post.

It will be important to ensure there is scope for performance-related progression over time.

There must be a clear audit trail for any advice given and a full and accurate record of all decisions made and the reasoning behind them.

5. Establishing a Pay Range above the School's Headteacher Group (ALL SCHOOLS)

The expectation is that in most cases the pay range will be within the limits of the Headteacher group. However, in some cases e.g. where there may be significant difficulty in making an appointment or there is a need to incentivise a Headteacher to take on responsibility for a very large school or to lead multiple large schools, it may be appropriate to consider extending the individual pay range.

The Governing Body can, in such cases, decide that the maximum of the pay range may be above the maximum of the Headteacher group, **up to an additional 25%**.

If it is considered that there are exceptional circumstances that warrant an extension beyond that limit, a business case would be required. The Governing Body would need to seek external independent advice from an appropriate person or body who can consider whether it is justifiable to exceed the limit in a particular case.

There must be a clear audit trail for any advice given and a full and accurate record of all decisions made and the reasoning behind them.

6. Pay Progression for all Leadership Posts (ALL SCHOOLS)

It is the responsibility of the Governing Body to ensure that performance-based progression awards reflect individual performance.

Schools should review and update their pay policies on an annual basis to ensure that they remain fit for purpose. Governing bodies will need to satisfy themselves that objective-setting is fair, reasonable and meaningful, but rigorous, and that the school's pay policy provides a clear link between levels of achievement and progression.

Governing bodies have the freedom to award progression increases as they judge appropriate in their particular circumstances. Although no progression award should be made if it is not justified.

The Governing Body will consider awarding additional increment(s) for sustained high quality performance against the set criteria, or where performance has been exceptional and exceeded all the expectations.

Temporary Payments for Headteachers

In addition, the Governing Body may consider an additional payment to the Headteacher in respect of clearly temporary additional duties and responsibilities or duties that are in addition to the post for which their salary has been determined e.g. where they are providing services to other schools. Including where the Headteacher is appointed as a temporary Headteacher of one or more additional schools not included as a permanent factor in the calculation of the pay range.

7. Salary Protection (ALL SCHOOLS)

If the School is assigned to a lower group, or the Governing Body chooses to reduce the leadership pay range, the member of staff will be entitled to receive a safeguarded sum for a period of up to three years, subject to the STPCD.

HEADTEACHER / DEPUTY HEADTEACHER / ASSISTANT HEADTEACHER
ANNUAL REVIEW FORM
(September 201__)

Name:	Employee No.:
School:	

*** Headteacher:**

School Group: Headteacher Pay Range: £ to £

*** Deputy / Assistant Headteacher:**

Pay Range: £ to £

Salary and Point at August 201__: £ Point:

Rationale used for Pay Decision:

.....

.....

Revised Salary and Point at August 201__: £ Point:

Certified by Chair of Governors / Pay Committee:

Certified by Headteacher: Date:

*** Please delete as appropriate**

PAY REVIEW PROCESS

The Governing Body is committed to ensuring that appeals against pay decisions are dealt with quickly, fairly and are consistent with equalities and other relevant legislation, as well as the STPCD.

Teachers, including Headteachers, may appeal any determination in relation to their pay or any other decision taken by the Governing Body (or a Committee or individual acting with delegated authority) that affects their pay.

Reasons for appeal may include the following, which is not an exhaustive list. That the person or Committee making the decision:

- a) incorrectly applied any provision of the STPCD;
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence
- e) was biased; or
- f) or otherwise unlawfully discriminated against the Teacher.

For both the representation hearing and the appeal hearing, the Teacher is entitled to be accompanied by a work colleague or trade union representative.

Stage 1 - Informal Discussion

A Teacher who is dissatisfied with a pay recommendation has the opportunity to discuss the recommendation with his / her appraiser or the Headteacher before the recommendation is actioned and confirmation of the pay decision is made by the School.

If, having had an informal discussion with the person making the pay recommendation, the Teacher believes that an incorrect recommendation has been made, he/she may make representation to the Pay Committee of the Governing Body (see Stage 2 below).

Stage 2 - Representation Hearing

1. The Teacher receives written notification of the pay determination and, where applicable, details of the basis on which the decision was made. The Pay Committee will ensure the Teacher is aware of the process for making representation and appealing against the decision, if appropriate.
2. If the Teacher wishes to make representation, he/she should do so by writing to the Clerk to Governors within 10 school days of receiving the decision.
3. The Clerk to Governors will arrange for a representation hearing to take place as soon as possible, which will be chaired by the Pay Committee. The Headteacher may be required to attend the hearing to clarify the grounds for the pay recommendation.
4. The Teacher will be provided with between 5 and 10 school days' notice of the representation hearing. The Teacher may attend the hearing in order to present evidence, call witnesses and ask questions of the Pay Committee.

APPENDIX 8.

5. The Pay Committee will decide if the original pay determination is to be amended and will write to the Teacher about the outcome within 5 school days of the decision being reached.
6. Where the Teacher continues to be dissatisfied, he/she may appeal this decision within 10 school days of receiving the Committee's outcome letter by proceeding to Stage 3 of the process.

Stage 3 - Appeal Hearing

1. The Teacher should clearly set out in writing the grounds for appealing the pay decision and send it to the Clerk to Governors within 10 school days of receipt of the written outcome of the Stage 2 decision (see above).
2. The Clerk to Governors will arrange for an appeal hearing to take place as soon as possible, but normally within 20 school days of the receipt of the written appeal notification.
3. The Teacher should be provided with between 5 and 10 school days' notice of the hearing.
4. The appeal should be heard by the Pay Appeals Committee comprising of a minimum of three eligible governors who were not involved in the original decision, or where the original Pay Committee comprised of more than three members, a number at least equal to that of the Pay Committee.
5. The Pay Appeals Committee's decision is final and, as set out in Section 3, paragraph 7 of the STPCD 2016, there is no recourse to the School's Grievance Procedure.
6. Those required to attend the appeal hearing include:
 - Chair and other Appeal Committee members
 - The Teacher and his / her representative or work colleague (if the Teacher is accompanied)
 - Witnesses for the employee side (if appropriate)
 - a member of the original Pay Committee who will clarify the reasons for the original decision
 - Witnesses for the management side (if appropriate)
 - Clerk to the hearing
 - HR Adviser to give advice to the Appeal Committee (subject to the provisions of any Service Level Agreement)

A model procedure for formal appeal meetings

Chair introduces everyone and their role in the proceedings.

- The Teacher will present his / her case including any evidence to be considered and any witnesses they have called;

APPENDIX 8.

- Pay Appeals Committee members may ask questions of the Teacher, as may the Pay Committee representative;
- Pay Committee representative will state their case including the evidence on which the decision was based and call any witnesses to support the case, if appropriate
- Pay Appeals Committee members may ask questions of the Pay Committee representative, as may the Teacher;
- Both parties may make a closing statement if they wish (Teacher first, followed by Pay Committee representative). No new evidence can be introduced at this stage;
- Both parties leave the hearing;
- The Pay Appeals Committee may request advice from the HR Adviser (if applicable). Once this has been given, the HR Adviser will leave the hearing but may be recalled for further advice (if applicable);
- The Pay Appeals Committee will consider all the evidence and reach a final decision;
- The Pay Appeals Committee will call the parties back to inform the Teacher of the decision (if awaiting the decision) or instruct the Clerk to write to the Teacher on their behalf with their decision and the reasons for it; and
- The Clerk will notify the Local Authority of change of pay, if appropriate.

PART-TIME TEACHERS' PAY AND TIME CALCULATIONS

A **School's Timetabled Teaching Week** must be established and a part time Teacher must be paid a proportion of the STTW.

Each school must establish a STTW week for each Teacher, this refers to school sessions hours that are timetabled for teaching, including PPA but excluding break times, registration and assemblies.

Part-time Teachers will then be paid on actual teaching time excluding registration assemblies and breaks.

For Example:

If the school day, excluding registration and assembly, runs from 9.00am to 12.15pm and again from 1.15pm to 3.30pm with one 15 minute break in the morning session and one 15 minute break in the afternoon session, the STTW for a full-time Teacher would be calculated as 25 hours. If a part-time Teacher were employed for mornings only working 9.00am to 12.15pm every day, their percentage of the timetabled teaching week would be calculated as 15 hours. This is shown below:

	Morning Session (less breaks, registration & assembly)	+	Afternoon Session (less breaks, registration & assembly)	X	No. of Days in Timetable		STTW	% of STTW
Full-Time	3 Hours	+	2 Hours	X	5 Days	=	25 Hours	100%
Part-Time	3 Hours			X	5 Days	=	15 Hours	60%

PPA and Management Time must be included when calculating class contact time.

Directed Time - a Headteacher may allocate directed time to part-time Teachers (subject to conditions) as a proportion of a FTE 1265. Part-time Teachers can now be directed to cover breaks, assemblies and registration as part of their directed duties.

Part-time Teachers cannot be required to be available for work (either for teaching or other duties) on days they do not normally work. However, they may attend by mutual agreement with the Headteacher. Any resultant additional hours should be paid at the Teacher's normal salary.

Part-time Teachers may be required to carry out duties, other than teaching pupils, outside school sessions on the day on which the Teacher is normally required to be available for work (whether the Teacher is normally required to be available for work for the whole or part of that day). This can form part of directed time.

SCHOOL STAFFING STRUCTURE

(School to enter details below as applicable at the time of this Pay Policy being adopted by the Governing Body)

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Executive Board 19th November 2018

MODEL UNATTACHED TEACHERS' PAY POLICY 2018/19

Recommendations / Key Decisions Required:

To endorse the Model Unattached Teachers' Pay Policy 2018/19 prior to circulation to Schools for formal adoption by their Governing Bodies.

Reasons:

The Model Unattached Teachers Pay Policy has been updated to reflect September 2018 pay award as detailed in the School Teachers Pay and Conditions Document 2018.

Relevant scrutiny committee to be consulted	NO
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Executive Board Decision Required	YES
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Council Decision Required	NO
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EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER: Cllr. Mair Stephens; Cllr. Glynog Davies

Directorate: Chief Executive's / People Management; Education & Children's Services

Name of Head of Service:	Designations:	Tel Nos.: E-Mail Addresses:
Paul R. Thomas	Assistant Chief Executive (People Management)	01267 246123 PRThomas@sirgar.gov.uk
Gareth Morgans	Interim Director of Education & Children's Services	01267 224888 EDGMorgans@sirgar.gov.uk
Report Author: Julie Stuart	Senior Business Partner (HR)	01267 246375 JStuart@sirgar.gov.uk

**EXECUTIVE SUMMARY
EXECUTIVE BOARD
19TH NOVEMBER 2018**

MODEL UNATTACHED TEACHERS' PAY POLICY 2018/19

1. BRIEF SUMMARY OF PURPOSE OF REPORT

All schools are required to adopt a pay policy that sets out the basis on which it determines teachers' pay and the date by which it will determine the teachers' annual pay review and also establish procedures for addressing teachers' grievances in relation to their pay. The document called School Teachers' Pay and Conditions (STP&CD) is updated each year which can lead to amendments in the model pay policy offered to schools.

This revised model Pay Policy has been updated to reflect September 2018 pay award as detailed in the School Teachers' Pay and Conditions Document 2018. The HR Group of the Education Regional Working (ERW) Consortium has updated the current Pay Policy to be offered to all schools across the region. The ERW Consortium consists of the following County Councils, Carmarthenshire, Ceredigion, Neath & Port Talbot, Pembrokeshire and Powys and City of Swansea.

Teaching associations have been fully consulted on the Model Unattached Teachers' Pay Policy 2018/19, both regionally and locally.

The ERW region developed a regional Model Unattached Teachers' Pay Policy which it can distribute to schools for consideration and adoption by governing bodies. This policy encompasses the changes to teachers' pay arrangements as outlined in the STPCD 2018 and will assist in achieving a high level of consistency across the region.

Each Local Authority is going through their individual Council process for endorsement of the policy and ERW advice to all schools is not to do anything further about introducing a new pay policy until the final model pay policy is released by the Director of Education & Children's Services. This will be done as soon as possible but is likely to be December 2018.

Detailed report attached: **Yes**

IMPLICATIONS

Policy, Crime & Disorder & Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	YES	YES	NONE

1. Policy, Crime & Disorder

The document called School Teachers' Pay and Conditions (STPCD) is updated each year which can lead to amendments in the model pay policy offered to schools.

2. Legal

The Model Unattached Teachers' Pay Policy has been updated to reflect legislative changes introduced by the School Teachers' Pay and Conditions Document 2018.

3. Finance

No corporate financial implications as the schools have their own delegated budget.

5. Risk Management Issues

The schools are statutorily bound to have a pay policy in place.

6. Staffing Implications

The HR Team will provide advice and guidance to schools on the application of the Model Unattached Teachers' Pay Policy 2018/19 as required.

CONSULTATIONS

I confirm that the appropriate consultations have taken place and the outcomes are as detailed below:

Signed: _____



ASSISTANT CHIEF EXECUTIVE (PEOPLE MANAGEMENT)

1. Scrutiny Committee None**2. Local Member(s)** None**3. Community / Town Council** None**4. Relevant Partners** None**5. Staff Side Representatives and other Organisations**

Education & Children's Services Department Employee Relations Forum - 15th October 2018
ERW HR / TU Forum - 18th October 2018

Section 100D Local Government Act, 1972 - Access to information
List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Model Unattached Teachers' Pay Policy 2018/19		

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Ein Rhanbarth ar Waith
Education through Regional Working

Model Unattached Teachers' Pay Policy 2018/2019

Cynghrair o 6 awdurdod lleol yw ERW a reolir gan gyd-bwyllgor cyfansoddiadol cyfreithiol.
Y nod yw gweithredu strategaeth a chynllun busnes rhanbarthol cytunedig a chefnogi gwelliant ysgolion.

ERW is an alliance of 6 local authorities governed by a legally constituted joint committee.
Its aim is to implement the agreed regional strategy and business plan to support school improvement.



DOCUMENT CONTROL	
Policy Name	Unattached Teachers' Pay Policy 2018/19
Department	Human Resources
Reviewing Officers	ERW HR Group on behalf of the 6 constituent Local Authorities
CONSULTATION PROCESS	
<p>The following Trade Unions have been consulted in respect of this Policy:</p> <ul style="list-style-type: none">• ASCL• NAHT• NASUWT• NEU• UCAC	

TABLE OF CONTENTS

1.	Introduction	4
2.	Statement of Intent	4
3.	Equalities Legislation	4
4.	Equalities and Performance Related Pay	4
5.	Job Descriptions	5
6.	Appraisal	5
7.	Local Authority's Obligations	5
8.	Line Manager's Obligations	5
9.	Teachers' Obligations	6
10.	Differentials	6
11.	Safeguarding	6
12.	Capability and Pay Progression	7
13.	Pay Determination	7
14.	Manager Pay	8
15.	Deputy / Assistant Manager Pay	9
16.	Pay Progression for the Leadership Team	9
17.	Classroom Teacher Pay	10
18.	Applications to be paid on the Upper Pay Range	12
19.	Leading Practitioner Role	13
20.	Unqualified Teachers	14
21.	Discretionary Allowances and Payments	15
22.	Part-Time Teachers' Pay and Time Calculations	17
23.	Teachers Employed on a Short Notice Basis (Supply)	17
Appendix 1:	2017/18 Pay Ranges	18
Appendix 2:	Annual Teachers' Pay Review Statement	22
Appendix 3:	Upper Pay Range Progression Criteria	23
Appendix 4:	Upper Pay Range Application Form	24
Appendix 5:	Flowchart of Pay Review Process	25
Appendix 6:	Leadership Team Salaries Guidance	26
Appendix 7:	Leadership Team Annual Review Form	34
Appendix 8:	Pay Review Process	31
Appendix 9:	Part-Time Teachers' Pay and Time Calculations	34
Appendix 10:	Service Area's Staffing Structure	35

1. INTRODUCTION

- 1.1. This Pay Policy provides a framework for making decisions on unattached Teachers' pay. It has been developed to comply with the requirements of the School Teachers Pay and Conditions Document (STPCD) and has been subject to consultation with all recognised Teaching Associations.
- 1.2. For the purpose of this policy, unattached Teachers refers to Teachers who do not fall under the control of School's Governing Bodies e.g. Peripatetic Teachers, Athrawon Bro, Centrally Employed Teachers etc.

2. STATEMENT OF INTENT

- 2.1. The procedures for determining pay in this service area will be consistent with the principles of public life: objectivity, openness and accountability.
- 2.2. Line Managers will act with integrity, confidentiality, objectivity and honesty in the best interest of the Local Authority in relation to the operation of this Policy.
- 2.3. Line Managers will be open about pay decisions made and actions taken, and will be prepared to explain decisions and actions to the interested persons.
- 2.4. Any future revisions to this policy will comply with the STPCD and will be subject to consultation with relevant parties, including recognised trade unions.

3. EQUALITIES LEGISLATION

- 3.1. The Local Authority is committed to ensuring equality in everything that we do. The Equality Act 2010 has replaced and strengthened previous equality legislation. The Local Authority will comply with all relevant equalities legislation.
- 3.2. This Policy will be applied consistently to all employees irrespective of age, disability, race, gender (sex), gender reassignment, marriage / civil partnership, pregnancy / maternity, religion, belief and sexual orientation.
- 3.3. The Local Authority will promote equality in all aspects of the service, particularly in relation to all decisions on the advertising of posts, appointing, promoting and paying staff, training and staff development.

4. EQUALITIES AND PERFORMANCE-RELATED PAY

- 4.1. The Local Authority will ensure that pay processes are transparent and fair. All decisions made will be objectively justified and recorded. Reasonable adjustments will be made on a case by case basis to take account of individuals' circumstances such as long-term absence on the grounds of maternity or ill-health

5. JOB DESCRIPTIONS

- 5.1. The Local Authority will ensure that each member of staff is provided with a job description in accordance with the agreed staffing structure (**see Appendix 10**).
- 5.2. Job descriptions will identify key areas of responsibility and may be reviewed and changed from time to time in consultation and in agreement with the individual(s) concerned in order to make reasonable changes in light of the changing needs of the Local Authority.

6. APPRAISALS

- 6.1. The Local Authority will comply with the School Teacher Appraisal (Wales) Regulations 2011, concerning the appraisal of unattached Teachers through the application of the Local Authority's Performance Management Policy.

7. LOCAL AUTHORITY'S OBLIGATIONS

- 7.1. The Local Authority will:
- Fulfil its obligations as set out in the STPCD and the Conditions of Service for School Teachers in England and Wales (the 'Burgundy Book');
 - establish a mechanism for dealing with pay decisions and pay appeals;
 - determine all pay progression decisions, taking account of recommendations from the Line Manager;
 - ensure that it makes funds available to support pay decisions, in accordance with this Pay Policy and the service area's spending plan;
 - ensure that Teachers, via their Line Manager, are informed about pay decisions which affect them, and that records are kept of recommendations and decisions made; and
 - monitor, on an annual basis, the outcomes of pay decisions, including the extent to which different groups of Teachers may progress at different rates. The outcome of the review will be shared with recognised trade union representatives.

8. LINE MANAGER'S OBLIGATIONS

- 8.1. The Line Manager will:
- ensure that all relevant factual information is considered during the appraisal process;

- ensure that all appraisers (where not the Line Manager) provide accurate, relevant, complete and timely information about pay recommendations;
- moderate performance assessments and initial pay recommendations to ensure consistency and fairness;
- submit pay recommendations to the appropriate Head of Service / Pay Panel and ensure the Head of Service / Pay Panel has relevant information upon which to make pay decisions;
- inform Teachers about the Local Authority's Pay Policy and ensure its accessibility;
- notify payroll and / or HR staff within the Local Authority about pay decisions to be implemented; and
- ensure that a report on the operation of the Pay Policy is made available for discussion at service area level with the relevant Trade Unions on an annual basis.

9. TEACHERS' OBLIGATIONS

9.1. Teachers will:

- familiarise themselves with the provisions of this Pay Policy, the STPCD, the relevant professional standards and all relevant Local Authority employment policies; and
- engage positively with the processes set out in this Policy

10. DIFFERENTIALS

- 10.1. Within the framework of the STPCD, appropriate differentials will be created and maintained between posts within the service area, recognising accountability and job weight, and the Local Authority's need to recruit and retain sufficient Teachers of the required quality at all levels.

11. SAFEGUARDING

- 11.1. Where a pay determination leads, or may lead, to the start of a period of safeguarding, the Local Authority will comply with the relevant provisions of the STPCD and will give the required notification as soon as possible and within no later than one month after the determination.

12. CAPABILITY AND PAY PROGRESSION

- 12.1. Where a Teacher's performance has been assessed as being unsatisfactory and the Teacher is subject to the Local Authority's Capability Procedure, the Local Authority's performance management processes will be suspended in relation to the Teacher concerned until the Capability Procedure has been concluded.
- 12.2. On conclusion of the Capability Procedure, the Teacher will resume performance management processes in accordance with the Local Authority's Policy.
- 12.3. Pay progression will not be permissible in accordance with this Pay Policy while a Teacher is subject to the Local Authority's Capability Procedure.
- 12.4. On conclusion of the Capability Procedure, the Teacher would re-enter the Performance Management cycle.
- 12.5. Pay progression will not be applied retrospectively in any case of capability.

13. PAY DETERMINATION

- 13.1. The appropriate Head of Service / Pay Panel for his / her service area(s) will make pay decisions. For all Teachers pay he / she will be advised by the appropriate Line Manager.

13.2. Annual Determination of Pay

- 13.2.1. All teaching staff salaries, including those of the Manager, deputy or assistant Manager (where employed in line with the STPCD), will be reviewed annually to take effect from 1st September. The Local Authority will conclude Teachers' annual pay reviews, and assessments of applications to progress to the Upper Pay Range, by 31st October; the Manager's annual pay review will be concluded by 31st December.
- 13.2.2. Reviews may take place at other times of the year to reflect, for example, any changes in circumstances, changes in a job description that lead to a change in the basis for calculating an individual's pay and in cases where a Teacher resumes performance management arrangements following capability processes.
- 13.2.3. The Local Authority will apply any future national pay awards as specified by the STPCD.

13.3. Notification of Pay Determination

- 13.3.1. A written statement will be given to each Teacher setting out the pay and any other financial benefits to which they are entitled following a determination. Where applicable, this will include information about the basis on which it was made. This will be done by 31st October for Teachers, 31st December for Managers, or by no later than one month following the determination.

13.4. Appeals Procedure

- 13.4.1. The Local Authority has an appeals procedure in relation to pay. This is set out in **Appendix 8** of this Pay Policy.

14. MANAGER'S PAY (WHERE EMPLOYED IN LINE WITH STPCD)

- 14.1. The Local Authority will ensure that the process of determining the remuneration of the Manager is fair and transparent.
- 14.2. The Local Authority will assign a seven-point leadership pay range, which can be reviewed as necessary, for the Manager, based on any permanent additional relevant factors as determined within the framework of the STPCD (specifically paragraphs 9.2, 9.3 and 9.4).
- 14.3. Additional factors to be taken into account will include all permanent responsibilities of the post, challenges specific to the role and all other relevant considerations, alongside any factors relating to recruitment and retention.
- 14.4. The Local Authority may re-determine the Manager's pay range if it becomes necessary to do so (including where the Manager becomes responsible and accountable for more than one setting on a permanent basis). The Manager's pay range may also be reviewed at any time if it considers it necessary to reflect a significant change in the responsibilities of the post.
- 14.5. Payments in respect of temporary responsibilities for the Manager will not be included in the pay range but will be determined in accordance with the STPCD as explained in **Appendix 6**.
- 14.6. The Local Authority will apply discretionary reference pay points for leadership pay as indicated in **Appendix 1** and has agreed a seven step pay range of L xxx to L xxx (*details to be inserted here by the service area*).

14.7. Pay on Appointment

- 14.7.1. For new appointments, the Local Authority will determine the leadership pay range to be advertised and will agree the starting pay on appointment, taking account of the full role of the Manager and the provisions of the STPCD.
- 14.7.2. The Local Authority will adopt a three-stage process when setting the pay for new Manager appointments as set out in **Appendix 6**.
- 14.7.3. The Local Authority will review the Manager's pay range, as necessary, to ensure fair pay relativities within the service area / Local Authority.
- 14.7.4. See **Appendix 6** of this Pay Policy for guidelines on leadership pay ranges and **Appendix 7** for the Annual Review Pay Statement.

15. DEPUTY / ASSISTANT MANAGER PAY

- 15.1. The Local Authority will use the discretionary reference pay points for leadership pay as indicated in **Appendix 1**.
- 15.2. The Local Authority will assign a five-point leadership pay range which can be reviewed as necessary for Deputy / Assistant Manager posts (where employed in line with the STPCD), based on any permanent additional relevant factors as determined within the framework of the STPCD.
- 15.3. The range for individual posts will be determined according to the duties and responsibilities of the post and may vary between posts.
- 15.4. In this Local Authority, the Deputy Manager five step pay range is L xx to L xxx (*pay details to be inserted here by the service area*).
- 15.5. In this Local Authority, the Assistant Manager five step pay range is L xx to L xxx (*pay details to be inserted here by the service area*).

15.6. Pay on appointment

- 15.6.1. When a new appointment needs to be made, the Local Authority will determine the leadership pay range for the post to be advertised and will agree the starting pay on appointment.
- 15.6.2. The pay range will be determined in accordance with the STPCD.
- 15.6.3. The Local Authority will adopt the three-stage process when setting the pay for new appointments to the wider leadership team as set out in **Appendix 6**.

16. PAY PROGRESSION FOR THE LEADERSHIP TEAM

- 16.1. The Local Authority must consider annually whether or not to increase the salary of members of the leadership team who have completed a year of employment since the previous pay determination and, if it determines to do so, to what salary within the relevant pay range determined in accordance with the STPCD and the School Teachers Appraisal (Wales) Regulations 2011.
- 16.2. Managers will be awarded pay progression following a successful appraisal review. The review will be deemed to be successful where the member of staff has evidenced a sustained high quality of performance and has met, or has made significant progress towards meeting, his / her performance management objectives.
- 16.3. Competence in relation to the relevant standards will be taken into account as part of the Local Authority's performance management process.
- 16.4. A sustained high quality of performance on the part of the member of staff should give him / her an expectation of progression to the top of the relevant pay range,

having always taken account of the recommendation made on the member of staff's performance management appraisal statement.

- 16.5. Where a member of staff's performance management objectives have not been met, or significant progress has not been made towards meeting the objectives, pay progression will not be awarded unless the Head of Service / Pay Panel is satisfied that there are relevant extenuating circumstances. Where such a discretionary award of pay progression is made, this decision will be recorded accordingly.
- 16.6. In making its decision regarding pay progression, the Head of Service / Pay Panel will take account of the appraiser's recommendation regarding pay progression, as outlined on the member of staff's performance management appraisal statement.
- 16.7. The Head of Service / Pay Panel will record its decision regarding pay progression on the Annual Pay Review form contained at **Appendix 7**. A copy of this form will be provided to the member of staff.
- 16.8. Where pay progression is granted, the member of staff's salary will increase with effect from 1st September of the current academic year.
- 16.9. Where pay progression is not granted, the rationale for that decision will be recorded on the Annual Pay Review form. The member of staff has the right to appeal against any decision not to grant pay progression. The appeals procedure is set out in **Appendix 8**.

17. CLASSROOM TEACHER PAY

17.1. Pay on Appointment

- 17.1.1. Advertisements for vacant posts in the Local Authority will be considered by the Line Manager **[and the (insert details of panel) where appropriate]**. All posts will be advertised either internally or externally, locally or nationally as appropriate.
- 17.1.2. The advertisement will include details of the pay range and any additional payments or allowances applicable to the post.
- 17.1.3. The Line Manager, and the Head of Service where appropriate, will determine the starting salary of a vacant classroom Teacher post, in accordance with the Main Pay Range and Upper Pay Range, detailed at **Appendix 1**.
- 17.1.4. The Local Authority is committed to the principle of pay portability for Teachers **who are currently paid in accordance with the provisions of the STPCD** and will apply this principle in practice when making new permanent and fixed-term appointments.
- 17.1.5. The Local Authority will not restrict the pay range advertised, or starting salary and pay progression prospects available for classroom Teacher posts, other than the minimum of the Main Pay Range and the maximum of the Upper Pay Range.

17.2. Pay Progression for Existing Main Pay Range and Upper Pay Range Teachers

- 17.2.1. The Local Authority must consider annually whether or not to increase the salary of Teachers (excluding NQTs undertaking their induction year) who have completed a year of employment since the previous pay determination and, if it determines to do so, to what salary within the relevant pay range determined in accordance with the STPCD and the School Teachers Appraisal (Wales) Regulations 2011.
- 17.2.2. A sustained high quality of performance on the part of the Teacher should give him / her an expectation of progression to the top of the relevant pay range, having always taken account of the recommendation made on the Teacher's performance management appraisal statement.
- 17.2.3. Teachers will be awarded pay progression following a successful appraisal review. The review will be deemed to be successful where the Teacher has evidenced a sustained high quality of performance and has met, or has made significant progress towards meeting, his / her performance management objectives.
- 17.2.4. Where a Teacher's performance management objectives have not been met, or significant progress has not been made towards meeting the objectives, pay progression will not be awarded unless the Line Manager / Head of Service is satisfied that there are relevant extenuating circumstances. Where such a discretionary award of pay progression is made, this decision will be recorded accordingly.
- 17.2.5. Competence in relation to the relevant standards will be taken into account as part of the Local Authority performance management process.
- 17.2.6. In the case of Teachers who are already on the Upper Pay Range, the Line Manager / Head of Service will also take account of whether:
- The Teacher has maintained the criteria for assessment to the Upper Pay Range (see **section 18.8** – 'Assessment', and **Appendix 2**); and
 - The Teacher continues to be highly competent in all elements of the relevant standards.
- 17.2.7. In making its decision regarding pay progression, the Line Manager / Head of Service will take account of the appraiser's recommendation regarding pay progression, as outlined on the Teacher's performance management appraisal statement. The Line Manager / Head of Service will be advised by the appraiser in making all such decisions.
- 17.2.8. The Line Manager / Head of Service will record his / her decision regarding pay progression on the Annual Teachers' Pay Review Statement contained at **Appendix 2**. A copy of this form will be provided to the Teacher.
- 17.2.9. Where pay progression is granted, the Teacher's salary will be increased with effect from 1st September of the current academic year.

17.2.10. Where pay progression is not granted, the rationale for that decision will be recorded on the Annual Teachers' Pay Review Statement. The Teacher has the right to appeal against any decision not to grant pay progression. The appeals procedure is set out in **Appendix 8**.

18. APPLICATIONS TO BE PAID ON THE UPPER PAY RANGE

18.1. A qualified Teacher may apply once each year to be paid on the Upper Pay Range in accordance with the STPCD and this Pay Policy.

18.2. It is each Teacher's responsibility to decide whether to submit an application.

18.3. In order for the assessment to be robust and transparent, it will be an evidence based process.

18.4. Personal objectives for the forthcoming appraisal cycle will be set, and agreed where possible, at a level which is sufficient to ensure that the criteria included in the STPCD for progression to the Upper Pay Range can be met, including that the Teacher is highly competent in all elements of the relevant standards.

18.5. Teachers who have been absent from work for sickness, disability or maternity-related reasons, along with those who are not subject to the Appraisal Regulations 2011 (i.e. a Teacher who is employed on a short-term contract of less than one term), may cite written evidence from a suitable and relevant period before the date of application in support of their application.

18.6. Process

18.6.1. The closing date for an application to be submitted by a Teacher to his / her appraiser is **(LA to insert date here - normally prior to the end of the Summer Term)**.

18.6.2. Exceptions may be made in some specific circumstances, e.g. those Teachers who are on maternity leave or on sick leave as at the closing date for receipt of applications. In such circumstances, the Teacher may request - at least 2 weeks before the specified closing date - an extension of no more than half a term for the submission of an application.

18.6.3. The process for applications is:

- Teacher to inform appraiser in writing, within the required timescale (see paragraphs 16.7 and 16.8 above) that he / she wishes to be considered for progression to the Upper Pay Range and that his / her personal objectives for the forthcoming appraisal period should reflect this request.

Following completion of the relevant appraisal period:

- The appraiser will complete an assessment pro-forma as shown in **Appendix 4**, setting out the appraiser's recommendation in relation to progression to the Upper Pay Range, following completion of the relevant appraisal period;

- The Line Manager will consider the appraiser's recommendation and will make a recommendation to the Head of Service / Pay Panel;
- The Head of Service / Pay Panel will make a decision about pay progression, following receipt of advice from the Line Manager;
- The Teacher will receive written notification of the outcome of their application by 31st October in the relevant year;
- Where the application is unsuccessful, the written notification will set out details of the areas of the Teacher's performance which are not considered to have satisfied the relevant criteria set out in this Policy (see 'Assessment' below);
- If requested, oral feedback will be provided by the Line Manager. Oral feedback will normally be given within 10 working days of the date of notification of the outcome of the application. Feedback will be given in a positive manner and will include advice and support about areas for improvement in order for the Teacher to meet the relevant criteria; and
- Successful applicants will move to step 1 of the Upper Pay Range with effect from 1st September of the academic year following their application being supported.

18.6.4. Unsuccessful applicants may appeal the decision as outlined in **Appendix 8**.

18.7. Assessment

18.7.1. An application will only be successful where the Head of Service / Pay Panel is satisfied that all of the requirements of the STPCD have been met, including that:

- the Teacher is highly competent in all elements of the relevant standards; and
- the Teacher's achievements and contribution to an educational setting or settings are substantial and sustained.

18.7.2. For the purposes of this Pay Policy, the Head of Service / Pay Panel will be satisfied that the Teacher has met the Local Authority's expectations for progression to the Upper Pay Range where the Upper Pay Range criteria (see **Appendix 3**) have been satisfied as evidenced by a successful appraisal review.

18.7.3. Further information, including details about sources of evidence, is contained in the Local Authority's Performance Management Policy.

19. LEADING PRACTITIONER ROLE

19.1. The Local Authority may establish Leading Practitioner posts for Teachers whose primary purpose is the modelling and leading improvement of teaching skills.

- 19.2. Where the Local Authority wishes to establish such posts it will determine the responsibilities and pay range for these posts. Consultation with relevant staff and trade unions will take place in relation to any such proposed changes to the staffing structure.
- 19.3. The Policy of the Local Authority will be to appoint any new Leading Practitioner Teacher to a 5-point range, as deemed appropriate by the Local Authority.
- 19.4. The pay range for Leading Practitioners will be in accordance with the STPCD, which is currently a minimum of £40,162 per annum (i.e. Leadership Pay Point 1) and a maximum of £60,055 per annum (i.e. Leadership Pay Point 18).
- 19.5. The Local Authority will use the discretionary reference pay points detailed at **Appendix 1**.
- 19.6. Pay progression for Leading Practitioners will be determined as per the process set out at 17.2.1 to 17.2.10 above

20. UNQUALIFIED TEACHERS

- 20.1. A Teacher on the unqualified pay range will be paid an annual salary between £17,208 and £27,216 per annum. The Local Authority will use the discretionary reference pay points detailed at **Appendix 1**.
- 20.2. Under the Education (Specified and Registration) (Wales) Regulations 2010 there are specific circumstances when those other than qualified Teachers who are registered with the Education Workforce Council may carry out 'specified work'.
- 20.3. The Local Authority will comply with these legal requirements and will only employ unqualified Teachers as specified in these Regulations.
- 20.4. The Local Authority may pay an additional allowance to an unqualified Teacher who meets the criteria as defined in the STPCD.
- 20.5. In order to progress up the pay range, unqualified Teachers will need to show that they have met or made significant progress towards meeting their performance management objectives, along with demonstrating the required improvement in their teaching skills.
- 20.6. In making its decision regarding pay progression, the Head of Service / Pay Panel will take account of the appraiser's recommendation regarding pay progression, as outlined on the Teacher's performance management appraisal statement. The Head of Service / Pay Panel will be advised by the Line Manager in making all such decisions.
- 20.7. The Head of Service / Pay Panel will record its decision regarding pay progression on the Annual Teachers' Pay Review Statement contained at **Appendix 2**. A copy of this form will be provided to the unqualified Teacher.

- 20.8. Where pay progression is granted, the unqualified Teacher's salary will be increased with effect from 1st September of the current academic year.
- 20.9. Where pay progression is not granted, the rationale for that decision will be recorded on the Annual Teachers' Pay Review Statement. The Teacher has the right to appeal against any decision not to grant pay progression. The appeals procedure is set out in **Appendix 8**.
- 20.10. An unqualified Teacher who obtains qualified Teacher status will be paid on the pay ranges for qualified Teachers, in accordance with this Pay Policy.

21. DISCRETIONARY ALLOWANCES AND PAYMENTS

21.1. Teaching and Learning Responsibility Payments (TLRs)

- 21.1.1. The Local Authority will award TLR1 and TLR2 payments to post holders as indicated in the staffing structure (see **Appendix 10**).
- 21.1.2. These payments will be awarded to Teachers who undertake clearly defined and sustained additional responsibility in the context of the service area's staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning and for which the Teacher is made accountable.
- 21.1.3. All job descriptions will be regularly reviewed and will make clear the responsibility or package of responsibilities for which a TLR is awarded.
- 21.1.4. The criteria for awarding a TLR1 and TLR2 payment will be in accordance with the STPCD.
- 21.1.5. The minimum and maximum range for a TLR1 is £7,853 to £13,228 per annum.
- 21.1.6. The minimum and maximum range for a TLR2 is £2,721 to £6,646 per annum.
- 21.1.7. The value of TLRs currently in use is as follows
- TLR1** - (details of each TLR1 to be inserted here by LA)
TLR2 - (details of each TLR2 to be inserted here by LA)
- 21.1.8. The Local Authority may award a fixed-term TLR3 payment to a Teacher of between £540 and £2,683 per annum for a clearly time-limited school improvement project, or one-off externally driven responsibilities.
- 21.1.9. The duration of the fixed-term, and the amount of annual payment will be established at the outset and will be paid on a monthly basis.
- 21.1.10. Where the Local Authority wishes to make TLR3 payments, the proposed responsibilities, level of payment and the duration of payment will be set out clearly following consultation with relevant staff and union representatives.
- 21.1.11. A Teacher in receipt of either a TLR1 or 2 may also hold a concurrent TLR3.

21.1.12. No safeguarding will apply in relation to an award of a TLR3.

21.1.13. A TLR1 or 2 payment awarded to a part-time Teacher will be on a pro rata basis but where a TLR3 payment is awarded to a part-time Teacher, the pro rata principle will **not** apply.

21.2. Special Educational Needs (SEN) Allowances

21.2.1. The Local Authority will award SEN allowances in accordance with the criteria and provisions set out in the STPCD.

21.2.2. An SEN Allowance of no less than £2,149 per annum, and no more than £4,242 per annum, will be payable to a classroom Teacher in accordance with STPCD.

21.2.3. The SEN values are: (*details of each SEN Allowance / value to be inserted here by LA*)

21.2.4. In deciding the SEN value, the Local Authority will take into account the structure of the SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the Teacher relevant to the post, and the relative demands of the post.

21.3. Acting Allowances

21.3.1. Acting allowances are payable to Teachers who are assigned and carry out the duties of Manager, Deputy Manager or Assistant Manager in accordance with the STPCD.

21.3.2. The Local Authority will, within a four-week period of the commencement of acting duties, determine whether or not the acting post holder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance may be agreed in advance and paid from the first day of absence.

21.3.3. Any Teacher who carries out the duties of Manager, Deputy Manager, or Assistant Manager, for a period of four weeks or more, will be paid at an appropriate point of the Manager pay range, Deputy Manager pay range or Assistant Manager pay range, as determined by the Head of Service / Pay Panel. Payment will be backdated to the commencement of the duties but will normally be paid a month in arrears.

21.3.4. Acting allowances may also apply to Teachers covering absent colleagues in receipt of a TLR and / or SEN allowance.

21.4. Additional Payments

21.4.1. With exception of those on the leadership range the Local Authority may make additional payments to a Teacher, in respect of:

- continuing professional development undertaken outside the working day;

- activities relating to the provision of initial Teacher training as part of the ordinary conduct of the service area;
- participation in out-of-school hours learning activity agreed between the Teacher and the Line Manager; and
- additional responsibilities and activities due to, or in respect of, the provisions of services by the Teacher relating to the raising of educational standards to one or more additional service areas / schools.

21.5. Recruitment or Retention Incentive Benefits

- 21.5.1. The Local Authority can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive. In deciding any such awards, the Local Authority will have regard to the STPCD and specialist HR advice.
- 21.5.2. Managers, Deputy Managers and Assistant Managers may not be awarded such a payment other than as reimbursement of reasonably incurred housing or relocation costs.
- 21.5.3. All other recruitment and retention considerations in relation to a Manager, Deputy Manager or Assistant Manager post will be taken into account when determining the pay range.
- 21.5.4. The reason for the award of any additional payment, the expected duration of any such incentive or benefit, and the review date after which they may be withdrawn will be made clear at the outset, in writing.
- 21.5.5. The Local Authority will conduct an annual review of all such awards.

22. PART-TIME TEACHERS' PAY AND TIME CALCULATIONS

- 22.1. Teachers employed on an ongoing basis but who work less than a full working week will be deemed to be part-time.
- 22.2. Part-time Teachers will be provided with a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the service area's timetabled teaching week for a full-time Teacher in an equivalent post. This does not affect the TLR3 payment which is not pro rata for part-time staff. See **Appendix 9** for further information.

23. TEACHERS EMPLOYED ON A SHORT-TERM NOTICE BASIS (SUPPLY)

- 23.1. Teachers employed on a supply basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro rata.

2018/19 PAY RANGES

Main Pay Range:

Point	Value
MPR 1	£23,720
MPR 2	£25,344
MPR 3	£27,380
MPR 4	£29,488
MPR 5	£31,811
MPR 6	£35,008

Upper Pay Range:

Point	Value
UPR 1	£36,646
UPR 2	£38,004
UPR 3	£39,406

Leading Practitioner Pay Range:

Point	Value
LP 1	£40,162
LP 2	£41,167
LP 3	£42,195
LP 4	£43,246
LP 5	£44,323
LP 6	£45,435
LP 7	£46,658

LP 8	£47,735
LP 9	£48,926
LP 10	£50,183
LP 11	£51,486
LP 12	£52,672
LP 13	£53,989
LP 14	£55,335
LP 15	£56,712
LP 16	£58,219
LP 17	£59,557
LP 18	£61,055

Unqualified Teachers Pay Range:

Point	Value
UNQ 1	£17,208
UNQ 2	£19,210
UNQ 3	£21,210
UNQ 4	£23,212
UNQ 5	£25,215
UNQ 6	£27,216

Leadership Pay Range:

Point	Value
L1	£39,965
L2	£40,966
L3	£41,989

L4	£43,034
L5	£44,106
L6	£45,213
L7	£46,430
L8	£47,501
L9	£48,687
L10	£49,937
L11	£51,234
L12	£52,414
L13	£53,724
L14	£55,064
L15	£56,434
L16	£57,934
L17	£59,265
L18*	£60,153
L18	£60,755
L19	£62,262
L20	£63,806
L21*	£64,736
L21	£65,384
L22	£67,008
L23	£68,667
L24*	£69,673
L24	£70,370
L25	£72,119
L26	£73,903

L27*	£74,985
L27	£75,735
L28	£77,613
L29	£79,535
L30	£81,515
L31*	£82,701
L31	£83,528
L32	£85,605
L33	£87,732
L34	£89,900
L35*	£91,223
L35	£92,135
L36	£94,416
L37	£96,763
L38	£99,158
L39*	£100,568
L39	£101,574
L40	£104,109
L41	£106,709
L42	£109,383
L43	£111,007

* These points and Point L43 are the maximum scale points for the eight HeadTeacher Group Ranges

ANNUAL TEACHERS' PAY REVIEW STATEMENT

Name:	Employee No.:
Service Area:	Effective Date:

SALARY DETAILS

Salary and Point - Main Pay Range (S1 - S6)	£	Point
Salary and Point - Upper Pay Range (S1 – S3)	£	Point
Salary and Point - Unqualified Range (S1 - S6)	£	Point
Salary and Leading Practitioner Range	£	Point

ALLOWANCES

**Details e.g. temp
(with dates), reason
for allowance**

Teaching and Learning Responsibility Payments (See Pay Policy Advice) TLR1 / TLR2 / TLR3	TLR____ £
Recruitment or Retention (See Pay Policy Advice)	£
Special Educational Needs Allowance (See Pay Policy Advice)	£
Other Allowances - Please specify (See Pay Policy Advice)	£
SAFEGUARDING	£
TOTAL SALARY	£

Head of Service / Pay Panel Meeting on:

Signature of Line Manager: Date:

UPPER PAY RANGE PROGRESSION CRITERIA

1. Professional Attributes

- 1.1. Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

2. Professional Knowledge and Understanding

- 2.1. Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.
- 2.2. Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects / curriculum areas they teach, including those related to public examinations and qualifications.
- 2.3. Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.
- 2.4. Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.
- 2.5. Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people

3. Professional Skills

- 3.1. Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.
- 3.2. Have teaching skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.
- 3.3. Promote collaboration and work effectively as a team member.
- 3.4. Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

ASSESSMENT OF TEACHER APPLICATION TO PROGRESS TO UPPER PAY RANGE

For Completion by the Teacher's Appraiser

Teacher's Name:	
Post:	

<p align="center">Evidence from most recent appraisal Please state which appraisal statement is attached:</p>	
<p align="center">*Criteria Met (* Please delete as appropriate)</p>	<p align="center">*Criteria Not Met</p>
<p align="center">If criteria have not been met in full, please record details below (and continue overleaf, as necessary) about the areas of the Teacher's performance which do not satisfy the criteria:</p>	

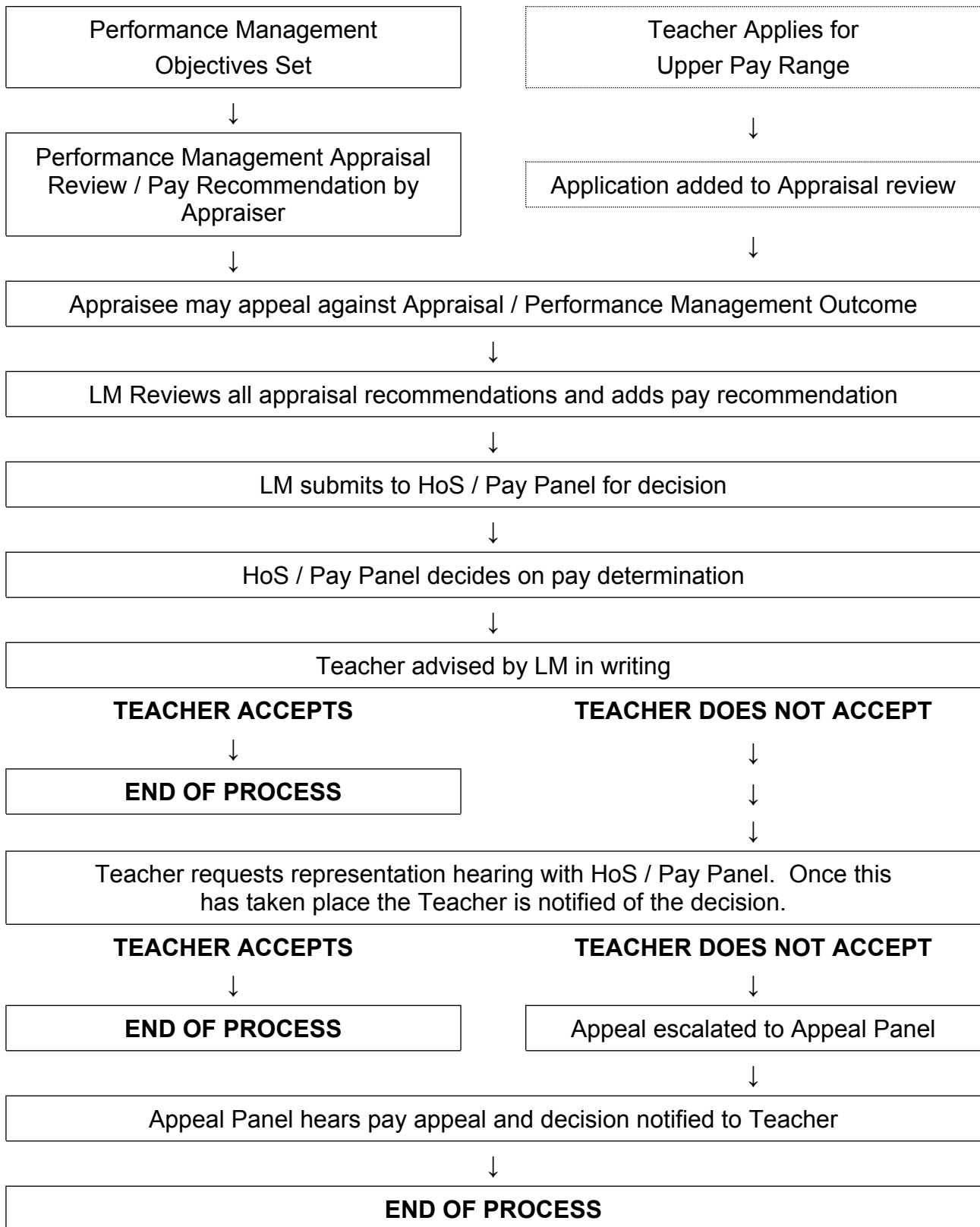
Signed _____ (Appraiser)

Date: _____

TO BE SUBMITTED TO THE LINE MANAGER / HEAD OF SERVICE

<p><u>Service Area Use Only</u></p> <p>Application Form Received on: _____</p> <p>Assessment made on: _____</p> <p>By: _____</p>

**FLOWCHART OF PAY REVIEW PROCESS
(Not including Manager)**



LEADERSHIP TEAM SALARIES GUIDANCE

1. Manager and Leadership Team

Whilst there is no longer a national pay scale published for leadership posts within the STPCD, the national employers along with the recognised trade unions have published indicative pay rates based on a 43 step leadership salary scale on which a Manager, Deputy Manager and Assistant Manager could be paid as determined by the Local Authority. These are set out below.

2. New Leadership Appointments / Changes to existing Leadership Pay Structures - Three Stage Process

The Local Authority should follow the three stage process when setting the pay for **new appointments or revising existing pay structures in respect of Managers or the wider leadership team**.

- Stage 1** - Defining the role
- Stage 2** - Setting the indicative pay range
- Stage 3** - Deciding the starting salary and individual pay range

All decisions and the reasons for them should be well documented at every stage. All pay decisions must be made on objective criteria so that there is no discriminatory effect of any group of Teachers with a particular protected characteristic under the Equality Act 2010.

It is suggested that Head of Service seek advice when calculating and recording leadership pay structure decisions

Stage 1 - Defining the Role

The Local Authority should, at this stage, define the job and identify the broad pay range as a provisional guide to determining appropriate level of pay. The Local Authority will need to define and set out the specific role, responsibilities and accountabilities of the post as well as the skills and relevant competences required.

For other leadership team posts, the Local Authority should consider how the role fits within the wider leadership structure of the service area. The pay range for a Deputy Manager or Assistant Manager should only overlap the Manager's pay range in **exceptional** circumstances.

Stage 2 - Setting the Indicative Pay Range

At this stage, the Local Authority will need to consider the complexity and challenge of the role in the particular context of the service and make a judgement on pay in light of this.

APPENDIX 6.

For Manager posts, it is expected that normally the Local Authority will conclude that the total unit score fully captures the complexity of the Manager role and that the relevant broad pay range accommodates appropriate levels of reward, in line with the STPCD. The Local Authority will need to consider whether the indicative pay range should start at the minimum of the Manager's pay scale or whether they wish it to start at a higher level because of the level of challenge of the post.

There may be circumstances, however, in which there are additional factors that suggest the indicative pay range should be higher than would be provided by the basic calculation in Stage 1.

The following represent some examples of additional factors to be considered (this list is not exhaustive):

- The context and challenge arising from pupils' needs e.g. if there is a high level of deprivation in the community (Free School Meal entitlement and / or English as an Additional Language) or there are high numbers of looked after children or children with Additional Learning Needs and this affects the challenge in relation to improving outcomes;
- A high degree of complexity and challenge e.g. accountability for multiple service areas / schools or managing across several dispersed sites, which goes significantly beyond that expected of any Manager of similar-sized service area / school(s) and is not already reflected in the pay range; and
- Factors that may impede the service area's ability to attract appropriately qualified and experienced leadership candidates e.g. location, language medium, subject area / specialism and / or level of support from the wider leadership team.

The Local Authority may set the indicative pay range with a **maximum of up to 25% above the top of the relevant Manager pay range**.

Above that limit, external independent advice must be sought and, should the advice suggest a range which exceeds this limit is appropriate, a business case must be made and agreed by the Head of Service.

The Local Authority **SHOULD NOT** increase base pay nor pay an additional allowance for regular local collaboration which is part of the role of all Managers.

For other leadership roles the process is broadly the same. The Local Authority will wish to consider how the other leadership roles should be set in accordance with the level set for the Manager and to ensure that there is sufficient scope for progression. Consideration should also be given to any teaching posts that carry additional allowances.

At the end of this stage, the Local Authority should decide where in the broad range to position the indicative pay range and set this out clearly when advertising the post. An overall judgement should be made on the position and breadth of range, allowing appropriate scope for performance-related progression over time, clearly linked to service / school improvement priorities and outcomes.

APPENDIX 6.

There should be a clear audit trail for all decisions made and the reasoning behind them.

It is also expected where possible that the Local Authority will undertake a process of benchmarking of salaries before setting the pay range for the Manager or other leadership posts.

For those factors which are not expected to persist, such as temporary responsibility for an additional service area / school, these should be reflected through an allowance rather than consolidated into the indicative pay range.

Stage 3 - Deciding the starting salary and Individual Pay Range for new appointments

The first two stages provide the means for determining the appropriate pay range. The third stage is essentially about deciding on the starting salary for the individual who is to be offered the post.

At this stage, the Local Authority will have a preferred candidate for the role and will wish to set the starting salary in the light of candidate-specific factors, such as the extent to which the candidate meets the specific requirements of the post.

It will be important to ensure there is scope for performance-related progression over time.

There must be a clear audit trail for any advice given and a full and accurate record of all decisions made and the reasoning behind them.

3. Establishing a Pay Range above the Manager's Pay Scale

The expectation is that in most cases the pay range will be within the limits of the Manager's pay scale. However, in some cases e.g. where there may be significant difficulty in making an appointment or there is a need to incentivise a Manager to take on responsibility for a very large service area / school or to lead multiple large service areas / schools, it may be appropriate to consider extending the individual pay range.

The Local Authority can, in such cases, decide that the maximum of the pay range may be above the maximum of the Manager's pay scale, **up to an additional 25%**.

If it is considered that there are exceptional circumstances that warrant an extension beyond that limit, a business case would be required. The Head of Service would need to seek external independent advice from an appropriate person or body who can consider whether it is justifiable to exceed the limit in a particular case.

There must be a clear audit trail for any advice given and a full and accurate record of all decisions made and the reasoning behind them.

4. Pay Progression for all Leadership Posts

It is the responsibility of the Local Authority to ensure that performance-based progression awards reflect individual performance.

The Pay Policy should be updated on an annual basis to ensure that they remain fit for purpose. The Local Authority will need to satisfy itself that objective-setting is fair, reasonable and meaningful, but rigorous, and that the Pay Policy provides a clear link between levels of achievement and progression.

Local Authorities have the freedom to award progression increases as they judge appropriate in their particular circumstances. Although no progression award should be made if it is not justified.

The Local Authority will consider awarding additional increment(s) for sustained high quality performance against the set criteria, or where performance has been exceptional and exceeded all the expectations.

Temporary Payments for Managers

In addition, the Local Authority may consider an additional payment to the Manager in respect of clearly temporary additional duties and responsibilities or duties that are in addition to the post for which their salary has been determined e.g. where they are providing services to other service areas / schools. Including where the Manager is appointed as a temporary Manager of one or more additional service areas / schools not included as a permanent factor in the calculation of the pay range.

5. Salary Protection

If the Local Authority chooses to reduce the leadership pay range, the member of staff will be entitled to receive a safeguarded sum for a period of up to three years, subject to the STPCD.

**MANAGER / DEPUTY MANAGER / ASSISTANT MANAGER
ANNUAL REVIEW FORM
(September 201__)**

Name:	Employee No.:
Service Area:	

*** Manager:**

Pay Range: £ to £

*** Deputy / Assistant Manager:**

Pay Range: £ to £

Salary and Point at August 201__: £ Point:

Rationale used for Pay Decision:

.....

.....

Revised Salary and Point at August 201__: £ Point:

Certified by Head of Service / Pay Panel:

Certified by Line Manager: Date:

*** Please delete as appropriate**

PAY REVIEW PROCESS

The Local Authority is committed to ensuring that appeals against pay decisions are dealt with quickly, fairly and are consistent with equalities and other relevant legislation, as well as the STPCD.

Teachers, including Managers, may appeal any determination in relation to their pay or any other decision taken by the Local Authority (or Pay Panel or individual acting with delegated authority) that affects their pay.

Reasons for appeal may include the following, which is not an exhaustive list. That the person or Panel making the decision:

- a) incorrectly applied any provision of the STPCD;
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence
- e) was biased; or
- f) or otherwise unlawfully discriminated against the Teacher.

For both the representation hearing and the appeal hearing, the Teacher is entitled to be accompanied by a work colleague or trade union representative.

