Document Pack



Mark James LLM, DPA, DCA Prif Weithredwr, Chief Executive, Neuadd y Sir, Caerfyrddin. SA31 1JP County Hall, Carmarthen. SA31 1JP

MONDAY, 26 OCTOBER 2015

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**, **2ND NOVEMBER**, **2015** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James

CHIEF EXECUTIVE



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EXECUTIVE BOARD MEMBERSHIP 10 MEMBERS

Councillor	Portfolio		
Councillor Emlyn Dole	Leader (Plaid Cymru) Corporate Leadership and Strategy; Chair of Executive Board; Represents Council at WLGA; Political Advocate for Council; Appoints Executive Board Members; Determines EBM Portfolios; Armed Forces Champion; Liaises with Chief Executive		
Councillor David Jenkins	Deputy Leader - Resources (Plaid Cymru) Finance & Budget; ICT; Property / Asset Management; Procurement; Housing Benefits; Revenues; Chairs Executive Board in Leader's absence		
Councillor Pam Palmer	Deputy Leader - Communities (Independent) Council Business Manager; Community Champion; Customer Focus & Policy, Police Liaison; Community Safety; Social Justice / Crime & Disorder Community Planning; Anti-Poverty Champion; Sustainability; Bio-diversity; Youth Ambassador; Chairs Executive Board in Leader's absence		
Councillor Hazel Evans	Technical Services (Plaid Cymru) Refuse; Street Cleansing; Transport Services; Grounds Maintenance; Building Services; Catering Services; Caretaking; Building Cleaning; Transport Services; Emergency Planning; Flooding		
Councillor Linda Evans	Housing (Plaid Cymru) Housing – Public; Housing – Private; Equalities; Older People		
Councillor Meryl Gravell	Regeneration & Leisure (Independent) Economic Development; West Wales European Centre; Community Development; Sports; Leisure Centres; Museums; Libraries; Country Park		
Councillor Gareth Jones	Education and Children (Plaid Cymru) Schools; Children Services; Special Education Needs; Safeguarding; Respite Homes; Regional Integrated School Improvement Service; Adult Community Learning; Youth Services; Lead Member for Children and Young People; Eisteddfod Ambassador		
Councillor Jim Jones	Environmental & Public Protection (Independent) Environmental Enforcement; Litter; Unlicensed Waste; Dog Fouling; Parking Services; Trading Standards; Environmental Health; Rural Affairs		
Councillor Mair Stephens	Human Resources, Efficiencies & Collaboration (Independent) Human Resources; Training; Simpson Compact; Priority Based Budgeting (PPB); Corporate Efficiencies; Welsh Language Champion; Town and Community Councils Ambassador		
Councillor Jane Tremlett	Social Care & Health (Independent) Adult Social Services; Residential Care; Home Care; Learning Disabilities; Mental Health; NHS Liaison/Collaboration/ Integration; Carers' Champion; Disability Ambassador; Dementia Care Champion; 50+ Champion.		



AGENDA

1.	APOLOGIES FOR ABSENCE.	
2.	DECLARATIONS OF PERSONAL INTEREST.	
3.	COUNTER TERRORISM AND SECURITY ACT 2015 AND PREVENT RESPONSIBILITIES	5 - 12
4.	DRAFT SUPPLEMENTARY PLANNING GUIDANCE - CARMARTHENSHIRE LOCAL DEVELOPMENT PLAN	13 - 164
5.	COUNCIL'S REVENUE BUDGET MONITORING REPORT.	165 - 176
6.	CAPITAL PROGRAMME 2015-16 UPDATE.	177 - 182
7.	ANIMAL ESTABLISHMENTS - LICENSING CONDITIONS AND FEES	183 - 396
8.	APPOINTMENT OF PROPER OFFICER	397 - 402
9.	REVIEW OF ACCESS TO SOCIAL HOUSING POLICY	403 - 440
10.	CHILDREN AND YOUNG PEOPLES PARTICIPATION STRATEGY 2015-18 - ACTION PLAN AND CHILDREN'S RIGHTS PROMISE	441 - 460
11.	MATTER REFERRED FROM THE EDUCATION AND CHILDREN SCRUTINY COMMITTEE HELD ON THE 6TH JULY - MINUTE 5.2 CARMARTHENSHIRE ADULT AND COMMUNITY LEARNING SERVICE - PROGRESS REPORT - ACL SERVICE PROVISION 2015-16 (RELEVANT EXTRACT FROM THE MINUTES ATTACHED	461 - 462
	"The Executive Board be asked to consider the possibility of finding funding to maintain the Community Education Centres going forward"	
12.	TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE EXECUTIVE BOARD HELD ON THE 28TH SEPTEMBER, 2015.	463 - 472
13.	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.	
14.	EXCLUSION OF THE PUBLIC	



(ACCESS

TO

INFORMATION)

THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS 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

(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

15. LLANDEILO HUB / LIBRARY RELOCATION

473 - 486



EXECUTIVE BOARD 2ND NOVEMBER 2015

Counter Terrorism and Security Act 2015 and Prevent Responsibilities

Recommendations / key decisions required:

- To note the recent legislation and requirements placed on specified authorities.
- To confirm the nomination of the Assistant Chief Executive (Regeneration and Policy) as the Council lead for Counter Terrorism who will be responsible for ensuring the effective delivery of the Prevent duty and a way forward identified in establishing a Channel Panel

Reasons:

To raise awareness of the new duty placed on the local authority and other partners.

To adhere to the duty placed on the Council by the Counter Terrorism and Security Act 2015.

Relevant scrutiny committee to be consulted: N/A

EXECUTIVE BOARD / COUNCIL / COMMITTEE: TBC

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER: - Clir. Pam Palmer

Directorate

01267 224112 Chief Executive's **Designations:**

wswalters@carmarthenshire.go Name of Head of Service: v.uk

Wendy S Walters Assistant Chief Executive 01267 224202

(Regeneration and Policy)

Report Author: khthomas@carmarthenshire.gov

Community Safety Manager **Kate Thomas**

EXECUTIVE SUMMARY

EXECUTIVE BOARD 2ND **NOVEMBER 2015**

Counter Terrorism and Security Act 2015 and Prevent Responsibilities

1.0 Introduction

1.1 This report provides a brief overview of the Counter Terrorism and Security Act 2015 and, in particular, the statutory duties placed on the local authority to deliver *Prevent and Channel*. The *Prevent* Strategy, published by the Government in 2011, is part of the Government's overall counter terrorism strategy CONTEST. A CONTEST Board is in place at an all-Wales level and for each region within Wales.

2.0 PREVENT

- 2.1 Prevent has three specific strategic objectives; to:
 - Respond to the ideological challenge of terrorism and the threat we face from those who promote it.
 - Prevent people from being drawn into terrorism and ensure they are given appropriate advice and support.
 - Work with sectors and institutions where there are risks of radicalisation that we need to address.
- 2.2 It addresses all forms of terrorist threat and aspects of violent and non-violent extremism. The strategy is flexible and addresses new and emerging threats.
- 2.3 Prevent is prioritised according to the risks we face regardless of faith or ethnicity. This prioritisation is based on an assessment of engagement, intent and capability, not according to demographics or communities.
- 2.4 The Strategy is about safeguarding vulnerable people. It aims to protect young people and vulnerable adults from harm, abuse or exploitation and stop radicalisation.
- 2.5 To be successful in eliminating the threat from violent and non-violent extremism, there is a need to build trust with all our communities and work in partnership with them, to enable people to make positive life choices.



3.0 COUNTER TERRORISM AND SECURITY BILL

- 3.1 Section 21 of the Counter Terrorism and Security Act 2015 places a duty on certain bodies to have 'due regard to the need to prevent people from being drawn into terrorism'. The Act states that the authorities subject to the provisions will include local authorities.
- 3.2 The specified authorities are:
 - Local authorities
 - Police
 - Prisons
 - Young offender institutions
 - Providers of probation services
 - Schools
 - Colleges
 - Universities
 - NHS bodies.

The Home Secretary has issued guidance to those bodies on how the Prevent duty should be fulfilled.

- 3.3 Specified authorities must:
 - Assess risk of radicalisation in their area or institution
 - Develop an action plan to reduce this risk
 - Train staff to recognise radicalisation and extremism
 - Work in partnership with other partners
 - Establish referral mechanisms and refer people to Channel
 - Maintain records and reports to show compliance

3.4 Enforcement

Implementation of the Duty will be *inspected*.

The Home Office will:

- Oversee compliance
- Gather data from specified authorities
- Issue direct guidance if there is non-compliance with the Duty.
- 3.5 The local authority in complying with the duties will have to demonstrate an awareness and understanding of the risk of radicalisation in its area. There are three themes that the local authority, as a specified authority with a leadership role, should follow:
 - effective leadership,
 - working in partnership, and
 - appropriate capabilities.



3.6 What does this mean for Carmarthenshire County Council?

The Authority should:-

- Establish or make use of an existing local multi-agency group (Channel Panel) to agree risk and co-ordinate *Prevent* activity.
- Put in place arrangements to effectively monitor the impact of Prevent work.
- Use the existing counter terrorism local profiles (CTLP's) to begin to assess the
 risk of individuals being drawn into terrorism. This includes not just violent
 extremism but also non-violent extremism, which can create an atmosphere
 conducive to terrorism.
- Ensure that there are clear and robust safeguarding policies to identify vulnerable young people and adults susceptible to radicalisation, as the duty is relevant to fulfilling safeguarding responsibilities.
- Develop a *Prevent* action plan.
- Ensure frontline staff have a good understanding of *Prevent* and trained to recognise vulnerabilities associated with the potential to radicalise vulnerable people.
- Establish working relationships with schools, universities, colleges, prisons, probation services, Public Health Wales, the health board, immigration enforcement and faith institutions.
- Develop a framework to enable staff and partners to make appropriate referrals to *Channel*.

Specifically, schools should:

- Establish a single point of contact for Prevent.
- Assess risk of students being drawn into terrorism.
- Develop an action plan to reduce the risk.
- Train staff to recognise radicalisation and extremism.
- Refer vulnerable people to Channel.
- Prohibit extremist speakers and events.
- Manage access to extremist material.

To ensure the Council meets the requirements of the legislation across the organisation and also in setting up the Channel Panel, a Council lead has been identified – the Assistant Chief Executive (Regeneration and Policy).

3.7 Since 2013, in Carmarthenshire *Prevent* awareness training has been delivered by Dyfed Powys Police to Council staff, in Social Services and Housing predominantly, with further sessions planned in the coming months. Training has also been provided to partner organisations including the Health Board, Probation, University of Wales Trinity Saint David and Coleg Sir Gâr.



4.0 ESTABLISHING A CHANNEL PANEL

- 4.1 **Channel** is a local authority led and resourced multi-agency partnership to provide support to individuals who are at risk of radicalisation. It is an early intervention process that considers how best to safeguard their vulnerability through a support package tailored to their individual needs. The Council needs to establish a Channel Panel it is understood that there are currently two individuals, who would need to be brought to a Panel meeting for consideration. The Council, in establishing a Panel, could either utilise an existing structure or set up a new arrangement. There are strong links to safeguarding and initial discussions have been held with the Director of Community Services. The Prevent lead for Dyfed Powys Police is able to provide a training session if required by senior officers in the Council to progress discussions in establishing a Panel. Such training can also be provided once a Panel membership has been identified to assist them in understanding their role.
- 4.2 In Ceredigion and Powys, the Council has taken the decision not to link in with existing structures, and, instead, have set up a new Panel. This is being managed and chaired by the CSP.
- 4.3 It is proposed that in Carmarthenshire a Channel Panel be co-ordinated by the Community Safety Manager, and reports in to the Community Safety Partnership structure with links to the existing safeguarding arrangements.

5.0 Funding

5.1 The Home Office have confirmed that they will make £10,000 available, for this financial year only, to each local authority in Wales (apart from Cardiff as they are a Prevent priority area and receive other financial support from the Home Office) to support implementation and awareness raising of the Prevent Duty.

6.0 Support available

- 6.1 The Home Office has recognised that some areas may require additional support to respond to the requirements of the duty. To cover this requirement, the Home Office will make available a national package of support. This will include:
 - Access to training if required including online access to WRAP (Workshop to Raise Awareness of Prevent);
 - Regional Awareness Raising Events 8 regional events held across England, Scotland and Wales directed at those most affected by the Duty
 - An innovation fund a public fund available to specified authorities, third sector groups and business to support the expansion of Prevent activity and to increase the number and range of local partners delivering Prevent work.
 - A peer support group a team of expert practitioners who will provide a dedicated source of expertise and best practice for bodies, particularly those who might be facing challenges in implementing the new requirements.



- Additional sector specific information where required, provided by lead departments and sectors, to support implementation
- 6.2 This agenda is currently underfunded and the associated statutory duties that now present increase further the financial pressures. While the Home Office funding will alleviate an element of initial costs, it would be beneficial to assess the effectiveness of any new arrangements in six months and ascertain the cost implications in relation to the new duties under the 2015 Act.

DETAILED REPORT ATTACHED ?	NO

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 :

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

1. Policy, Crime & Disorder and Equalities

This is a new statutory duty placed on the Council which needs to become embedded in all departments.

2. Legal

There will be legal implications if the statutory duty is not addressed and implemented.

3. Finance

There is a one-off allocation of £10,000 for this financial year to cover activity required to commence the Duty. Thereafter, however, most activity should be mainstreamed into departments and existing community safety/safeguarding work.

5. Risk Management Issues

The Home Office will inspect the implementation of this duty and failure to comply with the Act's requirements would be dealt with, as appropriate, by the Home Office.



CONSULTATIONS

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

- 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 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	Locations that the papers are available for public inspection		
Prevent Duty Guidance England and Wales	Available through Kate Thomas, Community Safety Manager		
Channel Duty Guidance for Chanel Panel Members	Available through Kate Thomas, Community Safety Manager		



EXECUTIVE BOARD 2ND **NOVEMBER 2015**

Draft Supplementary Planning Guidance Carmarthenshire Local Development Plan

Recommendations / key decisions required:

- To consider and approve the Draft Supplementary Planning Guidance set out within the report for formal public consultation for 6 weeks.
- To delegate to the Head of Planning authority to correct typographical, cartographical
 or grammatical errors, and to make amendments in order to enhance accuracy and
 clarity of meaning.

Reasons:

- To reflect the requirements and commitments set out within the Adopted Local Development Plan
- To support implementation of, and provide guidance and elaborate on the policies and provisions of the Adopted Local Development Plan
- To ensure compliance with the Community Infrastructure Levy Regulations 2010

PEB:

Relevant scrutiny committee to be consulted – N/A

Exec Board Decision Required YES

Council Decision Required YES

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr M Gravell

Directorate

Name of Head of Service: Designations: Tel Nos. 01267 228659

Llinos Quelch Head of Planning E Mail Addresses:

Report Author:

Ian Llewelyn Forward Planning Manager <u>IRLlewelyn@sirgar.gov.uk</u>



EXECUTIVE SUMMARY 2ND **NOVEMBER 2015**

Draft Supplementary Planning Guidance Carmarthenshire Local Development Plan

1. BRIEF SUMMARY OF PURPOSE OF REPORT

- 1.1 This Report presents five Draft Supplementary Planning Guidance (SPG) prepared to support and elaborate on the policies and provisions of the Adopted Carmarthenshire Local Development Plan (LDP). It seeks to progress the preparation of these SPG through formal public consultation to adoption reflecting the commitment set out within the LDP including Appendix 3 in relation to their preparation.
- 1.2 It should be noted that it is not the purpose of the SPG to devolve policy matters from the LDP.

2. Background

- 2.1 The Carmarthenshire Local Development Plan (LDP) was adopted by Full Council on 10 December 2014 along with 8 thematic and site specific SPG prepared concurrent to the LDP. The LDP is now the statutory development plan for the County (excluding that area contained within the Brecon Beacons National Park). The LDP, as supported through the SPG, is one of the high level strategies which must be prepared and approved for the County, setting out in appropriate land-use terms, the priorities expressed in the Integrated Community Strategy.
- 2.2 In recognising the role of SPG in supporting the Plan and as a means of providing more detailed policy guidance, Appendix 3 of the LDP sets out a series of proposed SPG for preparation during the Plan period through to 2021. These SPG, range from thematic policy guidance through to site-specific Development Briefs. Each of these is accompanied by an indicative date for their publication and represents commitments within the Plan. The preparation of the SPG, are key indicators in the LDP Monitoring Framework and will be subject to reporting to the Welsh Government through the Annual Monitoring Report (AMR).
- 2.3 Whilst not exhaustive, Appendix 3 of the LDP provides a clear statement on SPG preparation whilst recognising the need to review their preparation given the potentially changing requirements emerging from the implementation of the LDP. Further commitments to prospective SPG preparation are contained within the LDP Written Statement responding to specific policy considerations within the document. In this respect this report will where applicable provide an update on their preparation and outline where the requirement for SPG is deemed no longer necessary.



3. Draft SPG

- 3.1 The following Draft SPG are presented for consideration within this report:
 - Placemaking and Design;
 - Archaeology and Development;
 - Leisure & Open Space Requirements for New Developments;
 - Natural Environment and Biodiversity; and,
 - Rural Development.
- 3.2 Copies of the Draft SPG are attached. The appended Draft SPG as set out within this report will be updated and finalised as appropriate to ensure they are up to date and reflective in terms of matters of accuracy as they proceed through the reporting process. The final published SPG will also where appropriate include additional photographs and images to illustrate matters discussed and considered within the respective document.
- 3.3 **Placemaking and Design** This guidance seeks to guide and promote high quality and sustainable design aimed at securing high quality development, which reflect the character, and the requirements of Carmarthenshire. It should be noted that this Draft SPG includes matters in relation to Landscape and Special Landscape Area design as well as Sustainable Drainage Systems (SuDS) and as such fulfils the requirement for their preparation as contained within Appendix 3 of the LDP.
- 3.4 **Archaeology and Development** This Draft SPG seeks to protect the archaeological heritage of the County and its setting by advising how development proposals can best take account of archaeological issues. It also provides detailed information and guidance on the handling of archaeology in the planning process and the Authority's development management requirements and procedures.
- 3.5 In recognition of Carmarthen Town's special historic significance and high archaeological potential, the guidance provides additional information in relation the procedures and requirements of the planning process in relation to developments within the town.
- 3.6 Leisure & Open Space Requirements for New Developments This provides additional clarity in relation to the Council's leisure and open space requirements for new residential developments of 5 or more dwellings. The need to ensure the level of contribution sought from new development through Planning Obligations is considered with guidance on the level and nature of any contribution sought from a development for the provision of leisure and open space, as well as ongoing management requirements. This guidance seeks to ensure that future planning obligations are sought in a manner which accords with the requirements of the Community Infrastructure Levy Regulations 2010. In this respect, it reflects the need for contributions to be based on the need arising from the new development, ensuring that the planning obligation relates to the provision of open space required to make the development acceptable.
- 3.7 It should be noted that on adopting this Draft SPG, consequential non-substantive factual



amendments will be required to the current adopted SPG on Planning Obligations. Approval for such changes will be sought in subsequent reports.

- 3.8 **Natural Environment and Biodiversity** The Draft SPG recognises the important contribution that planning can make to nature conservation and to maintaining and improving biodiversity. This includes enhancing the international, national and local areas of recognised importance, as well as species and habitats. The development of our urban and rural areas can have a profound effect on nature conservation and biodiversity. These impacts can be significant and lead to the decline of biodiversity. However, development can also have positive impacts through management, restoration and enhancement.
- 3.9 The aim of the Draft SPG is to ensure that the provisions of national policy and the LDP are delivered at a local level and that developments and planning applications are well placed through the information submitted to be determined in a clear and timely manner reflecting the need to protect and wherever possible enhance the County's natural environment. This guidance will assist developers in identifying the potential for projects and proposals to impact on biodiversity before a planning application is submitted.
- 3.10 **Rural Development** Sets out clear guidance on the interpretation and implementation of LDP planning policies and TAN6 policies in relation to:
 - Design Principles for the Conversion, Re-Use and Adaptation of Rural Buildings
 - Rural Enterprise Dwellings
 - One Planet Wales Developments
- 3.11 The Draft SPG also incorporates the considerations in respect of LDP policy H5 Adaptation and Re-use of Rural Buildings for Residential Use, and will on adoption supersede the content of the current SPG Adaptation and Re-Use of Rural Buildings for Residential Use (Adopted December 2014).

4. Next Steps

- 4.1 The Draft SPGs will be published for formal public consultation for a proposed six week period, during this time comments will be invited from a range of organisations and members of the public. There is no identified requirement in relation to the length of any consultation in respect of SPG within National Planning Policy and statutory regulations. However, the use of the six week period proposed within this report would ensure that any consultation is consistent in length with the statutory consultation period for an LDP set out within Local Development Plan Regulations.
- 4.2 The Draft SPG and the representations received will be reported back to a future meeting of Council for consideration prior to their adoption and will be informed by the outcomes of Equalities Impact Assessments.
- 4.3 In accordance with the requirements of the LDP and in response to emerging issues, further SPG will be prepared and reported in due course. However, it should be noted that the necessity to prepare an SPG in relation to the Nantycaws Waste Management Site has been superseded by the inclusion of details in relation to landfill and residual waste treatment



in the impending Regional Waste Nantycaws will be monitored and	Plan. The potential request production reviewed as	uirements in relation to a SPG for ecordinaly.
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: Llinos Quelch Head of Planning

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

1. Policy, Crime & Disorder and Equalities

The Draft SPG as an elaboration on the policies and provisions of the Local Development Plan feature in the Integrated Community Strategy for Carmarthenshire 2012-17. They, as part of the LDP, are key factors in the delivery of the outcomes, particularly Supporting Opportunities for the Building of Economically Viable and Sustainable Communities. Through land use planning policies, the LDP seeks to promote the principles of sustainability and sustainable development by facilitating the creation of communities and local economies which are more sustainable providing access to local services and facilities and reducing the need to travel.

2. Legal

The Local Authority currently secures planning contributions as governed by Section 106 of the Town and Country Planning Act 1990. On the 6th April 2010 the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) came into force in England and Wales which set the parameters within which planning contributions can be sought.



3. Finance

Financial costs (including production of the final SPG, translation, publicity etc) are covered through the financial provisions in place - including reserves. Established provisions are in place in relation to the gathering and apportionment of financial contributions from developer contributions.

CONSULTATIONS

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

Signed: Llinos Quelch Head of Planning

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1.Local Member(s)

Requirement for SPG established through LDP with consultation as part of preparation. Members will be consulted as part of the SPG's preparatory process.

2.Community / Town Council

Community and Town Councils represent a statutory consultee within the LDP process and will be further consulted as part of the SPG's preparatory process.

3. Relevant Partners

Statutory consultees, the public, interested parties and key agencies and bodies will be consulted as appropriate, with identified partners including Dyfed Archaeological Trust contributing to the preparation of specific draft SPG.

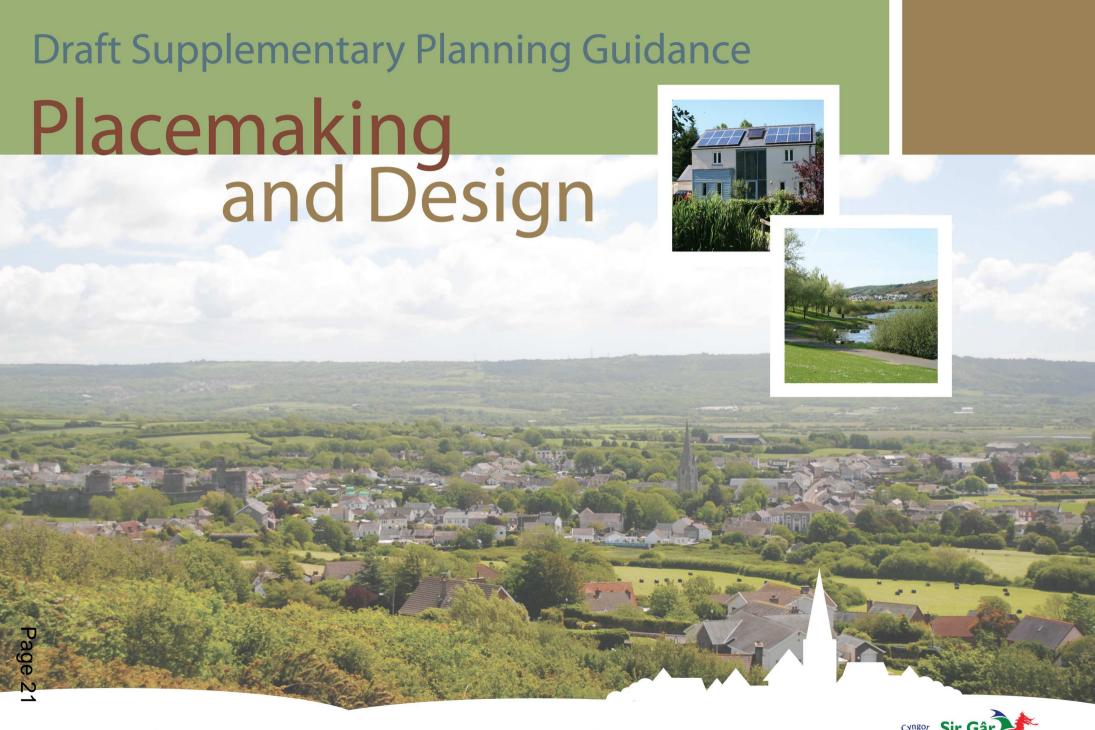
4. Staff Side Representatives and other Organisations

Contributions have been sought and comments received from relevant identified representatives to ensure the draft SPG reflect the specialist and detailed nature of their subject matter.



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	
Carmarthenshire Local Development Plan		http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/local-development-plan/	
Adopted Supplementary Planning Guidance		http://www.carmarthenshire.gov.wales//home/residents/planning/policies-development-plans/supplementary-planning-guidance/	





Carmarthenshire Local Development Plan

Contents

1. Introduction

- 1.1 Purpose
- 1.2 Background

2. Policy Context

- 2.1 National
- 2.2 Local

3. Placemaking & Design Principles: The Broader Area

- 3.1 Introduction
- 3.2 Landscape Character

4. Placemaking & Design Principles: Local Area

- 4.1 Character
- 4.2 Siting of Development
- 4.3 Site Assets
- 4.4 Accessibility and Ease of Movement
- 4.5 Public Realm
- 4.6 Development Form
- 4.7 Uses and Activities
- 4.8 Design Quality and Performance

5. Placemaking & Design Process

- 5.1 Introduction
- 5.2 Appraising the Site and its Context
- 5.3 Developing a Design Concept
- 5.4 The Planning Application Process

6. Case Study



Page 23

Introduction

1.1 Purpose

- 1.1.1 This Supplementary Planning Guidance (SPG) has been prepared to guide and promote high quality, sustainable design within the County. It provides further guidance, and where applicable elaborates on the policies and proposals of the Carmarthenshire Local Development Plan (LDP), providing additional clarity to assist developers in understanding the core requirements and considerations necessary to be included within a planning proposal.
- 1.1.2 The guidance contained within the SPG is aimed at securing a deliverable, coordinated, high standard of development and ensuring that proposals reflect and respect the character and requirements of Carmarthenshire.
- 1.1.3 Production of this SPG has taken place following the adoption of the LDP and having regard to National Planning Policy. Its main purpose is to provide further information and detail on the principles and parameters that developers should adhere to in order to achieve deliverable, well designed and cohesive developments. It also explains and sets out the other considerations to be addressed as part of a planning application submission.

1.1.4 It should be noted that whilst SPG do not have the same status as adopted development plan policies, they may be taken into account a material considerations in determining planning applications.

1.2 Background

- 1.2.1 Achieving good design and creating an effective sense of place requires an understanding of the relationship between all elements of the natural and built environment. Design is a fundamental component in creating sustainable development and consequently needs to include the social, environmental and economic aspects of the development, as well as its aesthetic form.
- 1.2.2 Employing better design in developments has a number of advantages. For example, aesthetic improvements to the built environment could result in the revitalisation of run-down neighbourhoods, whilst introducing the concept of green infrastructure to developments can result in benefits and enhancements to habitats and biodiversity within the natural environment. In addition, well designed, well connected public spaces will

encourage local residents and the public to walk and cycle, thereby reducing reliance on the motor car. These, together with simple environmental design improvements, such as traffic calming, new landscaping and street lighting can result in better places to live and enhanced social cohesion.

1.2.3 Design is important to our quality of life. Well designed landscapes and townscapes help to instil a sense of place, something that is important for communities and neighbourhoods. Creating well designed places, whether urban or rural, will result in quality environments which will help foster communities that are safe and accessible for everyone.



Policy Context

2.1 National

- 2.1.1 Planning Policy Wales (PPW, Ed 7) sets out the land use planning policies of the Welsh Government (WG). Its central objective is to promote and provide a framework for sustainable development within Wales. One of the key factors in achieving this is the promotion of sustainability through good design.
- 2.1.2 Design is defined in PPW (Ed.7) as: "the relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the development, including its construction, operation and management. and its relationship to its surroundings." (Paragraph 4.11.1)
- 2.1.3 Technical Advice Note (TAN) 12: Design considers design issues and sets out WG's objectives for new development. The purpose of the TAN is to provide all those involved in the design of development with advice on how the promotion of sustainability through good design

may be facilitated through the planning system. The TAN emphasises that good design requires a collaborative, creative, process of problem solving and innovation - embracing sustainability, architecture, place making, public realm, landscape, and infrastructure.

- 2.1.4 WG is committed to promoting more sustainable forms of development, and their sustainable development scheme. One Wales: One Planet, (2009) sets out their approach to sustainable development. Through the planning system in Wales, good design can be used to play a major role in delivering sustainable forms of development and PPW provides guidance on how the planning system in Wales can achieve this.
- 2.1.5 There are a number of ways in which placemaking and design principles can contribute towards sustainable development and sustainability. These include:
- respect local character and distinctiveness;
- respect landform & topography;
- respect landscape and biodiversity:
- sustainable use of natural materials and resources:
- construct robust and durable buildings

These principles are covered in detail in subsequent sections where they form part of the place-making and design process.

2.2 Local

2.2.1 This document should be read in conjunction with the policies and guidance that are set out in the Carmarthenshire Local Development Plan (LDP), adopted December, 2014. The SPG is supplementary to the LDP, and principally this policy:

Policy GP1 Sustainability and High **Quality Design**

Development proposals will be permitted where they accord with the following:

- a) It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;
- b) It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;
- c) Utilises materials appropriate to the area within which it is located;



Page 25

- d) It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;
- e) Includes an integrated mixture of uses appropriate to the scale of the development;
- f) It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;
- g) It achieves and creates attractive, safe places and public spaces, which ensures security through the 'designing-out-crime' principles of by Design Secured (including natural surveillance. providina visibility, well lit environments and areas of public movement);
- h) An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;

- i) It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;
- j) It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water:
- k) It has regard to the generation, treatment and disposal of waste.
- I) It has regard for the safe, effective and efficient use of the transportation network;
- m)It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;
- n) It includes, where applicable, provision for the appropriate management and eradication of invasive species.

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 7 and TAN12: Design). Other relevant LDP policies include:

- H1 Housing Allocations
- TR2 Location of Development- Transport Considerations
- TR3 Highways in Developments- Design Considerations
- TR4 Cycling and Walking
- EQ1 Protection of Buildings, Landscapes and Features of Historic Importance
- EQ3 Regional and Local Designations
- EQ6 Special Landscape Areas
- REC2 Open Space Provision and New Developments
- EP1 Water Quality and Resources
- SP13 Protection and Enhancement of the Built and Historic Environment
- SP16 Community Facilities.

Due regard should be had to other SPG prepared in respect of the Carmarthenshire LDP.

Placemaking & Design Principles: The Broader Area

3

3.1 Introduction

3.1.1 Carmarthenshire is the third largest county in Wales covering some 2,365 square kilometres, which represents 11.5% of the total land mass of Wales. Carmarthenshire is a rich and diverse county of contrasts. agricultural economy and landscape of rural Carmarthenshire is juxtaposed with the more urban and industrial south-eastern area. Within the County, the former coal, steel and other heavy industries have left their environmental legacy, whilst at the same time large areas have been afforded with national or local designations due to their special ecological or landscape value. The Council is committed to meeting the demands of the modern economy and society through ensuring that all new development is of high quality, sustainable and respects and where possible, enhances the distinctive character of the specific location where the development is proposed.

3.1.2 The process of placemaking relies on understanding a range of social, economic and environmental factors during the planning application and design process. For the

purpose of this guidance, the process has been broken down into three different, interrelated stages:

- 1. how a new development fits in to and the functional role it can play within the broader area, taking into account the environmental and visual context;
- 2. how a development relates to and forms an integral part of a local area and community; and
- 3. the positive contribution that individual buildings within a development can make to an area, in terms of its design quality and functionality.
- 3.1.3 Whilst this Section, and Section 4 below respectively deal with stages 1 and 2 above, stage 3 is touched upon in Section 4, however, specific design considerations relating to individual buildings will be subject to a separate SPG on residential design.

The Benefits of Good Design

3.1.4 There are environmental, social, as well as economic benefits to creating a well designed development. Studies have shown

that designing a high quality environment is an essential ingredient to achieving economic prosperity as it will be more attractive to potential investors as well as being more appealing to customers, key workers and tourists. Similarly, better designed buildings and places for work will result in more productive employees. At the same time, welldesigned neighbourhoods will create happier and healthier communities that will be more committed to the maintenance of their surroundings. The environmental benefits might include less pollution through the reduction in traffic, the protection or enhancement of biodiversity, and the conservation of the built heritage. All these benefits are central to achieving sustainable development and to the long term economic prosperity of an area.

3.2 Landscape Character

3.2.1 It is important that new development acknowledges and respects the unique variety of landscapes within Carmarthenshire. Natural Resources Wales (NRW) has produced a landscape character map for the whole of Wales, with 48 regional scale landscape



Page 27

character areas. Each has a distinctive sense of place that enables it to be recognised as a single area – e.g. a range of hills or a major urban area. Carmarthenshire contains 13 of

these distinctive character areas. The character areas cover landscapes from rugged mountains to rolling green hills, from rural river valleys to post-industrial vales, and from rocky

coastlines with large beaches to picturesque tidal estuaries.

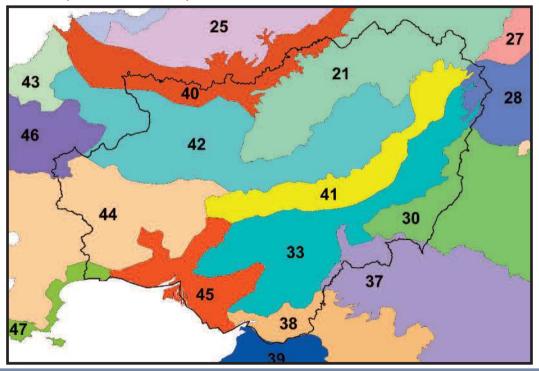
Landscape Character Map for Carmarthenshire



Upland landscapes vary from rugged mountains to rolling hills.



For centuries the river valleys within Carmarthenshire have provided good quality agricultural land.



21-Cambrian Mountains; 28 Eppynt Plateau and Valleys; 30-Brecon Beacons; 33-Gwendraeth Vales; 37 South Wales Valleys; 38-Swansea Bay; 40-Teifi Valley; 41-Towy Valley; 42-Pembroke & Carmarthen foothills; 44-Taf & Cleddau Vales; 45-Taf, Tywi & Gwendraeth Estuaries; 46 Preseli Hills; 47-South Pembrokeshire Coast.



Picturesque, environmentally sensitive areas such as Llansteffan require a heightened sensitivity when it comes to designing for new development.

3.2.2 These varied landscapes have historically influenced where settlements have become established, and this interrelationship is essential to our understanding of how new development can integrate positively with the broader landscape. New development should complement and reinforce existing character by responding to the sense of place in a manner that reconciles the past with what is suitable and appropriate today.

3.2.3 Landscape character is influenced by an area's geology and landform. These need to be understood and appreciated in order to gain an understanding of how development can appropriately fit in and contribute to the broader landscape of an area. Geological processes have shaped the land into the general form that we see today and the rock types, often of economic value, can influence the productivity of the overlying land. The resultant landform, from rolling hills to flat coastal areas, has influenced the nature of human settlement and shapes the visual character of an area and how development can be incorporated sympathetically into the landscape.



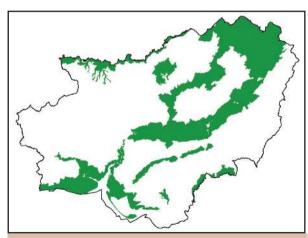
Ammanford and Mynydd Betws from Carmel Woods NNR, on Carmarthenshire's prominent limestone ridge.

Special Landscape Areas

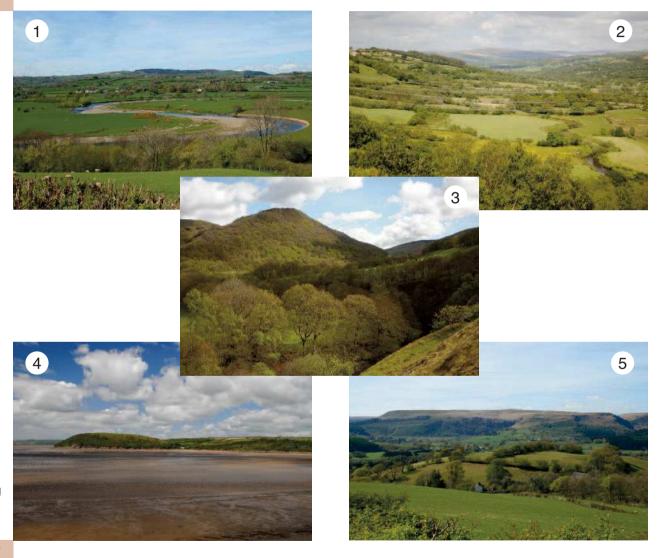
3.2.4 Special Landscape Areas (SLAs) represents a non-statutory designation which were identified following a formal assessment of the landscape qualities of the County. Their designation utilised the former Countryside Council for Wales' Guidance Note in applying the results from the LANDMAP data. In this regard their designation reflects the aspect areas defined within LANDMAP and seeks to utilise 'outstanding' categorisations supported where appropriate by those classified as 'high'

3.2.5 LANDMAP is a Wales wide approach to landscape assessment which describes and evaluates aspects of landscapes and can be used by authorities in informing policy and decision making. It identifies five 'aspect areas': geological landscape, visual and sensory, landscape habitat, cultural landscape, and historic landscape.

3.2.6 SLAs are identified on the LDP Proposals Map and are covered in Policy EQ6. They number 18 in total and include river valleys, upland landscapes and coastal landscapes, however, the Carmarthen Bay and Estuaries SLA contains a number of distinct landscapes which have been considered as a continuum.



Carmarthenshire Special Landscape Areas. Reference should be made to Policy EQ6 Special Landscape Areas.



- 1. The lower part of the Tywi Valley Special Landscape Area is characterised by a wide floodplain dominated by agricultural land, with mature hedgerows and trees. Historic parklands and castles are also a feature of this part of the valley.
- 2. The sparsely populated Llwchwr Valley Special Landscape Area supports an attractive mix of woodland and agricultural land.
- 3. The upper part of the Tywi Valley Special Landscape Area is typified by narrow, rising steeply sides. It is characterised by small fields, hedgerows, woodland, traditional farms, and the river.
- 4. The Carmarthen Bay and Estuaries Special Landscape Area: The juxtaposition of differing landscapes, such as salt marsh, beaches and wooded estuary slopes create an area of high scenic quality.
- 5. The Mynydd Mallaen Special Landscape Area: A wild and exposed area of upland plateau.

Design Evaluation Summary for Landscape Character:

- ✓ Does the form of the development proposal fit in with and complement the broader landscape?
- √ Has the design proposal taken into account any landscape designations?
- ✓ Where landscape designations exist, have pre-application discussions been conducted with the Local Planning Authority to ascertain potential impacts or the types of proposal that would be permitted / not permitted?

Green Infrastructure

3.2.7 Green Infrastructure is the term used for the harnessing of the natural environment, such as ecological features, green space, water management systems to the benefit of the social, economic and environmental health of an area. It provides a systems approach to planning and development that strives to integrate the potentially competing objectives of development and the requirements to and enhance the preserve natural environment. Whilst the Green Infrastructure approach identifies the natural environment as an asset which developers can utilise to bring about economic growth, it also provides the means whereby these 'assets' can be robustly protected and enhanced. This is why Green infrastructure systems are viewed as a critical element of sustainable development.

Green Infrastructure Assets

3.2.8 The following examples of assets that can be considered to be green infrastructure are provided in the Town and Country Planning Association's 'The essential role of green infrastructure - eco-towns green infrastructure worksheet' (2008):

- Parks and gardens urban parks, country and regional parks, formal and private gardens, and institutional grounds (for example at schools and hospitals).
- Amenity green space informal recreation spaces, play areas, outdoor sport facilities, housing green spaces, domestic gardens, village greens, urban commons, other incidental space, green roofs, hedges, civic squares and spaces, and highway trees and verges.
- Allotments, community gardens, city farms, orchards, roof gardens, and urban edge farmland.
- · Cemeteries and churchyards.
- Natural and semi-natural rural, peri-urban and urban green spaces, including: woodland and scrub, grassland (for example downland and meadow), heath and moor, wetlands, open and running water, brownfield sites, bare rock habitats (for example cliffs and quarries), coast, beaches, and Community Forests.
- Green corridors rivers and canals including their banks, road and rail corridors, cycling

- routes, and rights of way. Green corridors can play a vital role in protecting and enhancing biodiversity and reversing the effects of habitat fragmentation on biodiversity. They also deliver a range of other social and environmental benefits, including enhancement of local landscape character, and greater opportunities for public access and recreational use.
- Existing national and local nature reserves and locally designated sites for nature conservation (for example Sites of Importance for Nature Conservation (SINCs) etc.).
- Archaeological and historic sites.
- Functional green space such as sustainable urban drainage schemes and flood storage areas.





- 1. New housing set around attractive public open space.
- 2 The incorporation of a water feature and the use of appropriate planting have resulted in a pleasing environment which adds to the sense of place.
- 3. Millennium Coastal Park, Llanelli: stretching from Pembrey Harbour in the west to the Loughor estuary in the east, this comprises a series of distinct landscapes, habitats, places and landmarks linked by a foot and cycle way.
- 4. Dinefwr Park, Llandeilo: Popular visitor attraction providing extensive footpaths and managed parkland.
- 5. Effective use of amenity open space.

Design Evaluation Summary for Green Infrastructure:

- ✓ Have the elements (assets) of Green Infrastructure highlighted above been addressed in the design proposals? Examples might include:
- Full regard to, and integration of green infrastructure features both within and outside the site area;
- Sufficient green open space within a new development;
- The use of SuDs where applicable;
- Sites of ecological, geological, historical and landscape value are properly acknowledged in the design proposal and no adverse effects will result.

Page 32

Placemaking & Design Principles: Local Areas

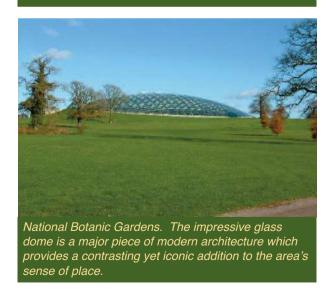
4.1 Character

Built Character

4.1.1 An area's distinctive built character is defined by the existing layout and architectural style of its buildings, features, spaces and structures. New development proposals should be designed to have a positive character that is appropriate for, and can be successfully integrated into, the place where it is located. To achieve this, it is important that an understanding is gained of the historical origins of a place – how it formed, and how new development can complement and enhance the built character.

4.1.2 Built form contributes to the character. identity and distinctiveness of a place. Along with other aspects such as social and economic well-being, built form contributes towards a 'sense of place' - the qualities that give a place a distinctive character. It is important that new developments are not bland and lacking in character. The layout and form of the buildings are crucial in animating the character of a place and creating a diversity of interest.







Ammanford: Late Victorian listed buildings add to the sense of place in the centre of the town



Carmarthen: Transformation of a once busy road has resulted in a tranquil, pedestrian friendly environment between the historic St. Peter's Church and the more modern Myrddin Gallery.





Page 33

Built Heritage: Historic Origins

- 4.1.3 New development will need to respect and integrate with the existing pattern of development. The historic make up and location of the towns and villages within Carmarthenshire is central to their character, identity and sense of place and how they fit within the diverse range of landscapes within the County. It is important that new development acknowledges this historical context by seeking to form logical additions to the existing patterns of urban form and by avoiding standardised building forms and road layouts.
- 4.1.4 Applications for new development will need to demonstrate an understanding and appreciation of the existing and historic make up of the settlement in which it is proposed. An analysis of the present day form of the settlement and its visual relationship with the broader landscape should be carried out in order to establish whether the form and layout of the new proposals are appropriate to the existing pattern of the settlement.