Stage 1 - Informal Discussion

A Teacher who is dissatisfied with a pay recommendation has the opportunity to discuss the recommendation with his / her appraiser or Line Manager before the recommendation is actioned and confirmation of the pay decision is made by the Local Authority.

If, having had an informal discussion with the person making the pay recommendation, the Teacher believes that an incorrect recommendation has been made, he / she may make representation to the Head of Service / Pay Panel (see Stage 2 below).

Stage 2 - Representation Hearing

1. The Teacher receives written notification of the pay determination and, where applicable, details of the basis on which the decision was made. The Head of Service / Pay Panel will ensure the Teacher is aware of the process for making representation and appealing against the decision, if appropriate.
2. If the Teacher wishes to make representation, he/she should do so by writing to the Head of Service / Pay Panel within 10 working days of receiving the decision.
3. The Head of Service / Pay Panel will arrange for a representation hearing to take place as soon as possible, which will be chaired by him / her. The Line Manager may be required to attend the hearing to clarify the grounds for the pay recommendation.
4. The Teacher will be provided with between 5 and 10 working days' notice of the representation hearing. The Teacher may attend the hearing in order to present evidence, call witnesses and ask questions of the Head of Service / Pay Panel.

APPENDIX 8.

5. The Head of Service / Pay Panel will decide if the original pay determination is to be amended and will write to the Teacher about the outcome within 5 working days of the decision being reached.
6. Where the Teacher continues to be dissatisfied, he / she may appeal this decision within 10 working days of receiving the Head of Service / Pay Panel's outcome letter by proceeding to Stage 3 of the process.

Stage 3 - Appeal Hearing

1. The Teacher should clearly set out in writing the grounds for appealing the pay decision and send it to the Line Manager or other designated person (as agreed) within 10 working days of receipt of the written outcome of the Stage 2 decision (see above).
2. The Line Manager will arrange for an appeal hearing to take place as soon as possible, but normally within 20 working days of the receipt of the written appeal notification.
3. The Teacher should be provided with between 5 and 10 working days' notice of the hearing.
4. The appeal should be heard by a Panel. The Panel will comprise of a Head of Service and a Manager who were not involved in the original decision. In a Pupil Referral Unit, the appeal will be heard by members of the PRU Management Team not involved in the original decision.
5. The Appeal Panel's decision is final and, as set out in Section 3, paragraph 7 of the STPCD 2016, there is no recourse to the Local Authority's Grievance Procedure.
6. Those required to attend the appeal hearing include:
 - Chair and other Appeal Panel members
 - The Teacher and his/her representative or work colleague (if the Teacher is accompanied)
 - Witnesses for the employee side (if appropriate)
 - The Head of Service / Chair of Pay Panel who made the original decision, who will clarify the reasons for the original decision
 - Witnesses for the management side (if appropriate)
 - Clerk to the hearing
 - HR Adviser to give advice to the Appeal Panel (subject to the provisions of any Service Level Agreement)

A model procedure for formal appeal meetings

Chair introduces everyone and their role in the proceedings.

- The Teacher will present his/her case including any evidence to be considered and any witnesses they have called;
- Appeals Panel members may ask questions of the Teacher, as may the Head of Service / Pay Panel representative;

APPENDIX 8.

- Head of Service / Pay Panel representative will state their case including the evidence on which the decision was based and call any witnesses to support the case, if appropriate
- Appeals panel members may ask questions of the Head of Service / Pay Panel representative, as may the Teacher;
- Both parties may make a closing statement if they wish (Teacher first, followed by Head of Service / Pay Panel representative). No new evidence can be introduced at this stage;
- Both parties leave the hearing;
- The Appeals Panel may request advice from the HR Adviser (if applicable). Once this has been given, the HR Adviser will leave the hearing but may be recalled for further advice (if applicable);
- The Appeals Panel will consider all the evidence and reach a final decision;
- The Appeals Panel will call the parties back to inform the Teacher of the decision (if awaiting the decision) or instruct the Clerk to write to the Teacher on their behalf with their decision and the reasons for it; and
- The Clerk will notify the Payroll Department of change of pay, if appropriate.

PART-TIME TEACHERS' PAY AND TIME CALCULATIONS

A **School's Timetabled Teaching Week** must be established and a part time Teacher must be paid a proportion of the STTW.

The Local Authority must establish a STTW week for each Teacher, this refers to school sessions hours that are timetabled for teaching, including PPA but excluding break times, registration and assemblies.

Part-time Teachers will then be paid on actual teaching time excluding registration assemblies and breaks.

For Example:

If the school day, excluding registration and assembly, runs from 9.00am to 12.15pm and again from 1.15pm to 3.30pm with one 15 minute break in the morning session and one 15 minute break in the afternoon session, the STTW for a full-time Teacher would be calculated as 25 hours. If a part-time Teacher were employed for mornings only working 9.00am to 12.15pm every day, their percentage of the timetabled teaching week would be calculated as 15 hours. This is shown below:

	Morning Session (less breaks, registration & assembly)	+	Afternoon Session (less breaks, registration & assembly)	x	No. of Days in Timetable	=	STTW	% of STTW
Full-Time	3 Hours	+	2 Hours	x	5 Days	=	25 Hours	100%
Part-Time	3 Hours			x	5 Days	=	15 Hours	60%

PPA and Management Time must be included when calculating class contact time.

Directed Time - a Line Manager may allocate directed time to part-time Teachers (subject to conditions) as a proportion of a FTE 1265. Part-time Teachers can now be directed to cover breaks, assemblies and registration as part of their directed duties.

Part-time Teachers cannot be required to be available for work (either for teaching or other duties) on days they do not normally work. However, they may attend by mutual agreement with the Line Manager. Any resultant additional hours should be paid at the Teacher's normal salary.

Part-time Teachers may be required to carry out duties, other than teaching pupils, outside school sessions on the day on which the Teacher is normally required to be available for work (whether the Teacher is normally required to be available for work for the whole or part of that day). This can form part of directed time.

SERVICE AREA'S STAFFING STRUCTURE

(LA to enter details below as applicable at the time of this Pay Policy being adopted by the
Local Authority)

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EXECUTIVE BOARD 19TH NOVEMBER, 2018

SERVICE DELIVERY PLAN 2018/19 – ENVIRONMENTAL PROTECTION

Purpose:

The purpose of this report is to outline the roles and responsibilities of the Environmental Protection Section. It illustrates the demands and challenges on the service and how we plan to positively address these for 2018/19. The work is predominantly statutory.

Recommendations / key decisions required:

- The Service Delivery Plan for 2018/19 be approved.

Reasons:

1. There is a requirement that the food service delivery plan is approved annually in accordance with the Food Standards Framework agreement.
2. To provide a basis for the Environmental Protection section priorities and programmed work during 2018/19.

Relevant scrutiny committee to be consulted : YES – Environmental & Public Protection –
16th November, 2018

Scrutiny Committee recommendations / comments:

Verbal comments from Environmental & Public Protection Scrutiny Committee will be provided to Executive Board on the day.

Exec Board Decision Required YES – 19th November, 2018

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-

Cllr. P. Hughes, Environmental and Public Protection Portfolio Holder

Directorate Communities Name of Head of Service: Jonathan Morgan	Designation Acting Head of Homes and Safer Communities	Tel No. 01267 228960 / 01267 228929
Report Author: Jonathan Morgan	Designation Acting Head of Homes and Safer Communities	E Mail Addresses: JMorgan@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY
EXECUTIVE BOARD
DATE: 19TH NOVEMBER, 2018**

SERVICE DELIVERY PLAN 2018/19 – ENVIRONMENTAL PROTECTION

Purpose

The purpose of this report is to outline the roles and responsibilities of the Environmental Protection Section. It illustrates the demands and challenges on the service and how we plan to positively address for 2018/19. The work is predominantly statutory.

The attached report provides an Executive Summary of the plan as well as the more detailed delivery plan.

**DETAILED REPORT
ATTACHED ?**

YES –

- Executive Summary - Environmental Protection Services Service Delivery Plan 2018-19
- Environmental Protection Services Service Delivery Plan 2018-19

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed; Jonathan Morgan, Acting Head of Homes and Safer Communities.

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below
Signed; Jonathan Morgan, Acting Head of Homes and Safer Communities

1. Scrutiny Committee

Verbal comments following Environmental & Public Protection Scrutiny Committee on 16th November, 2018 will be provided to Executive Board on the day.

2. Local Member(s) - N/A

3. Community / Town Council – N/A

4. Relevant Partners - N/A

5. Staff Side Representatives and other Organisations - N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE.

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Environmental Protection Services

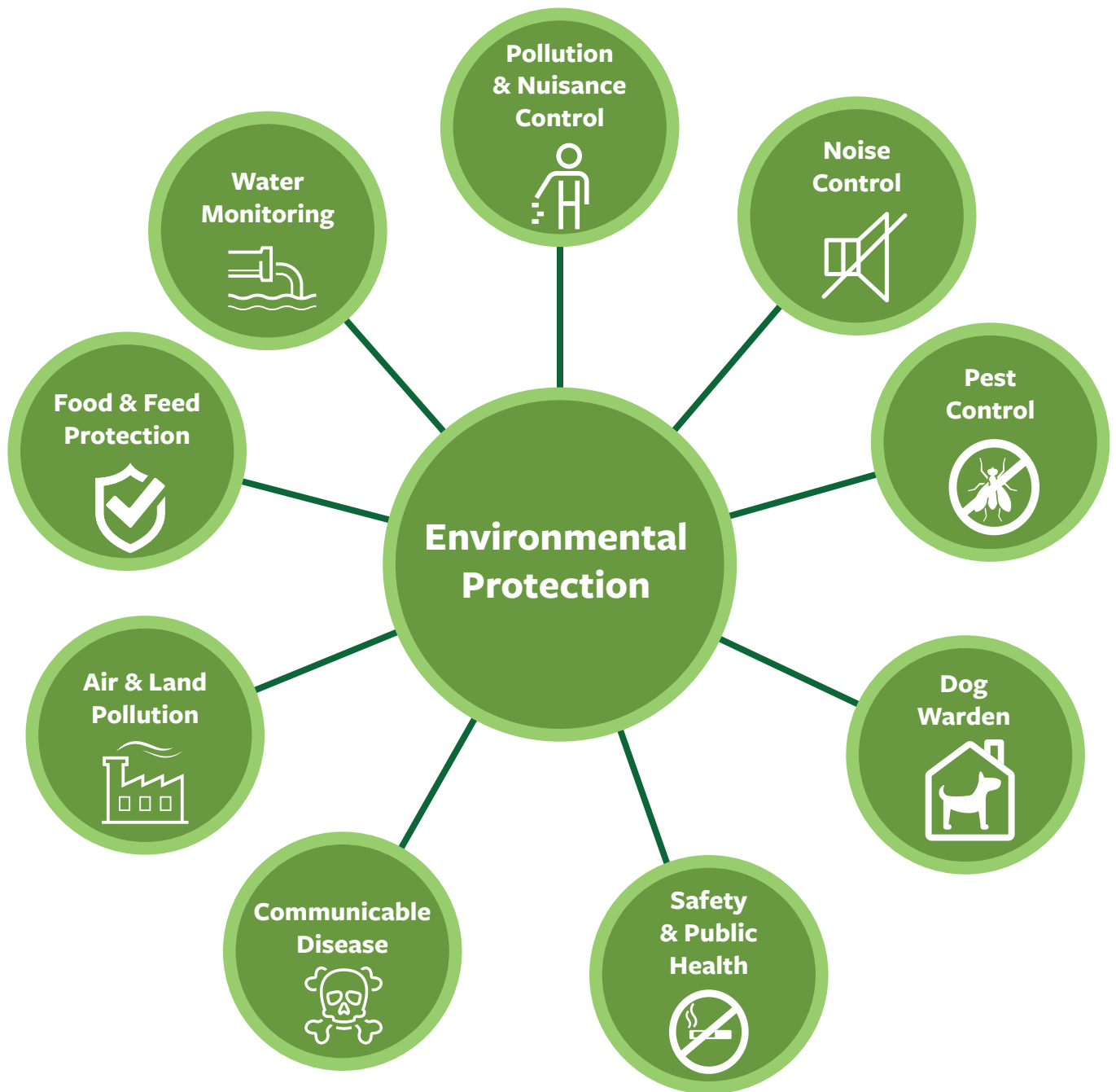
Service Delivery Plan 2018-19

EXECUTIVE SUMMARY



Environmental Protection Department

KEY RESPONSIBILITIES





Executive Summary

Background

- 1 The report outlines the roles and responsibilities of the Environmental Protection Section within the Homes and Safer Communities Division. It illustrates the demands on the service and the challenges that must be addressed for 2018/19.
- 2 Environmental Protection Services encompasses food hygiene, standards and feed safety, communicable disease, public health and safety (including tattooing and skin piercing), pollution (including air quality, contaminated land and noise), nuisances (including noise, odour, smoke, waste, drainage etc), anti-social behaviour, drinking water, Gypsy and Traveller support, pest control advice and dog warden services. The Local Authority has a statutory duty to carry out these functions.

The Division has recently re-aligned. The main areas affected in terms of Environmental include the following but will be discussed in more detail in the relevant sections:

- The Licensing function transferring to the Businesses and Consumer Affairs Section;
- The Food section will expand to include standards and feed regulation in order to provide a 'farm to fork' policy; and
- The Public Health Section will include tenure neutral nuisance and wider anti-social behaviour regulation in addition to the management of and support for the Gypsy and Travellers at the Penybryn site, Llanelli.

Service Aims and Objectives

Environmental Protection Service is committed to protecting the health, safety and wellbeing of citizens and visitors to the County. It is one of the main regulatory sections of the Council.

The work includes preventative and reactive responses which links with various objectives and strategies including those in the Wellbeing of Future Generations Act, Corporate Strategy, Councils Well-Being Objectives and Welsh National Enforcement Priorities.

The Plan gives an overview of the work carried out by the team and how they link to such strategies. In order to meet demands with limited resources, innovative and collaborative work has been and will continue to be utilised. Officers work closely with other Authorities, agencies and customers which is identified in the plan.

Challenges

The service has undertaken a large re-alignment as described above. This has resulted in a change of approach in some areas, however, as part of the transitional period, officers have been and will continue to be supported with opportunities for training, support, shadowing and such.

Particular impacts for 2018/19 include:-

- “Bedding in” the realignment of services within the Division. We now have one team responsible for Food Hygiene, Standards and Food to provide a ‘farm to fork’ service. This was being delivered between three teams. The services will monitor performance measures to understand demands and ensure that there are adequate resources in each section. The re-alignment has also resulted in further investment in officers to provide them with knowledge and abilities to deliver hygiene and standards services. It is felt that the outcome will result in a better and more efficient service to the customer;
- Implementing the monitoring of shellfish in accordance with Welsh Government and Food Standards Agency to ensure that the beds satisfy standards for commercial gathering. Sampling of biotoxin and hygiene levels are essential to determine both the health status of commercial shellfish beds and also the continual monitoring of their classified status;
- Exploring the opportunity for implementing Primary Authority Principal and provision of tailored advisory services at a cost to new and existing food businesses, with the intention of encouraging businesses to ‘strive for a rating of 5’;
- Delivering a tenure neutral approach to statutory nuisances and anti-social behaviour. This will include close working partnerships to improve problem solving collaboratively. The service will monitor performance measures to understand demands and ensure that there are adequate resources in each section. It is felt that the outcome will result in a better and more efficient service to the customer;
- Exploring the possibility of extending the current Pest Control services to commercial contracts and private dwelling treatment;
- Preparing for the implementation of the relevant section of the Public Health (Wales) Act in relation to the registration and licensing of skin treatments, Health Impact Assessments and extension of smoking restricted areas. There will also be an input into the Local Toilet Strategy in conjunction with the Environment Department. There will be an opportunity to obtain fees for the licensing and registration of the above;
- Producing information relating to noise control that is readily available for developers to assist in their Planning application process. We will explore the possibility of providing a tailored advisory service where further, in depth information may be requested, the cost of which will be borne by the developer;
- Working with partners that are delivering the Wellness and Life Science village at Delta Lakes to ensure that the risks from potential land contamination are fully addressed and mitigated where necessary;
- Implementing action plans for the Air Quality Management areas in Carmarthen, Llanelli and Llandeilo. The section is enhancing the plans by working in conjunction with Swansea University to observe the health impact of the action plans to improve air quality. Work is also planned to engage with local schools in the areas to raise awareness of poor air quality and to instigate change in school journey behaviours;
- Exploring the possibility of working collaboratively with Swansea University through the Wellness and Life Science Centre to assess radon levels within local housing stock (and remediate as necessary), and to observe the health impact; and
- Improving the support and engagement services for the Gypsy and Travellers community.

Review

The plan contains information and details of quality assessments and illustrates the various ways that the Section ensures consistency, efficiency and competency. Additionally, there is information on resources within the team both staffing and financially.

The Service Delivery Plan is subject to annual review.

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Environmental Protection Services

Service Delivery Plan 2018-19

Towy Valley, Carmarthenshire

Contents

Section	Title	Pg
1	Summary	1
2	Service Aims and Objectives	4
3	Background	7
4	Food Safety and Workplace Health and Safety	9
5	Pollution and Wellbeing	20
6	Public Health	26
7	Resources	34
8	Quality Assessment	35
9	Review	36
Appendix 1	Political Structure	37
Appendix 2	Strategic Management Structure	38
Appendix 3	Budget	39



Cenarth Falls, Newcastle Emlyn

1.0 SUMMARY

- 1.1 The report outlines the roles and responsibilities of the Environmental Protection Section. It illustrates the demands on the service and the challenges that will be addressed for 2018/19. The work is predominantly statutory.
- 1.2 The Division has recently re-aligned. The main areas affected in terms of Environmental include the following but will be discussed in more detail in the relevant sections:
 - The Licensing function transferring to the Businesses and Consumer Affairs Section;
 - The Food section will expand to include standards and feed regulation in order to provide a 'farm to fork' policy; and
 - The Public Health Section will include tenure neutral nuisance and wider anti-social behaviour regulation in addition to the management of and support for the Gypsy and Travellers at the Penybryn site, Llanelli.
- 1.3 Staff within the Environmental Protection Section work flexibly and inspections and visits are undertaken out of core hours on a pre-planned basis, where necessary.
- 1.4 The service is experiencing increased demands. This is set against an increase in demand in some reactive and proactive statutory requirements, such as the implications of the food hygiene rating act, planning applications and introduction of additional legislation (such as dog chipping, anti-social behaviour, sampling for water/food quality, smoking in vehicles with children etc). The main priority for the Service is the protection of public health, consumers, local businesses and animal health. Decisions on priorities of work are based on risks that may affect those groups.
- 1.5 Impacts that may influence the proactive/programmed work such as food hygiene inspection programme are the team's response to major food incidents, food poisoning outbreaks, investigation of the illegal meat trade, food fraud, etc. Additionally, a large proportion of Pollution and Public Health teams' work is reactive, such as noise control and the investigation of statutory nuisance. There are occasions when the demand may exceed the capacity of the teams'. This is continually monitored and addressed where possible, by re-prioritising workloads and utilising qualified officers (Environmental Health Practitioners) to ensure that there is flexibility to meet high pressures/demands.

- 1.6 There is also a considerable amount of collaborative working with partners. Examples of this include:
- Regulation and advice of large events and sports ground safety inspection through a Safety Advisory Group. This is made up of senior representatives of the Police, Fire and Rescue Service, Ambulance Service and Local Health Board;
 - Joint problem solving group for issues relating to anti-social behaviour; and
 - Sharing of procedures/information with neighbouring authorities to deliver consistent services to businesses and consumers. This is demonstrated by active engagement with the Welsh Heads of Environmental Health Expert Panels and regional groups.
- 1.7 One particular issue being considered is the united approach to the current proposals by the Food Standards Agency in relation to the Regulation for Change agenda. This is looking to alter the current (successful) implementation of the food legislation from the responsibility of the Local Authority Environmental Health Officers (EHOs) to consultants (at a cost to the business) with the EHO's having the responsibilities for enforcement. This will have the potential impact on the current team, by altering the demands within the section and may need the officers to 'do things differently'.
- 1.8 Particular impacts for 2018/19 include:
- "Bedding in" the realignment of services within the Division. We now have one team responsible for Food Hygiene, Standards and Food to provide a 'farm to fork' service. This was being delivered between three teams. The services will monitor performance measures to understand demands and ensure that there are adequate resources in each section. The re-alignment has also resulted in further investment in officers to provide them with knowledge and abilities to deliver hygiene and standards services. It is felt that the outcome will result in a better and more efficient service to the customer;
 - Implementing the monitoring of shellfish in accordance with Welsh Government and Food Standards Agency to ensure that the beds satisfy standards for commercial gathering. Sampling of biotoxin and hygiene levels are essential to determine both the health status of commercial shellfish beds and also the continual monitoring of their classified status;
 - Exploring the opportunity for implementing Primary Authority Principal and provision of tailored advisory services at a cost to new and existing food businesses, with the intention of encouraging businesses to 'strive for a rating of 5';
 - Delivering a tenure neutral approach to statutory nuisances and anti-social behaviour. This will include close working partnerships to improve problem solving collaboratively. The service will monitor performance measures to understand demands and ensure that there are adequate resources in each section. It is felt that the outcome will result in a better and more efficient service to the customer;
 - Exploring the possibility of extending the current Pest Control services to commercial contracts and private dwelling treatment;
 - Preparing for the implementation of the relevant section of the Public Health (Wales) Act in relation to the registration and licensing of skin treatments, Health Impact Assessments and extension of smoking restricted areas. There will also be an input into the Local Toilet Strategy in conjunction with the Environment Department. There will be an opportunity to obtain fees for the licensing and registration of the above;
 - Producing information relating to noise control that is readily available for developers to assist in their Planning application process. We will explore the possibility of providing a tailored advisory service where further, in depth information may be requested, the cost of which will be borne by the developer;

- Working with partners that are delivering the Wellness and Life Science village at Delta Lakes to ensure that the risks from potential land contamination are fully addressed and mitigated where necessary;
- Implementing action plans for the Air Quality Management areas in Carmarthen, Llanelli and Llandeilo. The section is enhancing the plans by working in conjunction with Swansea University to observe the health impact of the action plans to improve air quality. Work is also planned to engage with local schools in the areas to raise awareness of poor air quality and to instigate change in school journey behaviours;
- Exploring the possibility of working collaboratively with Swansea University through the Wellness and Life Science Centre to assess radon levels within local housing stock (and remediate as necessary), and to observe the health impact; and
- Improving the support and engagement services for the Gypsy and Travellers community.



2.0 SERVICE AIMS AND OBJECTIVES

2.1 Introduction

The Plan is intended to inform residents and the business community about the arrangements Carmarthenshire County Council has in place with regard to the delivery of Environmental Protection Services.

Environmental Protection Services encompasses food hygiene, standards and feed, communicable disease, health and safety, pollution (including air quality, contaminated land and noise), nuisances (including noise, odour, smoke, waste, drainage etc), anti-social behaviour, drinking water, pest control advice and dog warden services. The Local Authority has a statutory duty to carry out these functions.

The Plan relates to work that will be undertaken by the Environmental Protection Services from the 1st April 2018 until 31st March 2019. It details how the teams are managed, organised, how they operate and includes an analysis of the current costs and challenges facing the service.

2.2 Service Aims and Objectives

The Environmental Protection Service is committed to protecting the health, safety and wellbeing of residents and visitors to the County. It is one of the main regulatory sections of the Council. To achieve this, the service aims to:

- (i) promote, provide advice and information, guidance and education on all matters relevant to Environmental Protection Services;
- (ii) carry out a range of programmed statutory inspections and other visits in accordance with relevant legislation, codes of practice and guidance. This will include re-inspections and re-sampling or other subsequent action as necessary, in accordance with the Council's Enforcement Policies;
- (iii) respond in a timely manner to service requests;
- (iv) liaise with a range of partners. This will include the Food Standards Agency, Welsh Government, Department for Health, Public Health Wales, Public Analysts, Better Regulation

Delivery Office, Natural Resources Wales, the Health and Safety Executive, Dyfed Powys Police, Mid and West Wales Fire and Rescue Service, Hywel Dda Local Health Board, the Communicable Disease Surveillance Centre, Directors of Public Protection Wales, its Expert Panels and other local authority Task Groups, together with other appropriate bodies to achieve consistency in enforcement;

- (v) work collaboratively with other local authorities and agencies where possible, to provide a consistent, effective and efficient service for customers;
- (vi) promote the work being carried out by the section with regards to preventative measures to improve health and wellbeing for future generations in Carmarthenshire;
- (vii) ensure that staff receive regular, appropriate training and are able to access up-to-date reference material at all times; and
- (viii) ensure that food imported/produced/or sold in Carmarthenshire is safe to eat.

2.3 Links to Corporate Objectives and Plans

The Well-being of Future Generations Act

This places a well-being duty on specified public bodies across Carmarthenshire to act jointly and establish a statutory Public Services Board (PSB). The Carmarthenshire PSB was established in May 2016 and is tasked with improving the economic, social, environmental and cultural well-being of Carmarthenshire. It must do so by undertaking an assessment of well-being in the County and then preparing a county Well-being Plan to outline its local objectives.

Carmarthenshire PSB's draft well-being objectives are:-

- **Healthy Habits:** people have a good quality of life, and make healthy choices about their lives and environment;
- **Early Intervention:** to make sure that people have the right help at the right time, as and when they need it;
- **Strong Connections:** strongly connected people, places and organisations that are able to adapt to change; and
- **Prosperous People and Places:** to maximise opportunities for people and places in both urban and rural parts of our county.

The Corporate Strategy

Our new Corporate Strategy consolidates the following plans into one document and it:

- supersedes the 2015-20 Corporate Strategy;
- incorporates our improvement objectives as required by the Local Government Measure 2009;
- includes our well-being objectives as required by the Well-being of Future Generations (Wales) Act 2015; and
- includes Carmarthenshire County Council's Executive Board key projects and programmes for the next 5 years as set out in '*Moving Forward in Carmarthenshire: the next 5 years*'.

Welsh National Enforcement Priorities for Wales

Nationally, the service also contributes to the Welsh National Enforcement Priorities for Wales for local regulatory delivery which highlight the positive contribution that regulatory services, together with local and national partners, can make in delivering better outcomes. They are:

- Protecting individuals from harm and promoting health improvement;
- Ensuring the safety and quality of the food chain to minimise risk to human and animal health;
- Promoting a fair and just environment for consumers and business; and
- Improving the local environment to positively influence quality of life and promote sustainability.

Environmental Protection Services links to these objectives are as follows:

- providing the statutory regulatory framework for food, safety and health, public health and pollution control;
- enforcing no smoking in public places and regulating the use of sunbeds, tattooing practices, body piercing and skin treatments;
- investigating notifications of communicable disease, food poisoning and zoonoses (animal health infections);
- promoting the 'preventive' outcome of the work carried out by the service;
- implementing the Food Hygiene Rating legislation;
- sampling food, including shellfish to monitor safety and quality;
- ensuring food sold and produced in Carmarthenshire is safe to eat and as described (including accurate information on allergens);
- investigating allegations of food fraud, such as illegal slaughter and the illegal movement of shellfish; and
- ensuring that officers are equipped with adequate resources and understanding to assess the safety and safeguarding of the community when engaging with customers.



Llandelilo

3.0 BACKGROUND

3.1 Profile

Around 185,100 people currently live in Carmarthenshire making it the county with the fourth highest population in Wales. In line with trends across Wales, Carmarthenshire has an ageing population with the over 40's accounting for 56% of the population, and over 65's for 23%. This trend is set to continue with projections suggesting that increases in overall Carmarthenshire population to 2021 will be primarily in the 65+ age group.

The Carmarthenshire population is one of the sparsest in Wales at just 78 people per km², who live across a diverse County of both urban and rural communities. The three major towns are Llanelli, Carmarthen and Ammanford which are home to 25% of the population. 60% of the population live in rural areas which cover 53% of the County geographically. The remaining 40% of the total County population all live within 400m of natural or semi-natural green space.

Carmarthenshire is the third largest County in Wales, covering some 2,365 sq. kilometres, which represents 11.5% of the total landmass of Wales.

Carmarthenshire is a County of contrasts. The agricultural economy and landscape of rural Carmarthenshire contrasts to the urban and industrial south-eastern area. The County has over 6,200 registered agricultural holdings managing, some 210,500 ha of land, with 1400 of these being over 50ha (125 acres) in size.

Carmarthenshire has a rich natural and cultural environment, including sites designated at the international level to protect important biodiversity features, as well as striking landscapes and distinctive historic towns and villages.

The County also has the highest number of Welsh speakers in Wales, with 78,048 speakers according to the Office of National Statistics, with 80% of Welsh speakers speaking Welsh on a daily basis.

3.2 Organisational Structure

Appendix 1 outlines the Political Structure in Carmarthenshire County Council.

Appendix 2 outlines the Corporate Strategic Management Structure.

3.3 External Services

The following support us in providing specialist services:

Food and Agricultural Analysts

Formal and informal feeding stuffs samples are examined by the Public Analyst at Minton Treharne & Davies, Unit 5, Llwyn yr Eos, Parc Menter, Crosshands.

Food Examiners

Informal samples and faecal testing for communicable disease investigation is carried out in the Public Health Wales Laboratory in Carmarthen.

Both of the above are accredited.

3.4 Service Delivery

The service is provided from three centres in the County, at Ammanford, Llanelli and Carmarthen, which are open from 8:50am to 5:10pm Mondays to Thursdays and 8:50am to 4:30pm on Fridays. Staff can work flexible hours between 7:00am and 7:00pm. Officers are moving towards more 'agile' working. As many complaints occur and businesses open only in evenings and weekends, officers work flexibly where necessary. Enforcement visits are carried out outside core hours on a pre-planned basis.

3.5 Enforcement Policy

The Authority adopted a Corporate Enforcement Policy in April 2018 which follows the Regulators Compliance Code.

3.6 Cultural and Ethnic Diversity

Translated versions of several business leaflets are available and the Council has sourced translators which have been used to translate Notices and or letters when required.

The Sections' also implement the Council's Welsh Language Policy and provide Welsh speaking officers when dealing with service requests.

3.7 Education and Partnership Working

The Teams work closely with Public Health Wales, Local Authorities, Hywel Dda Local Health Board, Dyfed Powys Police, Mid and West Wales Fire and Rescue Service etc. This has been illustrated in many of the actions identified from the Integrated Community Strategy.



4.0 FOOD, SAFETY AND HEALTH

4.1 Scope of the Service

During this year the feeding-stuffs and standards work will be carried out by officers within the Food, Safety and Hygiene section. The responsibility for enforcing food standards and feeding-stuffs legislation previously lay with the Business and Consumer Affairs Section. The vision of the realignment includes officers (Environmental Health Practitioners) being able to deliver both hygiene (cleanliness, prevention of food poisoning) and standards (labelling, allergens, use-by-dates etc) responsibilities. This way of working will deliver not only more efficiencies, but also a better experience for the businesses and customers. As a result, many of the Environmental Health Officers have attended a comprehensive Food Standards training. This will ensure more collaborative working and consistency of approach.

The feeding stuffs responsibility are included in an all Wales service delivery plan. However, in order to achieve the targets, two Animal Health Officers have joined the team from Business and Consumer Affairs as part of the realignment. The team is working collaboratively with other Authorities within the region (Dyfed Powys).

The Environmental Protection Section is based at Carmarthen, Llanelli and Ammanford as and when required and in line with the agile working policy. The table below indicates the breakdown of employee numbers (FTEs) for food hygiene, food standards and health and safety.

	Food safety* 2017/18 FTE (EHP)	Food safety 2018/19FTE	Food stand^ 2017/18 FTE (TSO)	Food stand 2018/19 FTE	Health and Safety** 2017/18 FTE (EHP)	Health and Safety 2018/19
Environmental Protection Manager	0.2	0.2			0.05	0.2
Principal Officer	0.7	0.3	0.6	0.3	0.3	0.2
Senior officer *	0.8	0.3	2.9		0.2	0.3
EHP'S	6.95	7		0.9	1.2	0.3
Technical Assistant - sampling	0.8					
Animal Health Officers	0.05				0	
Food Officers **		1.5				
Total	9.5	9.3	3.5	1.2	1.75	1

* 0.4 FTE additional involved in Feed responsibilities

**0.5 FTE additional involved in Feed responsibilities

The figures above illustrate the current proportion of officer resources. The re-alignment has resulted in some efficiencies. For example, officers will carry out a standards inspection at the same time as a hygiene inspection which will save duplication. It may be necessary, however, to regularly review the workloads and demands on the service.

4.2 Demands on the Service and Food Premises Profile

Table 1 shows the number and type of premises in the County. There are 1,986 registered food businesses.

Table 1

Type of business	Apr-16	Apr-17	Apr-18
Primary Producer (registered)	8	7	6
Manufacturer/Packer	88	84	81
Importer/Exporter	1	0	0
Distributor/Transporter	6	8	8
Supermarket/Hypermarket	31	32	34
Small Retailer	303	301	298
Retailer/Other	129	117	113
Restaurants and other caterers	355	359	362
Hotel/Guest House	87	81	77
Pub/Club	303	293	288
Take Away	142	146	146
Caring Premises	152	154	158
School/College	136	140	142
Mobile Food Unit	80	82	84
Restaurant and Caterers – Other	173	182	168
TOTAL	1,994	1,986	1,965

Food businesses in Carmarthenshire are very diverse and further detail is provided below:

- 30 EU approved businesses in Carmarthenshire which produce a variety of meat, dairy, fish and egg products. Some of these businesses only manufacture on a small scale, but the majority prepare high risk foods with complex and specialised procedures. They supply food to businesses outside the County on a considerable scale;
- Shellfish gathering continues to be a large industry in Carmarthenshire, which requires regular sampling, monitoring and enforcement. A sampling regime is essential to maintain / review bed classification and biotoxin monitoring in order to permit commercial gathering. This can be a very lucrative business and multi-agency monitoring is carried out regularly to prevent, where possible, incidents of food fraud;
- Two water bottling plants (spring water and natural mineral water) plus an additional Natural Mineral Water plant, currently being established;
- Two large ice cream manufacturers;
- Approximately 5,000 primary producers of food, predominantly falling under the category of dairy, beef or sheep farms. Of these, approximately 1,000 are considered to be high risk as they operate multi-species businesses;
- Officers also look for ethnic products of animal origin and products not of ethnic origin during their enforcement duties, particularly in wholesale premises and pound shops; and
- Various organisations and businesses use the County for large out-door events and thematic street markets. These need to be regulated and checked for hygiene, water supply, refrigeration and basic public health standards.



Carmarthenshire Fishmonger



Carmarthenshire Cheese Producer



Carmarthenshire Butcher

4.3 Service Delivery

4.3.1 Food Safety Inspections and Education

Premises liable for food safety inspections are risk assessed and the risk assessment category dictates the frequency and level of inspection they receive.

The inspection programmes for 2017/18 are found in the following table:

Category	Planned Inspections 2018/19
A	1
B	43
C	440
D	186
E	255
Unrated	25
Total Inspections	950
FHRS Revisits (estimated)	28
Estimated revisits	50
FSM projected visits	0
Total visits	78

Inspections are grouped geographically where possible for reasons of economy and efficiency.

All food safety high risk premises receive a full inspection/audit in order to attain the targets set locally and to issue a food hygiene rating to the business (following an unannounced inspection). Low risk premises could be subject to an inspection or alternative intervention depending on:

- 1) Whether they are excluded from FHRS or
- 2) It is the first official control visit following a full programmed inspection which resulted in the premises being deemed broadly compliant.

There is only one National PI for food safety for 2018/19 - the percentage of food establishments which are 'broadly compliant' with food law.

Deviation from the programmes outlined above may occur in response to major food incidents e.g. food poisoning outbreaks, investigation of illegal meat trade, special projects referred from the Food Standards Agency, new legislation etc.

In order to determine whether a revisit is necessary, consideration will be afforded to:

- The number and seriousness of the offences;
- The willingness of the proprietor to comply;
- Issues related to public health protection; and
- Premises awarded a FHR score of 2 or less

4.3.2 Food Standards

The rating for food standards has recently been altered from the previous LACORS system to the Food Law Code of Practice. As a result, there is an alteration to previous years risk ratings and inspection programme as detailed below:

Category	Total numbers	Planned inspections 2018/9
A	43	26 (+17)
B	979	77
C	598	6
UNRATE	211	156
TOTAL	1,831	265 +17 = 282

We will inspect all high risk (A) businesses and the inspections that are aligned with the hygiene inspections.

The actual resource available to cover this service is 1.0FTE

4.3.3 Primary Producers

The role of the Food Officers will include inspection of Primary Producers.

The estimated resource required to deliver this service is 0.1FTE

4.3.4 Safety

The section will continue to inspect and review all the Sports Grounds certificates within the County. In addition to this, there will be representation to the Safety Advisory Group which will advise organisers in the planning of larger events.

The national guidance relating to enforcement and inspection of workplaces suggests that only high risk, i.e. 'A' category premises, should be prioritised in the planned programme of inspections regime. In addition, local authorities are encouraged to participate in national and regional health and safety initiatives. The initiatives are set 'thematically' as a result of intelligence led data.

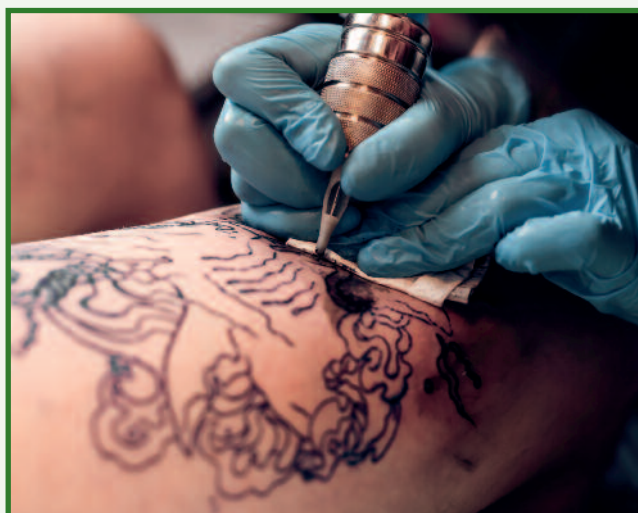
This year, the number of 'A' risk premises included in the programme of inspections is 3.



4.3.5 Health

The introduction of the Public Health (Wales) Act will look to regulate and extend current responsibilities of the section. The first of these is to require persons and premises to be registered/licensed in order to carry out tattooing and/or body modifications. This section is aware of its businesses through ongoing proactive work and, therefore, the implementation of the legislation next year should be reasonably straight forward. It will, however, provide additional, more effective tools which may be used where there is found to be non-compliance.

In addition, the Public Health (Wales) Act proposes Regulations to extend the Smoke Free Premises legislation. This will require officers to enforce no smoking in a wider public attendance remit. It is the intention that initially the section will support the introduction by means of general publicity and working with educational services to focus on concerns with parents in vehicles outside schools etc. Officers will also work with the Leisure section (and schools) to support smoke free playgrounds.



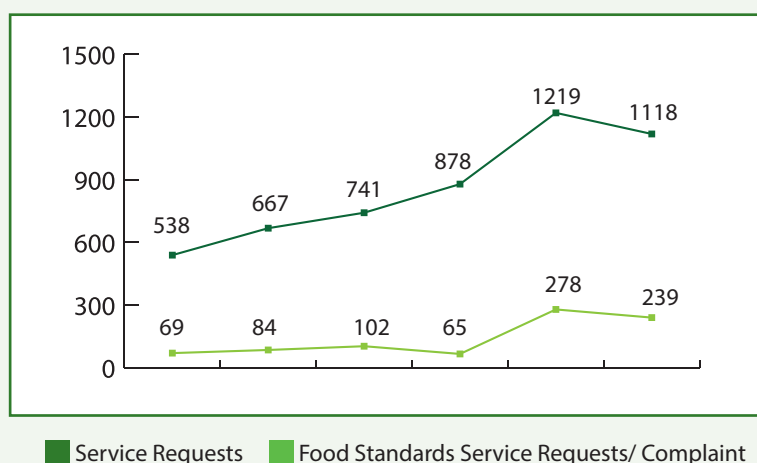
The estimated resources required to deliver this service is 0.8FTE

4.3.6 Food Hygiene, Safety and Standards Service Requests

Service requests that are recorded on the data base systems include food and premises advice, complaints and legislation queries, etc. Officers no longer visit businesses pre-opening to offer setting up advice. Individuals are signposted to advice and information on the website, however, the section is considering offering onsite, tailored advisory visits at a cost later in the year.

A further example of service requests include notification from Dwr Cymru/Welsh Water of potential water disconnections that have an impact on food safety and standards, together with workplace health and safety. Where businesses providing high risk foods are threatened by disconnection, the businesses are contacted or visited to ensure that the water supply remains constant during operation or if the disconnection proceeds, that the businesses do not trade until such time as the supply is reconnected.

Food Standards complaints and requests for service are handled in accordance with the Quality Manual and Food Law Code of Practice. The manner of recording such requests have improved over the past year thereby providing a more accurate picture of the demand. There is a steady increase in the number of service requests year on year. The nature of this work varies greatly from simple advice to complex manufacturing/labelling enquiries to criminal investigations.



The estimated resources required to deliver this service is 1.5FTE

The estimated resources is based on previous years. However, with the introduction of tailored, chargeable advice, as well as a better resourced website, it is anticipated that this will reduce the service request demand.

4.3.7 Home Authority Principle and Primary Authority

The Council does not act as a Primary Authority nor is it a Home Authority for any food business in the area. Carmarthenshire is, however, classified as an originating authority for approximately 77 manufacturers, thus being the initial point of contact for any food complaints arising outside the authority in relation to such products. The section is currently exploring the possibility of becoming a Primary Authority for businesses within Carmarthen. It is anticipated that this will be progressed significantly this year.

4.3.8 Advice to Businesses

Officers provide information during the inspection process. Information packs are available for new businesses and the website is currently under review. It is anticipated that information for consumers and traders will be available, with links to other sources of information from which advice can be obtained free of charge.

As an additional resource, the service now offers a food hygiene advice service which can be tailored to business specific needs at cost. The onsite visit will provide advice on:

- Food Hygiene specifics e.g. cross contamination, 2-stage cleaning, temperature control etc;
- Structure - layout, facilities, equipment, work flow etc;
- Training and Food Hygiene Management Systems e.g. completion and use of Safer Food Better Business; and
- Food Hygiene Rating Scheme advice to help business reach your full potential.

This service is offered to current businesses who are striving to improve standards but the aim is to target 10% of new businesses to achieve a higher score on the first inspection.

The estimated resources required to deliver this service is 0.3FTE

4.3.9 Food Sampling

Food sampling programmes are developed annually in response to perceived local needs and problems. The hygiene sampling follows the Welsh Food Microbiological Forum Sampling Programme and this year it will focus on sampling local producers, manufacturers and retailers as part of these surveys. It is anticipated that the section will procure 120 samples during the year.

Shellfish sampling is carried out on a rolling programme, to ensure the continual classification of beds for commercial gathering. In light of the fact that Welsh Government is intending to open the Three Rivers for Commercial Gathering, there may be a requirement for the section to carry out more sampling on a monthly basis. The section must have the capacity to retrieve 96 toxin and bacterial flesh samples and 36 water samples throughout the year. It is anticipated, however, that the number may fluctuate pending quality results and incident occurrence. This may result in approximately 120 flesh samples and 48 water samples. Additionally, Welsh Government has confirmed that there is an intention to open additional beds which may increase the sample demand. The resources required to deal with an increase in number is also affected by the geography, access and the tidal periods. The team are working on the premise that there will be additional resources sought should this request to increase the sampling programme be extended.



Cockle Pickers, Bury Inlet

The estimated resources required to deliver this service is 0.5FTE

4.3.10 Control and Investigation of Outbreaks and Food Related Infectious Disease

This year, the section have been utilising a multi-agency electronic web portal for recording and notification of cases. The system is called TARIAN. The system also sets response times thereby making the approach to investigation of notifiable diseases consistent throughout Wales. There have been teething problems, including double handling of information and difficulty in cross referencing information. It is anticipated, however, that these issues will be resolved in time. All cases of food poisoning or suspected food poisoning are investigated and contact is made in person, by telephone or by letter. The Council also participates in the all Wales Enhanced Surveillance Projects for individual cases of Lymes Disease.

All outbreaks are investigated on the same day as the notification is received. All outbreaks to date have a viral origin.

The County also has a high prevalence of zoonotic disease, primarily TB in food animals. The section has a duty to ensure that any milk produced from affected dairy farms is pasteurised.

Notification Type	2012	2013	2014	2015	2016	2017
Campylobacter	182	193	319	233	240	240
Salmonella	7	18	18	22	15	14
E Coli	5	9	3	5	3	4
Cryptosporidium	24	18	29	32	25	23
Giardiasis	5	12	9	14	7	13
Other Food Poisoning	0		13	15	30	8
Clostridium	0	4	3	5	11	14
Listeria	0	0	1	0	1	0
Shigella	0		3	0	0	1
Legionnaire's Disease	8	4	0	1	3	0
Typhoid Fever	1	0	0	0	0	1
TOTAL	232	258	398	324	335	318

The estimated resources required to deliver this service is 1.4FTE

4.3.11 Food Incidents

All officers are notified of food incidents electronically. Action is taken in accordance with the hazard warning category and on the basis of additional advice given in the warning.

Allegations of food fraud will instigate investigations as necessary. Any intelligence received is reported to the Food Fraud Co-ordination Unit.

The estimated resources required to deliver this service is 0.3FTE

4.3.12 Accident Investigations

Notifiable accidents which occur in workplaces regulated by the Council must be reported to the local authority or the Health and Safety Executive by the responsible person in charge of the premises. The section has developed a procedure for dealing with those notifications and they are investigated in accordance with the revised LAC 22/13 circular.

	Nos of accidents reported
2012/13	75
2013/14	61
2014/15	86
2015/16	78
2016/17	89
2017/18	83

The Estimated resources required to deliver this service is 0.2FTE

4.3.13 Liaison

We have arrangements to ensure that enforcement action is consistent with those of neighbouring local authorities and we are represented on the following groups:

- Directors of Public Protection Wales Expert Panels and Task Groups dealing with Food Safety, Communicable Disease and Health and Safety;
- South Wales Shellfish Liaison Group;
- Mid and West Wales regional Food/Feed Panel; and
- All Wales Welsh Heads of Trading Standards Food/Feed Panel.

The service has good working relationships with the Centre for Environment, Fisheries and Aquaculture Science (CEFAS) and Welsh Government's Fisheries Unit, together with Public Health Wales.

There is also a good working relationship with the Health and Safety Executive and other local authorities. It also works closely with Dyfed Powys Police, the Mid and West Wales Fire and Rescue Service and the Welsh Ambulance Service particularly with regards to the Safety Advisory Groups for events and Sports Grounds.

The estimated resources required to deliver this service is 0.5FTE



5.0 POLLUTION AND WELLBEING

5.1 Scope of the Service

The Pollution Team responsibilities include monitoring and enforcing a wide range of regulatory controls dealing with noise, air quality and contaminated land issues.

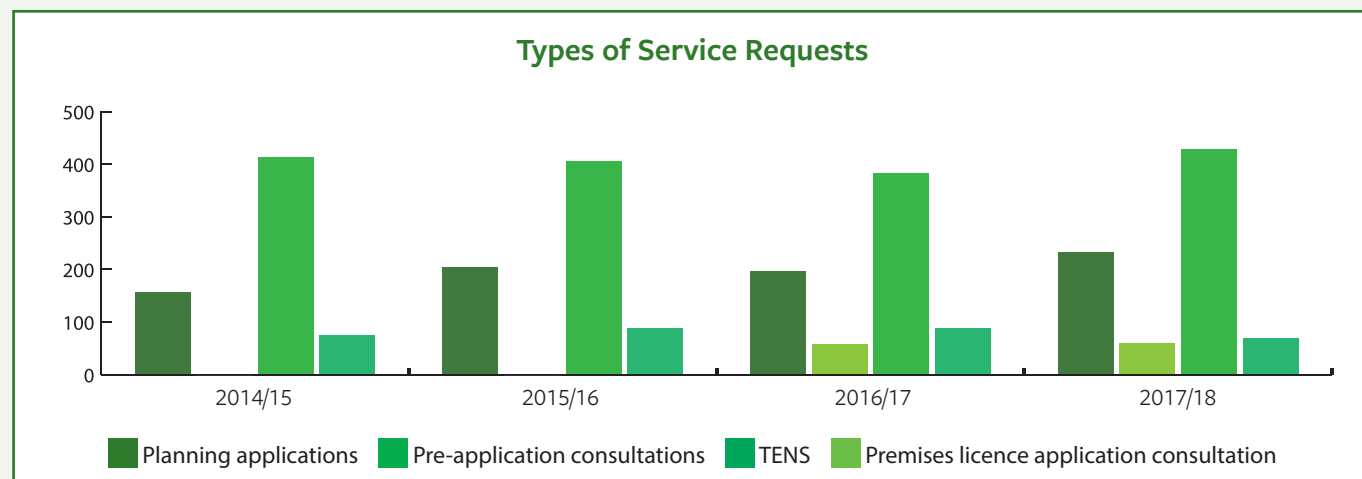
The table below indicates the breakdown of FTEs involved in Pollution work:

Officers by title	Noise	Air quality	Permit	Land	Other
Environmental Protection Manager	0.1	0.1			
Lead Officer	0.3	0.2	0.1	0.2	0.2
Environmental Health Practitioners*	3.4	0.7	0.3	0.5	0.1
Scientific Officers	1				
Total (7.2)	4.8	1	0.4	0.7	0.3

5.2 Service Delivery

5.2.1 Noise (prevention)

Responding to planning consultations forms a considerable proportion of the work of the team. The noise assessment process is complex and extremely time consuming, involving work at the pre-application stage as well as during the formal planning consultation.



The service responded to 233 planning consultations during 2017/18 (compared to 198 the previous year and 204 the year before that), 59 pre-planning consultations and 10 scoping opinions. Some applications are complex and very detailed.

In order to improve the efficiency of the consultation process, particularly in regards to noise specific issues, the section has developed a comprehensive guide for applicants outlining the requirements to reduce noise impacts from developments. The section will also be exploring the possibility of charging developers for more detailed, tailored advice.

Environmental Health Practitioners have a role as a Responsible Authority in respect of Temporary Event Notices (TEN), by providing responses and assessments in relation to noise, public safety and nuisance. The team received 428 TEN consultations in 2017/18, and 69 consultations relating to Premise Licenses, 36 of which related to new applications. In addition to this, officers are consulted on events that are held on Council owned land, even if the event does not fall within the remit of the Licensing Act 2003.

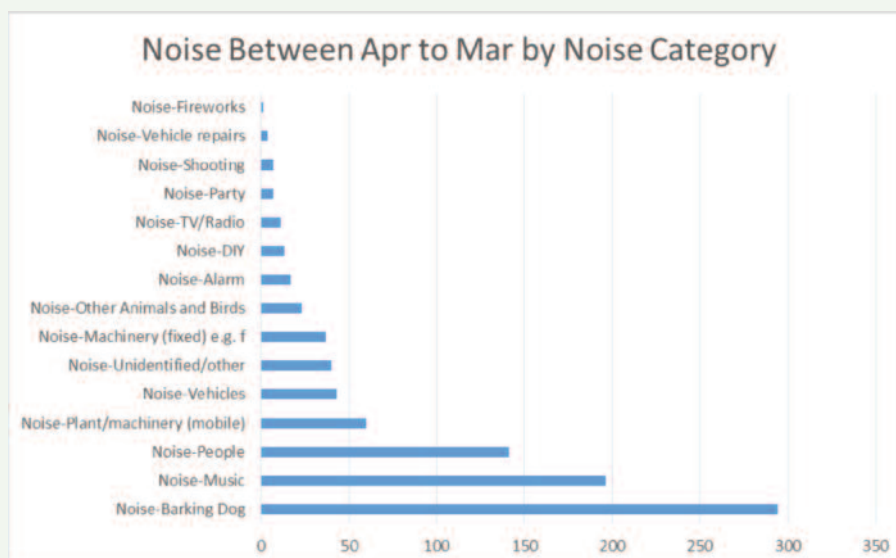
Officers also provide expertise in relation to noise and public safety at Safety Advisory Groups for large scale events. The officers from this team and the Licensing team have produced a document to assist organisers in setting up a management plan for events. This is to take into account issues such as impact by noise, public health and licensing. Currently, they will also offer advice on a case by case basis. The section also, in liaison with Licensing, respond to any issues arising from the Police's weekly incident list.

In 2018/19 we will use Noise Action Week to target advisory information for our greatest source of noise complaints, which is barking dogs. This will involve working with others to raise awareness of issues. For the action week, the section have developed an information sheet for dog owners to provide information to help minimise dog barking.

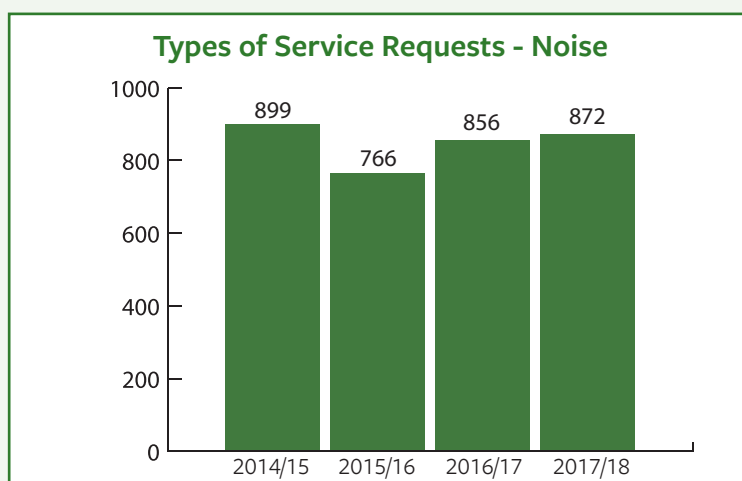
The estimated resources required to deliver this service is 2FTE

5.2.2 Noise (reactive)

The team deals with service complaints relating to noise from a wide range of sources, including those from a domestic, commercial and industrial setting. The team received 852 service requests in regards to noise for 2017/18. Some complaints are highly complex, sensitive and long standing which involved multi-national companies and a range of stakeholders. Work with these will continue into 2018/19, together with any similar issues that arise.



There continues to be a high demand for service requests in relation to noise (as seen in the graph below). The section has invested heavily in noise monitoring equipment and officers are often required to work unsociable hours in order to witness and assess noise disturbances as part of the investigation process.



In order to ensure that we are able to communicate as efficiently as possible with our service users, the section has invested in the use of the Noise App. This is a service that can be used by anyone that has a smart phone, and allows service users to take noise recordings of their own which they then send directly to officers via the App. This has proven to be a popular and useful method of communication

A substantial number of noise service requests relate to Council Owned homes and many of these include an element of anti-social behaviour. Where noise is an issue, officers take a lead in assessing the impact of activities on nearby residents and the community as a whole. There are provisions contained within the Antisocial Behaviour, Crime & Policing Act 2014 that can be used to deal with such issues, along with those already contained in the Environmental Protection Act 1990.

This does require close working with housing colleagues and the Police to resolve issues. It is also the intention of the team to work more closely with tenants and landlords, with the aim of raising noise awareness and preventing problems from occurring in the first place.

The estimated resources required to deliver this service is 2.8FTE

5.2.3 Air Quality

The Air Quality Management Area (AQMA) declared for Llandeilo in November 2011 continues to progress. The action plan to improve air quality in the town has been implemented, and a review of its effectiveness has been reported to the Action Planning Group and Welsh Government.

Two further Air Quality Management Areas were declared in 2016/17; one in Carmarthen and the other in Llanelli. Action Plans have now been produced that incorporates both areas. Close collaboration with colleagues in other Divisions will continue throughout the process and data will continue to be gathered.

In addition to working towards legislative requirements regarding air quality, the team have taken an opportunity to work collaboratively alongside Swansea University with the aim measuring health impacts and of improving our monitoring capabilities. We will also continue to link in with the local Eco –schools coordinator in the Air Quality Management Areas to attempt to engage with the school and school pupils to raise awareness of poor air quality and to instigate change in school journey behaviours.

A project to measure air quality commenced at one of the County's Primary Schools in 2017/18, and will continue into 2018/19. These actions firmly align with the principles contained within the Wellbeing of Future Generations Act.

Local screening assessments of air quality will continue throughout the County, with detailed assessments undertaken in areas which are near or exceed the EU intervention level for NO₂ in the atmosphere.

An annual progress report was submitted to and approved by Welsh Government in 2017/18 and one will also be submitted in 2018/19, outlining and summarising the work that has been done in relation to Air Quality in the preceding year.

A study focussing on radon levels in Council owned homes is going to be considered for commencement in 2018/19. It is anticipated that this will be carried out in conjunction with Swansea University to assess possible health impact of radon within the County.



The estimated resources required to deliver this service is 1FTE

5.2.4 Environmental Permitting

Legislation requires the Council to manage certain industrial processes that have the potential to pollute the atmosphere. These include petrol stations, dry cleaners, timber processing plants, cement batching and pet food manufacture.

At the start of 2018/19 there were 70 processes that benefit from Environmental Permits. Some of the processes are very complicated and require a degree of specific knowledge and understanding of the operation to ensure that they are operating within conditions attached to the Environmental Permit. In 2018-19, permit holders will receive an inspection as determined by DEFRA's risk rating scheme and they are required to pay an annual fee, which is prescribed by Welsh Government.



Filling Station, St Clears

The estimated resources required to deliver this service is 0.4FTE

5.2.5 Land Contamination

The section has previously identified areas of land within Carmarthenshire that have potential for ground contamination to exist, mainly as a legacy of its industrial heritage. The legislation regulating contaminated land has not changed and there remains an explicit duty conferred on local authorities to inspect land with a view to determining whether or not it is classed as contaminated land.

The Contaminated Land Inspection Strategy was reviewed and approved during 2015 as a result of updated statutory guidance. This reflects the current proactive approach following the withdrawal of Welsh Government Capital Funding with the emphasis being to remediate potentially Contaminated Land through the Development Management and Regeneration processes and working with landowners / developers. In 2018-19 we will continue with this approach and will also identify Council owned land that may require investigation.

As with other service areas, the option of charging for some areas of this work, e.g. property searches, may be explored.



Soil Testing

The estimated resources required to deliver this service is 0.7FTE

5.2.6 Advice to Businesses and Customers

Officers provide information during inspections, telephone calls and also to personal complainants at the County's Customer Service Centres'. The website is currently under review and it is anticipated that information to both consumer and businesses will be available with links to other sources of information, from which advice can be obtained free of charge.

The section will explore the possibility of charging developers for more detailed, tailored advice.

5.2.7 Liaison

Enforcement action in relation to pollution control is consistent with those of neighbouring local authorities and officers' represent the Council on the Directors of Public Protection Wales Expert Panels. These working relationships with DEFRA, Natural Resources Wales, Welsh Government, Public Health Wales, Dyfed Powys Police and other departments' of the Council will continue in 2018-19.

The team will continue to work collaboratively with Neighbouring Authorities and other bodies such as Swansea University

5.2.8 Promotion

Owners information to prevent barking dogs

As part of the Noise Action week, the section have developed an information sheet for dog owners to provide information to help minimise dog barking.

The section will be using Social Media to share the information.

The estimated resources required to deliver this service is 0.3 FTE



6.0 PUBLIC HEALTH

6.1 Scope of the Service

The Public Health Team is based County-wide with Officers working from the Ammanford, Llanelli and Carmarthen offices, as and when required and in line with the Agile Working Policy. The team delivers a tenure neutral approach to statutory nuisances and anti-social behaviour. This will include close working partnerships to improve problem solving collaboratively. The proactive responsibilities include monitoring and enforcing a wide range of regulatory controls dealing with water quality monitoring, shellfish monitoring, good dog ownership etc. The reactive services include dealing with nuisances, such as odours, smoke, dust and light, drainage and waste as well as poor property conditions resulting in concerns from neighbours, e.g. animal waste / waste accumulations, fly tipping, intimidation/drugs use/threatening behaviour of tenants.

The section also provides an enforcement and advisory service for pest control to the public, as well as a treatment service for council housing stock. As a result of the realignment we also now manage the Traveller site at Penybryn, Llanelli.

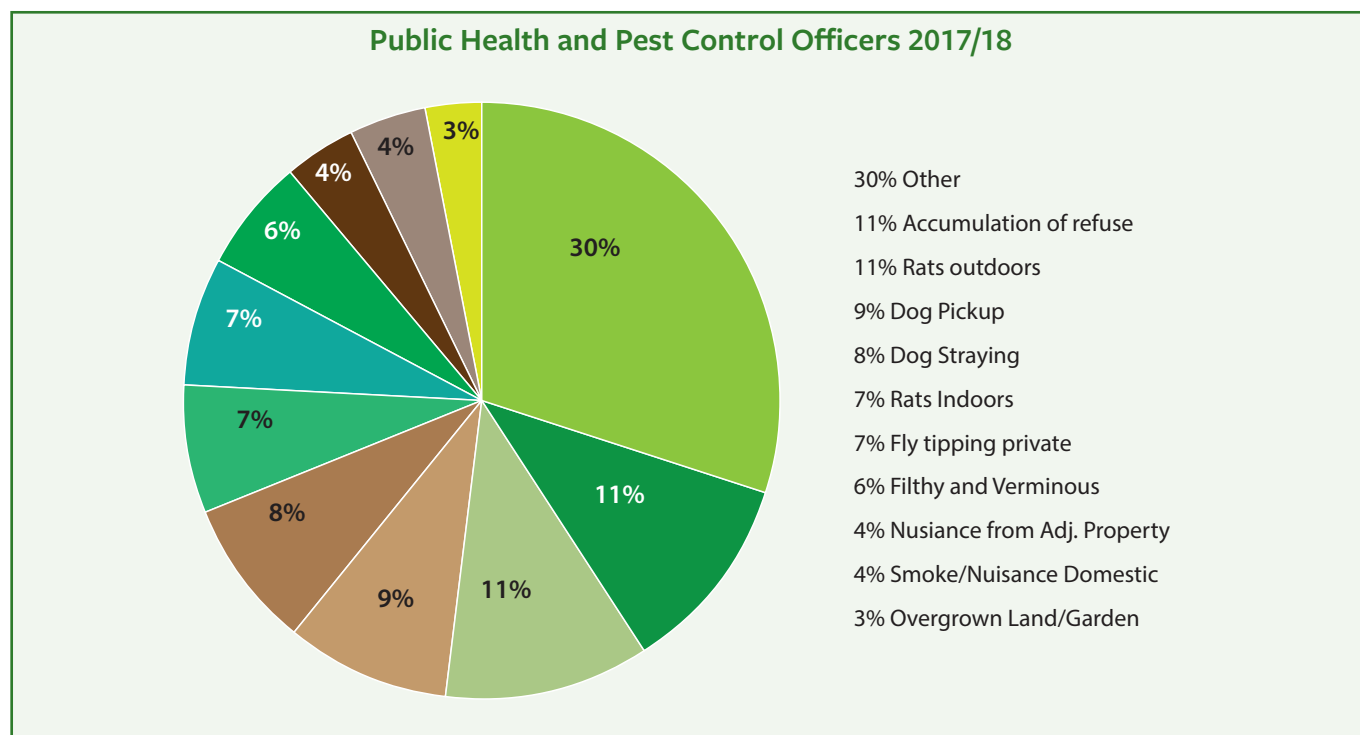
The table below indicates the breakdown of FTEs involved in Public Health work:

Officers by title	Nuisance/ASB	Water	Pests/Dog	Gypsy/Travellers	Other
Environmental Protection Manager	0.2				0.1
Lead Officer	0.2	0.1	0.2	0.1	0.4
Environmental Health Practitioners	1.3	0.7			
Technical Officers	2				
Public Health Assistants			4		
Senior Neighbourhood Officer	0.8			0.2	
Housing Officers	2			1	
Housing Assistant					1
Total (14.3)	6.5	0.8	4.2	1.3	1.5

6.2 Demands on the Service

Most functions are statutory. Officers handle high and often complex caseloads which can, at times, exert pressures on other service delivery areas and on the Team as a whole. The team deal with both reactive and proactive work. With regards to the proactive, this can be programmed over the year, however, the reactive can, at times, be a real challenge for the team with regards to demand and complexity.

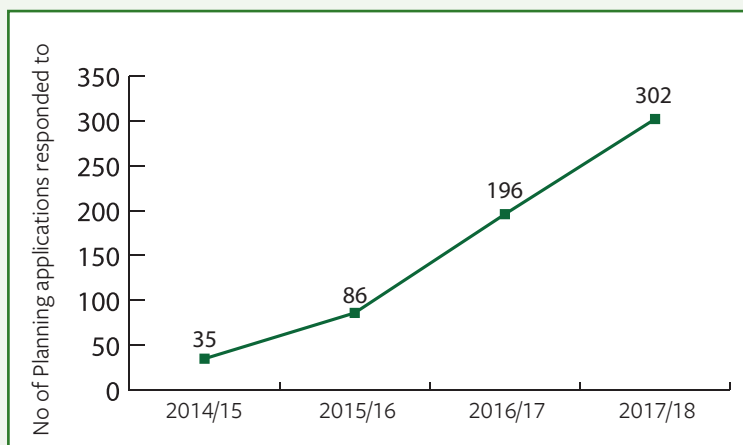
The chart below demonstrates the breakdown of demands of the team during 2017-2018:



6.3 Service Delivery

6.3.1 Prevention work

Responding to planning applications forms a considerable proportion of work within the team. Certain applications require input from the section in order to consider and prevent future nuisances. Some of the applications are quite complex and require careful consideration and discussions with the applicant and Planning. The numbers of the application responses have increased over the last couple of years:

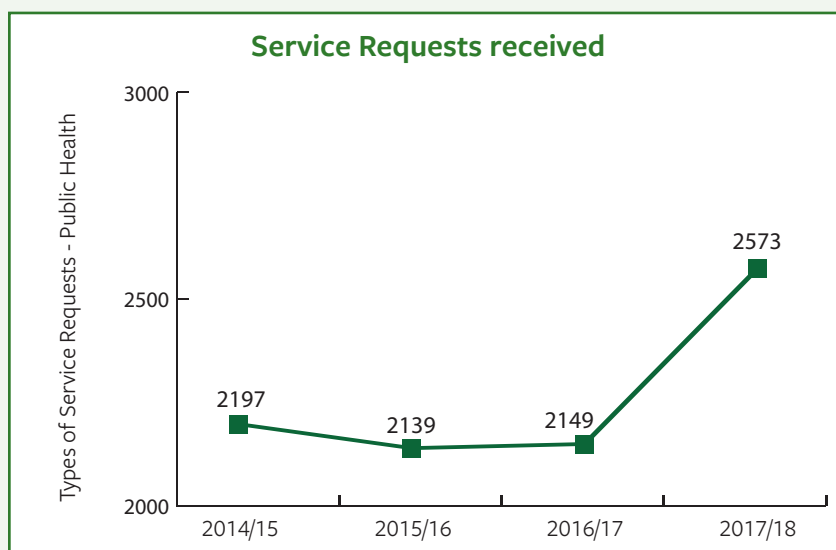


The estimated resources required to deliver this service is 0.5 FTE

6.3.2 Statutory Nuisance/Anti-Social Behaviour

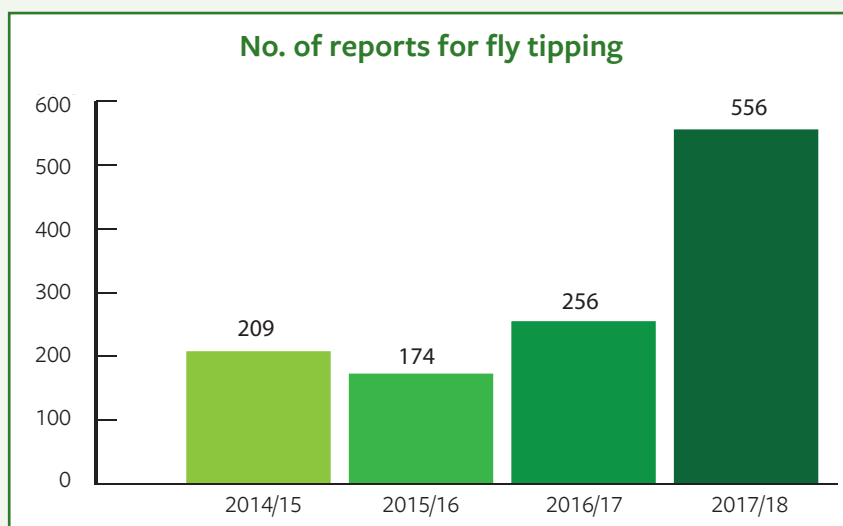
The Public Health team received over 2,500 service requests last financial year (an increase of 400 from the previous year) and many of these requests related to statutory nuisance. Where the investigation of a complaint reveals that action is required, the officer will attempt to resolve the issue through advice or mediation, but where this is unsuccessful, a Notice will be served. A total of 83 statutory notices were served in 2017/18, a large increase from the previous year.

The majority of notices were served in relation to prevention of damage by pests and statutory nuisances such as waste, odour, smoke light etc.



Any works or actions necessary to abate or remedy the statutory nuisance will be monitored and if there is non-compliance, legal proceedings will be instituted or works undertaken in default. In cases of accumulations of waste on land, the section will take action against landowners and occupiers to require its removal, if the person(s) responsible cannot be found. Works undertaken in default of any Notice will have an impact on budgets, as some costs for works may not be recoverable.

High numbers of fly tipping cases are reported on private land, and these cases require high amounts of time for investigation including finding evidence to identify the offender etc. The number of reports for fly tipping has increased year on year as outlined below:



This has placed more work on officers with additional CCTV work and investigations to try and identify perpetrators.

In order to ensure that we are able to build a clear picture of the pattern of fly tipping 'sites', the section is considering the use of a national App. This is a service that can be used by anyone that has a smart phone which the section will be investing in for officers to help provide more efficient means of working. Officers will continue to monitor and categorise inert/harbourage waste and link with the Waste Section to explore different options for collections. In addition, the team will investigate possible relationships between the pattern for fly tipping and waste collection and any potential link with alteration to waste pick-ups /access to amenity sites

The re-alignment will result in 'anti- social behaviour' enforcement sitting in the Environmental Protection section. This will enhance the 'one team' and coordinated approach to problem solving cross tenure issues.

Officers are extending their role rather than simply 'dealing' with the complaint. We are also trying to look at why/what are the wider causes of the issues. It has been identified that many complaints may appear to be 'resolved' at one time, but return into the system soon after and escalate. Whilst some may be neighbour disputes, it is recognised that through awareness training, many cases are aligned to welfare and vulnerability.



The re-alignment is timely as the Police Commissioner has recognised demands on agencies for this type of work and it is in the process of making changes to Multi Agency Problem Solving Groups of which officers and cases from this team contribute considerably. The changes include:

- A newly established central Community Safety hub, with a proposal to support this with four divisional Community Safety hubs;
- ASB Co-ordinators being allocated to each Authority. These are PSCO's who will be responsible for coordinating Problem Solving Groups (PSG);
- Each Authority being allocated a Partnership Inspector;
- PSGs being diarised every 2 months;
- The development of a more inclusive model to information sharing; and
- The development for a more consistent approach to risk assessment through an ASB model.

The section will be looking to develop a role within the team which will coordinate a corporate response to problem solving for Anti-Social Behaviour that will assist the above in providing a single point of contact for Police and other Agencies.

The estimated resources required to deliver this service is 6.6 FTE

6.3.3 Water quality

Under the Private Water Supply (Wales) Regulations 2010, there are currently 52 large or commercial supplies, and 13 small supplies (shared source). There are also 2,080 single domestic properties within the County which are sampled on request by the owner (for a charge).

In addition to the above, EU legislation requires Local Authorities to carry out sampling for private waters to include tests for the presence of radon. There are areas in Carmarthenshire where radon is prevalent. Risk assessments have been carried out and to date there have been approximately 30 supplies identified which will require further investigations. Sampling has not yet begun as the section is still awaiting clarity from the Welsh Government on the specifics of sampling.

The team will work closely with Dwr Cymru to ensure that water supplies for large events are fit for purpose and present no public health risk.



Water Testing

The estimated resources required to deliver this service is 0.6FTE

6.3.4 Bathing Water

Natural Resources Wales has responsibility for the two EU designated bathing beaches at Pembrey and Pendine. Officers of the Public Health team used to sample bathing water at Burry Port beach, which is a non-designated bathing water, under EU legislation. A policy decision has previously been made to stop sampling at locations that are not designated bathing water.

North Dock in Llanelli is sampled monthly throughout the year, as it is used for recreational purposes.



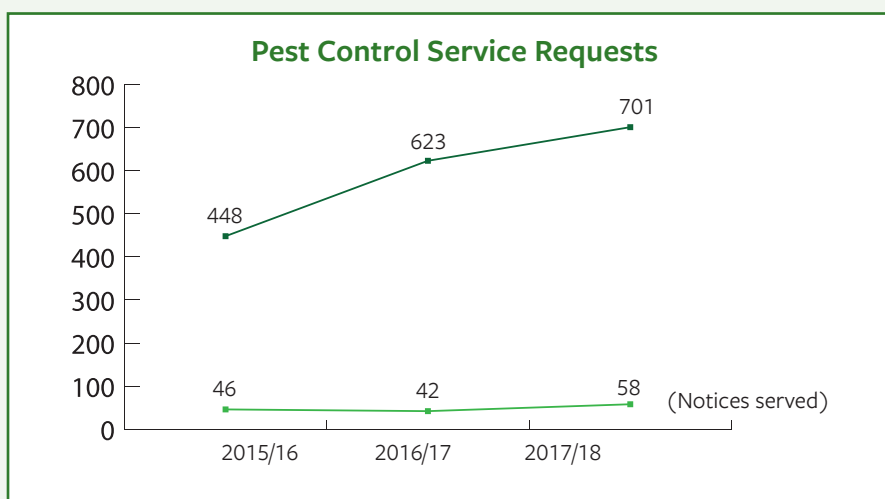
Cefn Sidan Beach, Pembrey

The estimated resources required to deliver this service is 0.2 FTE

6.3.5 Pests

The team's Public Health Assistants roles cover both pest control and dog warden duties. This assists in delivering a wider coverage over the county and, as a result of officers being equipped with better technology, a more responsive, efficient service.

In relation to the pest control side of the work the section has been providing advice to treat for pests, prevention access/harbourage for pests and surveys of drainage to identify, where possible, areas of damage leading to points of access and remedial work required. The numbers reported and areas are monitored annually.



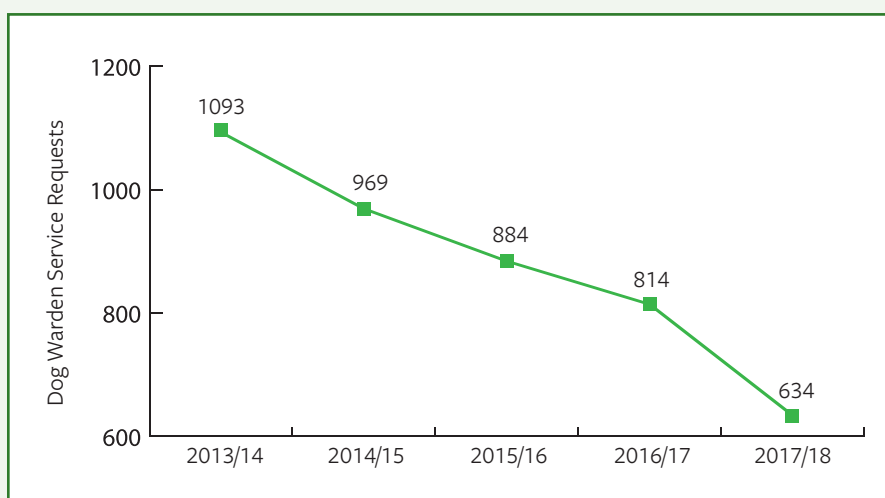
In cases where there are no improvements in the situation i.e. advice has not been implemented and there is still a pest problem, the team will undertake enforcement as indicated in the table above.

As a result of feedback from the public, evidence seen during investigations and closer working with other Divisions, the section has introduced a monitoring and treatment service (for rats, mice and wasps) to Local Authority premises (where agreed). This will be carried out at an agreed cost. The provision of advice, however, will still be free. This is monitored to ensure that there is adequate capacity in place to continue with the service. Providing a pest treatment service to Housing properties has been very successful, and provides a faster more effective service to tenants.

The team is now developing a business case to see whether it could be viable to extend the service to the public in general.

6.3.6 Dog Warden

In relation to the dog warden duties, the team operates County-wide and covers the collection of stray dogs and provides a response to irresponsible dog ownership.



Approximately 630 stray dogs were dealt with by the dog warden service last year with some being impounded and some being returned to their owners, where known. This reduction may be due to the dogs being re-united with owners as a result of the information on the microchips. This will be monitored regularly. The service has continued to hold a number of free dog identity micro-chipping events in various parts of the County which proved to be very successful. Legislation requiring all dogs to be micro chipped is also enforced by staff when possible, but currently only on dogs collected during patrols or pick-ups.

In addition to this, enforcing complaints about 'nuisance' dogs, including where dogs have been straying on numerous occasions, has increased workloads for staff though the collection of evidence prior to serving Community Protection Notices under the relevant Anti-Social legislation. The team is also looking to develop a LEAD project which will refresh/develop a Memorandum of Understanding with the Police in respect to dangerous and nuisance dogs (causing intimidation).

The estimated resources required to deliver this service is 4 FTE

6.3.7 Gypsy and Travellers

As part of the realignment, the section will be responsible for the management of the Local Authority designated site at Penybryn and providing support for the residents.

Moving forward, the section will develop a better means of recording actions on the site including the support provided for the residents. In addition to this, more engagement will be undertaken to understand the needs and concerns of the residents which will assist in any improvements to the site. The officers will also be responsible for engaging and managing illegal encampments.



The estimated resources required to deliver this service is 1.3 FTE

6.3.8 Scrap Dealers Registration

The section has been working closely with Dyfed Powys Police to register applicants upon application under the Scrap Dealers Act on identifying scrap dealers across the County, to help reduce the levels of metal crime.

Currently, 26 collectors are licensed to collect, and there are currently 7 scrap yards licenced to operate, which includes motor salvage operators.

The requirement to register is currently being promoted through scrap yards and the press, and anyone caught trading without the necessary registration will be prosecuted.



The estimated resources required to deliver this service is 0.2 FTE

6.3.9 Enforcement in Local Authority stock

As a result of the re-alignment the section will also now be responsible for non- access issues in council stock e.g. gas servicing.

The estimated resources required to deliver this service is 1 FTE

6.3.7 Advice to Businesses and Customers

Officers provide information during inspections telephone calls and also to personal complainants at the County's Customer Service Centres'. The website is currently under review and it is anticipated that information to both consumer and businesses will be available with links to other sources of information, from which advice can be obtained free of charge.

6.3.8 Liaison

Enforcement action in relation to public health is consistent with those of neighbouring local authorities and officers' represent the Council on the Directors of Public Protection Wales Expert Panels. These working relationships with DEFRA, Natural Resources Wales, Welsh Government, Public Health Wales, Dyfed Powys Police and other departments' of the Council will continue in 2018-19.

6.3.9 Promotion

Responsible dog ownership

The service will continue to hold a number of free dog identity microchipping events in various parts of the County to promote responsible dog ownership. In addition to this, the team will also extend the promotion to clearing up after their dog. This will run alongside the enforcement work that may be required with the legal requirements for dogs to be chipped.

Carbon Monoxide awareness

During colder months, officers will be undertaking proactive monitoring for carbon monoxide inside properties during visits to investigate other service requests. The team will be participating in the Carbon Monoxide Awareness week in November.

The estimated resources required to deliver this service is 0.2 FTE Page 213



7.0 RESOURCES

7.1 Budget and Staffing Allocation

The staffing level of the Environmental Protection Section is described using Full Time Equivalents (FTEs') for the various responsibilities of the service and they have been highlighted in the previous sections of this report.

The budget for food safety and health as required by the Food Law Code of Practice is outlined in Appendix 3.

8.0 QUALITY ASSESSMENT

8.1 Consistency

Senior officers of the team attend all Wales Expert Panels and local or regional Task Group meetings where local and national information is discussed and exchanged.

Officers utilise standardised inspection forms and standard paragraphs to ensure consistency and reviews of documentation and procedures are developed or implemented through the team meeting process. Regular monitoring is undertaken by Principal Environmental Health Practitioners.

As a result of the re-alignment, the section have taken the opportunity to conduct cross boundary training with neighbouring Authorities. It is also the intention that each of the participating Authorities share inspection proforma to ensure a consistent approach.

The section will continue to implement 'challenge sessions' as part of continuous improvement.

8.2 Competency of Officers

All officers that carry out food safety and standards functions must fulfil the statutory qualification prescribed in the Food Law Code of Practice and they must also hold Registration Board Membership with the Chartered Institute of Environmental Health. Officers that carry out food inspections must also undertake a minimum of 10 hours (core) food related training annually, together with 20 hours Continuing Professional Development (CPD) annually. In addition to this, four of the current EHP's will attend the standard courses.

Officers carrying out noise assessments hold a post graduate qualification, the Institute of Acoustics Diploma in Acoustics and Noise Control.

Over the last four years, the Department has supported /continues to support five officers (holding satisfactory degrees) in expanding their current knowledge and in developing new skills through the Masters in Environmental Health distance learning course, which will enable them to become Environmental Health Practitioners. To date, four of the officers have completed the qualification. This has resulted in the teams offering more flexibility to cover areas of higher demand.

The budget allocation of £10,000 for staff training is shared between all officers of the Environmental Protection Section and officers are encouraged to attend 'free' courses by the Food Standards Agency for example, and cascade to the rest of the team. Individual training needs are assessed during the 'Helping People to Perform' Process.

8.3 Staff Development Plans

The Section implements the corporate appraisal process and this will continue in 2018/19. The appraisal process defines a set of work objectives for each member of staff which is agreed between the officer and his or her line manager. The principles of Investors in People will be applied throughout the team in 2018/19.

8.4 Enforcement

All enforcement action is taken in accordance with the recently approved Corporate Enforcement Policy which takes into account the Regulators Compliance Code.



9.0 REVIEW

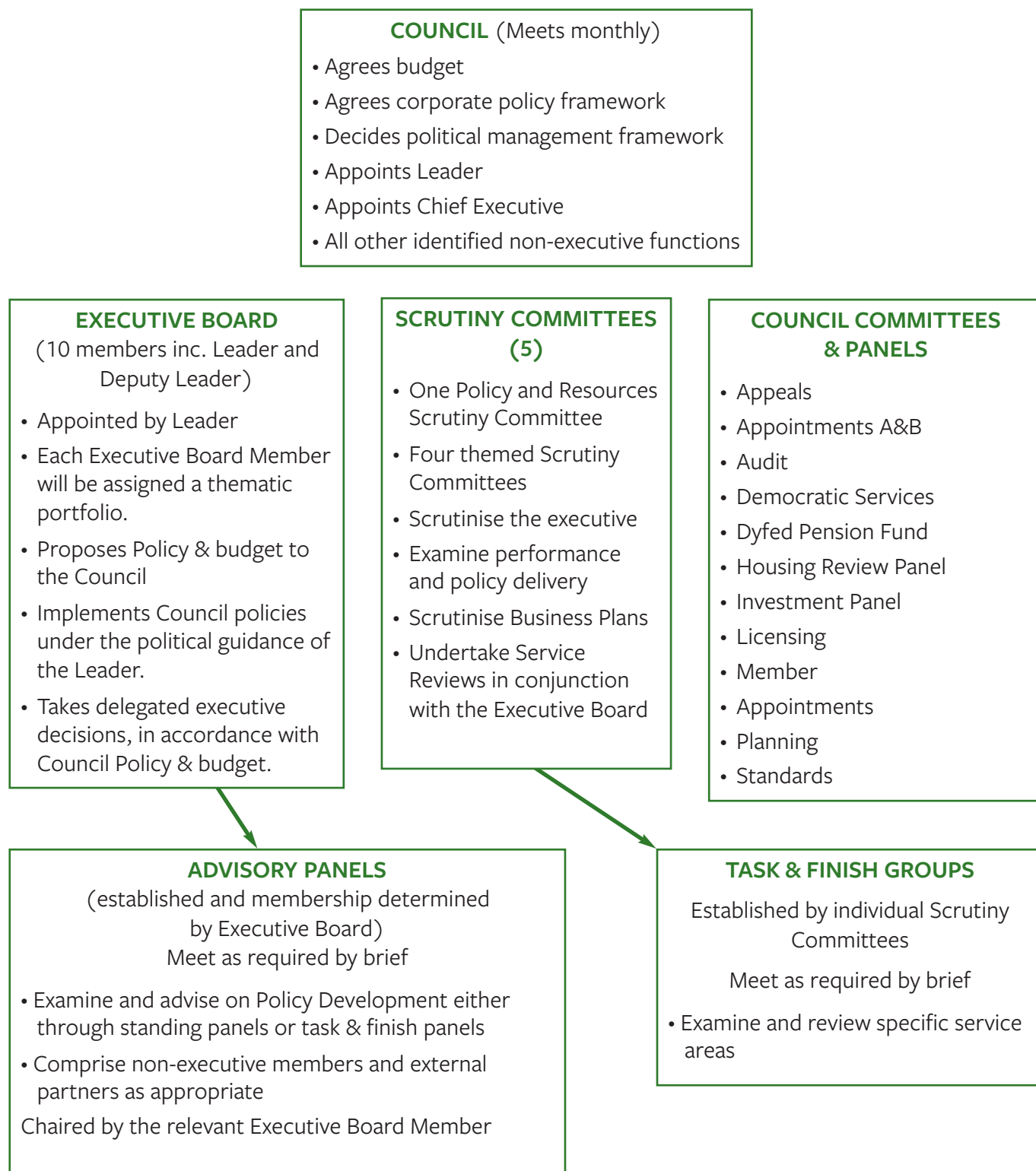
9.1 Review

The Service Delivery Plan will be reviewed on an annual basis, alongside the Departmental Business Plan and quarterly Performance Indicators.

An annual report will be produced for the Environmental and Public Protection Scrutiny Committee at the end of the financial year, which will identify any variances in performance.

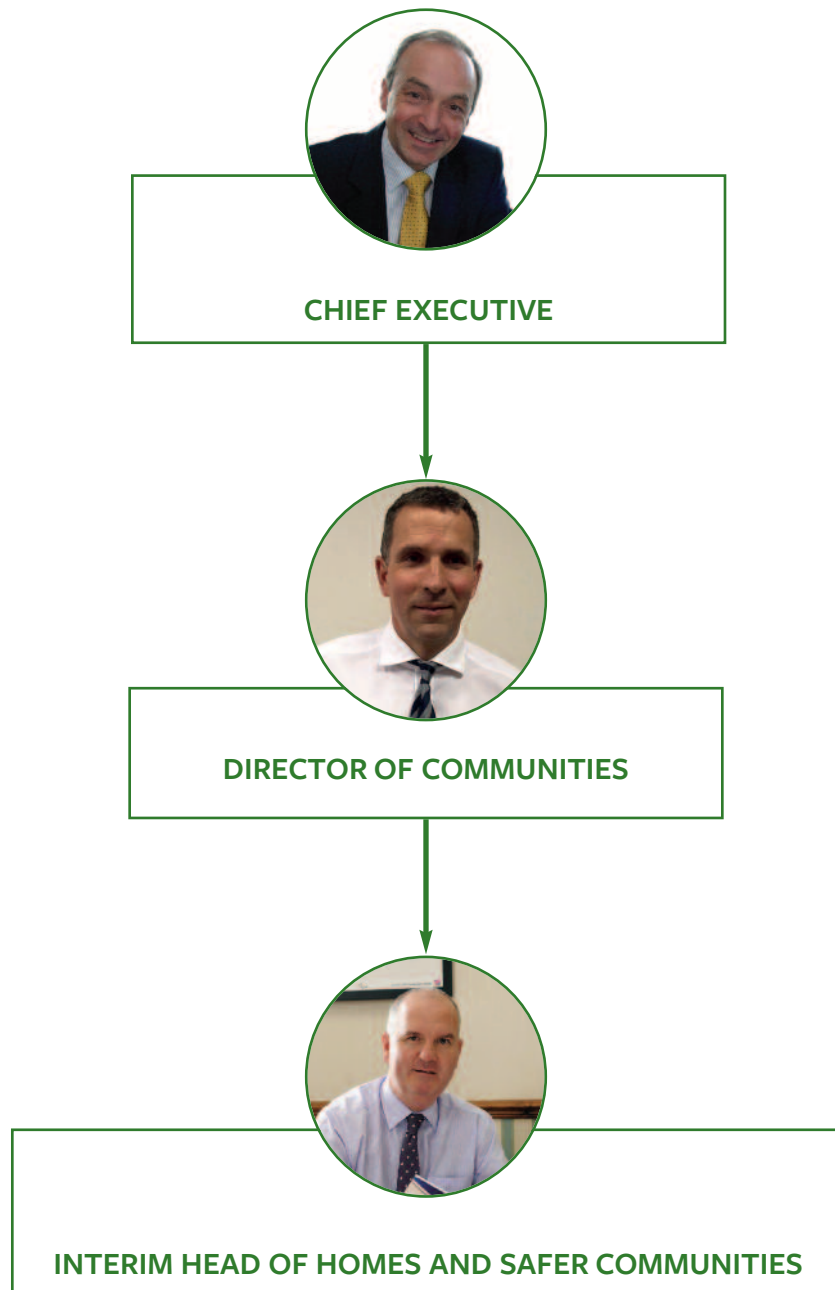
Appendix 1

Political Decision-Making Structure



Appendix 2

Strategic Management Structure



Appendix 3(i)

Local Authority Expenditure

The following table illustrates the overall budgets (Council Fund) for the Environmental Protection Services. Alongside this are columns outlining the actual costs (2017/18) and budgeted costs (2018/19) for food safety, standards and health and safety work outlined in the plan and budget as requested by the Food Standards Agency Framework Agreement.

	Budget for Environmental Protection 2018/19 £	Actual for food safety, standards 2017/18 £	Budget for food safety, standards 2018/19 £
EMPLOYEE COSTS Include: basic pay, overtime, employer's superannuation, employer's national insurance SSP due, pay arrears, other allowances/payments, car allowances/payments, car allowances/ mileage/leases/ travel expenses and fares, subsistence, pension increases and other employee costs.	1,199,998	641,638	599,410
Property costs	0	0	0
SUPPLIES, SERVICES AND ADMINISTRATION Include: computer equipment (purchase/rental/ maintenance), furniture, equipment and other tools including protective clothing, publications, journals, newspapers, printing, advertising and other supplies and services and contractors.	66,442	8,180	9,971
SAMPLING COSTS Include: purchases made for the purposes of sampling/testing	2,660	2,484	2,660
TRANSPORT AND PLANT Include: hire of external vehicles	38,291	1,222	2,417
TRAINING AND CONFERENCES Include: training, conferences, membership fees/subscriptions and exam fees.	15,235	15,134	13,738
PAYMENT TO OTHER BODIES For example, public analyst, test unit, cross-boundary projects	38,452	14,492	29,272
FINANCING CHARGES Include: central support costs	182,804	104,789	112,072
GROSS COSTS (total of all above costs)	1,543,882	787,939	769,707
INCOME	116,588	2,000	2,000

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EXECUTIVE BOARD

19.11.18

ACQUISITIONS AND DISPOSALS POLICY

Purpose:

To amend and update the Council's Property Acquisitions and Disposals Policy (current version 2005).

Recommendations / key decisions required:

To approve the attached revised (June 2018) Property Acquisitions and Disposals Policy.

Reasons:

To ensure that a strategic approach is taken to property disposals whilst maximising economic benefits alongside capital receipts. In addition to property disposals, the Council will look to purchase land and property, where the acquisition is required to support future development in line with Council priorities and objectives, particularly to support and facilitate strategic regeneration projects that will create jobs and economic growth within the County. The revised policy includes a property acquisition approach and extends disposals to include leases of 7 years or more.

Relevant scrutiny committee to be consulted : NO

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-

Cllr. David Jenkins (Resources Portfolio Holder)

Directorate

Name of Head of Service:

Wendy Walters

Report Author:

Jason Jones

Designations:

Director of Regeneration & Policy

Property & Major Projects Manager

Tel Nos.

WSWalters@carmarthenshire.gov.uk

jajones@carmarthenshire.gov.uk

EXECUTIVE SUMMARY

EXECUTIVE BOARD

19.11.18

Acquisitions and Disposals Policy

The Council's existing property disposal policy was approved by the Council in June 2005. Parts of the Council's strategic property function moved over to the Regeneration and Policy Service in April 2017, dealing with the majority of property acquisitions and disposals work. This has provided an opportunity for the existing policy to be reviewed.

The attached revised (June 2018) policy incorporates a number of changes, including:

- Alignment with the Well-being of Future Generations Act (Wales) 2015 and 5 ways of working.
- Inclusion of a property acquisition approach, particularly in relation to strategic acquisitions for future development in line with Council priorities and objectives.
- Inclusion of joint venture /development agreements as a possible disposal method for larger redevelopment projects, allowing the Authority to draw on the expertise and resources of a joint venture partner (public or private), enabling the more effective use of limited financial resources and/or property assets while accessing essential expertise without upfront costs.
- Detailed checklist procedures for sale and lease of council property to ensure a consistent and transparent approach.

The revised policy, particularly the appendix checklist procedures, responds to issues raised by a recent audit review of the systems and procedures associated with the management of Council properties. The Audit review findings apply to the property functions in both the Environment and Regeneration departments.

DETAILED REPORT ATTACHED?

Policy Document attached

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Wendy Walters** Director of Regeneration & Policy

Policy, Crime & Disorder and Equalities YES	Legal YES	Finance YES	ICT NONE	Risk Management Issues YES	Staffing Implications NONE	Physical Assets YES
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1. Policy, Crime, Disorder & Equalities

The revised policy is aligned with the Well-being of Future Generations Act (Wales) 2015 ways of working and the Council's Asset Management Plan.

Vacant properties can have a negative effect on the locality and the longer they remain vacant the higher the risk of vandalism and safety issues arising. This policy will support the sale of surplus properties in a timely manner to reduce this risk.

2. Legal

Legal advice and input on the revised policy document has been received. Moving forward, Acquisitions and Disposal(s) will require the provision of legal advice and the preparation of appropriate legal documentation.

3. Finance

Property disposals will generate capital receipts to support the Council's capital programme.

5. Risk Management Issues

The revised policy, particularly the appendix checklist procedures, responds to issues raised by a recent audit review of the systems and procedures associated with the management of Council properties.

7. Physical Assets

Any Freehold disposal(s) would ensure that future maintenance of the asset would be undertaken by a third party. Leasehold disposals would transfer at least part of the Council's maintenance obligations.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Wendy Walters Director of Regeneration & Policy

1. Scrutiny Committee N/A

2. Local Member(s) N/A

3. Community / Town Council N/A

4. Relevant Partners N/A

5. Staff Side Representatives and other Organisations

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

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Carmarthenshire County Council

Acquisition and Disposal of Property Policy

June 2018



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www.sirgar.llyw.cymru

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CONTENTS

FOREWORD

1.	INTRODUCTION	(Page 4)
2.	ACQUISITION OF LAND AND PROPERTY	(Page 5)
2.1.	THE PROCESS FOR ACQUIRING ASSETS	(Page 6)
3.	DISPOSAL OF LAND AND PROPOERTY	(Page 7)
3.1.	DISPOSAL PROCEDURES	(Page 8)
3.2.	APPROACH TO DISPOSALS	(Page 9)
3.3.	DEVELOPMENT AGREEMENTS /JOINT VENTURES	(Page 10)
3.4.	BEST CONSIDERATION	(Page 10)
3.5.	COMMUNITY TRANSFERS	(Page 11)
3.6.	PLANNING LAND USE CONSIDERATIONS	(Page 12)
3.7.	LATE BIDS	(Page 12)
3.8.	CONDITIONAL OFFERS	(Page 13)
3.9.	OPTION AGREEMENTS	(Page 14)
3.10.	CHECKING FINANCIAL CREDENTIALS	(Page 14)
3.11.	LAND BANKING	(Page 15)
4.0.	WELSH LANGUAGE	(Page 15)
4.1.	OTHER CONSIDERATIONS	(Page 15)

APPENDICES

A.	SCHEME OF DELEGATION TO OFFICERS	(Page 17)
B.	PROCEDURE FOR SALE OF COUNCIL OWNED PROPERTY CHECKLIST	(Page 20)
C.	PROCEDURE FOR LEASE OF COUNCIL OWNED PROPERTY CHECKLIST	(Page 23)
D.	PROCESS FOR DISPOSAL OF SURPLUS SCHOOLS	(Page 26)
E.	DISPOSAL METHODOLOGY GUIDANCE	(Page 28)
F.	INFORMAL TENDER PROCEDURES	(Page 32)

FOREWORD BY COUNCILLOR DAVID JENKINS, EXECUTIVE BOARD MEMBER FOR RESOURCES

The Council's existing property disposal policy was prepared in June 2005. This policy has served the Council well, but given the changes that have taken place in the global economy, cuts in public sector funding, rising demands for services and economic growth challenges, a review of the policy is timely.

The Council has an approved 5 year programme for the disposal of its surplus assets. Capital receipts achieved from the sale of surplus Council property are an important funding source for the Council's Capital Programme. Maximising capital receipts is not the only priority however. The outcome of the disposal process for every asset is a balance between contributing towards the priorities set for the Council as a whole (such as delivery of new housing or economic growth) or corporate requirements (such as achievement of capital receipt, reduction in property costs, supporting agile working and removal of liabilities) against the impact of the disposal of the asset at individual ward level (such as the closure or demolition of a building, or loss of open space).

The Council's top priority is regeneration that results in job creation. By improving the economic prospects of our county, we can have a direct impact on the prosperity of our families and communities. As part of this agenda it is vitally important that we consider how we can best use the Council's own landholdings and property assets, which, if managed appropriately, are a key economic driver. The Council has aligned the strategic property function with Regeneration and Policy Department to ensure that the Council's property assets play a significant role to generate economic growth and realise a contribution to the Council's financial needs. To provide some clarity on the processes to deliver these ends, now is the right time for the Council to refresh its property disposal policy to set out how we want to take forward the identification and disposal of our surplus land and property assets.

In addition to property disposals, the Council will look to purchase land and property, where the acquisition is required to support future development in line with Council priorities and objectives, particularly to support and facilitate strategic regeneration projects that will create jobs and economic growth within the County. I am pleased, therefore, that this revised strategy includes a property acquisition approach.

1. Introduction

The purpose of the Council's Acquisitions and Disposal policy is to set out the principles and procedures by which the Council will acquire and dispose of land and property. It is important that the Council's procedures are open and transparent. This document is intended for use by Council Officers and to inform purchasers, vendors, tenants and members of the public.

This policy deals with acquisitions and disposals of property in line with the Council's Scheme of Delegation. A copy of the scheme of delegation regarding property related matters is attached at Appendix A. Any acquisition or disposal that falls outside this policy would need to be reported on an individual basis to the Council's Executive Board for approval.

The Well-being of Future Generations Act (Wales) 2015 requires public bodies in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems. This policy is aligned to the 5 ways of working set out in the Act:

1. **Long term impact** – Short term needs in terms of capital receipts are balanced with a clear process for the sale of surplus assets that will continue to be utilised in the long term and for strategic acquisitions to facilitate jobs, new housing and economic growth in the county.
2. **Integration** - The disposal of property assets accords with the Council's corporate strategy, with a focus on two of the Council's seven high level priorities; Making better use of resources (Managing and making best use of the Council's property and assets with a focus on rationalising office accommodation and sharing with other partners as well as facilitating community ownership of assets for community benefit) and Carmarthenshire has a stronger and more prosperous economy.
3. **Involvement** – The Council will continue to work closely with partner public sector organisations, identifying opportunities where appropriate for the transfer of surplus/vacant land and property between publicly funded bodies in Wales via the Land Transfer Protocol process. Available assets will be flagged on the electronic property information and mapping service for the public sector (e-PIMS).
4. **Collaboration** – The Council's approach to Community Asset Transfer aims to align with the principles of the "Wellbeing of Future Generation (Wales) Act 2015, which looks to improve the social, economic, environmental and cultural well-being of Wales through sustainable development.
5. **Prevention** - Vacant and derelict properties have a negative effect on the locality and the longer they remain vacant the higher the risk of vandalism and safety issues arising. Disposal at the earliest opportunity mitigates this risk and brings the property back into use.

2. Acquisition of Land and Property

Local Authorities are generally free to acquire land and property without legal constraint. All land and property must, however, be purchased with a specific purpose in mind and consequently used for that purpose.

There is no one Statutory Power which provides for the Council to acquire land; Section 12 of the Local Government Act 2003 provides a general power to invest and can be used in most circumstances, but there are other applicable statutes e.g. Housing and Highways specific legislation.

It is important that each land and property acquisition is treated on its own merits and nothing in this document will bind the Council to a particular course of action in respect of an acquisition. Alternative methods of acquisition, not specifically mentioned in this policy may be used where appropriate, subject to obtaining proper authority.

The Council can choose to acquire property in any of the following forms:

- Freehold
- Leasehold (more than 7 years)
- Short tenancy (less than 7 years)

In some cases the Council might not be able to acquire property by agreement with the landowner. In these circumstances, and where the acquisition is in the public interest, the use of Compulsory Purchase Powers (CPO) will be considered. These powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental and economic change. Used properly, they can contribute towards effective and efficient urban and rural regeneration, essential infrastructure, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life. The Council will use compulsory purchase powers where it is expedient to do so. However, a compulsory purchase order should only be made where there is a compelling case in the public interest.

The reasons for the Council to acquire land or property would be:

- Service delivery
- Investment
- Strategic acquisition for future development in line with Council priorities and objectives – particularly to support Economic Development and the strategic regeneration projects and the Council's long term regeneration plan for Carmarthenshire (2015-2030) and the Regional Regeneration Strategy, within which sit the Council's City Deal aspirations.. The County regeneration plan sets out six transformational projects for Carmarthenshire, which combined aims to create over 5,000 jobs over 15 years. The projects are:
 - Ammanford
 - Carmarthen
 - Carmarthenshire Coastal Belt
 - Cross Hands Growth Zone
 - Llanelli

- The Rural Economy
- Working through strong partnerships with other stakeholders from the public and private sector, through clever partnerships, joint ventures and other innovative delivery mechanisms, it is envisaged with targeted investment and strategic acquisitions that the transformational projects can be realised.
- This acquisitions and disposal strategy will align itself with the evolving Swansea Bay City Region ensuring the aspirations of the Council and the Region are achieved. Within Carmarthenshire we will support the delivery of the Life Science and Wellbeing Village in South Llanelli and Yr Egin in Carmarthen. Moving forward this strategy will assist in realising the aspirations of the City Region as the partnership matures.

2.1. The Process for Acquiring Assets

Subject to appropriate authorisation, and in accordance with the scheme of delegation to officers (Appendix A), all property acquisitions must be undertaken by officers of the Regeneration and Policy Division, or the Property Division within the Environment Department, who will negotiate purchase terms and conditions and draft the necessary legal instruction to formalise the acquisition. Instructions will include all necessary plans and details of any special arrangements necessary to ensure that vacant possession is obtained prior to completion.

In certain circumstances independent valuation advice may be sought from a fully qualified member of the Royal Institution of Chartered Surveyors with sufficient current local knowledge of the particular market, and the skills and understanding necessary to undertake/verify the valuation competently. In most circumstances the advice will be provided by the District Valuer, although the Council is free to seek private sector advice where appropriate.

Acquisitions will be carried out in accordance with rules laid down by the relevant professional bodies, Statute and Case Law. In addition, each element of the acquisition must be carried out in strict compliance with all relevant Public Sector and Local Government Legislation, Statutory Instruments, Government Circulars, and existing procedures, policies and Standing Orders.

Where the proposed acquisition falls outside the scope of the Council's scheme of Officer Delegation, Executive Board Member or Executive Board as appropriate shall determine whether to acquire the land after receiving a fully informed report from the Director of Regeneration and Policy and/or Director of Environment. The report should take into account the on-going cost of ownership of the property and ensure that any decision to acquire land is informed by both the capital and revenue implications of ownership and the risks associated.

Where Compulsory Purchase Powers are being considered legal services are to be consulted at the earliest opportunity and approval obtained by Executive Board/Council. These powers will be used where the owner or occupier of the land required is not willing to sell by agreement or where agreement cannot be achieved.

Where the acquisition is required to support service delivery, it will be the responsibility of the relevant Head of Service to ensure funding is in place to complete an acquisition and advise the acquisition case officer (Regeneration and Policy/Property Division within the Environment Department) of the budget available. Consideration should be given to all other Council owned property and its suitability prior to any acquisition. All option appraisals should take into account the cost(s) of ownership of the property and ensure that any decision to acquire land is informed by both the capital and revenue implications of ownership and the risks associated. The acquisition case officer will work closely with the service supporting the acquisition to consider service objectives.

Where appropriate, the case officer will carry out a pre-completion inspection of the property and if necessary seek instructions from the relevant service regarding the interim management of the property acquired pending development or occupation.

3. Disposal of Land and Property

The identification and disposal of surplus property is an important funding source for the Council's capital programme.

When property assets become surplus to requirements a number of options need to be considered such as;

- Effective and efficient management for their re-use within the Council;
- A relevant and sustainable use by the Community;
- A disposal to help facilitate the capital programme's aims whilst minimising any ongoing maintenance and revenue implications;
- Whether the asset can promote and support regeneration activity.

It is important that each land disposal is treated on its own merits and nothing in this document will bind the Council to a particular course of action in respect of a land disposal.

Assets to be disposed will fall into two categories:

- **Non-Strategic Assets** - those that do not have a "major effect on the commercial activity of an area".
- **Strategic Assets** – those which "have a major effect on the commercial activity of an area" and have the ability to promote regeneration either on a standalone basis or in line with existing policies and regeneration strategies.

Depending on the nature of the transaction, disposals must follow either the Procedure for Sale of Council Owned Property (Appendix B), or Procedure for Lease of Council Owned Property (Appendix C). A full record of the checklist information, together with all supporting correspondence and negotiation detail, must be kept on file (either electronic or hard copy) readily available for inspection as required.

For the purposes of this policy, a disposal of land means land and/or building(s). A disposal is either a freehold disposal by sale or exchange of land in perpetuity, or by the granting of a lease for a period greater than 7 years. Leases of 7 years or less are not covered by this policy document, as they are exempt from the statutory requirement

to obtain best consideration. As a matter of good practice, all lease transaction should, however, follow the Appendix C procedure, regardless of the length of the lease.

3.1 Disposal Procedures

The following procedures relate to the disposal of land and/or property with a value in excess of £25,000:-

1. Service area confirms that asset is surplus to requirements.
2. Regeneration and Policy and/or Property case officer to circulate brief details of property together with plan to all heads of service to identify whether or not any other service areas have a use for the asset. Timescale for response – 10 working days.
3. If the asset is a school that has been deemed surplus as a result of the Authority's Modernising Education Provision Programme, relevant Town or Community Councils will be consulted. The process for disposal of surplus schools is attached at Appendix D.
4. If no appropriate alternative service use and/or community use (as appropriate) is identified, local member(s) will be consulted on the proposed disposal.
5. If no objection(s) received from local member(s) within 10 working days (a non-response will be deemed as consent), and the asset is classified as non-strategic, the sale of the asset may proceed.
6. If an objection(s) is received from local member(s) in relation to a non-strategic asset, the decision is referred to the Executive Board Member (EBM) for Resources. The EBM has authority to authorise sale having taken into account local member(s) concerns. If the matter is contentious, the EBM reserves the right to defer the decision to Executive board. A full report will be prepared by the case officer clearly outlining local Member(s) objections.
7. Disposal of strategic assets must be referred to Executive Board for decision with the local member(s) consultation representation included in the report.

Where the value of land and /or property does not exceed £25,000 consultation will only take place with the relevant service area and local member(s) and subject to relevant head of service/member approval, disposal may proceed without any further consultation and approvals.

3.2 Approach to Disposals

When a property is declared surplus to the service, officers will ensure that the asset is not appropriate for use by any other Council services/departments. Should this not be the case, appropriate options for the disposal of the asset will be considered, including:

- **Freehold Transfer** - Disposal of the freehold interest in land means the complete transfer of all rights and responsibilities of continuing to hold that property. Although the transfer may be subject to certain claw back, overage restrictions that seek to secure further payments in the event of excess development profits being secured, or specific covenants that either require some action to be taken and often involving

expenditure (positive covenant) or preventing something from being done (restrictive covenant – e.g. restricting the use of the land to a specific purpose(s)).

- **Leasehold Transfer** – The grant of a lease, the term of which is to be determined, where the Council wishes to retain control of a surplus asset or where the income stream is assessed to be of greater value than the foregone capital receipt that may be achieved through its sale.

- **Grant of Licence** - A licence is the grant of a right by the licensor to the licensee to use the subject land in a certain prescribed manner. A licence differs from a lease in that the freeholder retains paramount control of the land and that a licence may be revoked at short or immediate notice.

- **Grant of Easement** – An easement (also known as a Deed of Grant) provides similar access rights for installing and maintaining infrastructure equipment, but for a one off payment and it provides permanent access. An easement can also be registered at the Land Registry in order to ensure that future owners of the land adhere to it.

The grant of a licence will remain the preferred route when considering interim uses, so there is no conflict with longer term disposal plans.

The Council will usually use one of the following five means to dispose of land:

- **Private Sale/Lease** - a sale or lease of land/property negotiated with one or a small number of purchasers/tenants. The land/property may or may not have been marketed as available for sale/lease. A binding legal agreement is created on 'exchange of contracts/completion of lease between the Council and the purchaser/tenant.

- **Public Auction** - a sale of land by open auction available to anyone. The sale will be advertised in advance. A binding legal agreement is created upon the acceptance of a bid by the auctioneer.

- **Informal/Negotiated Tender** - a sale of land after the Council has invited informal offers or bids that meet a given specification or set of objectives. The Council may accept the highest offer or negotiate further or more detailed terms if appropriate with one or more individuals submitting the most advantageous bid or bids. A binding legal agreement is not created until the exchange of contracts between the authority and the chosen bidder. It should be made clear at the outset whether the informal or negotiated process is to be adopted to give clarity to bidders (Appendix F)

- **Formal Tender** - a sale of land by a set process and tenders submitted by a given date in accordance with a strict procedure.

- **Exchange of Land** - a transaction involving the exchange of Council owned land with another land owner. The land acquired by the Council will meet at least one of its corporate objectives and will be 'equal' in value to the land exchanged or there can be an equality payment made by either party.

For further details in respect of any of the above please see Appendix E and for specific additional information on the Council's Informal Tender Procedure please refer to Appendix F.

3.3 Development Agreements/Joint ventures

In some instances it may be appropriate to use a different form of contract or arrangement. For example, where there may be financial or development benefit to be derived from working with or through another party (such as and adjacent landowner, developer of land promoter) to dispose of the asset. This could include collaboration agreements, development agreements or land promotion agreements. Alternatively, the Council might not be able to realise the full potential value of the asset through an outright sale. Special participation or profit sharing arrangements might yield a better return. Where appropriate the Council will use joint ventures (JV) to work with a partner organisation with suitable skills, expertise and financial standing to promote and deliver a development on Council land. Joint venture arrangements will allow the Council to share the profit arising from a successful development. The details of a JV arrangement are likely to differ from scheme to scheme but will broadly involve sharing the cost, risk and return from the project. The Council's contribution to the joint venture could be the value of the land with the JV partner providing the capital investment to develop the land. JV's are likely to be viable options for larger redevelopment projects only and will need to be approved by the Council's Executive Board.

3.4 Best Consideration

The Council's actions in disposing of land are subject to statutory provisions, in particular to the overriding duty on the Council under section 123 of the Local Government Act 1972 to obtain the best consideration that can be reasonably obtained for the disposal of land. This duty is subject to certain exceptions that are set out in a government document, referred to in this policy as 'the General Disposal Consent'.

The General Disposal Consent (Wales) 2003 makes provision for the Council to dispose of land at less than full market value, known as an 'under-value'. Specified circumstances must apply as follows:-

- a. The Council considers that the purpose for which the disposal is being made is likely to contribute to the promotion or improvement of the economic, social or environmental wellbeing of the whole or part of its area, or any person resident or present in its area.
- b. The difference between the unrestricted or market value of the land to be disposed of and the consideration for the disposal does not exceed £2 million.

In certain circumstances, the level of capital receipt needs to be balanced with the economic and community benefits that will arise from reuse and/or development of the surplus asset. The Council may wish to sell at undervalue if it can be seen that the disposal will support regeneration priorities in terms of generating job opportunities and economic growth, and/or affordable housing. Where these situations arise a report will be presented to Executive Board making the case for a sale at undervalue where such a sale would give rise to economic, social or environmental wellbeing benefits.

For example, land may be sold at an under-value for only affordable housing rather than all residential types, as long as the difference between the consideration obtained

for development for affordable housing and the land's unrestricted value for all residential types is less than £2 million.

The Council must still comply with its duty to obtain best consideration for the restricted value. So, using the above example, the Council must ensure that it achieves the best consideration that may be reasonably obtained for land restricted to development for only affordable housing.

The Council must also comply with normal and prudent commercial practices including obtaining the view of an independent professionally qualified valuer as to the value with voluntary restrictions imposed. If the Council wishes to dispose of land for less than best consideration, and is not covered by the General Disposal Consent, the Council can resolve to do so, but will require the formal consent of the Welsh Ministers. Such disposals can also be subject to a challenge that the Council is needlessly foregoing receipts and it is therefore essential that such disposals only take place in clear furtherance of Council priorities.

In certain instances it might be appropriate for the Council to forgo a capital receipt on the basis that the land value is used as match funding to attract grant funding and/or private investment. In these instances the Council will still need to be able to demonstrate that it is achieving best value from the transaction.

3.5 Community Asset Transfers

The Council has separate procedures relating to Community Asset Transfers, which are not covered by this Acquisition and Disposal Policy. These procedures are managed by the Property Division within Environment.

If it is considered that an asset is used for social, community and public purposes and the benefits of that service are deemed to outweigh the value of continuing ownership by the County Council on behalf of all Council Tax payers, then the Council may consider the transfer of the asset to other organisations. Any such transfer should be in accordance with the Council's Community Asset Transfer Procedures (2013 – 2016), which cover those assets which are being used for current service delivery and could be managed more effectively by local groups.