4.1.5 Carmarthenshire has a rich and diverse historical and cultural built heritage with some 27 designated conservation areas, 470 Scheduled Ancient Monuments ranging from Prehistoric to post-Medieval/Modern features of cultural historic interest as well as over 1,800 listed buildings. The aims of the LDP in respect of the built environment and historic buildings is, in conjunction with primary legislation, to safeguard the cultural integrity of the historic settlements, features and buildings within the Plan area, and where applicable contribute to the enhancement of the historic and built environment.



Nott's Square and Carmarthen Castle: Carmarthen, as the oldest continuously inhabited town in Wales, provides a mix of new developments and traditional shops within narrow cobbled streets and modern shopping areas.

4.1.6 The County's historic buildings, townscape and landscape should be regarded as assets and positively conserved and enhanced for the benefit of residents and visitors alike. The special and often diverse character of the County, with its unspoilt countryside, industrial heritage and wealth of historic towns and villages, reflects the changes experienced through the ages, linking the past to the present and maintaining the area's distinct cultural identity.



The village of Cenarth, straddling the border with Ceredigion, includes a picturesque section of the River Teifi, and Cenarth Bridge which exhibits notable built conservation value.



Carmarthen has many old and historic buildings which characterise the built environment and quality of the area.



The familiar view of Bridge Street, Llandeilo from across the River Tywi. The prominent and many coloured frontages to the houses defines this entrance gateway into the town and reinforces the sense of place.

4.1.7 Any proposals in respect of conservation areas will be assessed against their effect on the character and appearance of the area. New developments should accord with the special architectural and historic interest of the area. Designated conservation areas are identified within the LDP and are shown on the Proposals Map.

Design Evaluation Summary for Character:

- √ The proposal should exhibit and demonstrate a clear understanding of the existing built heritage, character and sense of place;
- √ The proposal should acknowledge and have full regard to any built heritage designations on or near to the site and should ensure that these are sensitively dealt with in the scheme;
- √ The proposal should preserve or enhance the existing built form;
- √ The proposal should contribute strongly to an area's sense of place.

4.2 Siting of Development

4.2.1 An initial assessment of the development site should be carried out to ascertain how the site conditions will affect the proposal and, conversely, the potential impact that the development might have on its surrounding area. This should include an analysis of the topography and landform, aspect and microclimate of the site and its environs.

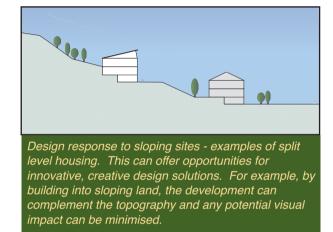
Landform and Topography

4.2.2 The landform and topography of an area will influence how a new development will fit into a landscape, including how the development will appear from the surrounding

area, as well as the views from the development itself. New development should be designed so as to complement the topographic form. Development on ridgelines can often be visually obtrusive and should generally be avoided. If developments are to be situated close to ridgelines, then appropriate measures should be employed to reduce their impact, for example the use of trees for screening (either in front or behind depending upon the individual proposal).

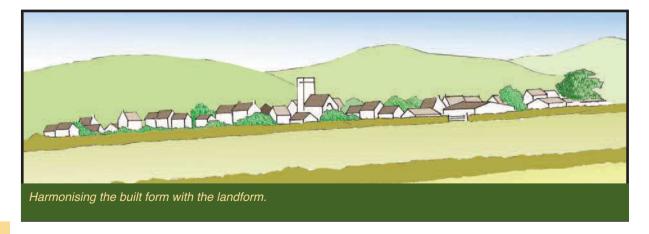
4.2.3 Similarly with sloping sites, a development should utilise the topography and not impose itself on the landscape. The layout of the buildings and the roads therefore should generally look to follow the contours of the

land; this will result in a complementary relationship between the development itself and the character of the local area.



Microclimate

4.2.4 Design proposals will need to have regard to the climatic and site conditions, including the prevailing direction of wind, the site's aspect (the particular direction that a piece of land faces) and the topography (which influences small-scale shelter and shading). Design solutions should seek to orientate buildings to give a southerly aspect to gain the greatest amount of heat and light during the day. Careful consideration of the orientation of



a site's aspect will ensure that the design of the development is as sustainable as possible and will influence its design quality and performance (refer to section 4.8, below). Sometimes it will be necessary to have dual aspect buildings due to changes in a site's topography. Streets should be designed, wherever possible against the prevailing wind direction, to avoid wind tunnelling, however, where this is not possible, shelter could be provided by planting. The use of existing trees and/or hedges should also be considered in a scheme, whether for shelter or as through their retention as green infrastructure (refer to section 3.2.8 above).

Design Evaluation Summary for Siting of Development:

- ✓ Design proposals should exhibit a full understanding of the following:
- The landscape characteristics of the area;
- The local built character of the area;
- The sense of place particular to that area
- ✓ New proposals must harmonise with local landscape and contribute to the sense of place, wherever possible enhancing the local character.



Design proposals for Cross Hands East Employment Site showing the incorporation of existing (and new) trees and hedgerows; the retention/creation of habitats; the use of sustainable a grade industrial buildings and the use of Sustainable Urban Drainage Schemes (SuDS).

4.3 Site Assets

The Benefits of Green Infrastructure

- 4.3.1 Adopting a green infrastructure approach is increasingly viewed as being beneficial, not only for the environment, but also because of its potential to improve the health and vitality of businesses and the lives of local residents and the public. The benefits include the following:
 - Climate change the importance of green infrastructure has increased in recent years as a response to climate change. The approach can play an important role in educating the public and supporting the adaptation of people to a changing climate;
 - Health and well-being studies have shown that residents and workers that live or work in green surroundings are healthier and more content than their counterparts who have no immediate access to green spaces;
 - Economic growth and investment research has shown that investment in green infrastructure accrues financial

- benefits to developers in terms of increased sale prices, as well as providing a more attractive environment for inward investment;
- Land regeneration previously developed (brownfield) land can potentially provide social, environmental and economic benefits through conversion to green infrastructure;
- Ecological benefits through the creation and enhancement of habitats, green infrastructure benefits biodiversity by integrating into the built environment and enabling residents to appreciate nature.
- 4.3.2 The benefits will be achieved most successfully if green infrastructure creation is part of an integrated approach to development. Some of the assets that need to be considered in terms of landscape value include the following:

Landscape Features

4.3.3 Development proposals should retain existing features of value such as trees and hedgerows. New planting and provision should also be considered as trees, woodland, open

space and hedgerows can greatly enhance the local character of a place as well as its ecological and recreational qualities.

4.3.4 Incorporating trees, other vegetation and established features can contribute to the unique sense of place of an area or settlement. Retaining existing features into proposals helps to create places that are distinct and can help to soften the impact of change by creating a sense of continuity that acknowledges local identity.



4.3.5 As well as the visual amenity that vegetation can provide, trees, hedges, water resources and formal and informal open space can benefit local microclimate and biodiversity through for example providing shelter from the wind and a range of habitats for flora and fauna. They can also contribute towards the health and well being of local communities by, for example, screening a site from other uses.

4.3.6 Other features that should, where possible, be retained within a new development include watercourses (see green infrastructure, sections 3.2.8 & 4.3.1, above), as well as original buildings and walls. Less obvious assets such as archaeological features should be identified within the site survey and should not be impacted upon by the proposal.

Landscape Planting and Green Corridors

4.3.7 Planting should be considered early on in a development proposal as part of the landscape design scheme. Planting serves a number of purposes including, breaking up the built form, screening, defining properties as well as providing amenity and ecological benefits.

4.3.8 Along with maintaining existing landscape features, planting can contribute to providing a network of 'green corridors' within a new development whereby existing trees and hedgerows would be retained and enhanced with new landscaping. Such green corridors can have the effect of the countryside integrating into the new development. These corridors will also allow for increased biodiversity and connectivity potential.

4.3.9 Reference should be made to other relevant SPGs, in particular Biodiversity, to ensure that consistency of approach is maintained.



The effective use of trees to soften and complement the built form.

Site and Settlement Boundaries

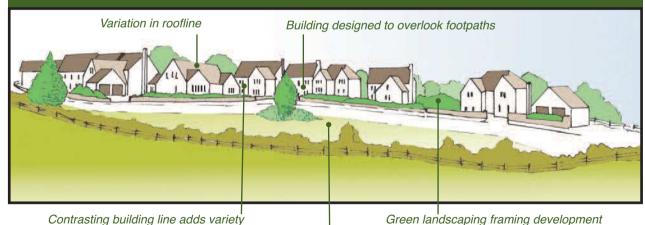
4.3.10 New development is often located on the edge of a settlement. Indeed the LDP allocates land in such locations to enable settlements to expand. These locations are often visually prominent, effectively representing the boundary between the built form and the countryside. Consequently, development proposals at the edge of settlements will need to demonstrate that the visual impacts have been fully considered and a favourable scheme is put forward that complements the surrounding landscape.

4.3.11 Edge of settlement locations will often define the entrance to a town or village from a particular direction and so an attractive design that blends in with both the settlement as well as the surrounding countryside is crucial. Appropriate landscape planting together with variety in the built form will create an attractive composition and a positive edge that is sympathetic to the urban to rural transition.



A poor edge of settlement development, with monotonous, bland built form, visually intrusive fencing and insufficient landscaping.

Creating an attractive and positive edge of settlement development would include providing variety in landscape planting and built form.



Incorporation of open space

Design Evaluation Summary for Site Assets:

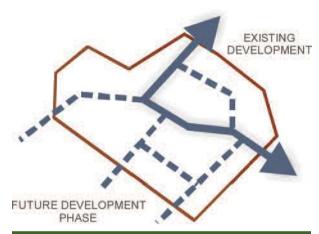
- ✓ New proposals should identify the existing characteristics and features of the site and assess their value;
- √ The assessment should set out those characteristics and features that contribute towards the local character and sense of place;
- √ The proposal should retain and work with the valuable site features, integrating them into the development;
- √ The proposal should respond positively to the local characteristics of the area and its sense of place.

4.4 Accessibility and Ease of Movement

4.4.1 Accessibility and ease of movement are two of the most important aspects to any new development. Ensuring a development in which vehicles, pedestrians and cyclists are taken into account is very important. An initial appraisal of the footpath, cycle and bridleway network and the hierarchy of streets in the surrounding area will help in determining the access routes to a new development. It is vital that there is an early dialogue between the designer and the local authority's Highway and Planning departments to gain advice on access and design issues.

4.4.2 Street design and accessibility within and beyond the site is seen as being critically important in providing alternatives to car travel and achieving high quality in the environment. The arrangement of streets and other access ways within a new development must always be aimed at creating permeable places, and these should be closely linked with the wider access network.

4.4.3 Making connections between new and existing developments is essential in creating a successful and vibrant place. Furthermore,



The network of streets should be permeable, connecting the development to adjacent areas.

integrating a clear hierarchy of routes through a new development is important in creating legibility and permeability. For example, having a main route through with secondary roads leading to access roads will provide good legibility for a site. Such proposals should reduce the need to use the car and encourage walking or cycling.

4.4.4 In terms of the existing access networks, it is essential that these are protected wherever possible when designing a new development. It should be noted that public rights of way are material planning considerations and should therefore be incorporated into new design. Appropriate mitigation should be provided if impacts to existing access are unavoidable.

Public Transport

4.4.5 Where possible, new development should be related or accessible to public transport (depending upon the scale of an individual scheme). In some cases, it might be conducive for Developers and the Council to discuss the potential for altering an existing bus route and / or creating new bus stops with the local transport company. This will offer future residents a choice of how to travel and will help to reduce reliance on private cars. This will have the consequence of reducing the environmental impact of a new development as well as providing more opportunities and enhancing the experience of walkers, cyclists and horse riders. There are obvious health and amenity benefits associated with this approach.

Design Evaluation Summary for Accessibility and Ease of Movement:

Development schemes should:

- ✓ Identify the accessibility of local public transport services in relation to the site;
- ✓ Identify whether there is a need for new or improved public transport services and whether the proposal itself will provide or contribute to these new services;
- √ Identify existing footpaths, bridleways and cycle ways and should highlight accessibility to these;
- Set out clearly how access and linkages will be achieved between the development and the surrounding street/road network.

4.5 Public Realm

4.5.1 The public realm is the only part of a place that every member of society can see. therefore it is important that new developments provide quality, attractive and safe environments for all. All aspects of the development should be considered, not only the public spaces themselves (green spaces. playgrounds, squares etc), but also the position of buildings, surfacing, lighting, street furniture and planting. Such attention to detail will enhance the overall environment and help to define its "sense of place". It is important that the public realm is overlooked and thereby potentially supervised. New developments should have windows and doors onto public spaces; this provides surveillance and helps to create safe and secure environments in which to live and work.

4.5.2 Buildings should be located so that the public realm is supervised. Housing developments are particularly effective at providing supervision. In new housing developments, active frontages (where the frontage facade of the building, including the main entrance, faces and open towards the street) should be designed to overlook the public realm. Windows, particularly from living

accommodation, should overlook street frontages. Supervision is particularly important from the ground floor level of development, and less so from windows on staircases or bathrooms. Where side elevations face onto the public realm, then windows to living accommodation should be included and blank gable walls should be avoided.

4.5.3 Other methods of supervising the public realm and 'designing out crime' include providing adequate street lighting and the use of plant species to deter access and to minimise opportunity for unobserved crime. In terms of pedestrian routes, these should be wide with no hidden corners and with clear lines of site.



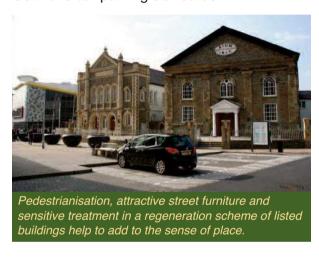
4.5.4 Most new developments in town centres will benefit from the public realm, it is therefore appropriate that such developments should contribute to public realm improvements and maintenance. This can be achieved through developer contributions (Section 106 Agreements). At the same time, it is imperative that public realm areas within new proposals (for example, open spaces within housing sites) are designed to be readily maintainable and that a management structure is in place to guide and protect them. The developers of the public realm must seek to ensure that all unnecessary maintenance is taken into account at the design stage and that a maintenance plan is put in place where necessary.



Car Parking

- Development 4.5.5 proposals should incorporate sufficient parking to accommodate not only cars but also other modes of transport such as bicycles and motorcycles. The parking must be safe, convenient and attractive and should contribute to the quality of the environment and the sense of place. The Welsh Government's policy on residential car parking is set out in Planning Policy Wales, supplemented by TAN 8, however the Department for Transport's Manual for Streets goes into more detail with regards parking in respect of cycles and motorcycles as well as cars.
- 4.5.6 Parking provision should be incorporated into the design proposal from the outset, as parking can have a significant impact upon the quality of a new development. Car parking within the development will need to balance the requirements set out in relevant guidance with the desire to create a high quality public realm.
- 4.5.7 Developments should avoid a parking-dominated landscape that would compromise the character and quality of the place. Parking should be designed sensitively; employing a

mixture of parking options such as on-plot garages, courtyards and on street parking will help to avoid motor vehicles dominating the streetscene. Reference should be made to the Council's car parking standards.









age 4

Sustainable Urban Drainage Schemes (SuDS): What is SuDS?

4.5.8 The introduction of SuDS development proposals provides opportunities to manage surface water runoff in a fashion that minimises the impacts of development. Such interventions can impact upon the quality and quantity of road runoff, whilst also and maximising amenity biodiversity opportunities within both rural and urban settings. Successfully implemented schemes can slow down the flow of water, thus contributing to a reduction in flood risk and protecting water quality as well as reducing any long term maintenance obligations and costs.

4.5.9 Where feasible, SuDS provides an alternative to conventional, piped drainage via methods such as permeable paving, soakaways, green roofs, swales and ponds. In exploring their feasibility, it is vital that adoption and management arrangements for SuDS infrastructure and all drainage elements are agreed with the local authority or sewerage undertaker at the planning stage. This can ensure that SuDS infrastructure is properly maintained and functions effectively for its design life.

SuDS: Legal and policy context

4.5.10 The Flood and Water Management Act 2010 (Schedule 3 - which has not been commenced), requires new developments to include SuDS features that comply with national standards. The Welsh Government has proposed to publish interim national standards on an advisory basis until such time as it determines the most effective way of embedding SuDS principles in new developments in the longer term. Until such time as the SuDS Approval Boards (SABS) are in place, the Authority's Technical Services (Hydrology) Department can continue to assist developers in the implementation of SuDS as part of a collaborative approach. Developers are advised to undertake early consultation with the Authority (and where appropriate partner agencies such as Natural Resources Wales) in order to achieve the best possible outcomes for all parties and ensure that any systems can be subsequently adopted.

4.5.11 Whilst Schedule 3 has yet to be commenced, there is a firm policy commitment to the implementation of sustainable drainage approaches within Carmarthenshire. LDP Policy SP2: Climate Change, outlines the potential contribution of SuDS and flood

resilient design towards the delivery of sustainable development. LDP Policy EP3: Sustainable Drainage, requires that the effectiveness of incorporating SuDS should be fully investigated and that the details and options resulting from this investigation must show that there are justifiable reasons for not incorporating SuDS into the scheme. To this end, Policy EP3 seeks to reflect national policy in the form of Planning Policy Wales Technical Advice Note 15.

RainScape: Llanelli & Burry Port

4.5.12 There are keynote examples of sustainable drainage approaches being delivered across Carmarthenshire. Such schemes are testimony to an innovative and collaborative approach towards place-making. Dwr Cymru Welsh Water (DCWW) is developing and using new, innovative solutions to manage the amount of surface water entering the sewers in the Llanelli area. By building upon lessons learned from the international examples of surface water schemes in Malmö, (Sweden) and Portland (Oregon, USA), DCWW has created its own range of surface water solutions that it calls RainScape. Such solutions can incorporated into new developments, or



The use of a swale as part of a SuDS, Llanelli.

Employing a SuDS at Stebonheath School, Llanelli.

Employing a SuDS within a street in Llanelli.

installed into the existing sewer systems and include Basins and Planters, Swales, Porous paving, Filter strips, Grass channels and Geocellular storage.

4.5.13 RainScape is particularly needed in Llanelli as the area sees almost as much storm water in its network as Swansea, despite the fact that Swansea serves three times the number of properties, and three times the area compared with Llanelli. One project that has been completed is the construction of a swale on the Queen Mary's Walk playing field. During periods of heavy rainfall the swale captures the water, and lets it gradually seep into a below ground storage unit, before releasing it into the sewer network. This delays the time it takes for the water to get into the network. The swale has been planted with a range of interesting plants and trees, especially selected to help with soaking up the rainwater. At a cost of £850,000, it is anticipated that it will remove approximately 4,365,000,000 litres of water a year from the sewer network.

4.5.14 LDP Policy EP1: Water Quality and Resources recognises that the fact that water as a resource is extremely valuable. Proposals should seek wherever possible to incorporate water conservation techniques including

rainwater harvesting and grey-water recycling. In terms of water quality, recognition is give to the need to improve the whole water environment and promote the sustainable use of water for the benefit of both people and wildlife. Water quality can be improved through a number of measures including the effective design, construction and operation the sewerage systems. use of wetlands/greenspace for flood alleviation, the use of SuDS and sustainable water use in desian.

Design Evaluation Summary for Public Realm:

- √ To achieve greater security, building frontages should be designed so as to overlook streets and public spaces;
- ✓ Safe routes should be created through the development for walkers and cyclists through surveillance and appropriate design (e.g. street lighting);
- ✓ Appropriate car parking should be designed into a scheme; it should be safe, attractive and should not dominate a development;
- ✓ It would be more favourable to provide a variety of parking options such as courtyards and street bays rather than have one dominate.
- √ The introduction of sustainable drainage into development proposals should be considered where feasible.

4.6 Development Form

Streets and Roads

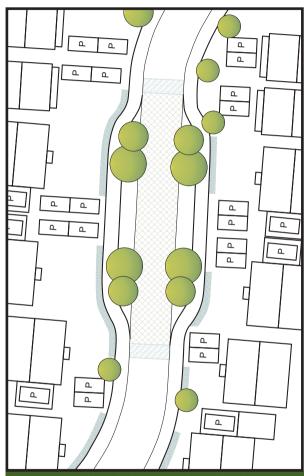
4.6.1 Until recent years, there had been a tendency towards development being designed around car movement, based on technical highway design criteria. Such an approach, where streets were essentially channels for the movement of vehicles, did little to enhance an area, rather it resulted in an erosion of its sense of place through the development of uniform and linear streets.

4.6.2 There is now a return to a more holistic view of streets and their role in modern life. The role of streets in new developments are now seen as central to social and leisure activities, and are now being designed as much with the pedestrian and cyclist in mind as the motorist. Large new developments should therefore avoid creating monotonous, homogeneous layouts, but should rather ensure that the design concept is clear in defining distinct places which display a hierarchy of streets and a range of densities within the built form.

4.6.3 Developers should consult the Manual for Streets when designing their layouts. A hierarchy of streets, with associated public spaces, will provide people (whether these are residents, shoppers or workers) with an ease of accessibility and navigation as well as choices as to where to move around and meet others.

4.6.4 A clear hierarchy of streets also has highway safety benefits. An avoidance of unbroken straights will reduce driver visibility and will help to reduce traffic speeds, thereby improving the safety of walkers, cyclists and horse riders. Other traffic calming measures can be achieved through using changes in road surfaces (such as a rougher surface to encourage speed reduction) or shared surfaces (which helps calm traffic speed and encourages greater use by pedestrians and cyclists).

4.6.5 Reference should be made to the case study in Section 6, which incorporates many of the factors set out above, as well as other issue such as the importance of linking the design of a new street network with that of the surrounding area, thereby achieving continuity.



The use of traffic calming methods and landscape features helps to maintain driver awareness and assists in improving the amenity and safety of an area.

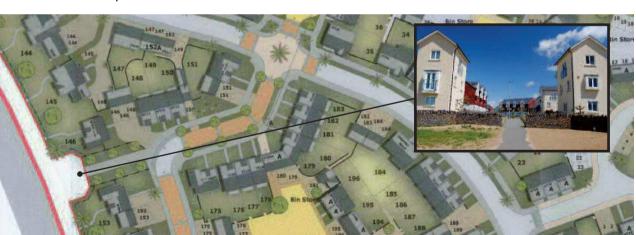
Development Blocks

4.6.6 New development should be made up of clearly defined development blocks, with buildings orientated to emphasise a clear distinction public and private space. This can be achieved through the fronts of buildings facing the streets and the rear facing private areas. The most successful designs are those which achieve this distinction to best effect; they not only contribute towards making people (whether residents, workers or visitors) feel safe and secure, but can enhance the character of the development and help to create a sense of place.

4.6.7 Development blocks should generally be small enough to accommodate a mixture of styles and should ensure that there is clear a hierarchy of streets. The surrounding area will have an influence on the new development which will need to blend in and complement the existing built form in terms of both building style, access and linkages.

4.6.8 In terms of housing schemes, a number of different styles could be employed to development blocks, dependent upon individual circumstances such as topography and the nature of the surrounding built form. Types of development might include sensitively

designed cul-de-sacs, such as mews or courtyards. In response to changes in slope and topography, more innovative types of development might be employed, such as three storey and split level properties. At edge of settlement locations, attractive frontage development will help to define the entrance to the town from that particular direction and enhance an area's sense of place, particularly if this mirrors the architectural character elsewhere in the town.



A development employing a clear hierarchy of streets and a varied mixture of housing styles. Integration and access with the Llanelli Coastal Park is provided through a direct link with the existing footpath/cycleway.



An example of high quality design in a Cul-de-sac setting.

An example of a proposal employing a variety of development blocks and open spaces.



4.6.9 Public open spaces should be located where they are likely to be well used, for example where streets meet. They should be overlooked by well-defined frontages to reinforce security. Areas of open space can be of varying sizes, with Local Area for Play (LAPs) or Local Equipped Area for Play (LEAPs) being provided within them. Smaller, incidental areas of open space can also be of value to a new development; sometimes this might be an opportunity to display innovative street furniture to enhance the character of the area, or it might be large enough to incorporate an informal play space. Reference should be made to SPG on Leisure & Open Space Requirements for New Developments.

4.6.10 The importance of frontages in a new development has been covered above, in relation to supervision and security. The continuity of frontages in a development depends on where it is situated. Frontages in an urban street will be mostly continuous; this enclosure will reinforce the feeling of security and will make people feel safe when walking through them. The design of the frontages in such locations can enhance an area (if done sensitively) and can also help to create a sense of place.

- a LAP or LEAP can be provided within the space

4.6.11 In a new housing development there is greater flexibility for experimentation with frontages. This might be associated with the provision of a wide range of housing types. A larger development might include several areas of terraced or semi-detached properties with almost continuous frontages, as well as larger, detached properties where the frontages are broken to include the larger curtilages. In all cases however, it is important that the treatment of public and private space is carried out as outlined in paragraphs 4.5.1 & 4.5.2 above, so that no areas are seen as exclusive. Reference should be made to Mixed tenure at paragraph 4.7.6 below.





Permeability and Legibility

4.6.12 The provision of a permeable street layout that is well integrated with the character and form of the surrounding area, is key to achieving a sustainably designed development. By creating a range of attractive routes through a site, in a well-defined street hierarchy, permeability is enhanced which encourages increased pedestrian and cycle movement and less dependence on the motorcar.

4.6.13 The legibility of a development is reinforced when it contains features and a readily identified layout which allows ease of movement around the site. The use of landmarks and focal points at key nodes within the site is an effective way of enhancing legibility. People will identify with such features which not only aid navigation but will also enhance the character of the site. The use of landmark buildings, public squares or open spaces are some examples of these features. Increasing the legibility of a site can be achieved through a number of means, including variations in character between different areas within the site - part of the site might be steep and would require specific architectural building styles to cope with the

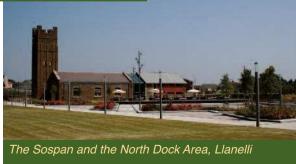
topography, whereas another part might require strong frontage development to emphasise an entrance gateway to the site.

CONTINUOUS STREET FRONTAGE

LANDMARK BUILDING

Landmark buildings create focal points which can





Permeability and Legibility

Strong building lines provide continuity through a development and reinforce permeability with surrounding areas. Landmark buildings also help with legibility within the site by identifying key spaces or places.

Design Evaluation Summary for Development Form:

- ✓ Larger residential and mixed use development proposals should establish a clear hierarchy of streets;
- √ The streets should have appropriate access links with the existing built form and highway network;
- √ The streets should be designed to be safe for all types of users;
- √ The sense of place should be considered through an appreciation of how the development will be experienced as users move through it;
- √ The scheme should set out well defined development blocks with well defined street frontages;
- √ There should be clear distinctions between private (individual properties) and public space (e.g. pavements, cycle ways, recreational open space).

4.7 Uses and Activities

Community Facilities

- 4.7.1 In terms of new housing developments, it is important to ascertain whether new community facilities are required or whether the proposed residents could utilise existing facilities within the settlement. Community facilities provide an essential contribution to the vibrancy of neighbourhoods from parks, play areas and shops to community centres, schools and healthcare. Reference should be made to LDP Policy SP16 Community Facilities.
- 4.7.2 Community facilities provide an important social role in creating places where members of the community can meet one another. They also help to support health and well-being through encouraging walking and cycling and by providing education, healthcare, local services and employment.
- 4.7.3 The importance of integrating new developments with their surroundings has been noted above (refer to paragraph 4.4.3). Where new facilities are deemed to be necessary, their location in relation to the existing built form of the settlement must be

carefully considered. Locating them towards the edge of a new development will enable its use by both new and existing residents and will help to promote social integration. It might be more appropriate to provide a new facility more centrally within a settlement, or extending an existing one.

4.7.4 Accessibility is a vital factor when considering community facilities. In terms of new developments, it is important to locate them as close a possible (in terms of walking/cycling) to existing facilities. If new facilities are to be provided, then they should be located within walking distance of as many residents as possible (existing as well as new).



Ysgol y Bedol Glanamman – an attractive, modern sustainable development incorporating multiple uses, including primary school, library and community centre.

Mix of Uses

4.7.5 Developments that incorporate a mix of uses are more sustainable and are more beneficial to the social, economic and environmental wellbeing of communities. A mix of uses, including housing, community facilities, shops, open spaces and employment contribute towards meeting the local needs of residents, workers and visitors. Such developments can reduce the reliance on the motor car and add to the vibrancy of an area, resulting in a safe and well used environment.

Mixed Tenure

4.7.6 In terms of larger residential developments, a wide range of housing types should be provided ensuring that the needs of a variety of potential residents are catered for. The use of mixed tenure housing will enhance the social cohesion of a community by providing accommodation for the needs of all, including owner occupied (including affordable housing) and rented. The mix should also be evenly distributed throughout the development so as to avoid social segregation. A poor mix of housing tenure can result in an uneven social mix within an area and the potential for social exclusion.



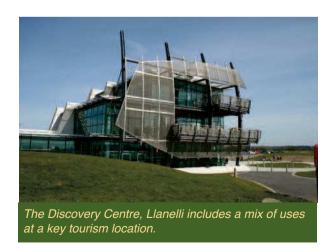


Mixed-use development

4.7.7 Mixed use development includes a variety of different uses, for example residential, employment, retail, community use and leisure. Where mixed use development is proposed, care should be taken to ensure that there is no potential for conflict between the different uses.

4.7.8 In larger developments outside of a town centre, the mix of uses can be located close or adjacent to one another, for example a health centre or mini supermarket next to or within a residential area. It is important however, that the different uses relate well to one another – the two aforementioned examples for instance will benefit the local neighbourhoods and will reduce the need to travel by car.

4.7.9 In town centres, mixed use development can be accommodated in different levels within a building, for example shops on the ground floor with flats above. The use of upper floors encourages owners/occupiers to keep the property in a good condition, which in turn contributes to the vitality of the town centre and makes it more attractive to visitors.



Design Evaluation Summary for Uses and Activities:

- ✓ Proposals should identify local community facilities (shops, schools, health facilities etc) in relation to the site;
- √ Proposals should identify whether the existing facilities can be accessed on foot or by cycle;
- √ Where facilities cannot be accessed on foot or by cycle, the need for the provision of such facilities should be considered in the proposal;
- √ For mixed use proposals, the mix of uses should provide sufficient choice in terms of housing and work places;
- √ For mixed use proposals, the different uses should be compatible with one another and should have no negative effects upon amenity and quality of life;
- √ Residential proposals should identify the local need for mixed tenure and affordable housing;
- ✓ Schemes should provide mixed tenure and affordable housing to meet the local demand:
- ✓ Proposals should distribute the different tenures across the site to ensure a balanced social mix and to avoid social segregation.

4.8 Design Quality and Performance

Introduction

4.8.1 It is not the remit of this SPG to cover such detail as the design of street layouts or the design and construction of individual buildings. This will be covered in a separate SPG on residential development. What is detailed in this SPG however, are the placemaking and design issues, such as a development's relationship with its surroundings, general architectural quality, durability and fitness for purpose, and the infrastructure and services that must be accommodated within development and should be considered early on in the design stage.

Relationship to the Site

4.8.2 Developments (whether whole sites or individual buildings) should conform with and complement the form and make-up of the landscape or townscape in which they occupy. Designs should exhibit a knowledge of the landform and topography of the area and also an appreciation of features of interest such as trees, hedgerows and streams. Similarly, in a

more urban context, new buildings should respond to the nature of the existing built form. Whilst there might be opportunities to experiment with different architectural forms in, for example new residential or employment developments in a streetscape, new buildings should generally complement the neighbouring buildings in terms of built frontage, roofline and storey heights.



Carmarthen: A new streetscape which has been developed and which complements the historical built form.



Fit for Purpose, Durable and Sustainable

4.8.3 New developments should be well-built, durable and suitable for their intended purpose. This includes their layout, orientation and aspect. The internal layout will include the number, size and position of rooms, whilst the external elements will include the size, orientation and aspect of gardens and car parking space (in respect of residential properties) and potential vehicular parking, cycle bays and landscaping (in respect of public buildings, employment and commercial properties).

Page 53

4.8.4 Wherever practicable developments should utilise sustainable materials (materials with a low environmental impact) which have been sourced locally (to reduce transport emissions). Additionally, the use of used, reclaimed and recycled materials should also be investigated.



Infrastructure Requirements

4.8.5 It is important that the infrastructure requirements of a proposal are considered early on during the design stage in order for them to be integrated into the scheme and so that any potential problematic issues can be addressed. Typical infrastructure elements that

need to be addressed include sewerage, electricity, water supply and telecommunications. In addition, the local highways authority should be consulted on matters of highway access and design of onsite streets and roads.

Waste and Recycling

4.8.6 One of the more detailed design considerations in a scheme relates to the storage and recycling of waste. Due to the changing way in which waste is dealt with there is pressure to separate waste into recyclables and non-recyclables before it is collected. Therefore one household or business may have more than one storage bin.

4.8.7 It is essential to allow sufficient space for refuse storage and to incorporate this into the design of the development. Bins should preferably be stored in covered units, for example as part of a garage block, a lean-to extension to a building, or an enclosed wooded unit.

4.8.8 Access is also very important. Users of the waste facility should be able to access them safely and conveniently. This is also true for collections, as ease of access to the storage areas should be achievable from main roads. Pollution and safety are also concerns when dealing with gathered waste as odours and vermin are potential problems. Good ventilation of any facility as well as enclosing it as much as possible will reduce the impact of odours and restrict access to vermin.

Architectural Quality

4.8.9 Generally, buildings should be attractive and pleasing to the eye. Sometimes it is important that a development reflects some of the attractive qualities of the local historic form of buildings in the area. In these instances, new buildings are likely to sit well in the landscape and streetscape. Sometimes however, new developments fail to emulate traditional buildings or the built form and the result is a poor imitation of the traditional local style.

4.8.10 Whilst not having a particular vernacular style, many settlements within Carmarthenshire are characterised and are recognisable by their streetscapes and distinct buildings, whether this is due to the nature of the building stone used (often reflective of the local geology) or the historic make up of the individual town. Therefore, if a traditional

approach is to be followed then it should be true to the original form to which it is following, in terms of style and materials used.



4.8.11 There are, alternatively, many modern approaches that can be used to achieve attractive and pleasing developments. Urban environments for example, are places where the styles have evolved to incorporate new forms that result in innovative and distinctive structures. Carmarthenshire is a County that is renowned for its historic importance and one that can boast a number of impressive medieval castles, modern architecturally developments pleasing have been incorporated in recent years in both urban and rural areas.



Furnace Theatre, Llanelli: This quality modern development within a historic town centre makes a strong architectural statement which adds to the appeal of this popular visitor attraction.



Quality modern design at the new teaching and learning building at the University of Trinity Saint David in Carmarthen.



Pont King Morgan Carmarthen: a modern, visually pleasing addition to the townscape and landscape providing pedestrian and cycle links from the railway station to the town centre.

Design Evaluation Summary for Design Quality and Performance:

- ✓ Proposals should conform with and complement the form and make-up of the landscape in which they are located;
- √ Proposals should endeavour to create attractive and sympathetic environments;
- √ New developments should be well-built, durable and suitable for their intended purpose;
- ✓ Infrastructure and service requirements of a proposal should be considered early on and should to be integrated into the scheme.

Placemaking & Design Process

Introduction

Achieving good quality and well designed places requires a step by step process, based on the evolution of a proposal together with an understanding of the character Carmarthenshire, and taking into account all the factors detailed in the sections above.

Working together: early discussion with planners/local community:

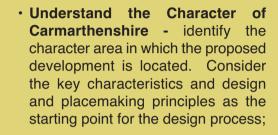
At an early stage of the design and placemaking process, pre-application discussions with a planning officer should be undertaken in order to ascertain whether the site is appropriate for the nature and scale of the development envisaged and whether the project is likely to be supported in planning terms. The planning officer, and colleagues such as the County Ecologist, will also be able to advise as to what information should accompany the application. The Planning officer will also be in a position to advise on how to engage with key local stakeholders and produce a proposal that will be supported through the application process. Applicants / Developers are also advised to contact external agencies and organisations such as Dwr Cymru/Welsh Water; NRW, Dyfed Archaeological Trust to ascertain a comprehensive understanding of the site and any issues which may impact upon it.

Initial considerations

The process from instigating an initial proposal to ultimately submitting a planning application will normally consist of a number of steps, set out below.



· Initiation of the Project - this will involve selecting a site and carrying out an initial appraisal based on local planning policy, site constraints and potential technical issues:





 Identify the design and placemaking principles - Establish the development vision based on the initial appraisal of site and character area. Set out how the proposal will contribute towards the sustainability of the area and can complement and/or enhance the character of the area.



Appraising the Site and its Context

Developers should carry out a detailed analysis of the site and its immediate setting. This will usually involve both a desktop study and a site analysis, as set out below.

The **desktop study** will include the collection of the following types of data depicting the site and its surroundings:

- Development Plan inset map of site;
- Aerial photographs;
- Relevant information detailing utilities & services, land contamination, sites of archaeological importance; sites of nature conservation interest etc;
- Advice from suitably qualified specialists e.g. preliminary ecological appraisal.

The **site analysis** should identify constraints and opportunities that will influence the design of the proposal and should be illustrated by annotated plans, photographs and sketches. The analysis will cover such aspects as:

- Landscape including topography, microclimate, drainage etc;
- Views and Vistas e.g. are there any notable views or landmarks? What are the opportunities for responding to views into and out of the site?
- Existing Land Use and facilities e.g. current land use, surrounding uses, capacity of existing services etc;
- Ecology and Biodiversity e.g. are there protected species or any designated national or local sites on or adjacent to the site;
- Built Form description of the nature of any buildings on site, will they be retained?
- Access and Movement how do people travel between local facilities?
 Location of any bus stops, what is the pattern of pedestrian movement in and around the site?

Developing a Design Concept

The design concepts of the project should respond positively to the character of the site and its environs based on the site analysis and the Design and Placemaking principles. Some essential considerations would include:

- Existing Character proposals should positively contribute to and not detract from their surrounding environs. Where the site lies within an area that has no distinct character or identity, then the development should draw influence from the broader character of Carmarthenshire and the design principles set out within this SPG;
- Green Infrastructure proposals should have full regard to, and integration of green infrastructure features both within and outside the site area;





- Landscape Character Positive features in the landscape such as mature trees and hedgerows should be retained wherever possible and should be contiguous with the surrounding area;
- Built Character existing building styles in the area should be understood in order to inform new developments. This does not mean that the new build should copy the existing forms, but there should be a general relationship in visual terms;
- Infrastructure and Utilities Developers should ensure that the necessary infrastructure (water, gas, electricity, sewerage etc) is either available or could be accommodated within a new development. This would involve prior discussion with the appropriate utilities companies;

- Facilities and Services New developments should be designed so as to make the most use of existing community facilities, such as shops and schools:
- Access and Movement New development should be designed so that it can be integrated into the surrounding area, taking advantage of the existing movement framework, and wherever possible enhancing it through reinforcing pedestrian and local transport linkages, and through the potential for other opportunities such as creating new cycle ways;
- Ecology and Biodiversity These issues should be addressed at an early stage in the design process to ensure that there is minimal impact upon habitats or species present. Developers should ensure that a suitably qualified professional is engaged to be able to produce any necessary ecological report that may be required.



The Planning Application Process

The culmination of the design and placemaking process will be the submission of a planning application (should the developer chose to do so). Planning applications will need to be accompanied by the relevant documentation - appraisals of all the factors set out in the earlier sections of this SPG.

Information regarding the submission of a planning application can be found online on the Council's website. Here, there is a link to the Planning Portal which sets out further guidance on submitting an application, preapplication advice and local and national requirements. You can submit an application online, or you prefer you can download a pdf, complete it and submit it by post.



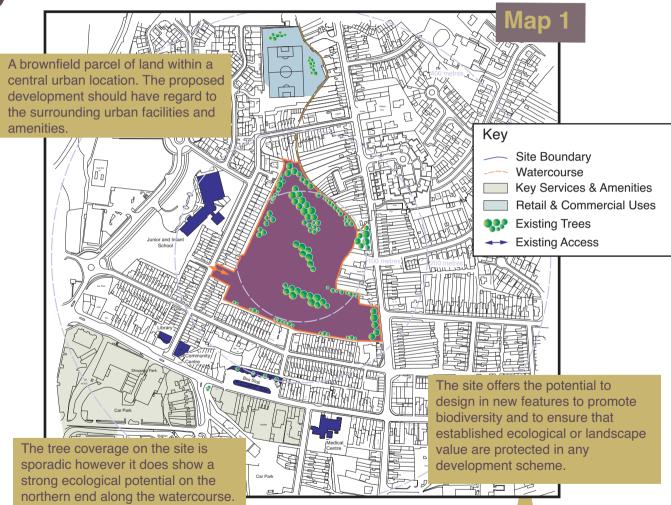
Case Study

This chapter seeks to draw upon the design process highlighted in previous chapter in the form of a hypothetical case study, in order to indicate how good quality and well designed places can be achieved. As indicated in chapter 5, achieving quality design requires a step by step process, and the following case study identifies the key considerations within any development proposals.

Map 1- Appraising the site and its context

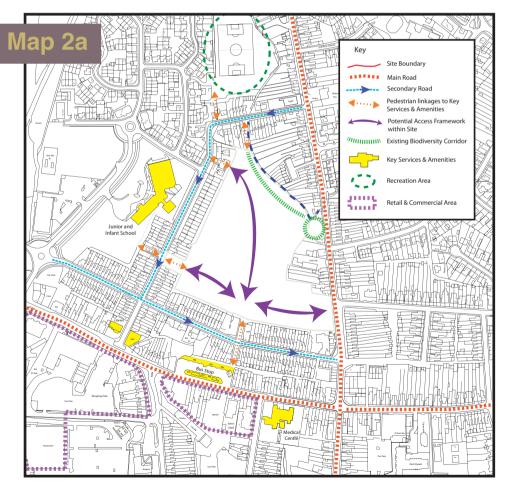
A key consideration of a scheme is to identify the growth area in which the proposed development is located and to appraise the site and its more immediate setting.

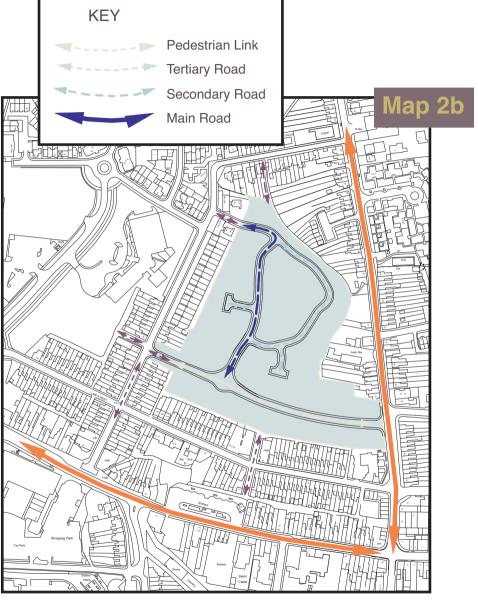
Development should be designed to integrate with, protect and enhance the landscape and biodiversity. The key considerations in this case study would be to consider the topography, watercourses, ecological importance and potential development area.



Map 2 - Movement Strategy

An important feature of any new development is the accessibility and ease of movement considerations of the scheme. New development should be designed so that it can be integrated into the surrounding area, taking advantage of the existing movement framework, and wherever possible enhance it through reinforcing pedestrian and local transport linkages, and through the potential for other opportunities such as creating new cycle ways.