3.6 Planning Land Use Considerations

Where in the opinion of the Director of Regeneration and Policy and/or Director of Environment, land has potential for redevelopment which will enhance its disposal value, outline planning permission for such development may be obtained, where appropriate, prior to disposal. Prior to any application, the case officer will consult with the appropriate planning and transport officers, as necessary, to assess the likely success of any such application.

Where the form of development which will maximise value cannot readily be identified it may be appropriate to market the land with bids invited subject to grant of planning permission for a specified form of development.

Contracts for the sale of land may include a restrictive covenant limiting development of the land to that specified in the outline planning permission or the form of development proposed in any bid made subject to the grant of planning permission.

Should any revised planning permission be obtained subsequent to a disposal which increases the value of the property sold, the County Council will not agree to waive or vary any covenant restricting the form of development without receipt of best consideration reflecting the increase in land value accruing. This uplift in land value maybe by an “overage” provision or a mechanism for “claw back”.

3.7 Late bids

The Guidance from the Local Government Ombudsman recognises the problem caused to local authorities by 'late bids'. The Guidance says that difficulties are less likely if Councils ensure that exchange of contracts take place as quickly as possible after the decision to sell (or lease) is made. It suggests that local authorities should be allowed to sell/lease at an agreed price within a reasonable period of reaching a 'subject to contract' agreement.

In the context of the methods of land disposal dealt with in this document, a late bid may occur:

- a) In the case of a private sale/lease, after a sale or lease has been agreed, but before exchange of contracts/lease completion.
- b) In the case of a public auction, after the auction has been closed, but the reserved price not having been met.
- c) In the case of a formal tender, after the closing date for tenders, but before acceptance by the Council of the successful tender.
- d) In the case of an informal or negotiated tender, after receipt of bids, but before exchange of contracts or signing of a development agreement.
- e) In the case of disposal by exchange, after a sale or lease has been agreed, but before exchange of contracts/lease completion.

Each 'late bid' must be considered in the context of the individual circumstances at the time. The Council's approach to 'late bids' will vary depending upon the method of land disposal used. In each case, its overriding duty will be to obtain the best consideration that it can reasonably obtain (subject to any exceptions in the General Disposal Consent). The Council's approach to late bids is as follows:

- a) The Council discourages the submission of late bids in all cases when it is disposing of land. It will attempt to minimise problems by aiming for early exchange of contracts.
- b) Where land is being disposed of by way of a formal tender, bids received after the deadline for tenders, will be recorded as late, together with the time and date of receipt. Where appropriate the Executive Board Member for Resources should decide whether to consider late bids after taking advice from the Director of Regeneration and Policy and/or the Director of Environment. Should the asset, however, fall into the category of a “strategic asset”, the decision shall be reserved to the Executive Board.
- c) Except as provided in “ b” above, until the Council has entered a legally binding contract or agreement with another person it will consider late bids unless there are good commercial reasons for not doing so. This should be explained to any purchaser when a disposal of land by private sale or negotiated/informal tender is agreed.

d) Consideration of a late bid does not mean that it will necessarily be accepted even if it is the 'highest' bid. The Council will take into account the likelihood of the late bid proceeding to completion in a timely manner and the possibility of late bids being used as a spoiling or delaying tactic.

e) Subject to the above, the Council may, in appropriate circumstances, ask both the late bidder and other interested parties, to submit their best and final bids in a sealed envelope by a set deadline.

f) A decision on whether to accept a late bid for a private sale, informal tender or by exchange are to be made either by the Executive Member for Resources, the Director of Regeneration and Policy, or the Director of Corporate Services. Should the asset, however, fall into the category of a "strategic asset", the decision shall be reserved to the Executive Board.

g) Offering the preferred bidder a period of exclusivity can enable the purchaser to confidently proceed with the sale, through the removal of the threat of another purchaser making a late bid and this option should be considered where appropriate to avoid late bid situations.

A last minute bid may be rejected for sound commercial reasons. For example, if there is no real certainty of it leading speedily to a contract or is suspected as a spoiling bid. The Council will at all times bear in mind that the overriding duty, unless a specific decision has been made to take advantage of certain exceptions as mentioned in the General Disposal Consent in order to further corporate objectives, is to obtain best consideration.

3.8 Conditional Offers

In private treaty or tender sales, and where land is being sold for development purposes, offers may be received, or sometimes even be invited under the marketing campaign, where all, or part, of the receipts will depend on the outcome of the purchaser's scheme. Conditional offers on this basis will usually involve some sort of deferred completion.

Typical conditions attached to an offer include – subject to site investigations, subject to vacant possession, subject to planning permission, subject to affordable housing requirements etc. Usually the offer is made on a gross basis and then deductions are requested for instance where the site investigations have proved unsatisfactory, or a higher level of affordable housing than budgeted for is required as part of the planning permission. This approach is standard practice and any deductions are open to scrutiny and review. The alternative would be to request net bids with no further deductions allowed, which will almost always be less than the gross bid plus costed deductions and this alternative is, therefore, not recommended.

In such cases, it is essential to consider the way changes in the market prior to completion may affect the receipts and to weigh this and any other inherent risks against other offers or ways of disposing of the property. The contract should provide express time limits for actions which are the intending purchasers' responsibility for example applying for planning permission. It should also have provisions which prevent Indefinite or lengthy delays in completion. The use of staged payments of the consideration monies may be helpful in off-setting these risks, but other possible approaches such as option agreements may also be feasible.

3.9 Option Agreements

A developer and a landowner can enter into an Option Agreement, which gives the developer the option to purchase the land (usually at an agreed sum, or at market price less pre-agreed deductions) and the ability to obtain planning, without the risk that they will be compelled to acquire a parcel of land without the benefit of planning. An option gives its holder the right but not an obligation to buy. Entering into an Option Agreement can also benefit landowners as they can realise a higher price for their land without having to put forward their own funds in obtaining planning. The key distinction, as compared with a conditional purchase, is that the developer is not committed to purchasing the land, even if planning permission is obtained. Under an "option agreement", the developer might be required to pay an initial, non-refundable, lump sum in order to secure the right to buy the land at some point in the future and will then proceed to apply for planning permission and assess the suitability of the land for development. One disadvantage with option agreements is that the development potential of the asset is sterilised for the period of the option agreement, with no guarantee that the option will be exercised.

3.10 Checking Financial Credentials

In sales by tender and private treaty the credit-worthiness of the bidder(s)/consortia should be examined before acceptance of an offer. This will include review and interrogation of financial information, such as business plans and funding streams, supplied by the bidder. The effort devoted to this examination should always be proportionate to the value of the property.

Where a disposal or a letting is proposed at an undervalue, by way of a direct reduction in the market value (disposal) or a grant provided towards the market rent, then the Council should make sure that the recipient of the benefit has robust and deliverable business plans including good governance, robust financial planning and all the necessary policies, procedures expected.

Consideration should also be given towards the use of bonds, rent deposits, and guarantors as part of any disposal to protect the ability of the Council to achieve the stated rent or capital receipt in future.

Any third party support provided to bidders/prospective tenants in terms of guarantees etc. will also be subject to appropriate due diligence checks.

3.11 Land Banking

To ensure that a purchaser does not hold the property purely for speculative purposes, a freehold disposal can be preceded by the grant of a Building Licence or lease, which would include building covenants, although this may cause funding difficulties in certain circumstances. An informed view must be taken in each case and appropriate legal documentation entered into to prevent as far as possible land banking situations arising.

4.0 Welsh Language

Where property and land is disposed of by way of a lease, there will be a requirement that all written signs that are placed on a building, or on land, in the ownership of the Council be fully bilingual, and verified by the Council's Translation Unit.

4.1 Other Considerations

Due consideration and regard, throughout the disposal process, should be given to relevant legislation and Welsh Government Guidance, including, but not limited to:

Allotment Acts - 1908 to 1950 - For disposal of land held under these Acts, the Council must obtain the consent of the Welsh Ministers for disposal other than for use as allotments.

Charities Act 2011 - In situations where the Council is trustee of charitable land and property originally gifted to it under the terms of a trust deed, the Council has additional responsibilities which arise from its role as trustee and will be subject to the more onerous disposal requirements set out in the Charities Act 2011.

Housing Act 1985 (as amended) - Section 32 of the Housing Act 1985 gives a local authority power to dispose of land held by it for the purpose of Part II of the Housing Act 1985 (i.e. provision of housing accommodation). The consent of the Welsh Ministers is required for the use of this power unless the disposal is for the letting of land under a secure tenancy or an introductory tenancy.

Public Open Space - The Council is required by law to advertise the disposal of land designated as 'public open space' in a local newspaper for two consecutive weeks and to consider any objections received. No final decision about the disposal will be made until any objections have been considered by Cabinet, as the response may be material to the decision. Public response may also be an important factor in any determination by the Secretary of State of an application by the Council for specific consent to the disposal.

Public Procurement - A straightforward disposal of land/property for a market value price will not be caught by the Public Contracts Regulations 2006 rules. However, when disposing of land the Council is involved in determining the scope of the future development of its land and its intention is to impose on the purchaser certain obligations as to the nature of the development and also perhaps the standards to which the works must be constructed (usually through a development agreement or grant of a lease associated with the disposal), then where the values involved trigger the EU threshold, it is likely that such an arrangement may be construed as a public works contract triggering the need for an EU tendering.

State Aid - All land/property disposals need to comply with the European Commission's State Aid rules¹³. When disposing of land 'at less than best consideration', depending on the nature of the transaction, the Council may be 'subsidising' the purchaser. Where this occurs, the Council must ensure that the nature and amount of subsidy complies with the State Aid rules, particularly if there is no element of competition in the disposal process.

Appropriation - S122 of the Local Government Act 1972 permits Councils to appropriate any land which they hold for any purpose for which they may acquire land by agreement. There may be occasions when the Council would wish to appropriate land that it owns, particularly to a specific planning purpose, to engage the power in

s237 of the Town and Country Planning Act 1990 to override easements and other rights that might otherwise impede the ability to develop the relevant land. It is important that any decision by the Council to appropriate land for any purpose is properly reasoned and documented.

Appendix A

SCHEME OF DELEGATION TO OFFICERS

The Director of Regeneration and Policy and Director of Environment, have delegated power in relation to the following property disposal and acquisition related functions:

Valuations

Head of Property or Property and Major Projects Manager certified valuation is accepted for all property transactions subject to Council policy as to whether an individual asset is to be disposed, acquired or leased.

Acquisitions

To acquire land for any purpose, subject to the policy of the property requirement being in place and to instruct the Head of Administration and Law to prepare appropriate documentation in relation to any agreement.

Authorised in consultation with the Corporate Management Team and the appropriate Executive Board Member(s) to purchase small areas of derelict land or derelict buildings which have the potential to become saleable assets in the future (or to be used by the council), or where ownership of the land will enable clearance work to be carried out to improve the environment. (In accordance with the terms of reference of the Derelict Land Fund).

Legal Agreements

To complete Wayleave Easement and tenancy agreements, where it falls within a category of transaction agreed with the Head of Administration and Law as being appropriate for signing, rather than execution under the Council's common seal.

Planning Applications

To submit planning applications in respect of land, to assess its development potential prior to sale, or to carry out a development on behalf of the Authority.

Appropriation of Land

To appropriate land for any purpose under the provisions of Section 122 of the Local Government Act 1972, subject to any statutory limitations and to the written agreement of the relevant Director or Head of Service who has responsibility for the land prior to its appropriation. 20 Revised as at Council 14/06/2012.

Disposals

To dispose of land and buildings no longer required for Council functions, save that decisions relating to the disposal of Strategic land and buildings which will have a major effect on the commercial activity of an area shall be reserved to the Executive Board. In both cases there shall be a requirement to consult with local members.

To dispose of freehold reversions of residential dwellings as required.

To agree reserve / asking prices and the most appropriate method of property marketing / disposal.

To instruct the Head of Administration and Law to prepare appropriate documentation in relation to any agreement.

Lettings

To approve requests for the assignment of leases and the underletting and sub-letting of property where consent for such requests cannot reasonably be withheld and to instruct the Head of Administration & Law to prepare the appropriate documentation in relation to any such consents.

To let property (lettings to include seasonal licenses and concessions), such property to include commercial, industrial and provisions markets, surplus or non-operational property etc. and to sign such letting agreements where it falls within a category of transaction agreed with the Head of Administration and Law as being appropriate for signing, rather than execution under the Council's common seal.

To instruct the Head of Administration and Law to terminate, repossess and recover property and any monies due.

To accept surrender of existing interest and re-grant of longer letting periods at revised terms.

To negotiate and agree appropriate tenant's improvements.

Appendix B

Procedure for Sale of Council Owned Property Checklist

PROCEDURE FOR SALE OF COUNCIL OWNED PROPERTY

CHECKLIST APPLICABLE TO ALL TRANSACTIONS

	Task	Date	Initial
1.	Lead officer to ensure that appropriate authority is in place to proceed with the sale.		
2.	Request Legal Services to confirm property owned by Council and to provide a report on title, identifying any covenants/restrictions affecting the property. (Other actions can proceed whilst title investigations being undertaken).		
3.	Consult Heads of Service on proposed sale.		
4.	Where disposal relates to former school property check that appropriate consultation has taken place with relevant organisations including Town or Community Council.		
4.	Consult Local Members on proposed sale		
5.	Consult Local Planning Authority on authorised planning use and potential higher value alternative uses.		
6.	Inspect and value property and identify any potential estate management issues that could arise from a sale.		
7.	Consider any other relevant factors, e.g. whether property is in open space, allotments land, village green etc.		
8.	Consider opportunities to maximise value such as demolition of building(s), applying for planning consent etc.		
9.	Ensure that property is in a secure and safe condition with services disconnected/drained as appropriate.		
10.	Determine and proceed with most appropriate method of sale ensuring the property is marketed as widely as possible.		
11.	Negotiate sale of property ensuring compliance with Local Government Act 1972 best consideration requirements.		
12.	Where appropriate carry out due diligence checks to ensure that prospective purchaser has the financial ability to complete the proposed transaction.		
13.	Instruct Legal Services to proceed with sale by way of signed V-form, which can be in electronic format.		
14.	V-form to be copied to Property Records Team (Environment Department) and Debtors (Finance Department) so that records can be updated when sale completed.		

15.	Undertake any further negotiations required during sale process.		
16.	Post completion – once the disposal is complete: <ul style="list-style-type: none"> • Take final meter readings and cancel any existing contracts with utility companies. Raise final utilities invoices or pass on information to Debtors. • Ensure Property Records Team is advised that the property has been sold so that asset register record and mapping records can be updated. • Remove property from insurance schedule • Update records to ensure business rates are no longer paid. 		

A full record of the above information, together with all supporting correspondence and negotiation detail, must be kept on file (either electronic or hard copy) readily available for inspection as required.

Appendix C

Procedure for Lease of Council Owned Property Checklist

PROCEDURE FOR LEASE OF COUNCIL OWNED PROPERTY

CHECKLIST APPLICABLE TO ALL TRANSACTIONS

N.B Where the immediate previous use has been on a lease basis, and the principle of leasing out the property has been established, tasks 1 -4 of this procedure need not apply. Where there are standard lease templates, for example industrial estates / indoor markets, and there is delegated authority for Head of Property / Property and major Projects Manager to complete such agreements, task 13 below need not apply,

	Task	Date	Initial
1.	Lead officer to ensure that appropriate authority is in place to proceed with the lease disposal (only applicable if the lease term is to be 7 years or more).		
2.	Where appropriate and commensurate with the significance of the transaction, request Legal Services to confirm property owned by Council and to provide a report on title, identifying any covenants/restrictions affecting the property. (Other actions can proceed whilst title investigations being undertaken).		
3.	Consult Heads of Service on proposed lease disposal (only applicable if the lease term is to be 7 years or more).		
4.	Consult Local Members on proposed disposal (only applicable if the lease term is to be 7 years or more).		
5.	Consult Local Planning Authority on authorised planning use and potential higher value alternative uses where appropriate.		
6.	Inspect and value property and identify any potential estate management issues that could arise from a lease disposal.		
7.	Consider any other relevant factors, e.g. whether works are required to the property to make it more attractive to lease and/or to increase its rental value.		
8.	Consider opportunities to maximise value such as demolition of building(s) applying for planning consent etc.		
9.	Ensure that property is in a secure and safe condition with services disconnected/drained as appropriate.		
10.	Determine and proceed with offering the property for lease ensuring the property is marketed as widely as possible. Where the asset forms part of the Council's rural estate, industrial or markets portfolio, and waiting lists are in place, it might not be necessary to advertise the property.		
11.	Negotiate disposal of property ensuring compliance with Local Government Act 1972 best consideration requirements (only applicable if the lease term is to be 7 years or more). For shorter leases, decisions might be on good estate management grounds rather than solely based on financial return to ensure an appropriate tenant mix – e.g. indoor markets / industrial estates.		
12.	The prospective tenant should wherever possible provide a satisfactory bank reference and checks should be made to ascertain whether the prospective tenant owes any money		

	to the Authority. Some properties will require the provision of trade referees. The Authority will make any and all such financial checks, including where appropriate Companies House searches and request for trading accounts, as deemed necessary. In the absence of appropriate references and/or where some risk is identified consider whether rent bond or guarantee is appropriate.		
13.	Instruct Legal Services to proceed with disposal by way of signed v-form, which can be sent electronically.		
14.	V-form to be copied to Property Records Team and Debtors so that records can be updated when disposal completed.		
15.	Undertake any further negotiations required during disposal process.		
16.	Occupation of the property should not take place until the lease has been completed. Only in exceptional circumstances will early entry be allowed, subject to senior manager approval, with input from legal services where appropriate.		
17.	<p>Post completion – once the lease is complete:</p> <ul style="list-style-type: none"> • Release keys • Take final meter readings and cancel any existing contracts with utility companies. • Ensure Property Records Team is advised that the property has been sold/leased so that asset register records can be updated. • Ensure all relevant dates, e.g. rent review, decoration etc., are recorded so that action can be taken at appropriate time. • Remove property from insurance schedule, unless the lease arrangement is for the Council to insure. If insurance to be recharged to tenant ensure that this is appropriately recorded so that recharge is made annually. • Update records to ensure business rates are no longer paid by Council and tenant details are recorded. • Where additional charges arise, e.g. from utilities or insurances, invoices are raised or debtors section are provided with details. 		

A full record of the above information, together with all supporting correspondence and negotiation detail, must be kept on file (either electronic or hard copy) readily available for inspection as required.

Appendix D

PROCESS FOR DISPOSAL OF SURPLUS SCHOOLS

PROCESS FOR DISPOSAL OF SURPLUS SCHOOLS

1. Where, as a result of the Council's Modernising Education Provision Programme, schools are identified as not being required for educational purposes they will generally be sold on the open market.
2. In exceptional circumstances it may be appropriate to consider ongoing community use of the property. Such a use would only be approved if there is a clear identified need for such use in the area and where there is a Business Plan in place which indicates the viability of the alternative use - both in terms of the availability of capital funding for any conversion / refurbishment costs, and also for the ongoing revenue funding of the project. Given that there is a lengthy lead-in time during consultation before any school closes, it is expected that this Business Plan can be put in place before the actual closure of the school takes place.
3. In assessing any application it will also be necessary to identify whether any requirements can reasonably be accommodated in other facilities serving the community (e.g. a proposed new extended school, other village halls, play areas, recreation grounds, public houses, churches etc.).
4. Where a redundant school is let or sold for community use, the future use of the property would be restricted to community use only. The County Council would protect this position by including appropriate covenants or overage clauses in the contract documentation.
5. All applications for redundant schools to be made available for community use will be evaluated by the Property and Major Projects Manager in consultation with officers from Education Policy & Performance and Economic Development. Following this appraisal, any proposed community use would require Executive Board approval.
6. If community use is agreed then the County Council would offer non-financial assistance and advice as appropriate. This process should not however be confused with the Councils Community Asset Transfer Procedures (2013 – 2016), which covers the continuation of delivery of a Council service from the asset by a third party.

Appendix E

DISPOSAL METHODOLOGY GUIDANCE

1. Disposal by private treaty

The main characteristics of a sale by private treaty are:

- 1) The timescales for completion of the transaction are not fixed until exchange of contracts;
- 2) Offers are made subject to Contract;
- 3) Offers are, or may, not all be received at the same time;
- 4) It is usual for the asking price to be quoted.

The steps involved in a private treaty sale will usually include:

- i) Openly advertising the property for sale through an agency or direct advertising media;
- ii) Taking offers from interested parties
- iii) Identifying preferred offers, which may or may not be based on the financial offer
- iv) Negotiation of bids to ensure best value. In this case, the Council will normally consider the highest bid as representing the best consideration that can be reasonably obtained, subject to ensuring any conditions attached to bids are reflected in the final evaluation. The process for disposal by private treaty can still include a closing date and be by way of sealed bids if considerable interest is anticipated.

If land is to be sold by private treaty without being marketed, then reasons justifying a private treaty sale must be recorded in writing. In some circumstances the Council may seek an independent valuation to verify that 'best consideration' is being obtained. Examples here may include special purchaser situations.

A private sale without the asset being openly marketed may be justified where:

- a) The land to be disposed of is relatively small in size and an adjoining or closely located landowner(s) is (are) the only potential or likely purchaser(s);
- b) The nature of the Council's land ownership and that of the surrounding land ownership is such that the land must be sold to adjoining or surrounding landowners if best consideration is to be obtained;
- c) The Council's corporate objectives and best consideration can best be achieved by a sale to a particular purchaser and/or the value of the asset can be used to attract additional funding;
- d) The sale is to a non-profit making organisation and the role of that organisation is conducive to the improvement of public services and facilities available within Carmarthenshire;
- e) The purchaser has a particular interest in purchasing the premises or a particular association with the premises and where open marketing of the premises may lead that particular purchaser to reduce the value of their offer for the premises or withdraw their interest in the premises altogether;
- f) The purchaser has a particular interest in purchasing the site or a particular association with the site and where in the opinion of the Executive Board Member for Resources open marketing of the site may cause undue hardship or unrest for that particular purchaser or where the sale of the premises to a party other than that particular individual would substantially and detrimentally affect the normal operation of the business associated with the premises.

If a private sale is justified, the overriding duty on the Council under section 123 of the Local Government Act 1972 to obtain the best consideration that can be reasonably obtained for the disposal of land will still apply.

2. Disposal by public auction

Sale by public auction may be appropriate where there is no obvious potential purchaser and where speed and best price can be publicly demonstrated.

An auction reserve is used to ensure that a property is not sold below certain agreed levels. Prior to the sale it will therefore be necessary for Director of Regeneration and Policy, to determine the auction reserve to be applied in accordance with the scheme of delegated authorities for the Council. A Council Officer shall attend the auction to act on behalf of the Council.

The contract for sale or lease must be ready for exchange at the auction.

The binding contract will be made on the acceptance of the highest bid providing it has reached the reserve price. Contracts for the sale or lease will immediately be signed and exchanged.

3. Disposal by informal tender

A disposal by informal tender differs from a formal tender in that neither the Council nor the successful bidder is legally obliged to enter into a contract for the disposal of the land. In the process known as 'For Sale by Informal Tender' the asking price will not be stated generally a guide price will be given. Written offers will be invited (sealed bids) and a closing date for such offers published. All offers are opened at the same time. Generally, the vendor is not committed to accepting the highest or any offer.

This method is used when there is strong interest and competition for the property and a choice of buyer is likely or anticipated. If a property has been offered for sale by private treaty, resulting in sufficient competing interest, the sale process is frequently extended to an informal tender process in instances where a closure date is required.

4. Disposal by formal tender

When a property is sold by formal tender, as with an informal tender, the sale will be advertised with a deadline by which prospective purchasers must submit their bid. Each tender document from the bidders must include the full legal contract for sale and all bids have to include a bankers draft as a deposit on the contract. The bids are opened by the vendor or agent (representative). As soon as the "best bid" is selected, the bankers draft is accepted and contracts are automatically exchanged. The successful bidder is then committed to the contract and will have to complete the sale on the appointed date. If the successful bidder fails to complete the sale they will forfeit their deposit and further costs may be incurred.

This method can provide a well organised, transparent way of achieving completion when a timeframe is essential, but is often more costly and a longer lead in period is

required. As a result it is not favoured in the market place and it is an option that is not likely to be frequently adopted.

5. Disposal by exchange of land

Disposal by exchange of land will be appropriate when it will achieve best consideration for the Authority and is advantageous to the Council and other parties to exchange land in their ownerships.

Authority for a disposal of land by exchange with another land owner for alternative land will be by either the Executive Member for Resources, or the Director of Regeneration and Policy and/or Director of Environment under Delegated Authority. In either case, reasons for justifying this manner of disposal must be recorded in writing. A binding legal agreement will be created when a contract is exchanged for the exchange. Where the asset to be exchanged falls into the category of a "strategic asset", the decision shall be reserved to the Executive Board.

The exchange will usually be equal in value. However, an inequality in land value may be compensated for by an equality payment or by other means where appropriate. For example, where the Council in exchange for a larger piece of land receives a smaller piece of land but the recipient of the larger plot agrees to build industrial units on the Council's smaller area to equalise the consideration. In such circumstances the Council may seek an independent valuation to verify that 'best consideration' will be obtained.

Appendix F

Informal Tender Procedure

INFORMAL TENDER PROCEDURE

- a) Where appropriate tenders will be advertised in the local press and occasionally the national press, together with an appropriate trade magazine or publication. If a property has been offered for sale by private treaty, resulting in sufficient competing interest, the sale process might be extended to a formal tender process without the need for advertising.
- b) Where an agent has been appointed to act on the Council's behalf, their name and address will also be given, and they will be required to acknowledge and comply with the County Councils Procurement Standing Orders.
- c) Interested parties will then be provided with property particulars and details of the tender process.
- d) All tenders must be delivered in the envelope provided and addressed to the Chief Executive, bearing the words "Tender for" and the address of the land or property for sale, but without any name or mark indicating the sender. Applicants who wish to make their offers by post are advised to do so by Recorded Delivery.
- e) No bid shall be accepted that is not specific, or made in reference to another bid, such as £100 over the highest bid.
- f) The Council will make it clear that it does not bind itself to accept the highest tender or indeed, any tender.
- g) Tender envelopes will remain unopened in the custody of the Chief Executive Department until the appointed time for opening.
- h) All tenders will be opened together after the Closing Date has expired by the appointed officer. A representative of Property and Regeneration, other than the officer directly involved with the sale, will attend the tender opening.
- i) A record of tenders received will be maintained and signed by the officers present.
- j) Any tenders received after the expiration of time for tendering, or which contravene any provision of the tendering conditions or instructions will only be opened with the authority of the Director of Regeneration and Policy.

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EXECUTIVE BOARD

19.11.18

DISCLOSURE AND BARRING SERVICE (DBS) CHECKS – POLICY

Purpose: Policy for DBS checking (employment) to ensure the Council operates within DBS and other related statutory guidance/codes

Recommendations / key decisions required:
Endorsement of Policy

Reasons: The Council is a registered body with the DBS and must comply with the DBS Code of Practice and other relevant legislation. The Council's Policy has been updated to reflect changes in practice and to provide greater flexibility and portability of checks where possible, whilst maintaining safe recruitment practices.

Relevant scrutiny committee to be consulted NO

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr Mair Stephens

Directorate: Chief Executives

Name of Head of Service:

Paul Thomas

Jake Morgan

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EXECUTIVE SUMMARY

EXECUTIVE BOARD

19.11.18

DISCLOSURE AND BARRING SERVICE (DBS) CHECKS – POLICY

Background

The Council's recruitment process is designed around safe recruitment practice. This is considered a priority and this policy and associated processes are put in place to ensure that any risk associated with employing people to work in schools, with children and/or vulnerable adults is minimised. DBS checks are only one part of the employment checking process and sit alongside references, interviews and "right to work" checks. The Council is a Registered Body with the Disclosure and Barring Service. This provides the Council with the ability to undertake DBS checks for employees who work in "regulated activity" eg schools or with vulnerable children and adults. Checks should only be undertaken where the role works regularly with the above groups, without supervision and there are different checks according to the groups with which the employee, volunteer or worker will be working.

The type of checks available to the Council are set out in paragraph 11 of the draft policy.

The DBS carry out compliance checks to ensure that we are undertaking our responsibilities correctly. The last compliance check was completed in August 2017.

Key Elements of the Policy

This revised policy introduces:

- Greater flexibility and portability of DBS checks for existing employees moving between the same or similar work and which requires the same type of check (paragraphs 17-19);
- Clarification around re-checking requirements for those occupations which require it (see paragraphs 15-16) including clarification that DBS re-checking costs must be paid by the employee;
- Further clarification around checks for School Governors and Elected Members (paragraph 4). (Corporate Safeguarding Group are not recommending a separate policy for checking Elected Members);

Executive Board is asked to consider and endorse the proposed Policy in particular:

- The change in policy in relation to the transferability of current DBS checks for existing staff moving between similar roles;
- The suggested policy in relation to re-checking ie re-checking is undertaken only where it is required by statute or professional registration;
- The suggested policy in relation to Elected members and School Governors;

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Paul R Thomas

Assistant Chief Executive

Policy, Crime & Disorder and Equalities YES	Legal YES	Finance YES	ICT None	Risk Management Issues YES	Staffing Implications YES	Physical Assets NONE
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1. Policy, Crime & Disorder and Equalities

Change to existing Policy.

2. Legal

The Policy reflects current legal/statutory requirements.

3. Finance

Currently the Council provides a corporate budget for DBS checks required at recruitment. A separate report will be provided regarding ongoing funding / policy. The Policy provides for Employees/workers to be responsible for the costs of DBS re-checking. If this approach changes for any reason then an appropriate budget will have to be provided.

5. Risk Management Issues

This is a key policy in relation to safeguarding risk management. Failure to adopt the policy could result in removal of Registered Body Status by the DBS.

6. Staffing Implications

The Policy applies to all employees, workers and volunteers working with children, vulnerable adults or in regulated activity and will form part of the People Management Employment Policy library and will be kept under review to ensure it complies with the relevant legislation and guidance.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Paul R Thomas

Assistant Chief Executive

1. Scrutiny Committee None
2. Local Member(s) Not applicable
3. Community / Town Council Not applicable
4. Relevant Partners Not applicable
5. Staff Side Representatives and other Organisations Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

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People Management – Policy and Guidance

Disclosure & Barring Service (DBS) Policy

October 2018



Contents

	Page
The Disclosure and Barring Service	4
Scope	4
Policy Statement	5
Type of Checks/Disclosures	5
Eligibility for DBS Checking	6
Regulated Activity	6
Frequency of DBS Checking/Rechecking	8
Portability of DBS Checks	8
The Recruitment Process and DBS Checking	9
Countersignatories and Identity Verifiers	10
Checks for non-employees	11
When a criminal record is declared or revealed on a Disclosure	12

The Disclosure and Barring Service (DBS)

1. The DBS provides a facility for organisations to make safer recruitment decisions via a check against different types of information such as police records and information held on the barred list for children and adults.
2. Employers are allowed to ask for information in relation to a person's history under the Exceptions Order to the Rehabilitation of Offenders Act (ROA) 1974 (as amended) in certain circumstances including where employees work in a regulated activity. Checks can only be requested where it is proportionate and relevant to the role and where it is required by statute.
3. The Council is a Registered Body with the DBS and the People Services team provides a service for the appropriate check to be made to the DBS in accordance with the scope of this Policy. To do so, the Council must comply with the DBS Code of Practice.

<https://www.gov.uk/government/publications/dbs-code-of-practice>

Scope

4. This Policy applies to all those (over the age of 16) who work (paid or unpaid) or volunteer in roles which require DBS checks, including:
 - Employees
 - Job Applicants/Prospective employees
 - Casual workers
 - Agency workers
 - Contractors
 - Elected Member with portfolio for Education and Children
 - Elected Member with portfolio for Social Care & Health (including Adoption and Fostering)
 - Elected Member as Chair of Regulatory Committee – Licensing
 - School Governors with responsibility for safeguarding or who meet the threshold in relation to unsupervised and regular access to children

- Foster carers/Supported Lodgings Providers
- People required to access some Government databases
- Organisations for whom the Council acts as an Umbrella Body

Policy Statement

5. Safeguarding of vulnerable groups is regarded as paramount. Therefore, where a post has been identified as requiring a DBS check, the employee must **not** commence work until that check has been received and assessed by People Services and the Recruiting Manager.
6. The Authority will check existing staff where required. The re-checking period required by the appropriate regulatory or professional body such as Care Inspectorate Wales or Social Care Wales **or ESTYN** will apply. Employees may be required to sign up to the DBS Update Service to enable appropriate re-checks to be made and are informed accordingly.
7. Schools must comply with the [Staffing Maintained Schools \(Miscellaneous Amendments\) Wales Regulations 2007](#) and the [Safeguarding Vulnerable Groups Act](#) which identifies School establishments as a place of Regulated Activity.
8. Information supplied via the DBS checking process is confidential personal data and must not be relayed to anyone who is not entitled to see it.
9. Any individual found to be in breach of this policy may be subject to disciplinary action.
10. The Council reserves the right to withdraw access to this service where an organisation using the umbrella body service fails to comply with this policy.

Types of Checks/Disclosures

11. There are 3 types of check/disclosure which the Council may request from the DBS.

Standard Disclosure

Shows spent and unspent convictions, cautions, reprimands and final warnings. To be eligible for a standard level DBS certificate, the position must be included in the [Rehabilitation of Offenders Act \(ROA\) 1974 \(Exceptions\) Order 1975](#). (See Appendix A and the Annex included in the DBS Guide to Eligibility below).

Enhanced Disclosure

Shows the same as a standard check plus any information held by local police that's considered relevant to the role.

To be eligible for an enhanced level DBS certificate, the position must be included in both the [ROA Exceptions Order](#) and in the [Police Act 1997 \(Criminal Records\)](#) regulations.

Enhanced check with barred lists

Shows the same as an enhanced check plus whether the applicant is on the list of people barred from working with these service users.

To be eligible to request a check of the children's or adults' barred lists, the position must be eligible for an enhanced level DBS certificate as above and be specifically included in the [Police Act 1997 \(Criminal Records\)](#) regulations as able to check the appropriate barred list(s).

Eligibility for DBS Checking

12. The Recruiting Manager and the counter-signatory are responsible for making sure the job role is eligible for checking. Checks can only be requested **after** a job offer is made. Please refer to the Appendices linked to this Policy to assist your assessment. If you are unsure about whether a post requires a DBS check, please contact the HR Recruitment Team. Guidance is also available on the DBS website – at the following link.

[DBS guide to eligibility](#)

Regulated Activity

13. The definition of regulated activity can be summarised as follows:

Regulated Activity – Children

Children are under 18 years old.

Regulated activity refers to unsupervised activities relating to the teaching, training, instructing, caring for or supervising children or providing advice/guidance on wellbeing or driving a vehicle solely for children eg school transport drivers.

Supervision means day to day supervision and regular means carried out by the same person on a frequent basis – once a week or more often, on 4 or more days in a 30 day period or where the work involves overnight supervision.

Health care which is provided by or under the direction of a regulated health care professional or personal care for children such as assisting with washing and dressing, is classed as regular even if the activity is only carried out once. Eg visiting health advisors.

Schools

The Safeguarding Vulnerable Groups Act identifies School establishments as a place of Regulated Activity and as such all individuals working regularly with unsupervised access to children, within this environment must have an Enhanced DBS and barred list (children) children.

Regulated Activity – Adults

Adults are aged 18 and over.

Regulated activity refers to anyone providing personal care to an adult in a regulated setting eg hospital, care home, day care centre, sheltered housing.

Personal care includes teaching, training, instructing, caring for or supervising adults or providing advice/guidance on wellbeing.

Health care which is provided by or under the direction of a regulated health care professional.

Providing social work including assessing or reviewing the need of health or social care services and providing ongoing support to clients.

Assisting an adult with the management of cash, bills and/or shopping where it is required because of their age, illness or disability.

Assisting an adult with their own affairs under the Mental Capacity Act 2005 or other relevant legislation eg Adult's deputy.

Drivers or assistants who transport adults because of their age, illness or disability, to and from health care, personal care or social work activities, appointments, etc.

14. Please also see the DBS Guide to Eligibility. If you are unsure whether the area of work is regulated and eligible for DBS checking, please contact your HR/Recruitment Advisor.

[DBS guide to eligibility](#)

Frequency of DBS Checking/Rechecking

15. Those who work in posts which are required to be registered with the Care Inspectorate Wales (CIW) will be asked for an updated DBS disclosure every three years in accordance with statutory guidance issued by the Welsh Government. These posts include all posts in-
 - older people's residential care homes;
 - children's residential/ respite Centres;
 - all staff within Domiciliary Services (except support staff); and,
 - Responsible Individuals (RI's).

Please see guidance for further information-

<https://gov.wales/docs/dhss/publications/180201statutory-guidanceen.pdf>

Employees in roles which require re-checks will be expected to join and maintain a subscription with the DBS Update Service to allow for re-checks to be undertaken. The Council will not reimburse any costs associated with this.

16. There is no legal requirement to re-check any other staff who work in regulated activity/settings including those who work in schools. If a School Governing Body wishes to re-check their staff then they must ensure that their Policy allows for this and has been agreed by the Governing Body. The cost of these checks is payable by the School/Department.

Portability of DBS Checks

17. DBS disclosures are required for all new (to the Council) employees who are appointed to work in a post which requires a DBS check **before** commencing employment.

18. Existing employees who are offered work in a post which requires a DBS disclosure must be checked if:

a) They have not previously undergone a DBS check; **OR**

b) They have undergone a check but their DBS certificate is more than three years old; **OR**

c) The DBS certificate is three years old or less but is not valid for the post for which they have applied **OR**

d) They hold the appropriate DBS certificate but are moving to a post which is significantly different to the current post eg driver to teaching assistant.

19. Employees are required to advise their manager/headteacher of any criminal convictions during their employment and a change in circumstances will lead to a new DBS check being required. Failure to advise of a change in circumstances may result in disciplinary action.

The Recruitment Process and DBS Checking

20. The HR Recruitment Team provides a DBS checking service (at the point of job offer) to all services including schools.

21. There are strict guidelines regarding which posts can be included for DBS checking purposes. Therefore it is essential a clear and concise job profile enables the service and the HR Recruitment Team/Advisor to assess what type of check is required before advertisement. The Job Profile must contain the justification for the type and level of check. A DBS check will not be requested until the HR Recruitment Team is satisfied that it is justified.

22. Recruiting managers are expected to read, understand and follow the relevant Recruitment and Selection Policy. **INSERT LINK TO POLICY (currently underdevelopment)**

23. Where a DBS check is required, the recruitment information including the advertisement will make this clear. The DBS Code of Practice and Policy Statement relating to the Recruitment of Ex-Offenders and DBS checking will be made available to job applicants via the Council's internet jobs pages.

24. Applicants for posts requiring DBS checks will be provided with the opportunity to disclose details of a criminal record. This information is treated in strictest confidence and will only be available to those who need it as part of the recruitment process. An offer of employment may be withdrawn from applicants who fail to reveal relevant information or where after receiving a DBS disclosure, the applicant is considered unsuitable for the role.

25. Applicants who have worked or resided overseas for twelve months or more in the previous ten years (excluding members of UK armed forces and their families) will be advised to seek certificates at their own cost from the relevant countries in accordance with the relevant DBS Guidance.

[Guidance for criminal records checks from overseas applicants](#)

26. It is an offence to employ someone to work in a role involving work with children if they have been barred through the DBS Childrens barred list or where the work is with adults, through the DBS Adults barred list.
27. It is an offence for someone to apply or volunteer for work for which they have been barred via the DBS barred lists. If this happens, it will be reported to the relevant authorities.
28. The Council uses the **[Carmarthenshire.employmentcheck.org.uk](https://carmarthenshire.employmentcheck.org.uk)** online system to undertake DBS checks. New employee details will not be set up for HR and payroll purposes until **all** pre-employment checks, including DBS checks, are completed satisfactorily. For details of the full pre-employment check requirements please refer to [our Recruitment intranet pages](#)

Countersignatories and Identity Verifiers

29. It is the responsibility of every Countersignatory and Identity Verifier to:
- a) Undertake all training required and provided in relation to their responsibilities;
 - b) Keep up to date with information and guidance provided by the Disclosure and Barring Service, the Council and other relevant sources;

- c) Maintain full and accurate records where required;
- d) Seek advice if they are unsure about any area of responsibility in relation to DBS and pre-employment checking.

Checks for non-employees

32. **Agency Workers**

The Agency is the employer of the workers it provides. It must therefore carry out the same level of checks as required by this Policy and the post assessment. Service managers must ensure that the Agency provides written confirmation that DBS and all other pre-employment checks have been undertaken before the worker commences their placement.

33. **Contractors**

The organisation providing the service/contractors is the employer. It must therefore ensure that the appropriate DBS and pre-employment checks are undertaken. Contractors are required to comply with this Policy and this should be provided during the procurement process. Separate guidance is available at: [XXXXXX \(Link to be inserted\)](#)

Note: The Passenger Transport Service coordinates DBS checks for its contractors.

34. **Volunteers**

The DBS define a volunteer as '*a person who performs any activity which involves spending time, unpaid (except for travelling and other approved out-of-pocket expenses), doing something which aims to benefit someone (individuals or groups) other than or in addition to close relatives*'.

The DBS does not charge for providing disclosures for volunteers but before submitting a request for a volunteer, you must be satisfied that they will not:

- benefit financially from the position for which the application is being submitted
- receive any payment (except for travel and other approved out-of-pocket expenses)
- be on a work placement
- be in a trainee position or undertaking a course of study that will lead to a full time role/qualification
- be a paid foster carer or a member of a foster care household

[DBS Guidance on Volunteers](#)

35. **Elected Members**

There is no general requirement for Elected Members to be DBS checked. However, the duties performed by some EM's are likely to meet the definition of "regulated activity" or fall within the Rehabilitation of Offenders Act 1974 (Exceptions Order 1975). The following positions will therefore be eligible for an Enhanced Disclosure (including checks against the barred lists for Children and/or Adults where relevant):

- Elected Member with portfolio for Children and Education
- Elected Member with portfolio for Social Care & Health (including Adoption and Fostering)
- Elected Member as Chair of Regulatory Committee – Licensing

36. **School Governors**

DBS checks will be undertaken for School Governors with responsibility for safeguarding or who meet the threshold in relation to unsupervised and regular access to children. This will be the responsibility of the School.

When a criminal record is declared or revealed on a Disclosure

37. Disclosures containing previous convictions and/or cautions are not necessarily a bar to obtaining a position. However, failure to disclose such convictions where it is required may be seen as an attempt to obtain employment by deception and, as such, would usually result in withdrawal of the offer of an employment.
38. Where the convictions and/or cautions have been declared at the application stage, then this should not be taken into account during the shortlisting process. Candidates who are shortlisted for interview should be provided with the opportunity to discuss their disclosure with the Recruiting Manager/Headteacher.
39. If, after an offer of employment is made, a DBS check reveals any undeclared information then the Recruiting Manager should review the information, seek advice from their Recruitment or HR Advisor and discuss with the applicant where appropriate before making a decision regarding suitability and whether the appointment should proceed.
40. When reviewing any information provided directly by the applicant or via the DBS disclosure, service managers should keep an open mind, focus on the ability to do the job and consider the following:
- Is the disclosure relevant to the job/position?
 - How serious is it?
 - How recent is the conviction? Is it spent?

- Have the applicant's circumstances changed since the convictions?
- What explanation has the applicant provided?

It may be useful to review this information in conjunction with other checks such as references.

41. Where the disclosure relates to a School Governor or Head Teacher, the school is advised to seek advice from the Director of Education and Children.
42. A record of the decision should be kept and communicated in writing to the HR Recruitment team and the applicant.
43. The same questions should be asked of an existing employee who declares a criminal conviction or where a new DBS check reveals criminal convictions. A record of the decision should be communicated in writing to the Recruitment team.

DRAFT

EXECUTIVE BOARD

19.11.18

EMPLOYMENT REFERENCES - GUIDANCE

Purpose: Guidance for requesting and providing references

Recommendations / key decisions required:

For information

Updated Guidance to reflect changes in practice and recent changes to Data Protection legislation.

Relevant scrutiny committee to be consulted

NO

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr Mair Stephens

Directorate: Chief Executives

Name of Head of Service:

Paul Thomas

Jake Morgan

Report Author: Alison Wood

Designations:

Assistant Chief Executive

Director of Communities

People Services Manager

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EXECUTIVE SUMMARY

EXECUTIVE BOARD

19.11.18

EMPLOYMENT REFERENCES - GUIDANCE

Background

The Council's recruitment process is designed around safe recruitment practice. This is considered a priority and this guidance and associated processes are put in place to ensure that any risk associated with recruiting people is minimised. References are one part of the pre-employment checking process, sitting alongside interviews, "right to work checks" and DBS checks where relevant.

This revised Guidance is aimed at managers involved in the recruitment process and provides a guide to receiving and providing references. ACAS have recently published updated guidance on this subject and this has also been reflected in this Guide.

The main changes are:

Relaxing the requirement for 2 references to be sought for all internal applicants (non "safeguarding" jobs). Taking account of feedback from managers via the "what wastes your time" process, we are recommending that one reference only is requested from the current line manager for internal applicants (current employees). In addition, if the Recruiting Manager is also the current line manager then no references are required.

Strengthening the Guidance around data protection and reflecting recent GDPR changes providing for express consent to be provided by applicants before referees are approached.

Clarifying the Council's position in relation to releasing references if requested under "subject access" provisions of data protection regulations. (paragraphs 25 – 27).

It is intended that this Guidance is updated as required and will be available to access via the HR pages on the intranet.

DETAILED REPORT ATTACHED?

Yes

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Paul R Thomas

Assistant Chief Executive

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	None	None	YES	YES	NONE

1. Policy, Crime & Disorder and Equalities

Change to existing Guidance.

2. Legal

The Guidance reflects current legal/statutory requirements and ACAS advice.

5. Risk Management Issues

There are risks associated with providing references. This Guidance helps managers understand their responsibilities and aims to mitigate those risks.

7. Staffing Implications

The Guidance will be part of a suite of HR employment Guidance. Changes to recruitment processes are already underway.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Paul R Thomas

Assistant Chief Executive

1. Scrutiny Committee None

2. Local Member(s) Not applicable

3. Community / Town Council Not applicable

4. Relevant Partners Not applicable

5. Staff Side Representatives and other Organisations No applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

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People Management – Policies and Guidance

Employment References – Guidance

October 2018



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www.sirgar.llyw.cymru

YOUR COUNCIL doitonline
www.carmarthenshire.gov.wales

CONTENTS

	Page
Introduction	3
Why take up references?	3
When do we take up references and from whom?	3
What information do we request from referees?	4
What to do once references are received	4
Jobs which involve work in “regulated activity” or with vulnerable groups	4
Telephone References	5
What to do if the reference is unsatisfactory, incomplete or raises concerns	6
References and GDPR	6
What to do if you receive a request to provide a reference	7
Potential consequences of breaching the duty of care	8
Helpful hints for constructing the wording of a reference	8
Providing a telephone reference	9
Requesting a Reference Template	10
Providing a Reference Standard Template	13

INTRODUCTION

1. This Guidance is aimed at managers who are responsible for recruitment and those who may be asked to provide a reference for a current or ex-employee.

TAKING UP REFERENCES DURING THE RECRUITMENT PROCESS

Why take up references?

2. References play an important part in the recruitment and selection process as they provide confirmation of a candidate's employment history, qualifications and experience. References are just one part of the selection process and should be used to check facts, employment history, qualifications, etc. Only factual information/data should be relied on, not subjective opinion with regard to competence or performance.

When do we take up references and from whom?

3. With the exception of staff employed in schools, references should be taken up following interviews and the selection of a preferred candidate. Employers must have the consent of the applicant to approach a referee and no job reference should be sought without the prospective employee's express permission as this would breach the individual's rights under the GDPR (Data Protection regulations). Managers should never seek to make "secret enquires" about a prospective employee, whether on the telephone or in writing, however useful they think such enquiries might be.
4. **Two** references are required for **external** applicants. These must be provided by the applicant's current employer (if in employment) and their previous employer. If the applicant is not in employment, then the most recent employer should be used. It is important that the named referee is their **direct line manager** and not a work colleague or friend at their place of work. Recruiting managers are responsible for checking that the correct referees have been provided and that any gaps in employment are explored. This can be done at interview. Failure to do this could result in delays to the appointment process.
5. Where an applicant has not been in employment immediately prior to applying for a job with the Council, then you may wish to contact the most recent employer as well as the referees provided on the application form.
6. If the candidate is **self-employed** they may provide the name of someone who has known them in a professional capacity, such as an accountant or solicitor.
7. If the applicant has not been employed before, then a personal reference may be accepted as well as a reference from the applicant's school or

college. Please ensure that the personal referee is not related to the applicant.

8. References or open testimonials provided by the candidate or references from relatives should not be accepted. (Please contact your HR / Recruitment Advisor for advice).
9. For **existing internal employees** who apply for jobs, only **one** reference from the current line manager is requested (unless the Recruiting Manager specifically requests additional references). Where the Recruiting Manager is also the current line manager then a formal reference does not need to be requested as it is assumed that the manager is satisfied with the performance, etc of their employee. This is with the exception of internal applicants applying for posts working with children, young people and/or adults at risk where statutory requirements prevail or where additional references need to be validated and reviewed to ensure the applicant's suitability to work in this area .
10. Information is available on our jobs pages to assist applicants with their selection of an appropriate referee.

What information do we request from referees?

11. References will be requested using a standard template (Page 10). This template has been designed to ask specific questions relating to the applicant. If, for some reason, you approach referees direct you should always use this template.

What to do once references are received

12. It is the Recruiting Manager's responsibility to carefully check references and to ensure that the information provided is sufficient to enable a decision to be made.
13. If the information provided is not sufficient or raises concerns, you may consider following up with a telephone call or email to the referee. Please seek advice from your HR or Recruitment Advisor. Please see paragraphs 21 to 24.
14. Once you are satisfied with the references and, subject to other pre-employment checks being completed, you will be able to confirm the offer of employment to the applicant and agree a start date.
15. **If a Referee refuses to provide a reference**, it is recommended that you seek consent from the applicant to approach another employer or person who can verify information provided. Please make a note of the refusal and reasons why where possible.

Jobs which involve work in "regulated activity" or with vulnerable group

16. For posts based in schools and those which have access to children, young people and/or adults at risk, the Council reserves the right to approach other employers named in the application.
17. Where an applicant is not currently working with children, young people and/or adults at risk, but has done so in the past, a reference must also be obtained from the last employer with whom the applicant was employed and worked with children, young people and/or adults at risk, as appropriate.
18. Schools are recommended to seek 2 references from all shortlisted applicants prior to interview. Further guidance is available at [Keeping Learners Safe WG Guidance](#)

Telephone References

19. Telephone references should never be used instead of a written reference request. However, there may be times when a referee needs to be contacted by telephone, including:
 - Where the information contained within the written reference is ambiguous or insufficient
 - Where you are recruiting to a post with access to children, young people and/or adults at risk and a telephone reference is required to confirm authenticity and/or clarify any anomalies or discrepancies.
20. The following checklist is useful to follow when contacting a referee by telephone:
 - Plan beforehand and be clear about the information you are seeking
 - Ensure you are speaking to the correct and most appropriate person
 - Ask factual questions only using the reference template supplied with this guidance (page 10)
 - Be aware that a referee may only be prepared to provide basic or limited information
 - Take notes and make an accurate record of the conversation

Where the post is working with children, young people or adults at risk, the following additional questions should be asked:

- What is the referee's opinion of the candidate's suitability for working with children, young people or adults at risk;

- Whether there are any disciplinary warnings, including time-expired warnings, that relate to the safeguarding of children, young people and/or adults at risk;
- Whether the referee considers the applicant as suitable for the post being applied for

21. The notes of the telephone reference form part of the recruitment process and should be sent to the Recruitment Team for their records.

What to do if the reference is unsatisfactory, incomplete or raises concerns

22. Occasionally a reference may be received which appears to contradict information provided by the applicant or infers unsatisfactory performance or conduct in a previous role.

This does not necessarily mean that you should not offer employment to the applicant and it is important that you take time to consider:

- Is the information provided relevant to the job the person has applied for?
- Does the information render the individual unsuitable for the job? Why?
- How recent is the information?
- Is the previous employment similar to the post you have sought references for?

23. You should not automatically assume that the job applicant has provided incorrect or misleading information and you should seek clarification with the applicant before making a decision wherever possible. You should seek HR advice particularly if the reference contains information regarding disciplinary matters, safeguarding concerns or disclosure of convictions.

24. When discussing any discrepancies with the applicant you should be mindful of protecting the confidentiality of the referee. Speak to your HR Advisor or Recruitment Team for advice.

References and the General Data Protection Regulation (GDPR)

25. Occasionally job applicants or employees may ask for references (from the provider or from the person receiving them) relating to them to be released under the "subject access" provisions of data protection regulations.

26. An employer does not have to release this information as it is exempted from these provisions. For this reason, the Council's reference template is marked "Strictly confidential – employment reference". In addition, when providing a reference, the same strapline should be used.

27. Although employers can rely on this exemption to refuse to disclose a reference to the individual, an employer may decide to adopt an approach of openness and provide a copy anyway. It should consider whether or not the disclosure would also reveal the identity of another individual (namely the author of the reference). The employer may decide to disclose the reference if the other individual concerned consents to this or if his or her identity can be concealed. Each case should be considered on its merits. Please seek your HR Advisors advice.

PROVIDING REFERENCES FOR CURRENT OR EX-EMPLOYEES

What you should do if you receive a request to provide a reference

28. Whilst there is no legal obligation to provide references the Council's Policy is to provide references using the agreed reference template (Page 14). **Do not respond using any other template or format.**
29. Only a Line Manager or HR / Recruitment Advisor should respond to a reference request.
30. The reference provider has a **duty of care** to the employee/ex-employee and to the prospective employer and must ensure that the reference is accurate and factual. Personal opinions should not be expressed.
31. Reference requests received from **external** organisations should be referred to your Recruitment/HR Advisor in the first instance. Please ensure that the person or organisation requesting the reference has a legitimate need to seek a reference.
32. **Follow the reference template** and ensure that you provide only the information allowed for and which can be supported by **facts** that are known to the employee/ex-employee. Do not provide any additional information.
33. All reference requests seeking an assessment of suitability to work in regulated activity or with vulnerable adults/children must be forwarded to your Recruitment/HR Advisor.
34. **Never** include information about criminal convictions (spent or unspent) that have been revealed to you via a DBS check or directly from the employee/ex-employee. It is the new employer's responsibility to seek this information directly from the applicant or via the Disclosure and Barring Service if the job requires it.
35. Always address the reference to the named referee to ensure that it is seen only by that person.

Potential Consequences of breaching the duty of care

36. An employee or ex-employee may sue the Council if they believe a reference has been provided negligently resulting in a withdrawal of a job offer or other loss. There are a number of cases where employees have been successful in bringing a claim and have been awarded financial settlements due to the employer's failure to provide a true and accurate reference. This is why it is important to stick to the facts and avoid personal and/or subjective opinion.
37. Discrimination claims can also arise where the employer's action (or lack of it) when providing references can be linked to a protected characteristic¹ as set out in the Equality Act 2010. For example, if the reason for refusing to provide a reference or making negative statements in a reference was that the employee or ex-employee had brought a claim for race discrimination against the employer, this could be construed as an act of victimisation and would amount to unlawful race discrimination.
38. Be alert to providing a reference for an employee or ex-employee who has gender transitioned. Whilst the approach to and content of the reference will be identical, care should be taken with the use of pro-nouns and names. Discuss with the employee or ex-employee first and take advice from your HR Advisor if required.

Helpful hints for constructing the wording of a reference

39. The reference provided should be fact based and avoid any subjectivity. Here are a few examples to demonstrate the difference between a fact based statement and a subjective statement.

		Examples of facts	Examples of opinion/vague/subjective statements
PROVIDING A TELEPHONE REFERENCE		Jim was rated 2 on a scale of 1-5 (where 1 is the lowest and 5 is the highest) in his most recent (<i>state year</i>) performance appraisal	Jim's work was considered unsatisfactory
		Hannah was given a first written warning regarding timekeeping in (<i>state date</i>)	Hannah frequently turned up to work late in the mornings
		Jack was summarily dismissed from the company for fighting with a colleague	Jack's conduct at work left a lot to be desired
	40. Be for e	Kate supervised six members of staff and her appraisals show that she demonstrated excellent people management skills	Kate supervised six members of staff and we think she had very good people management skills
		Jayne met five out of 12 of her monthly deadlines during 2012	Jayne was unreliable

¹ age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

agreeing to provide a telephone reference remember:

- ✓ There is no such thing as an “off the record” or confidential discussion. Treat the conversation the same as if you were providing a written reference.
- ✓ Stick to the information that you would provide in a written reference (use the Template as your checklist).
- ✓ Always call the person requesting the reference. Do not provide information until you are satisfied that this person has a legitimate reason to ask for a reference.
- ✓ Make a note of the name and job title of the person you are speaking to, the organisation they represent, telephone and email address, the date and time of the conversation and the reason they have requested the reference.
- ✓ Make notes of the information you provide.

41. Send a copy of your notes to the Recruitment Team for their records.

Strictly confidential – employment reference
Request for Reference



This person has applied for employment with us and has named you as a referee. We would be grateful if you would complete this form as fully as possible and return it to:

Applicant's Name:	
Applicant's Address:	
Position Applied For:	
In what capacity do you know the applicant?	Professional / Personal*
Please state how long you have known the applicant.	

If you have been or are the applicant's employer please confirm the following:

Are you the applicant's current or most recent line manager?	Yes/No*
Period of employment:	From dd/mm/yyyy until dd/mm/yyyy
Date of continuous Local Government service (if applicable):	dd/mm/yyyy
Job Title:	
Type of contract:	Full-time / Part-time*
Number of days / weeks shared / parental leave taken (if applicable):	
Reason for leaving (if applicable):	
Is there a formal capability / disciplinary sanction / action in place or pending against the applicant (including on-going investigation):	Yes / No*
If yes, please provide further details:	

<p>If the applicant has left your employment, was there a capability / disciplinary sanction / action in place or pending against the applicant, or was there an investigation on-going at the time s/he left your employment:</p>	Yes / No*
<p>If yes, please provide further details:</p>	

IF THE POST APPLIED FOR IS WORKING WITH CHILDREN, YOUNG PEOPLE OR VULNERABLE ADULTS, PLEASE COMPLETE THE FOLLOWING SECTION.

<p>Whilst in your employment, was the applicant the subject of any issues involving the safety and welfare of children, young people or adults at risk, including any in which a disciplinary sanction has expired and the outcome of them?</p>	Yes /No
<p>If yes, please provide further details:</p>	
<p>Are you aware of any allegations or concerns that have been raised about the applicant that relate to the safety and welfare of children, young people or adults at risk or behaviour towards them?</p>	
<p>Yes / No*</p>	
<p>If yes, please provide further information, including whether the matter(s) were investigated, the conclusion reached and how the matter was resolved.</p>	
<p>Do you know of any reason why the applicant is unsuitable to work with children, young people or adults at risk?</p>	Yes /No *
<p>If yes, please provide further details</p>	

If you are providing the reference in a professional capacity, Using the Job Profile and Person Specification as a guide, please provide factual information regarding the applicant's suitability for the role.

If you are providing the reference in a personal capacity, please use the space below to detail the skills, knowledge and experience you have observed in the applicant which may be relevant to the position applied for.

Continue on a separate sheet if necessary.

Signature: _____

PRINT NAME: _____

Job Title: _____

Date: _____

Company Stamp:

Thank you for taking the time to complete this form. Please return it to:

PROVIDING A REFERENCE

This template should be used at all times when a request for a reference has been received. Do not provide a reference in any other format.

Strictly confidential – employment reference

<Date>

<Name and address>

Dear Sir or Madam

<NAME OF APPLICANT>

Thank you for your recent request for a reference for the above person. Carmarthenshire County Council's Policy is to provide the following factual information only for current or former employees:

Employed from:

Employed to:

Job-title(s): (Please list all if more than one post held and dates)

Key Duties in most

Recent post: Please refer to job-profile attached

Salary:

Reason for leaving (where relevant):

Disciplinary/Capability/Safeguarding:

(*Please check with your HR or Recruitment Advisor before completing)

*I can confirm that no formal disciplinary/capability action/sanction is recorded on file.

*I can confirm that the following formal disciplinary/capability action/sanction * is recorded on file/pending*:

*I can confirm that a formal safeguarding record is recorded on file/pending

Absence:

The Council does not provide details of an employee's absence record unless confirmation is received from you that the information request is following an offer of employment to the prospective candidate and with their express consent.

Yours sincerely

<Name>

<Job Title>

Enc: Job profile

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EXECUTIVE BOARD 19TH NOVEMBER, 2018

REVIEW OF GAMBLING POLICY

Recommendations / key decisions required:

A summary of the consultation responses is attached.

It is recommended that :-

- The amended Gambling Policy be approved.

Reasons:

- The attached revised Gambling Policy document reflects the results of the consultation and review process and complies with relevant legislation and guidance

Relevant scrutiny committee to be consulted : YES - Environmental & Public Protection
1st October 2018

EXECUTIVE BOARD / COUNCIL / COMMITTEE:

Scrutiny Committee recommendations / comments:

- UNANIMOUSLY RESOLVED TO RECOMMEND TO EXECUTIVE BOARD that the amended Gambling Policy be approved.

Exec Board Decision Required YES – 19th November, 2018

Council Decision Required YES - 12th December, 2018

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-

Cllr. P M Hughes (Public Protection Portfolio Holder)

Directorate Department for
Communities

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EXECUTIVE SUMMARY EXECUTIVE BOARD 19TH NOVEMBER, 2018

REVIEW OF GAMBLING POLICY

Context

The current Gambling Policy was adopted by the authority in February 2016 and came into effect on the 11th of March 2016. The legislation requires it to be reviewed at least every three years to ensure that it reflects feedback from the local community that the statutory objectives are being met.

Consultation

As part of the review, the authority is required to undertake a consultation exercise aimed at the chief officer of Police, representatives of gambling businesses and persons representing the interests of residents and businesses in the area, in order for their views to be formally considered by the authority.

The consultation began on the 3rd of April and finished on the 1st of June 2018.

Over one thousand individuals and organisations, including licence holders and their representatives, town and community councils, members of parliament, assembly members, county councillors, council departments and responsible authorities received consultation documents. The responsible authorities include, The Licensing Authority, Dyfed Powys Police, Police and Crime Commissioner, Mid and West Wales Fire and Rescue Service, Gambling Commission, Environmental Health (Pollution Section), Planning Authority, HMRC, Children Services, Neighbouring Licensing Authorities.

The survey was again undertaken using the consultation facility on the Council's web site. This enabled the majority of consultees to be contacted via e-mail, thus reducing the cost whilst increasing the accessibility of the consultation.

The key issues raised as a result of the consultation exercise and review were:-

- No clear evidence that specific areas of the county are suffering with gambling related problems.
- There is evidence of a link between alcohol and gambling behaviours and awareness training should be provided to staff in licensed premises.

The authority's licensing section in conjunction with the council's legal department have reviewed the policy document in light of revisions to Gambling Commission guidance and best practice. The authority has liaised closely with the Gambling Commission to ensure that the revised document embraces the changes being introduced by the Commission. This included hosting meetings with representatives of the Gambling Commission as well as the licensing sections of, Pembrokeshire, Powys and Ceredigion licensing authorities, with the aim of ensuring as far as possible a consistent approach to the revised Gambling Policy.

The key changes to Gambling Policy document include :-

1. New section inserted regarding safeguarding advice for licence holders.(Page 13)
2. Notification of premises licence applications to the Health Board.(Page 13)
3. Information on how to access training courses for staff on drug and alcohol issues. (Page 13)
4. Signposting Gambling premises operators to the report of the Chief Medical Officer for Wales – Annual Report 2016/17 Gambling with our Health (Page 13)
5. Advising premises licence holders to keep premises risk assessments at the premises alongside the premises licence.(Page 23)
6. Require applicants for unlicensed Family Entertainment Centres to provide basic criminal conviction disclosures from the Disclosure and Barring Service (Page 24)
7. Require applicants for Licensed Premises Gaming Machine Permits to provide plans of the premises as well as additional information regarding the supervision of the proposed machines, the nature of the premises and access for under 18s. (Page 26)

A revised gambling policy document, incorporating amendments to reflect the relevant consultation responses is attached.

DETAILED REPORT ATTACHED ?

YES –

- Gambling Policy Consultation Report
- Gambling Policy – Gambling Act 2005

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Jonathan Morgan

Acting Head of Homes and Safer Communities

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	NONE	NONE	NONE

1. Policy, Crime & Disorder and Equalities

The proposed amendments to the Gambling Policy promote the prevention of crime and disorder. The Policy complies with the Authority's duty under section 17 of the Crime and Disorder Act. An Equalities impact assessment has been undertaken and no negative impacts have been identified.

2. Legal

Legal services are satisfied that the proposed amendments comply with the Gambling Act 2005 and the statutory guidance issued by the Gambling Commission.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Jonathan Morgan

Acting Head of Homes and Safer Communities

1. Scrutiny Committee Environmental & Public Protection Scrutiny Committee was consulted on the 1st of October 2018.

2. Local Member(s) Local Members were consulted through correspondence.

3. Community / Town Council Town and Community Councils were consulted through correspondence.

4. Relevant Partners Relevant partners were consulted through correspondence and consultation meetings.

5. Staff Side Representatives and other Organisations N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Consultation Responses	Review of Gambling Policy 2018	3, Spilman Street, Carmarthen
Gambling Commission Guidance	Review of Gambling Policy 2018	3, Spilman Street, Carmarthen

CARMARTHENSHIRE COUNTY COUNCIL



Gambling Policy CONSULTATION REPORT

Contents

Page	
1	Introduction and context
1	Outline of approach and consultation methods
4	Key quantitative findings from the survey
9	Analysis of general comments from the survey (matrix table)
14	Summary – key changes to the gambling policy
<hr/>	
15	<i>Appendix A – Gambling Policy survey</i>
19	<i>Appendix B – Map of Carmarthenshire's postcode districts</i>

CARMARTHENSHIRE COUNTY COUNCIL

Gambling Policy CONSULTATION

INTRODUCTION & CONTEXT

On a periodic basis – at least once every three years – the local authority is legally required to review its Gambling Policy under the Gambling Act 2005 to ensure fitness for purpose. Consultation is an intrinsic part of this process: the policy must be responsive to local needs, it should take under advisement comments from myriad stakeholders and seek evidence that will help evaluate progress against its statutory objectives.

To this end, a ten week consultation (3rd April to 1st June 2018) was held to garner views from a wide range of organisations and individuals with an interest in licensing matters. The consultation was the first opportunity that local residents, businesses, existing licence holders and their representatives have had to formally comment on the Policy since 2015.

This report, incorporating the results of the public consultation and the authority's response in summary form, will go to both the Licensing Committee and Environmental & Public Protection Scrutiny Committee in October and then to the Executive Board in November before going to full Council in December.

This report:

- 1) Outlines the approach and consultation methods deployed;
 - 2) Summarises results and key findings;
 - 3) Considers free-text responses from residents, licence holders, organisations and town and community councils in a summary matrix table;
 - 4) Provides a short summary
-

1) OUTLINE OF APPROACH AND CONSULTATION METHODS

A mixed-methods approach to ascertaining views on Carmarthenshire's Gambling Policy was employed to gather quantitative and qualitative data for analytical and evaluative purposes. Specifically, the consultation focused on identifying locations where gambling and gambling-related problems were perceived to be a serious issue.

In accordance with the Gambling Act 2005, a number of statutory consultees were engaged throughout the consultation. This included:

- the fire authority
- the police service
- the Gambling Commission
- Planning
- Environmental Health
- Child Protection
- HMRC

The gambling consultation was jointly publicised with the licensing policy. Awareness was raised through use of the following consultation channels:

Publicity

The consultation was publicised through the Council's press office, through means including: press releases; information on the Council's website; online consultation portal and through social media feeds.

Carmarthenshire Citizens' Panel & 50+ Forum

Carmarthenshire's Citizens' Panel (a representative group comprising c. 557 members) – and 50+ Forum (2700 members aged 50 plus) are a useful barometer of public opinion and are regularly consulted on Council services. Information was disseminated electronically to members on email: c. 281 Citizens' Panel and c. 759 50+ members.

Survey

Surveys are a cost-effective method for finding out stakeholders' views and can be administered in a variety of different ways. An electronic and paper survey was thus selected as the principal method for gathering data. The survey contained a number of fixed-response (closed) and free-response (open) questions. Furthermore, the survey encouraged respondents to upload/attach evidence to support their submission.

The on-line survey was made available through Carmarthenshire County Council's website (Seen in appendix A). In addition to listed statutory consultees, links to the survey were circulated to members of the Citizens Panel, 50+ Forum, county councillors and town and community councils, gambling licence holders, licensing solicitors, MPs, AMs and the Police and Crime Commissioner. Taken as a whole, consultation invites were sent to over 1000 individuals and organisations.

The consultation exercise resulted in **23 submissions**, covering a wide section of the community. The table presented below provides a breakdown of the composition of respondents. Some have responded on a number of capacities, therefore the table presented below contains 28 responses.

Are you responding as a... (Multiple choice question)	
Gambling premises licence holder	2 (9%)
Gambling permit holder	2 (9%)
Premises licence holder	3 (13%)
Personal licence holder	-
Club premises certificate holder	7 (30%)
Member of the Public	6 (26%)
Local business	1 (4%)
Body representing licence holders / clubs	1 (4%)
Body/ Person representing members of the Public (e.g. County councillors; Town & Community Council)	4 (17%)
Other Organisation or Group	2 (9%)

The table below presents the areas respondents resided in. Respondents were asked to enter the first two digits of their postcode following SA. The following table presents the postcodes entered. No other postcode attracted a response.

Postcode*	Number of responses
SA14	3 (23%)
SA15	2 (15%)
SA16	1 (8%)
SA17	1 (8%)
SA18	4 (30%)
SA20	1 (8%)
SA34	1 (8%)

*Note Postcode areas seen in Appendix B.

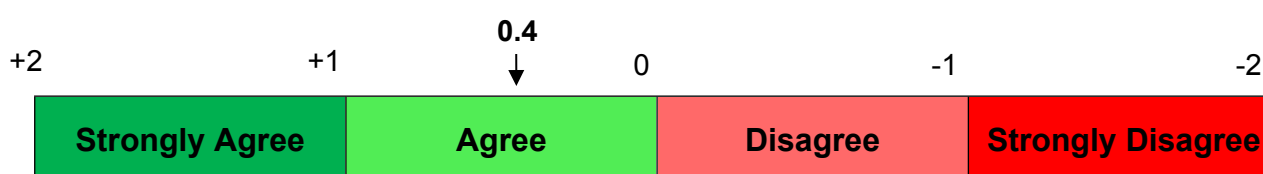
Other

Carmarthenshire's Licensing Section has convened a number of meetings with representatives of Ceredigion, Pembrokeshire and Powys Council licensing sections as well as the Gambling Commission to discuss revisions to Gambling Policies and to adopt a consistent approach where possible.

2) KEY QUANTITATIVE FINDINGS FROM THE SURVEY

The section will be structured by considering each quantitative survey question in turn. Mention will be made of the views of different categories of respondent (i.e. Postcode area and nature of respondent), to enable comparisons to be made. In section 3, comments from the consultation will be considered separately in a matrix table, whether these have arisen through survey submission, or letter or email submissions.

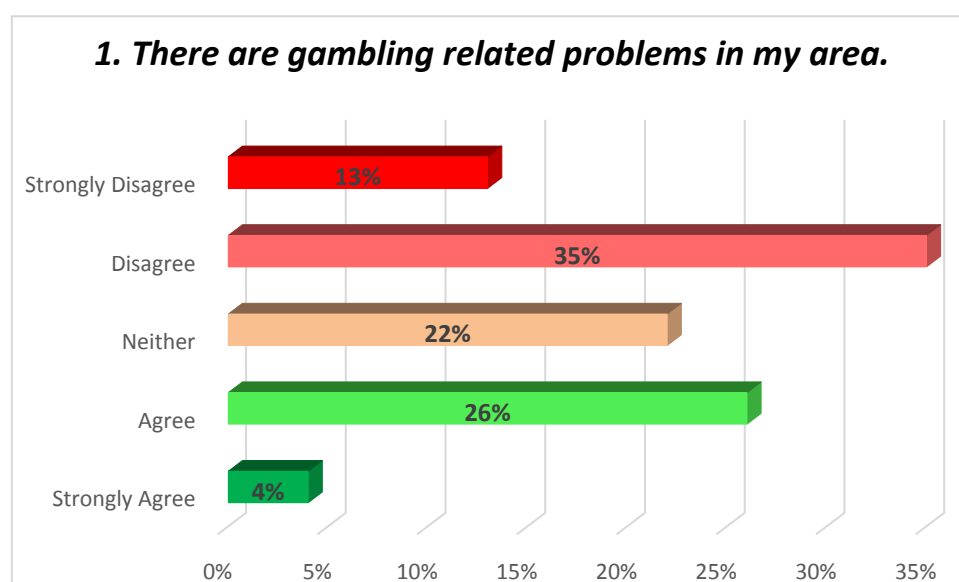
<p>About the <i>Average Index Score (AIS)</i></p> <p>Sometimes known as a 'weighted average', the AIS is a way of distilling the 'balance and strength of opinion' down into one number. Useful for questions with options to 'strongly agree', 'disagree', etc., the technique is used throughout the report.</p> <p>Example</p> <p>10 people are asked whether they 'strongly agree', 'agree', 'have no opinion', 'disagree' or 'strongly disagree' that Wales will win the six nations.</p> <p>Results...</p> <p>3 strongly agree (each response worth 2, so=6)</p> <p>3 agree (each response worth 1, so=3)</p> <p>1 no opinion (each response worth 0, so=0)</p> <p>1 disagree (each response worth -1, so= -1)</p> <p>2 strongly disagree (each response worth -2, so=-4)</p> <p>The AIS is calculated by adding all the numbers in bold: So, $6+3+0-1-4=4$; Then dividing by the number of responses (10 in this case). The average index score is: $4 \div 10 = \underline{\underline{0.4}}$</p>



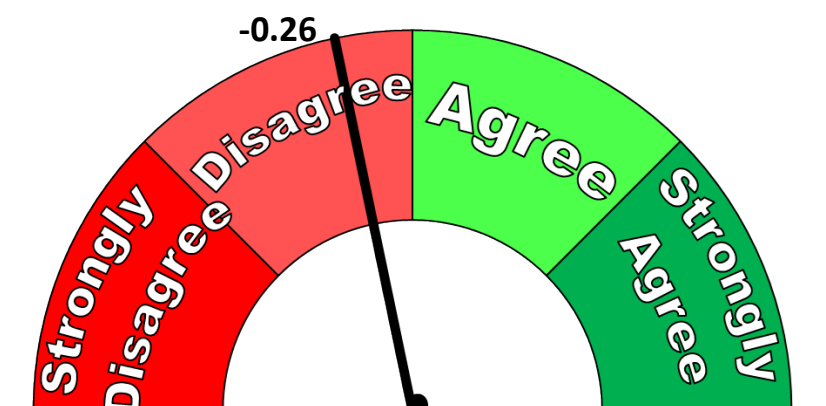
Respondents were asked to indicate the extent to which they agreed or disagreed with a series of statements about gambling – designed to produce information on the gambling-related problems across Carmarthenshire. A likert scale was used, with 'strongly agree' and 'strongly disagree' as response anchors.

1. There are gambling related problems in my area.

Firstly, 48% of respondents disagreed (35% disagree; 13% strongly disagree) that there were **gambling-related problems in their area**. 22% of respondents reported that they 'Neither' disagreed nor agreed with this statement. This may suggest that respondents do not feel they have sufficient knowledge/information or local intelligence to make an informed judgment, thus preferring to remain neutral. It was seen that over a quarter (30%) of respondents agreed with the statement with 4% of these participants strongly agreeing. Of those who agreed gambling-related problems were an issue in their area, the following postcodes were cited: SA14 (x1 respondents); SA18 (x1) and SA34 (x1).

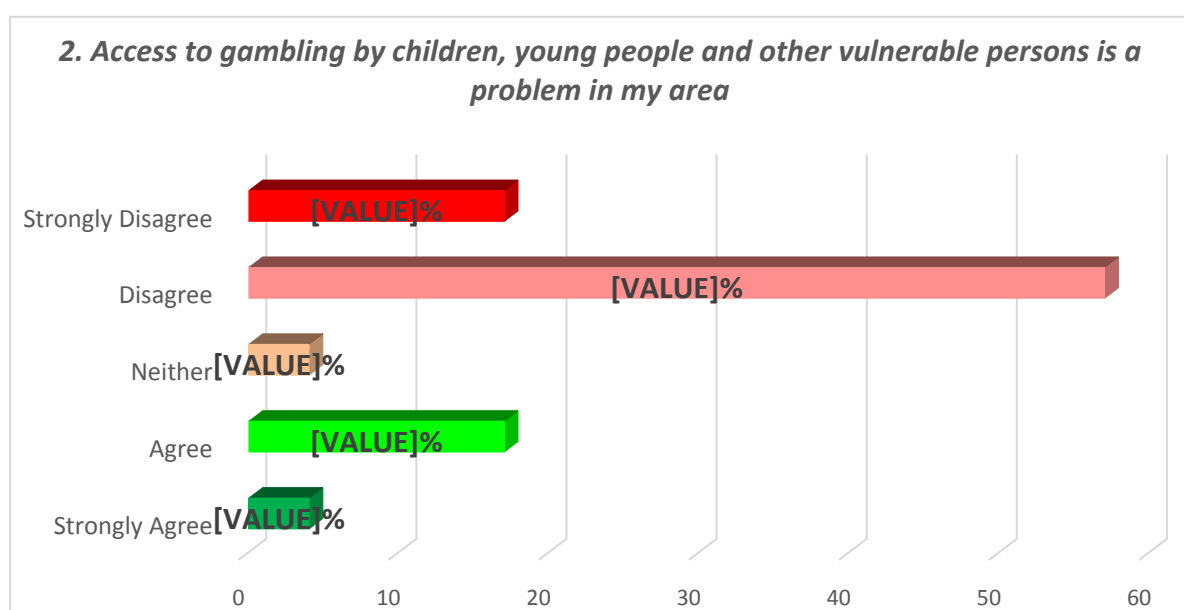


That the majority do not consider gambling-related problems to be an issue in their area is borne out by a negative Average Index Score (AIS) of **-0.26** (plotted below).

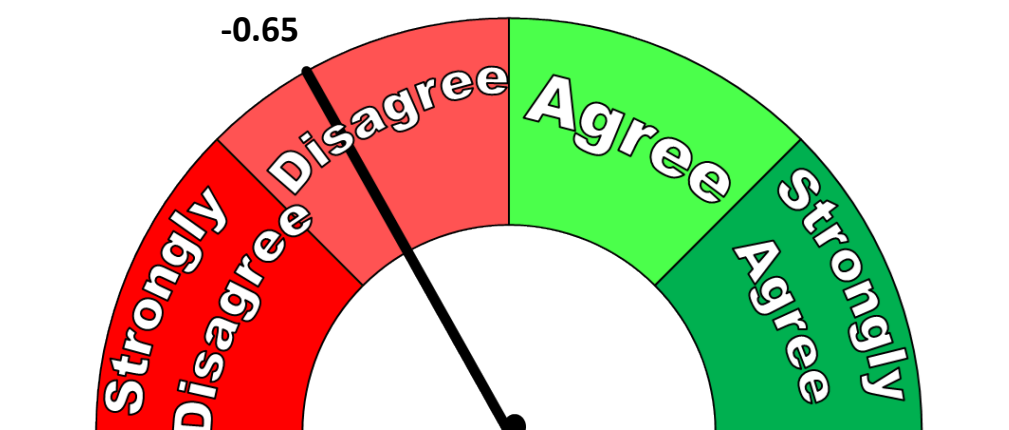


2. Access to gambling by children, young people and other vulnerable persons is a problem in my area

Next, 74% of respondents disagreed (57%) or strongly disagreed (17%) that **access to gambling by children and young people was a problem in their area**. Contrastingly, 17% agreed with this statement and 4% strongly agreed. The results can be seen in the table below. When examining the breakdown, it is clear that most individuals, organisations and businesses noted that access to gambling by children, young people and vulnerable persons is not a problem in their area. Furthermore, when examining postcode areas, only one agreement was seen which derived from SA14 postcode.

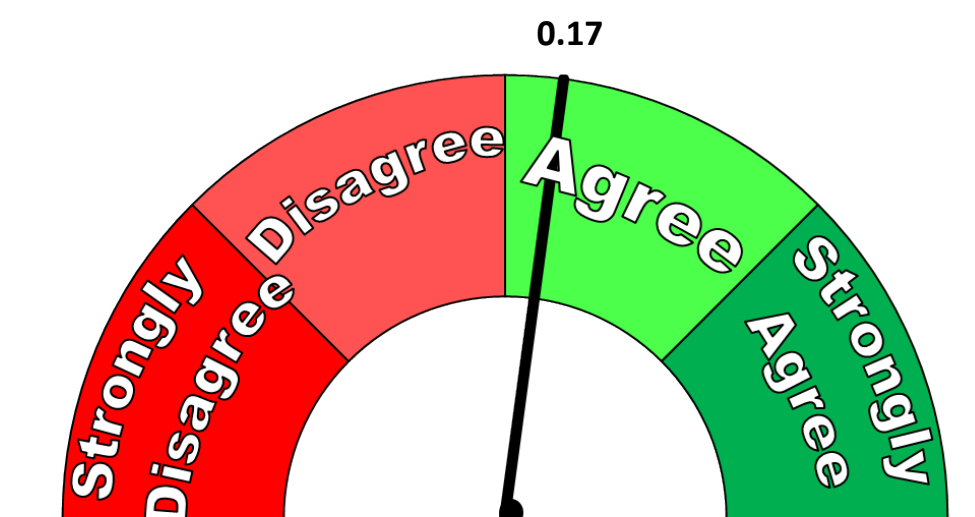
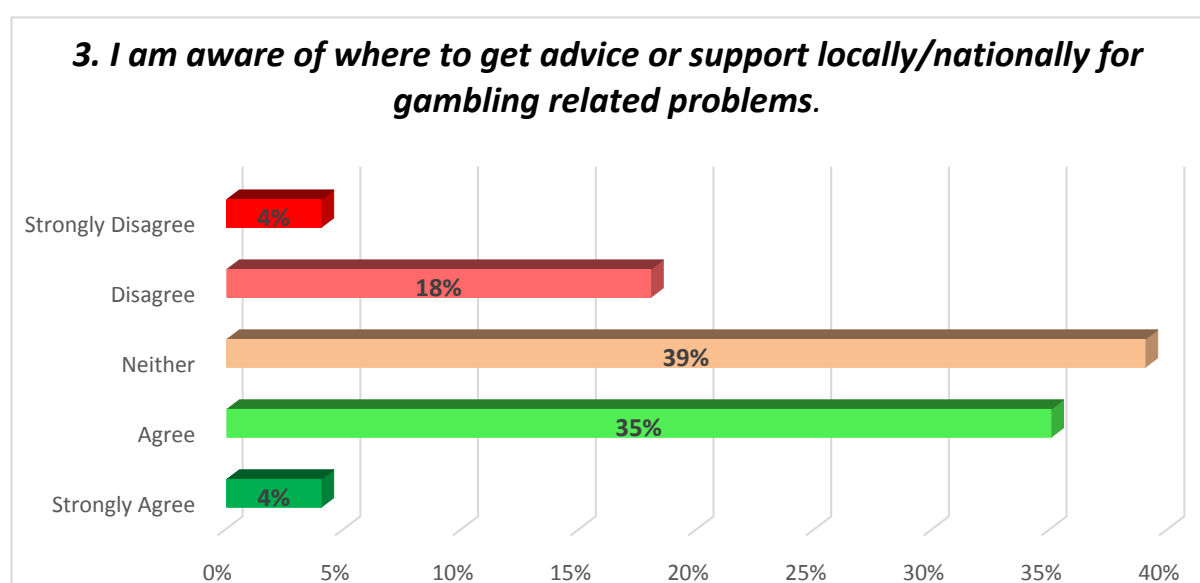


An Average Index Score of -0.65 confirms this result, with a score in the 0 – -1 range indicating disagreement.



3. I am aware of where to get advice or support locally/nationally for gambling related problems.

It was seen that 39% (N=9) respondents neither agreed nor disagreed that they were **aware of where to get advice or support locally / nationally for gambling related problems**. Again, this suggests most respondents are neutral/undecided on the matter or have insufficient knowledge or experience to form strong feelings. The same amount of respondents (39%) (Strongly agreed 4%; agreed 35%) with this statement. A significantly lower amount of participants disagreed (18% strongly disagree; 4% disagree).

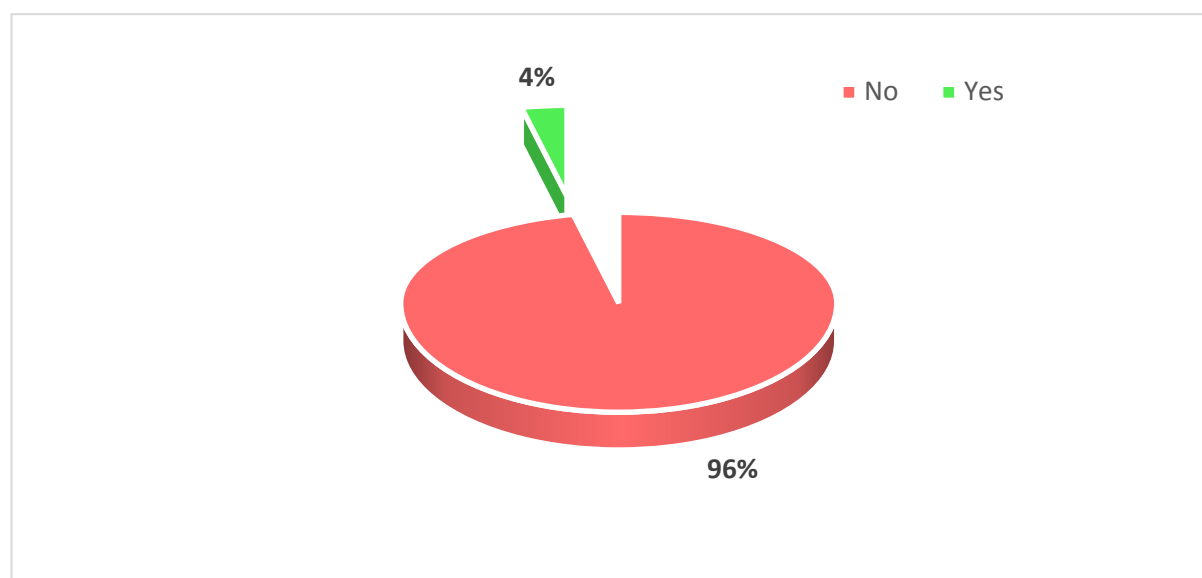


An Average Index Score of 0.17 suggests, overall, respondents slightly agreed with the statement. Values closer to a '0' value are indicative of a fairly neutral response.

4. Are you aware of any problems that have occurred as a result of gambling premises being located in close proximity to sensitive buildings e.g. schools,

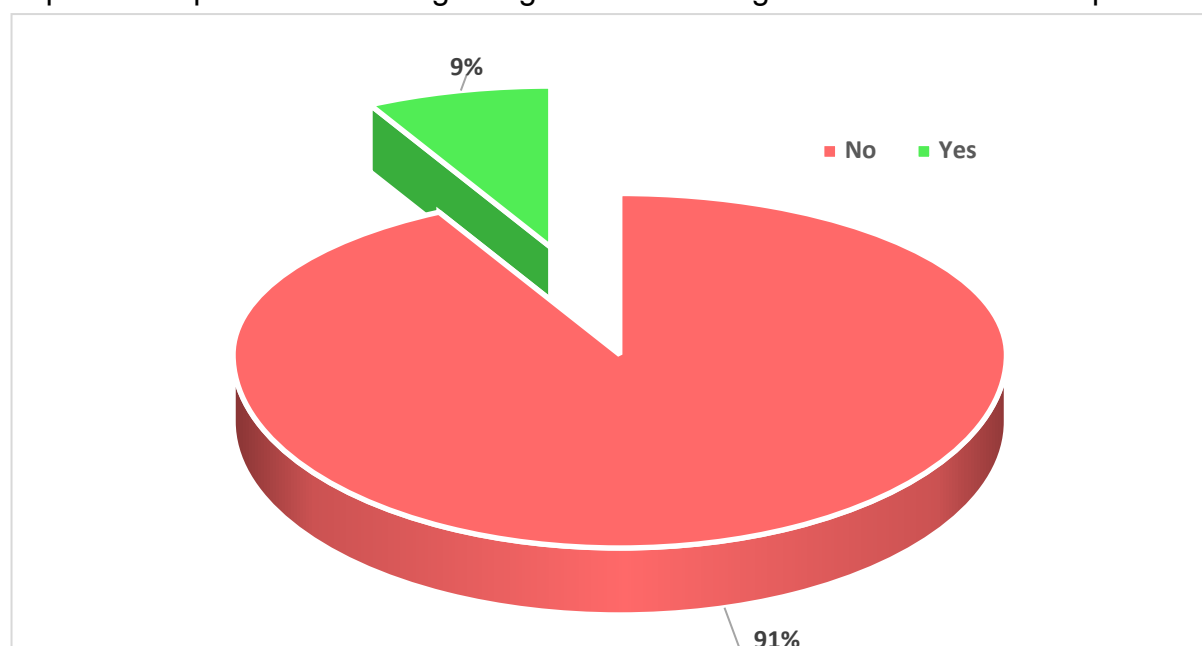
sixth form colleges, children's play areas, treatment centres for drug, alcohol and other addictions?

The pie chart below shows that the majority of respondents (n=22; 96%) are unaware of any problems which have occurred as a result of gambling premises being located in close proximity to sensitive buildings. Only one person responded that they were aware of problems which have occurred.



5. Are you aware of any premises where problems have occurred as a result of gaming machines being made available to the public?

Similar to the preceding question, 91% (N=20) were unaware of any premises in their area where problems have occurred as a result of gaming machines being made available to the public. In contrast only 9% (N=2) noted that they have experienced problems due to gaming machines being made available to the public.



3) ANALYSIS OF COMMENTS – SUMMARY MATRIX TABLE

The report now considers comments expressed in the survey's free-text questions. Note is made of the respondents' ID number (to provide a traceable record), comment(s) received, the Council's response and, where appropriate, changes to the gambling policy as a result of the consultation. Respondents that have not submitted a reply are omitted from the table.

RESPONDENT	COMMENTS	APPRAISAL	RESPONSE	CHANGES
Respondent 1	Question 1,2 and 6 With Llanelli being that a deprived area Gambling can be a problem with it been seen as a way out of poverty etc	Noted	To be taken into account when reviewing the policy	No Change necessary, already covered on page 12 of the Policy document under the heading of vulnerable persons.
Respondent 2	Question 1 A load of residents mainly male using wages/benefits in bookmakers . Machines and then cards games in pub/club (Llwynhendy) Question 2 Machines in club/pub and bookmakers	Noted Noted	To be taken into account when reviewing the policy To be taken into account when reviewing the policy	No Change necessary, already covered on page 12 of the Policy document under the heading of vulnerable persons. No change necessary as above.

	<p>Question 5</p> <p>Children in club and machine was punched by a man who lost all his monies</p> <p>Question 6</p> <p>Lower the amount. There are too many gambling premises and online gambling is worse as in my opinion people do not actually use the cash but cards and seems they are not in the reality of losing cash. Also continued emails texts and letters to people offering “free spins” 100% match bonuses etc.</p>	<p>Noted</p> <p>Noted</p>	<p>To be taken into account when reviewing the policy</p> <p>No change required to policy</p>	<p>Covered on page 12 of the policy document under the heading Children.</p> <p>No power to control the number of premises and online gambling controlled by the Gambling Commission.</p>
Respondent 6	<p>Question 1</p> <p>Ready availability of gambling outlets in the town (Carmarthen)</p>	Noted	No change required to policy	Cannot limit number of premises.
Respondent 7	<p>Question 6</p> <p>Most of the gambling within Llangennech RFC is by smart phone directly to gambling firms</p>	Noted	No change required to policy	No Change

Respondent 14	Question 6 The policy should discourage the use of fixed odds betting terminals	Noted.	No change required to policy	No change as it is a statutory entitlement.
Respondent 19	Question 6 It would be useful if a local pathway / protocol was put in place to obtain Health Board views on gambling premise applications, particularly in ensuring that the council meets its licensing objective “protecting children and other vulnerable persons from being harmed or exploited by gambling”. This would be particularly important for instance, in considering location of premises near services for vulnerable people, particularly children and young people and drug or alcohol services.	Noted.	The Policy will be amended to include a process for notifying the Health Board of Applications.	Paragraph 9.20(3)e inserted to outline the notification process.

	<p>It would be useful for the policy to state it will also consider related best practice guidance when assessing the impact of granting a licence. Such best practice frameworks include the following:</p> <ul style="list-style-type: none"> • Welsh Government Framework on Tackling the Night Time Economy • Alcohol Concern Cymru (2015) "The Relationship between Alcohol and Gambling Behaviours" <p>If training is given to staff of licensed premises on crime prevention, it is suggested that consideration should be given on including training on drug and alcohol related issues, particularly training on local policies for dealing with discarded needles and the risks of blood borne virus in order to protect staff.</p> <p>Training could also include awareness of the types of new and emerging drugs referred to as "New Psychoactive Substances"</p>	Noted	To amend the policy to confirm that decision makers will refer to relevant guidance.	Paragraph 9.20(3)f inserted to reflect this change.
		Noted	Amend Policy to reflect this advice.	Paragraph 9.20(3)g inserted to reflect this change

	<p>(Previously “Legal Highs”) in order to better equip staff to handle use on premises.</p> <p>Local services can provide short, bespoke courses free to licensed premises. It is suggested that given the evidenced links between gambling and problematic alcohol and / or drug use,</p> <p>Consideration should be given to suggesting gambling premises granted licenses should promote local help services for addressing gambling and drug and alcohol issues. Such promotional materials could be provided free of charge.</p>	Noted	Amend Policy to reflect this advice	Paragraph 9.20(3)g inserted to reflect this change
Respondent 20	<p>Question 3 Able to obtain advice from Working Men's Club & Institute</p>	Noted	No change required to policy	No Change
Respondent 23	<p>Question 6 Take into account location of gambling machines so that they do not tempt or harm young people.</p>	Noted	The policy already contains references to the Code of practice in relation to Gaming machines.	No Change

4) SUMMARY – KEY CHANGES TO THE GAMBLING POLICY

1. New section inserted regarding safeguarding advice for licence holders. (Page 13)
2. Notification of premises licence applications to the Health Board. (Page 13)
3. Information on how to access training courses for staff on drug and alcohol issues. (Page 13)
4. Signposting Gambling premises operators to the report of the Chief Medical Officer for Wales – Annual Report 2016/17 Gambling with our Health (Page 13)
5. Advising premises licence holders to keep premises risk assessments at the premises alongside the premises licence.(Page 23)
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Gambling Act 2005 - Review of Gambling Policy Consultation Document 2018

Part 1 - About You

Are you responding as a...

- Gambling premises license holder
- Gambling permit holder
- Premises license holder
- Personal license holder
- Club premises certificate holder
- Member of the Public
- Local business
- Body representing license holders / clubs
- Body/ Person representing members of the Public (e.g. County councilors; Town & Community Council)
- Other Organisation or Group
- If responding as an organisation/business/body, please write its name here

Following 'SA', please specify the two numbers of your postcode

4	20	39
9	31	40
14	32	44
15	33	48
16	34	66
17	35	67
18	37	out of county
19	38	

Part 2

To what extent would you agree or disagree with the following statements:

1. There are gambling related problems in my area

Strongly agree Agree Neither Disagree Strongly disagree

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

2. Access to gambling by children, young people and other vulnerable persons is a problem in my area

Strongly agree Agree Neither Disagree Strongly disagree

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

3. I am aware of where to get advice or support locally / nationally for gambling related problems.

Strongly agree Agree Neither Disagree Strongly disagree

If you agree, please give details of the services that you are aware of below

Street

Town / Village

Nature of problem

4. Are you aware of any problems that have occurred as a result of gambling premises being located in close proximity to sensitive buildings e.g. schools, sixth form colleges, children's play areas, treatment centres for drug, alcohol and other addictions?

Yes

No

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

5. Are you aware of any premises where problems have occurred as a result of gaming machines being made available to the public?

Yes

No

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of Problem

6. Is there anything else that you want us to take into account when reviewing the Gambling Policy?

If you would like to attach a document to your survey response, please do so:

Part 3 - Your Details

(optional)

Name:

Address:

Tel No:

Fax:

E-mail:

Under certain circumstances, we may wish to contact you to follow-up on your response, either to ask for additional comment or to reply to the points you have raised.

Do you consent to CCC using your details in this way?

Yes - I am happy to be contacted

No - I do not wish to be contacted

How we will use your information

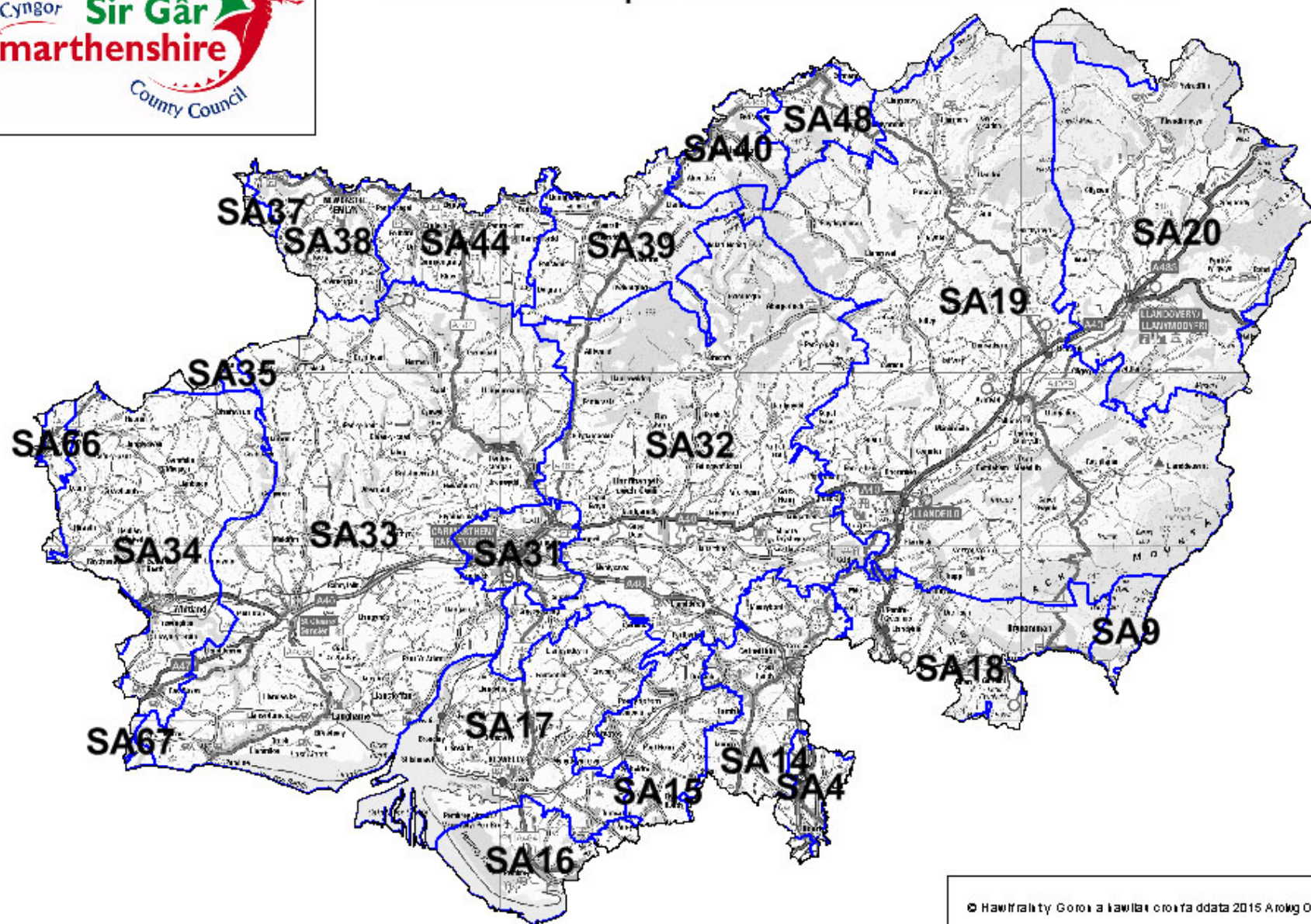
We are collecting personal data about you on this form to comply with requirements in the Gambling Act 2005 on carrying out consultations.

This personal data will only be used for the purpose of this consultation exercise by the Licensing team and will not be shared with any other Council service or external organisation. When we publish a report on this consultation this will not contain your personal details.

To find out more about how we will use your information, including your Data Protection rights, please contact the Licensing Section on 01267 228717.



APPENDIX 2 - Map of Carmarthenshire Postcode Districts



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Gambling Policy

Gambling Act 2005

STATEMENT OF GAMBLING POLICY

Gambling Act 2005

Contents

Section No	Item	Page
Part A	Statement of Gambling Policy	2
1	The licensing objectives	2
2	Introduction	2
3	Declaration	3
4	Responsible Authorities	4
5	Interested parties	5
6	Exchange of information	5
7	Enforcement	6
8	Licensing Authority functions	7
Part B	Premises Licences	7
9	General Principles	7
10	Adult Gaming Centres	16
11	(Licensed) Family Entertainment Centres	16
12	Casinos	17
13	Bingo	17
14	Betting premises	18
15	Tracks	19
16	Travelling Fairs	20
17	Provisional Statements	21
18	Reviews	22
19	Risk Assessments	23
Part C	Permits/Temporary and Occasional Use Notices	24
20	Unlicensed Family Entertainment Centre gaming machine permits	24
21	(Alcohol) Licensed premises gaming machine permits	25
22	Prize Gaming Permits	26
23	Club Gaming and Club Machines Permits	27
24	Temporary Use Notices	28
25	Occasional Use Notices	29
26	Small Society Lotteries	29
Appendix		
Appendix A	Delegation of Functions	30
Appendix B	Contact Details	31
Appendix C	Map of Carmarthenshire	34

PART A

Statement of Gambling Policy

1. The Licensing Objectives

1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;**
- **Ensuring that gambling is conducted in a fair and open way;**
- **Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

1.3 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- **in accordance with any relevant code of practice issued by the Gambling Commission;**
- **in accordance with any relevant guidance issued by the Gambling Commission;**
- **reasonably consistent with the licensing objectives and**
- **in accordance with the authority’s statement of Gambling policy.**

2. Introduction

2.1 Carmarthenshire is the third largest county in Wales in geographic terms, with a population in 2013 of 184 681. As a primarily rural area, Carmarthenshire has a strong agricultural base with a ‘necklace’ of key market towns providing for the needs of communities in those rural areas. South East Carmarthenshire is the most densely populated part of the county, and is characterised by close knit former industrial communities. A plan of the county showing individual wards is attached as Appendix C.

2.2 Currently there are 26 Gambling Premises in the County, consisting of 15 Betting Premises, 4 Bingo Premises, 4 Adult Gaming Centres, 2 Family Entertainment Centre and 1 Track Betting Licence.

2.3 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles, which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed periodically and any amended parts re-consulted upon. The statement must be then re-published. This document is Carmarthenshire County Council’s statement of principles in accordance with the Act.

2.4 This policy has been formulated as a result of a consultation exercise involving (but not limited to):-

- a) The Police
- b) Gambling Commission

- c) Other Responsible Authorities
- d) Licence Holders and their representatives
- e) Permit Holders and their representatives
- f) Local Gambling businesses and their representatives
- g) Local residents and their representatives

Due consideration has been given to all those who have responded.

- 2.5 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- 2.6 It is noted that applicants for premises licences need to obtain operating licences from the gambling commission and have responsibilities to the Commission as a result.

3. Declaration

- 3.1 In producing this policy document, Carmarthenshire County Council declares that it has had regard to the licensing objectives of the Gambling Act 2005 and the guidance issued by the Gambling Commission.

3.2 Glossary of Terms

Within this Statement of Policy, the following words and terms are defined as stated:

Licensing Objectives:	As defined in section 1.1 above
Council:	Carmarthenshire County Council (hereinafter referred to as “the Council”)
County	The area of Carmarthenshire administered by Carmarthenshire County Council referred to in the map attached (see Appendix C)
Licences:	As defined in Part B
Applications:	Applications for licences and permits as defined in Parts B and C
Licensing Authority	A Licensing Authority within the meaning of Section 2 of the Gambling Act 2005 (hereinafter referred to as “the Authority”)
Notifications:	Means notification of Temporary and Occasional Use Notices
Act:	The Gambling Act 2005
Regulations:	Regulations made under the Gambling Act 2005
Premises:	Any place
Code of Practice:	Means any relevant code of practice under section 24 of the Gambling Act 2005
Mandatory Condition:	Means a specified condition provided by regulations to be attached to a licence

Default Condition: Means a specified condition provided by regulations to be attached to a licence, unless excluded by Carmarthenshire County Council

4. Responsible Authorities

The following are responsible authorities in relation to premises licences under the Act :-

1. The Licensing Authority in whose area the premises are wholly or partly situated ("Carmarthenshire County Council");
2. The Gambling Commission;
3. Chief Constable of Heddlu Dyfed-Powys Police;
4. Mid and West Wales Fire and Rescue Service
5. Head of Planning, Carmarthenshire County Council or Brecon Beacons National Park Authority.
6. Public Health Services Manager, Public Protection, Carmarthenshire County Council.
7. Department for Education and Children, Carmarthenshire County Council.
8. HM Revenue and Customs.
9. In relation to a vessel, a navigation authority, Environment Agency, British Waterways Board and Secretary of State
10. Any other person prescribed in regulations by the Secretary of State

4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

4.2 The principles are:

- a) the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- b) the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

4.3 For these reasons, this authority designates the Department for Education and Children , Carmarthenshire County Council for this purpose.

4.4 The contact details of all the Responsible Authorities under the Gambling Act 2005 are contained in Appendix B of this Policy document and are also available via the Council's website at: www.carmarthenshire.gov.uk

5. Interested parties

5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

“For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)”.

5.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Gambling Commission’s Guidance for local authorities at 8.9 and 8.17. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- Interested parties can be persons who are democratically elected such as councillors and MP’s. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, community councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate/relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the **Licensing Section, Department for Communities, 3 Spilman Street, Carmarthen, SA31 1LE.**

5.3 Any community or County Councillors who are approached to represent interested persons should ensure that they comply with the Code of Conduct and seek dispensation from the Standards Committee if appropriate.

6. Exchange of Information

6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission,

and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 of the Act.

- 6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the **General Data Protection Regulation 2016 and Data Protection Act 2018 will not be contravened**. The licensing authority will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 This licensing authority's principles are that it will be guided by the Gambling Commission's Guidance for local authorities, and will endeavour to be:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
 - Consistent: rules and standards must be joined up and implemented fairly;
 - Transparent: regulators should be open, and keep regulations simple and user friendly; and
 - Targeted: regulation should be focused on the problem, and minimise side effects.
- 7.3 As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions, which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission
- 7.5 This licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.
- 7.6 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the Licensing Section, 3 Spilman Street, Carmarthen, Carmarthenshire, SA31 1LE.

8. Licensing Authority functions

8.1 Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences; for Bingo premises, Betting premises, Tracks, Adult Gaming Centres and Family Entertainment Centres.
- Issue Provisional Statements;
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres;
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Register small society lotteries below prescribed thresholds;
- Issue Prize Gaming Permits;
- Receive and Endorse Temporary Use Notices;
- Receive Occasional Use Notices;
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange');
- Maintain registers of the permits and licences that are issued under these functions.

8.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

PART B PREMISES LICENCES – CONSIDERATION OF APPLICATIONS

9. General Principles

9.1 Premises licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

9.2 All applicants for Premises Licences will be required to set out how they will have regard to the licensing objectives, as specified in section 1.1 above, and what measures they intend to employ to ensure compliance with them.

9.3 Decision-making

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission ;
- reasonably consistent with the licensing objectives; and

- in accordance with the authority's statement of licensing policy.

9.4 It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that unmet demand is not a criterion for a licensing authority.

This licensing authority also notes Gambling Commission guidance on ensuring that betting is the primary activity of a licensed premises. Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. Operators will need to demonstrate that betting will continue to be the primary activity of the premises when seeking variations to licenses.

In making this determination, this licensing authority will have regard to the six indicators of betting as a primary gambling activity.

- The offer of established core products (including live event pictures and bet range)
- The provision of information of products and events
- The promotion of gambling opportunities and products
- The actual use made of betting facilities
- The size of premises
- The delivery of betting facilities

9.5 **Definition of "premises"** – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, we will pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

9.6 The Gambling Commission states in S7.6 of the fifth edition of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing authority. S7.7 The Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises. If a premises is located within a wider venue, a licensing authority should request a plan of the venue on which the premises should be identified as a separate unit"

9.7 This licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should

be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.

- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

9.8 The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

9.9 **The Gambling Commission’s relevant access provisions for each premises type are reproduced below:**

7.23:

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.21 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per para 7.20 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind **unless that shop is itself a licensed betting premises.**

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

9.10 Premises "ready for gambling"

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

9.11 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

9.12 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

9.13 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

9.14 More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.58-7.65 of the Guidance.

9.15 **Location** - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. This does not preclude any applications being made and each application will be decided on its merits.

9.16

When determining an application to grant a Premises Licence or review a Premises Licence, regard will be taken regarding the proximity of the premises to schools, youth centres, vulnerable adult centres or residential areas where there is an evidential link between the proximity of such premises and the gambling premises. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be decided on its merits and will depend to a large extent on the type of gambling that it is proposed will be offered on the premises. Therefore, if an Applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.

9.17 **Duplication with other regulatory regimes**

When determining an application, the Authority shall not take into account matters not relevant under the Act such as the likelihood of the applicant obtaining planning permission or building control approval.

An applicant can apply for a “provisional statement” if the building is not complete or if he does not yet have a right to occupy it. Such an application is, however, a separate and distinct process to the granting of planning permission or building control approval.

9.18 This licensing authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a premises is likely to be awarded planning permission or building regulations approval or comply with any existing permission or approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions, which are not able to be met by licensees due to planning restrictions, should such a situation arise.

9.19 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

9.20 **Licensing objectives** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission’s Guidance to local authorities and some comments are made below.

1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime –

- a) This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime.
- b) The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective.
- c) Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.
- d) When preparing licence applications, applicants are advised to consider the following:-

1. The design and layout of the premises;
2. Location in so far as the location relates to the licensing objectives
3. The training given to staff in crime prevention measures appropriate to those premises;
4. Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
5. Where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
6. The likelihood of any violence, public order or policing problem if the licence is granted.
7. In relation to the prevention of disorder, the Authority has the ability (under S169 of the Act) to impose licence conditions.
8. The staffs awareness of the Money Laundering Regulations and the provision of a clear procedure for reporting any suspicious activity to senior management

2. Ensuring that gambling is conducted in a fair and open way –

This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below – page 16).

3. Protecting children and other vulnerable persons from being harmed or exploited by gambling –

- a) This licensing authority has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling. The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas within the same premises, staff training and design and layout of the premises.
- b) This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

c) Children and vulnerable persons

1. Children

The Gambling Act and guidance issued by the commission make detailed provision for the protection of children from gambling harm. Licence holders should familiarise themselves with these provisions.

2. Test Purchasing

The Authority supports the stance of the Gambling Commission in promoting operators to test the integrity of their age verification policies and procedures to prevent children from accessing gambling facilities. Each premises will be expected to inform their Primary Authority (where there are such agreements in place with specific operators) in writing of the approach they have adopted and share the results of such tests with the Authority annually with a view to working with the Authority to enhance robustness of procedures preventing children using gambling facilities.

Those who do not have such primary authority agreements are expected to share the results of such test purchases with this Licensing Authority.

d) Vulnerable Persons

1. As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case by case basis.
2. The Authority expects all gambling premises to make available information regarding the Financial Exploitation Safeguarding Scheme (FESS) .Given the evidence of a link between gambling and financial exploitation. Further information regarding the scheme can be obtained from the Licensing Section.

e) Local Health Board Notification.

The Licensing Authority will notify the Local Health Board of applications for gambling premises licences.

f) Good Practice Guidance

Premises operators, responsible authorities and decision makers are strongly advised to consider best practice guidance when assessing the impact of granting a licence. Particular reference should be made to the following reports:-

- Welsh Government Framework on Tackling the Night Time Economy
- The Relationship Between Alcohol and Gambling behaviours - Alcohol Concern Cymru (2015)
- Gambling with Our Health – Chief Medical Officer for Wales Annual Report 2016/17

g) Training

Premises operators are advised to provide staff training that includes training on drug and alcohol related issues, particularly training on local policies for dealing with discarded needles and the risks of blood borne virus in order to protect staff. Training could also include awareness of the types of new and emerging drugs referred to as “New Psychoactive Substances” (previously “Legal Highs”) in order to better equip staff to handle use on premises.

Local services can provide short, bespoke courses free to licensed premises and operators are strongly advised to contact the licensing authority for details of how to access these courses.

Premises operators are also strongly advised to promote local help services for addressing gambling, drug and alcohol issues. Details of where to obtain relevant promotional material can be obtained from the licensing authority.

h) Safeguarding

1. Carmarthenshire County Council believes that the safeguarding of Children and Vulnerable persons is a priority.
2. Carmarthenshire’s Licensing Section in conjunction with agencies, including the Gambling Commission and Dyfed Powys Police is looking to work in partnership with licensees, their staff and other organisations to ensure that premises offering

gambling activities operate responsibly and with due regard to children and vulnerable persons.

3. As part of this initiative the group has produced information and training material to raise awareness of safeguarding issues, including Child Sexual Exploitation and to provide local points of contact for advice and guidance as well as to report concerns.
4. The authority recommends that businesses offering gambling activities need to ensure that their staff have been adequately trained in relation to safeguarding matters in order to respond appropriately and quickly where issues arise. This advice is equally as important to operators of premises which offer gaming machines alongside the sale or supply of alcohol.
5. The authority strongly suggests that applicants for authorisations include information regarding their arrangements for staff safeguarding training as part of the application documents.
6. Gambling businesses are advised to contact the licensing section or visit the Authority's gambling web pages to obtain copies of the documents.

I) Bet – Watch

The Authority encourages and will support local operators to create and maintain an information sharing network to discuss issues of problem gamblers that are identified. This will also be an opportunity for operators to discuss issues with licensing officers.