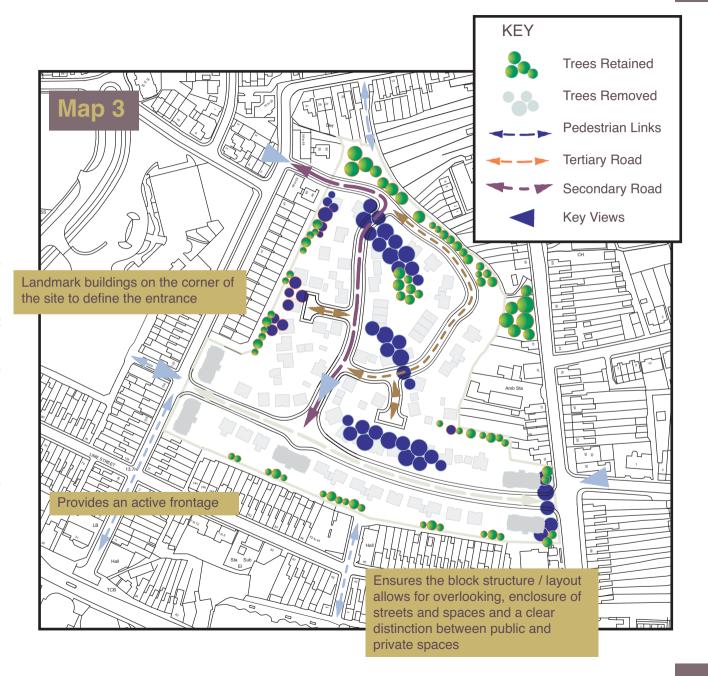


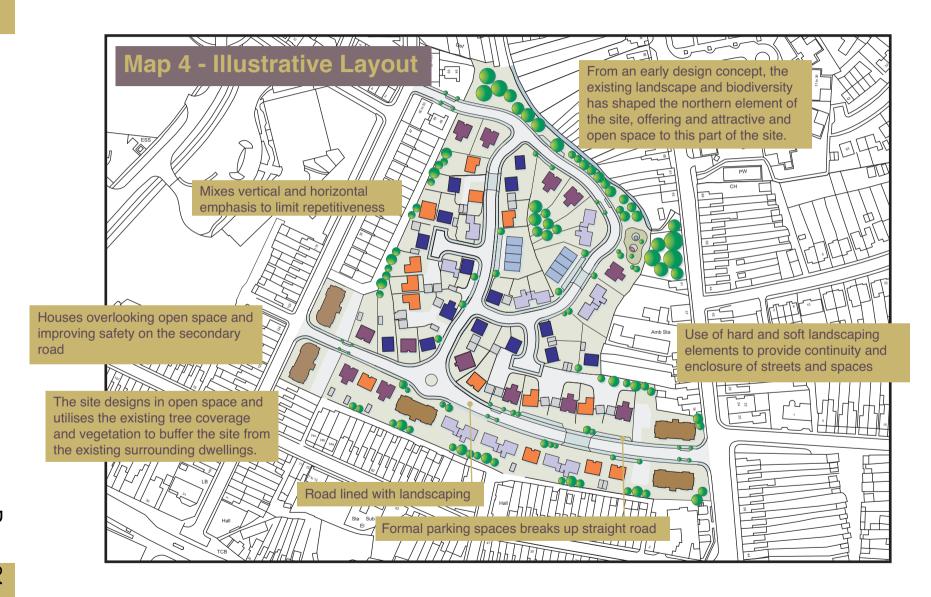


Map 3 - Permeability, legibility, views and features

Within an overall well-connected and permeable site there should be opportunities for a full range of street designs, however the monoculture of street types should be avoided. At a more detailed design level, consideration would be given to the spaces and shape of plots, building width, facade and features.

The overall visual effect of the development must be considered by looking at the development from the surrounding area. This site considers the placement and design of landscape and buildings to create memorable spaces and focal points, and also creating landmark buildings to define the entrance to the development. The density of the development is reflective of its surrounding area and existing character, and allows for a clearly defined and enclosed residential street





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Archaeology and Development Draft Supplementary Planning Guidance

Checklist

All applicants/developers for schemes with archaeological aspects, or affecting gardens and designed landscapes are required to have regard to this SPG and should utilise the checklist below.

Carry out early pre application consultation with the Local Planning Authority's Development Management service and Dyfed Archaeological Trust.
Be aware of how development proposals could affect archaeological resources and the heritage environment (including Gardens and Designed Landscapes)
Consult the Dyfed Archaeological Trust HER to determine if heritage or archaeological resources are present on potential development sites.
If considering archaeological work in support of a planning application, ensure that you select competent and skilled expert consultants.
Ensure all archaeological work in support of the planning process conforms to legislative requirements and follows the guidance set out in this SPG.

1. Introduction

- 1.1 This Supplementary Planning Guidance (SPG) elaborates and develops on the policies and provisions of the Adopted Carmarthenshire Local Development Plan (LDP). In so doing it seeks to protect the archaeological heritage of the County, and its setting, by advising how development proposals can best take account of archaeological issues. Whilst the presence of archaeological remains does not necessarily preclude development it is recognised that they represent an important finite source of information about the past. Consequently their investigation and, where appropriate, preservation is important in its own right and can provide an invaluable educational and tourism resource.
- 1.2 This SPG will provide detailed information and guidance on the handling of archaeology in the planning process. It will also identify national policies as contained within Planning Policy Wales and Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology, as well as local policy considerations.
- 1.3 It also provides further detailed information on the Authority's development management requirements and procedures and will upon adoption be a material consideration in the determination of planning applications.
- 1.4 As applicants/developers will be expected to meet the costs of archaeological work, this document will assist in guiding non-specialists through the planning procedures and archaeological work that may be involved. Information on professional archaeological contractors may be obtained from the Chartered Institute for Archaeologists (CIfA) or the British Archaeological Jobs Resource (BJAR).
- 1.5 In recognition of Carmarthen Town's special historic significance and high archaeological potential, this guidance provides additional specific information in relation the procedures and requirements of the planning process.
- 1.6 It is an offence, punishable by fine, to do works to a scheduled monument without first obtaining scheduled monument consent. It is also an offence to damage or destroy a scheduled monument. The maximum penalty for this is an unlimited fine and/or a period of two years' imprisonment.

2. The Historic Environment of Carmarthenshire

- 2.1 Carmarthenshire is recognised as an area of special historic significance. Its landscape is diverse, extending from the coastal plains in the south through gently rolling hills, which rise up to the Brecon Beacons and Cambrian Mountains in the north-east. This ancient landscape of natural geological formation has been crafted and exploited over thousands of years by human activity, which has left its indelible signature on the County. All this landscape is therefore historic and significant though some areas, such as the Tywi Valley, have been identified as having special historic value and have been included in the national Register of Landscapes of Outstanding Historic Interest in Wales and Register of Landscapes of Special Historic interest in Wales.
- 2.2 Carmarthenshire County Council considers that the historic environment of the County has high value not just in its rich historic and archaeological inheritance but also in the benefits it can bring to the present and future. It contributes significantly to our modern lives giving us a sense of place and identity. It also offers significant economic benefit attracting visitors to the county.
- 2.3 In definition the historic environment has been described as follows:

The past is all around us. We live our lives, whether consciously or not, against a rich backdrop formed by historic buildings, landscapes and other physical survivals of our past. But the historic environment is more than just a matter of material remains. It is central to how we see ourselves and to our identity as individuals, communities and as a nation. It is a physical record of what our country is, how it came to be, its successes and failures. It is a collective memory, containing an infinity of stories, some ancient, some recent: stories written in stone, brick, wood, glass, steel; stories inscribed in field patterns, hedgerows, designed landscapes and other features of the landscape. [The Historic Environment: A Force for Our Future. DCMS 2001]

- 2.4 The historical and archaeological inheritance of Carmarthenshire is exceptional. Within the landscape evidence survives for early farming and forestry practices, settlements and dispersed farmsteads, mineral exploitation, military conquest, religion and communication. The County is studded with important archaeological sites of all periods, ranging from Palaeolithic cave sites, funerary and ritual monuments and hill-forts of the prehistoric periods, to Roman forts, roads and settlements (including the important town of Carmarthen), and to the castles, monastic sites and nucleated settlements of the Anglo-Normans and post-medieval and industrial and military remains.
- 2.5 Through the land-use planning system, and in accordance with national policy and legislation, the Council will seek to safeguard our historic environment and ensure that sites of historic and archaeological significance are not needlessly destroyed or damaged.

3. National and Local Policy

- 3.1 In the United Kingdom, the protection of ancient monuments and archaeological remains of national importance is statutorily governed under the provisions of the **Ancient Monuments and Archaeological Areas Act 1979**. In Wales Cadw, on behalf of Welsh Government, maintains a schedule of nationally important sites, which meet strict criteria for inclusion and protection. It is an offence under law to demolish, damage, alter or flytip on these scheduled sites without the written consent of Welsh Government through Cadw, the Welsh Historic Monuments Directorate of the Welsh Government.
- 3.2 The protection of other non-scheduled ancient monuments or archaeological remains, which may have national or regional significance, is required by Government legislation, notably the provisions of the **Town and Country Planning Acts** and the national planning policy framework in Wales. In Carmarthenshire these historic sites are officially identified in the databases of the regional Historic Environment Record (HER), held and maintained by Dyfed Archaeological Trust (DAT) and have been adopted by resolution of Carmarthenshire County Council in fulfilling its statutory planning function.
- 3.3 For certain types of development (listed in Schedules 1 and 2 to the **Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999)** formal environmental impact assessment (EIA) may be necessary. Where EIA is required, the developer must provide an environmental assessment setting out the information specified in Schedule 3 to the Regulations about the site and the likely significant effects of the proposed development on the environment. This should include information relating to any significant effects on material assets and the cultural heritage, such as archaeological features and other human artefacts, and the measures envisaged to avoid, reduce or remedy such adverse effects.
- 3.4 It is noted that the **Historic Environment (Wales) Bill** is progressing through the National Assembly for Wales with a view to receiving Royal Assent in the spring of 2016. The Bill forms part of a suite of legislation, policy, advice and guidance that seek to make important improvements to the existing systems for the protection and sustainable management of the Welsh historic environment. In broad terms, the Bill gives more effective protection to listed buildings and scheduled monuments, enhances existing mechanisms for the sustainable management of the historic environment, and introduces greater transparency and accountability into decisions taken on the historic environment.
- 3.5 The outcomes of the respective stages towards the Royal Assent will be monitored with the content of the final Act and secondary legislation etc reflected in future iterations of this SPG.

Planning Policy Wales (Edition 7, July 2014),

- 3.6 Planning Policy Wales (PPW) provides the overarching context for sustainable land use planning policy in Wales, states that:
 - "6.1.1 It is important that the historic environment encompassing archaeology and ancient monuments, listed buildings, conservation areas and historic parks, gardens and landscapes is protected. The Welsh Government's objectives in this field are to:

.......• protect archaeological remains, which are a finite and non- renewable resource, part of the historical and cultural identity of Wales, and valuable both for their own sake and for their role in education, leisure and the economy, particularly tourism;............"

- "6.1.2 Local planning authorities have an important role in securing the conservation of the historic environment while ensuring that it accommodates and remains responsive to present day needs."
- "6.5.1 The desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application, whether that monument is scheduled or unscheduled. Where nationally important **archaeological remains**, whether scheduled or not, and their settings are likely to be affected by proposed development, there should be a presumption in favour of their physical preservation in situ. In cases involving lesser archaeological remains, local planning authorities will need to weigh the relative importance of archaeology against other factors, including the need for the proposed development."

Welsh Office Circular 60/96 – Planning and the Historic Environment: Archaeology

3.7 Circular 60/96 sets out detailed advice on legislation and procedures relating to the handling of archaeological matters in the planning process. Applicants and developers are required to discuss their preliminary plans with the Local Planning Authority (LPA) at an early stage and to undertake, as part of their research into the development potential of a site, an initial appraisal of the site to establish whether it is known to, or likely to contain archaeological remains. Further detail in relation to the content of Welsh Office Circular 60/96 is set out within Appendix 2 of this SPG.

Welsh Government Circular WGC 016/2014 - The Use of Planning Conditions for Development Management

- 3.8 This circular updates the information and guidance to be used by local planning authorities when drafting planning conditions. In this respect, Welsh Office Circular 35/95 gave advice about the use of planning conditions. Much of that advice remains relevant, but it contains a number of references to legislation and guidance which have either been replaced or amended since the circular was published. Circular WGC016/2014 takes account of Court decisions and includes references to current case law examples as well as an expanded appendix containing 'model' conditions. It also brings outdated references up to date and incorporates additional policy advice and guidance issued since 1995, for example, in Technical Advice Notes.
- 3.9 Regard should be had to its content in relation to Archaeology and its model conditions 22 to 24 in relation to 'Archaeology (watching brief)' and 'Archaeology (archaeological investigation)'.

Carmarthenshire Local Development Plan

3.10 The LDP is the statutory development plan for the County (excluding that area covered by the Brecon Beacons National Park) and provides the local policy framework against which proposals for development will be considered. The importance of the built and

historic environment is a central theme within the LDP running through from the Plan's Vision and Strategic Objectives into the strategic and specific polices.

- 3.11 The LDP provides a policy framework which seeks to reconcile the need for development with the interests of conservation, including the historic environment. In this strategic aim it provides key policies for the understanding, protection, enhancement and preservation of sites of archaeological interest and their settings. The LDP does not seek to unduly repeat national policy statements. The Council will therefore where applicable utilise primary legislation and national policy to assist in determining development proposals. Such policies also underpin the implementation of this SPG.
- 3.12 The LDP contains the following policies in relation to the protection of the historic environment of the County:

SP13 Protection and Enhancement of the Built and Historic Environment

Development proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets (outlined below), and, where appropriate, their setting. Proposals relating to the following will be considered in accordance with national guidance and legislation.

- a) Sites and features of recognised Historical and Cultural Importance;
- b) Listed buildings and their setting;
- c) Conservation Areas and their setting;
- d) Scheduled Ancient Monuments and other sites of recognised archaeological importance.

Proposals will be expected to promote high quality design that reinforces local character and respects and enhances the local setting and the cultural and historic qualities of the plan area.

Policy EQ1 Protection of Buildings, Landscapes and Features of Historic Importance

Proposals for development affecting landscapes, townscapes buildings and sites or features of historic or archaeological interest which by virtue of their historic importance, character or significance within a group of features make an important contribution to the local character and the interests of the area will only be permitted where it preserves or enhances the built and historic environment.

Policy EQ2 Enabling Development

Proposals for enabling development that are essential to securing the long term future of a historic feature or building will only be permitted where:

- a) The benefit to the community from the continued existence of that building or feature outweighs the disadvantages of allowing permission;
- b) There is clear evidence that all other options have been proven not to be viable, including availability of financial subsidy;
- c) It does not materially harm the building or feature it is seeking to assist or its setting or the area in which it lies;
- d) The amount of enabling development and its scale is kept to the minimum necessary.

Proposals will be subject to an agreed programme of works. The condition or state of restoration of the building or feature must be in accordance with the programme of works prior to the enabling developments occupation.

4. Archaeology and the Planning Process

Local Planning Authorities (LPA) Role

4.1 Welsh Office Circular 60/96 – *Planning and the Historic Environment: Archaeology* - emphasises the key role played by LPA's for the protection of the Welsh historic environment. It states:-

"the key to the future of the great majority of archaeological sites and historic landscapes lie with local authorities, acting within the framework set by central government" [Section 7].

- 4.2 LPA's have a number of key responsibilities in relation to archaeological sites and monuments within their areas. For instance, they may have major remains, buildings or sites in their care; they may acquire ancient monuments and grant aid their preservation and can help to present and manage historic sites which contribute to the local landscape, amenities and economy of their area; finally they have a crucial role in safeguarding the archaeological heritage through their development control functions.
- 4.3 Currently Carmarthenshire County Council has no in-house archaeological expertise and therefore works closely with the DAT.
- 4.4 Where planning applications affect scheduled ancient monuments, or their setting, the Council will consult with Welsh Government through Cadw. (Para. 6.5.6 PPW)

The Role of Dyfed Archaeological Trust

- 4.5 Dyfed Archaeological Trust Limited is one of the four Welsh Archaeological Trusts. The Trust is both a Limited Company (No.1198990) and a Registered Charity (No 504616). The Trust is established to advance the education of the public in archaeology. It is committed to working to help protect, record and interpret all aspects of the historic environment. DAT DM provides comprehensive archaeological planning services on behalf of four Authorities (including Carmarthenshire County Council) and others engaged in development and land-use change, in both the private and public sectors.
- 4.6 It provides comprehensive archaeological services including information and advice as part of the planning process. The trust provides information from the HER, which provides guidance on whether there is an identified archaeological dimension and constraint to development. Advice on the course of action required to protect archaeological interests is also provided. The trust in working with the Council will seek to liaise with LPA officers and applicants/developers, monitoring archaeological work required as part of the planning process.

Scheduled Ancient Monuments and Cadw

4.7 A small proportion of the ancient monuments and archaeological sites in Carmarthenshire have statutory protection as Scheduled Ancient Monuments (SAM) under the Ancient Monuments and Archaeological Areas Act, 1979. Any works that affect these monuments will require scheduled monument consent from Welsh

- Government. The setting of a SAM and its physical preservation are material considerations in the determination of any planning application.
- 4.8 Scheduled monument consent is separate from planning permission, and any work carried out to a SAM without consent is a criminal offence and is liable to prosecution under the 1979 Act. The granting of planning permission does not confer scheduled monument consent nor vice versa. For a site which is both scheduled and listed, scheduled monument legislation takes precedence over listed building requirements. In most cases the LPA would expect a planning application which affects a SAM to be accompanied by the necessary scheduled monument consent from Cadw. Where the provisions of the 1979 Act apply, their effect should also not be duplicated by planning conditions, although LPA's granting planning permission in such circumstances are advised to draw the attention of the applicant to the relevant provisions of the 1979 Act.
- 4.9 It should be noted that the LPA is required by law to consult with Cadw on any application likely to affect a SAM or its setting.
- 4.10 Further information on these protected sites can be obtained from Cadw or DAT.

The Historic Environment Record - Obtaining Early Information

- 4.11 Prospective applicants and developers are encouraged within Circular 60/96 (S.11) to seek early information and advice on their proposals prior to drawing up detailed designs or arranging finance. In their own interests developers should make an initial appraisal of whether a site is known or likely to contain archaeological remains. With this early information both the interests of archaeology and development can normally be reconciled through appropriate consideration and mitigation.
- 4.12 This information is available through the HER, which is maintained by the DAT. These records currently contain over 50,000 sites of known archaeological and historical interest across South West Wales.

Getting Early Planning Advice

- 4.13 Applicants/developers are advised to obtain early historic environment advice by consulting with the LPA and the Dyfed Archaeological Trust. Applicants/developers who do not consider historic environment issues at an early stage can be faced with unexpected and unnecessary delays and financial expense during the course of development. Managing this risk by obtaining early advice is considered vital to all parties concerned in the planning process.
- 4.14 Applicants/developers should also be aware that the LPA has commenced a new way of working in relation to the processing of planning applications. One of the main outcomes of these changes is the need to ensure that any submitted application is "clean" before it can be formally registered and go out to consultation. In order to achieve this, the LPA will seek to identify all issues before the formal registration of the application e.g. whether the scheme is acceptable or not, whether more information is required and whether there are any inaccuracies in the details applicants submit. Applicants are not required to agree to this approach, consequently applications which do not reflect the

benefits of "front loading" will be registered, but are at risk of refusal early in the determination period.

Requirements prior to the determination of applications

- 4.15 Early consultations will provide prospective applicants with advance warning of the archaeological sensitivity of their site. However, there will be occasions when insufficient information is available on the potential archaeological resource and the LPA will require further information before the application can be properly considered. Where insufficient information has been provided, the LPA may decide not to register a planning application, defer determination or can refuse to grant planning consent.
- 4.16 Planning Policy Wales, paragraph 6.5.2 and Welsh Office Circular 60/96, paragraphs 12, 13 and 14 state that, where important remains are thought to exist at a development site, applicants should provide further information on the archaeological resource prior to the determination of the application. This is required to ensure the LPA is fully informed of the archaeological potential and that appropriate mitigation to protect significant archaeological interests has been formulated and agreed in determining any application for planning permission.
- 4.17 The type of pre-determination archaeological work that may be required is varied ranging from desk-based assessment through to intrusive field evaluation or a combination of many techniques. These methodologies are elaborated on in Appendix 1.

Requirements following the determination of applications

- 4.18 When the LPA is satisfied that it has sufficient information on the historic environment, a planning application can proceed to determination. At this stage the LPA, with advice from DAT, can weigh the relative importance of the archaeological resource against other factors, including the need for the proposed development.
- 4.19 At this stage two main options, cited in paragraphs 17 and 18 of Welsh Office Circular 60/96 *Planning and the Historic Environment: Archaeology*, are open to the Planning Authority. They are 'preservation in situ' and 'preservation by record'.

Preservation of Archaeological Remains in situ

4.20 Where nationally important archaeological remains, whether scheduled or not, and their settings are affected by proposed development there will be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or which would have a significant impact on the setting of visible remains. In these instances it may be appropriate for the LPA to refuse planning applications which would have a significant adverse impact on the historic environment.

Mitigation

- 4.21 In certain circumstances, the Planning Authority may require appropriate mitigation to be agreed in order to ensure the preservation *in situ* of significant archaeological remains. Applicants may therefore consider forms of mitigation designed to protect archaeology *in situ* whilst enabling their development.
- 4.22 Appropriate design solutions and construction techniques may allow archaeological remains to be sealed beneath buildings or through careful landscape design within development areas. Although the remains may remain inaccessible for the time being, they are effectively preserved for the future, when archaeological techniques of excavation and scientific analysis will undoubtedly be improved. In these instances, the LPA may seek assurances that buried archaeological material will remain secure after development through on-going monitoring procedure, or, in certain circumstances, the removal of permitted development rights.
- 4.23 Applicants intending to minimise the impact of their development on a known archaeological resource through mitigation proposals are advised in the first instance to seek the advice of DAT.

Preservation of Archaeological Remains by Record

- 4.24 Where remains of lesser importance are known to exist, the LPA may decide that the significance of the archaeological remains is not sufficient, when weighed against all other material considerations, including the need for development, to justify their physical preservation *in situ* and that the proposed development can proceed.
- 4.25 In such cases, the attachment of an appropriate planning condition may require the developer to make satisfactory arrangements for the excavation, recording, archiving and publication of the archaeological resource. This work, which may often be time-consuming and expensive, is generally considered a 'second-best' option and must be carried out prior to the commencement of the development.
- 4.26 Other conditions may require the applicant to carry out building recording prior to and during the course of development or arrange for an archaeological watching brief to be carried out by a professional archaeologist during development.
- 4.27 DAT on behalf of the LPA will consider the applicant's submitted archaeological scheme and advise the Authority. Where archaeological work is allowed to commence, DAT will monitor all the stages of the work to ensure compliance with planning conditions and the maintenance of appropriate archaeological standards as laid down by the CIfA.

Planning Conditions

4.28 Welsh Office Circular 60/96 addresses the use of planning conditions in respect of archaeology. Where a planning permission is granted for development which might affect land which is in an area considered to be of archaeological interest, the LPA may wish to impose conditions designed to protect the archaeological resource or ensure that reasonable access is provided to an archaeologist. DAT will be able to offer advice to

the LPA with regards to the location and extent of the known resource and make suggestions to reduce the potential conflict between development and preservation of archaeological remains. Conditions usually require that either a watching brief or archaeological investigation is undertaken. These conditions help to ensure that the archaeology is preserved and recorded.

- 4.29 These conditions should meet the criteria of being necessary, relevant to planning, relevant to the permitted development, enforceable, precise and reasonable. Advice notes may be provided to assist applicants on how to meet these conditions and successfully discharge their planning obligations.
- 4.30 Only when it is demonstrated that the conditions have been properly and fully met will the LPA consider discharging planning conditions. In cases where it is clear that applicants have not implemented the requirements of planning conditions, the Authority will consider the need for enforcement action.
- 4.31 In some areas, the exercise of permitted development rights can pose a risk to the archaeological resource and so when granting permission for certain developments the LPA may decide to remove these rights.

Monitoring

- 4.32 DAT on behalf of the LPA will normally monitor archaeological work to ensure compliance with planning requirements and the maintenance of high archaeological standards in the county. All archaeological work will be subject to monitoring from inception and project design, through fieldwork and the post–excavation processes, to the deposition of the resulting archive in an agreed repository and final publication.
- 4.33 The LPA will be advised by DAT on whether conditions can be discharged either in full or partially as the successive stages of the agreed archaeological programme of work are satisfactorily completed.

5. Procedures for Undertaking Archaeological Work

Responsibility for Costs

- 5.1 Archaeological work, particularly intensive excavation, can be time-consuming and expensive and meeting these costs is solely the responsibility of the developer. As part of a planning requirement, this work can involve not just fieldwork but also post excavation analysis, archiving and publication. There may also be costs relating to the conservation of artefacts, archiving and the storage of excavated archaeological finds.
- 5.2 Because of these potential costs, it is recommended that applicants for planning permission should seek early archaeological advice by discussing their proposals with relevant officers of the Authority and DAT. With good information on historic environment issues and constraints at an early stage in the formation of development proposals, applicants may be able to lessen the likely financial impact of their development through mitigation and avoidance of sensitive archaeological material.

Quality Control

- 5.3 It is the responsibility of applicants or developers, or their agents, to commission archaeological contractors to carry out work on their behalf and they will need to satisfy themselves of the ability of their chosen archaeological contractor to undertake this work.
- 5.4 The archaeological work must be undertaken by the staff of a competent and professional body. Appointed archaeological contractors should have appropriate experience, and should be managed by a Member of the Institute of Field Archaeology (MIFA), who is appropriately validated. The archaeological contractor must adhere to the Institute of Field Archaeologists' Code of Conduct and the Code of Approved Practice for the Regulation of Contractual Arrangements in Field Archaeology and to the relevant Standards and Guidance.
- 5.5 It is also recommended that, in the best interest of those commissioning archaeological work, that they ensure that contractors have appropriate professional indemnity or other insurances.

Human Remains

- 5.6 Where human remains are encountered as the result of archaeological work developers must adhere to legislation and best-practice procedures for handling this sensitive material. When discovered, human remains must always be left *in situ*, covered and protected sensitively. No further investigation should be undertaken and the local Coroner, the Council and Dyfed Archaeological Trust must be informed immediately.
- 5.7 If removal of the remains is essential a licence must be obtained from the relevant Secretary of State in accordance with Section 25 of the Burial Act 1857. These issues and further advice are currently contained in Annexe S3 of English Heritage's Guidance for Best Practice for Treatment of Human Remains Excavated from Christian Burial Grounds in England: 2005.

Historic Parks and Gardens Register

- 5.8 Carmarthenshire contains a large number of important historic gardens and parklands, many of which are contained within the Carmarthenshire section of the *Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales*, published by Cadw. The Register provides information, to help ensure that the historic character of the landscape is sustained, and that where change is contemplated, it is well-informed. Reference should be had to the companion good practice guide which explains how the Register should be used in assessing the effect of major developments on the historic landscape.
- 5.9 For planning applications that may affect sites of Grades I and II*, and their essential settings, the Council will actively seek the advice of Cadw when assessing the suitability of proposals. For Grade II sites and other non-registered sites of local interest, the views of DAT, the Garden History Society and the Welsh Historic Gardens Trust will where appropriate be considered.

Historic Landscapes Register

- 5.11 Parts 2.1 and 2.2 of the non-statutory Register of Landscapes of Historic Interest in Wales contain information on historic landscapes of outstanding or special historic interest. These landscapes have been recognised as areas of "the nation's most valuable cultural assets, and as special, often fragile and irreplaceable parts of our heritage".
- 5.12 In Carmarthenshire seven historic landscape areas have been recognised and registered namely:
 - Black Mountain and Mynydd Myddfai
 - Tywi Valley
 - Dolaucothi
 - Taf and Tywi Estuary
 - Drefach and Felindre
 - Lower Teifi Valley (part)
 - Preseli (part)
- 5.13 Paragraph 6.5.24 of PPW states that: "Local planning authorities should protect parks and gardens and their settings included in the first part of the 'Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales'. Cadw should be consulted on planning applications affecting grade 1 and II* sites and the Garden History Society should be consulted on all parks and gardens on the Register. Information on the historic landscapes in the second part of the Register should be taken into account by local planning authorities in considering the implications of developments which are of such a scale that they would have a more than local impact on an area on the Register (see Para 6.4.9). The effect of proposed development on a park or garden contained in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales, or on the setting of such a park or garden, may be a material consideration in the determination of a planning application."

- 5.14 To assist applicants for planning permission, Cadw, Natural Resources Wales (in the guise of the former Countryside Council for Wales) and the four Welsh Archaeological Trusts have prepared the *Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process* (Revised 2007). This document includes a Technical Annex Assessment of the Significance of the Impact of Development on Historic Landscapes Areas, otherwise known as the ASIDOHL methodology.
- 5.15 ASIDOHL provides guidance on the application of the process and on the technical steps involved in assessing the impact of development on Carmarthenshire's historic landscapes. In the first instance it is recommended that applicants should seek the advice of DAT on whether their development is of such a scale to warrant an ASIDOHL assessment and on what steps they should take in preparing their documentation for the purposes of the planning process.

Historic Landscapes of Regional or Local Importance

- 5.16 Not all historic landscapes in Wales are considered to be of national importance or are currently contained within the *Register of Landscapes of Historic Interest in Wales*. Many other, discreet landscapes of regional or local importance exist are significant for the historical, archaeological, cultural or intrinsic value they bring to their communities.
- 5.17 Where such historic landscapes are recognised and an Environmental Impact Assessment is necessary, applicants/developers will be required to undertake an assessment of the impact of the proposed development on the historic landscape. This requirement is established through the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 [SI 1999 No 293] as amended, and as set out within Welsh Office Circular 11/99 Environmental Impact Assessment.
- 5.18 In the first instance applicants are recommended to consult with DAT on whether their development is likely to impact on a non-registered historic landscape and what course of action may be required to assess and mitigate this impact.

Other Environmental Considerations

5.19 Archaeological site work, which has been commissioned by an applicant prior to the determination of an application or as part of a consented development, may impact on other environmental interests, such as habitat, hedgerow, ground water, fauna and flora, etc. It is the responsibility of both those commissioning intrusive archaeological work and those carrying out the work that they consider whether there may be other environmental impacts resulting from their activities. Further advice should be sought from the LPA and DAT.

6. Carmarthen Town

- 6.1 In terms of its historical and archaeological importance, Carmarthen, as the oldest continually inhabited town in Wales, has exceptional value. Since its foundation by the Roman military in the 1st century AD, Carmarthen has been continuously occupied up to the present time. Each period of the town's past has left its own distinct legacy or imprint, which survives in the layered record of archaeological remains. Excavations over the past 40 plus years have demonstrated the excellent survival and richness of this valuable resource, which, in most instances, is the only information now available to us to understand the origins and complicated development of the town and the lives of its former inhabitants.
- 6.2 The buried remains of Roman Carmarthen, a town some 33 acres in extent, are nationally important, as is the evidence for later occupation in the Early Medieval Period (so-called 'Dark Ages'), Medieval and Post-medieval periods. Where Roman military and urban deposits have been encountered in Carmarthen, the quality of the surviving archaeological material, protected beneath later deposits, has proved to be extremely high. Much still needs to be understood about the Roman street plan and structures, including the main administrative, civic and religious buildings of the early town.
- 6.3 Although little is known about the period following the collapse the Western Roman Empire, it is highly probable that some form of occupation continued at Carmarthen between the 5th and 11th centuries during the period of the emergence of a distinct Welsh language and culture. The archaeological information, which will illuminate this largely unknown period of Carmarthen's history, may survive in distinct areas in and around the former Roman town, such as on the cult site of Llanteulyddog, later occupied by the medieval Priory. The Norman Conquest of West Wales in the late 11th century brought with it the erection of a strategically important Royal castle at Carmarthen around which developed a substantial town and inland port. The Post-medieval period witnessed an extension of the town's defences during the 17th century Civil War and the phased enlargement of the residential and commercial areas of the town.
- 6.4 Because of Carmarthen's known historical and archaeological significance, Carmarthenshire County Council, together with Cadw, commissioned the *Carmarthen Historic Town Survey*, a report that draws together current information on the historical development of the town and provides a framework for sustainable development within the planning process. This report provides guidance for applicants seeking planning permission. Consequently potential developers in Carmarthen are recommended to consult this document before drawing up any proposals.
- 6.5 Derived from the 'Urban Historic Character Areas', Planning Advice Zones have been defined. These are intended for everyday use by planning officers to provide information and support, particularly during discussions relating to pre-planning applications with potential developers. Where applicable, developers will be expected to provide the results of archaeological field evaluation and information on foundation design in support of their planning applications.

Contacts:

Appendix 1 Development Management – Archaeology within the Planning Application Process

- A1.1 The following sets out the main types of archaeological work which may be required as part of the planning process. The Council may require applicants to provide information in the form of an archaeological evaluation before determining any application. This evaluation may be limited to a desk based study, or may require intrusive investigation of the application site. Failure on the part of the applicant to provide information to the council's satisfaction may result in any planning application being refused. The required archaeological work may need to be carried out prior to the determination of a planning application, or to meet the requirements of post-consent planning conditions. All archaeological work must be carried out by professional archaeologists to the relevant Standard and Guidance of the Institute of Field Archaeologists.
- A1.2 DAT on behalf of the Council will, when requested, provide design briefs for archaeological work in order to ensure that the work undertaken meets the precise requirements of the planning process. These briefs can assist applicants in commissioning archaeological work and providing detailed specifications or written schemes of investigation (WSIs) for the Authority's approval.

Appraisal

- A1.3 An appraisal may be utilised as a lesser form of desk-based assessment (see below) having the single objective of providing an informed answer to the question of whether there is an archaeological dimension to be considered in the determination of an application, and whether this needs to be clarified through further investigation.
- A1.4 The work normally involves the rapid consultation and professional interrogation of readily available information, including early maps and aerial photographs, held in the regional HER. An essential element of the appraisal is a walkover survey of the site and examining available geotechnical data. DAT HM will generally issue a brief with all appraisal recommendations.

Desk-based assessment

- A1.5 In order to understand the archaeological potential of a site, developers should seek to undertake a desk top study in advance of submitting a planning application. Alternatively, such a study may in appropriate circumstances be a condition of planning approval.
- A1.6 A desk-based assessment should identify the known or potential archaeological resource within a specified area or site on land, inter-tidal zone or underwater. It consists of a collation of existing written, graphic, photographic and electronic information in order to identify the likely character, extent, quality, and worth of the known or potential archaeological resource in a local, regional, national or international context as appropriate. A walkover survey is considered an essential element of any desk-based assessment.

- A1.7 The desk top study should assess the site for the type, extent, likely date, nature and depth of archaeological remains and if the archaeology extends off site. It should also assess the potential visual impact of the development on archaeological sites within agreed search areas.
- A1.8 The desk-based assessment should lead to one or more of the following options:
 - The formulation of a strategy to ensure the recording, preservation or management of the resource.
 - The formulation of a strategy for further investigation, whether or not intrusive, where the character and value of the resource is not sufficiently defined to permit a mitigation strategy or other response to be devised
 - The formulation of a proposal for further archaeological investigation within a programme of research.
- A1.9 For both appraisals and Desk-based Assessments, the archaeological contractor will be required to agree search areas for the study with DAT DM before any request is made for a HER search. Specifications should also be submitted for the work. Similarly with specifications and WSIs submitted for field investigation DAT HM will recommend the approval of the submitted documents to the LPA.

Field Investigation - On site

- A1.10 A field investigation or evaluation should be conducted by a professionally qualified archaeologist or organisation with Circular 60/96 making reference to the IFA, now the Chartered Institute of Archaeologists (CIfA). The Council will request a field evaluation where it has good reason to consider that a significant archaeological resource is present on an application site.
- A1.11 An evaluation may take the form of a limited programme of intrusive fieldwork which determines the presence or absence of archaeological features and enables an assessment of their relative worth in a local, regional, national or international context as appropriate. The programme of work will result in the preparation of a report and ordered archive. In certain circumstances, this will be preceded by a programme of non-intrusive work such a fieldwalking, earthwork survey or geophysics.
- A1.12 The work will normally involve rapid trial trenching by means of archaeologically supervised mechanical excavation. The number, location and rationale for these trenches must be agreed with DAT prior to the commencement of the work. The evaluation areas must be cleaned to an appropriate standard to prove the presence, or absence, of archaeological features and to determine their significance. In each area the excavation of the minimum number of archaeological features, to elucidate the character, distribution, extent, date and importance of the archaeological remains is undertaken. In each area sufficient excavation will be undertaken to ensure that the natural horizons are reached and proven. If safety reasons preclude manual excavation, hand auguring may be used to try to assess the total depth of stratified deposits within each area.

- A1.13 The resulting report should be presented to the LPA as further information to inform the determination of any planning application.
- A1.14 Indications of buried human activity can be detected by the non-intrusive means of a variety of scientific methodologies and equipment. The main types of geophysical survey currently being used are magnetic susceptibility, magnetometer survey, earth resistance survey, caesium vapour gradiometers, ground penetrating radar, pseudosection and timeslices and electromagnetic prospection.
- A1.15 Site-specific geological conditions can have a major bearing on the quality of the results from such surveys and the type of survey that is appropriate in each circumstance can only be determined after initial testing of methodologies.
- A1.16 This work can often precede a field evaluation as the results of remote sensing can assist in determining the rationale for the number and location of trial trenches that might be required. It is unlikely that remote sensing on its own will provide the required information on an archaeological resource. Invariably, the results of these non-intrusive surveys will need to be tested ('ground-truthing') through the physical process of trial excavation.

Watching Brief

- A1.17 An archaeological watching brief is normally carried out during the course of approved development for the purposes of observing, excavating and recording archaeological remains that come to light during operations such as topsoil stripping or cutting foundation trenches. The work requires the presence of a professional archaeologist on site to carry out either an intensive or intermittent watching brief.
- A1.18 Developers should consider the implications of watching brief work, which results in the discovery of significant archaeological remains. Contingency measures should be put in place to meet such unforeseen circumstances which can have delay and cost implications. Where unexpected remains come to light, the watching archaeologist will be required to contact DAT for further advice. Whilst this consultation takes place the development work directly impacting on the archaeological resource will normally be required to cease until arrangements have been put in place for appropriate archaeological recording. A report on the watching brief work, whether it has had positive or negative results, should be submitted to the LPA.

Full Excavation

A1.19 Full archaeological excavation or 'preservation by record' is normally required where no other form of mitigation has proved practicable. It entails detailed and careful stratigraphic excavation and recording of archaeological deposits by professional archaeologists within a specified area. The work is carried out with defined research objectives and in a controlled manner normally ahead of the commencement of the development programme. The excavation will examine, record and interpret archaeological deposits, features and structures and, as appropriate, retrieve artefacts, ecofacts and other remains. The records made and objects gathered during fieldwork are studied and the results of that study are published in detail appropriate to the project design, as agreed with the LPA.

Monitoring Arrangements

- A1.20 All archaeological work carried out within the planning process will be monitored from the inception of the project and fieldwork through to the deposition of a resulting archive and final publication.
- A1.21 In general the purposes of monitoring by DAT on behalf of the LPA may be summarised as follows: -
 - To ensure the maintenance of high archaeological standards and best practice based on the Standards and Guidance issued by the Institute of Field Archaeologists.
 - To ensure compliance with planning regulations and requirements.
 - To ensure compliance with the brief provided by the planning archaeologist and the specifications submitted by the applicant for the approval of the LPA.
 - To ensure the relevance of the further information gained by the work to the ongoing planning process.
 - To ensure that any recommendations made by the archaeological contractor are reasonable in planning terms.
 - To ensure that any further recommendations resulting from the work are founded on detailed knowledge and are reasonable in planning terms.
 - To help formulate, where required, an archaeological mitigation strategy, which could protect the archaeological resource whilst enabling the permitted development.
 - To ensure compliance with planning conditions and their satisfactory discharging.
- A1.22 Where a pre-determination archaeological field evaluation is required, DAT will visit the site to ensure that the work being carried out is in accordance with the agreed specification and relevant to the on-going planning process. Notification of commencement, a projected timetable and a copy of the Health and Safety Risk Assessment to be submitted to them no less than 5 working days prior to the commencement of the work.

Carmarthenshire Local Development Plan

Appendix 2 Welsh Office Circular 60/96

- A2.1 Welsh Office Circular 60/96 is the key policy document of the Welsh Government providing detailed guidance on the handling of archaeology in the legal land-use planning system in Wales. Applicants seeking planning permission are recommended to seek early advice on whether their proposals would have an archaeological dimension and to consult this important document.
- A2.1 The key provisions of Circular 60/96 *Planning and the Historic Environment: Archaeology* are:

"Archaeological remains are a finite and non-renewable resource, in many cases highly fragile and vulnerable to damage and destruction." [Section 3]

"While the Welsh Office (through Cadw) has an important role to play, the key to the future of the great majority of archaeological sites and historic landscapes lies with local authorities, acting within the framework set by central government, in their capacities as planning, highways, education and recreational authorities, as well as with the owners and occupiers of sites themselves". [Section 7]

"The desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application whether that monument is scheduled or unscheduled". [Section 10]

"Where early discussions with local planning authorities or the developer's own research indicate that important archaeological remains may exist, the planning authority should request the prospective developer to arrange for an archaeological field evaluation to be carried out before any decision on the planning application is taken". [Section 13]

"When planning applications are made without prior discussion with the local planning authorities, the authorities should seek to identify those applications which have archaeological implications, and to assess their likely archaeological impact by consulting the local authority Archaeological Officer, National Park Archaeologist or regional Welsh Archaeological Trust". [Section 15]

"The case for the preservation of archaeological remains must be assessed on the individual merits of each case, taking into account the archaeological policies in development plans, together with all other relevant policies and material considerations, including the intrinsic importance of the remains and weighing these against the need for the proposed development". [Section 16]

"Once the planning authority has sufficient information, there is a range of options for the determination of planning applications affecting archaeological remains and their settings". [Section 17]

"Where nationally important archaeological remains, whether scheduled or not, and their settings, are affected by proposed development there should be a presumption in favour of their physical preservation in situ". [Section 17].

"From an archaeological point of view excavation [i.e. preservation by record] should be regarded as a second best option... Excavation can be expensive and time-consuming... The preservation in situ of important archaeological remains is therefore to be preferred". (Section 19)

"Archaeological investigations, such as excavation and recording should be carried out before development commences, working to a project brief prepared by the planning authority (with reference to their archaeological advisers)". [Section 20]

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Leisure & Open Space Requirements for New Developments

Draft Supplementary Planning Guidance

Contents

- 1.0 Introduction
 - 1.1 Purpose
 - 1.2 Background
 - 1.3 Status
- 2.0 Context
 - 2.1 National Context
 - 2.2 Local Context
- 3.0 Definitions and types of open space
 - 3.1 Introduction
 - 3.2 Fields in Trust and the Carmarthenshire Standard
 - 3.3 Outdoor Sports Facilities
 - 3.4 Children's Play Areas
- 4.0 Development Approach and Planning Obligations
 - 4.1 Sources of Guidance on Design
 - 4.2 Onsite provision
 - 4.3 Offsite provision Developer Contributions
 - 4.4 Management and Maintenance
- 5.0 Key Contacts

Appendix 1: The Ten Principles for Designing Play Spaces: Design for play: a guide to creating successful play spaces, Play England, 2008

Appendix 2: Schedule of Construction and Maintenance Costs

1.0 Introduction

1.1 Purpose

- 1.1.1 This Draft Supplementary Planning Guidance (SPG) has been prepared to elaborate and consolidate upon the policies and proposals of the Adopted Carmarthenshire Local Development Plan (LDP). It seeks to provide additional clarity in relation to the Council's Leisure and Open Space Requirements for New Developments.
- 1.1.2 Production of the SPG has taken place following the adoption of the LDP and having regard to National Planning Policy. The primary objective of this SPG is to develop an understanding of the various definitions of open space within the Carmarthenshire context as well as clarifying the Council's expectations in relation to planning obligations.
- 1.1.3 It should be noted that whilst SPG do not have the same status as adopted development plan policies, they may be taken into account a material considerations in determining planning applications.
- 1.1.4 Reference should also be made to other SPG adopted by the Council including that in relation to Planning Obligations, and emerging SPG on, Place Making and Design and Nature Conservation and Biodiversity which are of particular relevance in relation to Open Space.

1.2 Background

- 1.2.1 Additional development (particularly housing) will place increased demand on existing open space and therefore new provision should be secured in accordance with need. The delivery of appropriate additional open space complies with the Plan's emphasis on facilitating a sustainable level of growth within the County across the plan period.
- 1.2.2 Open space has the potential to provide benefits to health and wellbeing and can assist in mitigating the causes and effects of climate change. Open spaces can also provide arenas for social interaction and community activities. In this regard, the protection and enhancement of provision represents a key consideration for the LDP.

1.3 Status

1.3.1 This draft SPG is the subject of a formal consultation exercise conducted in a manner consistent with pertinent Council policies and procedures. As part of the adoption of this SPG due consideration will be given to the representations and responses received in accordance with the Council's procedural requirements.

2.0 Context

2.1 National Context

Planning Policy Wales (Edition 7, 2014)

- 2.1.1 Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government (WG). Its central objective is to promote and provide a framework for sustainable development within Wales and clarifies that the planning system manages the development and use of land in the public interest, contributing to the achievement of sustainable development.
- 2.1.2 Chapter 11 Tourism, Sport and Recreation states that sport and recreation contribute to quality of life and that the WG supports the development of sport and recreation, and the wide range of leisure pursuits which encourage physical activity. The WG's main planning objectives in this regard include the promotion of social inclusion, improved health and well-being by ensuring that everyone, including children and young people, the elderly and those with disabilities, has easy access to the natural environment and to good quality, well-designed facilities and open space.
- 2.1.3 In relation to development plans they should contain clear policies for the provision, protection and enhancement of tourism, sport, recreation and leisure facilities. They should set standards of provision, so that local deficiencies can be identified and met through the planning process, and set out policies to avoid or resolve conflict between different pursuits.
- 2.1.4 PPW also sets out development management guidance to Local Planning Authorities in the determination of planning applications. Consideration should be given the impact of proposals on the environment and local community. Local Planning Authorities may be justified in seeking Section 106 Planning Agreements in order to help ensure that standards of provision set out in development plans are met. Furthermore, consideration is required as to the effects of sport and recreation on neighbouring uses in terms of noise, light emissions, traffic generation and, in the case of larger developments, ease of access and the safety of residents, users and the public.

Planning Policy Wales Technical Advice Note 16 (TAN 16) January 2009

2.1.5 TAN 16 provides technical guidance to supplement policy set out in PPW. It advises on the role of the planning system in making provision for sport and recreational facilities and informal open spaces, as well as protecting existing facilities and open spaces in urban and rural areas in Wales. It states that undertaking local assessments of need and audits of existing provision is important. Such assessments, taken together, form an Open Space Assessment which, among other things, should be used to inform the preparation, monitoring and review of LDP policies.

- 2.1.6 National policy does not prescribe particular standards of provision. Instead, these should be based on the results of the Open Space Assessment process and it is stated that there are likely to be different patterns of recreational provision and demand in urban and rural areas. Clear, effective and well implemented planning policies for sport, recreation and open space should give developers and the public certainty about the type of development that will be permitted at a given location.
- 2.1.7 Standards for new open space and recreational provision should be based on robust evidence drawn, where available, from the Open Space Assessment. The aim should be that everyone has easy local access, by means other than the car, to formal and informal recreational facilities and open space. When setting out policies that include standards for the provision of new recreation and open space facilities, it will be desirable to set out the minimum acceptable size of particular forms of provision. TAN 16 also provides development management guidance, with matters such as design, noise and accessibility discussed together with matters such as floodlighting. The importance of management and maintenance of facilities is set out, along with advice relating to the use of planning conditions and obligations. LDP policies should be used to provide the framework within which planning obligations are sought.

Fields in Trust: Planning and Design for Outdoor Sports and Play (2008)

- 2.1.8 Fields in Trust (FIT), formerly the National Playing Fields Association (NPFA), has prepared 'Benchmark Standards' for outdoor sport and play to replace the "Six Acre Standard". These are intended to assist authorities in formulating local standards of provision, and for others with an interest in the provision and protection of spaces for sport, recreation and play.
- 2.1.9 The new 'Benchmark Standards' recommend that, overall there should be 1.2 ha of land for playing pitches per 1,000 population, with variations between recommendations for urban and rural areas. It also recommends that there should be 1.6 ha of land for all outdoor sports per 1,000 population, also with urban and rural differences. The FIT 'Benchmark Standards' recognise that local authorities may wish to set their own standards using other assessment tools, but recommend provision for children's outdoor playing space of 0.25ha per 1,000 population for 'Designated Equipped Playing Space', 0.55ha for 'Informal Playing Space' and 0.80ha for 'Children's Playing Space'. The document also provides guidance on planning and design guidance, the design of outdoor play and sport facilities and safeguarding facilities for the future. In relation to the application of the standard in a Carmarthenshire context, reference should be made to Section 2.2 (Local Context).

2.2 Local Context

Carmarthenshire LDP - Adopted December 2014

2.2.1 The Adopted Carmarthenshire LDP (December 2014) provides the framework for all future development within the County until 2021 (excluding Brecon Beacons National Park). It will form the basis for (and guide) future investment opportunities and infrastructural improvement programmes. In determining any proposals or planning applications, the Council will base its decision upon the policies and provisions of the LDP unless material considerations indicate otherwise. Residential developments of five or more units are subject to consideration under LDP Policy REC2:

Policy REC2 Open Space Provision and New Developments

All new residential developments of five or more units will be required to provide onsite open space in accordance with the Council's adopted standards of 2.4ha per 1000 population.

In the event that the above standards cannot be met on site, or where there is sufficient existing provision already available to service the development, then off site financial contributions will be sought as and where appropriate.

- 2.2.2 The supporting text to Policy REC 2 as set out within the LDP outlines that examples of where the standards may not be able to be met on site include instances where a site becomes wholly unviable, there is evidence of plentiful accessible provision already in accordance with the Council's adopted standards or it is wholly impracticable to do so due to physical/design constraints. A supporting statement should be provided by the developer to clarify why the standards cannot be adhered to on site and the Authority may seek commuted sums towards the maintenance of existing open space instead. Reference is made to 4.3 Offsite provision developer contributions in relation to commuted sums.
- 2.2.3 LDP Policy REC2 seeks to provide the means to achieve the County's accessibility standards. The standards in Carmarthenshire seek to provide six acres (2.4 ha) per 1,000 population of 'playing space'. It should be noted that the LDP is seeking to facilitate betterment in terms of accessibility to open space, and therefore ongoing liaison will be undertaken with the Council's Leisure Services to ascertain whether the 2.8ha standard as set out within the FIT 'Benchmark Standard' is achievable in due course. The current 2.4ha LDP standard can be seen as reflective of the County's rural/urban contrast however and is linked to locally distinctive evidence (see 2.2.11 below).
- 2.2.4 Within the 'Carmarthenshire Standard,' 'playing space' comprises: 1.6 ha of outdoor sports facilities and 0.8 ha of children's play areas. The 0.8ha includes: 0.6 ha of informal play areas and 0.2 ha of equipped play areas. Further information on definitions and types of open space within this standard are provided in Section 3 of this SPG.

Other pertinent LDP Policies

- 2.2.5 LDP Strategic Policy 16: Community Facilities recognises that the protection and retention of community facilities should, wherever feasible, be considered and responsive approaches adopted to assist in their retention. The potential for dual use of facilities should be encouraged particularly where the additional activity would assist in broadening service delivery and enhancing viability and usage. LDP Policy REC 1: Protection of Open Space provides for the protection of existing open space but also provides a measure of flexibility in recognition of changing demographic characteristics, the condition and vitality of existing provision and any shifting patterns in need. LDP Policy REC 3: Proposed New Open Space identifies the Council's (and where appropriate partner organisations') proposed open space schemes.
- 2.2.6 LDP Policy GP1: Sustainability and High Quality Design provides the overarching framework for high design quality in development, conservation and enhancement proposals within the County. Innovatively designed development is encouraged, which allows for natural surveillance and improving a community or individuals' safety by promoting a sense of ownership and responsibility. The consideration of open space and recreation provision should be an integral component of design from the outset. The Draft Placemaking and Design SPG elaborates upon LDP Policy GP1 and also discusses a green infrastructure approach.
- 2.2.7 LDP Policy GP3: Planning Obligations is of direct relevant to this SPG and is set out below:

Policy GP3 Planning Obligations

The Council will, where necessary seek developers to enter into Planning Obligations (Section 106 Agreements), or to contribute via the Community Infrastructure Levy to secure contributions to fund improvements to infrastructure, community facilities and other services to meet requirements arising from new developments.

Where applicable, contributions will also be sought towards the future and ongoing maintenance of such provision either in the form of initial support or in perpetuity.

In implementing this policy schemes will be assessed on a case-by-case basis.

2.2.8 Planning obligations may be sought to secure a range of improvements, or for future provision to satisfy requirements arising from new development. Such obligations vary in priorities however, and will be considered on a case by case basis subject to the nature of the proposal and the requirements emerging from it. Reference should also be made to the provisions of the adopted SPG on Planning Obligations. The policy is reflective of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 which notes that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The Planning Obligations SPG provides elaboration on LDP Policy GP3 in relation to Planning Obligations. Reference is also made to Section 4 of this SPG.

- 2.2.9 LDP Policies EQ4: Biodiversity seeks to ensure that the habitats and species identified within the LBAP are suitably enhanced and protected from inappropriate development, and not adversely affected by development proposals. LDP Policy EQ5: Corridors, Networks and Features of Distinctiveness recognises those features which by virtue of their structure and location either as a linear or continuous feature or independent element, make an important contribution to the landscape qualities of the County and its distinctive qualities. These matters can be viewed in the wider context in terms of accessibility to open space. Reference is made to SPG prepared by the Council in respect of Biodiversity.
- 2.2.10 LDP Policy EP3: Sustainable Drainage provides for consideration of the impacts of surface water drainage, the introduction and use of Sustainable Urban Drainage Systems (SUDS) also provides an opportunity to protect water quality and minimise the impact on, and potentially enhance aquatic ecology. Such provisions can also provide opportunities for open space accessibility as part of an inclusive design approach.

The Carmarthenshire Greenspace Assessment

2.2.11 Locally distinctive evidence informs the Plan's policies in respect of open space. The Carmarthenshire Greenspace Assessment provides an audit of provision informed by national standards and guidance as well as local information on locally significant provision sourced from the local community and/or Local Authority officers. The standards set out within the assessment reflect the 2.4ha per 1000 persons standard adopted by the Council. The Study provides a spatial appreciation of where there are potential deficiencies and surpluses in provision across the County. It should be noted that a review of the Greenspace Assessment will be undertaken as part of the overall requirement to monitor and review the LDP. Such a review will build upon the work already undertaken and will seek to reflect changes in provision and accessibility to facilities.

Carmarthenshire Integrated Community Strategy 2011-2016

2.2.12 The Strategy's Vision is for a Carmarthenshire that enables people to live healthy and fulfilled lives by working together to build strong, bilingual and sustainable communities. The LDP's Vision has regard to the Integrated Community Strategy (ICS) and provides spatial expression to its aspirations. The ICS sets out 5 outcomes, one of which states that: "People in Carmarthenshire are healthier".

Carmarthenshire Leisure Vision 2007-2012

2.2.13 This strategic document sets out the key themes and objectives from the Leisure Vision. It is written in recognition that leisure has a fundamental part to play in making our County a better place to live, work, visit and enjoy and is underpinned by 12 aims.

Carmarthenshire Play Sufficiency Assessment

2.2.14 On 1 July 2014 Welsh Ministers commenced the duty on Local Authorities to secure sufficient play opportunities for children in their areas, so far as reasonably practicable, having regard to their play sufficiency assessments and action plans. Also commenced was the duty to publish information about play opportunities for children in the Local Authority's area and keep this information up to date. Section 3 of this SPG reviews matters in relation to informal children's play space.

3.0 Definitions and types of open space

3.1 Introduction

- 3.1.1 LDP policies REC 2 and GP3 are considered to be particularly pertinent in respect of Leisure and Open Space Requirements for New Developments in Carmarthenshire.
- 3.1.2 The implementation of these policies should be underpinned by a qualitative assessment of need. Considerations should be undertaken in tandem with (and informed by) the Council's Leisure Services Division. Fields in Trust (FIT) 'Planning and Design for Outdoor Sport and Play' provides guidance on matters such as travel times to each type of provision and equipment specifications. Locally distinctive evidence is also available via the Carmarthenshire Greenspace Assessment (see paragraph 2.2.11 of this SPG).
- 3.1.3 Proposals should be considered on their own merits and characteristics. A 'one size fits all' approach to open space is unlikely to be appropriate. It would clearly be beneficial if additional open space enhanced/supplemented existing provision as opposed to duplicating it.

3.2 Fields in Trust and the Carmarthenshire Standard

- 3.2.1 Due regard should be given to paragraph 2.2.4 of this SPG where the Carmarthenshire standard is set out. This standard is reflected within LDP Policy REC 2.
- 3.2.2 The following sets out some definitions of the types of provision that can assist in the delivery of the desired standard..

3.3 Outdoor Sports Facilities

- 3.3.1 The Carmarthenshire Standard requires the provision of 1.6ha per 1,000 population of outdoor sports facilities. There are a number of key requirements to be considered to ensure a good quality playing surface is achieved, including the need for adequate drainage and irrigation systems (for natural turf pitches) as well as other issues such as floodlighting and changing accommodation.
- 3.3.2 Different types of outdoor sport have different requirements for players and their equipment. The design of outdoor sports facilities should include consideration of the surroundings in which facilities are to be sited. Ancillary provision such as changing accommodation, floodlighting and car parking also need to be considered as part of the provision of outdoor sports facilities.

3.4 Children's Play Areas

3.4.1 It has long been recognised that outdoor opportunities for play and activity are essential for the healthy development of children. Children are also significant users of the outdoor environment – particularly close to home. The provision of designated places to play is intended to provide attractive and challenging facilities when they cannot play outside their homes because traffic has priority. FIT recommends a hierarchy of provision based on walking time and suggests indicative age ranges.

These are not intended to be prescriptive however and therefore early engagement should be undertaken with the Council. The Council recognises the three categories of play areas defined in the FIT 'Benchmark Standard'. These are: LAP: Local Area for Play, LEAP: Local Equipped Area for Play and NEAP: Neighbourhood Equipped Area for Play.

LAP, LEAP and NEAP

- 3.4.2 The LAP is a small area of open space specifically designated and primarily laid out for very young children to play close to where they live i.e. ideally within 1 minute walking time. The LAP is a doorstep play area by any other name. LAPs are designed to allow for ease of informal observation and supervision and primarily function to encourage informal play and social interaction. The LAP requires no play equipment as such, relying more on demonstrative features indicating that play is positively encouraged.
- 3.4.3 The LEAP is an area of open space specifically designated and laid out with features including equipment for children who are beginning to go out and play independently close to where they live, usually within 5 minutes walking time. Play features including equipment are an integral part of the LEAP and the attractiveness of such spaces, though it is also important that the space can be used for physical activity and games. LEAPs can be the place for boisterous activity and therefore it is important to give careful consideration to siting. In summary, if a LEAP is properly sited, equipped, overseen and maintained it is able to meet the needs of children without being a source of nuisance to other residents.
- 3.4.4 **The NEAP** is an area of open space specifically designated, laid out and equipped mainly for older children but with play opportunities for younger children as well. Ideally located within 15 minutes walk from home, the NEAP is sufficiently large to enable provision for play opportunities that cannot be provided within a LAP or LEAP. Play equipment is a particularly appropriate form of provision for younger children. As children grow older, towards the latter stages of primary school age, they are looking for different challenges and stimuli. They engage more in 'wheeled' activities and informal ball games, sometimes taken up as formal sport. As they move towards their teenage years, young people increasingly seek out opportunities to meet friends away from home, looking for places to meet socially.
- 3.4.5 The NEAP can provide a greater variety of opportunity for both active and passive play. It can provide play equipment, and a hard surface area for ball games, or wheeled activities such as roller skating or cycling. It may provide other facilities such as a ramp for skateboarding, a rebound wall, and a shelter for meeting and socialising. The facilities are linked in the one site because children of different ages and abilities like to take part in a range of activities, as do their siblings. Careful consideration should be given to the location and interaction of the different facilities provided both on site and in relation to the local environment. It is essential to recognise the key role of consultation in achieving successful design and community acceptance.

Other Outdoor Play and Recreational Facilities for Children & Young People

- 3.4.6 Casual / Informal playing space are included within the requirement for children's play space. It can be defined as open space of a useful size and safe location providing opportunities for informal play activities. Grassed open space within a housing area with adequate separation could conform to the definition. The Council does recognise the importance of the Play Sufficiency Assessment process. Play Friendly Wales (2012) contains advice in terms of assessing for sufficient play opportunities for children.
- 3.4.7 As children and young people become more independent, they will look for more challenging experiences, different forms of activity based provision and opportunities and environments for meeting with each other. The Council therefore recognises the popularity and potential contribution of non LAP, LEAP and NEAP facilities; including meeting areas and youth shelters within local open space, floodlit multi-games areas (MUGA), skateboard parks and BMX tracks.

Further guidance on characteristics and specifications for equipment

3.4.8 Detailed guidance for the types of provision discussed in this SPG is contained within Fields in Trust (FIT) 'Planning and Design for Outdoor Sport and Play'. A leaflet has also been produced by Wicksteed on the Playground Provision and Section 106 of the Town and Country Planning Act.

Amenity Spaces: Towards a Green Infrastructure Approach

3.4.9 Annex B of PPW TAN 16 provides a typology of spaces, including Neighbourhood Amenity which could usefully provide the buffer area between neighbourhood play spaces and adjacent properties. Major Amenity relates to urban parks, country parks, formal gardens, urban woodland, urban forestry, scrub, grasslands, open access land, wetlands, coastal land, river banks, cycle ways, public rights of way and other footpaths and bridleways, promenades and civic and market squares. Major amenity open space should have open access to the public. Such spaces can also be important for non residential developments, eg Business Parks. Consideration can be given to such matters in the implementation of a range of policies of the LDP; including GP1, EQ4, EQ5 and EP3. Reference should be made to SPG prepared on Placemaking and Design and Biodiversity.

4.0 Development Approach and Planning Obligations

4.1 Sources of Guidance on Design

- 4.1.1 There is a range of guidance available within national planning policy. Particular reference is made to paragraph 4.2 of PPW TAN 16, where the importance of early consideration of design issues within the formulation of a development proposal is discussed. Good design can help create safe, secure, accessible, user friendly attractive spaces, which reduce opportunities for crime and disorder, favour active travel choices and increased biodiversity, whilst facilitating management and maintenance work in the longer term.
- 4.1.2 LDP Policy GP1: Sustainability and High Quality Design provides the overarching framework for high design quality in development, conservation and enhancement proposals within the County. Adequate accessibility to open space provision should be considered from the first stages of design so that it can become integral to the scheme (ideally at outline planning stage if appropriate). Such consideration will allow for issues such as disability access, cycling/walking and linear green spaces to be built into the design process from the outset. The Placemaking and Design SPG provides further detail by elaborating upon the provisions of LDP Policy GP1. Reference is made to Section 2 of this SPG where the pertinent LDP policies and associated SPG are set out in detail.
- 4.1.3 Adequate accessibility to open space provision should be considered from the first stages of design so that it can become integral to the scheme (ideally at outline planning stage if appropriate). Such consideration will allow for issues such as disability access, cycling/walking and linear green spaces to be built into the design process from the outset.
- 4.1.4 Due regard should be given to delivering open spaces that are an integral part of the site design and layout. Such spaces should be easily accessible by safe footpath routes from all of the areas that it is intended to serve and should have a recognised road frontage with appropriate 'barriers'. Passive supervision should be incorporated into any design and all play equipment and its installation, including impact-absorbing surfaces, must conform to the latest adopted standard. The amount of equipment provided should adhere to the required standards.
- 4.1.5 Chapter 5 of Fields in Trust: Planning and Design for Outdoor Sports and Play (2008) sets out some detailed guidance on planning and design principles in relation to open space. A series of Key Principles and Concepts for Planning for Local Open Space and Outdoor Facilities for Sport and Play are discussed. Whilst the guidance makes reference to the English policy context, it is likely to be of value in informing and supporting the development of high quality proposals within Carmarthenshire.
- 4.1.6 Play England have a range of resources available to help with the design of play spaces and these can also inform proposals within Carmarthenshire. These include Ten Principles that should be considered when developing and designing open space and are provided within Appendix 1 of this SPG.

4.1.7 CABE Space (part of the Commission for Architecture and the Built Environment) provides advice and guidance on urban green spaces in England. Its research and advice is also relevant to Wales. The Design Commission for Wales (DCfW) also provides advice about various schemes in which open space and recreation may be elements. The Commission is particularly concerned to champion high standards of design, which encourage social inclusion and sustainable development.

4.2 Onsite provision

- 4.2.1 Provision of a satisfactory level and standard of open space will be sought on new housing developments where it is considered that a new housing development would exert additional pressure on existing facilities and that a suitable level and quality of accessible provision does not exist which could accommodate the increased pressure. The Carmarthenshire Standard includes a minimum play space provision of 2.4 hectares (6 acres) per 1000 people which should be made up of 1.6 Ha for outdoor leisure and recreation space and 0.8 Ha for children's play space. The 0.8ha includes: 0.6 ha of informal play areas and 0.2 ha of equipped play areas. As such, the proportional break down of open space provision should be in line with this standard.
- 4.2.2 Based on the above, and given an average density of 25 dwellings per hectare, and an average household size of 2.284 persons per dwelling i.e. 57.1 persons per hectare, or 17.5 Ha of housing per 1000 people, dividing the 2.4 Ha standard by the 17.5 Ha, gives a figure of 13.7% of a development site area to be set aside for leisure, recreation, and/or play provision.
- 4.2.3 Outdoor play space provision on new housing developments must reflect the requirements of future occupiers and the particular characteristics of the site. The exact form and type of open space will be determined having regard to the nature and size of the development and the availability of facilities in the local area. In some circumstances, a variation from the normal provision of recreational open space may be more appropriate. The Council will take a flexible approach to the level and type of open space provision sought on a development to reflect the likely population characteristics of the development.

4.3 Offsite provision – developer contributions

4.3.1 Wherever possible the provision of public open space should be made within the boundaries of the development site as an integral part of the development. However, there may be circumstances where it is not possible or appropriate to accommodate the required open space within the development site. This could be for a number of reasons, such as, the site may be too small or inappropriate to accommodate certain categories of open space. Equally, there may be circumstances where a suitable level of provision is available within close proximity to the site which, with some improvements, could accommodate the additional pressure brought by new development. Reference should be made to paragraph 2.2.2 of this SPG.

- 4.3.2 In such cases, the Council will consider accepting a commuted payment in-lieu of physical provision. This arrangement will require developers to make financial contributions to the provision of off-site public open space or the improvement of existing outdoor recreational facilities. Any improvements to existing facilities will need to relate directly to the size of the development and be of benefit to the occupants of the new residential development.
- 4.3.3 The contribution payable will be calculated according to the current costs per sq m of providing the different categories of open space as outlined in Appendix 2. These figures will be reviewed annually to take account of changing circumstances in relation to costs. The exact level of contributions from developers may vary from the figures illustrated to take account of individual site characteristics and demands.

4.4 Management and Maintenance

- 4.4.1 Where open space provision forms part of a planning application, the applicant should stipulate how the future management and maintenance of any open space provision has been taken into account.
- 4.4.2 Where an onsite open space facility is provided there will also be a need to address its future maintenance. It is the Authority's preferred option that the applicant implements a private management plan to support the future maintenance of onsite provision. The management plan will need to demonstrate to the Local Authority's satisfaction that suitable arrangements have been made for the site's long term maintenance and as such will need to identify who will be responsible for managing and funding the maintenance of the open space, for example a sufficiently resourced management company.
- 4.4.3 There may be circumstances where it is not feasible or practicable for the ongoing management of a site to be conducted by the developer or other appointed management body. Under such circumstances, the Council will be prepared to consider adopting the facility and properly maintain it as public open space, however, the adoption of land will always be subject to a payment by the developer of a commuted sum to cover the cost of future maintenance. The figure will be calculated using the maintenance costs outlined in Appendix 2 of this SPG which cover a 20 year maintenance figure. Where developers make a financial contribution in-lieu of onsite facilities, a commuted sum for future maintenance costs will also be sought.
- 4.4.4 Planning permission for developments will be subject to a legal agreement that will include the details relating to onsite and / or offsite open space provision, ongoing maintenance and adoption if appropriate. All Section 106 Agreements run with the land so future successors in title are bound by the obligations.

- 5.0 Key Contacts
- 5.1 Planning Policy, Carmarthenshire County Council:
- 5.4.1 Telephone: 01267 228818, E mail: forward.planning@carmarthenshire.gov.uk
- 5.2 Development Management (planning applications) Area Teams, Carmarthenshire County Council:
- 5.2.1 Llanelli: Telephone: 01554 742337 E Mail: planning@carmarthenshire.gov.uk
- 5.2.2 Carmarthen: Telephone: 01267 242450 E Mail: planning@carmarthenshire.gov.uk
- 5.2.3 Llandeilo: Telephone: 01558 825275 E Mail: planning@carmarthenshire.gov.uk
- 5.3 Leisure Services, Carmarthenshire County Council:
- 5.3.1 TBC
- 5.4 Children's Partnership, Education and Life Long Learning, Carmarthenshire County Council:
- 5.4.1 TBC

Appendix 1

The Ten Principles for Designing Play Spaces: Design for play: a guide to creating successful play spaces, Play England, 2008

A successful play space is a place in its own right, specially designed for its location, designed for that locality. It is not a case of 'one size fits all', every space should be bespoke to each development.

Play England have a range of resources available to help with the design of play spaces. The principles can be applied in Wales just as easily. They have devised a list of Ten Principles that should be considered when developing and designing open space, they are:

- **1. Imagine a play space designed to enhance its setting:** Successful play spaces are designed to fit their surroundings and enhance the local environment, complementing attractive spaces and enhancing poorer environments.
- 2. **Imagine a play space in the best possible place:** Successful play spaces are located carefully 'to be where children would play naturally'. While children often enjoy feeling as if they are away from adult oversight, there is a fine balance between a space that is pleasantly secluded and one that is remote and hidden away.
- 3. **Imagine a play space close to nature:** Grassy mounds, planting, logs, and boulders can all help to make a more attractive and playable setting for equipment, and planting can also help attract birds and other wildlife to literally bring the play space alive.
- 4. Imagine a play space where children can play in different ways: Successful play spaces can be used in different ways by children and young people of different ages and interests; they can also be important social spaces for parents and carers, as well as for children.
- 5. Imagine a play space where disabled and non-disabled children play together: Children with different abilities can play together in well-designed play spaces, and parents and carers who are themselves disabled should be able to gain access to play spaces if they are to accompany their children.
- 6. **Imagine a play space loved by the community:** A successful community engagement process will help create a site that the community likes and which meets its needs.
- 7. Imagine a play space where children of all ages play together: Good play spaces avoid segregating children on the basis of age or ability, and are laid out so that equipment and features can be used by a wide range of children, even allowing different patterns of usage throughout the day or week.
- 8. Imagine a play space where children can stretch and challenge themselves in every way: Children and young people need opportunities to experience challenge and excitement in their play.
- 9. **Imagine a play space maintained for play value and environmental sustainability:** Good play spaces are designed and constructed using sustainable materials and maintained to encourage different play experiences.
- 10. **Imagine a play space that evolves as the children grow:** Building some 'slack space' into the layout space with no predefined function can help introduce potential for change and evolution.

Appendix 2

Schedule of Construction and Maintenance Costs

The cost for providing leisure, recreation and /or play provision is normally broken down into 2 elements: 1 Construction costs; and, 2 Maintenance costs.

Construction costs

Calculations for construction costs are based upon the following standard costs, and can be factored up or down according to the size of the development:

100m2 equipped play area (half a NEAP)	£12,284
100m2 casual informal open space	£900
100m2 playing field	£2,714

For larger developments, we would need to consider providing for a multi-games area, and replace the LEAP with a NEAP standard play area.

Multi-games area £75k

940m2 NEAP equipped play area £98k

Dependent upon the scale of the development, the overall cost per dwelling figure can be adjusted using the above as a starting point.

Maintenance costs

	Cost / m2	Area m2	Annual cost Year 1	20 year cost per dwelling on R&M
Equipped play area	£11.25	100	£1,125	£22,500
Casual / informal play	£0.94	100	£94	£1,880
Playing field	£0.94	100	£94	£1,880
Total			£1,313	£26,260

The maintenance costs of other leisure and recreation provision would need to be calculated on a facility by facility specific basis.

Nature Conservation and Biodiversity Draft Supplementary Planning Guidance

1. INTRODUCTION

- 1.1 Supplementary Planning Guidance (SPG) provides further detail and guidance in relation to policies and proposals within an adopted development plan; although they do not form part of the statutory development plan themselves. SPGs must be consistent with national planning policies, as well as the policies set out in the development plan.
- 1.2 This SPG is one of a number of such guidance documents that have been prepared by Carmarthenshire County Council ('the Council') within the context of the Local Development Plan (LDP) and in conformity with national policies. Once adopted this SPG will be a material consideration in the determination of planning applications and appeals within Carmarthenshire (excluding that area contained within the Brecon Beacons National Park).
- 1.3 The Council recognises the important contribution that planning can make to maintaining and enhancing biodiversity within the County, including habitats and species of international, national and local importance and that biodiversity conservation and enhancement has an integral role in sustainable development and is fundamental to the social and economic wellbeing of Carmarthenshire's residents. It is recognised that the development of our urban and rural areas can have significant impacts resulting in a decline of biodiversity. It is also recognised that development can have positive impact where management, restoration and enhancement features for habitat and species are incorporated.
- 1.4 The aim of this SPG is to ensure that the provisions of national policy and that of the LDP are delivered at a local level and that planning applications are accompanied by the correct information that follows best practice guidelines. The need for biodiversity information is not confined to planning applications. It can apply also to applications for Listed Building consent, Tree Preservation Order consent, Conservation Area consent, Demolition Notifications etc.
- 1.5 This guidance will assist developers in identifying the potential for projects and proposals to impact on biodiversity. It will also inform planning officers and ecologists of the level of information required to adequately assess the effects of a development proposal on biodiversity interests.
- 1.6 Regard should be had to the content of this SPG from the earliest stages of the development process, including any purchase, negotiations and in the preparation of development schemes.
- 1.7 In utilising this SPG the onus is on the applicant to ensure that their proposal accords with legislative provisions and with that of National Planning Policy and the LDP. In this respect due regard should be had to the potential for updating of policy and as such this SPG is considered correct at the time of writing.
- 1.8 This SPG also sets out the framework and methodology for the designation of Sites of Importance for Nature Conservation Value (SINCs) within Carmarthenshire.

2. LEGISLATIVE CONTEXT

Key Legislation

- 2.1 The following identifies some of the key legislation in relation to biodiversity and nature conservation of relevance to this SPG:
- 2.2 The Conservation of Habitat and Species Regulations 2010(as amended): The Regulations implement Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive). The Regulations provide for the designation and protection of 'European sites (Special Areas of Conservation)', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites. A further objective is to preserve, maintain and re-establish sufficient diversity and area of habitat for wild birds in the United Kingdom and to avoid any pollution or deterioration of habitats of wild birds in exercising of all relevant functions.
- 2.3 The Natural Environment and Rural Communities Act 2006: Section 40 of the Act, places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed the consideration of biodiversity as an integral part of policy and decision making throughout the public sector. Sections 42 of the Act places a duty on the Assembly Government to publish a list of living organisms and types of habitats of principal importance for the purpose of conserving biodiversity in Wales, and to take, and promote others to take, reasonably practicable steps to further their conservation. The Act will be superseded by the proposed Environment Bill on receiving Royal Assent.
- 2.4 The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 requires that certain types of project are subject to an assessment of their environmental impact before planning permission can be determined.
- 2.5 **Wildlife and Countryside Act 1981**: The Act covers protection of wildlife (birds, and some animals and plants), the countryside, the prevention of the spread of certain invasive species and the designation of protected areas including Sites of Special Scientific Interest (SSSIs) that are identified for their flora, fauna, geological or physiographical features.
- 2.6 **EU Conservation of Wild Birds Directive (1979):** The directive creates a comprehensive scheme of protection for all wild bird species naturally occurring in the EU. It was adopted as a response to increasing concern about the declines in Europe's wild bird populations resulting from pollution, loss of habitats as well as unsustainable use.
- 2.7 The directive recognises that habitat loss and degradation are the most serious threats to the conservation of wild birds. It therefore places great emphasis on the protection of habitats for endangered as well as migratory species, particularly through the establishment of a network of Special Protection Areas (SPAs) comprising all the most suitable territories for these species.
- 2.8 **Countryside and Rights Of Way Act (2000):** The CRoW Act provides for public access on foot to certain types of land, amends the law relating to public rights of way, increases protection for Sites of Special Scientific Interest (SSSI) and strengthens wildlife enforcement legislation, and provides for better management of Areas of Outstanding Natural Beauty (AONB).

- 2.9 The Act also provides safeguards which take into account the needs of landowners and occupiers, and of other interests, including wildlife.
- 2.10 The Act places a duty on public bodies to further the conservation and enhancement of SSSIs, and increase penalties on conviction where the provision are breached, with a new offence whereby third parties can be convicted for damaging SSSIs.
- 2.11 **The Protection of Badgers Act 1992:** The Act provides the principle means for the protection of badgers from specific threats in relation to digging and baiting protecting badgers and their setts.
- 2.12 **The Water Framework Directive:** This came into force in December 2000 and became part of UK law in December 2003. It applies to all surface freshwater bodies (including lakes, rivers and streams), groundwater and groundwater dependant ecosystems, estuaries and coastal waters out to one mile from low water. The Directive aims to improve the ecological health of inland and coastal waters and prevent further deterioration. The overall aim is for all inland and coastal water bodies to reach at least "good" ecological status by 2015.
- 2.13 **Tree Preservation Orders:** The legal framework for Tree Preservation Orders (TPO) is contained within the **Town and Country Planning Act 1990**, and the Town and Country Planning (Trees) Regulations 1999. Under the provisions of the Act a number of TPO's have been made to protect specific trees, groups of trees and woodlands across the County. The purpose of a TPO is to protect trees which make a significant impact on their local surroundings. In general a TPO makes it an offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree without the planning authority's permission. This is particularly important where trees are in immediate danger. Special provisions also apply to trees within conservation areas designated by local planning authorities.
- 2.14 It is recognised that trees are an important natural asset which contribute much to the quality of our urban and rural environment. In addition to their visual amenity, trees act to filter noise, light and dust and play an essential role in the ecological system.
- 2.15 **Hedgerows Regulations 1997:** These regulations came into force to protect important hedgerows in the countryside, in particular hedgerows which are more than 20 metres long or those which meet another hedgerow at either end. It should be noted that hedgerows which form the cartilage of a dwelling are exempt.
- 2.16 The **Well Being and Future Generations (Wales) Act** 2015 places the following duty on public bodies:

Each public body must carry out sustainable development. The action a public body takes in carrying out sustainable development must include:

- a. setting and publishing objectives ("well-being objectives") that are designed to maximise its contribution to achieving each of the well-being goals, and
- b. taking all reasonable steps (in exercising its functions) to meet those objectives.
- 2.17 In delivering the above duty seven goals are identified notably that of:
- 2.18 A Resilient Wales: A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and

- ecological resilience and the capacity to adapt to change (for example climate change).
- 2.19 The Well Being and Future Generations (Wales) Act links with the Planning Act and the Environment Bill to form part of an integrated legislative framework for the delivery of sustainable development. In this respect it links how we manage the use of our land with how we manage our natural resources.
- 2.20 The proposed Environment (Wales) Bill has the aim of providing for a more integrated management of the environment and protection of natural resources in Wales and will introduce a new and enhanced Biodiversity duty for public authorities to maintain and enhance biodiversity and promote the resilience of ecosystems.

3. PLANNING POLICY CONTEXT

National Policy Context

- 3.1 Planning Policy Wales (Edition 7, 2014) (PPW) sets out the land use planning policies of the Welsh Government' which is supplemented by a series of Technical Advice Notes (TANs). Procedural advice is given in circulars and policy clarification letters. Guidance in relation to conserving and improving the natural environment is contained within Chapter 5 of PPW and in TAN 5, Nature Conservation and Planning (2009). The former sets the following objectives for the conservation and improvement of the natural heritage:
 - to promote the conservation of landscape and biodiversity, in particular the conservation of native wildlife and habitats;
 - to ensure that action in Wales contributes to meeting international responsibilities and obligations for the natural environment;
 - to ensure that statutorily designated sites are properly protected and managed;
 - to safeguard protected species; and to,
 - to promote the functions and benefits of soils, and in particular their function as a carbon store.
- 3.2 PPW also provides guidance which is relevant to the application and interpretation of this SPG.
 - paragraph 5.1.3 states that "A key role of the planning system is to ensure that society's land requirements are met in ways which do not impose unnecessary constraints on development whilst ensuring that all reasonable steps are taken to safeguard or enhance the environment. However, conservation and development can often be fully integrated. With careful planning and design, not only can the potential for conflict be minimised, but new opportunities for sustainable development can also be created."
 - paragraph 5.2.8 states that "The planning system has an important part to play in meeting biodiversity objectives by promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable... Ways in which the adaptation needs of biodiversity could be considered include identifying the scope for minimising or reversing the fragmentation of habitats and improving habitat connectivity through the promotion of wildlife corridors. Local planning authorities should ensure that development minimises impact within areas identified as important for the ability of species to adapt and/or to move to more suitable habitats"
 - paragraph 5.3.9 states that "The Assembly Government will ensure that international responsibilities and obligations for conservation are fully met, and that, consistent with the objectives of the designation, statutorily designated sites are protected from damage and deterioration, with their important features conserved by appropriate management."
 - paragraph 5.5.3 states that "In some cases it will be necessary to refuse planning permission on conservation grounds. However, local planning authorities must always consider whether environmental issues could be adequately addressed by modifying the development proposal or by attaching appropriate planning conditions or obligations. Where this is not possible and the adverse effect on the

- environment clearly outweighs other material considerations the development should be refused."
- 3.3 PPW also includes further requirements in relation to seeking to "protect, trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality".
- 3.5 Technical Advice Note (TAN) 5 Nature Conservation and Planning (2009), provides further advice and detail about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. The TAN brings together advice on sources of legislation relevant to various nature conservation topics which may be encountered by local planning authorities.

Local Policy Context

- 3.6 The LDP is the statutory development plan for the Plan area and provides the local policy framework against which proposals for development will be considered. The importance of the natural environment is a central theme within the LDP running through from the Plan's Vision and Strategic Objectives into the strategic and specific polices. Its importance and the potential impacts also represented a core consideration in the identification of potential sites/allocations and in the review of settlements during the Plan's formulation. The LDP was informed, and is supported by a Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA-SEA).
- 3.7 The LDP does not repeat national policy statements. The Council will therefore utilise primary legislation (including European and national) and national policy to assist in determining development proposals that have potential to impact on international and nationally designated sites and protected species.
- 3.8 The relevant LDP policies are set out below:
- 3.9 Strategic Policy SP14 Protection and Enhancement of the Natural Environment sets the requirement that development should reflect the need to protect, and wherever possible enhance the County's natural environment. It also identifies the need for proposals to be considered in accordance with relevant guidance/legislation and policies.
- 3.10 Policy EQ4 Biodiversity seeks to ensure that the habitats and species identified within the LBAP are suitably enhanced and protected from inappropriate development, and not adversely affected by development proposals. Reference will be made to the LBAP in determining any proposal, and where appropriate, the necessary level of mitigation etc, if, and where required. The provisions of the NERC Act 2006 Section 42 List of Species and Habitats of Principal Importance for Conservation of Biological Diversity in Wales, will also be utilised in the implementation of this policy, as will any future amendments as detailed in the Environment (Wales) Bill on receiving royal assent. The role of habitats and associated areas as connectivity pathways, 'ecological networks' or 'animal corridor networks' will, where applicable, be considered (due regard should be had to Policy EQ5).
- 3.11 Policy EQ5 Corridors, Networks and Features of Distinctiveness reflects the contribution that linear or continuous features or independent elements, make to the landscape and its distinctive character. The policy seeks to protect a diverse range of these features, which are not only valuable in visual terms and their contribution to the landscape, but also play an important role in protecting and enhancing biodiversity and geodiversity.

- 3.12 Such features, whilst rarely afforded statutory protection, make a significant contribution to the diversity of Carmarthenshire's landscapes, communities and rich biodiversity. Contributory features are listed within paragraph 6.6.32 of the LDP, with the policy encouraging proposals to support their retention, management and development. This recognises their importance as connectivity pathways for dispersal, migration and genetic exchange.
- 3.13 Policy EQ3 Regional and Local Designations provides for the protection of designated Local Nature Reserves (LNRs) and Regionally Geological/Geomorphological Sites (RIGS) reflecting their local importance for nature conservation and geological value. The policy also makes provision for the designation of such local and regional sites. In this respect the supporting text makes specific reference to the significant potential offered by Sites of Importance for Nature Conservation (SINCs) as a biodiversity resource. Whilst not referenced specifically in Policy EQ3 (as a result of no such designations being in place) the LDP makes provision for their future identification as part of SPG. In this respect reference is made to Section 6 of this SPG.
- 3.14 Reference is also made to the provisions of Policy EQ7 in relation to Caeau Mynydd Mawr Area and the provisions of the adopted SPG in that regard. Developments can proceed within the Caeau Mynydd Mawr SPG Area subject to there being no demonstrable likely significant effect upon the Caeau Mynydd Mawr Special Area of Conservation (CMM SAC). To this end, the Council will (where appropriate) seek developer contributions in accordance with the provisions of the Caeau Mynydd Mawr SPG. The Caeau Mynydd Mawr SPG Area is identified on the LDP proposals map.
- 3.15 Policy GP1: Sustainability and High Quality Design sets out a range of key design requirements for development proposals, including a number directly related to and relevant to biodiversity. The potential for Planning Obligation is identified within Policy GP3 with recognition of the potential for contributions to be sought for ecology including that currently sought in relation to Caeau Mynydd Mawr.
- 3.16 Policy EP1: Water and Environment Capacity sets out the requirement to safeguard watercourses through biodiversity/ecological buffer zones and corridors to protect riparian habitats and species, water quality and floodplain capacity.
- 3.17 The above policies are set out within Appendix 2 of this SPG.
- 3.18 The need to address nature conservation, biodiversity and environmental impacts is also referenced in a number of development specific policies including: Policy H4 Replacement Dwellings, RE1 Large Scale Wind Power, RE2 Local, Community and Small Wind Farms, RE3 Non-wind Renewable Energy Installations, MPP1 Minerals Proposals, MPP6, Unconventional Gas Exploration and Extraction, MPP7 Restoration and Aftercare of Minerals Sites, WPP2 Waste Management Facilities Outside Development Limits.

Local Biodiversity Action Plan (LBAP)

3.19 The Carmarthenshire LBAP has been produced by a partnership of organisations concerned with the conservation of the County's biodiversity. In line with national guidance, the broad aim of the Carmarthenshire LBAP is to conserve and enhance biodiversity in Carmarthenshire by means of local partnerships, taking account of both national and local priorities. These broad aims of the Carmarthenshire LBAP are as follows:

- To maintain and enhance the biodiversity of Carmarthenshire through the preparation and implementation of individual action plans, covering a range of selected habitats and species which reflect both national and local priorities;
- To develop effective local partnerships to co-ordinate and deliver biodiversity action in Carmarthenshire;
- To raise public awareness of the importance of conserving and enhancing Carmarthenshire's biodiversity; and,
- To monitor progress in achieving local biodiversity targets and to report on such progress to a national biodiversity database.
- 3.20 The LBAP contains a series of action plans covering the nationally threatened or declining species and habitats in the County, as well as species and habitats of local concern. The LBAP focuses on local action that meets the objectives for each habitat and species within the Plan.
- 3.21 The Wales Biodiversity Partnership (WBP) has drawn up nine habitat groupings and it was agreed that the Carmarthenshire LBAP will follow these groupings. These are:

Woodland, Upland Habitats, Freshwater, Wetlands, Farmland, Lowland Grassland and Heathland, Brownfield/Urban, and Coastal and Marine habitats and species.

3.22 Species have been grouped in with habitats as far as possible as often the main action to conserve species is achieved through habitat management. However a number of species will have individual action plans.

http://www.carmarthenshire.gov.wales/home/residents/your-community/biodiversity/species-and-habitat-action-plans/

4. DESIGNATED SITES AND HABITATS

4.1 The County contains a range of designated sites and other habitats reflecting the area's rich biodiversity interest; designated sites are identified on the LDP proposals map and are protected by legislation. Other habitats are protected by either legislation, and/or relevant policies of the Plan.

SITES

International Design	International Designations										
Designation	Legislation and Policy	Purpose									
7 Special Areas of Conservation (SACs)	The Conservation of Habitats and Species Regulations 2010 (as amended)	These areas, created under the EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (the 'Habitats Directive'), are of European importance.									
3 Special Protection Areas (SPAs)		These areas, created on the EC Directive on the Conservation of Wild Birds (the 'Birds Directive'), are of European importance.									
1 Ramsar site		These sites, designated under the Convention on Wetlands of International Importance, are important wetland sites protecting wildfowl habitat.									