Conditions

9.21 - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

9.22 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

9.23 This licensing authority will also consider specific measures, which may be required for buildings that are subject to multiple premises licences.

9.24 Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

9.25 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- that all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;

- that only adults are admitted to the area where these machines are located;
- that access to the area where the machines are located is supervised;
- that the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- that at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

9.26 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

9.27 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

9.28 **Door Supervisors** - The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirement for different types of premises vary (as per the Guidance, Part 33).

9.29 However, where an applicant chooses not to engage SIA registered door supervisors this Licensing Authority will expect the applicant to describe in their application how they intend to: -

- a) Carry out Criminal Record checks (CRB) on each individual
- b) Provide details of their criminal convictions criteria
- c) Explain the proposed method of identifying these individuals when working in the capacity of door supervisors.
- d) Indicate the ratio of male and female operatives
- e) Provide details of the appropriate training for the role
- f) Provide a work register showing the duty time and date (same applies to SIA registered).

9.30 **Closed Circuit Television Systems** - This Licensing Authority recognises the value of CCTV systems in preventing crime and disorder. Applicants are advised to follow the guidance available from the Dyfed Powys Police regarding the standards and specifications of any proposed system to ensure that it is appropriate for the premises.

10. Adult Gaming Centres

10.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

10.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions **should** cover issues such as:

- Adopt a proof of age scheme such as challenge 21 or 25;
- How any risks to children and vulnerable persons from gambling that have been identified in a risk assessment carried out in accordance with paragraph 19.5 of this policy will be addressed;
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11. (Licensed) Family Entertainment Centres:

11.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. Applicants are strongly advised to refer to the safeguarding information set out on page 13 of this policy document.

11.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives. However appropriate measures/licence conditions **should** cover issues such as:

- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;

- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets/helpline numbers for organisations such as GamCare;
- Measures/training for staff on how to deal with suspected truant school children on the premises.
- How any risks to children and vulnerable adults from gambling that have been identified in a risk assessment carried out in accordance with paragraph 19.5 of this policy will be addressed.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11.3 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

12. Casinos

12.1 There are currently no casinos operating within the county.

12.2 There is no resolution to prohibit casinos in the county at present. However the Council reserves the right to review this situation and may, at some time in the future, resolve not to permit casinos.

12.3 Should the Council choose to make such a resolution, this will be a resolution of Full Council following considered debate, and the reasons for making the resolution will be given. There is no right of appeal against this resolution.

13. Bingo premises

13.1 This licensing authority notes that the Gambling Commission's Guidance states:

18.4 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

13.2 This authority also notes the Guidance at paragraph 18.8 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

13.3 Paragraph 18.7 further states that children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

13.4 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures/licence conditions should cover issues such as:

- Adopt a proof of age scheme such as challenge 21 or 25;
- How any risks to children and vulnerable persons from gambling that have been identified in a risk assessment carried out in accordance with paragraph 19.5 of this policy will be addressed
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

14. Betting premises

14.1 **Betting machines** - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. This Licensing Authority expects applicants to demonstrate suitable measures to ensure children do not have access to such machines.

14.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures/licence conditions should cover issues such as:

- Adopt a proof of age scheme such as challenge 21 or 25;
- How any risks to children and vulnerable persons from gambling that have been identified in a risk assessment carried out in accordance with paragraph 19.5 of this policy will be addressed
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

14.3 The Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the Authority a single named point of contact, who shall be a senior individual, and whom the Authority will contact first should any compliance queries or issues arise.

15. Tracks

- 15.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 15.2 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities.
- 15.3 It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 15.4 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:
- Proof of age schemes, such as challenge 21 or 25;
 - CCTV;
 - Supervision of entrances/machine areas;
 - Physical separation of areas;
 - Location of entry;
 - Notices/signage;
 - Specific opening hours;
 - Self-exclusion schemes
 - Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 15.5 **Gaming machines** - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.
- 15.6 **Betting machines** - This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.
- 15.7 **Condition on rules being displayed** - The Gambling Commission has advised in its Guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to

ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.”

15.8 This Licensing Authority will expect applicants to demonstrate how they will comply with this guide as part of their application.

15.9 Applications and plans

The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, para 20.43).

15.10 **Plans** – Applicants will be expected to provide a plan of the premises in a scale of 1:100 unless the Authority has agreed in writing to the applicant to accept a plan in an alternative scale. The plan should show:

- The entire boundary of the premises, and all buildings and structures within the premises.
- The location of the points of access to and egress from the premises.
- The areas to be used for gambling activities whether permanent or temporary.
- Any areas where access by children is restricted/prohibited.
- Location of any warning or information notices.
- Location of any public conveniences.
- Location of any gambling areas at the premises covered by separate licences or permits.
- The plan may include a legend through which the above matters may be identified.

15.11 This Licensing Authority is of the view that, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

15.12 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information so that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities, para 20.46).

16. Travelling Fairs

16.1 It will fall to this licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

- 16.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 16.3 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

17. Provisional Statements

- 17.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.
- 17.2 S.204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:
- expects to be constructed;
 - expects to be altered; or
 - expects to acquire a right to occupy.
- 17.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.
- 17.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission and they do not have to have a right to occupy the premises in respect of which their provisional application is made.
- 17.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:
- they concern matters which could not have been addressed at the provisional statement stage, or
 - they reflect a change in the applicant's circumstances.
- 17.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- which could not have been raised by objectors at the provisional statement stage;
 - which in the authority's opinion reflect a change in the operator's circumstances; or
 - where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

18. Reviews:

- 18.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;
- in accordance with any relevant Code of Practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authority's statement of principles.
- 18.2 The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- 18.3 The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 18.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.
- 18.5 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 18.6 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-
- (a) add, remove or amend a licence condition imposed by the licensing authority;
 - (b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
 - (c) suspend the premises licence for a period not exceeding three months; and
 - (d) revoke the premises licence.
- 18.7 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.
- 18.8 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 18.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- the licence holder
 - the applicant for review (if any)
 - the Commission

- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

19. Risk Assessments

19.1 Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence. The Licence Conditions and Code of Practice issued by the Gambling Commission (The code) requires all operators of; Adult Gaming Centres (AGC's), Bingo Premises, Family Entertainment Centres (FEC's), Betting shops and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.

19.2 Operators are required by the code from 6th April 2016 to make the risk assessment available to licensing authorities when an application is submitted either for new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the Authority's inspection regime and may be requested when officers are investigating complaints.

19.3 Operators are strongly advised to ensure that a copy of the current premises risk assessment is kept at the premises alongside the premises licence document and made available to staff.

19.4 The code requires the Authority to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this Authority expects the following matters to be considered by operators when making their risk assessment.

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may reflect benefit payments and paydays.
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall,
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

19.5 The Authority expects the following matters to be considered by Operators when making their risk assessment.

Matters relating to children and young persons, including;

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.
- Any premises where children congregate including bus stops, cafés, shops, and any other place where children are attracted,
- Areas that are prone to issues of youths participating in anti social behaviour, including such activities as graffiti/tagging, underage drinking, etc.
- Recorded incidents of attempted underage gambling

19.6 Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, places of worship, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

19.7 This list is not exhaustive and other relevant factors not in this list that are identified must be taken into consideration.

PART C

Permits/Temporary & Occasional Use Notice

20. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits – Schedule 10 paragraph 7).

20.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238 of the act).

20.2 An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and the Chief Officer of Police has been consulted on the application. This Licensing Authority will expect applicants to :

- **Demonstrate** a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- **Demonstrate** that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- **Demonstrate** that staff are trained to have a full understanding of the maximum stakes and prizes.
- **Demonstrate an understanding of safeguarding issues highlighted on page 13 of this policy.**
- **Provide a basic criminal record check from the Disclosure and Barring Service (DBS) or a Subject Access printout from the Police National Computer dated within one calendar month of the date of application being submitted (unless the applicant holds a current Operator's licence issued by the Gambling Commission)**
- **Provide plans of the premises which comply with the requirements of paragraph 15.9 – 15.10 of this policy and which illustrate the proposed locations of gaming machines and the locations of staff managing and supervising the centre.**

20.3 When considering any convictions revealed in an application the licensing authority will consider the nature and relevance of the offence, how long ago it took place and any other factors that may be relevant. The application will be subject to the terms of the Rehabilitation of Offenders Act and "spent" convictions may not be referred to when considering the permit application. The application process will make specific reference to the Relevant Offences listed in Schedule 7 to the Gambling Act 2005.

20.4 It should be noted that a licensing authority cannot attach conditions to this type of permit.

20.5 Statement of Principles - This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

20.6 The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, appropriate measures / vetting of staff/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

20.7 Applicants are advised to refer to the **Safeguarding advice outlined on page 13 of this Policy** or contact the relevant Responsible Authorities for further guidance.

21.(Alcohol) Licensed premises gaming machine permits

Gaming Machines -Automatic Entitlement

21.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority and pay the prescribed fee.

21.2 The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

21.3 Gaming Machine Permit: 3 or more machines – (schedule 13 paragraph 4(1))

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives under the 2005 Act, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant”.

This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being

in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

Applicants for Licensed premises Gaming Machine Permits are therefore required to provide the following information alongside their application:-

1. A plan of the premises in accordance with paragraph 15.10 of this policy on which they shall show the proposed location of each gaming machine along with details of the locations of supervising staff as well as Notices and signage.
2. Information regarding the nature of the premises including access to the premises by persons aged under 18.
3. Applicants are required to demonstrate that the gambling activity proposed at the premises will be incidental / ancillary to the other licensable activities at the premises.

21.4 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

21.5 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

21.6 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

21.7 The Local Authority may consult the Police prior to determining any such applications.

22.Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3)).

22.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

22.2 **Statement of Principles** - Applicants should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.
- Clear policies that outline the steps to be taken to protect children from harm.

22.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance (Gambling Act 2005, Schedule 14 paragraph 8(3)).

22.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

23. Club Gaming and Club Machines Permits

23.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.

Members Clubs and Miner's welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

23.2 This licensing authority notes that the Gambling Commission's Guidance states:

25.44 The LA has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. In doing so it will take account a number of matters as outlined in sections 25.45-25.47 of the Gambling Commission's Guidance. These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members.

The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

23.3 The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police".

23.4 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced". The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

23.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

23.6

This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions should cover issues such as:

- Adopt a proof of age scheme such as challenge 21 or 25;
- How any risks to children and vulnerable persons from gambling will be addressed;
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

24. Temporary Use Notices

24.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

24.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

24.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

24.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the licensing authority will look at, amongst other things, the ownership/occupation and control of the premises.

24.5 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

25. Occasional Use Notices

25.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice. This licensing authority will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

26. Small Society Lotteries

26.1 This licensing authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries

26.2 Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact this licensing authority on 01267 228717 for further advice.

DELEGATION OF FUNCTIONS

Matter to be dealt with	Full Council	Sub Committee	Officers
Final approval of three year Licensing policy	X		
Policy not to permit casinos	X		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a review of a premises / club licence		X	
Application for club gaming/ Club machine permits		Where objections have been made and not withdrawn	Where no objections made or where objections have been withdrawn
Cancellation of club gaming/ Club machine permits		X	
Applications for other permits		Where objections have been made and not withdrawn	Where no objections made or where objections have been withdrawn
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	
Fee setting (when appropriate)	Executive Member Board Decision Meeting		
Decision of whether a representation is irrelevant, frivolous or vexatious			X In consultation with Licensing Committee Chairperson

GAMBLING ACT 2005

GAMBLING POLICY

Appendix B

Contact Details

Licensing Authority

Licensing Section
Department for Communities
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Tel No. 01267 234567

e-mail : PublicProtection@Carmarthenshire.gov.uk

Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Tel No. 0121 230 6666

e-mail: info@gamblingcommission.gov.uk

Fax No. 0121 230 6720

HMRC
The National Registration Unit
Betting and Gaming
Portcullis House
21 India Street
Glasgow
G2 4PZ

Tel No. 03000 516023

e-mail nrubetting&gaming@hmrc.gsi.gov.uk

Fax No. 03000 516249

The Relevant planning Authority

Either ,

Head of Planning
Carmarthenshire County Council
8 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LQ

Tel No. 01267 242454

e-mail: Planning@Carmarthenshire.gov.uk

Or

Brecon Beacons National Park, for premises within its administrative area

Enforcement Officer
Brecon Beacons National Park Authority
Plas Y Ffynnon
Cambrian Way
Brecon
Powys
LD3 7HP

Tel No: 01874 620431
Email: planning.enquiries@breconbeacons.org
Fax: 01874 622524

Commercial Services Manager
Department for Communities
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Tel No. 01267 234567
e-mail: PublicProtection@Carmarthenshire.gov.uk

Licensing Officer
Dyfed Powys Police
Police Station
Foundry Road
Ammanford
Carmarthenshire
SA18 2LS

Tel No. 101 Ext 26464
e-mail: Mike.Price@Dyfed-Powys.pnn.police.uk

County Commander
Mid and West Wales Fire and Rescue Service
Carmarthenshire Command HQ
Lime Grove Avenue
Carmarthen
Carmarthenshire
SA31 1SP

Tel No. 0870 6060699
e-mail : Mail@Mawwfire.gov.uk

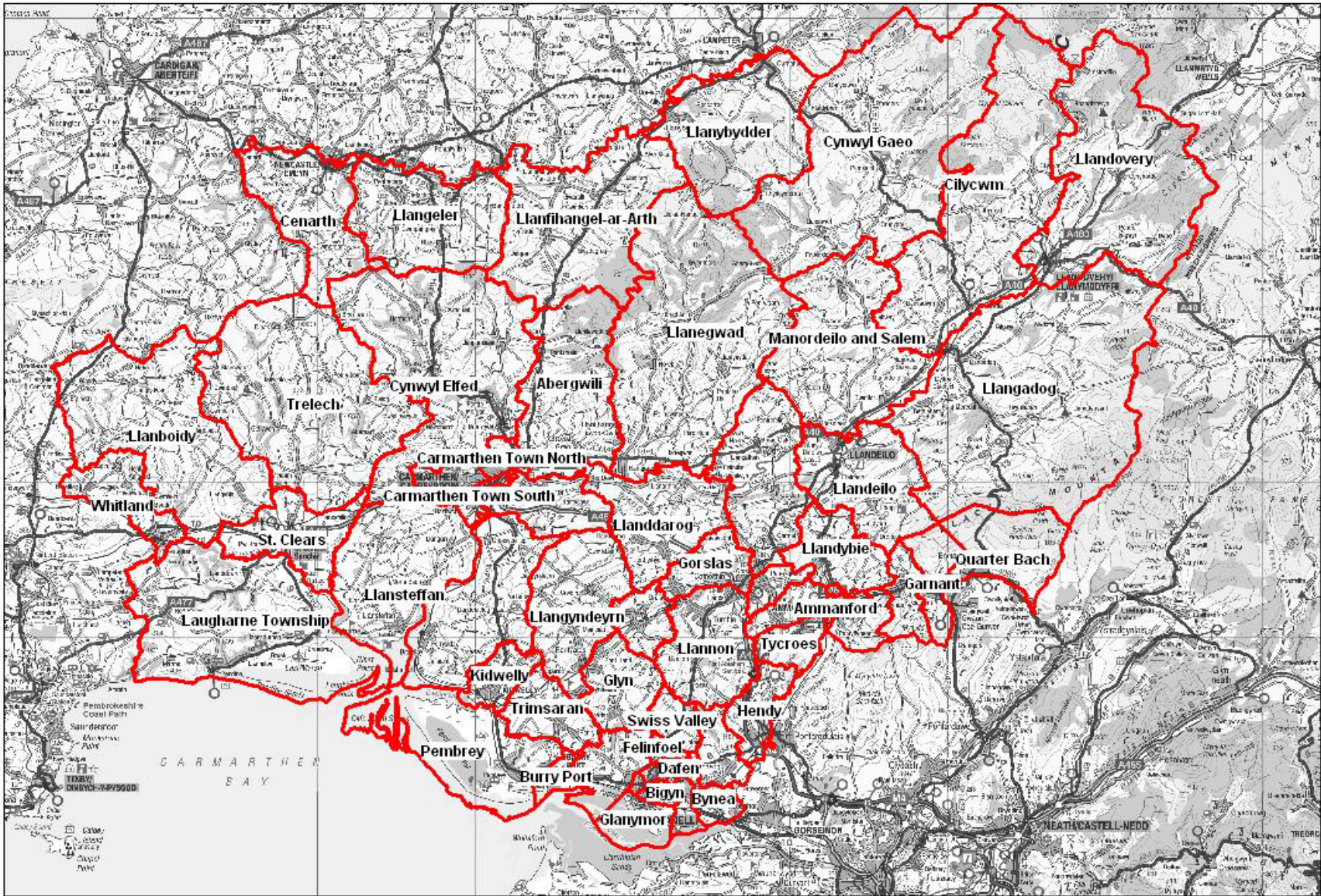
Head of Children Services
Department for Education and Children

Carmarthenshire County Council
Building 2
St. Davids Park
Jobs Well Road
Carmarthen
Carmarthenshire
SA31 3HB

Tel No. 01267 246549

e-mail. Childrensocialcare@Carmarthenshire.gov.uk

Applicants for licences in respect of vessels should contact the Licensing Authority for additional information.



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EXECUTIVE BOARD 19TH NOVEMBER, 2018

REVIEW OF LICENSING POLICY

Recommendations / key decisions required:

A summary of the consultation responses is attached.

It is recommended that :-

- The amended Licensing Policy be approved.
- To recommend to Council, once the relevant process has been followed, that the Constitution be amended to reflect the changes in the scheme of delegation attached to the Licensing Policy document.

Reasons:

- The attached revised Licensing Policy document reflects the results of the consultation and review process.
- Sufficient evidence has been provided to justify adopting a Cumulative Impact Assessment in respect of Lammas Street, Carmarthen.
- The scheme of delegation has been amended to reflect good practice and changes to the legislation.
- To ensure that the Council's constitution reflects the changes in the Licensing Policy.

Relevant scrutiny committee to be consulted : YES - Environmental & Public Protection
1st October 2018

EXECUTIVE BOARD / COUNCIL / COMMITTEE:

Scrutiny Committee recommendations / comments:

UNANIMOUSLY RESOLVED TO RECOMMEND TO EXECUTIVE BOARD that the amended Licensing Policy be approved.

Exec Board Decision Required YES – 19th November, 2018

Council Decision Required YES - 12th December, 2018

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-

Cllr. P M Hughes (Environmental & Public Protection Portfolio Holder)

Directorate Department for Communities	Designations:	
Name of Head of Service: Jonathan Morgan	Acting Head of Homes and Safer Communities	Tel. 01554 899285 jmorgan@carmarthenshire.gov.uk
Report Author: Emyr Jones	Licensing Lead	Tel 01267 228717 eorjones@sirgar.gov.uk

EXECUTIVE SUMMARY EXECUTIVE BOARD 19TH NOVEMBER, 2018

REVIEW OF LICENSING POLICY

Context

When the current Licensing Policy was adopted in February 2016, it was resolved that a further consultation would be undertaken regarding the possible adoption of a Cumulative Impact Policy in relation to Lammas Street, Carmarthen.

The legislation was amended in April 2018 to refer to Cumulative Impact Assessments rather than Cumulative Impact Policies.

Consultation

This consultation exercise was undertaken between the 3rd of April and the 1st of June 2018 and was aimed at responsible authorities, local residents, businesses, existing licence holders and their representatives.

Approximately a thousand individuals and organisations, including licence holders and their representatives, town and community councils, members of parliament, assembly members, county councillors, council departments and responsible authorities received consultation documents.

The survey was undertaken using the consultation facility on the Council's web site. This enabled the majority of consultees to be contacted via e-mail, thus reducing the cost whilst increasing the accessibility of the consultation. Properties within the area highlighted in the consultation document received a hand delivered consultation letter.

The Authority's licensing section in conjunction with the council's legal department have reviewed the policy document in light of the consultation responses, revised government guidance, amendments to the Licensing Act and recent case law.

The Key issues raised as a result of the consultation exercise were:-

- That there is evidence to support the adoption of a Cumulative Impact Assessment for Lammas Street, Carmarthen.

The Key changes to the Policy document include :-

- A Cumulative Impact statement in respect of Lammas Street, Carmarthen. (Page 21)
- An amended schedule of delegations to reflect amendments to the Licensing Act 2003 and to deal with film classification requests. (Page 33)

A revised licensing policy document, incorporating amendments to reflect the review process is attached.

DETAILED REPORT ATTACHED?

YES –

- **Licensing Policy Consultation Report**
- **Licensing Policy Statement – The Licensing Act 2003**

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Jonathan Morgan

Acting Head of Homes and Safer Communities

Policy, Crime & Disorder and Equalities YES	Legal YES	Finance NONE	ICT NONE	Risk Management Issues NONE	Staffing Implications NONE	Physical Assets NONE
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1. Policy, Crime & Disorder and Equalities

The proposed amendments to the Licensing Policy promote the prevention of crime and disorder. The Policy complies with the Authority's duty under section 17 of the Crime and Disorder Act.

An Equalities impact assessment has been undertaken and no negative impacts have been identified.

2. Legal

Legal services are satisfied that the proposed amendments comply with the Licensing Act 2003 and the statutory guidance issued by the Secretary of State.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Jonathan Morgan

Acting Head of Homes and Safer Communities

1. Scrutiny Committee Environmental & Public Protection Scrutiny Committee was consulted on the 1st of October 2018.

2. Local Member(s) Local Members were consulted through correspondence.

3. Community / Town Council Town and Community Councils were consulted through correspondence.

4. Relevant Partners Relevant partners were consulted through correspondence and consultation meetings.

5. Staff Side Representatives and other Organisations N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Consultation Responses	Review of Licensing Policy 2018	3, Spilman Street, Carmarthen
Home Office Guidance	Review of Licensing Policy 2018	3, Spilman Street, Carmarthen

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CARMARTHENSHIRE COUNTY COUNCIL



Licensing Policy CONSULTATION REPORT

Index

Page

3	Introduction and context
3	Outline of approach and consultation methods
5	Key quantitative findings from the survey
14	Analysis of general comments from the survey (matrix table)
60	Summary – key changes to the licensing policy
<hr/>	
61	<i>Appendix A – Licensing Policy survey</i>
65	<i>Appendix B – Map of Carmarthenshire’s postcode districts</i>
66	<i>Appendix C – Plan from consultation document</i>

CARMARTHENSHIRE COUNTY COUNCIL

Licensing Policy Consultation

INTRODUCTION & CONTEXT

On a periodic basis – at least once every five years – the local authority is legally required to review its Licensing Policy under the Licensing Act 2003 to ensure fitness for purpose. When the current policy was adopted by the authority in February 2016, it was resolved that a further consultation would be undertaken regarding the possible adoption of a Cumulative Impact Assessment in respect of Lammas Street, Carmarthen. Consultation is an intrinsic part of this process: the policy must be responsive to local needs, it should take under advisement comments from myriad stakeholders and seek evidence that will help evaluate progress against its statutory objectives.

To this end, a ten week consultation (April 3rd to June 1st 2018) was held to garner views from a wide range of organisations and individuals with an interest in licensing matters.

This report, incorporating the results of the public consultation and the authority's response in summary form, will go to both the Licensing Committee and Environmental & Public Protection Scrutiny Committee in October and then to the Executive Board in November before full Council in December.

This report:

- 1) Outlines the approach and consultation methods deployed;
 - 2) Summarises results and key findings;
 - 3) Considers free-text responses from residents, licence holders, organisations and town and community councils in a summary matrix table;
 - 4) Provides a short summary
-

1) OUTLINE OF APPROACH AND CONSULTATION METHODS

A mixed-methods approach to ascertaining views on Carmarthenshire's Licensing Policy was employed to gather quantitative and qualitative data for analytical and evaluative purposes. Specifically, the consultation focused on (i) identifying whether alcohol related anti-social behaviour continues to be a problem in Lammas Street and whether a Cumulative Impact Assessment is required for the street (ii) the types of licensable activities to which the assessment should apply and (iii) the area to which the assessment should apply.

In accordance with the Licensing Act 2003, a number of statutory consultees were engaged throughout the consultation. This included:

- the chief officer of police
- the fire authority
- persons/bodies representative of local premises licence holders
- persons/bodies representative of local club premises certificate holders
- persons/bodies representative of local personal licences
- persons/bodies representative of businesses and residents in the area

More generally, the following mechanisms and consultation channels were utilised:

Publicity

The consultation was publicised through the Council's press office, through means including: press releases; information on the Council's website; online consultation portal and through social media feeds. Properties in the area highlighted in the consultation document received a hand delivered consultation letter.

Carmarthenshire Citizens' Panel & 50+ Forum

Carmarthenshire's Citizens' Panel (a representative group comprising c. 557 members) – and 50+ Forum (2700 members aged 50 plus) are a useful barometer of public opinion and are regularly consulted on Council services. Information was disseminated electronically to members on email: c. 281 Citizens' Panel and c. 759 50+ members.

Workshop

The licensing committee on the 24th of May was used as an opportunity to take members of committee through the consultation document.

Survey

Surveys are a cost-effective method for finding out stakeholders' views and can be administered in a variety of different ways. An electronic and paper survey was thus selected as the principal method for gathering data. The survey contained a number of fixed-response (closed) and free-response (open) questions. Furthermore, the survey encouraged respondents to upload/attach evidence to support their submission.

The on-line survey (Appendix A) was made available through Carmarthenshire County Council's consultation page. In addition to listed statutory consultees, links to the survey were circulated to members of the Citizens Panel, 50+ Forum, county councillors and town and community councils, license holders, licensing solicitors, MPs, AMs and the Police and Crime Commissioner. Taken as a whole, consultation invites were sent to over 1000 individuals and organisations.

The consultation exercise resulted in **36 submissions**, covering a wide section of the community. A full breakdown of response sources is seen below and postcode areas can be seen on the following page.

Are you responding as a...	
Premises licence holder	2 (6%)
Personal licence holder	1 (3%)
Club premises certificate holder	-
Member of the Public	25 (71%)
Local business	3 (8%)
Body representing licence holders / clubs	-
Body/ Person representing members of the Public (e.g. County councillors; Town & Community Council)	2 (6%)
Body representing local businesses	-
Other Organisation or Group	2 (6%)

Postcode*	Number or responses
SA14	3 (10%)
SA15	2 (7%)
SA17	1 (3%)
SA19	2 (7%)
SA31	16 (54%)
SA32	3 (10%)
SA33	1 (3%)
SA34	1 (3%)
SA38	1 (3%)

*Note. Postcode areas can be viewed in Appendix B. Questions 1 and 2 were not mandatory, therefore the totals do not match the total number of surveys submitted.

Other

Carmarthenshire's Licensing Section highlighted the consultation to the local Licensing Action Group, made up of representatives of the Police and other responsible authorities and the consultation was discussed at a Police problem solving group meeting, looking at ways of dealing with the anti-social behaviour problems associated with Lammas Street Carmarthen.

The consultation responses identified a number of examples of alcohol related anti-social behaviour and crime and disorder in Lammas Street, which will not be addressed by the Cumulative Impact Assessment, because the licences are already in place. The licensing section will discuss these responses with the local Licensing Action Group, the Police problem solving group and any other relevant stakeholders in an effort to address the problems.

2) KEY QUANTITATIVE FINDINGS FROM THE SURVEY

In order to illustrate the key findings of the survey, this section will be structured by considering each quantitative survey question in turn. Mention will be made of the views of different categories of respondent, to enable comparisons to be made. This process is known as the disaggregation of survey data: examining trends by age, gender and other demographic variables to enrich the consultation. In section 3, comments from the consultation will be considered separately in a matrix table, whether these have arisen through survey submission, or letter or email submissions.

*About the **Average Index Score (AIS)***

Sometimes known as a 'weighted average', the AIS is a way of distilling the 'balance and strength of opinion' down into one number. Useful for questions with options to 'strongly agree', 'disagree', etc., the technique is used throughout the report.

Example

10 people are asked whether they 'strongly agree', 'agree', 'have no opinion', 'disagree' or 'strongly disagree' that Wales will win the six nations.

Results...

3 strongly agree (each response worth 2, so=**6**)

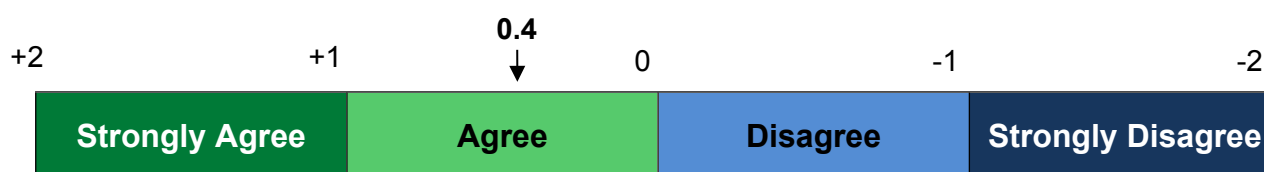
3 agree (each response worth 1, so=**3**)

1 no opinion (each response worth 0, so=**0**)

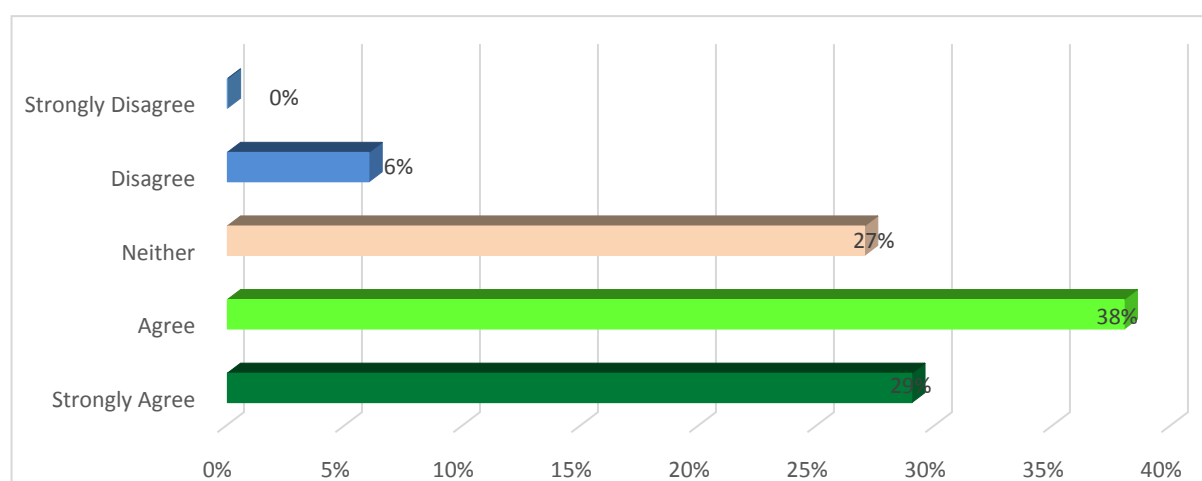
1 disagree (each response worth -1, so= **-1**)

2 strongly disagree (each response worth -2, so=**-4**)

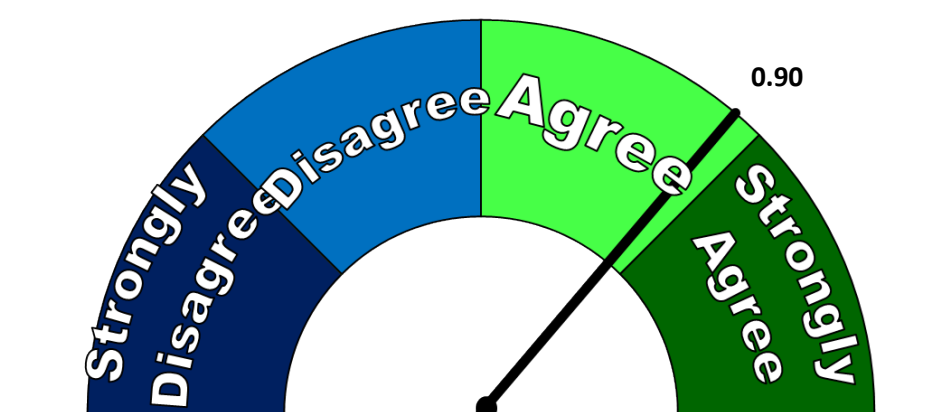
The AIS is calculated by adding all the numbers in bold: So, $6+3+0-1-4=4$; Then dividing by the number of responses (10 in this case). The average index score is: $4 \div 10 = \mathbf{0.4}$



2. Do you agree that there continues to be a problem with alcohol related anti-social behaviour in Lammas Street, Carmarthen?



As pictured in the chart above, 67% of respondents either agreed (38%) or strongly agreed (29%) that Lammas Street, Carmarthen continues to have a problem with alcohol related anti-social behaviour. This amounted to 23 out of 29 of responses to this question. It was also seen that 27% of responses neither agreed nor disagreed with the statement. It was seen that only 2 individuals (6%) disagreed that there continues to be a problem.



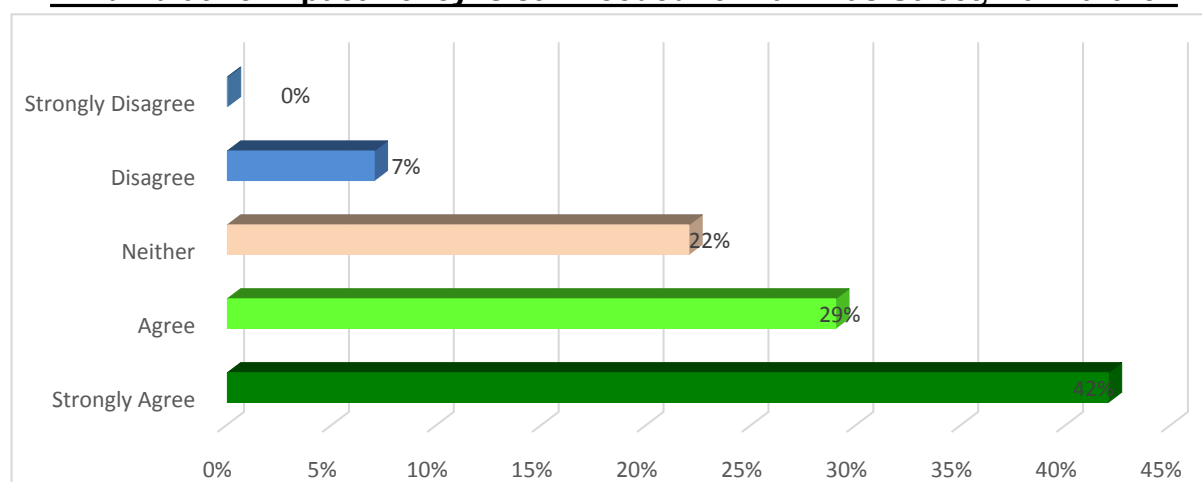
That the majority of respondents consider there continues to be a problem with alcohol related anti-social behaviour on Lamas Street which is highlighted by a positive Average Index Score (AIS) of 0.90 (plotted above). Interestingly, when examining the postcode areas, the highest AIS score (1.19) was seen in the SA31 district which is where Lammas Street is situated. Furthermore, the highest number of respondents were members of the public (N=24) who produced an AIS of 1.00 which indicates that on average, the public strongly agree that there continues to be a problem.

3. The following question asked residents to indicate on a likert scale their agreement to these statements.

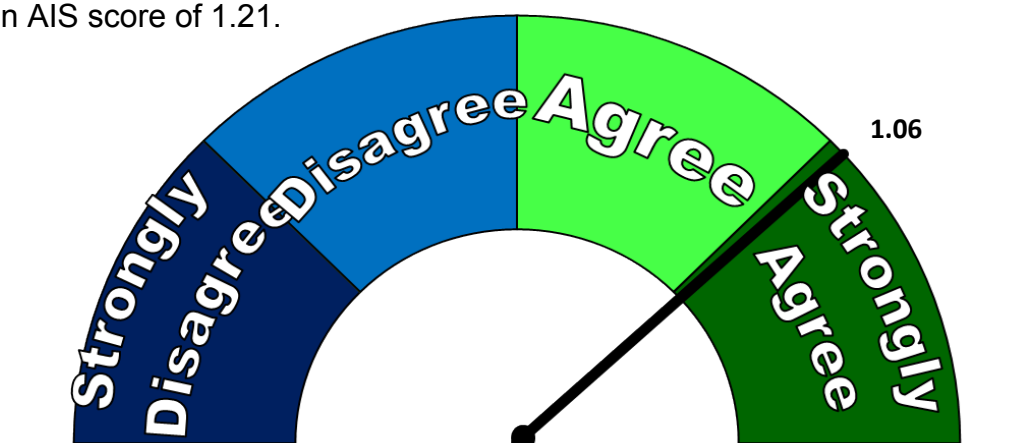
- A Cumulative Impact Policy is still needed for Lammas Street, Carmarthen
- Should the policy apply to the whole length of Lammas Street as shown on the accompanying plan?

Firstly, 71% (n=22) of respondents agreed that a Cumulative Impact Policy is still needed for Lammas Street, Carmarthen. It was seen that 42% (n=13) of participants strongly agreed with this statement whilst 29% (n=9) agreed. Conversely, only 7% (n=2) of respondents feel that there is still no need for a Cumulative Impact Policy for Lammas Street. The results can be seen in the bar chart below.

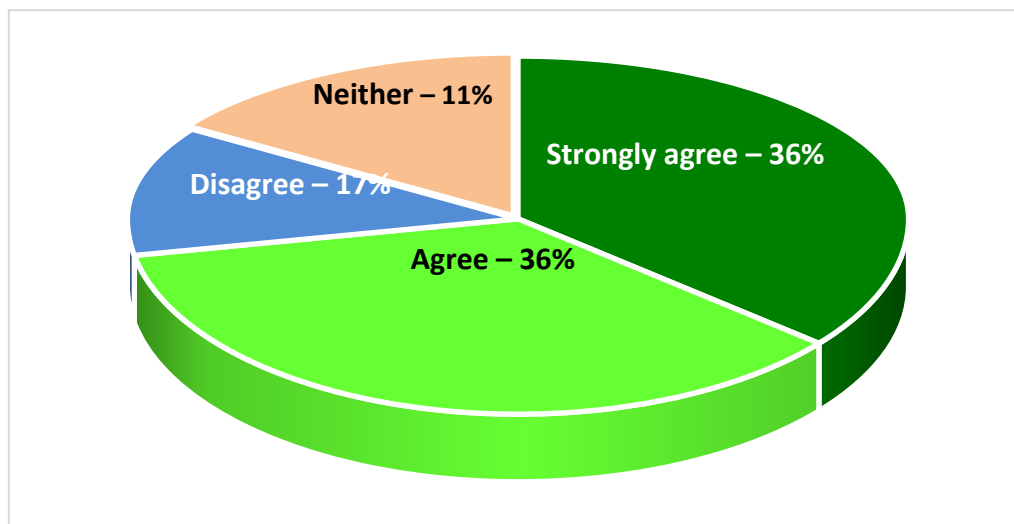
A Cumulative Impact Policy is still needed for Lammas Street, Carmarthen



As seen in the speedometer below, on average, respondents strongly agreed that Lammas Street, Carmarthen still requires a Cumulative Impact Policy as represented by an AIS score of 1.06. When examining postcode areas, the only district which could be analysed was SA31 as there was a significant number (n=14) of respondents from this area. Other postcodes did not receive sufficient responses in order to be analysed (n<4). For the SA31 district, on average, respondents strongly agreed that Lammas Street, Carmarthen still requires a Cumulative Impact Policy which was highlighted with an AIS score of 1.21.



When examining respondents thoughts on whether they agreed that the policy should apply to the whole length of Lammas Street, it was seen that 7 in 10 agreed (72%). There was an equal divide between the number who strongly agreed (36%: n=10) and those who agreed (36%: n=10). 11% of participants noted that they neither agreed nor disagreed with the statement. Whilst 17% (n=5) disagreed that there is a need to apply the Cumulative Impact Policy for the whole length of Lammas Street. Not one respondent strongly disagreed with this statement. The results can be seen in the pie chart below.

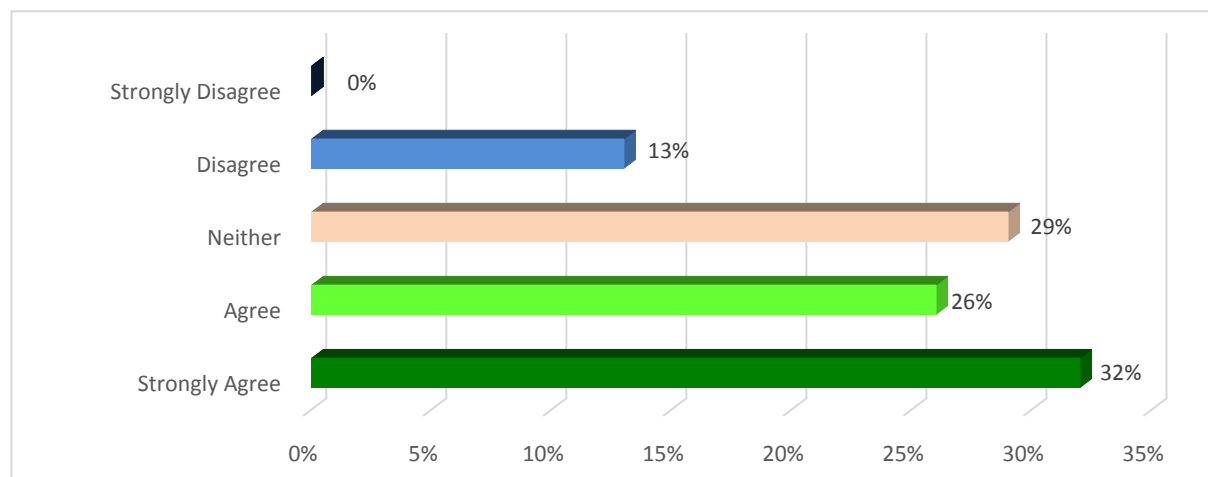


The table below shows the overall AIS in order to better understand the result. A range of +2 (strongly agree) to -2 (strongly disagree) is used. It is evident that on average, respondents agreed that there is a need to extend the Cumulative Impact Policy for the whole length of Lammas Street with an AIS score of 0.89. Furthermore, the majority of respondents were members of the public who strongly agreed (AIS = 1.06) that there is a need to extend the policy. Other sources of respondents could not produce a reliable AIS score because of the insufficient number (n<4).

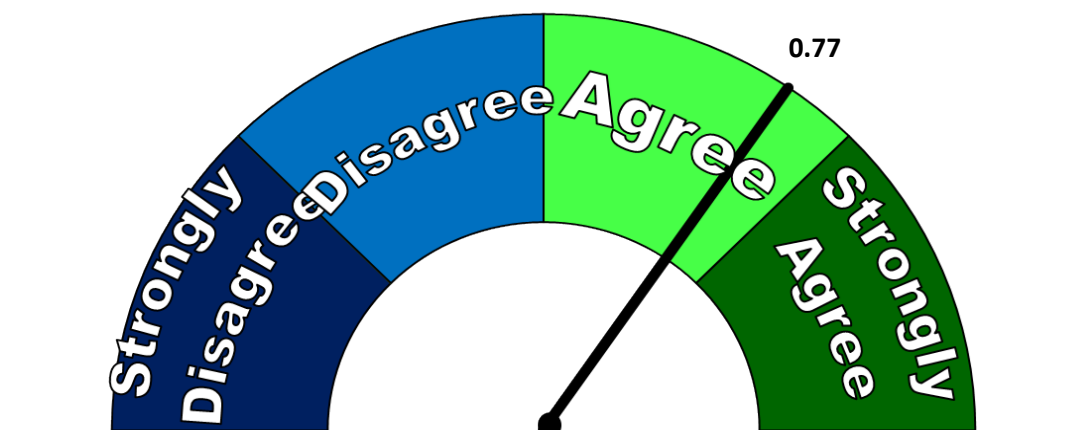


4. Is a Cumulative Impact Policy needed for the highlighted streets on the plan (Appendix C) leading to or from Lammas Street, Carmarthen?

68% of respondents agreed that there is a need for a Cumulative Impact Policy for the streets highlighted in the plan. Most of the respondents 'strongly agreed' with the question (32%) whilst another 26% agreed. 29% of participants noted that they neither agreed nor disagreed, whilst the remaining 13% disagreed that there is a need for a Cumulative Impact Policy for the highlighted streets on the plan. 0% of the respondents noted that they strongly disagree. Results can be seen in the bar graph below.



Overall, it was seen that respondents agree that there is a need for a Cumulative Impact Policy for the highlighted streets on the plan. This is pictured below and reflected with an average index score of 0.77.

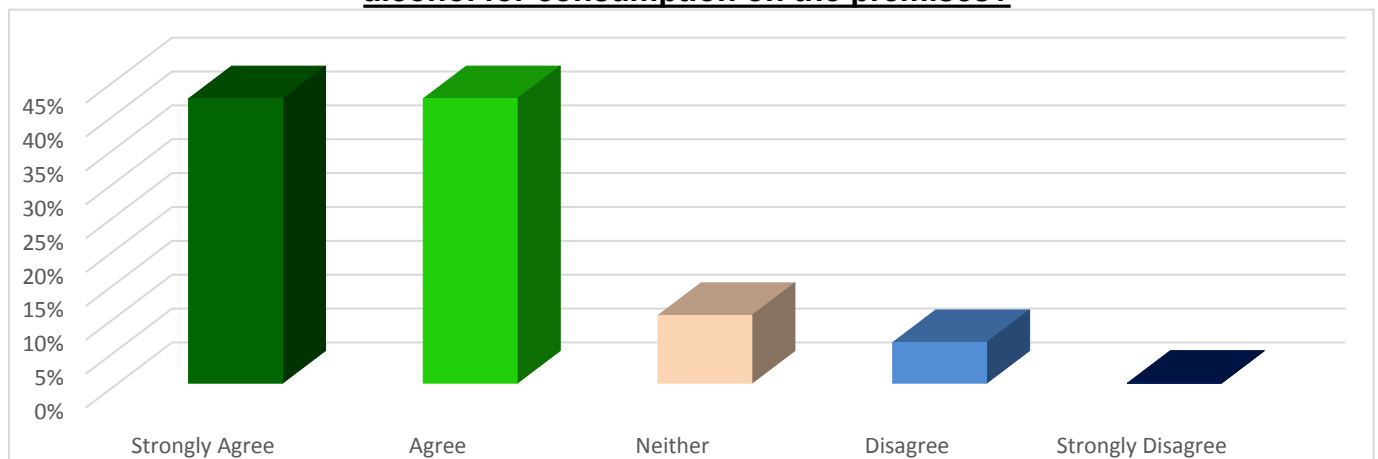


5. The following question asked respondents to note to what extent did they agree or disagree with the following statements:

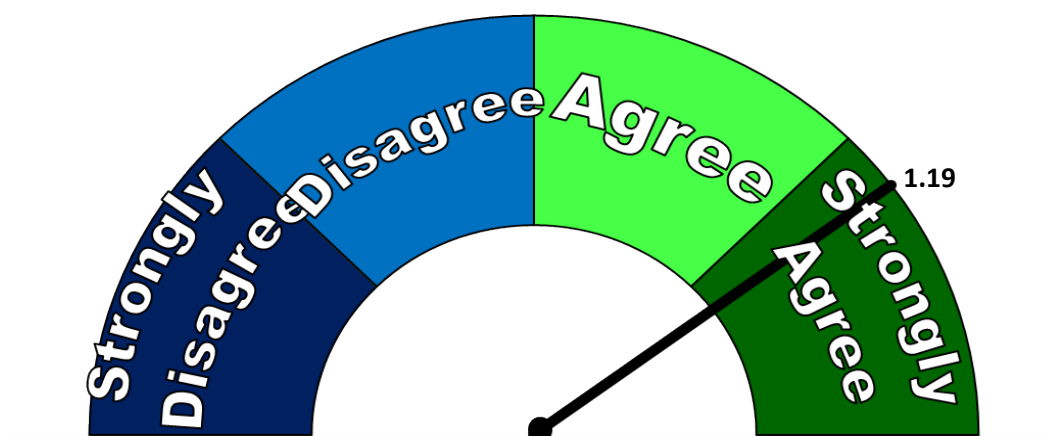
- Should the cumulative impact policy apply to premises that wish to sell alcohol for consumption on the premises?
- Should the cumulative impact policy apply to premises that wish to sell alcohol for consumption off the premises?

Firstly, it was seen that 84% (n=26) of the respondents agreed that the cumulative impact policy should apply to premises that wish to sell alcohol for consumption on the premises. Of the 84% that agreed, there was an equal divide (42%:42%) between those who strongly agreed and agreed. 3 individuals (10%) noted that they did not agree nor disagree with the statement whilst the remaining 6% (n=2) disagreed. Interestingly, a high percentage of members of the public (86%) agreed that there is a need to apply the policy to premises that wish to sell alcohol for consumption on the premises. Results can be seen in the bar graph below.

Should the cumulative impact policy apply to premises that wish to sell alcohol for consumption on the premises?



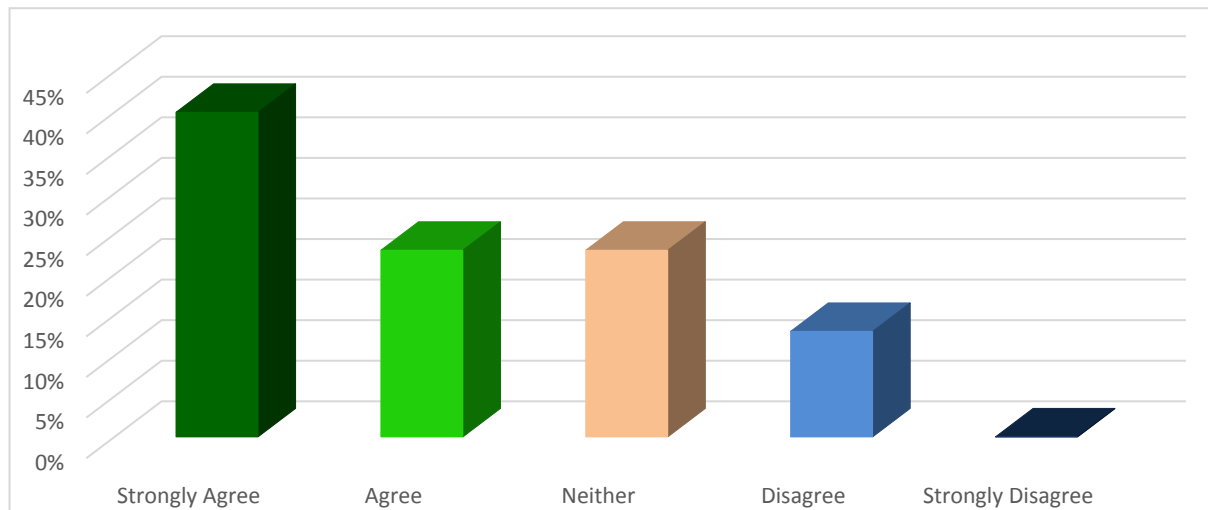
As pictured on the speedometer below, on average, respondents strongly agreed that the cumulative impact policy should apply to premises that wish to sell alcohol for consumption on the premises. This is represented by an average index score of 1.19.



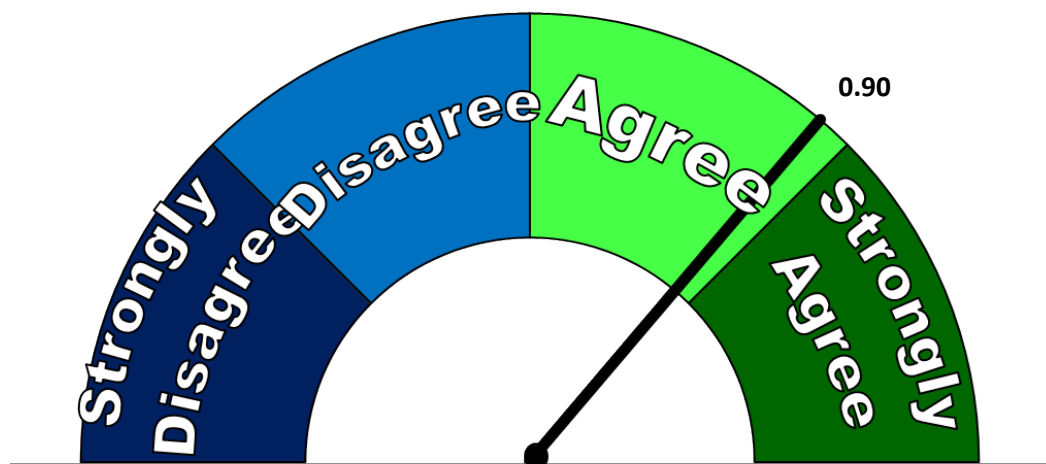
Secondly, when asked 'should the cumulative impact policy apply to premises that wish to sell alcohol for consumption off the premises', the majority of respondents agreed. It was seen that 40% (n=12) and 23% (n=7) of respondents strongly agreed

and agreed, respectively. A relatively high percentage of respondents (23%; n=7) neither agreed nor disagreed with the question. Furthermore, 13% of participants indicated that they disagree with the statement. Not one respondent noted that they strongly disagree with the question. The results are displayed in the bar chart below.

Should the cumulative impact policy apply to premises that wish to sell alcohol for consumption off the premises?

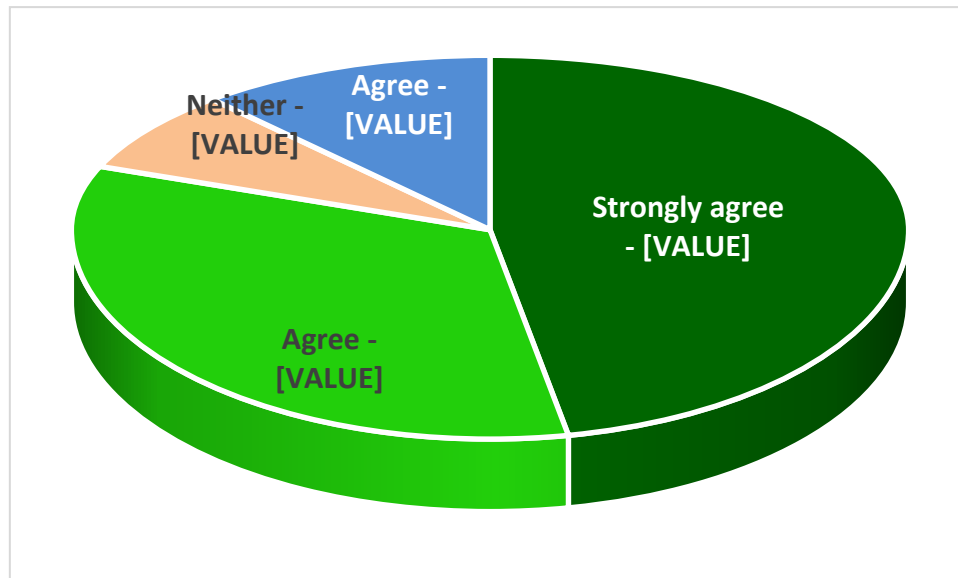


Overall, it was seen that respondents agreed that the cumulative impact policy should apply to premises that wish to sell alcohol for consumption off the premises. This is reflected by an Average index score of 0.90 and is pictured below.

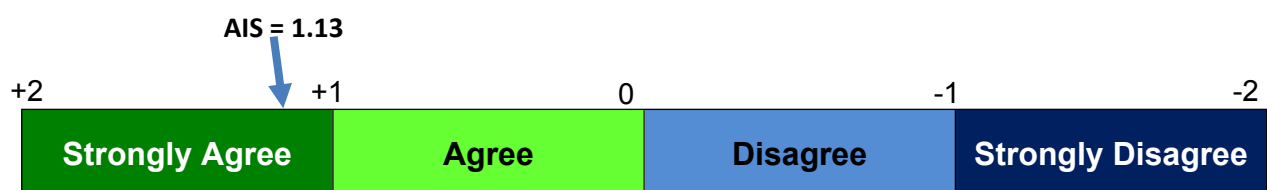


6. Should the cumulative impact policy apply to premises that wish to provide late night refreshments (e.g. Takeaway premises)?

The majority of participants (80%) either agreed, or strongly agreed that the cumulative impact policy should apply to premises that wish to provide late night refreshments. It was seen that nearly half (47%) of respondents strongly agreed whilst one third (33%), agreed. Only two respondents (7%) neither agreed nor disagreed with this proposal, while the remaining 13% (n=7) disagreed. Not one participant noted that they strongly disagreed with the question. Results are demonstrated in the pie chart below.



The table below shows the overall Average index score for the question. An AIS of 1.13 demonstrates that on average, respondents strongly agree that the cumulative impact policy apply to premises that wish to provide late night refreshments.



3) ANALYSIS OF COMMENTS – SUMMARY MATRIX TABLE

The report now considers comments expressed in the survey's free-text questions. Note is made of the respondents ID number (to provide a traceable record), comment(s) received, the Council's response and, where appropriate, changes to the licensing policy as a result of the consultation. Respondents that have not submitted a reply are omitted from the table.

RESPONDENT	COMMENTS	APPRAISAL	RESPONSE	CHANGES
Respondent 1	Question 2b Lammas Street.	Noted	This will be taken into account when reviewing the policy.	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.
	Question 2c Late at night/ early hours of morning	Noted	As Above	No further change necessary
	Question 2d Alcohol related ASB (anti-social behaviour)	Noted	As Above	No further change necessary
	Question 3c Always reports in the local paper of police having to be involved.	Noted	As Above	No further change necessary

	Question 4b Closest to Lammas	Noted	As Above	This is not supported by the Police evidence.
	Question 5c Reports in local paper	Noted	As Above	The assessment will reflect this.
	Question 5d Reports in local paper	Noted	As Above	The assessment will reflect this.
	Question 6b Drunken behaviour reports in local paper regarding fast food outlets late at night/early morning.	Noted	As Above	The assessment will reflect this
Respondent 2	Question 2b In Lammas street and surrounding streets	Noted	This will be taken into account when reviewing the policy.	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.

	Question 2c From 10pm onwards	Noted	As Above	No further change necessary
	Question 2d There are crowds of people walking the streets, often drunk and unstable, the police have to have a continual presence, taxis are parked everywhere blocking the road.	Noted	As Above	No further change necessary
	Question 3c I work nights in a local food business and often have to take staff home, I find that it is often difficult to navigate through Lammas Street due to pedestrians wandering around and taxis parked inconsiderately.	Noted	As Above	No further change necessary
	Question 4b I think that the area should be extended to include the Tesco superstore which sells alcohol 24/7	Noted	As Above	This is not supported by the Police evidence.

	<p>Question 4c</p> <p>People going out for the night frequently drink at home to get part way drunk before they go to the pub/club as it is cheaper.</p>	Noted	As Above	No further change necessary
	<p>Question 5c</p> <p>I believe that landlords of pubs and clubs should operate a more rigid policy towards refusing to sell alcohol to anyone who is already drunk, they do not do this at present. Some of the people involved cause problems for other users of Lammas Street.</p>	Noted	As Above	No further change necessary
	<p>Question 6b</p> <p>The offer of late night food can draw more people to the area leading to more problems</p>	Noted	As Above	No further change necessary

Respondent 3	<p>Question 2b</p> <p>Whole of Lammas Street</p> <p>Question 2c Late at night - got so bad though we don't go into town of a night time.</p> <p>Question 2d Excess alcohol</p> <p>Question 3c Anti-social behaviour continues throughout the street.</p> <p>Question 5c Often people arrive at venues after having had a lot of alcohol.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>As Above</p> <p>As Above</p> <p>As Above</p> <p>As Above</p>	<p>The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.</p> <p>No further change necessary</p> <p>No further change necessary</p> <p>No further change necessary</p> <p>No further change necessary</p>
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	Question 5d As above. Foul language and behaviour that is off putting to general public.	Noted	As Above	No further change necessary
Respondent 4	Question 2b Lammas Street.	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.
	Question 2c 10 pm - 2 am	Noted	As Above	No further change necessary
	Question 2d Alcohol	Noted	As Above	No further change necessary

	<p>Question 3c</p> <p>The overall impact is essential to formulate an effective policy.</p>	Noted	As Above	No further change necessary
	<p>Question4b</p> <p>All of the streets.</p>	Noted	As Above	This is not supported by the Police evidence.
	<p>Question 4c</p> <p>There is a problem. Look at it in the round. Select a small central area and the problem moves outside that boundary.</p>	Noted	As Above	This is not supported by the Police evidence and no issues of displacement have been encountered following the adoption of the cumulative impact policy for Station Road Llanelli.

	<p>Question 5c</p> <p>Regular alcohol related issues are on the record.</p> <p>Question 5d</p> <p>Regular alcohol related issues are on the record.</p> <p>Question 6b</p> <p>Depends where you want to start. Zero tolerance is where I start.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>As Above</p> <p>As Above</p> <p>As Above</p>	<p>No further change necessary</p> <p>No further change necessary</p> <p>No further change necessary</p>
Respondent 5				
Respondent 6	<p>Question 3c & 4c</p> <p>Not a resident of Carmarthen</p>	<p>Noted</p>	<p>No change necessary</p>	<p>No further change necessary</p>

Respondent 7	<p>Question 3c</p> <p>Seems logical</p> <p>Question 4b</p> <p>All</p> <p>Question 4c</p> <p>Seems logical as these questions wouldn't be raised</p> <p>Question 5c</p> <p>You wouldn't be asking if there wasn't a perceived problem</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>As Above</p> <p>As Above</p> <p>As Above</p>	<p>The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.</p> <p>This is not supported by the Police evidence.</p> <p>No further change necessary</p> <p>No further change necessary</p>
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Respondent 8				
Respondent 9				
Respondent 10	<p>Question 3c & 4c I am not familiar with the arrangements or issues in Lammas St</p> <p>Question 5c , 5d & 6b. It makes common sense</p>	<p>Noted</p> <p>Noted</p>	<p>No change necessary</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change necessary</p> <p>The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.</p>
Respondent 11				
Respondent 12	<p>Question 2b Top end of the street</p>	<p>Noted</p>	<p>This will be taken into account when reviewing the policy</p>	<p>The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.</p>

	Question 2c Post 11 pm	Noted	As above	No further change necessary
	Question 2d Crowds	Noted	As above	No further change necessary
Respondent 13	Question 6b I regret that I am not aware of matters which have or are effecting Lammas Street. As there appear to be issues of uncertainty here, I would suggest discussions with the Carmarthen Police as well as other emergency services prior to your final considerations. I would certainly be interested in being made aware of the outcome here and thank you for the opportunity to comment.	Noted	No change necessary	No further change to assessment .

Respondent 14	Question 2b			
	In and around licensed premises	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.
	Question 2c			
	All day - read the court reports in the local papers	Noted	As above	No further change necessary.
	Question 2d			
	Landlords continue to serve people who are clearly intoxicated	Noted	As above.	No further change necessary
	Question 4c			
	If you restrict to Lammas St then the problem will move to nearby locations	Noted	As above	This is not supported by the Police evidence. No

	<p>Question 5d</p> <p>Selling to people who are intoxicated</p> <p>Question 6b</p> <p>It is difficult to tease out the separate strands - keep it simple</p>	<p>Noted</p> <p>Noted</p>	<p>As above</p> <p>As above</p>	<p>issues of displacement in Station Road, Llanelli.</p> <p>No further change necessary.</p> <p>No further change necessary</p>
Respondent 15	<p>Question 2b</p> <p>Lammas Street</p>	<p>Noted</p>	<p>This will be taken into account when reviewing the policy</p>	<p>The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.</p>

	<p>Question 2c & 4c</p> <p>Too much heavy drinking at pubs and clubs that are open for far too long</p> <p>Question 2d</p> <p>Dreadful drunkenness after heavy drinking causing very rowdy and dangerous behaviour</p> <p>Question 4b</p> <p>All</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>As above</p> <p>As above</p> <p>As above.</p>	<p>No further change necessary</p> <p>No further change necessary</p> <p>This is not supported by the Police evidence.</p>
Respondent 16				
Respondent 17	<p>Question 2b</p> <p>Around the Morfa lane junction side of Lammas Street</p>	<p>Noted</p>	<p>This will be taken into account when reviewing the policy</p>	<p>The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.</p>

	Question 2c Between 2am - 5am Question 2d Late opening hours of certain businesses when others are closed Question 3c I feel there is only a problem at the stated area, not along the whole of the street. Question 4c It's mainly the really late opening venues where the issues seem to arise Question 5c I have personally witnessed a handful of altercations in that area which seem to always be fuelled by alcohol.	Noted	As above.	No further change necessary
		Noted	As above	No further change necessary
		Noted	As above	No further change necessary
		Noted	As above	No further change necessary
		Noted	As above	No further change necessary

	Question 6b The takeaways are not adding to the problem.	Noted	As above	This is not supported by the Police evidence.
Respondent 18	Question 2b Outside the golden lion	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.
	Question 2c Weekends	Noted	As above	No further change necessary
	Question 2d It's the last port of call	Noted	As above	No further change necessary

	Question 5c People get drunk and move on	Noted	As above	No further change necessary
Respondent 19	Question 2b Lammas Street and streets leading to and from such Water St, Parcmaen St, St Catherine Street, Mansel Street, Morley Street, Morfa Lane Question 2c Usually at weekends, after midnight Question 2d Late closing times being permitted at pubs and nightclubs	Noted Noted Noted	This will be taken into account when reviewing the policy As above As above	This is not supported by the Police evidence. No further change necessary No further change necessary

	Question 3c Lammas Street is surrounded by residential areas. Not applying the policy to the length of the street may cause a build-up of licensed premises just outside the area covered by the cumulative impact policy	Noted	As above	This is not supported by the Police evidence. No evidence of displacement in Station Road, Llanelli
	Question 4b all highlighted area	Noted	As above	This is not supported by the Police evidence.
	Question 4c high incidence of anti-social behaviour - shouting, minor vandalism, urinating and vomiting in street and doorways.	Noted	As above	No further change necessary
	Question 5c I don't have dates and time of individual incidents but bottles and glasses half-filled with	Noted	As above	No further change necessary

	alcohol or urine are often seen in the street and these have come from pubs not off-licences			
	Question 6b There is a ritual of drink, then late night refreshment which also creates rubbish and debris the following day.	Noted	As above	No further change necessary
Respondent 20				
Respondent 21				
Respondent 22	Question 2b Lammas Street	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.
	Question 2c From about 3 am onwards	Noted	As above	No further change necessary.

	Question 2d 24 hour licence, clubs should be closed from 2 am so people who live there can get some sleep	Noted	As above	No further change necessary
	Question 3c I am a resident and it is ridiculous the amount of shouting, urination, fighting in early hours. The evidence is in this article	Noted	As above	No further change necessary
	Question 4b All of them as they all filter to golden lion and Savannah's as they are the only two places open till 4	Noted	As above	No further change necessary
	Question 4c Till 4	Noted	As above	No further change necessary

	Question 6b They are open till about the same time as the clubs and the litter and people congregating around them is a problem	Noted	As above	No further change necessary
Respondent 23	Question 2b Always outside the golden lion	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.
	Question 2c Between the hours of 2am - 4am	Noted	As above	No further change necessary
	Question 2d Because people do not know how to handle their drink or they	Noted	As above	No further change necessary

	<p>don't stop at their limit of drinking</p> <p>Question 3c</p> <p>Reason being that it stops people getting too drunk and either hurting themselves or getting into trouble</p> <p>Question 4b</p> <p>Mostly Lammas street but keep a watch on water street.</p> <p>Question 4c</p> <p>If a policy isn't put in place then all this hassle and stupidity by people will make the town look bad in which will become a bad reputation for the town.</p> <p>Question 6b</p> <p>With people having alcohol still in their system it still causes trouble within the food places,</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>As above</p> <p>As above</p> <p>As above</p> <p>As above</p>	<p>No further change necessary</p> <p>No further change necessary</p> <p>No further change necessary</p> <p>No further change necessary</p>
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	and arguments maybe happening so they could end up having a fight. So I think it should extended to the food outlets as well			
Respondent 24				
Respondent 25	<p>Question 3c There are a lot of areas here where there could be trouble as older people go to somewhere youngsters go to others and when younger have had a few to drink their language often is not what older people want to hear,</p> <p>Question 6b There are open later than public houses in some instances and as the bottles they sell are GLASS the risk of damage to property in the area as well as risk to public safety is evident</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>As above</p>	<p>No further change necessary</p> <p>No further change necessary</p>
Respondent 26				
Respondent 27	Question 2b	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact

	<p>Mainly around the concentrated area of a pub, club, and 2 take away food vendors</p>			assessment would only apply to the entire length of Lammas Street.
	<p>Question 2c Mainly on a Saturday night into Sunday morning, but also late hours throughout the week</p>	Noted	As above	No further change necessary
	<p>Question 2d Intoxicated members of the public behaving antisocially in a concentrated area</p>	Noted	As above	No further change necessary
	<p>Question 3c I have my sleep disturbed on a nightly basis by a late night licence holder, and their</p>	Noted	As above	No further change necessary

	<p>business is funded by the daily late night drinkers.</p> <p>Question 5c They gather a mass of intoxicated people into a fixed area, and this is the most likely time antisocial behaviour will arise, usually during insocial hours</p> <p>Question 6b My main grounds for complaint is directly from one particular takeaway vendor that has zero considerate for fellow residents with staff regularly shouting and making loud noise at very unsocial hours. They actually cause more issues and discomfort for me than the intoxicated members of the public!</p>	<p>Noted</p> <p>Noted</p>	<p>As above</p> <p>As above</p>	<p>No further change necessary</p> <p>No further change necessary</p>
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Respondent 28	Question 2b Late Night Opening Clubs	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.
	Question 2c After 12midnight	Noted	As above	No further change necessary
	Question 2d People leaving pubs in the town centre to binge drink until late	Noted	As above	No further change necessary
	Question 4b King St through Notts Square - Hall St	Noted	As above	This is not supported by the Police evidence.
Respondent 29	Question 2b			

	Mansel Street	Noted	This will be taken into account when reviewing the policy.	This is not supported by the Police evidence .The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.
	Question 2c Usually Friday/Saturday and Bank Holiday Sunday evening and nights	Noted	As above.	No further change necessary
	Question 2d Too much alcohol and pubs clubs open too late	Noted	As above	No further change necessary

	<p>Question 3d I am a resident in the area and have had drunks urinating and vomiting in my garden</p>	Noted	As above	No further change necessary
	<p>Question 4b I live off of Mansel Street and I have in the past been threatened by a drunk man who came into my garden I am a single women who lives alone it was an awful experience which resulted in me having to call the police.</p>	Noted	As above	The police evidence does not support extending the policy to Mansel Street.
	<p>Question 5c The reasons are the same as before as its excess alcohol that is always the problem. The longer the premises is open the more alcohol is consumed leading to problems. The amount of packaging found on</p>	Noted	As above	No further change necessary

	<p>the pavements the morning after is dreadful.</p> <p>Question 6b Late night takeaway only makes people hang around longer adding to the late night noise.</p>	Noted	As above	No further change necessary
Respondent 30	<p>Question 2b Pubs</p>	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.
	<p>Question 2c Weekends</p>	Noted	As above	No further change necessary
	<p>Question 2d Excessive noise.</p>	Noted	As above	No further change necessary

	<p>Question 3c</p> <p>It would be unfair to target specific businesses/locations and would cause a migration of the problem not a solution.</p>	Noted	As above	There is no evidence of displacement in Station Road, Llanelli.
	<p>Question 4b&4c</p> <p>Full coverage to be fair to all parties concerned and prevent circumnavigation of policy.</p>	Noted	As above	This is not supported by the Police evidence
	<p>Question 5c</p> <p>Individual drunks tend to be placid but lose control quickly when in a collective.</p>	Noted	As above	No further change necessary
	<p>Question 6b</p> <p>Should only be exempt if they do not sell alcohol of any kind.</p>	Noted	As above	This is not supported by Police evidence

Respondent 31	Question 2b Outside those premises that service the late night economy	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lamma Street.
	Question 2c Between the hours of 10pm and 6am especially at weekends	Noted	As above	No further change necessary
	Question 2d Number of people that make their way to this location to visit the pubs and clubs, late night refreshment premises and to use taxis to leave the area	Noted	As above	No further change necessary
	Question 3c Police statistics will show that there is a significant problem	Noted	As above	The assessment will reflect this.

	<p>within the street of alcohol related crime and disorder.</p> <p>Question 4c</p> <p>The top end of the street is where the late night venues are plus the food outlets and this is where the taxis wait for customers.</p> <p>Question 5c</p> <p>Due to the number of alcohol related crime and disorder incidents and alcohol related anti-social behaviour on licensed premises.</p> <p>Question 5d</p> <p>Premises that remain open late for the off sale of alcohol could add to the problems within the street with people consuming alcohol openly in the street.</p> <p>Question 6b</p> <p>Those premises that provide late night refreshment are a</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>As above</p> <p>As above</p> <p>As above</p> <p>As above</p>	<p>The assessment will reflect this.</p> <p>The assessment will reflect this.</p> <p>The assessment will reflect this.</p> <p>The assessment</p>
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	<p>magnet for persons to visit after leaving licensed premises after having consumed alcohol. These premises will attempt to remain open until the last customer has been served, disorder regularly takes place at or near these premises and Police Officers have to intervene, these incidents go unrecorded.</p>			will reflect this.
	<p>The Police provided the following evidence in support of their position.</p> <p>In September 2015 the Carmarthenshire Division of the Dyfed Powys Police in response to Carmarthenshire County Council review of Licensing Policy made an application for a Cumulative Impact Policy for Lammas Street Carmarthen.</p>	Noted	As above	The assessment will reflect this.

	<p>This was as a result of a noticeable increase in both alcohol related crime and disorder and anti-social behaviour in the Street since 2013.</p> <p>The current Licensing Policy was adopted in February 2016 with further consultation to be undertaken regarding the possible adoption of a cumulative impact policy for Lammas Street.</p> <p>Lammas Street is an existing 'Hot Spot' within the Council Licensing Policy and there have been no major changes apart from the latest statistics, in the document that I previously prepared as evidence to support the request for a Cumulative impact Policy to be adopted for the street.</p> <p>Since 2015 the number of licensed premises within the street has decreased by one,</p>			
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	<p>there are now 5 pubs, 1 hotel and 1 nightclub. Three premises have the benefit of off sales only and 3 have the benefit of Late Night Refreshment with one of these not trading after 11pm.</p> <p>Also within the street there are both official and unofficial taxi ranks that operate until there are no more customers left.</p> <p>The Carmarthenshire Division of Dyfed Powys Police have gathered statistics in relation to alcohol related crime and disorder for Lammas Street between the hours of 10pm and 6am for the periods 01/01/16 until 31/03/18.</p> <p>During the review period there have been a total of 262 alcohol related crimes recorded between the hours of 10pm and 6am across Carmarthen town, 44% of these crimes (114) were committed in Lammas Street.</p>			
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	<p>Over the last two years there has been a total of 226 reported to have occurred in Lammas Street, 74% of these crimes(167) were committed between the hours of 10pm and 6am with 68% of those crimes being alcohol related(114 out of 167crimes).</p> <p>In addition to the above there were 125 incidents of anti-social behaviour reported and received between the hours of 10pm and 6am in Lammas Street. 46% of those ASB incidents were alcohol related (37).</p> <p>42% of alcohol related public order incidents and 82% of alcohol related violence against the person in Carmarthen town over the last two years were committed in Lammas Street.</p> <p>Of the 114 alcohol related crimes in Lammas Street during the times and period under</p>			
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	<p>review they can be further broken down.</p> <p>Violence against the person 79</p> <p>Arson and Criminal Damage 10</p> <p>Theft 9</p> <p>Public Order 8</p> <p>Drug Offences 3</p> <p>Sexual Offences 3</p> <p>Possession of Weapons 1</p> <p>Robbery 1</p> <p>This can be further broken down to days of the week and times.</p> <p>With Sunday being the peak day for alcohol related crimes being reported followed by Saturday, Thursday and Monday.</p>			
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	<p>The peak times when these crimes are reported being from 1am to 4am.</p> <p>An overview of Alcohol related crime and disorder trends in Lammas Street indicates that there has been no noticeable change in the four year period from 2014.</p> <p>There has been a decline in alcohol related anti-social behaviour since 2014/15 but that can be attributed to changes in recording practices.</p> <p>The above information has been taken from Police data which can under estimate the amount of violent crime actually taking place. It is estimated that only a quarter of violent offences resulting in treatment at Accident & Emergency Departments are reported to the Police.</p>			
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	In conclusion there has been no significant change in the current data provided by the Police systems to that of 2015 when a request was made for a cumulative impact policy to be adopted for Lammas Street.			
Respondent 32	Question 2b Top of Lammas Street	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.
	Question 2c Weekends and late evening	Noted	As above	No further change necessary
	Question 2d			

	Alcohol and drug related	Noted	As above	No further change necessary
	Question 3c Drunken Brawls, Broken Windows, Urinating in the doorways, Litter and Vomit. Cannabis smoking in public during the day	Noted	As above	No further change necessary
	Question 4b All especially the top end	Noted	As above	No further change necessary
	Question 5c Excess alcohol consumption without limit	Noted	As above	No further change necessary
	Question 5d Selling alcohol to intoxicated customers	Noted	As above	No further change necessary
	Question 6b			

	It is encouraging intoxicated people to stay out later than necessary and causing disturbance to residence in the area e.g. Occupants in the flat above xxxxxxxx cannot sleep	Noted	As above	No further change necessary
Respondent 33	Question 2b Outside the clubs and hotels	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.
	Question 2c At night.	Noted	As above	No further change necessary
	Question 2d Opening hours too long.	Noted	As above	No further change necessary
	Question 6b			

	Problems occur after drinking sessions and these people then congregate at "takeaways"	Noted	As above	No further change necessary
Respondent 34	<p>Carmarthen Town Council provided the following general evidence in relation to the consultation.</p> <p>Carmarthen Town Council supports the introduction of a Cumulative Impact Policy for Lammas Street, Carmarthen.</p> <p>Members stated that Lammas Street is a renowned hotspot for anti-social behaviour, having recently been described as the busiest street in the Dyfed Powys Police area; this behaviour causes regular problems for the large number of residents of Lammas Street who suffer the consequences of noise and other anti- social behaviour.</p> <p>One member had witnessed the behaviour of people under the influence of excessive alcohol</p>	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.

	<p>on several occasions and had spoken to police officers about this, they stated that Lammas Street was busier for the police than anywhere in Llanelli, the largest town in the Dyfed Powys Police area.</p> <p>The same member had been advised that the local police were implementing a new approach whereby their mobile police station would be regularly deployed during peak demand/incident periods in order to address the problems in Lammas Street.</p>			
Respondent 35	<p>Question 2b</p> <p>Outside takeaways and public houses.</p>	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.

	<p>Question 2c</p> <p>weekends and a few days in the week</p>	Noted	As above	No further change necessary
	<p>Question 2d</p> <p>Noise, urine, sick , food and paper all over the street and pavements</p>	Noted	As above	No further change necessary
	<p>Question 3c</p> <p>I live in the top part of Lammas Street, where the takeaways are.</p>	Noted	As above	No further change necessary
	<p>Question 4c</p> <p>I live in the top part of Lammas Street of which those streets have no effect.</p>	Noted	As above	No further change necessary
	<p>Question 5c</p>			

	<p>Fighting starting inside ends up outside, Ask the Police.</p> <p>Question 6b</p> <p>They are open so late that they draw people from other parts of the town.</p>	<p>Noted</p> <p>Noted</p>	<p>As above</p> <p>As above</p>	<p>No further change necessary</p> <p>No further change necessary</p>
Respondent 36	<p>This respondent provided the following general evidence in relation to the consultation.</p> <p>Most properties west of Savannahs and Cogan's news agents are residential. These residents have to endure alcohol fuelled misbehaviour for many years. Including drunkenness, violent behaviour, vomiting, sexual behaviour, drug taking and damage to property.</p> <p>At weekends this behaviour continues to 4.45am!</p> <p>With late night licensing hours and takeaways open until 4.am resulting in prolonged noise levels and anti-social behaviour.</p>	Noted	This will be taken into account when reviewing the policy	The proposed cumulative impact assessment would only apply to the entire length of Lammas Street.

	<p>I feel that residents have not been supported in dealing with these ongoing issues.</p> <p>Preventing other establishments opening until the early hours is fine, but will not resolve the existing problems for Lammas Street residents.</p>			
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4) SUMMARY – KEY CHANGES TO THE LICENSING POLICY

1. As a result of the consultation exercise the Policy has been amended to include a Cumulative Impact Assessment in relation to only Lammas Street, Carmarthen. The evidence obtain indicates that Lammas Street experiences a disproportionately high level of alcohol related crime and disorder compared to the rest of Carmarthen. (Page 21)
2. The policy has been updated to reflect changes to the legislation and statutory guidance, including for example the consideration of suspensions or revocations of personal licences by the Licensing Sub Committees. (Page 33)
3. The scheme of delegation has been updated to indicate that film classification requests will be delegated to Licensing Sub Committees for consideration in the first instance. (Page 33)

Licensing Act 2003

Review of Licensing Policy Cumulative Impact Policy

Lammas Street, Carmarthen - Consultation Document 2018

Part 1 - About You

1. Are you responding as a...

- ☐ Premises licence holder
- ☐ Personal licence holder
- ☐ Club premises certificate holder
- ☐ Member of the Public
- ☐ Local business
- ☐ Body representing licence holders / clubs
- ☐ Body/ Person representing members of the Public (e.g. County councillors; Town & Community Council etc.)
- ☐ Body representing local businesses
- ☐ Other Organisation or Group

If responding as an organisation/business/body, please write its name here

Following 'SA', please specify the two numbers of your postcode

- | | |
|-----------------------------|--|
| <input type="checkbox"/> 4 | <input type="checkbox"/> 34 |
| <input type="checkbox"/> 9 | <input type="checkbox"/> 35 |
| <input type="checkbox"/> 14 | <input type="checkbox"/> 37 |
| <input type="checkbox"/> 15 | <input type="checkbox"/> 38 |
| <input type="checkbox"/> 16 | <input type="checkbox"/> 39 |
| <input type="checkbox"/> 17 | <input type="checkbox"/> 40 |
| <input type="checkbox"/> 18 | <input type="checkbox"/> 44 |
| <input type="checkbox"/> 19 | <input type="checkbox"/> 48 |
| <input type="checkbox"/> 20 | <input type="checkbox"/> 66 |
| <input type="checkbox"/> 31 | <input type="checkbox"/> 67 |
| <input type="checkbox"/> 32 | <input type="checkbox"/> out of county |
| <input type="checkbox"/> 33 | |

Part 2

To what extent would you agree or disagree with the following statements:

2. Do you agree that there continues to be a problem with alcohol related anti-social behaviour in Lammas Street, Carmarthen?

- ☐ Strongly Agree ☐ Agree ☐ Neither ☐ Disagree ☐ Strongly disagree

If you agree, please tell us:

b) **Where is it a problem?**

c) **When is it a problem?**

d) **Why do you think it is a problem?**

3. To what extent would you agree or disagree with the following statements:
(for information on cumulative impact policies see paragraphs 14.20-14.39 of the S182 guidance published by the Home Office)

	Strongly Agree	Agree	Neither	Disagree	Strongly Disagree
A Cumulative Impact Policy is still needed for Lammas Street, Carmarthen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Should the policy apply to the whole length of Lammas Street as shown on the accompanying plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

c) Please provide your reasons and evidence to support your answers to the above:

4. Is a Cumulative Impact Policy needed for the highlighted streets on the plan leading to or from Lammas Street, Carmarthen?

☐ Strongly Agree ☐ Agree ☐ Neither ☐ Disagree ☐ Strongly Disagree

b) Please specify what part of those streets:

c) Please provide your reasons and evidence that such a policy is or is not required.

5. To what extent would you agree or disagree with the following statements:

	Strongly Agree	Agree	Neither	Disagree	Strongly Disagree
Should the cumulative impact policy apply to premises that wish to sell alcohol for consumption on the premises?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Should the cumulative impact policy apply to premises that wish to sell alcohol for consumption off the premises? (Please see paragraph 4(14.34 of the consultation document)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

c) Please outline your reasons and evidence for requiring the cumulative impact policy at premises that wish to sell alcohol for consumption **on the** premises (e.g Examples of incidents).

d) Please outline your reasons and evidence for requiring the cumulative impact policy at premises that wish to sell alcohol for consumption **off the** premises (e.g Examples of incidents).

6. Should the cumulative impact policy apply to premises that wish to provide late night refreshments (e.g. Takeaway premises)?

☐ Strongly Agree
 ☐ Agree
 ☐ Neither
 ☐ Disagree
 ☐ Strongly Disagree

b) Please outline your reasons and evidence as to why the cumulative impact policy should/should not apply to late night refreshments (e.g. Examples of incidents).

Part 3 - Your Details (optional)

Name:

Address:

Tel No:

E-mail:

Under certain circumstances, we may wish to contact you to follow-up on your response, either to ask for additional comment or to reply to the points you have raised.

Do you consent to CCC using your details in this way?

- ☐ Yes - I am happy to be contacted
☐ No - I do not wish to be contacted

How we will use your information

We are collecting personal data about you on this form to comply with requirements in the Licensing Act 2003 on carrying out consultations.

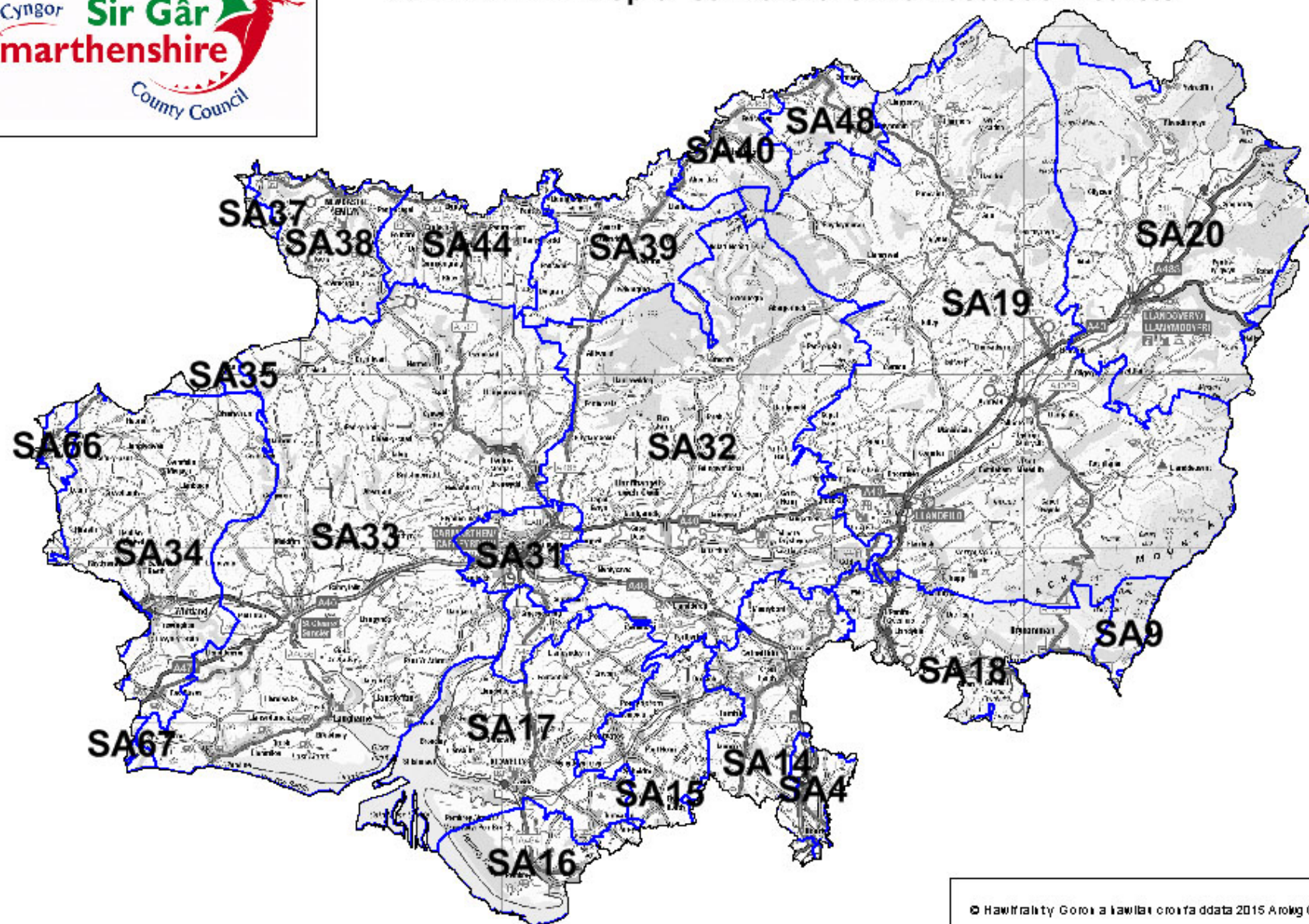
This personal data will only be used for the purpose of this consultation exercise by the Licensing team and will not be shared with any other Council service or external organisation. When we publish a report on this consultation this will not contain your personal details.

To find out more about how we will use your information, including your Data Protection rights, please contact the Licensing Section on 01267 228717.

Thank you for your response

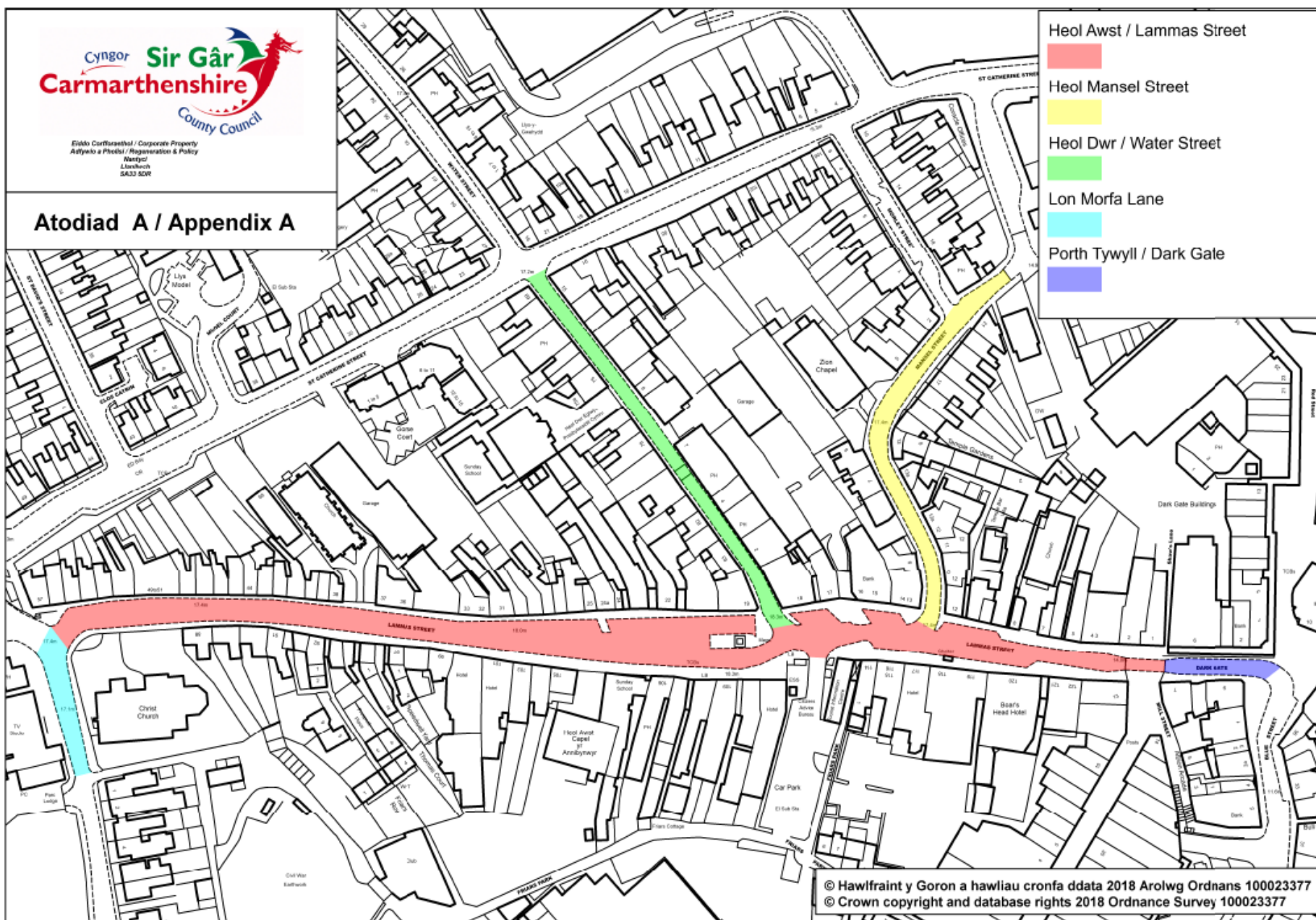


APPENDIX 2 - Map of Carmarthenshire Postcode Districts



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Appendix C - Lammas Street, Carmarthen Plan



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Licensing Policy Statement

The Licensing Act 2003



January 2019

Page 427

LICENSING ACT 2003
STATEMENT OF LICENSING POLICY
C O N T E N T S

1.	INTRODUCTION.....	3
2	BACKGROUND.....	5
3	FUNDAMENTAL PRINCIPLES	5
4	CONDITIONS OF LICENCE.....	6
5	THE LICENSING OBJECTIVES – GENERAL COMMENTS	7
6	THE PREVENTION OF CRIME AND DISORDER	8
7	PUBLIC SAFETY.....	11
8	THE PREVENTION OF PUBLIC NUISANCE	13
9	THE PROTECTION OF CHILDREN FROM HARM	15
10	CUMULATIVE IMPACT	19
11	LICENSING HOURS.....	23
12.	FILMS	24
13.	INTEGRATING STRATEGIES AND THE AVOIDANCE OF DUPLICATION	24
14.	LIVE MUSIC, DANCING AND THEATRE	25
15.	SMALL SCALE TEMPORARY EVENTS	26
16	LARGER OCCASIONAL EVENTS	27
17.	THE LICENSING PROCESS.....	28
18.	LICENCE REVIEWS.....	30
19.	DISPUTE RESOLUTION	31
20.	ENFORCEMENT	31

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

APPENDIX A	33
APPENDIX B	34
APPENDIX C	37
APPENDIX D	37
APPENDIX E	38
APPENDIX F	39
APPENDIX G	42
APPENDIX H	43

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

1. INTRODUCTION

1.1 This policy has been developed in accordance with the Licensing Act 2003 ('the Act'), regulations made under that Act, and guidance issued by the Home Office. This policy should be considered in conjunction with these documents.

1.2 The Licensing Authority will carry out its duties under the Act with a view to promoting the four Licensing Objectives. These are:

- a) The prevention of crime and disorder**
- b) Public safety**
- c) The prevention of public nuisance**
- d) The protection of children from harm**

The Licensing Authority believes that these objectives are of equal importance.

See sections 5-9 below for further details.

1.3 This policy has been formulated as a result of a wide ranging consultation exercise involving (but not limited to): -

- a) The Police
- b) The Fire Service
- c) Other Responsible Authorities
- d) Licence Holders and their representatives
- e) Holders of club premises certificates and their representatives
- f) Local businesses and their representatives
- g) Local residents and their representatives

Due consideration has been given to all those who have responded.

1.4 This policy relates to all those licensable activities identified as falling within the provisions of the Act, namely:

- a) Retail sale of alcohol (including via the Internet or Mail Order)
- b) Supply of alcohol to members of registered clubs
- c) The supply of hot food and/or drink from any premises between 11pm and 5am (late night refreshments)
- d) Provision of '*regulated entertainment*' (as defined by schedule 1, part 1, paragraph 2 of the Act) to the public, club members or with a view to profit. This includes: -
 - i) A performance of a play
 - ii) An exhibition of a film
 - iii) An indoor sporting event

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- iv) Boxing or wrestling entertainment
- v) A performance of live music
- vi) Any playing of recorded music
- vii) A performance of dance

1.5 The Act contains a number of exceptions and exemptions, which have been amended and increased in recent years by, the Live Music Act, Deregulation Act and other legislative orders. It is not intended to set out these changes in detail in this policy, but they are explained in the guidance issued by the Home Office under section 182 of the Act. They should be carefully considered by any person considering providing entertainment. For further advice, applicants are advised to contact the Licensing Section.

1.6 Types of Authorisations

There are four types of authorisations:

- a) **Premises Licence** - a licence granted in respect of any premises, which authorises them to be used for one or more licensable activities.
- b) **Personal Licence** - a licence granted by the Licensing Authority to an individual which authorises them to supply alcohol (or authorise the supply of alcohol) in accordance with a premises licence.
- c) **Club Premises Certificate** - a certificate granted in respect of premises occupied and used for the purposes of a club.
- d) **Temporary Event Notice** - where it is proposed to use premises for one or more licensable activity during a period not exceeding 168 hours.

1.7 It is recognised that the licensing process can only seek to address those measures within the control of the licensee, and in the vicinity of licensed premises. The licensing process is not a mechanism for the general control of anti-social behaviour by individuals once they are away from licensed premises and beyond the direct control of the licence holder. However where it can be established that a licensed premises is linked to anti-social behaviour or any other activity which undermines the licensing objectives, the matters may be pursued under the licensing process. The Licensing Authority will therefore continue to work in partnership with neighbouring authorities, the police, fire service, the NHS, the licensed trade, local businesses and local people towards the promotion of these four objectives.

1.8 It is intended that this policy statement will remain in existence for a period of up to five years from the 10th of February 2016. However the policy will be kept under constant review during this period, and where necessary, changes made, subject to the statutory consultation requirements being met.

1.9 As part of the above the Licensing Authority will consider the impact of licensing on regulated entertainment and particularly live music and dancing.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

2 BACKGROUND

- 2.1 Carmarthenshire is the third largest county in Wales in demographic terms, with a population in 2013 of 184,681 of whom 11.6% were between the ages of 15 and 24, and 22.1% were between the ages of 25 and 44. It is these two age groups, who are currently most likely to make use of, and be employed within, the night time economy. However, 22% of the population is of pensionable age and therefore it is an aim of this policy to make the night time economy accessible to everyone, not just the young.
- 2.2 As a primarily rural area, Carmarthenshire has a strong agricultural base with a 'necklace' of key market towns providing the needs of communities in those rural areas. South East Carmarthenshire is the most densely populated part of the county, and is characterised by close knit former industrial communities. These contrasting types of environment present very different opportunities and challenges to those involved in the night time economy.
- 2.3 The night time economy within the county is extremely diverse, ranging from night clubs in the town centres to traditional local pubs, pub/restaurants, small village halls and community halls. These smaller venues have an important role to play in preserving and promoting the rich cultural and linguistic heritage of the county. On the 31st of March 2018 the Authority had 869 premises with Premises Licences, 74 with Club Premises Certificates and 2546 individual Personal Licence Holders.
- 2.4 Whilst the night time economy undoubtedly has benefits in terms of jobs, wealth creation, tourism and the promotion of cultural diversity, there are also obvious disadvantages. Alcohol related public nuisance, and crime and disorder are found not just in the larger town centres, but also in the smaller rural communities.

3 FUNDAMENTAL PRINCIPLES

- 3.1 Each application received under the provisions of the Act will be dealt with upon its own merits. However the Licensing Authority's discretion will not be engaged unless representations are received.
- 3.2 Nothing in this policy will undermine the right of a person to apply for a variety of permissions under the Act.
- 3.3 Absolute weight will be given to all relevant representations received by the council in respect of any application or request made under the Act. However representations, which are frivolous, vexatious or repetitious, will not be considered.
- 3.4 The Licensing Authority will not operate a quota of any kind, which would predetermine any application.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- 3.5 The Licensing Authority does not currently impose general limitations on trading hours in particular areas.
- 3.6 In carrying out its functions under the Act, the Licensing Authority will have due regard to all relevant legislation.

4 CONDITIONS OF LICENCE

- 4.1 In order to avoid duplication with other statutory regimes as far as possible, the Licensing Authority, where representations are received, will not attach conditions of licence unless they are considered appropriate for the promotion of the licensing objectives. Conditions will generally be considered inappropriate if issues are already adequately covered by other legislation.
- 4.2 The Licensing Authority cannot impose standard conditions of licence across the board.
- 4.3 In 2010 the Licensing Act 2003 (Mandatory Licensing Conditions) order set out five new mandatory licence conditions. In 2014 those conditions were replaced by five new conditions introduced by an amendment order.

The new mandatory licence conditions relate to:-

- 1) Prohibition of irresponsible drinks promotions.
- 2) Provision of free tap water for customers
- 3) Requiring the adoption and use of an Age Verification Policy
- 4) Giving customers the choice of small measures
- 5) Banning the sale of alcohol below the cost of duty plus VAT.

The five conditions apply to all premises licences and club premises certificates which authorise the sale of alcohol for consumption on the premises.

Mandatory condition 3 is the only one which applies to premises which authorise off sales of alcohol only.

In certain circumstances conditions attached to licences will not take effect due to the operation of the Live Music Act, Deregulation Act and other legislative orders. For further advice contact the licensing section.

Licence holders are encouraged to contact the Licensing Section to discuss any proposed drinks promotion prior to their commencement. Further detailed guidance along with a new page outlining the conditions have been sent to each licence holder. Further copies of this advice is available from the Licensing Section.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- 4.4 For advice regarding any pools of model conditions which may be available please contact the licensing section.

5 THE LICENSING OBJECTIVES – GENERAL COMMENTS

- 5.1 Applicants for new premises licences and those seeking variation of existing licences/permissions are advised to demonstrate how they intend to promote the four licensing objectives.
- 5.2 In order to do this applicants are advised to carry out a comprehensive and detailed assessment which should cover, amongst other things:
- a) The scope and nature of the licensable activities to be carried out.
 - b) The duration of such activities.
 - c) The nature and location of the premises in which the activities are to take place (this may include reference to beer gardens, smoking shelters or any other open areas forming part of the premises, or used by the premises for the carrying on of licensable activities and/or consumption of alcohol).
 - d) The nature and location of other premises in the vicinity and their occupants.
 - e) The skills and knowledge levels of persons engaged in carrying out those activities.
- 5.3 The Licensing Authority advises that such an assessment should identify issues which could lead to the licensing objectives being undermined.
- 5.4 The Licensing Authority advises that such an assessment, and its conclusions, be incorporated within, or be annexed to, the operating schedule, which forms part of the application. Where an applicant chooses not to submit a risk assessment they are advised instead to provide a statement explaining why in their opinion one is not needed.
- 5.5 The Licensing Authority advises that the operating schedule sets out in detail the control measures the applicant intends to put in place to deal with the risks identified in the assessment.
- 5.6 Applicants are reminded that, where representations are made in relation to an application, the Licensing Authority has the power to place conditions upon the licence where it considers it appropriate to do so to promote the licensing objectives.

The Licensing Authority believes that the effective management of licensed premises by suitability experienced and trained staff is essential for the promotion of the four licensing objectives.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

Designated Premises Supervisors

- 5.7 Applicants are reminded that where they wish the premises licence to include the sale or supply of alcohol that they need to appoint a Designated Premises Supervisor (DPS), who must hold a personal licence. The Licensing Authority strongly recommends to all applicants that the Designated Premises Supervisor (DPS) be the person who has day-to-day control of the premises.
- 5.8 The Licensing Authority recognises that where a large organisation such as a pub or supermarket chain has a number of premises from which it intends to sell/supply alcohol, that organisation may wish a more senior member of staff such as an Area Manager to act as Designated Premises Supervisor (DPS) for more than one premises. In those circumstances, the Licensing Authority strongly advises applicants to clearly set out in their operating schedules on how the DPS will ensure that the licensing objectives are to be promoted at the premises in question. The Licensing Authority recommends that this includes:
- a) The frequency of visits by the DPS to the premises.
 - b) The maintenance of proper records at the premises relating to the Licensing Objectives and their inspection by the DPS.
 - c) The identification of the person or persons responsible for the day-to-day management of the premises.
 - d) The proper training of staff at the premises, having regard to their individual roles and the nature of the licensable activities carried on at the premises.
- 5.9 Adult Entertainment
Following the amendment of the Local Government (Miscellaneous Provisions) Act 1982 to introduce a new category of establishment called Sexual Entertainment Venues, applicants and existing licence holders who are providing adult entertainment such as Lap Dancing, Pole Dancing or Table Dancing are advised to contact the Authority to check whether they require a separate Sexual Entertainment Venue licence for the premises. Further guidance regarding the provision of adult entertainment is available from the Licensing Section.
- 5.10 When preparing their Operating Schedules, applicants are advised to have regard to the guidance issued under Section 182 of the Licensing Act 2003 and any other guidance referred to therein.

6 THE PREVENTION OF CRIME AND DISORDER

- 6.1 In order for applicants to properly address this objective, the Licensing Authority advises that the operating schedule where appropriate includes (amongst other things) reference to the following:

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- a) The use of CCTV cameras, both inside and outside the premises. It is recommended that such cameras, where installed, meet the standard set out in the Operational Requirements Guidance document issued by the Carmarthenshire Division of the Dyfed Powys Police and that images are retained for thirty one days. Where cameras are installed, applicants are advised to provide a declaration that Police and Licensing Officers can have immediate access to the images at any time during the opening hours of the premises.
- b) The CCTV system shall be recording whenever the premises is open for licensable activities and at least one hour before opening time and one hour beyond the closing time.
- c) That a competent person capable of producing a copy of CCTV footage upon request of any investigating agency is available at the premises.
- d) The CCTV system be installed and maintained to the satisfaction of the Dyfed Powys Police and local Community Safety Officer.
- e) The Premises Licence holder shall ensure that the CCTV system is kept in a good working order.
- f) The licensee or another appropriate person must randomly examine any available recordings in an attempt to satisfy themselves that all relevant policies are being adhered to and act accordingly where there is any suspicion that staff are not following policy, such as requesting identification or questioning potential 'proxy sales'.
- g) The installation of a security system for the whole of the premises, including the stock area of an approved standard.
- h) Procedures for risk assessing promotions (e.g. drinks promotions) and special events with potential to cause crime and disorder. Plans to minimise the risks identified.
- i) Means to prevent the use and supply of illegal drugs.
- j) Training of staff, including the obtaining of qualifications to a national standard. Applicants are advised to keep written records of all staff training.
- k) The use of security staff, including the number to be deployed, methods of operation, training and qualifications. Applicants are reminded of the requirements of the Securities Industry Act. Applicants will be expected to maintain a register, detailing the security staff on duty at any one time and allow the Police and Licensing Officers access to that register at any time during the opening hours of the premises.
- l) That where Door Supervisors are employed it be in the ratio of two door supervisors for the first one hundred persons and one per hundred thereafter. If applicants wish to employ a different ratio, it is recommended they explain why.
- m) In the case of nightclubs and venues used for live entertainment and concerts, the use of metal detectors and/or other search facilities and procedures.
- n) Door supervisors whenever on duty must wear high visibility style clothing both indoors and outdoors. The type of clothing to be used indoors must be clearly visible and readily identifiable in premises where the lighting may be dim, so that they are recognisable to members of the public, police officers and licensing officers. Whenever on duty door supervisors must complete a register of the time they start and finish duty, the register must contain the contact details of the individual door supervisor.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- o) Certain premises, particularly those with access restrictions for under 18's are advised to consider arranging for trading standards officers to deliver the free training regarding age verification, detailed in paragraph 9.10, for key staff such as door supervisors.
- 6.2 Applicants are strongly advised to state clearly in their operating schedules the measures to be taken to prevent customers removing glasses and/or open bottles/cans of alcohol from the premises.
- 6.3 All applicants are advised for the purposes of the prevention of crime and disorder that they include within the operating schedule, a capacity limit for the premises and the control measures to ensure it is enforced.
- 6.4 Applicants are advised to outline measures to be taken to supervise customers within any outside location at the premises either a beer garden or street café, in respect of the consumption of alcohol or smoking.
- 6.5 Applicants are advised that where they are planning to place tables and chairs on the highway or on private land, to indicate how they intend to control patrons at those locations and when they intend to remove those tables and chairs. Applicants are advised to contact the Street Scene section for advice regarding relevant permits under the Highways Act 1980.
- 6.6 It is recommended that Licensees support the Dyfed Powys Police in any initiatives to prevent crime and disorder such as passive drugs dogs, Itemiser drug scanning machine or any other relevant resource tool.
- 6.7 Licensees are encouraged to actively participate in an appropriate Pub Watch, LVA, Club Watch, Club Radio, Behave or be Banned, Best Bar None, and Home Watch Scheme or any other similar scheme. Applicants are advised to indicate whether or not they are willing to participate and also whether they are willing to contribute financially to the cost of such schemes.
- 6.8 Licensees are encouraged to promote and take part in any local or national initiatives, strategies or campaigns such as the 'Safer Clubbing Guide' and have regard to the Working Together to Reduce Harm – The Substance Misuse Strategy For Wales 2008 – 2018(Welsh Government 2008)
- 6.9 Applicants are advised where age restrictions on access apply, to put in place measures to control such activities, including staff training and the adoption of schemes such as "Challenge 25"
- 6.10 Licensees are reminded of their statutory duties to display certain licence documents and notices, Proper access to the licence and the display of the summary documents are vital elements of both the premises management and enforcement regimes. The Dyfed Powys Police and the Licensing Authority are of the view that in order to comply with these requirements, the premises summary document needs to be displayed in full public view, at a convenient height, not obscured and in such a way that each page of the document can easily be read by any person at the premises.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

Police and Licensing Officers will expect the responsible person at the premises to be able to produce the licence without delay.

- 6.11 Applicants requiring further information regarding the above or local crime prevention strategies should contact the Police at the address given in Appendix B.
- 6.12 The Dyfed Powys Police have identified the following areas within the County as hot spots of alcohol related crime and disorder. Applicants and existing Licence holders are strongly advised to pay special attention to measures aimed at preventing Crime and Disorder at premises located on these streets and in the vicinity.

Llanelli

Murray Street, Station Road, Stepney Street, Ann Street.

Carmarthen

Coracle Way, Lammas Street, Water Street, Priory Street, Queen Street, King Street. Nott Square

Ammanford

Quay Street, Wind Street.

7 PUBLIC SAFETY

- 7.1 Applicants are reminded that the safety of staff and patrons on licensed premises is the responsibility of the licensee.

7.2 New Psychoactive Substances

A recent trend has been the use and availability of New Psychoactive Substances (NPS), so called 'legal highs'. The authority recognises that legislation is sometimes slow to change to deal with such substances and that both the Police and local authority have powers under other legislation to tackle premises supplying substances that could be considered as legal highs. The Licensing Authority expects licence holders and qualifying clubs to actively discourage and prevent the use or supply of such substances in licensed premises.

- 7.3 All applicants are strongly advised to include within their operating schedule details of the maximum numbers of persons to be allowed in the premises at any time, how that figure was reached, and the control measures to ensure it is enforced.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- 7.4 Applicants are reminded that such maximum numbers should be calculated to ensure that premises can be safely evacuated in the event of any emergency, not just in the event of fire (which is the subject of separate legislation). The proposed maximum numbers and control measures should therefore also provide for other types of emergency (e.g. violent disorder, flooding, bomb threats etc).
- 7.5 All applicants are strongly advised to assess as to when the use of alternatives to glass, such as plastic bottles, plastic glasses and/or toughened glasses may be appropriate. The Licensing Authority believes that this is of particular relevance not just to high volume premises such as nightclubs and large town centre pubs, but also to other premises during peak periods such as bank holidays, other special occasions and external beer gardens and street cafes. Failure to properly address this issue could result in representations being submitted by the responsible authorities.
- 7.6 Applicants are advised to set out how they intend to make adequate first aid provisions for staff and customers.
- 7.7 The Licence Holder are advised to ensure that there is in force an appropriate public Liability Insurance Policy relating to his/her use of the premises for licensable activities. A copy of which should be on display at the principal point of entry and be produced to a Police Officer or an officer of the Licensing Authority on request.
- 7.8 Applicants are reminded electrical safety is of paramount importance. Applicants should be aware of the importance of ensuring that the electrical installations of a venue are maintained in safe correct working order, and are periodically checked to ensure they remain in such a condition.

Applicants are advised that the electrical installation in the premises should be in accordance with the requirements contained in the Institution of Electrical Engineers Regulations for the Electrical Equipment of Buildings (IEE Wiring Regulations – issued as BS 7671:2001-and 2002: Requirements of electrical installations). The Local Authority also advises that the electrical installation of the premises should be inspected and tested annually by a qualified electrical engineer. Applicants are encouraged to keep a record of such certificates for a period of twelve months.

- 7.9 Applicants are reminded that in circumstances where temporary structures (e.g. stages, marquees, seating etc) and/or temporary installations (e.g. generators, heaters) are used, it is the applicant's responsibility to ensure that they are suitable for their intended use and they are erected/installed correctly. Applicants are encouraged to ensure only competent people install/erect temporary structure(s) and installations, and the applicant is strongly advised to obtain completion / conformity certificates from the persons responsible for erecting or installing the structure. In addition, applicants are encouraged to keep a record of such certificates for a period of 12 months following obtaining the certificate.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- 7.10 The use of LPG is not uncommon, in particular, at outdoor events. In circumstances where LPG is intended to be used and stored, applicants are urged to familiarise themselves with the requirements of the LPG Association code of practices and follow such codes.
- 7.11 Applicants and existing licence holders are reminded of the need to comply with the requirements of The Regulatory Reform (Fire Safety) Order 2005. Advice regarding Fire safety can be obtained from the Mid and West Wales Fire Brigade, contact details for their Fire Safety department appear in Appendix B.
- 7.12 The Licensing Authority recommends that applicants contact the Fire Brigade, Health and Safety Executive and or Carmarthenshire County Council Commercial Services as appropriate for further information and guidance on these issues. (See Appendix B for relevant contact details).

8 THE PREVENTION OF PUBLIC NUISANCE

- 8.1 Applicants are reminded that licensed premises do not exist in isolation and that their operation contains an inherent risk of public nuisance.
- 8.2 Applicants are advised, as part of the assessment referred to in paragraph 5.2, to identify potential instances of public nuisance, arising from the operation of the premises and the measures to be implemented to control them.
- 8.3 Inaudibility - The simple presence of noise at a complainant's premises would not itself be sufficient to determine the matter as being a Public Nuisance or statutory noise nuisance as defined by the Section 79 of the Environmental Protection Act 1990. In determining the existence of a public nuisance or statutory noise nuisance a number of factors must be taken into consideration such as time, duration, frequency and loudness of the noise.
- 8.4 Applicants are reminded that their responsibilities in this respect are not limited to activities taking place within the premises during opening hours. Applicants are advised to have regard to (amongst other things) the manner in which their premises are prepared for opening (e.g. cleaning and deliveries), the management of patrons entering and leaving the premises and the manner in which the premises is closed down, including the way in which glass bottles are disposed of.