Collectively SAC and SPA sites are known as Natura 2000 (or European) sites. They may or may not have a pre-existing status as an SSSI. Developments considered likely to have a significant effect upon the site's conservation objectives cannot be approved by the planning authority without an 'appropriate assessment' being undertaken by the planning authority.

- 4.2 The above internationally designated sites are listed within Appendix 1 of this SPG.
- 4.3 It should be noted that the LDP has been subject to a plan level Habitat Regulations Assessment (HRA) it is however important to acknowledge that one may also be required at a project/planning application level.
- 4.4 Where a HRA requirement is identified a staged procedure will be undertaken by the Council to determine whether or not a project is likely to have a significant effect on a European site. The Local Planning Authority must make an assessment of the implications of development on a Natura 2000 site before approving any plan or project by screening the proposals through a Test of Likely Significant Effect (TLSE). If the proposals are likely to have a significant effect an Appropriate Assessment may have to be carried out. An 'Appropriate Assessment' will be required where a project is likely to have a significant effect on a European site either alone or in combination with other plans or projects. Under the Habitats Regulations, the planning authority may require the applicant to provide such information as it reasonably needs to determine that question; and where a planning authority determines that an appropriate assessment is necessary, it may require the applicant to provide such information as it reasonably needs for the purposes of that assessment. This requirement may be applicable to applications for developments that are adjacent to or within a buffer zone of such a site, which might have indirect impacts upon it. Guidance on this process can be found in chapters 4.4, 5.3 and Annex 3 of TAN 5. Early consultation with the LPA is recommended to determine what level of information will be required to inform an application where likely significant impacts are anticipated.

4.5 A full survey and assessment may not be required where the applicant is able to provide copies of pre-application correspondence with Natural Resources Wales (NRW), where the latter confirms in writing that they are satisfied that the proposed development will not affect any statutory sites designated for their national or international importance.

National Designation	ons							
Designation	Legislation and Policy	Purpose						
82 Sites of Special Scientific Interest (SSSIs)	Wildlife and Countryside Act 1981 (as amended)	Sites which are special for their flora and fauna, their rocks or landforms or a combination of these features. The LPA is required by section 28I of the Wildlife and Countryside Act 1981 to notify Natural Resources Wales of any development that may affect a SSSI before reaching its decision. This requirement applies whether or not the operation would take place on land included within a SSSI. The LPA must take account of any advice from NRW in deciding whether or not to permit the proposed operations and what if any conditions should be attached to any permission. Guidance on this process can be found in chapter 5.4 of TAN 5.						
5 National Nature Reserves	National Parks and Access to the Countryside Act 1949 or Wildlife and Countryside Act 1981 (as amended)	Areas specifically managed for nature conservation and which also offer opportunities for people to experience and find out about the rich diversity of our natural heritage. An NNR is given strict protection against damaging operations, and any such operations must in theory be authorised by the designating body (NRW).						

Local Designations	Local Designations										
Designation	Legislation and Policy	Purpose									
Local Nature Reserve (LNR)	National Parks and Access to the Countryside Act 1949	Nature reserve designated by a Local Authority. Reflects the sites importance in terms of local nature conservation. The LPA will consider development on any LNR in line with policy EQ3 of the LDP.									
Regionally Important Geological/ Geomorphological Sites (RIGS)	Planning Policy Wales	Form a network within a county or region of geological sites that are considered worthy of protection for their Earth Science importance. They are identified by locally developed criteria which may emphasise the local educational, historical and recreational resource rather than its national scientific significance which is the remit of SSSI status. The LPA will consider development on any RIGS in line with policy EQ3 of the LDP.									

HABITATS

International Impor	International Importance											
Designation	Legislation and Policy	Purpose										
Habitats of European Importance – 'Annex 1 Priority Habitats'. Or area of habitat for wild birds.	The Conservation of Habitats and Species Regulations 2010 (as amended)	The habitat may be a designatory feature of a Natura 2000 site (see table above), or a site of sufficient diversity and area of habitat for wild birds. As a competent authority, the LPA have a requirement to secure the regulation 9A(3) objective so far as lies within their powers. Further guidance can be found in chapter 5.5 of TAN 5.										

National or Local Importance											
Designation	Legislation and Policy	Purpose									
LBAP habitat or Section 42 habitats or habitat detailed under the forthcoming Environment (Wales) Bill. Sites of importance for Nature Conservation (once designated (See section 6 below)	Natural Environment and Rural Communities Act 2006. Carmarthenshire Local Biodiversity Action Plan Emerging Environment (Wales) Bill	A material consideration in the determination of planning applications. The LPA will consider development on any qualifying habitat in line with policy EQ4 or EQ3 of the LDP. Further guidance can be found in chapters 5.5 and 6.5 of TAN 5. The list of species listed under Section 42 of the NERC Act 2006 (S42 species) can be found on the Wales Biodiversity Partnership website. The list of habitats listed under Section 42 of the NERC Act 2006 (S42 habitats) can be found in appendix 3.									

5. PROTECTED SPECIES

5.1 United Kingdom legislation, under domestic or European law, provides for the protection of certain flora and fauna. The degree of protection could be partial (e.g. trade is prohibited) or full, in which case the capture, disturbance, killing or injuring of one of the species could constitute an offence. Breeding places and resting places associated with protected species are also protected. NRW is responsible for issuing licences for works which may interfere with protected species, including EPS and badgers and/or their setts in the course of development. The consideration and granting of such licences is separate to process of applying for planning permission, but the Local Planning Authority is required to take account of the legislation throughout the development process (these requirements are detailed in the below tables). The local planning authority can direct the applicant to supply any information reasonably necessary to determine any planning application. With regard to protected species Paragraph 6.2.1 of TAN 5 states:

"The presence of a protected species is a material consideration when a local planning authority is considering a development proposal that, if carried out, would be likely to result in disturbance or harm to the species or its habitat".

5.2 Paragraph 6.2.2 of TAN 5 further states that:

"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. It is considered best practice that such a survey is carried out before a planning application is submitted. Planning permission should not be granted subject to a condition that protected species surveys are carried out and, in the event that protected species are found to be present, mitigation measures are submitted for approval. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of them being present."

- 5.3 Where the LPA considers a survey is required this must be submitted before a planning application is submitted otherwise all material considerations will not have been considered. Further guidance on survey requirements and relevant procedures can be found in sections 7- 11 of this SPG.
- 5.4 Details of the species which are protected under the various pieces of legislation known to occur within Carmarthenshire are outlined in the table below. Full details of legislation and species lists for all UK species are available within Annexes 7 and 8 of TAN 5. It must be noted that It is the applicant's or developer's responsibility to ensure they comply with relevant legislation and any formal licensing requirements. It is important to note that planning permission (or a permitted development right) does not negate the need for a development licence or the consideration of legislative requirements before works start on a development site.

International and National Importance											
Designation	Legislation and Policy	Purpose									
European Protected Species (including: Dormouse, Otter, Bats (all species), Harbour Porpoise.	The Conservation of Habitats and Species Regulations 2010 (as amended)	Created to protect identified species from intentional or reckless killing, injury, disturbance or capture and to protect their breeding sites and resting places. As a competent authority, the LPA have a statutory requirement to consider the tests specified in Article 16 of the EU Habitats Directive and in regulation 53 (9) of the 2010 Regulations. Planning Policy Wales states that to avoid developments with planning permission subsequently not being granted a licence in relation to a European Protected Species (EPS), planning authorities must take the three requirements for a derogation into account when considering development proposals where a EPS is present. Guidance on this process can be found in chapter 6.3 of TAN 5.									
Habitats Directive Annex 2 and Birds Directive Annex 1 Species	The Conservation of Habitats and Species Regulations 2010 (as amended)	Species protected through the designation of SAC and SPA. Or a site of sufficient diversity and area of habitat for wild birds. As a competent authority, the LPA have a requirement to secure the regulation 9A(3) objective so far as lies within their powers.									
Nesting Birds (all species)	Wildlife and Countryside Act 1981	All species protected from killing, injuring or taking, also the taking, damaging or destroying of a nest while that nest is in use or being built; or the taking or destroying of any egg.									
Schedule 1 Birds (including Barn Owl, Peregrine Falcon, Cettis Warbler, Red Kite)	Wildlife and Countryside Act 1981	In addition to above the dsturbance of the species while it is building a nest, or is in, on or near a nest containing eggs or young; and any disturbance to dependent young.									
Schedule 5 Animals (including Water voles, Marsh Fritillary, Pine Marten, Reptiles, Red Squirrel).	Wildlife and Countryside Act 1981	Various combinations of Killing, injuring or taking and disturbance while using a place of shelter or protection.									
Schedule 8 Plants, Deptford Pink	Wildlife and Countryside Act 1981	Protection from intentionally picking, up-rooting or destroying.									
Schedule 9 Invasive Species	Wildlife and Countryside Act 1981	Species that are prohibited from spreading or growing in the wild.									
Badger	Protection of Badgers Act 1992	Created to protect badgers and setts from intentional or reckless interference.									

Local Importance												
Designation	Legislation and Policy	Purpose										
LBAP Species. Section 42 species or species detailed under the forthcoming Environment (Wales) Bill. Sites of importance for Nature Conservation (once designated (See section 6 below)	Natural Environment and Rural Communities Act 2006. Carmarthenshire Local Biodiversity Action Plan Emerging Environment (Wales) Bill	A material consideration in the determination of planning applications. The LPA will consider development on any qualifying habitat in line with policy EQ4 or EQ3 of the LDP. Further guidance can be found in chapters 5.5 and 6.5 of TAN 5. The list of species listed under Section 42 of the NERC Act 2006 (S42 species) can be found on the Wales Biodiversity Partnership website.										

6. SITES OF IMPORTANCE FOR NATURE CONSERVATION (SINCS)

SINCs within the LDP

6.1 At the time of writing, no SINC's have been formally identified within Carmarthenshire. This is consequently reflected within LDP Policy EQ3 which omits such designations from the policy wording. However, as a reflection of the Council's commitment to their designation the supporting text of the policy makes provision for their designation. This provides for their designation and protection as a regional and local designation with consideration/ protection in accordance with the policy provisions of EQ3. In so doing the LDP specifies that SPG be considered as the means for their identification. Their identification will be monitored and accommodated accordingly through the LDP review process.

Background

- 6.2 The designation of a SINC reflects its local importance for nature conservation. They can include sites that contain a single habitat or a variety of habitat types and/or which support a single or range of species and offer significant potential as a biodiversity resource. SINCs are non statutory and are identified to protect areas of substantive nature conservation value at the local level. Together with statutory nature conservation designations, for example Sites of Special Scientific Interest (SSSIs), and sites designated under EC Directives, such as Special Protection Areas (SPAs) and Special Areas of Conservation (SACs), SINCs will form a vital component in the protection of biodiversity within Carmarthenshire.
- 6.3 Local authorities, in implementing their duties under Section 40 of the NERC Act 2006, must 'have regard' for the conservation of biodiversity in all their activities. The identification of SINCs is an important mechanism in ensuring that the habitats and species identified as being of importance in Carmarthenshire, for example through the LBAP are considered fully in the planning application process.

Defining SINCs within Carmarthenshire

- 6.4 The Wales Biodiversity Partnership working with the Wildlife Trusts and local authorities, recognised the need for a common set of detailed guidelines for the selection of SINCs and in 2008 published 'Wildlife Sites Guidance Wales: A Guide to Develop Local Wildlife Sites Systems in Wales'. This provides a robust methodology/framework for the designation of SINCs and will be utilised in the identification of SINCs within Carmarthenshire.
- In National policy terms PPW states that non-statutory sites such as SINCs 'should be soundly based on a formal scientific assessment' of the nature conservation value of the site and that 'local planning authorities should apply these designations to areas of substantive conservation value where there is good reason to believe that normal planning policies cannot provide the necessary protection'. The identification of SINCs using the Wales Biodiversity Partnership guidance will ensure their designation is compliant with national guidance.
- 6.6 An annex will be developed and updated to supplement this SPG detailing the designation of SINCs. It will set out confirmed and where appropriate potential SINC sites together with details of their designating features together with plans identifying their location and site area.

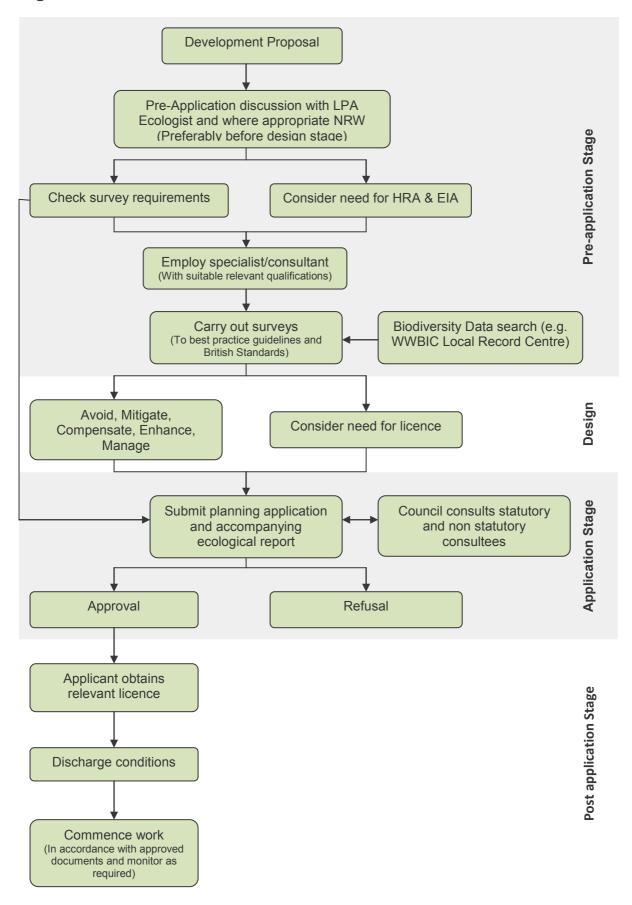
7. BIODIVERSITY IN THE PLANNING APPLICATION PROCESS

7.1 This section sets out how biodiversity and nature conservation can be integrated into the planning application process. This SPG will assist in guiding applicants and officers through the steps that should be taken to ensure biodiversity is addressed as part of proposals.

Benefits of early discussions

7.2 The Council seeks to encourage contact and assessment during the early stages of project development to confirm the biodiversity interest of a site and adjoining land, identify site specific biodiversity issues and highlight specific survey requirements. Such an approach allows, from a biodiversity perspective, an early understanding of the acceptability (or otherwise) of the proposed development, and affords an opportunity to positively guide and influence to formulation of proposals. It also provides developers and applicants the opportunity to scope and understand requirements in relation to documentation and evidence in relation to the site and the potential impact of the development proposed, along with the specific processes (e.g. licensing) that may need to be followed. This process will also reduce delays for applicants during the application process. Figure 1 sets out a good practice process in relation to the consideration of natural environment and biodiversity matters within the planning process.

Figure 1: Good Practice Process



What is expected from an application?

- 7.3 Many planning applications have the potential to impact in some way on biodiversity, through the direct loss of habitats and species, or the reduction in the value of habitats and their ability to support the species that depend on them through disturbance/displacement or habitat fragmentation. It is essential that the impacts of a proposal on biodiversity are considered before a development scheme is designed and before a planning application is submitted otherwise all material considerations will not have been considered. This assessment must be undertaken to British Standards (BS42020:2013 Biodiversity: Code of Practice for Planning and Development (BSI, 2013). It is recognised that schemes may in certain instances also positively enhance biodiversity due to the nature of their location or the design proposed.
- 7.4 Where required, a survey and assessment of the impact on any relevant designated sites, protected species or priority habitats or species of local importance (as highlighted in the tables above) must be undertaken and submitted with the application. Any required report must include details of measures for avoidance, enhancement and to mitigate or compensate for adverse impacts and detail any necessary management. (Further details on the mitigation hierarchy can be found in section 8 of this SPG and within section 5.2 of the Biodiversity British Standard (BS42020:2013 Biodiversity: Code of Practice for Planning and Development (BSI, 2013)). Any ecological/biodiversity proposals should be incorporated into project design at an early stage to take account of any biodiversity constraints and maximise opportunities for enhancement.
- 7.5 This procedure ensures that: the Local Planning Authority has sufficient information to make an informed decision about whether biodiversity can be protected during development; and makes certain that there will be no adverse impact on local biodiversity as a result of the development. Applications will not be valid if the appropriate information is not submitted. The local planning authority can direct the applicant to supply any further information reasonably necessary to determine any planning application.
- 7.6 Where an ecological assessment highlights that further survey is required to determine the biodiversity interest of the site, this must be clearly stated in the ecology report, together with justification and recommendations for the nature of further survey work to be undertaken to best practice guidelines. Any further survey work must be carried out and a report prepared prior the planning application being submitted.
- 7.7 Additional surveys cannot be the subject of conditions attached to a planning consent as the permitted mitigation strategy may depend on the results of further survey and all material considerations will not have been considered.
- 7.8 It should be noted that any guidance contained within this SPG does not replace or species/habitat specific, nationally recognised survey guidelines or methods.

Who should carry out ecological assessments?

7.9 A survey/assessment must be undertaken and prepared by a competent person with suitable ecological qualifications, licences and experience. Where surveys involve disturbance, capture or handling of a protected species, then this should only be carried out by a licensed person. All practitioners must adhere to the practices set out in section 4 of the Biodiversity British Standard (BS42020:2013 Biodiversity: Code of Practice for Planning and Development (BSI, 2013).

Ecological Assessment – Seasonality

- 7.10 Ecological assessment work must be carried out at an appropriate time and month of the year for that habitat or species, in suitable weather conditions and using nationally recognised survey guidelines / methods where available and work to best practice standards. Guidance on timing of surveys is contained within Figure 2 of this SPG.
- 7.11 There are seasonal and time of day dimensions to ecological surveying and assessment, which may result in specific requirements for surveys in/during the appropriate months and / or time of day. Depending on the scale and complexity of the proposal and biodiversity interest there may be a need for data collection across different seasons. Early consideration of requirements is therefore highly advisable to avoid unnecessary delays. Timing constraints are summarised below.

Page 12/

Figure 2: Ecological Survey - Seasons

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Badgers												
Bats												
(Hibernation Roosts)												
Bats												
(Summer Roosts)												
Bats												
(Foraging / Commuting)												
Birds												
(Breeding)												
Birds												
(Over-wintering)												
Dormouse (nut searches)												
Dormouse (nest tube searches)												
Invertebrates												
Otters												
Reptiles												
Marsh Fritillary (larval web surveys)												
Watervole												
Habitats / Vegetation												

Extending into	
	Extending into

8. CONSERVING AND ENHANCING BIODIVERSITY IN THE DESIGN PROCESS – USING THE MITIGATION HIERARCHY.

Avoidance

- 8.1 All development proposals must seek to avoid harm to habitats and species. This can be achieved through locating on an alternative site where the impacts of the development would be of a less harmful, or by positioning the development within the site boundary in such a way that habitats can be retained and managed. Other potential measures can include carrying out works at a time of year where it is less likely to result in disturbance, or by amending working methods to reduce impacts to an acceptable level.
- 8.2 Where avoidance measures are proposed they must be incorporated into a 'Method Statement' which should be submitted to the Council. The Implementation of the avoidance measures outlined in the statement will likely be a condition of the planning consent.
- 8.3 In designing schemes the presence of important features and the ecological connectivity between them and other features outside the site must be considered and wherever possible retained.
- 8.4 Where a proposed development incorporates avoidance measures this may eliminate the need for detailed survey work. Advice from the LPA Planning Ecologist should be sought on this matter. In certain circumstances where necessary the LPA will seek the advice of NRW on any avoidance measures proposed.
- 8.5 Regard should also be made to the content and provisions of Placemaking and Design SPG.

Mitigation

- 8.6 Where avoidance is not possible then the design must aim to mitigate any negative impacts. Any mitigation measures proposed should reflect the recent survey work and demonstrate a clear understanding of the site and its ecological considerations, and incorporate any mitigation requirements highlighted in ecological assessments and surveys, or highlighted in any communication with the LPA.
- 8.7 Applicants must ensure that they take account of all the potential effects of the proposed development and make sure that avoidance and mitigation are appropriate to the site. All stages of a development must be considered as should the extent of any required land take or potential indirect effects during the construction, operation, and where applicable the decommissioning of the proposed development.
- 8.8 It is however recognised that mitigation often still entails some form of harm. In this respect where a site or its surroundings have a clear biodiversity value and the mitigation measures proposed are insufficient to reasonably protect its value then, planning permission may be refused, subject to all relevant considerations having been taken into account. The Implementation of proposed mitigation measures that are acceptable in planning terms will likely be a condition of the planning consent.

Compensation

- 8.9 In instances where harmful damage is unavoidable and will still occur in spite of mitigation, consideration may be given to compensating for any loss by creating a new habitat at an alternative on site location, or off-site. Prior to compensation being considered the developer/applicant will be required to satisfactorily demonstrate that avoidance and mitigation are not possible and that the proposed compensatory measures would not result in a net loss of habitat of the same habitat type.
- 8.10 Established habitats usually develop their biodiversity value over a long period of time, artificially recreated habitat will therefore usually not be of a standard remotely comparable to that of an established habitat, in some instances it will therefore be appropriate to provide more habitat than that initially lost to the development. Also in some instances compensatory habitat will not be appropriate, for example the loss of ancient and/or mature woodlands. Compensatory habitat should be created prior to in advance of site clearance works and where protected species are involved in accordance with any licence requirements. All compensation measures outlined in the licence must be adhered to; failure to do so will constitute a criminal offence.
- 8.11 Compensation for lost habitat should not be construed as making an unacceptable development acceptable. If a compensation approach will be likely utilised for a development, early discussion with the LPA ecologist and where applicable NRW is advised.

Note: Compensation does not relate to European Regulation 66 of the Conservation of Habitat and Species Regulations 2010 (as amended). Reference should be had to the content of TAN5 Nature Conservation and Planning (2009) (chapter 3 and Annex 5).

Enhancement

8.12 The policies and provisions of Planning Policy Wales, TAN 5 and the LDP seek to promote the enhancement of the County's biodiversity. Developers/applicants must consider the design opportunities to enhance habitats for biodiversity conservation, provide features for protected and priority species and positively embrace opportunities to enhance, restore or potentially make additional provision to protected sites, priority habitats, geological features, other forms of biodiversity including the enhancement and restoration of ecological networks. This may be achieved through creating or enhancing habitats, providing habitats for specific species,, managing existing features or in terms of larger developments through the creation of dedicated wildlife areas.

Habitat/Species Management and Monitoring

8.13 Retained or new habitats or features that are created, will likely require ongoing management and maintenance to ensure their longevity. Some sites will require a specific habitat or ecological management plan. Any management plan must identify specific actions, the organisation and personnel responsible for implementing the plan will undertake and it may also need to identify the monitoring required to unsure its successful delivery.

Securing biodiversity measures post application.

8.14 It will be necessary in certain instances to secure the above requirements or additional matters through the imposition of conditions and/or a planning obligations. Further information on the use of these mechanisms can be found in sections 9.2 – 9.4 of the Biodiversity British Standard (BS42020:2013 Biodiversity: Code of Practice for Planning and Development (BSI, 2013) or sections 4.6 and 4.7 of TAN 5 (2009).

9. GOOD PRACTICE AND GENERAL GUIDELINES

9.1 This section outlines areas of good practice for consideration as part of any development proposal. Its content is not intended to be prescriptive and does not place requirements on developments rather it seeks to set out guidelines and ideas for general enhancement.

Timing and Programming of Works

- 9.2 In order to protect a site's biodiversity value it is often necessary for certain development works and environmental management operations to be undertaken at specific times of the year, and often within a restricted time-scale. The importance of adhering to the correct timing of operations is paramount if unnecessary and unacceptable impacts are to be avoided.
- 9.3 The construction stage of any development raises potential for ecological damage. Typically this may occur through site clearance, the construction of temporary access roads, installation of services, materials storage, etc. However, developments and site works should be planned with reference to the results of any Ecological Assessments and surveys to ensure damage is minimised and avoided.
- 9.4 Further guidance can be sought from the County Council's Ecologist.

Landscaping and Planting

- 9.5 In creating new landscape features, landscaping should also reflect the requirements highlighted within any ecological survey or assessment of the site. Existing habitats, including trees, woodlands, hedgerows and watercourse buffer zones should in line with policy EP1 should be retained wherever possible and form the basis for additional landscape design. Planting schemes should where appropriate utilise native species, including wherever possible those of local provenance to provide additional benefits to local wildlife.
- 9.6 The presence of trees with a Tree Preservation Order should be checked with the Council's Arboriculture Officer and details submitted with the planning application. The submission should include details regarding their protection during both construction of the site and its occupation.
- 9.7 The creation of habitats of local character which will support native wildlife should carefully consider the species mix of plants used. In this respect the selection of grass mixes, sourcing of local seed and planting of native species is fundamental to successful habitat creation.
- 9.8 Reference should be had to the Supplementary Planning Guidance on Placemaking and Design.

Habitat Creation and Green Infrastructure

9.9 Habitat creation opportunities should aim to recreate those habitat types that are typical of the local area and reflect the ecological assessment of the site. Such opportunities may exist on site or on land given over to habitat creation as part of a development. Further guidance can be sought from the County Council's Ecologist.

9.10 Whilst some of these opportunities will be limited to larger sites requiring restoration, or landscaping treatment, other measures which are focused on key species can be achieved on a smaller scale. These include:

Woodland,
Hedgerows,
Wetland,
Ponds and scrapes,
Species rich grassland,
Open mosaic habitats on previously developed land,
Dead wood habitat and reptile refugia.

9.11 Further opportunities for incorporating biodiversity and green infrastructure into development can be found in appendix B of the Good Practice Guidance of Green Infrastructure and Biodiversity Document (July 2012) by the Town and Country Planning Association and Wildlife Trusts.

Sustainability

- 9.12 The LDP seeks to respond positively to the issues surrounding climate change within the context of land use planning. In this respect developments are encouraged to include sustainable alternatives in their development and design.
- 9.13 The use of living green and brown roofs should be considered. These offer effective way of insulating buildings, reducing runoff whilst also providing greenspace and habitat creation opportunities.
- 9.14 Sustainable Urban Drainage Systems (SUDS) offer good wildlife benefits as well as sustainable water management particularly when used in conjunction with reed bed filtration systems. SUDS allow for the collection of rainwater runoff utilising features such as ditches and balancing ponds. Drainage ditches represent a potential means of habitat creation when used in place of underground pipes. For example, the creation of reed bed and open ditch lines can provide excellent habitat for water voles.
- 9.15 Permeable surfacing should also be considered as a means of allowing water to gradually infiltrate into the soil over a wide area rather than it being channelled away.
- 9.16 Other methods which may be incorporated into new developments to make them more sustainable include reducing energy consumption, orientation, layout and design solutions, low carbon construction methods, using local or recycled building materials, and planting trees and shrubs particularly of a local provenance.

Buffers and Wildlife Corridors

9.17 Retained and newly created habitats should be linked by wildlife corridors, and similarly habitats on site should be linked to those beyond the site boundary. Such corridors include hedgerows, copses, woodland, watercourses, areas of appropriately managed grass or scrub, ditches, banks etc. A combination of these features such as a hedgerow with an uncut grass margin can often provides extra habitat of benefit to a number of species and thus makes a particularly positive and valued contribution in wildlife habitat terms.

9.18 Where appropriate any design should incorporate buffer zones to provide protection and visual amenity. This is of particular importance where developments abut existing wildlife features such as woodlands, watercourses or ponds.

Maintenance & Management

- 9.19 Where a development incorporates newly created or retained habitat features these should be managed in a beneficial way which reflects the value of its features. Where necessary a management plan may be entered into for a specified period to ensure the quality of the site/feature is appropriately maintained.
- 9.20 The potential for wildlife benefits must be considered through an appropriate habitat or ecological management plan as detailed in section 8 above.

10. BIODIVERSITY CHECKLISTS - A GUIDE TO DEVELOPERS

- 10.1 Applicants/developers are strongly advised to utilise and complete the checklists below for all development proposals and may be presented as part of any preapplication discussions.
- 10.2 Their purpose is to help applicants and developers identify where their proposed development could have an impact on relevant protected sites, species and habitats and to provide a clear, transparent process for both applicant and Local Planning Authority (LPA) to follow in relation to the compliance with national policy and legislation. The checklists will assist the applicant and the Council in understanding the potential biodiversity implications of the proposed development. The assessment checklist for both protected sites and habitats and protected and priority species also indicates specific criteria where detailed surveys will likely to be required and also where there is a reasonable likelihood of a species being present. Survey requirements and where further specific guidance on surveys can be obtained are detailed in Section 11.

Sites and Habitats Checklist

Internationally important sites								
	Please tick as appropriate							
Is the development likely to affecta a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site?	Yes* No							
The nature, scale and distance from/type of features of SPA/SAC/Ramsar will determine whether the impact of the development on that site will need to be considered with respect to HRA. If unsure please contact the LPA Ecologist for further guidance and advice.								
Any planning submission must document any potential significant effects of the proposed development, on any internationally designated site (SAC, SPA, Ramsar site). This information will inform the Test of Likely Significant Effect and help inform whether an Appropriate Assessment will be required. The application should provide sufficient information to ascertain whether the proposal is likely to have any adverse effect on any designated site and also identify any nature conservation features (habitats/species) that are likely to be affected by the proposals and identify potential options for required mitigation. This information should ideally be contained within a habitats regulations screening document to be submitted as part of any application, if considered necessary the scope of any assessment can be agreed with the planning ecologist.								
*If you answer yes to this question additional detail mayb Resources Wales (NRW) to enable the completion of a H (HRA).								

This may not be necessary where the applicant is able to provide pre-application correspondence from NRW, which confirms that they are satisfied that the proposed development will not have a detrimental impact on any SAC or SPA site.											
Nationally important sites											
Does the proposed development affect a Site of Special Scientific Interest (SSSI)?	Yes	No									
The nature, scale and distance from/type of features of SSSI will determine whether the impact of the development on that site will need to be considered by NRW.											
If you answer yes, you will need to consider whether the proposed development could result in damage to the wildlife value of the site and you should consult with NRW to clarify. It may be necessary to submit supporting information from NRW and/or in the form of a written report, showing that the proposal will not impact on the SSSI. You should submit copies of any correspondence with your planning application.											
Regional and local sites.											
Does the development affect, or is it adjacent to a Local Nature Reserve (LNR), Regionally Important Geological/Geomorphological Site (RIGS), Site of Importance for Nature Conservation (SINC)?	Yes	No									

Protected and Priority Species (Species of Principal Importance) Checklist

Development Proposal Yes/No		European Protected Species			Nationally Protected Species							Priority Species										
		Bats	Otter	Dormouse	Harbour Porpoise	Water vole	Marsh Fritillary	Red Squirrel	Badger	Barn Owl	Peregrine	Breeding Birds	Other Protected Birds	Pine Marten	Invertebrates	Reptiles	Birds	Mammals	Plants	Fungi	Invertebrates	Herptile (amphibian & Reptile)
Proposed development which includes the modification, extension, conversion, demolition or removal of buildings and structures and / or proposals including the following:																						
 demolition of buildings, and changes affecting the roof (e.g. house extensions, loft conversions, reroofing, extensions; works affecting buildings such as 																						
churches, chapels, listed buildings, schools, offices, commercial premises, hotels, pubs, hospitals and derelict buildings;																						
 work affecting of demolition of agricultural buildings (e.g. farmhouses, barns, outbuildings, Dutch barns, livestock buildings particularly of traditional brick or stone construction and/or with exposed wooden beams greater 																						

Development Proposal Yes/No			opea tecto ecies	be		Nationally Protected Species Priority Species																
		Bats	Otter	Dormouse	Harbour Porpoise	Water vole	Marsh Fritillary	Red Squirrel	Badger	Barn Owl	Peregrine	Breeding Birds	Other Protected Birds	Pine Marten	Invertebrates	Reptiles	Birds	Mammals	Plants	Fungi	Invertebrates	Herptile (amphibian & Reptile)
than 20cm thick;																						
 buildings pre-1914 which are within 400m of woodland and/or water or pre- 1914 buildings with gable ends or slate roofs regardless of location; 																						
 tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures; 																						
 bridge structures, aqueducts and viaducts (especially over water and wet ground). 																						
Buildings within 200m of a woodland and or water (subject to the specifics of the proposal).																						
Buildings located within or immediately adjacent to woodland and or immediately adjacent to water.																						
Proposals for floodlighting of churches and disted buildings or flood lighting of green space within 50m of woodland, water, field hedgerows or lines of trees with connectivity to woodland or water.																						

<u>D</u>																							
Development Proposal	Yes/No	Pro	opea tecto ecies	ed		Nationally Protected Species									Priority Species								
ďo		Bats	Otter	Dormouse	Harbour Porpoise	Water vole	Marsh Fritillary	Red Squirrel	Badger	Barn Owl	Peregrine	Breeding Birds	Other Protected Birds	Pine Marten	Invertebrates	Reptiles	Birds	Mammals	Plants	Fungi	Invertebrates	Herptile (amphibian & Reptile)	
Proposals affecting woodland, field hedgerows, hedgebanks, stone walls etc and/or lines of trees and other features of connectivity such as scrub, notably linked to woodland or water bodies.																							
Tree work incorporating felling, removal and or lopping and/or development affecting:																							
 old and veteran trees of over 100 years old; 																							
 trees with obvious holes, cracks or cavities, flaking bark, exposed tears and/or splits 																							
 trees with a girth greater than 1m at chest height 																							
woodland.																							
Proposals for wind turbines, single and multiple.																							
Hydro schemes																							

Development Proposal Yes/No			opea tecto	ed		Nat	tiona	ally F	rote	cted	Spe	cies		Priority Species								
		Bats	Otter	Dormouse	Harbour Porpoise	Water vole	Marsh Fritillary	Red Squirrel	Badger	Barn Owl	Peregrine	Breeding Birds	Other Protected Birds	Pine Marten	Invertebrates	Reptiles	Birds	Mammals	Plants	Fungi	Invertebrates	Herptile (amphibian & Reptile)
Solar Schemes																						
Proposals affecting or within 200m of rivers, streams, canals, lakes, ponds, reed beds, marshy grassland or other aquatic habitats (subject to the specifics of the proposal).																						
Proposals located within or immediately adjacent to:																						
Quarries or gravel pits.																						
 Natural cliff faces and rock outcrops with crevices or caves and swallets. 																						
Proposals affecting 'derelict' land (brownfield sites), allotments and railway land.																						
Proposals affecting rank or species-rich grassland or scrub																						
Proposed development affecting any pulldings, structures, feature or locations where protected/priority species or habitats are known to be present.*																						

* Confirmed as present by either a data search via the Local Records Centre or as notified to the developer by the LA, and/or by NRW or other nature conservation organisation.

11. SURVEY AND BEST PRACTICE GUIDELINES.

- 11.1 Reports received by the LPA will be assessed to see whether the survey has been carried out competently, at the correct time, in suitable weather conditions and using the correct recognised survey guidelines and methods. And that the report includes all the information necessary, including assessment of the impacts of the proposed development and all ecological recommendations. It will also be assessed as to whether the survey and report is in line with the British Standards for Biodiversity (BS42020:2013) and incorporates information referred to in section 6.
- 11.2 Survey reports should be no more than 2 seasons old for bats, other species will depend on recommendations in existing guidelines for that species and whether there have been substantial changes to the site since any previous work. Preconstruction surveys may also be required, even if a survey has been completed at the planning stage, where species can move in quick or may not be easily detectable, e.g. badgers, reptiles etc., or if significant time has passed since the survey was carried out.
- 11.3 A list of consultants covering Carmarthenshire and the relevant surveys they have indicated they can carry out is included on the Council's website. This list is not exhaustive and does not indicate a preferred list. There are many other competent, qualified and licensed consultants who work within Carmarthenshire who are also acceptable surveyors and assessors who have not provided their details. The Chartered Institute of Ecology and Environmental Management (CIEEM) also have a searchable list on their website.
- 11.4 All reports should include a summary of ecological information from the Local Record Centre. NBN data can be used to support Local Record Centre data but it is not an alternative. All reports containing sensitive data should be marked as confidential or provide this information in a confidential annex.
- 11.5 In addition to the key reference documents detailed below further detailed information for particular species/habitats can be found in the Sources of Survey Methods section of the CIEEM website.

Feature	O.E	Cuidana dagumenta and aritaria
	of	Guidance documents and criteria
interest		
Bats and Structures	Built	Applications which meet the criteria detailed in Section 10 must be submitted with a bat survey. It may be possible to commission a scoping survey outside the optimal time to establish likely use by bats. It is advisable that this type of survey is commissioned only if the applicant/LA Planning Ecologist/NRW has reason to believe that a bat roost is unlikely to be present due to the structure, use and/or location of the building in consideration. If a scoping survey find evidence of use by bats or potential for use or more than low potential for bats to be present, then further surveys will be required during the bat active season
		A bat survey must include a description of the building/structure, trees/hedgerows, adjoining habitat/site, corridors linking habitat features and overall assessment of the potential of the site to support bats both externally and internally and should include illustrations or photos. Guidance on survey effort, timing and methodology is available in <i>Bat Surveys - Good Practice Guidelines</i> ,2 nd Edition published by the Bat Conservation (Hundt L
		2012) – Sections 4 - 9.

	Any bat survey report should follow the template as detailed in the Bat Surveys –
	Good Practice Guidelines. Bat Conservation Trust (2012, Box 5.1 p.28 - 30) to ensure sufficient information is provided to assess the nature of the use by bats and the mitigation measures required if bats are present.
	Where an EPS is found on site, a method statement must be included within the report in line with NRW licence requirements.
	Further information on bats and buildings can be found on the Bat Conservation Trust (BCT) website.
Bats and Trees	An assessment of any trees for their potential for bat use must be carried out and a full bat survey of any trees assessed to have bat potential must be conducted if these will be impacted upon.
	Guidance on tree assessment is specifically available in <i>Bat Surveys - Good Practice Guidelines</i> ,2 nd Edition published by the Bat Conservation (Hundt L 2012) – Section 8.2.5.
Bats and Wind Turbines	For proposed turbine sites a level of survey effort will be required, primarily to determine whether the proposed site is used by, or is likely to be used by bats, which species are present and at what time of the year (bat activity changes throughout the year) they are utilizing the site; this is particularly important for those species identified as high risk which will exploit open habitats and are more likely to be at risk from collision with turbines, although all species using the site to any significant extent need to be identified. Bat activity across and within the site must be established and any roosts (maternity roosts, swarming sites or significant hibernation sites) on or close to the site must be located. Any survey must examine any features that may be utilised by bats for commuting and foraging.
	Guidance on survey effort, timing and methodology is available in <i>Bat Surveys - Good Practice Guidelines</i> ,2 nd Edition published by the Bat Conservation (Hundt L 2012) – Section 10.
	 Surveys will be required at least once in spring, autumn and summer for low risk turbine sites of more if a higher risk is identified. The applicant may be able to opt for a curtailment of a turbine after one survey has been undertaken, based upon the level of risk this survey identifies. This can only be agreed once initial survey work has been assessed and must be agreed with the LPA Ecologist. Both manual (transects) and static surveys are required. Static surveys should be for 5 consecutive days duration. Any manual surveys should be carried out on warmer, drier evenings where the wind speed is low. Details of temperature and weather conditions during surveys must be included in final report.
Bats and Lighting	Habitats on an application site may be used by commuting and foraging bats, consideration should be given to using low level lighting within any proposed scheme and lighting shrouds to limit disturbance to bats particularly along potential flight/wildlife corridors. Details of proposed lighting should be provided within a lighting plan (following the guidance listed within the document, Bats and Lighting in the UK, Bat Conservation Trust, 2008).
	If a site is to be extensively lit then bat activity surveys must be carried out in line with the advice contained within the <i>Bat Surveys - Good Practice Guidelines</i> ,2 nd Edition.
Barn Owl	A barn owl survey must be conducted to ascertain presence or absence of barn

owls in the building for applications which meet the criteria detailed in Section 10. This can usually be undertaken as part of any required bat survey. Mitigation and compensation for barn owls includes the provision of alternative suitable nesting/roosting sites (both temporary and permanent), avoidance of direct impacts on barn owl (including young and eggs) through appropriate timing of works; the retention/creation of hunting habitat resources and connectivity between these and the nest sites. Further guidance can be found in Ramsden, D. and Twiggs, M. (2009). Barn Owls and Rural Planning Applications . What needs to happen. - A Guide for Planners. Barn Owl Trust: Ashburton All applications containing 0.1ha or over Greenfield coverage (previously Habitats and assessment of undeveloped land) will require Preliminary Ecological Appraisal (PEA) (unless schemes over discussions with the Planning Ecologist indicate that this is not necessary). Some 0.1 ha sites which fall below this threshold or brownfield sites may also require PEA. All sites that meet SINC or Section 42 habitat criteria will require habitat assessment. A Preliminary Ecological Appraisal of the site and immediate surroundings will also be required to support any proposed wind turbine, solar of hydro scheme application regardless of size and number. Guidelines for Preliminary Ecological Appraisal Requirements can be found in the document - Chartered Institute for Ecology and Environmental Management (CIEEM). (2013). Guidelines for Preliminary Ecological AppraisalInvasive species should be noted within any PEA. The PEA must incorporate an extended phase 1 habitat survey which is a broad habitat assessment and mapping exercise, determining protected species interest. Where habitats are noted of high ecological interest a further vegetation survey may be requested, a national vegetation classification (NVC) survey is a detailed method for determining habitat quality. Guidelines for Phase 1 survey can be found in the document - Joint Nature Conservation Committee (2010). Handbook for Phase 1 Habitat Survey - a Technique for Environmental Audit. Reprinted by JNCC, Peterborough. Guidelines for NVC survey can be found in the document - Rodwell JS (2006). National Vegetation Classification: Users' Handbook. JNCC, Peterborough. Otter For sites which border or incorporate major watercourses, streams or ponds. Determination of use of the site by otters for movement, breeding and resting will be required. An assessment of the watercourse and associated vegetation for their potential to support otter must be undertaken. If found suitable, the protection and enhancement of the water body and suitable vegetation for the species must be included as part of any scheme and if their habitat is to be affected then a survey will be required. Where an EPS is found on site, a method statement must be included within the report in line with NRW licence requirements. Water Vole For sites where there is a watercourse present or a network of ponds and wet ditches in the vicinity which are linked to the site, particularly by marshy grassland. Determination of presence of water voles and current use of the site will be required. An assessment of the watercourse and associated vegetation for their potential to support water vole must be undertaken. If found suitable, the protection and enhancement of the water body and suitable vegetation for the species must be included as part of any scheme and if their habitat is to be affected then a survey will be required.

	Further information can be found in Strachan R and Moorhouse T (2006). Water Vole Conservation Handbook, 2nd Edition. Wildlife Conservation Research Unit (WildCRU), Oxford University.
Dormice	For sites which border large areas of woodland, scrub or have ancient/mature hedgerows. Determination of the presence of dormice will be required. An assessment of the hedgerows/scrub/woodland for their potential to support dormouse must be undertaken. If found suitable, the protection and enhancement of hedges/scrub/woodland for this species must be included as part of any scheme and if their habitat is to be affected then a survey will be required.
	Further information can be found in Bright PW, Morris PA and Mitchell-Jones A (2006). <u>Dormouse Conservation Handbook, 2nd Edition</u> . English Nature, Peterborough.
	Where an EPS is found on site, a method statement must be included within the report in line with NRW licence requirements.
Marsh Fritillary	Marsh fritillary butterfly adults are on the wing May to July and webs (silk webs woven by the larvae/caterpillars) are best surveyed August to September when they are most visible. Surveys will be required for all marshy grassland sites containing the Marsh fritillary food plant Devils Bit Scabious (Succisa Pratensis).
Badger	Applications will need to determine if badger setts are located on the site or within 30m of the site and whether the site is used for foraging, latrines etc.
Reptiles	A reptile survey will be required where there is suitable habitat and connectivity e.g. railway lines, streams, allotments, grassland hedge banks, scrub, piles of wood, rubble, compost and manure heaps to determine the presence of reptiles and their population levels. Any proposed site should be assessed for its potential to support reptiles. Surveys for reptiles must be undertaken if suitable habitat is to be removed. Assessments will inform a code of construction practice for the proposed works with regard to reptiles to prevent killing and injury
Birds	Where applicable, where the development is going to result in the loss of/deterioration/pollution of habitat supporting wild birds species which may affect the objective to preserve, maintain and re-establish sufficient diversity and area of habitat for wild birds, further survey work may also be requested in line with Regulation 9(A) of the Conservation of Habitat and Species Regulations 2010 (as amended).
	Any application must make an assessment of the general bird populations currently using the application area and the impact of the development on these, in terms of loss of habitat, disturbance and displacement. Compensation for loss of habitat will need to be provided.
Birds and Wind Turbines	A comprehensive desk study must be undertaken to assess the records for bird activity around a proposed turbine site, Cumulative impacts must also be considered.
	A walkover survey of the site and surrounding area relevant to appropriate disturbance buffer zone distances for relevant species such as red kite, must be undertaken to identify if the desk study reflects the situation on the ground and indicate any potential sites of avian importance or species that must be considered.
	On the basis of the findings of the desk and walkover study there may or may not be a requirement to carry out full vantage point surveys and collision risk assessments. Initial survey work must be assessed and must be agreed with the

LPA Ecologist pre application to determine whether further survey will be required.
Any further surveys will need to be carried out following recognised SNH guidance to ensure it has been carried out to a recognised protocol.