Applicants are also advised to consider:-

- a) Displaying Neighbour courtesy notices to be displayed at the premises.
 - b) Adopting a Dispersal Policy for the premises in respect of any person leaving the premises after midnight.
- 8.5 Applicants are reminded that public nuisance is not limited in scope to noise nuisance. Regard should therefore be had to (amongst other things) issues of light pollution, odour pollution, vibration etc.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- 8.6 As a result of the introduction of The Health Act 2006 and subsequently The Smoke-free Premises etc. (Wales) Regulations 2007, a large number of premises have erected external shelters and smoking areas, a number of which use street furnishings. Applicants should consider carefully the layout and locations of such external areas and are advised that such furnishings be situated in locations so as not to cause obstruction to the public.
- 8.7 Prior to erecting smoking structures applicants are reminded to consider whether their structure may conflict with relevant planning/building control permission for the premises. If the applicant is unsure whether this is the case or where they are aware of such a conflict, then they should contact the relevant Section of the Authority to resolve this matter.
- 8.8 Applicants are advised to consider how noise arising from the use of external smoking shelters/smoking areas is controlled. Applicants are advised to locate such areas away from residential properties if possible. It is also advised that applicants consider restricting the access to such areas and the activities undertaken within the areas e.g. alcohol not to be used in the external areas beyond a particular time and carefully manage access to and use of such areas.
- 8.9 Applicants are advised not to provide entertainment such as music and televisions in the external smoking areas. Not only can the noise from the entertainment cause disturbance, but external entertainment encourages people to stay outside for prolonged periods of time and this itself can give rise to noise and disturbance.
- 8.10 Advertising by means of fly posting is increasing and can have a detrimental effect on the surroundings. Applicants who use such methods of advertisement are recommended to have procedures in place to ensure that the advertisements are removed as soon as possible. Applicants are reminded that fly posting may give rise to criminal liability, both for those who fly post and the business that is being advertised.
- 8.11 Applicants are advised to consider how customers using the smoking areas dispose of their used cigarettes. Applicants are encouraged to provide receptacles for the used cigarettes and also to have systems in place to ensure the area is kept free from litter.
- 8.12 The Public Health Team has encountered a number of cases where trade waste is not being effectively managed by Licensed Premises. The result of which can give rise to Public Health problems such as rodent infestations, flies and odours. Situations have also arisen where premises (especially food premises) have been depositing their waste oil into the foul drainage system that resulted in blocked drainage system. Applicants are therefore reminded of their obligation to comply with legislation in relation to these issues.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- 8.13 Carmarthenshire County Council Public Health Services has produced further detailed guidance to assist applicants to address the public nuisance licensing objective. The Licensing Authority advise applicants to have regard to this guidance when producing operating schedules.
- 8.14 The Public Health Team has a duty to investigate nuisance complaints and therefore should be the first point of contact in cases where individuals are experiencing problems of nuisance from licensed premises.

9 THE PROTECTION OF CHILDREN FROM HARM

- 9.1 The Licensing Authority will not seek to require that access to any premises is given to children at all times. Under normal circumstances this will be left to the discretion of the licensee. Generally the Licensing Authority will not seek to limit access of children to any premises unless it is necessary for the prevention of harm to them. Applicants are reminded that their general responsibilities towards staff and customers are increased where such staff/customers are children.
- 9.2 Applicants are advised to include within their operating schedules a clear statement as to when children will be employed at the premises and/or when they will be allowed on the premises as customers or performers in regulated entertainment. Applicants are reminded of the existence of local by laws governing the employment of children, and are advised to contact Education and Children Services in relation to this issue.
- 9.3 The range of alternatives which may be considered for limiting the access of children include:
- a) Limitations on the hours when children may be present.
 - b) Limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place.
 - c) Limitations on the parts of premises to which children might be given access.
 - d) Age limitations (below 18).
 - e) Requirements for accompanying adults.
 - f) Full exclusion of people under 18 from premises when licensable activities are taking place.
- 9.4 Where applicants intend to allow children to enter their premises they are advised to establish and enforce clear codes of conduct to be observed at all times when children are present. The Licensing Authority suggests such codes to be incorporated within or annexed to operating schedules and to include reference to (amongst other things):
- a) The prohibition of foul and abusive language
 - b) The prohibition of threatening behaviour
 - c) The prohibition of entertainment of an adult or sexual nature
 - d) The prohibition of entertainment of a violent nature

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- e) The prohibition of gambling (other than small numbers of AWP machines).
- 9.5 Applicants are advised to clearly state which parts of the premises children are allowed to enter, the circumstances in which this can take place and the control measures to ensure this is enforced. Applicants should seek advice from the Licensing Authority and Children's Services on a case by case basis.
- 9.6 Applicants are advised to include within their operating schedule a declaration that children of school age will not be allowed into their premises during school hours.
- 9.7 Applicants whose premises are used to provide services specifically to children and/or family groups are advised to adopt the following measures:
- a) Security checks on all staff, including temporary staff.
 - b) Training for key staff in relation to child protection and safety issues.
 - c) The adoption of fixed time deadlines after which children of a certain age will generally be expected to leave the premises. The Licensing Authority recommends that on a day preceding a school day this should be 8pm for children up to and including primary school age, and 10pm for secondary school children.
 - d) Procedures to ensure that unaccompanied children have the means to travel home safely.
- 9.8 In respect of licensed premises that hire their function rooms for private events, they adopt a system where all bookings are checked and details of the event or functions are verified as being bona fide. Such details to be recorded to include name of person who took the booking, contact details of person make the booking and what steps were taken to confirm that the event or function was not for persons under 18 years of age. This is to prevent the possibility of licensing offences being committed by the premises or those attending the function, such as an under 18's party, school proms or similar events where the majority of those attending will be under 18.
- 9.9 Applicants whose premises are to be used for Parties or events aimed primarily at 18 year olds and under are advised that the following arrangements are prudent to protect children from harm.
- Bookings for such events should only be taken from an adult. A requirement of an accompanying adult to supervise should be considered.
 - A Designated Premises Supervisor should be present whenever the premises is in use for such events
 - Specific arrangements need to be made by the premises to ensure that children and young people are able to get home safely. For example having a freephone available for booking local taxis.
 - Specific arrangements need to be made to ensure that children and young people that turn up at the premises and are denied access due to

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

intoxication get home safely to the care of a parent or carer or responsible adult.

- Fixed time deadlines at which such parties will generally be expected to leave the premises.
- 9.10 Consideration should be given to the age of bar staff serving at these events and the potential impact that peer pressure could have on the likelihood of alcohol being served to underage persons. Arrangements should include the supervision and training of these staff to deal with peer pressure.
- 9.11 Applicants are reminded of research carried out on behalf of the Department of Children & Families by Newcastle University, which concluded that children who misuse alcohol are likely to suffer harm to their physical and mental health, educational development and personal safety.
- 9.12 Applicants whose premises are to be used for the sale and/or supply of alcohol are advised to set out in their operating schedules the steps that will be taken to prevent the sale and/or supply of alcohol to persons under age. This may include (but not necessarily be limited to):
- a) The Implementation of a “Challenge 25” policy to ensure that all staff will insist on appropriate ID if they believe that a purchaser may be 25 or under – “No ID – No Sale”.
 - b) The provision of notices / posters to be clearly displayed in store, near the point of sale areas, to emphasise to customers that they will be challenged if they look 25 or under. It is recommended that similar posters relating to the sale of age related products to be clearly displayed near the products themselves.
 - c) What forms of proof of age will be accepted at the premises e.g. Photo-card driving licence, passport, Validate card or any PASS accredited proof of age card.
 - d) A requirement that all new employees to undergo induction training in relation to the sale of age restricted products, immediately on commencing employment, and a written record and details be kept of such training.
 - e) A requirement that all relevant staff undertake refresher training in relation to the sale of age restricted products at least once every 6 months.
 - f) That such training include information on the acceptable forms of ID, and in particular the “Validate” proof of age card, promoted within Carmarthenshire. Sample “Validate” ID cards, should be made available, for staff, to assist confidence in their understanding of information contained on such cards.
 - g) A Requirement that a “Refusals Log” be maintained, kept at the till area, and entries completed every time a sale is refused. These “refusals” should be examined and analysed by an appropriate person within the organisation, at regular intervals, and any potential concerns addressed immediately. Any such actions should be recorded, signed and dated.
 - h) Where a person under is 18 is employed, a signed record should be made by the relevant “supervisor” in charge of that person, prior to them commencing duty on each day.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- i) The Premises Licence Holder should have installed a CCTV system that covers the checkout area. The licensee or another appropriate person should randomly examine any available CCTV recordings, in an attempt to satisfy themselves that all relevant policies are being adhered to, and act accordingly where there is any suspicion that staff, are not following policy, such as not requesting ID, or questioning potential “proxy sales”.
 - j) The preparation of a written policy in relation to the sale of age restricted products, a copy of which to be provided to all staff. Such a policy should be annually reviewed and if relevant, updated to reflect changes in the law, and / or guidance issued by relevant bodies.
 - k) Where an EPOS system is in use, a till prompt is automatically generated to alert staff that an alcoholic product has been scanned, and that staff need to acknowledge this, before such a sale can continue.
 - l) Arranging for the DPS to be in full time employment at the premises, with an active “hands on” role in, and responsibility for, overseeing staff. The DPS should have successfully completed, and provide evidence of such, a nationally accredited “personal licence” course.
 - m) Ensuring that all documents referred to above, are kept at the premises and made available on request, at all times to Police, Trading Standards or Licensing Officers. Applicants are advised that where such a requirement is made a condition of licence, a failure to produce could be interpreted as documents “not being available”, which could be a breach of licensing conditions.
- 9.13 The Trading Standards Services Section offer free training for premises staff in relation to the sale of alcohol and other age restricted products. Licence holders wishing to take advantage of this service must make arrangements well in advance by contacting the Trading Standards Section using the contact details contained in Appendix B.
- 9.14 Applicants should have regard to such advice and guidance as may be issued from time to time by the Police and the Carmarthenshire County Council’s own Trading Standards Officers.
- 9.15 Applicants are reminded that the advice to keep training records set out in paragraph 6.1 in this policy is equally applicable in this context.
- 9.16 The Licensing Authority recognises that the Department for Education and Children of Carmarthenshire Council is the competent body to advise on matters relating to the protection of children from harm. The address to which applicants should forward copies of their application is contained in Appendix E.
- 9.17 The Licensing Authority strongly advises applicants to make a commitment in their operating schedules to follow the Portman Group code of practice on the naming, packaging and promotion of alcoholic drinks. Failure to do so may be regarded as intelligence of irresponsible drinks promotions under section 19 (2) of this policy.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

10 CUMULATIVE IMPACT

Station Road, Llanelli

- 10.1 The Licensing Authority has received sufficient evidence to show that a Cumulative Impact Policy continues to be required in relation to the lower end of Station Road, Llanelli, between its junction with Queen Victoria Road south to the railway crossing as shown on the plan attached at appendix F. However, in accordance with paragraph 1.7 this matter will be kept under constant review.

This Policy applies to any property which has a boundary on the relevant portion of Station Road.

- 10.2 Where relevant representations are received, it is the Licensing Authority's policy to refuse applications in respect of the lower end of Station Road, Llanelli, between its junction with Queen Victoria Road south to the railway crossing as shown on the plan attached at appendix F for;

- (a) New Premises Licences
- (b) The variation of such licences that are considered likely to add to the existing cumulative impact.

The policy is intended to be strictly applied and will only be overridden in genuinely exceptional circumstances

Exceptions are unlikely to be made on the grounds that the premises are, or will be, well managed

Exceptions should be directed at the reasons underlying the policy.

An exception might arise where an application proposes;

- (a) To effect a real reduction in capacity
- (b) To replace vertical drinking with seated consumption and waiter service.
- (c) To transfer an operation from one premises to another, where the size and location of the second premises is likely to cause less detrimental Impact and will promote the licensing objectives.
- (d) The substitution of existing licensable activity at a premises with licensable activities which would have less impact on the area and would be more likely to further the licensing objectives.

Variation applications which are likely to be considered to add to the existing cumulative impact include;

- (a) An increase in the capacity of the premises
- (b) An extension in the hours of operation of the premises
- (c) Introducing opportunities to consume alcohol other than ancillary to table meals

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- (d) Introducing opportunities to take food away from the premises
- (e) Introducing dance floors or similar facilities
- (f) Any other change to the way the premises operate which is likely to have an impact on the promotion of the licensing objectives.
- (g) The varying of an existing licence condition attached to a premises licence, which is likely to have an impact on the promotion of the licensing objectives.

The Licensing Authority acknowledges that it has departed from the Secretary of State's guidance by including premises which sell alcohol for consumption off the premises within the scope of this policy. However the Licensing Authority believes that this departure is justified due to the evidence of price competitive behaviour linked to street drinking, underage drinking, proxy sales and pre-loading associated with the concentration of such premises in Station Road, Llanelli.

The Licensing Authority acknowledges that this policy goes further than that set out within the Secretary of State's Guidance. However the Licensing Authority believes this is justified on the grounds set out below.

The reasons for adopting this policy are as follows;

1. The portion of Station Road, Llanelli, between its junction with Queen Victoria Road south to the railway crossing as shown on the plan attached at appendix F contains a total of 23 licensed premises, including pubs, nightclubs, off licences and late night take away outlets.
 - a) During the period 01/01/13 to 31/07/15 the following incidents occurred in Station Road –
 - 101 incidents of alcohol related ASB
 - 84 Incidents including alcohol related public safety concerns
 - 233 alcohol related crimes.
 - b) Station Road accounted for 57% of alcohol related anti social behaviour and 67% of alcohol related crime recorded in the hot spot areas in Llanelli identified in the policy.
2. The Road is in close proximity to a large number of residential streets. There is clear evidence that these streets are subject to alcohol related crime and disorder by persons who have purchased alcohol in Station Road.
3. Station Road is the location for a number of licensed premises. There is clear evidence linking these premises to late night noise and anti social behaviour in Station Road and the surrounding residential streets.
4. Evidence has been received that late night food outlets attract passing custom from people leaving the town centre, leading to a greater concentration of people than would otherwise be the case , before dispersing through nearby residential streets.
5. There have been licence applications relating to premises in Station Road which have highlighted issues of alcohol related anti-social behaviour and crime and disorder.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

6. The evidence to support the above is contained in the Policy review file and on the individual premises files held by the Licensing Section.
7. The evidence from the consultation shows that residents are continuing to be affected by alcohol related crime and disorder, however this is primarily between it's junction with Queen Victoria Road south to the railway crossing, as shown on the plan attached at appendix F.

Lammas Street, Carmarthen.

10.3 The Licensing Authority has received sufficient evidence to show that it would be inconsistent with the Authority's duty under section 4 (1) of the Licensing Act 2003 to grant any further relevant authorisations in respect of premises in Lammas Street, Carmarthen as shown on the plan attached at appendix G. However, in accordance with paragraph 1.7 this matter will be kept under constant review.

This Cumulative Impact Assessment applies to any property which has a boundary on Lammas Street, Carmarthen.

10.4 Where relevant representations are received, it is the Licensing Authority's intention to refuse applications in respect Lammas Street, Carmarthen as shown on the plan attached at appendix G for;

- (c) New Premises Licences
- (d) The variation of such licences that are considered likely to add to the existing cumulative impact.

This Assessment is intended to be strictly applied and will only be overridden in genuinely exceptional circumstances

Exceptions are unlikely to be made on the grounds that the premises are, or will be, well managed

Exceptions should be directed at the reasons underlying the Assessment.

An exception might arise where an application proposes;

- (e) To effect a real reduction in capacity
- (f) To replace vertical drinking with seated consumption and waiter service.
- (g) To transfer an operation from one premises to another, where the size and location of the second premises is likely to cause less detrimental Impact and will promote the licensing objectives.
- (h) The substitution of existing licensable activity at a premises with licensable activities which would have less impact on the area and would be more likely to further the licensing objectives.

Variation applications which are likely to be considered to add to the existing cumulative impact include;

- (h) An increase in the capacity of the premises
- (i) An extension in the hours of operation of the premises

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- (j) Introducing opportunities to consume alcohol other than ancillary to table meals
- (k) Introducing opportunities to take food away from the premises
- (l) Introducing dance floors or similar facilities
- (m) Any other change to the way the premises operate which is likely to have an impact on the promotion of the licensing objectives.
- (n) The varying of an existing licence condition attached to a premises licence, which is likely to have an impact on the promotion of the licensing objectives.

The reasons for adopting this Assessment are as follows;

1. Lammas Street, Carmarthen, shown on the plan attached at appendix G contains a total of 18 licensed premises, including pubs, nightclubs, off licences and late night take away outlets.
 - a) During the period 01/01/16 to 31/03/18 there have been a total of 262 alcohol related crimes recorded between 10pm and 6am across Carmarthen Town, 44% of these crimes (114) were committed in Lammas Street.
 - b) Over the last two years there have been a total of 226 crimes reported to have occurred in Lammas Street, 74% of these crimes (167) were committed between the hours of 10pm and 6am with 68% of those crimes being alcohol related (114 out of 167 crimes)
 - c) In addition to the above there were 125 incidents of anti-social behaviour reported and received between the hours of 10pm and 6am in Lammas Street. 46% of those ASB incidents were alcohol related (37).42% of alcohol related public order incidents and 82% of alcohol related violence against the person in Carmarthen Town over the last two years were committed in Lammas Street.
2. The Road is in close proximity to a large number of residential streets. There is clear evidence that these streets are subject to alcohol related crime and disorder by persons who have purchased alcohol in Lammas Street.
3. Lammas Street is the location for a number of licensed premises. There is clear evidence linking these premises to late night noise and anti-social behaviour in Lammas Street and the surrounding residential streets.
4. Evidence has been received that late night food outlets attract passing custom from people leaving the town centre, leading to a greater concentration of people than would otherwise be the case, before dispersing through nearby residential streets.
5. There have been licence applications relating to premises in Lammas Street which have highlighted issues of alcohol related anti-social behaviour and crime and disorder.
6. The evidence to support the above is contained in the Policy review file and on the individual premises files held by the Licensing Section.
7. The evidence from the consultation shows that residents are continuing to be affected by alcohol related crime and disorder, as shown on the plan attached at appendix G.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

11 LICENSING HOURS

- 11.1 The Licensing Authority recognises that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people tend to leave licensed premises at the same time. Longer licensing hours may therefore be an important factor in reducing friction at late night food outlets, taxi ranks and other sources of transport in areas where there have already been incidents of disorder and disturbance.
- 11.2 However, the Licensing Authority recognises that in certain cases, the presumed benefits of longer licensing hours may be outweighed by the disadvantages of increased public nuisance, crime and disorder. This may be particularly the case in rural or residential areas. The Licensing Authority advises applicants to address this possibility when preparing their operating schedules in accordance with section 5 of this policy.
- 11.3 As far as the Licensing Authority's overall approach to licensing hours is concerned, it has not introduced any form of zoning at present.
- 11.4 Instead, regard will be given to the individual characteristics of the premises concerned and the area in which it is located. It is recognised that pubs, nightclubs, restaurants, hotels, theatres, members clubs and community venues all contribute to the night time economy but with contrasting styles and characteristics. Proper regard will be had to those differences and the impact they are likely to have on the local community.
- 11.5 Premises licensed to sell alcohol will generally be permitted to do so during the normal hours they intend to open for business
- 11.6 Where representations are received, the Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. For example, when issuing a licence, stricter controls may be imposed in the case of premises which are situated in the vicinity of residential accommodation.
- 11.7 Applicants for new licences, or those seeking variation of their existing licences and permissions, are advised to set out in detail in their operating schedules the control measures which they intend to adopt to address the licensing objectives.
- 11.8 Applicants are strongly recommended to include provision for drinking up time in their operating schedules.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

12. FILMS

- 12.1 In the case of premises which are used for film exhibitions, conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Licensing Authority itself. The Licensing Authority has adopted a procedure for processing classification requests. Anyone wishing to obtain a certificate to show an unclassified film at a specific location is advised to contact the licensing section for a copy of the procedure prior to arranging a screening.

In recent years, the Act has been amended to exempt some types of film entertainment provided at certain locations from the requirement to be licensed between the hours of 8am and 11pm. Persons considering providing film entertainment are advised to contact the licensing section for detailed guidance regarding these exemptions.

13. INTEGRATING STRATEGIES AND THE AVOIDANCE OF DUPLICATION

- 13.1 The Policy is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operatives.
- 13.2 The Licensing Authority will endeavour to secure proper integration with local crime prevention, substance misuse action plans and strategies, planning, transport, tourism, cultural and health, social care and well-being strategies.
- 13.3 Where any protocols agreed with the police identify a particular need to disperse people from any areas swiftly and safely to avoid concentrations which could lead to disorder and/or nuisance, the Licensing Authority will aim to inform those responsible for providing local transportation so that arrangements can be made to reduce the potential for problems to occur.
- 13.4 The licensing authority will seek to encourage licensable activities which do not undermine the licensing objectives and which are consistent with the economic regeneration strategies and objectives of the authority, particularly those of the Llanelli town centre task force.
- 13.5 The Licensing Authority recognises that licensing applications should not be seen as a re-run of the planning application process and that there should be a clear separation of the planning and licensing regimes to avoid duplication and inefficiency. Therefore, the Licensing Authority will not insist that a premises has the benefit of appropriate planning consent before considering an application, although applicants are reminded that the local planning authority, as a relevant authority, has the power to object to the granting of a licence and/or request the imposition of conditions upon any licence granted. Applicants are also reminded that the fact that planning consent may permit them to operate until a particular hour does not mean that they will necessarily be granted a licence on the same terms as different statutory criteria is applied under the planning and licensing regimes.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- 13.6 The Licensing Authority recognises that, apart from the licensing function, there are a number of other means available for addressing issues of disorder and nuisance that can occur away from licensed premises, including:
- a) Planning Controls.
 - b) Positive measures to create a safe and clean town centre environment in partnership with (amongst others) local businesses, transport operators and other departments of the Local Authority.
 - c) The provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols.
 - d) Powers of Local Authorities to designate parts of the Local Authority area as places where alcohol may not be consumed publicly.
 - e) Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices.
 - f) The prosecution of any personal licence holder or member of staff at such premises, selling alcohol to people who are drunk.
 - g) The confiscation of alcohol from adults and children in designated areas.
 - h) Police powers to close down instantly for up to 24 hours any licensed premises or temporary events on the grounds of disorder, or the likelihood of disorder or noise from the premises causing a nuisance.
 - i) The powers of the police, other relevant authority or a local resident or business to seek a review of the licence or certificate in question.
 - j) The powers of Public Health Services to issue abatement notices under Section 80 of the Environmental Protection Act 1990 to prevent statutory nuisance.
- 13.7 The Licensing Authority will continue to address issues of this type through the Carmarthenshire Community Safety Partnership.

14. LIVE MUSIC, DANCING AND THEATRE

- 14.1 In recent years, the Act has been amended by the Live Music Act, Deregulation Act and other legislative orders, which have exempted some types of entertainment provided at certain locations from the requirement to be licensed between the hours of 8am and 11pm. It should be noted that exempt entertainment is still subject to the powers under the Environmental Protection Act 1990 and that live music provided at licensed premises under The Live Music Act must still promote the licensing objectives and could still be subject to a licence review. Persons considering providing entertainment are advised to contact the licensing section for detailed guidance regarding these exemptions.
- 14.2 When determining applications for live and/or community based events the Licensing Authority will take into account the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole, and in particular the need to support and promote the linguistic and cultural heritage of Carmarthenshire.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- 14.3 If representations are made concerning the potential for disturbance in a particular neighbourhood as a result of such activities, such representations will be balanced against the wider benefits to the community of such events taking place.
- 14.4 When attaching conditions to licences granted for such events, the Licensing Authority recognises the need to avoid measures that might deter live music, dancing or theatre by the imposition of substantial indirect costs.
- 14.5 The Licensing Authority acknowledges the advice previously received from the DCMS in this context that the views of vocal minorities should not be allowed to predominate over the general interests of the community.
- 14.6 Only conditions strictly appropriate for the promotion of the licensing objectives will be attached to licences for activities of this nature.

15. SMALL SCALE TEMPORARY EVENTS

- 15.1 The Act provides for certain occasions when small-scale events (for no more than 499 people at any one time and lasting for no more than 168 hours) do not need a premises licence providing that advance notice is given to the Police, Environmental Health and the Licensing Authority. Only the Police or Environmental Health can object to such a Temporary Event Notice if they believe the event is likely to undermine any of the licensing objectives.

Standard Temporary Event Notices

- 15.2 Persons wishing to hold such events under the authority of a standard temporary event notice (TEN) must give a **minimum of 10 clear working days** notice to the Police, Environmental Health and the Licensing Authority. The addresses to which such notices must be sent can be found in Appendix C to this policy.

Late Temporary Event Notices

- 15.3 A late temporary event notice can be submitted up to **five clear working days prior to the start** of an event and must be served in the same way as set out above for standard TENs. However if one of the authorities objects to a late TEN, the Notice will not be valid and the event will not be able to go ahead.
- 15.4 The Licensing Authority recommends that responsible event organisers give far greater notice of events however, to ensure that potential problems can be identified and resolved well in advance. Ideally the Licensing Authority would like to receive three months notice of such 'small' temporary events, although it is recognised that this may not be practicable in some cases.
- 15.5 Those submitting Temporary Event Notices are therefore strongly recommended to contact licensing officers early in the planning of such events to obtain further guidance regarding the process.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- 15.6 Those submitting Temporary Event Notices are advised to consider the advice about organising events for 18 year olds and under which can be found at paragraph 9.9 and the impact of alcohol consumption on young people which can be found at 9.10
- 15.7 Organisers of Temporary Events are strongly advised to refer to the good practice advice contained in other sections of this policy document. In particular :-
- Section 6 The Prevention of Crime and Disorder,
 - Section 7 Public Safety
 - Section 8 The Prevention of Public Nuisance and
 - Section 9 The Protection of Children From Harm

Organisers are also strongly advised to consult the Authorities listed in Annex B for advice regarding their obligations under other separate legislation.

16 LARGER OCCASIONAL EVENTS

- 16.1 Organisers of larger Occasional events involving 500 or more people will be required to submit applications for premises licences. The Licensing Authority again strongly recommends that event organisers contact licensing officers early in the planning stages of the event. Ideally the Licensing Authority would like to receive 12 months notice of any such event, although it is again recognised this may not be practicable in some cases.
- 16.2 The Following table is included as a suggested minimum period of time prior to an event for submitting a complete application, following consultations with the responsible authorities.

Maximum number of attendees at any time	Minimum notice period
500 - 999	Not less than 2 months
1000 - 2999	Not less than 3 months
3000 - 4999	Not less than 4 months
5000 - 19999	Not less than 5 months
20000 – 49999	Not less than 6 months
50000 +	Not less than 7 months

- 16.3 Organisers of all occasional events, irrespective of their size and duration, are reminded that failure to consult with the Licensing Authority and Responsible Authorities well in advance of the event taking place increases the risk of objections to the event, and the subsequent cancellation of the event itself.
- 16.4 Organisers of occasional events are advised to prepare an Event Management Plan setting out details of all aspects of the arrangements for

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

the event. Organisers are advised to contact the licensing section for advice and guidance regarding the preparation of such management plans.

- 16.5 The Licensing Authority will establish a multi-agency advisory group, consisting of the emergency services and other council services such as Highways and Public Health, to advise and co-ordinate planning for public events in the County, irrespective of their size and duration.
- 16.6 Organisers of occasional events are advised to consider the advice about events aimed at 18 year olds and under that can be found at 9.9 and the impact of alcohol consumption on young people which can be found at 9.10.

17. THE LICENSING PROCESS

- 17.1 The powers of the Licensing Authority under the Act will be carried out either by the Licensing Committee, by a sub-committee of that committee, or by one or more officers of the council in accordance with the scheme of delegation, which is prescribed from time to time by regulations and guidance under the Act. See Appendix A.
- 17.2 In general terms however, the Licensing Committee will have a largely supervisory role, contested applications will be dealt with by sub-committees, and uncontested applications by officers. See Appendix A.
- 17.3 Applicants are strongly encouraged to consult the Licensing Authority, responsible authorities, local businesses and residents whilst preparing their applications. The Licensing Authority firmly believes that this will assist applicants in identifying potential problems so that they can be addressed before they occur, and allay the fears of such businesses and residents as to the impact of the new licensing regime.
- 17.4 Applicants are strongly encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their operating schedules.
- 17.5 There is a presumption that a Sub Committee will not undertake site visits. A site visit will only be arranged where a valid representation is received and in the opinion of the licensing officer the sub committee may benefit from such a visit when determining the application. Officers will consult the chairman of the relevant Sub Committee prior to arranging a site visit.

If when dealing with applications where a site visit has not been arranged, the sub committee subsequently feels that a site visit is necessary in order to determine the application, the hearing may be deferred to allow this to take place.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

17.6 Minor Variations

The Licensing Act 2003 has been amended by the insertion of Section 41A to 41C relating to minor variations. This allows for certain small variations to be processed through a simplified 'minor variations' process.

Minor variations will generally fall into four categories:

- Minor variations to the structure or layout of the premises
- Small adjustments to licensing hours
- The removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions
- The addition of certain licensable activities

Applicants are advised to contact the Licensing Section to discuss their proposed application prior to submitting a formal application.

17.7 Community Premises

The Licensing Act 2003 has been amended to allow certain community premises which have, or are applying for, a premises licence that authorises alcohol sales to be exempted from the need to have a designated premises supervisor.

Such an application may only be submitted where the licence holder is the management committee, who would then be responsible for the supervision and authorisation of all alcohol sales made.

Community premises are defined as church or chapel halls, village or community halls or similar buildings.

Applicants are advised to discuss their proposals with the Licensing Section prior to submitting a formal application.

Making Representations

17.8 Persons considering making representations in relation to an application may wish to contact the licensing section for further information regarding the application and for guidance regarding the process of making representations.

17.9 The Authority advises individuals wishing to make representations against submitting a petition, as it is often difficult to verify that all the signatories meet the criteria contained in the legislation for relevant representations. In line with advice from LACORS, where lengthy petitions are submitted in relation to licence applications, a lead contact should be given and the Authority will then only correspond directly with that individual. Information regarding the application will be made available upon reasonable request to other signatories of the petition.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- 17.10 In the interests of Local Authority cost and efficiency, where large numbers of representations are received regarding an application, copies of all the representations may not be distributed to all persons. The relevant documents will however be made available for inspection.
- 17.11 Any persons who have submitted representations are strongly advised to attend the hearing arranged to determine the application, as the committee may have to attach less weight to their representation if they are not present to answer questions regarding matters raised.
- 17.12 Where a person does not agree for their personal information being disclosed to an applicant, they are advised that this may result in less weight being attached to their representations.
- 17.13 Where a person has a genuine and well founded fear of intimidation and may be deterred from making a representation, they are advised to consider contacting the relevant Responsible Authority to discuss their concerns regarding the application.
- 17.14 Any person may make relevant representations in respect of licence applications.
- 17.15 Persons who make representations are expected to set out in detail the problems complained of and how they affect them.

18. LICENCE REVIEWS

- 18.1 At any stage following the grant of a premises licence, any person or responsible authority may ask the Licensing Authority to review the licence because of problems arising at the premises in connection with any of the four licensing objectives. In addition, a review of the licence will normally follow any action by the police to close down premises for up to twenty-four hours on grounds of disorder or public nuisance.
- 18.2 Any person who wishes to apply to review a licence or certificate are reminded that such an application cannot be made on a confidential basis. It is a requirement of the Act that the identity of the person or organisation making the application be disclosed in order for the request to be valid.
- 18.3 Where the application for a review originates with a person other than a responsible authority the Licensing Authority will first consider whether the request made is irrelevant, vexatious, frivolous or repetitious. This decision will be made by officers of the Licensing Authority in conjunction with the Chair or Vice Chair of the Licensing Committee.
- 18.4 Nothing in this policy shall be taken to prevent any individual making separate applications for the review of different licences, or more than one

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

application for the review of the same licence where such requests are based on different complaints or evidence.

- 18.5 Following receipt of an application for review or where the closure procedures referred to in paragraph 18.1 above apply, the Licensing Authority will arrange a hearing, which will be conducted in accordance with the prescribed regulations.

19. DISPUTE RESOLUTION

- 19.1 In the first instance, individuals or groups with concerns about particular premises are encouraged to raise their concerns directly with the applicant or licensee concerned.
- 19.2 Where the following have occurred the Licensing Authority will offer to arrange for mediation between the parties concerned to try to address, clarify and resolve the issues in dispute:
- a) A valid representation regarding a licence application
 - b) A valid request for the review of a licence
 - c) A valid complaint about licensed premises.
- 19.3 This offer will not override the right of any party to ask that the Licensing Committee (through its sub-committees) consider their representation, request or objection, nor the right of any applicant or licensee to refuse to take part in the mediation process.

20. ENFORCEMENT

- 20.1 The Licensing Authority has established protocols with the police and other enforcing authorities. These protocols will provide for the targeting of unlicensed premises, problem premises and high-risk premises, but with a lighter touch being applied to those premises which are shown to be well managed and maintained.
- The authority has established a Licensing Action Group to provide a forum for representatives of the responsible authorities to meet regularly to focus coordinated action in respect of clubs or premises which are a source of complaint or concerns.
- 20.2 In establishing whether premises are high risk, regard will be had to the following:
- a) Intelligence relating to disorder and/or nuisance at, or in the vicinity of the premises.
 - b) Intelligence relating to the sale/consumption of alcoholic drinks at, or in the vicinity of the premises by persons under age.
 - c) Intelligence relating to drug taking and/or dealing at, or in the vicinity of the premises.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- d) Intelligence relating to irresponsible drinks promotions at the premises.
- e) Intelligence relating to binge drinking at the premises.
- f) Whether the premises can be categorised at any time as high volume or high-density vertical drinking establishments.

20.3 In general, action will only be taken in accordance with set enforcement principles and in line with the Licensing Authority's own enforcement policy. To this end, the key principles of consistency, transparency and proportionality will be maintained.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

Appendix A

DELEGATION OF FUNCTIONS

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a Police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary Designated Premises Supervisor		If a Police objection	All other cases
Request to be removed as Designated Premises Supervisor			All cases
Suspension or revocation of a personal licence		All Cases	
Application for transfer of premises licence		If a Police objection	All other cases
Applications for interim authorities		If a Police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a representation or review application is irrelevant, frivolous, vexatious etc.			All cases (In consultation with the Chair or Vice Chair of Licensing)
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a Police objection to a temporary event notice		All cases	
Adjourning a sub committee where all parties consent			In consultation with sub-committee chairperson
Film Classification Request		Film not	Previously classified

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

		previously classified	film to be shown at different premises
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Appendix B

CONTACT DETAILS

Licensing Authority

Licensing Section
Department for Communities
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Tel No. 01267 234567
e-mail : PublicProtection@Carmarthenshire.gov.uk

Police Licensing Officer
Dyfed Powys Police
Ammanford Police Station
Foundry Road
Ammanford
Carmarthenshire
SA18 2LS

Tel No. 101 Ext 26464
e-mail: Mike.Price@Dyfed-Powys.pnn.police.uk

The relevant Planning Authority for your premises:-

Either

Head of Planning
Carmarthenshire County Council
8 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LQ

Tel No. 01267 242454
e-mail: Planning@Carmarthenshire.gov.uk

Or

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

Brecon Beacons National Park, for premises within its administrative area

Enforcement Officer
Brecon Beacons National Park Authority
Plas Y Ffynnon
Cambrian Way
Brecon
Powys
LD3 7HP

Tel No: 01874 620431
Email: planning.enquiries@breconbeacons.org
Fax: 01874 622524

Commercial Services Manager
Department for Communities
Carmarthenshire County Council
Ammanford Town Hall
Iscennen Road
Ammanford
SA18 3BE

Tel No. 01267 234567
e-mail: PublicProtection@Carmarthenshire.gov.uk

Trading Standards Manager
Department for Communities
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Tel No. 01267 234567
e-mail: PublicProtection@Carmarthenshire.gov.uk

County Commander
Mid and West Wales Fire and Rescue Services
Carmarthenshire County Command HQ
Lime Grove Avenue
Carmarthen
Carmarthenshire
SA31 1SP

Tel No. 0870 6060699
e-mail: Mail@Mawwfire.gov.uk

Department for Education and Children
Carmarthenshire County Council
Building 2
St. Davids Park

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

Jobs Well Road
Carmarthen
SA31 3HB

Tel No. 01267 246544
e-mail. SocialCare@Carmarthenshire.gov.uk

The relevant Health and Safety authority for your premises

Either

Commercial Services Manager
Department for Communities
Carmarthenshire County Council
3 Spilman Street
Carmarthen
SA31 1LE

Tel No. 01267 234567
e-mail: PublicProtection@Carmarthenshire.gov.uk

Or

Health and Safety Executive
Services Division
Ty Myrddin
Old Station Road
Carmarthen
Carmarthenshire
SA31 1LP

Tel No. 01267 244230
Fax No 01267 223267

Applicants for licences in respect of vessels should contact the Licensing Authority for additional information.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

Appendix C

ADDRESSES FOR SERVICE OF TEMPORARY EVENT NOTICES

Licensing Section
Department for Communities
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Commercial Services Manager
Department for Communities
Carmarthenshire County Council
Ammanford Town Hall
Iscennen Road
Ammanford
SA18 3BE

Police Licensing Officer
Dyfed Powys Police
Ammanford Police Station
Foundry Road
Ammanford
Carmarthenshire
SA18 2LS

Tel No. 101 Ext 26464
e-mail: Mike.Price@Dyfed-Powys.pnn.police.uk

Envelopes should be marked 'URGENT TEMPORARY EVENTS NOTICE'

Appendix D

ADDRESS FOR SERVICE OF APPLICATIONS ON THE LICENSING AUTHORITY

Licensing Section
Department for Communities
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

LICENSING ACT 2003
STATEMENT OF LICENSING POLICY

Appendix E

ADDRESSES FOR SERVICE OF RESPONSIBLE AUTHORITIES

Licensing Authority

Licensing Section
Department for Communities
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Police Licensing Officer
Dyfed Powys Police
Ammanford Police Station
Foundry Road
Ammanford
Carmarthenshire
SA18 2LS

The Relevant planning Authority

Either ,

Head of Planning
Carmarthenshire County Council
8 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LQ

Or

Brecon Beacons National Park, for premises within its administrative area

Enforcement Officer
Brecon Beacons National Park Authority
Plas Y Ffynnon
Cambrian Way
Brecon
Powys
LD3 7HP

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

Commercial Services Manager (for public nuisance issues)
Department for Communities
Carmarthenshire County Council
Ammanford Town Hall
Iscennen Road
Ammanford
SA18 3BE

Trading Standards Manager
Department for Communities
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

County Commander
Mid and West Wales Fire and Rescue Services
Carmarthenshire County Command HQ
Lime Grove Avenue
Carmarthen
Carmarthenshire
SA31 1SP

Department for Education and Children
Carmarthenshire County Council
Building 2
St. Davids Park
Jobs Well Road
Carmarthen
SA31 3HB

The relevant Health and safety authority for your premises,

Either

Commercial Services Manager (for public safety issues)
Department for Communities
Carmarthenshire County Council
3 Spilman Street
Carmarthen
SA31 1LE

Or

Health and Safety Executive
Services Division
Ty Myrddin
Old Station Road

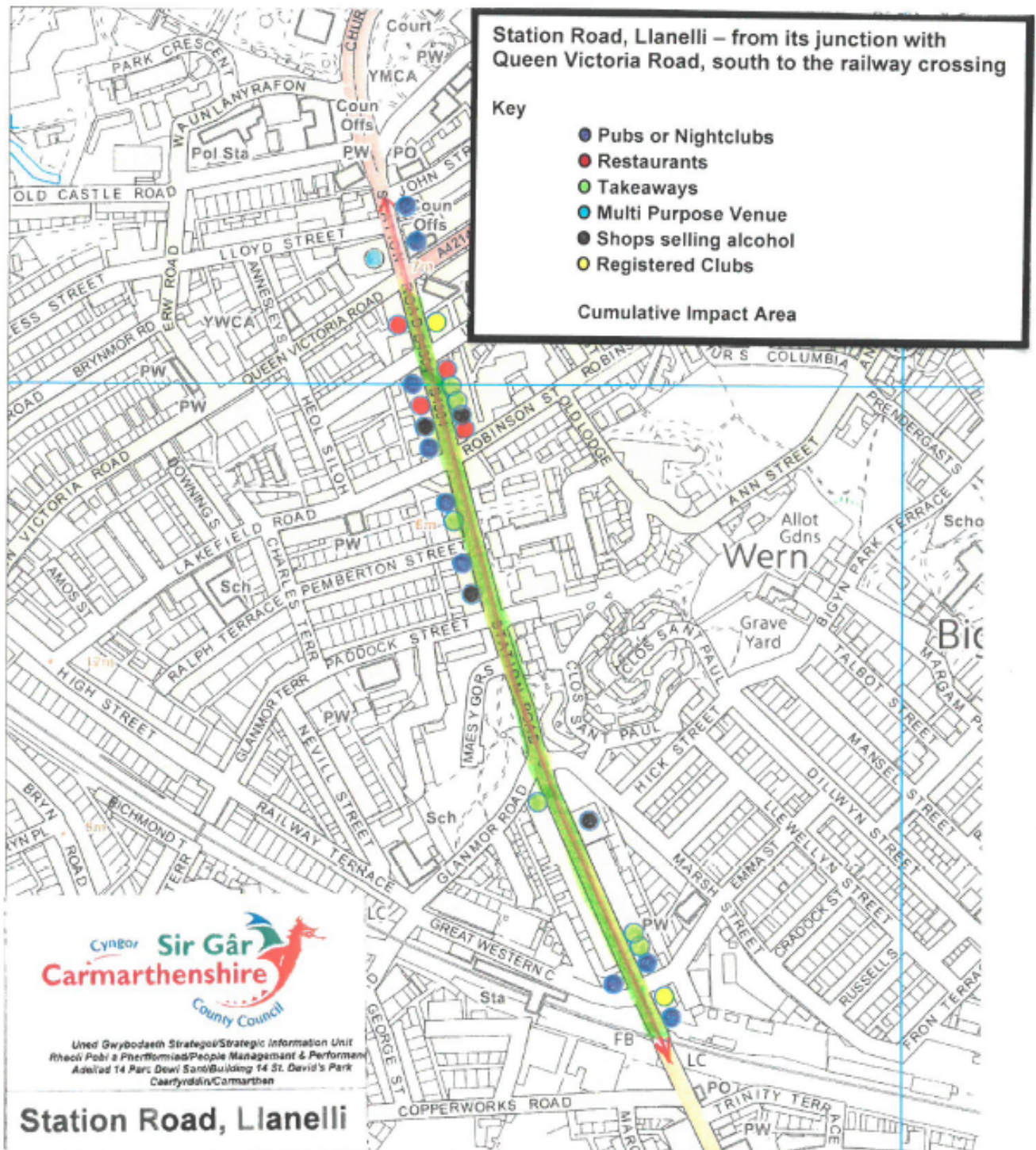
LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

Carmarthen
Carmarthenshire
SA31 1LP

Applicants for licences in respect of vessels should contact the Licensing Authority for additional information.

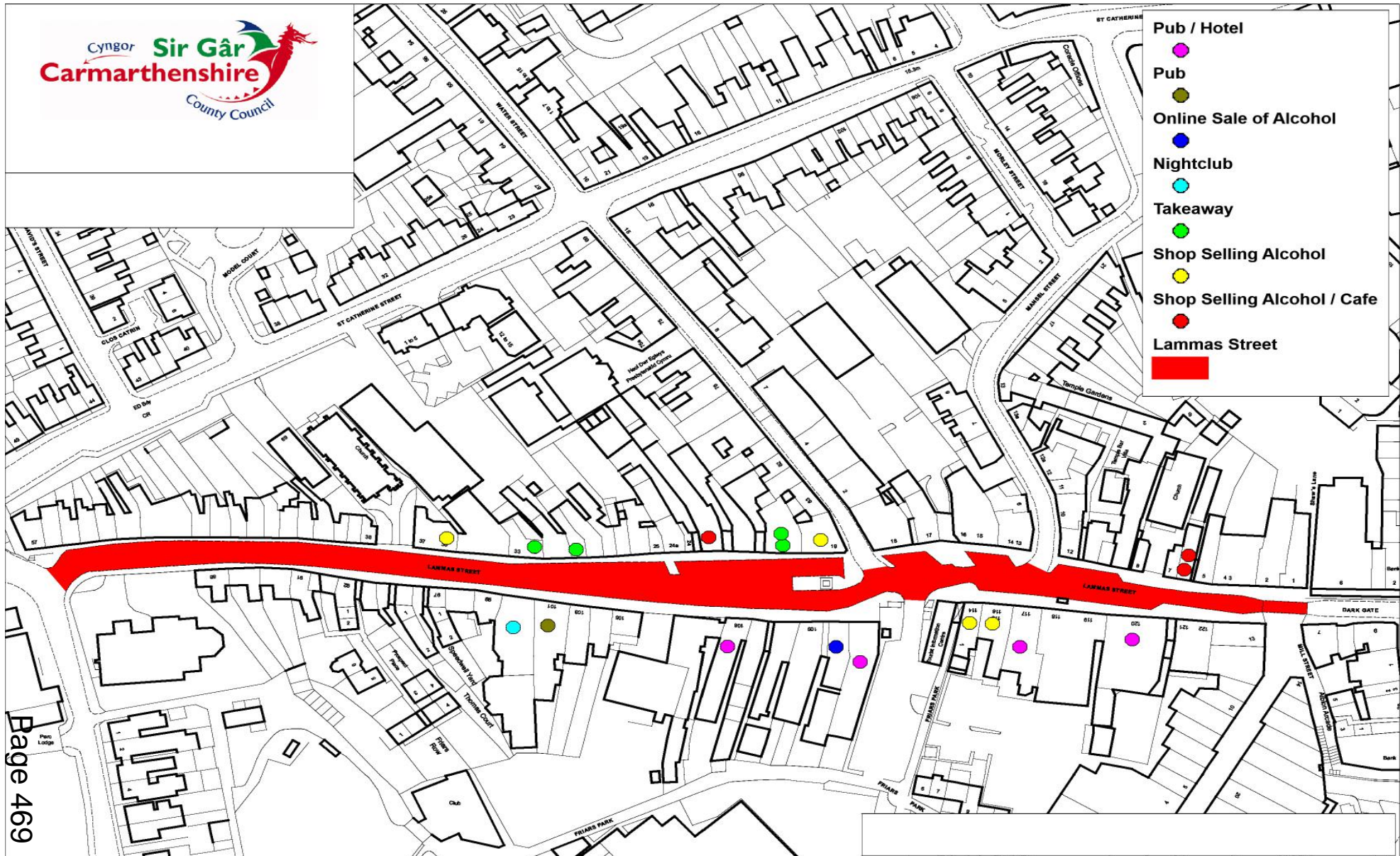
STATEMENT OF LICENSING POLICY



LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

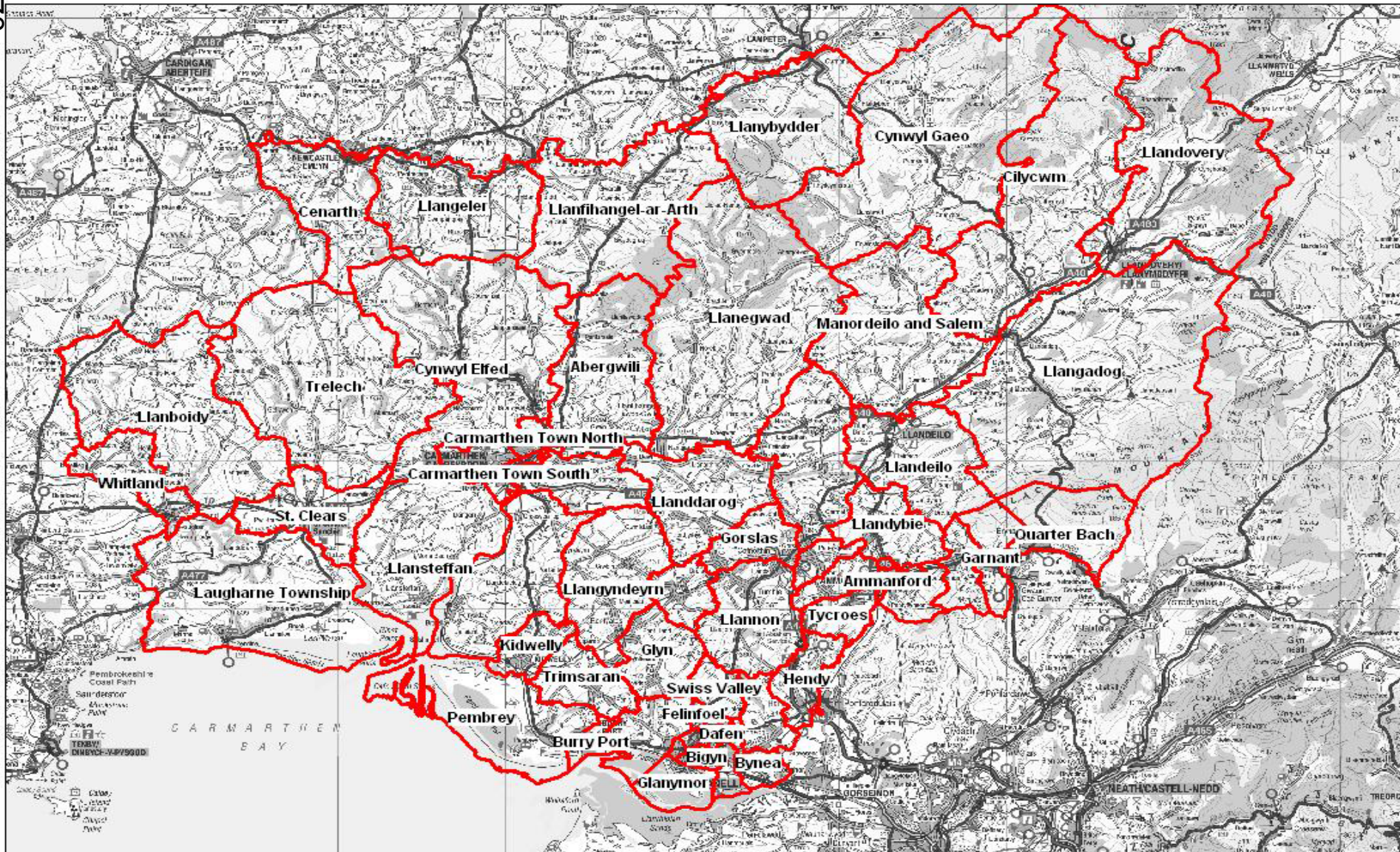
Appendix G



LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

Appendix H



Executive Board 19th November 2018

CWMAMMAN FC		
Purpose: Financial Assistance to Cwmamman AFC		
Recommendations / key decisions required: To approve financial assistance to Cwmamman AFC to the value of £56k		
Reasons: To provide financial assistance to Cwmamman AFC to enable them to complete second phase of the ground facilities upgrade, ensuring Tier 2 status to remain in the Welsh League.		
Relevant scrutiny committee to be consulted	N/A	
Exec Board Decision Required	YES	
Council Decision Required	NO	
EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-		
Directorate		
Name of Head of Service:	Designations:	Tel Nos.01267 224121
Chris Moore	Director of Corporate Services	E Mail Addresses:
Report Author:		cmoore@carmarthenshire.gov.uk
Chris Moore	Director of Corporate Services	

EXECUTIVE SUMMARY EXECUTIVE BOARD 19th November 2018

FINANCIAL ASSISTANCE TO CWMAMMAN AFC

BRIEF SUMMARY OF PURPOSE OF REPORT

To support a funding Award of £56K to Cwmamman United AFC

DETAILED REPORT ATTACHED

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Chris Moore

Director of Corporate Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	YES	NONE	NONE	NONE	YES

Finance

Funding provision to support this application can be provided partly from the Capital Programme and partly from departmental reserves.

Physical Assets

Asset transfer 15 year lease for Grenig Park ground and changing facilities with a longer lease to be discussed.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below
Signed: Chris Moore Director of Corporate Services

1. **Scrutiny Committee** - n/a
2. **Local Members** – Cllr David Jenkins & Cllr Kevin Madge, fully supportive of the project
3. **Community / Town Council** – Cwmamman Community Council, fully supportive of the project
4. **Relevant Partners** - Football Association of Wales
5. **Staff Side Representatives and other Organisations** – n/a

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Correspondence from Cwmamman AFC		CFP/Economic Development

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Application 1 of 1

Project Title	Ground /Facility Improvements
Applicant	Cwmamman United AFC
Ward	Glanamman
Project Description/ Community Benefit	<p>Cwmamman United were founded in 1976 having formally been known as Glanamman. They started off in the Neath and District League Division 3. and over the last 40 years the club has achieved various success as the playing capabilities and overall participation grew.</p> <p>This resulted in the remarkable achievement at the end of last season where the club were promoted to the Welsh Football League Division 1, the second tier in Welsh Football, a staggering feat for such a small village club, but were set stringent requirements to develop their ground at Grenig Park by the Football Association of Wales.</p> <p>This involved the extension of the ground and a new spectator stand for which CCC in April 2018, supported an award of £45k to complete phase 1 of the FAW requirements, to remain in the Welsh League.</p> <p>The first phase has been a tremendous success guaranteeing Cwmamman United Tier 2 status for this year, which would not have been possible without the support from CCC</p> <p>As a new team to League 1, the second phase is critical for their future not only ensuring Tier 2 status to remain in the Welsh League, but also providing the base for everything from juniors and ladies to older generation football.</p> <p>In July 2018 the stand was officially opened with a successful charity match which drew in large crowds and fully involved the community and with Phase 1 complete they now have to move to Phase 2, which involves erecting a further 140 seater stand, upgraded floodlighting and a canteen facility for spectators.</p> <p>The club has secured part of the funding from FAW, but have a shortfall of £56,000 and are requesting the continued support from CCC in kindly continuing their previous commitment in supporting communities and assisting in completing the project delivery.</p> <p>As a club they realise the need in supporting a key role within the community and with over 140 players involved, a thriving committee and a growing base of supporters it is crucial that they engage and act as role models, for the community.</p>

	<p>The FAW sets the standards for Tier 2 Ground Criteria Regulations. And by meeting these standards, football as a whole is acknowledging its responsibility to the community at large. The auditing of these regulations are a transparent process that enables Clubs in particular to demonstrate to all their stakeholders that they meet quality standards for their Ground.</p> <p>These regulations will help to establish benchmarking information. Clubs will be able to use this information to establish their position and to plan future quality improvement. FAW resources will be focused on assisting Clubs to meet their standards.</p> <p>The Tier 2 Ground Criteria Regulations will be managed by the FAW for Tier 2 Clubs. The system will comprise of audits conducted by the FAW and assessment by the Decision Making Bodies, In order to demonstrate that it meets the Ground Criteria, the club will make available, a series of Club reports and supporting documents at the audit that will be conducted at a pre-agreed time with the Club and its Ground .and an action plan will be provided by the FAW.</p> <p>The objective of the Ground Criteria are that Clubs have an approved ground available for playing Tier 2 league matches, which provides stakeholders with well equipped, well-appointed and safe comfortable stadia.</p>
Total Project Cost	£103,179.99 - Gross
Eligible Capital	<p>£103,179.99</p> <p>£45,480.00 – 150 Seater stand</p> <p>£10,000.00 – Foundations</p> <p>£2,400.00 – Electricity connections</p> <p>£1,500.00 – Planning</p> <p>£3,600.00 –Container</p> <p>£40,020.00 – Floodlights</p> <p>£179.99 - CCTV</p>
Eligible Revenue	Nil
Ineligible Costs	Nil
Amount of Funding requested	£55,591.99
Match funding	<p>£47,588.00</p> <p>£41,700.00 – Football Association of Wales – secured</p> <p>£5,888.00 – Other funds secured</p>

Consultation	<p>The project has the support of the Town Council, County Councillors and Assembly Minister.</p> <p>Full support of the FAW – Football Association Wales.</p> <ul style="list-style-type: none"> • Cllr David Jenkins • Cllr Kevin Madge
Ownership/ Lease	<p>The club is currently progressing Asset transfer discussions, ensuring a long term lease and have just agreed a 15 year lease for Grening Park ground and changing facilities with a longer lease to be discussed.</p>
Roles and responsibilities within organisation	<ul style="list-style-type: none"> • Keith Jones – President • Lance Williams – Chairman • Alun Rees – Secretary • Malcolm Davies – Treasurer • Adrian Jones – Safeguarding Officer • Lawrence Molloy – Press Officer • Keith Jones – Community Officer • Stuart Dunn/Grant Rees – Marketing Officers • Huw Harries – Head Groundsman <p>The President will co-ordinate all aspects of the project from planning, fundraising, civils and tendering liaison with Local Authority and funding bodies.</p> <p>All the Committee will provide assistance where required throughout the project delivery.</p>
Exit strategy	<ul style="list-style-type: none"> • Continue to grow the playing capabilities of all the teams at the club. • Grow and secure the financial base at the club. • Continually improve the facilities at the club • Celebrate success and recognise contributions at all levels. • Be respected within the Community. • Make the Community proud. • Encourage local talent wherever possible
Recommendation	Award - £56,000
Subject to	

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Agenda Item 21

By virtue of paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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By virtue of paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Document is Restricted

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