GLOSSARY OF TERMS

To be completed

APPENDIX 1 – INTERNATIONAL SITES

European Site	Qualifying Feature(s)	Size (hectares)	Site Type
Afon Tywi/ River Twyi SAC	□ Twaite shad □ Otter □ Sea lamprey □ River lamprey □ Brook lamprey □ Allis shad □ Bullhead	363.45	Aquatic
Caeau Mynydd Mawr SAC	□ Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) □ Marsh fritillary butterfly	25.06	Terrestrial
Cernydd Carmel SAC	□□Turloughs □□Northern Atlantic wet heaths with Erica tetralix □□European dry heaths □□Active raised bogs □□Tilio-Acerion forests of slopes, screes and ravines	361.14	Terrestrial
Carmarthen Bay Dunes SAC	□□Embryonic shifting dunes □□Shifting dunes along the shoreline with Ammophila arenaria □□Fixed dunes with herbaceous vegetation □□Dunes with Salix repens ssp. argentea □□Humid dune slacks □□Narrow mouthed whorl snail □□Petalwort □□Fen orchid	1206.32	Terrestrial
Afon Teifi/ River Teifi SAC	□□Water courses of plain to montane levels with Ranunculion fluitantis and Callitricho-Batrachion vegetation □□Oligotrophic to mesotrophic standing waters with vegetation of Littorelletea uniflorae and/or of IsoÙto-Nanojuncetea □□Brook lamprey □□River lamprey □□Atlantic salmon □□Bullhead □□Otter □□Floating water-plantain □□Sea lamprey	715.58	Aquatic
Afonydd Cleddau/ Cleddau Rivers SAC	□ Water courses of plain to montane levels with Ranunculion fluitantis and Callitricho- Batrachion vegetation □ Active raised bogs □ Alluvial forests with Alnus glutinosa and Fraxinus excelsior □ Brook lamprey □ River lamprey □ Bull head □ Otter □ Sea lamprey	750.73	Aquatic and terrestrial
Carmarthen Bay and Estuaries SAC	□ Sandbanks which are slightly covered by sea water all the time □ Estuaries □ Mudflats and sandflats not covered by seawater at low tide □ Large shallow inlets and bays □ Salicornia and other annuals colonising mud and sand □ Atlantic salt meadows □ Twaite shad □ Sea lamprey □ Allis shad □ Otter	66101.16	Aquatic
Bae Caerfyrddin/ Carmarthen Bay SPA	□□Common scoter	95860.36	Aquatic

Course De ethie Morrord AA-U-	DDOIN accelle actions de 10th Harrand	4400.00	Tamaak::-!
Cwm Doethie-Mynydd Mallaen SAC	□□Old sessile oak woods with <i>llex</i> and <i>Blechnum</i> in the British Isles □□European dry heaths	4122.29	Terrestrial
Elenydd – Mallaen SPA	□ Merlin □ Red kite	30022.14	Terrestrial
Burry Inlet SPA	□ Pintail □ Northern Shoveler □ Teal □ Wigeon □ Dunlin □ Red knot □ Oystercatcher □ Curlew □ Grey Plover □ Shelduck □ Redshank	6627.99	Aquatic
Cardigan Bay/ Bae Ceredigion SAC	□□Sandbanks which are slightly covered by sea water all the time □□Reefs □□Submerged or partially submerged sea caves □□Bottlenose dolphin □Sea lamprey □□River lamprey □□Grey seal	95860.36	Aquatic
North Pembrokeshire Woodlands / Coedydd Gogledd Sir Benfro SAC	Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles □ Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> □ Barbastelle bat	315.68	Terrestrial
Yerbeston Tops SAC	□□Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) □□Marsh fritillary butterfly	18.81	Terrestrial
Rhos Llawr-cwrt SAC	□ Marsh fritillary butterfly □ Hamatocaulis vernicosus (moss)	46.13	Terrestrial
Pembrokeshire Bat Sites And Bosherton Lakes / Safleoedd Ystlum Sir Benfro a Llynnoedd Bosherton SAC	□□Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara spp</i> . □□Greater Horseshoe Bat □□Lesser Horseshoe Bat □□Otter	122.44	Terrestrial
Gower Ash Woods / Coedydd Ynn Gwyr SAC	□□ Tilio-Acerion forests of slopes, screes and ravines □□ Alluvial forests with Alnus glutinosa and Fraxinus excelsior	233.15	Terrestrial
Pembrokeshire Marine SAC	□□Estuaries □□Large shallow inlets and bays □□Reefs □□Sandbanks which are slightly covered by seawater all the time □□Mudflats and sandflats not covered by seawater at low tide □□Coastal lagoons □□Atlantic salt meadows □□Submerged/partially submerged sea caves □□Grey seal □□Shore dock □□Sea lamprey □□Allis shad □□Twaite shad □□Otter	138069.45	Aquatic
Gower Commons / Tiroedd Comin Gwyr SAC	□□Northern Atlantic wet heaths with Erica tetralix □□European dry heaths □□Marsh fritillary butterflies □□Southern damselflies	1776.72	Terrestrial
River Wye / Afon Gwy SAC	□□Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation □□Transition mires and quaking bogs □□White clawed crayfish □□Sea lamprey □□Brook lamprey □□River lamprey	2234.89	Aquatic

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	□□Twaite shad		
	□ Atlantic salmon		
	□□Bullhead		
	□□Otter		
	□□Allis shad		
Gweunydd Blaencleddau SAC	□ □Northern Atlantic wet heaths with <i>Erica</i>	150.11	Terrestrial
	tetralix		
	□ Molinia meadows on calcareous, peaty or		
	clayey-silt-laden soils		
	□□Blanket bogs		
	□□Transition mires and quaking bogs		
	□ Alkaline fens		
	□□Marsh fritillary butterfly		
	□ Southern damselfly		
Preseli SAC	□□Northern Atlantic wet heaths with <i>Erica</i>	2705.9	Terrestrial
	tetralix		
	□□European dry heaths		
	□□Depressions on peat substrates of the		
	Rhynchosporion		
	□□Alkaline fens		
	□ Southern damselfly		
	□□Marsh Fritillary butterfly		
	□ Hamatocaulis vernicosus (moss)		
Mynydd Epynt SAC	□ Hamatocaulis vernicosus (moss)	40.12	Terrestrial
River Usk. Afon Wysg SAC	□□Water courses of plain to montane levels	1007.71	Aquatic
Triver Osk. Alon Wysg SAC	with the Ranunculion fluitantis and	1007.71	Aquatic
	Callitricho-Batrachion vegetation		
	□□Sea lamprey		
	□□Brook lamprey		
	□□River lamprey		
	□□River lampley □□Twaite shad		
	□□ I waite shad □□Atlantic salmon		
	□□Bullhead		
	Otter		
	□ □ Allis shad		

APPENDIX 2 – LOCAL DEVELOPMENT PLAN POLICIES

SP14 Protection and Enhancement of the Natural Environment

Development should reflect the need to protect, and wherever possible enhance the County's natural environment.

All development proposals should be considered in accordance with national guidance/legislation and the policies and proposals of this Plan, with due consideration given to areas of nature conservation value, the countryside, landscapes and coastal areas, including those outlined below:

- a) Statutory designated sites including Ramsar sites, SPAs, SACs, SSSIs and National Nature Reserves;
- b) Biodiversity and Nature Conservation Value, including protected species and habitats of acknowledged importance as well as key connectivity corridors and pathways; (Policy EQ4 and EQ5)
- c) Regional and Locally important sites (and their features) including Local Nature Reserves and RIGS; (see Policy EQ3)
- d) Areas of identified Landscape and Seascape quality; (including SLAs)
- e) Features which contribute to local distinctiveness, nature conservation value or the landscape; (see Policy EQ5)
- f) The Open Countryside; (see Policy GP2)
- g) The best and most versatile agricultural land; (Grade 2 and 3a)
- h) Natural assets: including air, soil (including high carbon soils) controlled waters and water resources. (See Policies EP1 and EP2)

Policy EQ3 Regional and Local Designations

Proposals for development that are likely to cause unacceptable harm to a Local Nature Reserve (LNR), or Regionally Important Geological/Geomorphological Sites (RIGS) will only be permitted where the need to safeguard the substantive nature conservation value of the site or feature is clearly outweighed by the reasons for the development or land use change.

The designation of such sites will, where appropriate, be supported.

Policy EQ4 Biodiversity

Proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation, (namely those protected by Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006 and UK and Local BAP habitats and species and other than sites and species protected under European or UK legislation) will not be permitted, except where it can be demonstrated that:

- a) The impacts can be satisfactorily mitigated, acceptably minimised or appropriately managed to include net enhancements;
- b) There are exceptional circumstances where the reasons for the development or land use change clearly outweighs the need to safeguard the biodiversity and nature conservation interests of the site and where alternative habitat provision can be made in order to maintain and enhance local biodiversity.

Policy EQ5 Corridors, Networks and Features of Distinctiveness

Proposals for development which would not adversely affect those features which contribute local distinctiveness/qualities of the County, and to the management and/or development of ecological networks (wildlife corridor networks), accessible green corridors and their continuity and integrity will be permitted.

Proposals which include provision for the retention and appropriate management of such features will be supported (provided they conform to the policies and proposals of this Plan).

GP1 Sustainability and High Quality Design

Development proposals will be permitted where they accord with the following:

- a) It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;
- b) It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;
- c) Utilises materials appropriate to the area within which it is located;
- d) It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;
- e) Includes an integrated mixture of uses appropriate to the scale of the development:
- f) It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;
- g) It achieves and creates attractive, safe places and public spaces, which ensures security through the 'designing-out-crime' principles of Secured by Design (including providing natural surveillance, visibility, well lit environments and areas of public movement);
- h) An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;
- i) It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;
- j) It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;
- k) It has regard to the generation, treatment and disposal of waste.
- I) It has regard for the safe, effective and efficient use of the transportation network:
- m) It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;
- n) It includes, where applicable, provision for the appropriate management and eradication of invasive species.

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 7 and TAN12: Design (2014)).

Policy GP3 Planning Obligations

The Council will, where necessary seek developers to enter into Planning Obligations (Section 106 Agreements), or to contribute via the Community Infrastructure Levy to secure contributions to fund improvements to infrastructure, community facilities and other services to meet requirements arising from new developments.

Where applicable, contributions will also be sought towards the future and ongoing maintenance of such provision either in the form of initial support or in perpetuity.

In implementing this policy schemes will be assessed on a case-by-case basis.

Policy EP1 Water Quality and Resources

Proposals for development will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Proposals will, where appropriate, be expected to contribute towards improvements to water quality.

Watercourses will be safeguarded through biodiversity/ecological buffer zones/corridors to protect aspects such as riparian habitats and species; water quality and provide for flood plain capacity. Proposals will be permitted where they do not have an adverse impact on the nature conservation, fisheries, public access or water related recreation use of the rivers in the County.

Proposals will wherever possible be required to make efficient use of water resources.

Rural Development Draft Supplementary Planning Guidance

1. Introduction

- 1.1 Carmarthenshire County Council (CCC) adopted its Local Development Plan on the 10th December 2014, and its aim is to make the Development Plan system more relevant, inclusive and engaging to local communities.
- 1.2 This Draft Supplementary Planning Guidance (SPG) was prepared within the context of the adopted Local Development Plan (LDP) to give clear practical guidance on how policies and proposals relating to rural enterprises and buildings in the countryside will be implemented. The LDP and SPG are material considerations in the determination of planning applications and appeals.
- 1.3 This Draft SPG will also provide clear guidance on the interpretation and implementation on LDP policy H5 Adaptation and Re-use of rural buildings for residential use, and will on adoption supersede the content of the current adopted SPG Adaptation and Re-Use of Rural Buildings for Residential Use.
- 1.4 This Draft SPG will also provide clear guidance on the interpretation and implementation of LDP planning policies and TAN6 policies on:
 - Design Principles for the Conversion, Re-Use and Adaptation of Rural Buildings
 - Rural Enterprise Dwellings
 - One Planet Wales Developments
- 1.5 In considering and preparing proposals, applicants and developers are strongly advised to contact the LPA at an early stage to establish the core requirements in relation to their proposals.

2. National and Local Policy

- 2.1 Planning Policy Wales (PPW, Edition 7:2014) and Technical Advice Note (TAN) 6: Planning for Sustainable Rural Communities set out national planning policy.
- 2.2 PPW and TAN6 recognises the value of the rural economy as a way to provide local employment opportunities, increase local economic prosperity, minimise the need to travel for employment and facilitate diversification of the rural economy by accommodating the needs of both traditional rural industries and new enterprises (para 3.1.2 (TAN) 6:2010). In this regard, national planning policy makes provision for appropriate new development to be undertaken in the open countryside, such as buildings associated with agriculture or forestry, the conversion and re-use of rural buildings, in addition to replacement or abandoned dwellings.
- 2.3 In the main however, national policy seeks to strictly control new residential development in the open countryside by reflecting the principles of sustainability and to promote climate resilience and protect the natural environment. This is then reflected within local planning policy through the LDP which seeks to provide a settlement framework and the delineation of development limits to prevent inappropriate development in rural areas.
- 2.4 The LDP allows the consideration for development in the countryside through a number of policies. These include; Replacement Dwellings (Policy H4), Adaptation and Re-Use of Rural Buildings for Residential Use (Policy H5), Renovation of Derelict

or Abandoned Dwellings (Policy H8), Farm Diversification (Policy EMP4). It is not the purpose of this SPG to repeat the content of the policies and their supporting paragraphs in its entirety, but to assist in their interpretation and their implementation.

New buildings in the open countryside

2.5 For the purposes of interpreting the policies of the LDP the term 'buildings in rural areas' relate to structures in areas that are located outside the Development Limits of a settlement defined within Policy SP3: Sustainable Distribution – Settlement Framework of the LDP. Such areas are within the context of the LDP termed as open countryside as defined within the Glossary of Terms of the LDP. In this regard proposals for new residential developments in the open countryside will in accordance with the provisions of national policy be strictly controlled.

3. Adaptation and Re-use of rural buildings for residential use

3.1 The LDP highlights a number of policies which would be considered in relation to proposals within the open countryside. Reference is drawn to Policy H5 of the LDP which considers proposals for the adaptation and Re-use of Rural Buildings for Residential Use. An SPG for the conversion of rural buildings to residential dwellings was adopted concurrent with the LDP, however it is considered that its content would be better reflected within this SPG. As a consequence this SPG supersedes the content of the 'Adaptation and Re-use of Rural Buildings for residential Use' SPG.

H5 - Adaptation and Re-Use of Rural Buildings for Residential Use

Proposals for the conversion and re-use of buildings in rural areas outside the Development Limits of a defined settlement (Policy SP3) for residential purposes will only be permitted where:

- a) The authority is satisfied that every reasonable endeavour has been made to secure an alternative business use and the application is supported by a statement of evidence to the Council's satisfaction of appropriate efforts that have been undertaken to achieve this;
- b) Any residential use would be a subordinate element associated with a wider scheme for business re-use; or
- c) The residential use contributes to the provision of affordable housing to meet a genuine identified local need (as defined within the Glossary of Terms) and provided that:
 - i) The benefits of the initial affordability will be retained for all subsequent occupants;
 - ii) It is of a scale compatible with an affordable dwelling and would be available to low or moderate income groups.

Proposals will also be required to demonstrate that the following criteria can be met:

- d) The building is structurally sound, substantially intact and is of sufficient size to accommodate the proposed use without extensive alteration, extension or re- construction;
- e) The building demonstrates and retains sufficient quality of architectural features and traditional materials with no significant loss of the character and integrity of the original structure."
- 3.2 The supporting paragraphs for Policy H5 provides sufficient guidance to indicate the requirements and criteria set within the policy, and applications should be considered on the merits of these principles.
- 3.3 With respect to the conversion of buildings, and criterion (d) the local authority will include conditions as part of any planning permission stating that the planning permission only relates to the refurbishment and rebuilding works detailed in the approved plans and the Method Statement, and does not extend to the rebuilding of the buildings in the event of collapse. Where any additional problems are identified as conversion work begins, an additional method statement must be submitted for approval in writing from the Local Planning Authority.
- 3.4 It is important to re-emphasise that the re-use and adaptation (including conversion) of an industrial, commercial, agricultural or other buildings in the open countryside to a residential use will only be permitted where it can be demonstrated that every reasonable effort has been made to continue or establish a business/commercial use or community activity, as set out in criterion a).

Design Principles for the Conversion, Re-Use and Adaptation of Rural Buildings

3.5 In achieving good design for buildings in the countryside, there are some fundamental design principles which apply in relation to conversion, re-use and adaptation of rural buildings for residential use.

Setting

- Where an existing building has a clearly defined curtilage boundary (the area immediately surrounding a building and directly related to it), the curtilage used for future development should normally reflect the original boundary line, unless an extension to the curtilage is necessary to accommodate an acceptable rural business use.
- Where the existing building does not have a readily defined curtilage, the amount of land included as part of a curtilage should be kept to a minimum.
- Boundary treatments should be appropriate for the context of the area. Gates, walls
 or hedges which already form part of the traditional character of the countryside
 location, these should be incorporated into any scheme.
- Suitable new boundary treatments are likely to include native species hedges, dry stone walls and post and wire fencing. Boundary treatments more common to an urban area such as close board fencing, brick walls or concrete will not be appropriate within a rural setting.

- It is recognised that some rural businesses may require security fencing due to the
 nature of the business, but this should be of a type that has a minimal visual impact.
 Natural screening measures should be used to mitigate against the visual impact of
 security fencing. Palisade fencing or concrete post and panel fencing should be
 avoided.
- Where a building in the countryside is in residential use, the development of ancillary structures such as garden sheds, summerhouses, outbuildings or greenhouses may result in the domestication or urbanisation of the setting and will therefore be strictly controlled. The Council may remove permitted development rights (the right to carry out limited forms of development without the need for planning permission) through planning conditions where appropriate, as a means of ensuring that the setting is not adversely affected by uncontrolled development in the countryside. Only those structures that are ancillary to the residential use and can be accommodated without harm to the setting of the area will be permitted.
- If a proposal is for rural diversification, whilst the availability of public transport does
 not represent a prerequisite for diversification projects, it should be taken into
 account when considering the nature and scale of the proposal. Furthermore, the
 considerations of proposals will need to have regard to their location in a spatial
 context and should not wholly represent an isolated development.
- The type of use proposed should be suitable in amenity terms and should not adversely affect the character of the area by virtue of an unacceptable impact on visual amenity or an increase in pollution (for example noise, smell, light or traffic).

Scale

 Where an extension to a building is proposed it should be subordinate to the existing building. Extensions should have regard to the scale, form and character of the existing building. If a building has already been extended, the impact of further extensions on the character and context of the area will need to be carefully considered.

Materials and Design

- Many existing buildings in the countryside have characteristics that are worthy of protection and it is important that conversions, extensions and replacements respect the local context, both in terms of materials and design.
- The key approach for any proposal involving the re-use of buildings is that there should be the least amount of change possible to the external appearance. Where possible in conversion schemes, internal features of interest should also be retained.

Roofs

- Original roofs should be retained and repaired with original materials wherever possible, unless an alternative roofing material would be better suited to the character of the building and its local context.
- Extensions should use the same roofing materials as the original building.

- For conversions, any alteration to the roof height or pitch should be avoided where this would adversely affect the skyline or the character of the building itself.
- Conversion schemes should not include dormer windows where these do not form
 part of the original building. If it is necessary for windows to be introduced in the roof,
 they should be limited in number and should be in the form of roof lights, preferably
 on the rear of the building and/or on the least visible elevation.

Walls

- Extensions should be constructed from the same materials as the original building or where appropriate, a sympathetic alternative material may be acceptable.
- Where lime mortar has originally been used as part of the building construction any re-pointing or repair should use this material rather than cement.
- The re-use of salvaged material for extensions and replacements is encouraged where possible.
- If new buildings are proposed, they should be constructed from materials that reflect other buildings on the site and in the locality.

Windows and Doors

- New or replacement windows and doors should have regard to original fenestration, and where appropriate, match the original design and materials
- In conversion schemes original openings should be retained and opportunities to reopen windows or doors that have been blocked up should be explored.
- If it is necessary to close an original opening, it will be appropriate to use a recessed panel to indicate where the original opening was located.

Heating and Ventilation

- The design of any necessary heating or ventilation systems should respect the character of the existing building.
- Chimneystacks should only be included where there is an original internal chimneystack within the building.
- Any heating system flues and extractors should be designed to ensure that they are respectful to the original structure.
- Where vent tiles are used they should respect existing roof materials.
- Oil/gas tanks may be necessary to serve some properties in rural areas. These should be discreetly located so that the visual impact of any tanks is minimised.

Waste Treatment

- The disposal of waste water and sewerage may pose a challenge in rural areas, but environmentally acceptable methods should be utilised wherever possible.
- If installations such as septic tanks or cesspits are necessary, these should be located where they have minimal visual impact through undergrounding or appropriate screening. It may be necessary in certain circumstances for such equipment or plant to be sited within existing buildings in order to reduce the visual impact.

Landscaping

It will not be appropriate for large areas of hard surfaces to be introduced where
these did not exist previously. Any new hard surfaced areas, where they are
considered to be acceptable, should be constructed in materials that are traditional
for the area.

Parking and Access

- The original access serving the buildings should be utilised unless this would not be appropriate in the interests of highway safety. New accesses or improvements to existing access will only be permitted where there is no detrimental impact on the character or biodiversity value of the area.
- The upgrading of access roads/tracks may have a detrimental impact on the landscape and therefore, if improvements to existing access roads are necessary, appropriate materials should be used that minimise the visual impact.
- Where access is from a country lane, entrance gates should be set back from the main road to ensure that entrances can be used as passing places where necessary.
- Garage parking should be accommodated within other existing buildings within the curtilage wherever possible.
- A new garage will only be acceptable if there are no suitable buildings within the curtilage that can be converted and where the visual impact of a new garage building can be minimised.
- Any new garage building should be single storey and at an appropriate scale for parking use. It should be constructed using materials that are appropriate to the local context.

Energy Efficiency

- Where low and zero carbon energy technologies are proposed, consideration should be given to whether these can be incorporated in a manner that is suitable for the setting of the area.
- Where PV or solar thermal collection panels are used they should be located in discreet locations wherever possible and should avoid principal elevations. Evolving technologies, such as PV cladding that replicates the appearance of natural slate, means that the impact of any panels can be significantly reduced and will therefore be encouraged.

• It may be preferable for any micro-generation equipment to be sited on existing outbuildings or as freestanding units within the curtilage of the existing building.

Natural Heritage

- Many buildings in the countryside provide a suitable habitat for a number of species including bats, barn owls and nesting birds. It will therefore be necessary for an ecological survey, including a protected species survey, to be undertaken prior to the submission of an application for the conversion or replacement of a building in the countryside. The submission of bat and/or barn owl surveys are required prior to determination of a planning application. If these surveys are required by the local planning authority and are not submitted, the application may be refused. Bat surveys should be carried out by a suitably qualified, licensed professional between the months of May and September. Further details can be obtained from the Council's ecologists. Reference should be made to the content of the Biodiversity SPG.
- Trees and hedgerows should be retained where possible as part of any development.

4. Rural Enterprise Dwellings

- 4.1 In line with Paragraph 4.3 of TAN6, one of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or close to, their place of work.
- 4.2 In setting out policy on Rural Enterprise dwellings, TAN 6 identifies the following:
 - A new dwelling on an established rural enterprise. They should only be allowed where
 - There is a clearly established existing functional need;
 - The need relates to a full time worker;
 - The enterprise concerned has been established for at least three years, profitable for at least one of them and both the enterprise and the business need for the job, is currently financially sound, and has a clear prospect of remaining so
 - The functional need could not be fulfilled by another dwelling or by converting an existing suitable building already on the land holding comprising the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the worker concerned.
 - Other normal planning requirements, for example siting and access, are satisfied.
 - A second dwelling on an established farm which satisfies the criteria above
 - New dwellings on new enterprises. They should only be allowed where
 - Clear evidence of a firm intention and ability to develop the rural enterprise concerned (significant investment in new buildings and equipment is often a good indication of intentions);
 - Clear evidence that the new enterprise needs to be established at the proposed location and that it cannot be accommodated at another suitable site where a dwelling is likely to be available;
 - Clear evidence that the proposed enterprise has been planned on a sound financial basis;
 - There is a clearly established functional need and that need relates to a fulltime worker, and does not relate to a part-time requirement;
 - The functional need could not be fulfilled by another dwelling or by converting an existing suitable building on the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the workers concerned; and
 - Other normal planning requirements, for example siting and access, are satisfied.
- 4.3 In considering the requirements for a new rural enterprise dwelling, applicants must provide sufficient evidence to show that it accords with the criteria of TAN6 as highlighted above. Should the principle of a rural enterprise dwelling be established, consideration should be given to other material planning considerations. The impact of a new building in the countryside is more prominent, and so it is important to ensure a suitable location and a design that is in keeping with the character of the area.

- 4.4 The design, scale and future affordability of a development for a rural enterprise dwelling should consider its purpose as accommodation for essential workers and as such, applications should have regard to the following:
- 4.5 **Location** It is important that rural developments do not result in the domestication or urbanisation of its countryside setting. In order to ensure that this does not occur, the following should be considered:
 - Avoid open and/or isolated locations It will not normally be acceptable for isolated new structures to be developed away from other buildings, as they are likely to be visually intrusive. Proposals should wherever possible have regard to the existing buildings and other units associated with the enterprise.
 - Use the topography of the site to minimise its visual impact and screen it from public places,
 - Use existing access roads to reduce the impact of concrete constructions in the countryside.

Design

- Consider the characteristics of adjacent buildings,
- Large developments of an urban character should be avoided,
- Materials should be chosen to reflect rural character and its locational context
- The building should be integrated with the landscape, the road scheme and natural vegetation,
- Hedges and trees on the site should be retained where possible and new landscaping introduced using native plants,
- Hard landscaping materials which are used should be appropriate to its countryside setting and the character of the buildings in the area.

Affordability

- Priority should be given to the enterprise's needs, rather than the aspirations
 of the individuals concerned,
- With every new building, energy efficiency aspects should be considered carefully and materials that are already on the site should be re-used.

Affordable Housing Commuted Sums for Rural Enterprise Dwellings.

4.6 In line with Policy AH1 of the LDP and the content of the Affordable Housing SPG, there will be no charge for any contribution towards affordable housing proposals from new rural enterprise dwellings. Any new dwelling is considered to represent an 'affordable' unit. This reflects the content of Paragraph 4.13 of TAN 6.

5. One Planet Development

- 5.1 Paragraph 4.15 of TAN6 provides sufficient information relating to One Planet Developments, which look at providing Low Impact Development in a Welsh Context. Given the rural nature of the majority of the county, it is more likely that all One Planet Development would develop in open countryside locations, and outside the development limits of any settlements identified within the LDP.
- 5.2 In appraising a One Planet Development, applicants should consider the design principles for its development. It is imperative that the design of one dwelling, or a group of dwellings within a co-operative should integrate into the landscape and reflect the rural character. Proposals will be expected to utilise materials which are reflective of its rural and locational context alongside the other requirements of the One Planet objectives.

Affordable Housing Commuted Sums for One Planet Wales Developments

5.3 In line with Policy AH1 of the LDP and the content of the Affordable Housing Supplementary Planning Guidance, there will be no charge for any contribution towards affordable housing proposals from One Planet Wales Development, as any new dwelling is considered to be of an 'affordable' status, and to bring in line with the content of Paragraph 4.13 of TAN 6.

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Executive Board 2ND NOVEMBER 2015

Council's Revenue Budget Monitoring Report

Recommendations / key decisions required:

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

That Chief officers and Heads of Service critically review their budgetary positions and implement appropriate actions to deliver their services within their allocated budgets.

Reasons:

To provide the Executive Board with an update on the latest budgetary position as at 31st August 2015, in respect of 2015/2016.

Relevant scrutiny committee to be consulted: NA

Exec Board Decision Required YES

Council Decision Required NO

Directorate: Corporate Designations: Tel No. 01267 224886

Services

Report Author: Owen Bowen

E Mail Addresses: Interim Head of Financial OBowen@carmarthenshire. Name of Head of Service:

gov.uk Owen Bowen Services



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EXECUTIVE SUMMARY Executive Board 2ND NOVEMBER 2015

Council's Revenue Budget Monitoring Report

The revenue budget monitoring exercise for the period to 31st August 2015 is attached and indicates that:

Overall, the monitoring report forecasts an end of year overspend of £186k on the Authority's net revenue budget with an overspend at departmental level of £2,307k.

Chief Executive's Department

The Chief Executive Department is showing a projected overspend at year end of £578k. Corporate Savings proposals of £400k on Standby Costs and £100k on Health & Safety provision have not yet been implemented and there has been slippage of £37k on the printer rationalisation programme. The Translation Unit is projecting an overspend of £42k due to an increase in demand for the service and Fitness for Work a projected overspend of £41k due to sickness cover and market supplement. Admin HR is anticipating an overspend of £21k due to temporary staff undertaking Disclosure and Barring Service work. The Regeneration Business Unit is also anticipating an overspend of £54k due to a previous year efficiency to sell the property at Nant y Ci which remains unsold. There are also overspends on Un Sir Gar due to increased staffing and maintenance (£27k), Policy due to non achievement of income target (£20k) and CCTV (£22k) due to late decision to cease live monitoring. These overspends are offset by vacant posts in the department of £149k. There has also been a planned reduction in expenditure on 3T's Community Development (£50k) and Community Safety Fund (£19k) to offset overspends elsewhere within the department.

Department for Education and Children

The Education & Children's Services Department is forecasting an overspend of £1,049k for the year.

The main adverse budget variations relate to school based EVR and redundancy costs (+£1,102k); EOTAS (Education other than at School) (+£327k); Adult & community learning (+£195k); Residential and Respite Units (+£152k); Out of Hours Service (+£68k); Youth Service (+£62k); Music Service (+£61) and Fostering services & support (+£34k).

These are partially offset by under-spends across the department in: Out of County



Educational Placements (-£427k); Staff vacancies, secondments and maximising use of grant funding (-£323k); Payments to private early years providers (-£96k); Out of County Care Placements (-£30k) and Children's Services management & support (-£25k)

There is £986k available in departmental reserves leaving a forecasted shortfall of £63k at year end.

Resources

The Resources Department is anticipating an underspend at year end of £115k due to a reduction in the cost of annual subscriptions (£55k); Saving on new Bank Tender (£14k); Vacant Posts (£46k) and provision markets reduction in premises and s&s costs of (£44k). This is offset by an overspend on Livestock Markets of £38k due to ongoing essential R&M costs at various marts across the county.

Department for Communities

The Department for Communities is forecasting an over spend of £ 644k for the year.

The Older People / Physical Disabilities Division has over spends of £393k due to the non achievement of efficiency savings re Older People Day Centres and an overspend on Private Residential Care of £273k; offset by an underspend of -£470k in Residential Homes due to reduction of in house provision, -£66k Physical Disability Group Homes / Supported Living and -£227k Home Care.

The Learning Disability / Mental Health Division has an overspend on residential and supported living placements of £515k due to a slower than anticipated reduction required to meet efficiency savings which is currently being addressed. There is an overspend on additional packages for Direct Payments £385k and a Day Services overspend of £267k due to additional packages.

The Departmental overspend is reduced by -£274k due to staff vacancies and -£110k of miscellaneous supplies and services.

The Housing Services and Public Protection Division is forecasting an overspend of £12k due to under recovery of income.

The Leisure Services Division is forecasting a -£53k saving due to staff vacancies.

Environment

The department is showing an anticipated overspend of £151k at year end.

The Transport division is showing a net overspend of £80k for the year. Civil design is showing an overspend of £48k due to under recovery of income as a result of a vacant post, Car Parks an overspend of £25k due to a delay in implementing the increased charges that were included in the efficiency proposals and Park and Ride is overspent by £40k. Public Transport is anticipating a £32k underspend following service adjustments to manage budget pressures elsewhere within the division.



EICH CYNGOR arleinamdani www.sirgar.llyw.cymru YOUR COUNCIL doitonline www.carmarthenshire.gov.wales The Property Services division has an overall anticipated overspend of £209k. Building Maintenance is expecting to be £394k overspent due to not achieving their income target as a result of a reduction in the Carmarthenshire Housing Standard related work. This is offset by a £200k underspend in the Grounds Maintenance section due to ongoing efficiency savings.

The Streetscene division is expecting to break even at year end.

The Policy & Development division is anticipating a £53k overspend mainly due a £36k severance efficiency not being delivered as well as a £3k overspend on out of hours allowances.

The Planning Division anticipates an underspend of £192k. This is as a result of a £142k saving on vacant posts within the division as well as 2 members of staff being charged out to an externally funded scheme (£50k).

HOUSING REVENUE ACCOUNT

The HRA is forecasting an underspend of -£593k to the year end for 2015/16. -£35k of this is within Supervision and Management -staff related travelling -£32k ,supplies & services costs of +£17k (postages/telephones etc.) and premises related costs -£20k (energy charges). Affordable Homes delivery plan will require staffing resources , which were previously reporting a -£201k underspend.

Slightly higher than forecast interest applicable to existing borrowing and buy-out from HRAS +£104k

Improvement in delivering savings on void turnaround times etc. will save -£390k. Forecast requirement for provision for bad debt is -£277k based on current aged debt analysis and forecast write offs.

A list of the main variances is 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: Owen Bowen Interim Head of Financial Services

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

1. Finance

Council Fund

Overall, the Authority is forecasting an overspend of £186k.

HRA

The HRA is forecasting that it will be £593k under its approved budget.



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CONSULTATIONS

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

Signed: Owen Bowen

Interim Head of Financial 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
2015/16 Budget		Corporate Services Department, County Hall, Carmarthen



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REPORT OF THE DIRECTOR OF CORPORATE SERVICES PRELIMINARY EXECUTIVE BOARD - 12th OCTOBER 2015 COUNCIL'S BUDGET MONITORING REPORT - 2015/2016

Head of Service & Designation	Author & Designation	Telephone No	Directorate
O Bowen. Interim Head of Financial Services	O Bowen Interim Head of Financial Services	01267 224886	Corporate Services

Table 1

Forecasted for year to 31 March 2016

Service			g Budget				tual		Variance	Variance Reported
		Controllable	Controllable	Total		Controllable		Total	For Year	Previous
	Expenditure £'000	Income £'000	Controllable £'000	Net £'000	Expenditure £'000	Income £'000	Controllable £'000	Net £'000	£'000	Period £'000
Chief Executive	18,070	-6,150	-1,320	10,600	19,275	-6,777	-1,320	11,178	578	619
Education & Childrens Services	176,992	-38,576	21,011	159,427	178,665	-39,200	21,011	160,476	1,049	602
Corporate Services	88,322	-55,926	-9,482	22,914	92,376	-60,095	-9,482	22,799	-115	-52
Communities	124,808	-45,825	11,873	90,856	127,005	-47,378	11,873	91,500	644	679
Environment Services	104,903	-67,666	8,361	45,598	108,620	-71,232	8,361	45,749	151	352
Departmental Expenditure	513,095	-214,143	30,443	329,395	525,941	-224,682	30,443	331,702	2,307	2,200
Capital Charges/Asset Man. Acc.				-3,535				-4,535	-1,000	-500
Pension Reserve Adjustment				-5,085				-5,085	0	0
Accumulated Leave								·	0	
Levies and Contributions:										
Brecon Beacon National Parks				147				147	0	0
Fire Authority				9,067				9,067	0	0
Net Expenditure				329,989				331,296	1,307	1,700
Outcome Agreement Grant				-570				-570	0	0
Contribution from Balances				-138				-138	0	0
Transfer from Balances/Earmarked Reserves				-1,060				-1,060	0	0
Transfers to/from Departmental Reserves										
- Chief Executive				0				-41	-41	-82
- Education & Children's Services				0				-986	-986	-602
- Corporate Services				0				57	57	26
U- Communities				0				0	0	0
- Environment				0				-151	-151	-352
Net Budget				328,221				328,407	186	690

U	Forecasted fo	Forecasted for year to 31 March 2016				
Service	Approved Budget £'000	Actual Expenditure £'000	Variance For Year £'000	Variance Reported Previous Period £'000		
	2 000	2 000	2 000			
<u>Expenditure</u>						
Repairs & Maintenance						
Responsive	1,600	1,632	32	-4		
Minor Works	2,400	2,400	0	0		
Voids	2,000	2,000	0	0		
Servicing	1,550	1,550	0	0		
Drains & Sewers	230	230	0	0		
Grounds	700	700	0	0		
Unadopted Roads	100	100	0	0		
Supervision & Management						
Employee	3,416	3,416	0	-126		
Premises	1,443	1,423	-20	-30		
Transport	108	76	-32	-14		
Supplies	811	828	17	-31		
Recharges	1,044	1,044	0	0		
Provision for Bad Debt	652	375	-277	0		
Capital Financing Cost	12,512	12,616	104	0		
Central Support Charges	1,609	1,609	0	0		
Capital - DRF	9,913	9,913	0	0		
Total Expenditure	40,088	39,912	-176	-205		
Income						
Rents	-34,625	-35,015	-390	-280		
Service Charges	-846	-846	0	0		
Supporting People	-355	-355	0	0		
Mortgage Interest	-3	-3	0	0		
Interest on Cash Balances	-66	-66	Ö	0		
Insurance	0	-22	-22	0		
Other Income	-681	-686	-5	-2		
Total Income	-36,576	-36,993	-417	-282		
Net Expenditure	2.540	0.040	E00	-487		
	3,512	2,919	-593	-487		

	£'000
BALANCE B/F 1/4/15	10,662
Budgeted movement in year	-3,512
Variance for the year	593
BALANCE C/F 31/3/16	7,743

Main Variance Summary

The following are items contributing to the variances identified for each department in the summary above:

The following are terms contained to the variations facilities for each acparation in the cultimary above.	
	Variance £000
Chief Executives Department	2000
Chief Executive - Chief Officer - Salaries	-30
Corporate Savings Target - Standby £400k, Health & Safety £100k and Printing Rationalisation £37k (efficiencies not yet delivered)	537
People Management & Performance - Corporate Serv - Translation - Staff levels over and above the budgeted structure to meet demand for the service	42
People Management & Performance - Personnel Management - Part year vacant posts	-39
People Management & Performance - Fitness For Work - Sickness Cover and Market Supplement	41
People Management & Performance - Admin HR - Staff levels over and above the budgeted structure	21
Customer Focus and Policy - Chief Executive-Policy - Non Achievement of income target	20
Customer Focus and Policy - Complaints and Compliments Team - Vacant Post	-21
Customer Focus and Policy - CCTV Operators - Staff Costs	22
Economic Development - 3 T's Community Dev Core Budget - Planned reduction in expenditure to cover overspends elsewhere within the Division	-50
Economic Development - Business Support Unit - Efficiency saving was identified for 14/15 in relation to premises costs at Nant Y Ci, with the intention of selling	54
the property. This sale is currently on hold so savings have not been released at this point	•
Economic Development Management - Vacant post	-59
Economic Development - UN Sir Gar - Increased staffing & maintenance costs	27
Other	13
Chief Executive - Net Variance	578
Education & Childrens Services	
Director & Management Team - Utililisation of grant income which ends March 2016	-65
Education Services - School Expenditure not currently delegated - WJEC reviewed and reduced fees for 2015-16	-40
Education Services - School Redundancy & EVR - Additional cost of School related EVR and redundancies	1,102
Education Services - Governor Support & Admissions - Expenditure relating to the updating of school plans less than estimated	-20
Education Services - Early Years Non-Maintained Provision - Reduction in demand for 10 hours free education for 3 year olds in non maintained settings	-96
Education Services - Special Educational Needs - Projected underspend due to fewer out of county placements. The underspend is being managed in conjunction	-427
with the current pressures within Home Tuition below, although budget reduction is planned in next year's efficiency savings	
Education Services - EOTAS (Education Other Than At School) & Behaviour Services - Projected overspend in the cost of the EOTAS, specifically the	327
home tuition service	
Education Services - Rhydygors Day Centre - Vacant posts within the day centre are being considered within the review of provision	-61
Strategic Development - Information & Improvement - Underspend due to part time secondment not being back filled	-25
Learner Programmes - Music Services for Schools - Service working within budget target as a result of efficiency work carried out, with the exception of one-off	61
redundancy costs £61k	
Learner Programmes - Youth Service - Additional staffing costs £37k, Welsh Medium(WM) £17k, Evolve Licence £5k. Currently looking at options to reduce the overspend	62
Learner Programmes - Adult & Community Learning - Forecast overspend due to the cost of course tuition exceeding the franchise income by £189k and	195
maintaining & subsidising four Community Centres which are only used in part for the ACL classes £6k	
Children's Services - Commissioning and Social Work - In year vacancies across the Social Care Teams	-111
Children's Services - Corporate Parenting & Leaving Care - Maximisation of grant opportunities towards accommodation costs for vulnerable care leavers	-36
Children's Services - Fostering Services & Support - A forecasted overspend in the Fostering Service, due to staffing, which is currently being reviewed £57k,	34
and pressure on the taxi's budget to maintain stability £11k. These are partially offset by savings anticipated on Boarded out payments -£34k	
Children's Services - Out of County Placements (CS) - Savings anticipated on Out of County placements based on current levels	-30
Children's Services - Residential & Respite Units - Planned additional contribution from the LHB in unlikely to be achieved in 2015-16 £150k	152
Children's Services - Out of Hours Service - Increasing number of referrals being handled. Currently reviewing options to get expenditure back on budget	68
Shildren's Services - Children's Services Management and Support Service (incl Care First) - Part year vacant posts in Policy -£25k, staff travelling & other minor	-25
efficiencies in management team -£10k. An increase in SLA costs for Carefirst is offset against savings in staff and supplies & services £10k however there is	
a potential for additional contribution from Adult Services	
Other	-16
Education and Children's Services - Net Variance	1,049

Company to Somilogo	
Corporate Services Local Toyotion Vegent neet and projected underground on Poet Office Circ fees	26
Local Taxation - Vacant post and projected underspend on Post Office Giro fees Connected Property Division - Projected everywood on colony budgets - Anticipated covings not materialised. Ontions being considered	-36
Corporate Property Division - Projected overspend on salary budgets - Anticipated savings not materialised. Options being considered Provision Markets - Reduction in expenditure to meet overspends elsewhere in the department	30 -44
Destock Markets - On going R&M on Llandeilo, Newcastle Emlyn and Llandovery livestock markets to bring them up to standard	38
Bank Charges - Savings from new bank tender in 13-14	-14
Miscellaneous Services - Reduction in subscriptions Other	-55 -34
-Sorporate Services - Net Variance	-34 -115
Social Care, Health, Housing & Leisure	
Older People - Commissioning - Staff vacancies	-18
Older People - LA Homes - Reduction in in house residential provision	-470
Older People - Private/Vol Homes - Number of placements exceeding set budget despite small recent reduction these are part year savings only	314
Older People - Extra Care - Contract renegotiation 'projected saving'	-50
Older People - LA Home Care - Reduction in care packages	-50
Older People - Direct Payments - Additional packages	-30 79
Older People - Private Home Care - Reduction in care packages	-178
Older People - Enablement - Staff vacancies	-176
Older People - Enablement - Stan vacancies Older People - Day Services - Efficiency saving slippage from 14/15 and 15/16. Proposal paper to CMT to reduce spend with significant reshape of service	393
Physical Disabilities - Commissioning & OT Services - Staff vacancies	-54
Physical Disabilities - Commissioning & OT Services - Stan vacancies Physical Disabilities - Private/Vol Homes - Reduction in Packages	-3 4 -40
Physical Disabilities - Private vol Homes - Reduction in Packages Physical Disabilities - Group Homes/Supported Living - Additional income	- 4 0 -37
Physical Disabilities - Group Homes/Supported Living - Additional income Physical Disabilities - Community Support - Reduction in Packages	-3 <i>1</i> -29
Physical Disabilities - Community Support - Reduction in Packages Physical Disabilities - Direct Payments - Reduction in Packages	-119
1 '	
Learning Disabilities - Private/Vol Homes - Slower than anticipated reduction in placements required to meet efficiency savings, work underway to address Learning Disabilities - Direct Payments - Number of packages exceed set budget despite there being no net increase this year	527 354
Learning Disabilities - Group Homes/Supported Living - Additional funding from Health (joint funding) and ILF grant	-247
Learning Disabilities - Adult Respite Care - Staff Vacancies	-26
Learning Disabilities - Day Services - Additional placements	267
Learning Disabilities - Transition Service - Staff Vacancies Montal Hoelth, Commissioning, Additional staffing costs regarding out of bours conting	-51
Mental Health - Commissioning - Additional staffing costs regarding out of hours service	27
Mental Health - Private/Vol Homes - Additional packages resulting in an over commitment on a very volatile budget	234
Mental Health - Direct Payments - Additional Packages	31
Mental Health - Community Support - Additional Placements	29
Mental Health - Substance Misuse Team - Underspend on salaries	-28
Departmental Support - Underspend on supplies & services	-27
Public Protection - PP Business Support unit - Underspend in salary costs due to vacant posts	-42
Public Protection - Trading Standards Services Management - Underschievement of fee income anticipated for 15/16	44
Public Protection - Food & Agricultural Standards & Licensing - Underachievement of fee income anticipated for 15/16	22
Home Improvement (Non HRA) - Underspend due to vacant posts contributing towards overspends in other Home Improvement areas	-22
Leisure - Burry Port Harbour - Forecast overspend on dredging contract	22
Leisure - Pendine Outdoor Education Centre - Higher income forecast than currently budgeted in Accommodation & Instructor led activities	-18
Leisure - Carmarthen Leisure Centre - Part year vacancies £29k along with higher forecast income from Gym useage £21k	-50
Leisure - Llanelli Leisure Centre - Mainly due to income shortfall as a result of cafe refurbishment	33
Country Parks General - Part year vacancies in Service due to on-going Service restructure	-82
Pembrey Country Park - Projected shortfall in income	54
Other Social Care, Health, Housing and Leisure - Net Variance	-23
	644

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Environment Services	
Policy & Development - Emergency Planning - Severance efficiency savings not delivered £36k, overspend on out of hours service £5k and overspend due to	44
contribution to Local Resilience Forum(LRF) post in Pembs CC £3k	
Street Scene - Public Conveniences - PC's - Full savings will not be realised until after phased 3 year programme	45
Street Scene - Waste Services - On going review of waste strategy has produced savings	-21
Transport - Civil Design - Under recovery of income due to vacant Technician post, a review of income is underway	48
Bus Stations/Community Transport/Concessionary Fares Grant - Service adjustments undertaken to manage budget pressures	-32
Car Parks - No commitment for efficiency target of £109k in respect of a 20p increase in parking charges and the introduction of evening parking charges which is	25
yet to be implemented pending political endorsement	
Nant y Ci Park & Ride - Major development funding ceased in 12/13 - the modified service is currently being trialled with the LHB to generate additional revenue	40
to cover the shortfall	
Property Services - Building Maintenance - Unachieveable income target not met due to reduction in Carmarthenshire Homes Standard works	394
Property Services - Grounds Maintenance Service - Effect of ongoing efficiency savings within the grounds maintenance service	-200
Planning - Minerals - Underspend mainly due to proposed charging out of 2 members of staff to externally funded projects as a 'direct cost'	-50
Planning - Policy - Development Planning - Vacant posts and additional income from work undertaken for Corporate Property	-74
Planning - Development Management - Underspend mainly due to vacant posts	-56
Other	-12
Environment Services - Net Variance	151
Capital Charges	
Reduced borrowing (interest savings)	-1,000

Capital Charges	
Reduced borrowing (interest savings)	-1,000
Housing Revenue Account	
Expenditure - Responsive - Anticipated expenditure based on profiled spend to date	32
Supervision & Management - Premises - Energy costs -£30k, Rent -£6k and Other -£2k offset by an overspend in Fixtures and Fittings £12k and Responsive	-20
Maintenance £6k	
Supervision & Management - Transport - General reduction in staff travelling expenditure	-32
Supervision & Management - Supplies - Legal & Professional fees £22k, Postages £14k, compensation, misc exp and void decorating allowance	17
£21k offset by underspends in Admin, Office & Operational equipment -£9k, Fuel club/Other allowances -£9k, Printing charges -£5k, Telephone -£6k,	
Projects & Activities -£4k and Others -£7k	
Supervision & Management - Provision for Bad Debt - Provision for bad debt adjustment includes an estimate for write offs based on current data available	-277
Supervision & Management - Capital Financing Cost - Slightly higher than forecast interest applicable to existing borrowing and but-out from HRAS	104
Income - Rents - Void loss prediction at budget setting of 2.71% currently forecast at 1.98%	-390
Income - Insurance - Insurance income received	-22
Other	-5
HRA - Net Variance	-593

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EXECUTIVE BOARD2ND NOVEMBER 2015

CAPITAL PROGRAMME 2015-16 UPDATE 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 2015/16 capital programme, as at the 31st August 2015.

Relevant scrutiny committees to be consulted

N/A

Exec Board Decision Required YES
Council Decision Required NO

	MEMBER PORTFOLIO	∪ ⊓∪। DED∙ ∪!!* D ∙	wid lanking
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Directorate

Name of Head of Service:

Chris Moore
Report Author:

Chris Moore

Designation:

Head of Financial Services

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EXECUTIVE SUMMARY EXECUTIVE BOARD 2ND NOVEMBER 2015

CAPITAL PROGRAMME 2015/16 UPDATE

Purpose: To report the variances within the capital programme.

This report provides members with an update on the Capital programme spend against budget for 2015/16 as at the 31st August 2015.

MAIN VARIANCES

Public Sector Housing

External Rendering £35k Additional remedial works to cavities required

Private Sector Housing

No Major Variances

Regeneration

Opportunity Street (Llanelli) -£404k External funding to be used initially with CCC funding carried forward to 2016/17 in order to deliver the final year elements of the project. Should any works be accelerated and brought forward to 15/16 then the variance will be reduce accordingly.

Building for the Future -£406k This project is currently at an early grant application stage and a decision to approve (by Welsh Government) is anticipated later this financial year. In order to secure external grant funding (circa £1.6m) the approved budget must be safeguarded for future years delivery. This year's expenditure can only reflect early survey and feasibility works which will progress following confirmation of project grant approval.

Cross Hands East Strategic Employment Site +£1,100k Land values had originally been estimated at the start of the Compulsory Purchase Order process based on the land uses allocated within the Unitary Development Plan. This had been subsequently challenged by the owners and the Authority is in negotiation with the owners and District Valuer to agree final terms.

Leisure

Countryside Projects -£28k Due to monies being retained to match fund in future years

Environment

No Major Variances



Social Care

Learning Disabilities £-228k Options are being considered for the location of future learning disability provision as part of a review of council buildings.

Education and Children

MEP External Funding -£1,017k Additional External funding secured.

Ysgol Ffwrnes +£57k due to retention to be paid early due to works completed ahead of schedule

Ysgol Maes Y Gwendraeth £450k Re-profile required due to delays in 14/15 works carried forward to 15/16.

Seaside CP School -£3,000k delay in approving outline business case by Welsh Government.

Ysgol Parc y Tywyn +£900k Re-profile required due to significantly more design development than originally intended during the year. Additional funding used to progress scheme to detailed design and submit planning application with a number of corporate sites in the Burry Port area.

Band A Schemes +£100k Re-profile required due to design development commencing site selection exercises and initial design development on Band B projects.

Completed Schemes +£43k Retentions held and paid on contractors on various schemes in order to ensure they are completed as per contract.

Resources and Chief Executive

St David's Park -£400k due to delay in procuring works

IT -£190k due Microsoft Enterprise Agreement, Budget allocated for payment that is due 1st April 2016

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 Head of Financial 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 under spend of £-3.002m.

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: Chris Moore Head of Financial 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:

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection
2015-16 Capital Programme		Resources Dept, County Hall, Carmarthen



APPENDIX A

Capital Budget Monitoring - Report for August 2015									
			orking Bud		Forecasted				
Net Exp to Aug 2015 £'000	Department	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000	Variance for Year £'000	Comment
1,001	Public Housing	18,718	-6,315	12,403	18,770	-6,332	12,438	35	Main Variance : - External Rendering £35k Additional remedial works to cavities
702	Private Housing	3,890	-775	3,115	3,357	-242	3,115	0	No Main Variances
6,474	Regeneration	11,101	-3,200	7,901	12,498	-4,307	8,191	290	Main Variances: Opportunity Street -£404k utilising external funding initially with Internal funding carrying forward to 16/17, Building for the Future -£406k Project at early stages and awaiting Welsh Government approval, Cross Hands East Strategic Employment site +£1,100k due to possible increases in land costs - negotiations ongoing
436	Leisure	811	-313	498	783	-313	470	-28	Main Variance : - Countryside Projects -£28k Due to monies being retained to match fund
749	Environment	7,316	-4,077	3,239	7,323	-4,084	3,239	0	No Main Variances
1,701	Social Care	3,367	0	3,367	4,454	-1,315	3,139	-228	Main Variances : - Learning Disabilities Centres -£228k due to options being considered on council buildings
,	Education & Children Services	40,984	-12,816	28,168	39,526	-13,839	25,687	-2,481	Main Variances: - Ysgol Ffwrnes +£57k due to retention to be paid early due to works completed ahead of schedule, Maes Y Gwendraeth +£450k Reprofile required due to delays in 14/15 works carried forward to 15/16, Seaside School -£3,000k delay in approving outline business case by Welsh Government, Ysgol Parc y Tywyn +£900k Due to design being ahead of schedule, Band B Schemes +£100k Due to site selection and design ahead of schedule, Completed Schemes +£43k Retentions payments outstanding, MEP External Funding -£1,017k Additional External funding secured
D 0 0 0 1 2,261	Resources	8,404	-877	7,527	7,814	-877	6,937	-590	Main Variances: - St Davids Park -£400k due to delay in procuring works, IT -£190k due to 2 year contract to be paid on 1st April 2016
20,546	TOTAL	94,591	-28,373	66,218	94,525	-31,309	63,216	-3,002	

Capital Programme 2015/16

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EXECUTIVE BOARD 2ND **NOVEMBER**, 2015

SUBJECT:

Animal Establishments- Licensing Conditions and Fees

Purpose:

To set out the proposed new licence conditions and fee structure for animal establishments in the County.

Recommendations / key decisions required:

- 1. To approve the adoption of the new licensing conditions to animal establishments in Carmarthenshire.
- 2. To approve formal consultation on the revised fee structure for animal establishments

Reasons:

- 1. To update the general licensing conditions that apply to animal establishments since the introduction of the Animal Welfare Act 2006.
- 2. To specifically update the dog breeding licenses as a result of new legislation in Wales.
- 3. To get stakeholders views on the new fee structure to ensure we recover the costs of administering licenses for animal health purposes.

Relevant scrutiny committee to be consulted - NO

Exec Board Decision Required Yes - 2nd November, 2015 Council Decision Required Yes - 9th December, 2015

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:

CIIr Jim Jones (Environment & Public Protection)



Directorate: Communities Name of Head of Service:	Designations:	Tel Nos.	
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		01554 742280	
Report Author:	Trading Standards Services Manager	REdmunds@carmarthenshire.gov.uk	
Roger Edmunds			

EXECUTIVE SUMMARY EXECUTIVE BOARD 2ND NOVEMBER, 2015

SUBJECT:

Animal Establishments - Licensing Conditions and Fees

Purpose:

The purpose of this report is to set out the proposed new licence conditions and fee structure for animal establishments in the County.

1. Licence conditions

Current licensing conditions applicable to our Licensed Animal Establishments have been in existence for many years. The conditions need modernising to bring into line with the requirements of the Animal Welfare Act. The full licence conditions for all establishments are confirmed in **Appendices 1-10**

Most of the conditions highlighted in the Appendices (with the exception of those for dog breeders) have undergone simple formatting changes. The introduction of the new dog breeding legislation on 30th April 2015, however, has resulted in a new set of licence conditions.

With the emphasis by Welsh Government on regionalisation, we have arranged to adopt the general Welsh National Conditions of licensing. These new conditions will therefore result in all establishments in the Mid and West Wales region having the same conditions. This will result in officers from Carmarthenshire, Powys, Ceredigion and Pembrokeshire working to the same conditions that will provide greater uniformity and less confusion.

The appendices below list the licensing conditions which are before you today for consideration.

- Appendix 1 Licensing Conditions & Guidance for Boarding Catteries
 Appendix 2 Licence Conditions & Guidance for Home Boarding for Cats
- Appendix 3 Licence Conditions for Dog Boarding Kennels
- **Appendix 4** Licence Conditions for Dog Breeders
- **Appendix 5** Licence Conditions & Guidance for Dangerous Wild Animals Establishments
- **Appendix 6** Licensing Conditions & Guidance for Dangerous Wild Animals (Wild Boar) Establishments
- Appendix 7 Licensing Conditions & Guidance for Home Boarding of Dogs
- Appendix 8 Licence Conditions & Guidance for Home Dog Breeders
- Appendix 9 Licence Conditions for Pet Shops
- Appendix 10 Licence Conditions for Riding School Establishments
- **Appendix 11a** Revised Fees & Charges Carmarthen
- Appendix 11b Fees charged by neighbouring Authorities



Dog Breeding establishments

As highlighted above there have been changes to dog breeding establishments (Appendix 4). These can be summarised as:

- Prior to licensing, applicants must provide documentation on the enhancement, enrichment and socialisation programmes for dogs. These are written plans detailing how puppies are prepared for weaning and integration into their new homes and how both mental and physical stimuli are provided for the adult dogs at the breeding premise. These must exist at the premises and be acceptable to the Council.
- A staff to dog ratio has been introduced. One full time attendant can now only care for up to 20 adult dogs (a part time attendant up to 10 adult dogs)
- A new definition of a dog breeding establishment has been developed. A dog breeding licence is now required where a person keeps 3 or more breeding bitches and,
 - breeds 3 or more litters a year or
 - advertises 3 or more litters a year **or**
 - supplies pupplies born from 3 or more litters or
 - advertises a business of breeding or selling puppies

Under the previous legislation, a licence was needed if 5 or more litters were bred at the premises. This change contained in the legislation, will mean a rise in the dog breeding establishments requiring a licence in Carmarthenshire. Whilst this will subsequently lead to an increase in the number of inspections, processing and administration of licensing, it will also lead to additional income.

The resource implications of these new responsibilities will be monitored to ensure that enough capacity is available to meet the new legislative requirements. Should additional resources be needed this will be subject to a further report.

Consultation in relation to Dog Breeding Licence Conditions

Consultation has already taken place with regard to the changes in the new dog breeding conditions both by Welsh Government and the Council.

The result of the consultation is available on line at the Welsh Government website and at the Animal Health Service Offices in Carmarthen.

The consultation responses showed some conflicting opinion which really depended on whether the respondent was a dog breeder or those opposed to such business activities. On the whole, however, there was a consensus in favour of the new conditions.

2. Licensing fees

Appendix 11a sets out the proposed fee structure for animal licensing. The proposed charges are the result of a recent review of fees, which has not taken place for many years. Previously, only minimal index linked increases have been adopted.





Under the current fee structure, Carmarthenshire is failing to recover its costs for administering and issuing licences for Animal Health purposes. The fees are also well below those charged by neighbouring authorities as highlighted in **Appendix 11b** (at the time of writing and to the best of our knowledge and belief the comparative figures are correct, although subject to change).

The increases in proposed fees are significant, but are in line with the nationally recognised 'toolkit' for fees calculation. It is our intention to phase the increase in charges over a two year period.

It should be noted that no consultation has been carried out to date in relation to these proposed increases.

RECOMMENDATIONS

- 1. To approve the adoption of the new licensing conditions to animal establishments in Carmarthenshire.
- 2. To approve formal consultation on the revised fee structure for animal establishments.

DETAILED REPORT ATTACHED?	NO - Appendices 1-11 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: Robin Staines- Head of Housing and Public Protection

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

1. Policy, Crime & Disorder and Equalities

The licence conditions confirm the Council's policy direction in relation to animal breeding establishments

2. Legal

The proposed licence conditions will align with legislative requirements ensuring we fully comply with our statutory duties under the Animal Welfare Act.

3.Finance

The number of licences required is expected to increase with the resultant increase in income. We are currently assessing the likely number of additional licensing that may be required.

5. Risk Management Issues

Failure to introduce the new licence conditions will mean that we will not be meeting our statutory duty with the resultant significant risk to exploitation for animals, reputable traders and consumers

It is important that dog breeding, in particular, is well regulated and is perceived as such by the general public.



7. Staffing Implications

There are currently 2FTEs working directly on the animal licensing function. It is anticipated that with the introduction of the new dog breeding regulations in particular, there will be a significant increase in the level of licences to be administered.

We will be monitoring this workload and a further report will be presented should additional resources be required, offset against the additional income generated. We will also look at any potential impact on the delivery of other Public Protection services as a result of this increased demand.

We will, in the first instance, investigate different ways of delivering the service without the need for additional staffing resources.

CONSULTATIONS

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

Signed: Robin Staines Head of Housing and Public Protection

1. Scrutiny Committee

Scrutiny Committee will be consulted as part of the proposed consultation process

2.Local Member(s) - N/A

3.Community / Town Council

All relevant stakeholders will be consulted as part of the consultation process

4. Relevant Partners

All relevant stakeholders will be consulted as part of the consultation process

5. Staff Side Representatives and other Organisations

All relevant stakeholders will be consulted as part of the consultation process

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	
APPENDICES 1-11		Can also be accessed on Council's Website –	
		(Council & Democracy Pages)	



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LICENSING CONDITIONS AND GUIDANCE FOR BOARDING CATTERIES

Contents

1. GENERAL CONDITIONS

- 1.1 Licence Display
- 1.2 Authority Approval

2. ACCOMMODATION & ENVIRONMENT

- 2.1 Construction
- 2.2 Size of Quarters
- 2.3 Bedding
- 2.4 Temperature & Heating
- 2.5 Lighting
- 2.6 Ventilation
- 2.7 Cleanliness
- 2.8 Pest Control
- 2.9 Drainage & Waste Disposal

3. DIET & NUTRITION

- 3.1 Food & Drink
- 3.2 Food Preparation & Storage Facilities

4. NORMAL BEHAVIOUR

- 4.1 Exercise Facilities
- 4.2 Supervision
- 4.3 Maximum Number of Cats Boarded & Staff Requirements

5. HEALTH & WELFARE

- 5.1 Registration with a Veterinary Surgeon
- 5.2 Disease Control & Vaccination
- 5.3 Isolation Facilities
- 5.4 Miscellaneous Requirements
- 5.5 Transport of Cats

- 5.6 Protection from Fire
- 5.7 Safety of Electrical Equipment

6. RECORD KEEPING

- 6.1 Register
- 6.2 Identification of Units

7. ANIMAL WELFARE ACT 2006

- 7.1 Routine Medication
- 7.2 Socialisation
- 7.3 Visual Stimulation & Accessories

RECOMMENDED

Insurance Policy

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT

- A Appeals Procedure
- B Fire Precautions Guidance
- C Health and Safety

Page 193

1. General Conditions

Licence Condition	Guidance
1.1 Licence Display	
a. A copy of the licence and its conditions must be suitably displayed to the public in a prominent position at the boarding establishment.	
1.2 Authority Approval	
No animals other than cats are to be boarded within the licensed facilities without the written approval of the local authority.	

2. Accommodation & Environment

Cats must be kept in accommodation that is appropriate for construction, size of quarters, bedding, exercising facilities, temperature and heating, lighting, ventilation, cleanliness, and waste disposal.

Licence Condition	Guidance
2.1 Construction	The approved plan is the "layout" diagram included with your annual licence. All new premises are strongly advised to seek
a. You must not use any accommodations other than those detailed on the approved plan that is attached to your licence.	guidance as to any possible planning permissions that may be required in respect to 'change of use' of existing buildings or the construction of new buildings.

- **b.** Any new accommodation must not be used until approved by the licensing authority.
- **c.** The establishment must, at all times be laid out and operated in accordance with an approved plan.
- **d.** Before carrying out any alterations, plans must be submitted to and approved by the local authority.
- **e.** All units must be built on a concrete base with a damp proof membrane to Building Regulation standards.
- **f.** All exterior wood must be properly treated against wood rot, e.g. tanalised. No product is to be used that contains any substance toxic to cats.
- **g.** All internal surfaces used in the construction of walls, floors, partitions, doors and door frames are to be durable, smooth and impervious. There must be no projections liable to cause injury.
- h. Where galvanised weld mesh is used the wire diameter must not be less than 1.60mm (16 gauge weld mesh) excluding any covering and mesh size must not exceed 2.5cm (1").
- i. Where existing mesh size is up to 5cm (2") it must only be used to house adult cats and when changed should be 2.5cm mesh.
- j. Floors of all buildings and units must be of a smooth, impervious material and be capable of being easily cleansed.
- **k.** The interior floor of every newly constructed unit must have sufficient fall away from the sleeping area to a covered drainage channel.
- **I.** Drainage must not pass towards the sides or partitions, so that contamination does not pass between units.
- **m.** Where plastic doors with metal edging are used, the strip metal edges must be adequately chamfered to prevent injury to cats.

The issue of a licence does not grant any type of planning consent.

The design of the units should ensure that every cat is provided with continual access to a comfortable, dry, draught-free, clean and quiet place to rest.

Design should consider geographical orientation e.g. northfacing may be more difficult to heat. Correct orientation of the units will allow maximum use of natural light.

To ensure windows are escape proof they should be protected by weld mesh, or be made of reinforced glass, polycarbonate or other impact resistant material.

- n. Door openings must be constructed such that the passage of water/waste is not impeded, nor allowed to gather due to inaccessibility.
- **o.** Full height sneeze and hygiene screens between units must be provided.
- **p.** If there is a gap between units of at least 0.65m (2') then a sneeze and hygiene screen must be provided to a minimum height of 1.0m (3'3"). The same protection must be provided to adjoining raised accommodation.
- **q.** The construction must be such that security of the cat is ensured.
- **r.** All windows which pose a security risk must be escape proof at all times.
- **s.** Units must open onto secure corridors or other secure areas so that cats are not able to escape from the premises. All areas to which cats have free access must be roofed with suitable mesh or impervious material.

2.2 Size of Quarters

- **a.** Each unit must be provided with a sleeping area of at least 0.85 sq.m for a single cat, or 1.2sq.m for up to a maximum of three cats from the same household, with the sleeping area having a minimum height of 1m.
- **b.** Each unit must be provided with an exercise area of at least 1.7sq.m for a single cat, or 3 sq.m for up to a maximum of 3 cats, which is separate from the bedding area and exclusive to that pen.
- c. Units must have a maximum height of 1.8m.
- d. Existing units that do not currently meet the minimum sizes must be suitable for the comfort of the cat/cats accommodated and their future upgrade can be phased in

- over a number of years after consultation with the cattery owner.
- **e.** The sleeping accommodation must be roofed with an impervious material which protects the cat from adverse weather.

2.3 Bedding

- **a.** Suitable bedding equipment which allows the cat to be comfortable and which is capable of being easily and adequately cleaned and sterilised must be provided.
- **b.** Such equipment must be sited out of draughts.
- **c.** Bedding material must be maintained in a clean, parasite-free and dry condition.

In practice the owner may provide the cats' own bed/bedding.

Suitable bedding to be provided by the boarding establishment could be a 'vet bed' or equivalent material. This type of bedding is easily washed and dried.

2.4 Temperature & Heating

- **a.** The bedding areas of the units must be insulated so as to prevent extremes of temperature.
- **b.** The bedding area of the cattery must be maintained at a temperature of between 10 C and 26 C.
- **c.** In isolation units there must be a means of maintaining the temperature at a level suitable for the condition of the cat, and dependant upon veterinary advice. However, the temperature in the isolation unit must not be allowed to rise above 26 C or fall below 13 C.
- **d.** A 'minimum maximum' thermometer must be provided in each unit block and isolation unit.

Outdoor areas provided for cats to exercise cannot have strict temperature regulation. Cats should not be restricted to such areas under climatic conditions which may cause them distress.

The materials used on the cattery exterior should offer adequate protection against temperature variations throughout the year.

Where temperatures fall below the recommended level, the use of individual heat sources for cats may prove adequate. In some circumstances additional background heating will also be required.

2.5 Lighting

- **a.** During daylight hours light must be provided to exercise and sleeping areas so that all parts are clearly visible. Where practicable this should be natural light.
- **b.** Adequate artificial lighting must be provided to areas that are in use after daylight hours.
- **c.** All artificial lighting must be fitted with clear plastic covers to eliminate possible injuries to cats from broken glass.

Cats need to be in an environment which allows adequate light during daylight hours; any artificial light should be turned off at night to allow natural sleep patterns.

Artificial light needs to be available to enable thorough checking of the cats outside any daylight hours.

2.6 Ventilation

a. Permanent ventilation must be provided to the sleeping and exercise areas without the creation of excessive, localised draughts in the bedding area.

Ventilation in the indoor accommodation of all cats should provide sufficient fresh air of an appropriate quality to keep down the levels and spread of odours, noxious gases, dust and infectious agents of any kind, and to provide for the removal of excess heat and humidity.

The ventilation system should be so designed as to avoid harmful draughts and noise.

2.7 Cleanliness

- **a.** All units, corridors, common areas, kitchens etc must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance, disease control and cat comfort.
- **b.** Litter trays containing approved material, which are easy to clean and impermeable must be provided.
- **c.** These must be emptied and cleaned in the morning and changed if necessary at any time during the day if found to be unduly soiled.
- d. All bedding areas must be clean and dry.

A list of disinfectants can be found at:

http://disinfectants.defra.gov.uk/

- **e.** Each unit must be thoroughly cleansed and disinfected upon becoming vacant or every seven days whichever is the shorter.
- **f.** All fittings and bedding must also be thoroughly cleansed and disinfected prior to re-use.

2.8 Pest Control

a. Measures must be taken to keep establishments free of rodents, insects and other pests; and cats free of external parasites.

The manufacturer's guidance should be followed when using control products in order to minimise risk to cats.

2.9 Drainage & Waste Disposal

- **a.** The establishment must be connected to mains drainage or an approved localised sewage disposal system.
- b. The interior floor of every new unit must be constructed so as to provide a proper fall to a covered drainage channel sited to take floor washings from each unit and discharging to a trapped gully which connects to the foul drainage system. The cattery floor must be constructed of a smooth impermeable material capable of being easily and effectively cleaned.
- **c.** Facilities must be provided for the proper reception, storage and disposal of waste.
- **d.** Particular care must be taken to segregate waste arising from the treatment and handling of cats with infectious diseases.
- e. Disposal facilities for animal waste must be agreed with the Licensing Authority in liaison with Natural Resources Wales.

The owner of the cattery must check with Natural Resources Wales for up to date guidance on the appropriate means of disposal.

This could be tiled floors, using a mop & bucket, minimum water used so to avoid run off and to dry quickly.

Contingency plans for disposal of waste should be put in place for implementation in the event of an outbreak of an infectious disease. These plans, including procedures to be followed, contact numbers etc should be available to all staff and should be available for inspection by the Local Authority.

3. Diet & Nutrition

All boarded cats must be adequately supplied with suitable food and drink. Wholesome water must be available at all times and changed daily. Adequate food preparation facilities must be available.

Licen	ce Condition	Guidance
3.1 F	ood & Drink	
b. c.	All boarded cats must be adequately supplied with suitable food as directed by the client. Wholesome water must be available at all times and changed daily. Eating and drinking vessels must be of a design that prevents spillage as far as is practicable. Vessels must be capable of being easily cleansed, sterilised and must be maintained in a clean condition.	This may be provided by the owner to avoid any sudden change in the cat's diet which can cause digestive problems.
3.2 F	ood Preparation & Storage Facilities	
a.	Suitable facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the cats.	This can be either a separate room or designated area, exclusive to the boarders.
	Where fresh and cooked meats are stored, designated refrigeration facilities must be provided. Food contamination must be avoided. A sink with hot and cold running water must be available	Surfaces should be able to be cleaned down and disinfected as required with ease and be able to dry quickly. All feed needs to be stored appropriately to ensure is kept fresh, dry and have no risk of contamination from vermin.
	for washing kitchen utensils and eating and drinking vessels.	
d.	Containers must be provided for the storage of foods and must be constructed and maintained in good condition so as to be insect and pest proof.	

4. Normal Behaviour

Cats must be able to exhibit normal behaviour patterns at all times. They must have the opportunity to enjoy exercise and be adequately supervised.

Licence Condition	Guidance	
4.1 Exercise Facilities		
 a. There must be free and easy access for the cat between the bedding and exercise area at all times, except when bedded down for the night. b. The entire exercise area must be roofed. c. Exercise areas must not be used as bedding areas. 	Cats naturally like to jump and climb and enjoy an elevated view, with this in mind a 3D, multi tiered environment with raised shelves and walkways would be examples of how to offer an interesting environment for the cats.	
 a. A fit and proper person with relevant experience must always be available to exercise supervision and deal with emergencies whenever cats are boarded at the premises. b. Those that supervise must have a thorough and detailed knowledge of the licensing conditions and comply with them at all times. c. Cats must be visited at regular intervals, as necessary for their health, safety and welfare. 	Anyone supervising the cats needs to have sufficient knowledge and experience to be able to handle the cats correctly and safely. They must also be able recognise if a cats behaviour suggests there is a problem and act accordingly. Staff should have access to and be familiar with the Code of Practice for the Welfare of Cats (Welsh Government) and all other relevant legislation. Any non-compliance with licensing conditions could reflect adversely on the supervisory staffs' level of competence. There are accredited training providers that offer relevant courses which licensees may consider worthwhile for their staff. Regular intervals should be a minimum of three times a day.	

4.3 Maximum number of Cats Boarded & Staff

- **a.** The maximum number of cats kept at any one time is stated on the licence and must not be exceeded.
- b. Under no circumstances will the total number of cats on the licence exceed 40 for every FULL time attendant and 20 for every PART-time attendant working at the establishment.
- **c.** The number of cats allowed to board will be reduced if there is a failure to comply with other licence requirements.
- **d.** Each cat must be provided with a separate unit except that cats from the same household may share a unit with the verbal consent of the cats' owner, provided its size is adequate for their comfort.

The number of staff should be sufficient to ensure that whilst boarded each cat is given adequate individual attention to ensure its health & welfare needs.

Considerations will be made by the licensing authority to the establishment as a whole; to include available accommodation, exercise facilities, that health & welfare requirements are met and level of continued licence compliance.

Where the licensing authorities are not content with the ability of the proposed licence holder or existing licence holder, they should reduce the number of cats an attendant can look after. This may be evidenced by failure to meet license conditions e.g. poor cleanliness.

5. Health & Welfare

Reasonable precautions must be taken to prevent and control the spread of infectious or contagious diseases. Any sick or injured animal must receive appropriate care and treatment without delay. Isolation facilities, first aid equipment and fire protection are necessary.

Licence Condition	Guidance
5.1 Registration with a Veterinary Surgeon	
All boarding establishments must be registered with a veterinary practice and ensure full details are made available to the Licensing Authority.	Addresses of veterinary surgeries can be accessed from the Royal College of Veterinary Surgeons: http://www.rcvs.org.uk/FindAVet
b. The establishment's veterinary surgeon must be called	

- where there are signs of disease, injury or illness.
- **c.** Where any cat is sick or injured any instructions for its treatment which have been given by a veterinary surgeon must be strictly followed.
- **d.** The clients own veterinary practice must be known and consulted if necessary.

The use of the establishment's own veterinary practice should be agreed with the customer prior to boarding.

5.2 Disease Control & Vaccinations

- **a.** Adequate precautions must be taken to prevent and control the spread of infectious, contagious diseases and parasites amongst cats, staff and visitors.
- b. Cats boarded or resident at the establishment must be accompanied by an up to date record of a veterinary approved protection against infectious feline enteritis, feline respiratory disease, FeLV and other relevant diseases
- **c.** The Licensing Authority must be informed of any animal death on the premises. The Licensee must make arrangements for the body to be stored at a veterinary surgeon's premises until the owners return.

Adequate precautions may include annual booster vaccinations and any other preventative measures at the discretion of the licensee. In all cases, this should be in consultation with a veterinary surgeon.

Contingency plans for disposal of waste should be put in place for implementation in the event of an outbreak of an infectious disease. These plans, including procedures to be followed, contact numbers etc should be available to all staff and should be available for inspection by the Local Authority.

It is advisable that in the event of an emergency, all efforts are made to contact either the owner or the emergency contact provided by the owner.

5.3 Isolation Facilities

- **a.** Isolation facilities must be available and must be in compliance with the other licence conditions but must also be physically isolated.
- **b.** These isolation facilities must be a minimum of 5 metres away from other cattery units (See also 2.4 Temperature & Heating).
- **c.** Isolation facilities must be used where the presence of infectious disease is suspected.
- d. Adequate facilities to prevent the spread of infectious

In the first instance, isolation facilities should be used if cattery staff has any concerns with regard to a cat's health prior to seeking Veterinary attention.

Isolated cats should be dealt with by a designated person who can ensure that they take responsibility to ensure they minimise the risk of spreading any disease to any other cats on the premises. This should involve basic bio-security measures to include hand washing, disinfecting boots and change clothing

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disease between the isolation unit and other units must be provided. These must include a disinfectant foot dip and the provision of protective personal equipment for use only in the isolation facility. e. Hands must be washed after leaving the isolation facilities before visiting the other units.	(especially if disease is confirmed) on entry and exit of the facility. An approved list if disinfectants can be found at: http://disinfectants.defra.gov.uk/
5.4 Miscellaneous Requirements	
 a. A well stocked first aid kit suitable for use on cats must be available and accessible on site. b. In the event of a cat escaping or being lost from a licensed cattery, licensees must notify the Licensing Authority as soon as is practical and without undue delay. Full details of date, time, location and circumstances of the incident, the description of the cat, the owner's full details, and any recovery actions already taken by the licensee must be given to the licensing authority. 	Escapes can be reported to this facility in the first instance if you are unable to contact your licensing department.
 a. Licensees who offer collection and delivery services must ensure vehicles used comply with current Welfare of Animals in Transport regulations. b. All vehicles used by the establishment for the transportation of cats must be kept clean. c. Cats must be transported in cages\baskets or boxes of adequate size and construction (including sneeze barriers to control the spread of infectious diseases), and be provided with adequate ventilation. d. All vehicles must be secure. 	The legislation defines the requirements to ensure the 'Welfare of Animals in Transport'. You can ask your licensing inspector for details of the current regulations. Examples include; Securely fitted cage(s) and suitable ventilation. As well as the requirement to hold a Transporters Authorisation.

5.6 Protection from Fire

- **a.** There must be an emergency fire and evacuation plan in place, which staff must be informed of.
- **b.** This must be posted where staff can see it.
- **c.** There must be adequate means of raising an alarm in the event of a fire or other emergency.
- **d.** This procedure should include instructions dealing with where cats are to be evacuated.
- **e.** Fire fighting equipment and detectors must be properly maintained and fire extinguishers need to be serviced or replaced as required.
- **f.** All electrical installations and appliances must be maintained in a safe condition.
- **g.** There should be a residual current circuit breaker system on each block of units.
- h. Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to cats.
- **i.** Precautions must be taken to prevent any accumulation of material which may present a risk of fire.

In the case of fire precautions there also needs to be consideration for: Access for Fire Fighting and Water Supplies, Means of Escape, No Smoking Signs, Electrical Installations, Fire fighting equipment and notices. For full details please refer to Schedule B attached.

5.7 Safety of Electrical Equipment

a. You must ensure that all electrical systems are adequately constructed and maintained, so as to prevent danger, so far as is reasonably practical, in accordance with the Electricity at Work Regulations 1989.

To aid with the compliance of the regulations please see attached Schedule C.

6. Record Keeping

Records must be kept as required by the legislation detailing all pertinent information for each cat boarded and referenced against the cat's individual unit number, to ensure staff are fully aware of each cat's individual requirements.

icence Condition	Guidance
.1 Register	
 a. A register must be kept of all cats boarded. The information kept must include the following: date of arrival and unit number name of cat, and any identification marks description, breed, age and gender of cat name, address and telephone number of owner or keeper name, address and telephone number of contact person whilst boarded name, address and telephone number of cat's veterinary surgeon anticipated and actual date of departure health, welfare and nutrition requirements b. Records must be kept available for a minimum of 24 months and kept in such a manner as to enable an authorised officer easy access to such information. c. Where records are computerised, a hard copy must be kept. d. The register must also be available to members of staff of the establishment at all times. 	

6.2 Identification of Units

- a. Each unit must be clearly numbered.
- b. The name and description of the cat currently in residence, must either be displayed on each unit or alternatively, on a white/black board in each unit block with the unit number and cat details clearly written on it.

This can simply be the use of a postcard sized card containing the cats name and colour/breed (as a minimum), attached as appropriate to the front of each cattery.

A white/black board with each unit number on and details of the current occupant(s) i.e. name, colour/breed, dietary or special requirements can provide 'at a glance' information of all cats accommodated within the unit block itself.

7. Animal Welfare Act 2006

Section 9 of the above Act places a duty of care on a person who is responsible for an animal. The Act states that a person commits a criminal offence if they do not take reasonable steps to ensure for the needs of that animal. In order that you comply with these duties the Council has detailed certain requirements and guidance that you must follow.

Where there is a potential breach of a Duty of Care under the Animal Welfare Act 2006, the council may, at its discretion, issue an Improvement Notice to remedy the problem.

Licensing Conditions	Guidance
7.1 Routine Medication	
 a. Any cat whilst boarded that requires routine/daily medication or treatments must have them administered by a suitably competent person. b. The quantity and frequency of administration must be fully discussed and logged prior to the cats stay. c. Any medications must be stored securely and in 	It is good practice for the licensee to have written evidence regarding any medication requirements to both safeguard the health & welfare of the cat and protect themselves in the event of any future issues.

accordance with manufacturer's guidelines.	
7.2 Socialisationa. All cats must be given the opportunity for daily interaction and stimulation.	Appropriate exercise, play, and other human contact should be carried out to ensure that cats get sufficient human contact. In so far as is practicable, safe and in proportion to the length of stay at the cattery.
7.3 Visual Stimulation & Accessories	
a. For new build or when adding to or refurbishing an existing cattery, buildings should be so constructed that they offer visual stimulation and distraction to the cats being housed where applicable.	In the design of a new cattery building, a 'view' from each unit will be a means of visual stimulation.
 b. The addition of accessories that a cat can physically engage with such as; scratch posts and activity toys must be made available to enhance the environment and reduce boredom. 	Activity toys can include; puzzle feeders and lightweight rolling toys or any suitable, safe toy that encourages the cat's natural behavioural traits such as hunting/catching prey.

Recommendation	Guidance
Insurance Policy	
It is strongly recommended that every boarding establishment has comprehensive and adequate insurance cover.	The cover should cater for a wide range of feline misfortunes, such as emergency veterinary care, loss, third party liability and employer's liability where applicable.

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT.

A. APPEALS PROCEDURE

Animal Boarding Establishments Act 1963

Any person aggrieved by the refusal of a local authority to grant such a licence, or by any condition subject to which such a licence is proposed to be granted, may appeal to a magistrates' court; and the court may on such an appeal give such directions with respect to the issue of a licence or, as the case may be, with respect to the conditions subject to which a licence is to be granted as it thinks proper.

B. FIRE PRECAUTIONS GUIDANCE

The following information is supplied to licensees, in order to aid compliance with the fire precaution requirements detailed in the Council's licence conditions that require appropriate steps to be taken for the protection of animals in case of fire or any other emergency.

The guidance is aimed at ensuring that the means of escape and associated fire precautions are adequate for human occupants. It should be borne in mind that the fire safety requirements for people maybe covered by other legislation.

The following matters must be considered:

- 1. Access for Fire Fighting and Water Supplies There should be good access for firefighting appliances (minimum width of 3.7m) to all hydrants and other water sources and hard standings should be provided. The name board of the premises should be clearly displayed beside the nearest road access.
- 2. Means of Escape Escape routes for animals should be designed to provide a straight run out of buildings, with the minimum of human assistance. Pen doors should be so arranged that animals can be evacuated quickly and acute turns, obstructions and ramps in the escape routes should be avoided as far as possible.
 - a) All premises should be provided with exits of sufficient width and height to allow easy access to the animals at all times.
 - b) The exits should be easily opened from the inside without the use of a key.

- c) If necessary provision should be made for the ready summoning of a key holder. In buildings exceeding 18 metres in length or where considerable numbers of animals are housed, at least two exits should be provided and situated as far apart as possible. The distance of travel should be limited to 45 metres.
- 3. No Smoking Signs No smoking notices should be displayed in the vicinity of all hay and straw and where practicable precautions should be taken against unauthorised entry especially by children.
- 4. Electrical Installations Electrical installations including lamps should be cleaned regularly to avoid the build-up of dust. Electrical equipment, heaters etc should be positioned and secured so that they are kept at a safe distance from any likely accumulation of flammable bedding material.
- 5. Fire Fighting Equipment
- a. Portable Fire Extinguishers -The following are recommended as a minimum:
 - Buildings not exceeding 200sqm in area require at least 2x9 litre water extinguishers for buildings over 200sqm an additional fire extinguisher must be provided for every additional 200sqm or part thereof.
 - Portable fire extinguishers must meet the requirements of BS EN 3 and be installed and maintained according to the recommendations given in BS 5306.
 - Depending on the outcome of your fire risk assessment, it may be possible to reduce this to one extinguisher in very small premises with a floor space of less than 90m².
 - Fire extinguishers that when operated produce a loud noise, e.g. CO2, or large clouds of dry powder, **should not** be used in close proximity to animals.
- b. Hose Reels Hose reels can be provided as an alternative to portable fire extinguishers. There should be a minimum of one hose for each 800sqm in area or part thereof. It should confirm to BS 5306: Part 1. Wash down hoses may be acceptable provided there is a constant flow of water that is able to produce water jet with a minimum throw of 5 metres. Hose reels must not exceed 45m in length and should be sited so that the nozzle can be taken to within 6m of each part of the protected premises.
- 6. Fire Notices All staff at the establishment should be familiar with what action must be taken in the event of a fire. A clearly written and conspicuous notice should be provided indicating the action to be taken in case of fire and the location of the nearest telephone. This notice may include the following:

"On discovering a fire, ensure the building involved is evacuated.

Call the Fire Brigade {the nearest telephone is sited at}.

Attack the fire using the firefighting equipment provided, if safe to do so etc"

7. O/S Map Reference - An Ordnance Survey map reference number should be made available for the premises and displayed with the Fire Notice provided.

The Regulatory Reform (Fire Safety) Order 2005 requires that necessary fire precautions are put in place to protect relevant persons in case of fire in, and in the vicinity of all premises to which the legislation applies.

Responsibility for complying with the order rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises the person(s) in control of the premises will be responsible.

The responsible person must:

Carry out a Fire Risk Assessment, the significant findings of which must be recorded if five or more persons are employed, if the premises are licensed or if an alterations notice is in force.

To further assist you, the Fire Safety Guide to Animal Premises and Stables (ISBN: 978 1 85112 884 6) is available from the stationary office or via the Department for Communities and Local Government website (www.communities.gov.uk).

C. <u>HEALTH AND SAFETY</u>

Health and safety law applies to all businesses, no matter how small. As an employer or a self employed person, you are responsible for health and safety in your business. You need to take the right precautions to reduce the risks of workplace dangers and provide a safe working environment.

There is a guide called "Health and Safety made simple". This guide makes life easier for you by providing the basic information on what you need to do in one place. It will help you get started in managing health and safety in your business.

For some work activities there may be extra things you need to do to make sure you are complying with the law. Further guidance on specific topics, such as managing asbestos, preventing ill health from animal contact etc, and model risk assessments are available online at www.hse.gov.uk. You can also contact the health and safety team of Carmarthenshire County Council on 01267 234567 and ask for the Health and Safety Officer.

The "Health and Safety made simple" leaflet can be downloaded by following this link: http://www.hse.gov.uk/pubns/indg449.pdf

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LICENSING CONDITIONS AND GUIDANCE FOR HOME BOARDING FOR CATS

Contents

1. GENERAL CONDITIONS

- 1.1 Licence Display
- 1.2 Authority Approval

2. ACCOMMODATION & ENVIRONMENT

- 2.1 Domestic Environment
- 2.2 Size of Quarters
- 2.3 Bedding
- 2.4 Temperature & Heating
- 2.5 Lighting
- 2.6 Ventilation
- 2.7 Cleanliness
- 2.8 Pest Control
- 2.9 Waste Disposal

3. DIET & NUTRITION

- 3.1 Food & Drink
- 3.2 Food Preparation & Storage Facilities

4. NORMAL BEHAVIOUR

- 4.1 Exercise Facilities
- 4.2 Supervision
- 4.3 Maximum Number of Cats Boarded

5. HEALTH & WELFARE

- 5.1 Registration with a Veterinary Surgeon
- 5.2 Disease Control & Vaccination
- 5.3 Isolation Facilities
- 5.4 Miscellaneous Requirements

1. GENERAL CONDITIONS

- 5.5 Transport of Cats
- 5.6 Protection from Fire
- 5.7 Safety of Electrical Equipment

6. RECORD KEEPING

6.1 Register

7. ANIMAL WELFARE ACT 2006

- 7.1 Routine Medication
- 7.2 Socialisation
- 7.3 Identification of Cats

RECOMMENDATION

Insurance Policy

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT

- A Appeals Procedure
- B Fire Precautions Guidance
- C Health and Safety

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Licence Condition	Guidance
 1.1 Licence Display a. A copy of the licence and its associated conditions must be suitably displayed to the public in a prominent position in, on or about the premises or made available to each boarder. 	
 a. Unless otherwise stated, these conditions shall apply to all buildings and areas to which cats have access and/or which are used in association with the boarding of cats. b. The licensee must make an assessment of the risks of home boarding to include the risk to or caused by children who are likely to be at the property. c. Kittens under 6 months of age must not be boarded with any other cats unless they are from the same household. 	

2. Accommodation & Environment

Cats must be kept in accommodation that is appropriate for construction, size of quarters, bedding, exercising facilities, temperature and heating, lighting, ventilation, cleanliness, and waste disposal.

Licence Condition	Guidance
 2.1 Domestic Environment a. Cats must live in the home as family pets. There must be no external construction of buildings, cages or runs. b. The premises shall have its own entrance and must not have shared access e.g. communal stairs. c. A double door system must be employed so that no cat has direct access to any external door in regular use. d. As far as reasonably practicable all areas/rooms within the home to which boarded cats have access, must have no physical or chemical hazards that may cause injury to the cats 	Licensees are advised to check with the local planning authority for any possible planning permissions that may be required. Normally planning permission will not be required for the home boarding of animals on the scale proposed, however should complaints be received because of particular noise or odour problems, then the Council reserves the right to consider whether there has been a change of use which requires a planning application to be submitted.
 2.2 Size of Quarters a. There must be sufficient space available to be able to keep the cats separately if required. b. The layout must enable all cats to choose whether or not to be able to see another cat. 	There should be a sufficient number of rooms available to the boarded cats to allow them to be housed separately if required, this maybe beneficial during the night. Or some cats just prefer to have some solitary time.

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	edding Clients must be encouraged to provide each cat with its own bedding. All bedding areas must be kept clean and dry.	This may help with the settling in of a cat into a new environment. The Licensee however should also be able to provide extra bedding material.
2.4 Te	emperature & Heating	
b. c. d.	Heating and cooling facilities must be available in the domestic environment and used according to the requirements of the individual cat. There must be some part of the sleeping area where the cat is able to enjoy a minimum temperature of 10°C and a maximum temperature of 26°C In the isolation area there must be a means of maintaining the temperature at a level suitable for the condition of the cat, and dependant upon veterinary advice. However, the temperature in the isolation area must not be allowed to rise above 26 C or fall below 13 C Licensees must ensure that all heat sources are safe and comply with all regulatory requirements for both the cats and people there.	In order to maintain temperatures as required, the use of individual heat sources for cats may prove adequate. In some circumstances additional background heating will also be required. Devices used for heating and cooling should be safe and free from risk of burning or electrocution. Open fires should be suitably guarded.
2.5 Li	ghting	
	Light must be provided to exercise and sleeping areas so that all parts are clearly visible. Where practicable this should be natural light. Lighting needs to be switched off at night time to allow	Consideration should be given in the domestic environment to the positioning of any free standing lights, which could otherwise be knocked over by cats.

proper sleep patterns.	
Ventilation Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area. It must also be able to regulate changes in temperature.	In the domestic environment adequate ventilation can be provided by simply opening a window, but full consideration should be given and steps taken to prevent the risk of escape or compromise the safety of the cats. This could be achieved by attaching a mesh grid to the window frame.
2.7 Cleanliness	
 a. All areas where the cats have access to, including the kitchen etc. must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and cat comfort. b. Suitably sited litter trays which are easy to clean and impermeable must be provided at all times. c. All excreta and soiled material must be removed from litter trays and other areas used by the cats at least daily and more often if necessary. 	A list of disinfectants can be found at: http://disinfectants.defra.gov.uk/
Measures must be taken to minimise the risks from rodents, insects and other pests within the home. Such pests must be dealt with using a suitable veterinary product without delay to eradicate any infestation.	The manufacturer's guidance should be followed when using control products in order to minimise risk to cats.

2.9 Waste Disposal The licensee should check with Natural Resources Wales for **a.** Facilities must be provided for the proper reception, current guidance on the appropriate means of disposal. storage and disposal of all waste. **b.** Particular care should be taken to segregate clinical Contingency plans for disposal of waste should be put in place waste arising from the treatment and handling of cats with for implementation in the event of an outbreak of an infectious infectious diseases. disease. These plans, including procedures to be followed, c. Disposal facilities for animal waste must be agreed with contact numbers etc should be available to all staff and should the Licensing Authority in liaison with Natural Resources be available for inspection by the Local Authority. Wales.

3. Diet & Nutrition

All boarded cats must be adequately supplied with suitable food. Wholesome water must be available at all times and changed daily. Adequate food preparation facilities must be available.

Licence Condition	Guidance
3.1 Food & Drink	
 a. All cats must have an adequate supply of suitable food as directed by the client. b. Fresh drinking water must be available at all times and the drinking vessel cleaned daily. The water must be changed at least daily. c. Clients must be encouraged to provide each cat with its 	Food should be provided by the cats' owner to avoid any sudden change in the cats' diet which can cause digestive problems. Cats should have access to their own feeding bowls, and shy feeders should be monitored.
own bowls. d. Where necessary, eating and drinking vessels must be	All cats should receive a diet which fulfils their nutritional requirements and is matched to their age, breed, reproductive

provided, and where so, they must be capable of being easily cleansed and disinfected to prevent crosscontamination. e. Feeding bowls must be cleaned after each meal and each cat must be provided with its own bowl.	status, body condition score and activity level. Please refer to Welsh Government Codes of Practice
 3.2 Food Preparation & Storage Facilities a. Airtight containers must be provided for the storage of dry foods. b. Uncooked food and the remains of opened tins must be stored in covered, non-metal, leak proof containers in a designated fridge. c. All bulk supplies of food shall be kept in vermin proof containers. 	Cat food preparation should be kept totally separate from areas used for human food preparation for hygiene reasons.

4. Normal Behaviour

Cats must be able to exhibit normal behaviour patterns at all times. They must have the opportunity to enjoy exercise and be adequately supervised.

Licence Condition	Guidance
4.1 Exercise Facilities	
a. Cats must be exercised in accordance with their owner's wishes.	These facilities could comprise of any cat toys (possibly provided by the owner) and multi level cat climbers.

4.2 Supervision

- **a.** A fit and proper person with relevant experience must always be available to exercise supervision and deal with emergencies whenever cats are boarded at the premises.
- **b.** Cats must be visited at regular intervals, as necessary for their health, safety and welfare.

Anyone supervising cats, need to have sufficient knowledge and experience to be able to handle the cats correctly and safely. They must also be able to recognise if a cat's behaviour suggests there is a problem and act appropriately.

All licensees/supervisory staff should have access to and be familiar with the Code of Practice for the Welfare of Cats and all other relevant legislation.

4.3 Maximum number of Cats Boarded

- **a.** The maximum number of cats kept at any one time is stated on the licence and under no circumstances will exceed 6 cats.
- **b.** This maximum number of cats will be determined by the facilities of the premises.
- **c.** The number of cats will be reduced if there is a failure to comply with other licence requirements.
- **d.** Cats from different households may be boarded together at the same time provided a prior assessment of their temperament, sociability and boarding history is made to ensure that the arrangement is suitable and their various owners' consent is obtained.
- **e.** Cats must not be boarded with any dog, unless they normally live together in the same household.
- **f.** Where there is a resident dog or cat kept at the household, written consent from the owners of the boarded cat must be gained following a trial familiarisation session.

Consideration will be made by the licensing authority to the establishment as a whole; to include available accommodation, exercise facilities and level of continued licence compliance when determining the maximum number of cats that might be kept at the licensed premises.

Where the licensing authorities are not content with the ability of the proposed licence holder or existing licence holder, they may reduce the number of cats that the establishment can board.

This may be evidenced by failure to meet licence conditions e.g. poor cleanliness.

5. Health & Welfare

Reasonable precautions must be taken to prevent and control the spread of infectious or contagious diseases. Any sick or injured animal must receive appropriate care and treatment without delay. Isolation facilities, first aid equipment and fire protection are necessary.

Licence Condition	Guidance
5.1 Registration with a Veterinary Surgeon	
 a. All boarding establishments must be registered with a Veterinary Practice and ensure full details are made available to the Licensing Authority. b. The clients own veterinary practice must be known and consulted if necessary. c. Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any cat is sick or injured, any instructions for its treatment, which have been given by a veterinary surgeon, must be strictly followed. d. The Licensing Authority must be informed of any animal death on the premises. e. The Licensee must make arrangements for the body to be stored at a veterinary surgeon's premises until the owners return. 	Addresses of veterinary surgeries can be accessed from the Royal College of Veterinary Surgeons: http://www.rcvs.org.uk/FindAVet The use of the establishment's own veterinary practice should be agreed with the customer prior to boarding. It is advisable that in the event of an emergency, all efforts are made to contact either the owner or the emergency contact provided by the owner.
5.2 Disease Control & Vaccinations	
Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease	Adequate precautions may include annual booster vaccinations and any other preventative measures at the discretion of the

and parasites amongst the cats, staff and visitors.

- **b.** Cats boarded or resident must be accompanied by an up to date record of a veterinary approved protection against infectious feline enteritis, feline respiratory disease and FeLV and other relevant diseases.
- c. Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in both boarded and resident cats; this must include routine treatment of the accommodation. Proof must be maintained of all routine and emergency treatment for parasites.
- d. Following an episode of infectious disease during any stay, the premises must undergo a reasonable quarantine period before new boarders are admitted. This period will be specified by the Licensing Authority as agreed with their authorised veterinary surgeon.

licensee.

In all cases this should be in consultation with a veterinary surgeon.

5.3 Isolation Facilities

- **a.** Isolation facilities must be available and must be in compliance with the other licence conditions but must also be physically isolated from other cat accommodation.
- **b.** Adequate facilities to prevent the spread of infectious disease between isolated cats and other cats must be available.
- **c.** Effective biosecurity measures must be in place and understood.
- **d.** The licensee must inform the Licensing Authority on the next working day if a cat develops an infectious disease.

Veterinary advice about the isolation of cats with potentially infectious diseases should be documented and followed immediately.

Isolation animals need to be effectively isolated and evidence of veterinary involvement will be expected.

5.4 Miscellaneous Requirements

- **a.** A well-stocked first-aid kit suitable for use on cats must be available and accessible on site.
- **b.** Entire males and queens in season must not be boarded with other cats.
- **c.** In the event of a cat escaping or being lost from a licensed home boarder, licensees must notify the Licensing Authority as soon as is practical and without undue delay.
- **d.** Full details of date, time, location and circumstances of the incident, the description of the cat, the owner's full details, and any recovery actions already taken by the licensee must be given.
- **e.** A relative, friend or neighbour within 5 minutes travelling time must have a spare set of keys and access to the premises in case of an emergency. These details must be made available to the Licensing Authority.

It is advisable to ask owners when a queen had its last season so that the licensee will be aware if the queen is likely to come into season during the stay.

Most Authorities operate an "out of hours" emergency line; escapes can be reported to this facility in the first instance if you are unable to contact your licensing department. Agencies such as the Police and the RSPCA should also be contacted.

5.5 Transport of Cats

a. Licensees who offer collection and delivery services must ensure vehicles used comply with current Welfare of Animals in Transport regulations.

The legislation defines the requirements to ensure the 'Welfare of Animals in Transport'. You can ask your licensing inspector for details of the current regulations. Examples include; Securely fitted cat cage(s) and suitable ventilation. As well as the requirement to hold a Transporters authorisation.

5.6 Protection from Fire a. There must be an emergency fire and evacuation plan in This procedure must include instructions dealing with where cats are to be evacuated. place. **b.** There must be adequate means of raising an alarm in the event of a fire or other emergency. To aid with the compliance of the regulations please see details c. Fire fighting equipment and detectors must be properly in the attached Schedule B maintained and appropriately placed. Fire extinguishers need to be serviced or replaced as required. d. Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to dogs. e. Precautions must be taken to prevent any accumulation of material which may present a risk of fire. f. The occupier of the property must be aware of the location of the cats in the property at all times. **q.** The Licensee must have suitable arrangements for the temporary boarding of cats in the event that the licensed premises are rendered uninhabitable.

5.7 Safety of Electrical Equipment

You must ensure that all electrical systems are adequately constructed and maintained, so as to prevent danger, in accordance with the Electricity at Work Regulations 1989.

To aid with the compliance of the regulations please see details in the attached Schedule C

6. Record Keeping

Records must be kept as required by the legislation detailing all pertinent information for each cat boarded to ensure licensees are fully aware of each cat's individual requirements.

Licence Condition	Guidance
6.1 Register	
 a. A register must be kept of all cats boarded. The information kept must include the following: date of arrival name of cat, as well as any other identification mark such as microchip number or tattoo description, breed, age and gender of cat name, address and telephone number of owner or keeper name, address and telephone number of contact person whilst boarded name, address and telephone number of cat's veterinary surgeon anticipated and actual date of departure, health, welfare and nutrition requirements quantity and administration of any medication on each occasion its given b. Records must be kept available for a minimum of 24 months and kept in such a manner as to enable an authorised officer easy access to such information. c. Where records are computerised, a hard copy must be kept. d. The register must also be available to members of staff of 	

14

the establishment at all times.

7. Animal Welfare Act 2006 - Duty of Care Requirements

Section 9 of the above Act places a duty of care on a person who is responsible for an animal. The Act states that a person commits a criminal offence if they do not take reasonable steps to ensure for the needs of that animal. In order that you comply with these duties the Council has detailed certain requirements and guidance that you must follow.

Where there is a potential breach of a Duty of Care under the Animal Welfare Act 2006, the Council may, at its discretion, issue an Improvement Notice to remedy the problem.

Licensing Conditions	Guidance
7.1 Routine Medication	
 a. Any cat boarded that requires routine/daily medication or treatments must have them administered by a suitably competent person. b. The quantity and frequency of administration must be fully discussed and logged prior to the cats stay. c. Any medications must be stored securely and in accordance with manufacturer's guidelines. 	It is good practice for the licensee to have written evidence regarding any medication requirements to both safeguard the Health and Welfare of the cat and protect themselves in the event of any future issues. Whilst being boarded, there should be a check list devised of the day and time of each administration which is subsequently signed off.
7.2 Socialisationa. All animals must be given the opportunity for daily interaction and stimulation.	Appropriate exercise, play, and other human contact should be carried out to ensure that cats get as much as they would be used to within their home environment.

Recommendation

Recommendation	Guidance
Insurance Policy It is strongly recommended that every boarding establishment has comprehensive and adequate insurance cover.	The cover should cater for a wide range of "feline misfortunes" from emergency veterinary care, loss, third party liability and employer's liability where applicable.

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT.

A. APPEALS PROCEDURE

Animal Boarding Establishments Act 1963

Any person aggrieved by the refusal of a local authority to grant such a licence, or by any condition subject to which such a licence is proposed to be granted, may appeal to a magistrates' court; and the court may on such an appeal give such directions with respect to the issue of a licence or, as the case may be, with respect to the conditions subject to which a licence is to be granted as it thinks proper.

B. FIRE PRECAUTIONS GUIDANCE

The following information is supplied to licensees, in order to aid compliance with the fire precaution requirements detailed in the Council's licensing conditions that require appropriate steps to be taken for the protection of animals in case of fire or any other emergency.

The guidance is aimed at ensuring that the means of escape and associated fire precautions are adequate for human occupants. It should be borne in mind that the fire safety requirements for people maybe covered by other legislation.

The following matters must be considered:

- 1. Access for Fire Fighting and Water Supplies There should be good access for fire fighting appliances (minimum width of 3.7m) to all hydrants and other water sources and hard standings should be provided. The name board of the premises should be clearly displayed beside the nearest road access.
- 2. Means of Escape Escape routes for animals should be designed to provide a straight run out of buildings, with the minimum of human assistance. Pen doors should be so arranged that animals can be evacuated quickly and acute turns, obstructions and ramps in the escape routes should be avoided as far as possible.
 - a) All premises should be provided with exits of sufficient width and height to allow easy access to the animals at all times.
 - b) The exits should be easily opened from the inside without the use of a key.
 - c) If necessary provision should be made for the ready summoning of a key holder.

In buildings exceeding 18 metres in length or where considerable numbers of animals are housed, at least two exits should be provided and situated as far apart as possible. The distance of travel should be limited to 45 metres.

- 3. No Smoking Signs No smoking notices should be displayed in the vicinity of all hay and straw and where practicable precautions should be taken against unauthorised entry especially by children.
- 4. Electrical Installations Electrical installations including lamps should be cleaned regularly to avoid the build-up of dust. Electrical equipment, heaters etc should be positioned and secured so that they are kept at a safe distance from any likely accumulation of flammable bedding material.
- 5. Fire Fighting Equipment
- a. Portable Fire Extinguishers -The following are recommended as a minimum:
 - Buildings not exceeding 200sqm in area require at least 2x9 litre water extinguishers for buildings over 200sqm an additional fire extinguisher must be provided for every additional 200sqm or part thereof.

- Portable fire extinguishers must meet the requirements of BS EN 3 and be installed and maintained according to the recommendations given in BS 5306.
- Depending on the outcome of your fire risk assessment, it may be possible to reduce this to one extinguisher in very small premises with a floor space of less than 90m².
- Fire extinguishers that when operated produce a loud noise, e.g. CO2, or large clouds of dry powder, **should not** be used in close proximity to animals.
- b. Hose Reels Hose reels can be provided as an alternative to portable fire extinguishers. There should be a minimum of one hose for each 800sqm in area or part thereof. It should confirm to BS 5306: Part 1. Wash down hoses may be acceptable provided there is a constant flow of water that is able to produce water jet with a minimum throw of 5 metres. Hose reels must not exceed 45m in length and should be sited so that the nozzle can be taken to within 6m of each part of the protected premises.
- 6. Fire Notices All staff at the establishment should be familiar with what action must be taken in the event of a fire. A clearly written and conspicuous notice should be provided indicating the action to be taken in case of fire and the location of the nearest telephone. This notice may include the following:

7. O/S Map Reference - An Ordnance Survey map reference number should be made available for the premises and displayed with the Fire Notice provided.

The Regulatory Reform (Fire Safety) Order 2005 requires that necessary fire precautions are put in place to protect relevant persons in case of fire in, and in the vicinity of all premises to which the legislation applies.

Responsibility for complying with the order rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises the person(s) in control of the premises will be responsible.

The responsible person must:

Carry out a Fire Risk Assessment, the significant findings of which must be recorded if five or more persons are employed, if the premises are licensed or if an alterations notice is in force.

To further assist you, the Fire Safety Guide to Animal Premises and Stables (ISBN: 978 1 85112 884 6) is available from the stationary office or via the Department for Communities and Local Government website (www.communities.gov.uk).

C. <u>HEALTH AND SAFETY</u>

Health and safety law applies to all businesses, no matter how small. As an employer or a self employed person, you are responsible for health and safety in your business. You need to take the right precautions to reduce the risks of workplace dangers and provide a safe working environment.

There is a guide called "Health and safety made simple". This guide makes life easier for you by providing the basic information on what you need to do in one place. It will help you get started in managing health and safety in your business.

For some work activities there may be extra things you need to do to make sure you are complying with the law. Further guidance on specific topics, such as managing asbestos, preventing ill health from animal contact etc, and model risk assessments are available online at www.hse.gov.uk. You can also contact the health and safety team of Carmarthenshire County Council on 01267 228975 and ask for the Health and Safety Officer.

The "Health and Safety made simple" leaflet can be downloaded by following this link: http://www.hse.gov.uk/pubns/indg449.pdf

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LICENSING CONDITIONS AND GUIDANCE FOR DOG BOARDING KENNELS

Contents

1. GENERAL CONDITIONS

- 1.1 Licence Display
- 1.2 Authority Approval

2. ACCOMMODATION & ENVIRONMENT

- 2.1 Construction
- 2.2 Size of Quarters
- 2.3 Bedding
- 2.4 Temperature & Heating
- 2.5 Lighting
- 2.6 Ventilation
- 2.7 Cleanliness
- 2.8 Strays
- 2.9 Pest Control
- 2.10 Drainage & Waste Disposal

3. DIET & NUTRITION

- 3.1 Food & Drink
- 3.2 Food Preparation & Storage Facilities

4. NORMAL BEHAVIOUR

- 4.1 Exercise Facilities
- 4.2 Supervision
- 4.3 Maximum Number of Dogs Boarded & Staff Requirements

5. HEALTH & WELFARE

- 5.1 Registration with a Veterinary Surgeon
- 5.2 Disease Control & Vaccination
- 5.3 Isolation Facilities
- 5.4 Miscellaneous Requirements
- 5.5 Transport of Dogs

- 5.6 Protection from Fire
- 5.7 Safety of Electrical Equipment

6. RECORD KEEPING

- 6.1 Register
- 6.2 Identification of Kennels

7. ANIMAL WELFARE ACT 2006

- 7.1 Routine Medication
- 7.2 Socialisation
- 7.3 Visual Stimulation
- 7.4 Identification of Dogs

RECOMMENDED

Insurance Policy

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT

- A Appeals Procedure
- B Fire Precautions Guidance
- C Health and Safety

Page 235

1. General Conditions

Licence Condition	Guidance
1.1 Licence Display	
A copy of the licence and its conditions must be suitably displayed to the public in a prominent position at the boarding establishment.	
1.2 Authority Approval	
 a. No animals other than dogs are to be boarded within the licensed facilities without the written approval of the local authority. b. Stray dogs must not be boarded without the written approval of the local authority. 	It is advisable that licensees inform potential clients that a stray facility is operated at the establishment.

2. Accommodation & Environment

Dogs must be kept in accommodation that is appropriate for construction, size of quarters, bedding, exercising facilities, temperature and heating, lighting, ventilation, cleanliness, and waste disposal.

Licence Condition	Guidance
 a. No buildings or accommodations other than those detailed on the approved plan, that is attached to your licence must be used. b. The establishment must, at all times be laid out and operated in accordance with an approved plan. c. Before carrying out any alterations, plans must be submitted to and approved by the local authority. d. Any new accommodation must not be used until approved by the licensing authority. e. All internal surfaces used in the construction of walls, floors, partitions, doors and door frames must be durable, smooth and impervious and easily cleansed. f. Wood must not be used in the exposed construction of walls, floors, partitions, in the dog kennelling area. g. Where wood has been used in existing construction it must be faced with a durable, smooth, impervious material other than paint. There must be no projections liable to cause injury. h. Partition walls between kennels must be of solid construction to a minimum height of 1.1m. 	The approved plan is the "layout" diagram included with your annual licence. All licensees are strongly advised to seek guidance as to any possible planning permissions that may be required in respect to 'change of use' of existing buildings or the construction of new buildings. The issue of a licence does not grant any type of planning consent. Kennels and buildings should be designed in such a way as to reduce noise. Due consideration of the high sensitivity of dogs to high frequency noise should be incorporated into the design where necessary. The design of the kennel should ensure that every dog is provided with continual access to a comfortable, dry, draught-free, clean and quiet place to rest. Design should consider geographical orientation e.g. north-facing kennels may be more difficult to heat. Correct orientation of the kennel will allow maximum use of natural light. Partition walls of solid construction to a minimum height of 4' are required as sneeze/contact barriers between visiting dogs and can help reduce the spread of any infectious disease.
i. Floors of all buildings, exercise areas and kennels, must be of smooth, impervious materials, capable of being easily cleansed and must incorporate a damp proof membrane.	Buildings, paths, gardens and exercise areas should be well maintained and in good, clean, safe condition.

Page 237

- j. Floors must have sufficient fall to allow effective drainage leading to a drainage channel, and must provide sufficient grip for the dog to walk or run without slipping.
- **k.** Doors must be strong enough to resist impact and scratching and must be close fitting, and capable of being effectively secured.
- I. Where metal bars and frames are used, they must be of suitable size to prevent dogs escaping or becoming entrapped.
- **m.** Where metal edging is used, this must not present a risk of injury to the dog.
- n. Where plastic surfaced doors with metal edging are used, the strip metal edges must be adequately chamfered to prevent injury to the dog.
- **o.** The construction must be such that the security of the dog is ensured.
- **p.** Kennels and exercise areas must open onto secure corridors or other secure areas so that dogs are not able to escape from the premises.
- **q.** All windows which pose a security risk must be escape proof at all times.

To ensure windows are escape proof they should be protected by weld mesh, or be made of reinforced glass, polycarbonate or other impact resistant material.

2.2 Size of Quarters

- **a.** Each kennel must be provided with a sleeping area that is suitable for the comfort of the dog accommodated taking into consideration the size and breed.
- b. Each kennel must be provided with an exercise area which is separate from the sleeping area and is exclusive to that kennel, for free use by the dog at all times except when bedded down for the night.

It would be expected that the sleeping area would be on average 1.2.sq.m. This would accommodate the bed for a medium - large size dog and up to two small – medium size dogs.

The kennel should be sufficiently large to allow each dog to be able to walk, turn around and wag its tail without touching the sides of the kennel, to play, to stand on its hind limbs and to lie down without touching another individual.

C.	The minimum size for exercise areas must be (not
	including sleeping area) as follows;

When the animal/s are in the kennel there should be sufficient space for the door to open fully.

Small Dog — 2.25 sq.m

The definition for small, medium and large dogs which have Medium Dog - 2.8 sq.m been used can be found on the Kennel Club website.

Large Dog - 4.5 sg.m

www.thekennelclub.org.uk

d. Kennels must have a minimum height of 1.8 metres to allow adequate access by kennel staff for cleaning.

Current licensed premises which do not meet the minimum dimensions for exercise areas must provide alternative exercise facilities e.g. scheduled walking times and/or outside runs.

2.3 Beddina

a. Suitable bedding or equipment which allows the dog to be comfortable and which is capable of being adequately cleansed and sterilised must be provided and must be sited out of draughts.

In practice the owner may provide the dogs' own bed/bedding.

b. All bedding material must be maintained in a clean, parasite free and dry condition.

Suitable bedding to be provided by the boarding establishment could be a 'vet bed' or equivalent material. This type of bedding is easily washed and dried.

c. A dog bed must be of a durable impervious construction and be a suitable size for the breed of dogs kept.

A dog bed is defined as a base with three or four side walls (3D) with the option of a roof.

2.4 Temperature & Heating

- a. Sleeping areas of kennels must be insulated to prevent extremes of temperature.
- **b.** The bedding area of the kennel must be maintained at a temperature of between 10 C and 26 C.
- c. In isolation kennels there must be a means of maintaining the temperature at a level suitable for the condition of the dog, and dependant upon veterinary advice.

Outdoor areas provided for animals to exercise and interact cannot have strict temperature regulation. Dogs should not be restricted to such areas under climatic conditions which may cause them distress.

The materials used on the kennel exterior should offer adequate protection against temperature variations throughout the year.

However, the temperature in the isolation kennel must not be allowed to rise above 26 C or fall below 13 C

- **d.** A 'minimum maximum' thermometer must be provided in each kennel block and isolation unit.
- **e.** Licensees must ensure that any heat appliances provided are safe and comply with all regulatory requirements for both the animals and people working there.
- **f.** Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to dogs.

In order to maintain temperatures as required, the use of individual heat sources for dogs may prove adequate. In some circumstances additional background heating will also be required.

Devices used for heating and cooling must be safe and free from risk of burning or electrocution. Open flame appliances must not be used and manufacturer's instructions should be followed.

2.5 Lighting

- **a.** During day light hours, light (preferably natural) must be provided to the exercise and sleeping areas so that all parts are clearly visible.
- **b.** Artificial lighting must be provided to areas that are in use after daylight hours.
- **c.** All artificial lighting must be fitted with clear plastic covers to eliminate possible injuries to dogs from broken glass.

Dogs need to be in an environment which allows adequate light during daylight hours; any artificial light should be turned off at night to allow natural sleep patterns.

Artificial light needs to be available to enable thorough checking of the dogs outside any daylight hours.

Heat lamps also emit light. By their very nature heat lamps are installed at low level and cannot be fitted with plastic covers but should have metal mesh guards to protect dogs from direct contact with hot bulbs.

2.6 Ventilation

a. Permanent ventilation must be provided to the sleeping and exercise areas without the creation of excessive, localised draughts in the bedding area.

Ventilation in the indoor accommodation of all dogs should provide sufficient fresh air of an appropriate quality and keep down the levels and spread of odours, noxious gases, dust and infectious agents of any kind, and to provide for the removal of excess heat and humidity.

The ventilation system should be so designed as to avoid harmful draughts and noise.

2.7 Cleanliness

- **a.** All kennels, corridors, common areas, kitchens etc must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner so as to be conducive to maintenance of disease control and dog comfort.
- **b.** Each kennel must be cleansed daily.
- **c.** All excreta and soiled material must be removed from all areas used by dogs at least daily and more often if necessary.
- **d.** Each kennel must be thoroughly cleansed and disinfected and dried upon vacation or every seven days whichever is the shorter.
- **e.** All fittings and bedding must also be thoroughly cleansed and disinfected prior to re-use.

A list if disinfectants can be found at:

http://disinfectants.defra.gov.uk/

2.8 Strays

- **a.** If a boarding kennels also operates as a dog pound, then the pound facility must be operated as a completely separate enterprise.
- **b.** Where stray dogs are accepted by the kennels they must be kept in a separate kennel block away from boarded dogs, which must be situated at least 5m from any other kennelling.
- **c.** The strays kennel block must also fully comply with conditions 2.1 2.7

The separation of the boarding facility to a dog pound is due to the unknown health and vaccination status of the stray dogs.

Staff should ensure they fully cleanse and disinfect hands, clothing and footwear on entering and on leaving the stray kennels.

Ideally, the approach and entrance to the stray kennels should be completely separate to that of the boarding kennels. If not strict biosecurity measures should be adopted to safeguard the health and welfare of the boarding dogs.

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2.9 Pest Control

a. Measures must be taken to keep establishments free of rodents, insects and other pests and dogs free of external parasites.

The manufacturer's guidance should be followed when using control products in order to minimise risk to dogs.

2.10 Drainage & Waste Disposal

- **a.** The establishment must be connected to mains drainage or an approved, localised sewage disposal system.
- b. The interior floor of every newly constructed kennel must be constructed so as to provide a sufficient fall to drainage channel site to take floor washings from each kennel and discharging to a trapped gully which connects to the foul drainage system.
- **c.** Facilities must be provided for the proper reception, storage and disposal of waste.
- **d.** Particular care must be taken to segregate waste arising from the treatment and handling of dogs with infectious diseases
- e. Disposal facilities for animal waste must be agreed with the Licensing Authority in liaison with Natural Resources Wales.

The licensee should check with Natural Resources Wales for up to date guidance on the appropriate means of disposal.

Contingency plans for disposal of waste should be put in place for implementation in the event of an outbreak of an infectious disease. These plans, including procedures to be followed, contact numbers etc should be available to all staff and should be available for inspection by the Local Authority.

3. Diet & Nutrition

All boarded dogs must be adequately supplied with suitable food. Wholesome water must be available at all times and changed daily. Adequate food preparation facilities must be available.

Licence Condition	Guidance
3.1 Food & Drink	
 a. All dogs must be supplied with a diet suitable for their type, age and breed. b. Such food must be provided at a frequency as specified by the dog's owner. c. Dogs must have access to fresh, clean water at all times. d. Eating and drinking vessels must be of a design that prevents spillage as far as is practicable. e. Vessels must be capable of being easily cleansed, sterilised and must be maintained in a clean condition. 	This may be provided by the dog's owner to avoid any sudden change in the dog's diet which can cause digestive problems.
3.2 Food Preparation & Storage Facilities	
 a. Suitable facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs. b. Where fresh and cooked meats are stored, designated 	This can be either a separate room or designated area exclusive to the boarders. Surfaces should be able to be cleaned down and disinfected as
refrigeration facilities must be provided. Food contamination must be avoided. c. A sink with hot and cold running water must be available for washing kitchen utensils and eating and drinking vessels.	required with ease and be able to dry quickly. All feed needs to be stored appropriately to ensure is kept fresh, dry and have no risk of contamination from vermin.

d. Containers must be provided for the storage of foods and shall be constructed and maintained in good condition so as to be insect and pest proof.

4. Normal Behaviour

Dogs must be able to exhibit normal behaviour patterns at all times. They must have the opportunity to enjoy exercise and be adequately supervised.

Licence Condition	Guidance	
 4.1 Exercise Facilities a. Kennels must have exercise/play areas in addition to the kennel run. b. They must be of adequate size to allow dogs to run free. c. The facilities must be safe and secure with sufficient drainage to prevent pooling of water. d. There must be an effective hygiene and cleaning procedure established to minimise the risk of infections. e. Those existing kennels without additional exercise facilities or facilities which are not in use must offer lead exercise with the consent of the dog's owner. 	Where it may be inappropriate for some dogs to be turned out in communal areas an alternative such as lead walking should be implemented. Written consent from the owners is best sought should this take place outside the premises Consideration should be given to the required height and fencing material used for the exercise/play area(s) dependant on the type & size of dogs using the facility. Grass areas are more difficult to cleanse and prevent pooling compared to a concrete yard or similar. Faeces should be cleaned up daily as a minimum and an alternative such as lead walking may be required should wet weather cause the grass area to become too muddy/wet.	
A fit and proper person with relevant experience must always be available to exercise supervision and deal with emergencies whenever dogs are boarded at the premises.	Anyone supervising the dogs needs to have sufficient knowledge and experience to be able to handle the dogs correctly and safely. They must also be able to recognise if a dog's behaviour suggests there is a problem and act accordingly.	

- **b.** When kennels are left unattended for short periods, a name and contact number must be displayed in a prominent position and the kennels must be left secure.
- **c.** Those that supervise must have a thorough and detailed knowledge of the licensing conditions and comply with them at all times.
- **d.** Dogs must be visited at regular intervals, as necessary for their health, safety and welfare.

Staff should have access to and be familiar with the Code of Practice for the Welfare of Dogs and all other relevant legislation.

Any non-compliance with licensing conditions could reflect adversely on the supervisory staffs' level of competence.

There are accredited training providers that offer relevant courses which licensees may consider worthwhile for their staff.

Regular intervals should be a minimum of three times a day.

4.3 Maximum number of Dogs Boarded & Staff

- **a.** The maximum number of dogs kept at any one time on the establishment is stated on the licence and must not be exceeded.
- **b.** Under no circumstances will the total number of dogs on the licence exceed 40 for every FULL time attendant and 20 for every PART-time attendant working at the premises.
- **c.** The number of dogs allowed to be boarded will be reduced if there is a failure to comply with licensing requirements.
- **d.** Each dog must be provided with a separate kennel except that dogs from the same household may share a kennel with the verbal consent of the dogs' owner, provided its size is adequate for their comfort.

The number of staff should be sufficient to ensure that whilst boarded each dog is given adequate individual attention to ensure its health & welfare needs.

Consideration will be made by the licensing authority to the establishment as a whole; to include available accommodation, exercise facilities, health & welfare requirements met and level of continued licence compliance.

Where the licensing authorities are not content with the ability of the proposed licence holder or existing licence holder, they should reduce the number of dogs an attendant can look after. This may be evidenced by failure to meet licence conditions e.g. lack of exercising dogs and poor cleanliness.

A full time attendant is someone who works a minimum of 30 hours per week and a part time attendant a minimum of 15 hours.

5. Health & Welfare

Reasonable precautions must be taken to prevent and control the spread of infectious or contagious diseases amongst animals. Any sick or injured animal must receive appropriate care and treatment without delay. Isolation facilities, first aid equipment and fire protection are necessary.

Licence Condition	Guidance
 a. All boarding establishments must be registered with a veterinary practice and ensure full details are made available to the Licensing Authority. b. The establishment's veterinary surgeon must be called where there are signs of disease, injury or illness. c. Where any dog is sick or injured any instructions for its treatment which have been given by a veterinary surgeon must be strictly followed. d. The clients own veterinary practice must be known and consulted if necessary. 	Addresses of veterinary surgeries can be accessed from the Royal College of Veterinary Surgeons: http://www.rcvs.org.uk/FindAVet The use of the establishment's own veterinary practice should be agreed with the customer prior to boarding.
5.2 Disease Control & Vaccinations	
 a. Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst dogs, staff and visitors. b. Dogs boarded or resident must be accompanied by an up to date record of a veterinary approved protection against distemper, kennel cough, hepatitis, parvovirus, leptospirosis and other relevant diseases. c. The Licensing Authority must be informed of any animal death on the premises. The Licensee must make 	Adequate precautions may include annual booster vaccinations and any other preventative measures at the discretion of the licensee. In all cases, this should be in consultation with a veterinary surgeon. Contingency plans for disposal of waste should be put in place for implementation in the event of an outbreak of an infectious disease. These plans, including procedures to be followed, contact numbers etc should be available to all staff and should

arrangements for the body to be stored at a veterinary surgeon's premises until the owners return	be available for inspection by the Local Authority. It is advisable that in the event of an emergency, all efforts are made to contact either the owner or the emergency contact provided by the owner.
5.3 Isolation Facilities	
 a. Isolation facilities must be in compliance with the other licence conditions but must also be physically isolated. b. These isolation facilities must be a minimum of 5 metres away from other kennels (See also 2.4 Temperature & Heating). c. Isolation facilities must be used where the presence of infectious disease is suspected. d. Adequate facilities to prevent the spread of infectious disease between the isolation facilities and other kennels must be provided. These must include a disinfectant foot dip and the provision of protective personal equipment for use only in the isolation facility. e. Hands must be washed after leaving the isolation facilities before visiting the other kennels. 	In the first instance, isolation facilities should be used if kennel staff has any concerns with regard to a dog's health prior to seeking Veterinary attention. Isolated dogs should be dealt with by a designated person who can ensure that they take responsibility to ensure they minimise the risk of spreading any disease to any other dogs on the premises. This should involve basic bio-security measures to include hand washing, disinfecting boots and change clothing (especially if disease is confirmed) on entry and exit of the facility. An approved list if disinfectants can be found at: http://disinfectants.defra.gov.uk/
5.4 Miscellaneous Requirements	
 a. A well stocked first aid kit suitable for use on dogs must be available and accessible on site. b. A range of muzzles of varying sizes as well as a dog catching device, must be kept on site, and must be approved by the local authority. c. The Licensee must take all reasonable steps to protect bitches in season and prevent their contact with the dogs. 	For un-neutered bitches it is advisable to ask owners when a bitch had its last season so that kennel staff can be made aware if the bitch is likely to come into season during the stay. Most Authorities operate an "out of hours" emergency line and escapes can be reported to this facility in the first instance if you are unable to contact the licensing department. Agencies such

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d. In the event of a dog escaping or being lost from a licensed boarding kennel, licensees must notify the Licensing Authority as soon as is practical and without undue delay. Full details of date, time, location and circumstances of the incident, the description of the dog, the owner's full details, and any recovery actions already taken by the licensee must be given to the Licensing Authority.	as the Police and the Council's Dog Warden Service should also be notified at the earliest opportunity.
Licensees who offer collection and delivery services must ensure vehicles used comply with current Welfare of Animals in Transport regulations.	The legislation defines the requirements to ensure the 'Welfare of Animals in Transport'. You can ask your licensing inspector for details of the current regulations. Examples include; Securely fitted dog cage(s) and suitable ventilation. As well as the requirement to hold a Transporters authorisation.
5.6 Protection from Fire	
 a. There must be an emergency evacuation plan and fire warning procedure in place which staff must be informed of. b. This must be posted where staff can see it. c. This procedure should include instructions dealing with where dogs are to be evacuated. d. There must be adequate means of raising an alarm in the event of a fire or other emergency. e. Fire fighting equipment and detectors must be properly maintained and fire extinguishers need to be serviced or replaced as required. f. All electrical installations and appliances must be maintained in a safe condition. g. There should be a residual current circuit breaker system on each block of kennels. h. Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to 	In the case of fire precautions there also needs to be consideration for: Access for Fire Fighting and Water Supplies, Means of Escape, No Smoking Signs, Electrical Installations, Fire fighting equipment and notices. For full details please refer to Schedule B attached.

dogs. i. Precautions must be taken to prevent any accumulation of material which may present a risk of fire.	
 5.7 Safety of Electrical Equipment a. You must ensure that all electrical systems are adequately constructed and maintained, so far as is reasonably practical, as to prevent danger, in accordance with the Electricity at Work Regulations 1989. 	To aid with the compliance of the regulations please see the section relating to electrical installations.

6. Record Keeping

Records must be kept as required by the legislation detailing all pertinent information for each dog boarded and referenced against the dogs individual kennel number, to ensure staff are fully aware of each dog's individual requirements.

Licence Condition	Guidance
6.1 Register	
a. A register must be kept of all dogs boarded. The information kept must include the following:	The register should be in a format that is clear and easy to understand by any staff and the licensing inspector.
 date of arrival and kennel number name of dog, as well as any other identification mark such as microchip number or tattoo description, breed, age and gender of dog name, address and telephone number of owner or 	

keeper

- name, address and telephone number of contact person whilst boarded
- name, address and telephone number of dog's veterinary surgeon
- anticipated and actual date of departure health, welfare and nutrition requirements
- **b.** Records must be kept available for a minimum of 24 months and kept in such a manner as to enable an authorised officer easy access to such information.
- **c.** Where records are computerised, a hard copy must be kept.
- **d.** The register must also be available to members of staff of the establishment at all times.

6.2 Identification of Kennels

- a. Each kennel must be clearly numbered.
- **b.** The name and description of the dog currently in residence, must either be displayed on each kennel or alternatively, on a white/black board in each kennel block with the kennel number and dog details clearly written on it.

This can simply be the use of a postcard sized card containing the dogs name and breed (as a minimum), attached as appropriate to the front of each kennel.

A white/black board with each kennel number on and details of the current occupant(s) i.e. name, breed, dietary or special requirements can provide 'at a glance' information of all dogs accommodated within the kennel block itself.

Outside kennels may not be suitable for the use of a white/blackboard due to being exposed to the elements.

7. Animal Welfare Act 2006 - Duty of Care Requirements

Section 9 of the above Act places a duty of care on a person who is responsible for an animal. The Act states that a person commits a criminal offence if they do not take reasonable steps to ensure for the needs of that animal. In order that you comply with these duties the Council has detailed certain requirements and guidance that you must follow.

Where there is a potential breach of a Duty of Care under the Animal Welfare Act 2006, the Council may, at its discretion, issue an Improvement Notice to remedy the problem.

Licensing Conditions	Guidance
7.1 Routine Medication	
 a. Any dog boarded that requires routine/daily medication or treatments must have them administered by a suitably competent person. b. The quantity and frequency of administration must be fully discussed and logged prior to the dogs stay. c. Any medications should be stored securely and in accordance with manufacturer's guidelines. 	It is good practice for the licensee to have written evidence regarding any medication requirements to both safeguard the health & welfare of the dog and protect themselves in the event of any future issues. Any medications should be stored securely and appropriately in accordance with manufacturer's recommendations.
7.2 Socialisationa. All animals must be given the opportunity for daily interaction and stimulation.	Appropriate exercise, play, and other human contact should be carried out to ensure that dogs get sufficient human contact, in so far as is practicable, and be safe and in proportion to the length of stay at the kennel. Many dogs have almost constant human companionship but little or no contact with other dogs. To place these dogs in a multi dog environment could cause fear and stress, so when carrying out any socialisation the temperament and needs of individual dog, together with the wishes of the client should be taken into consideration.

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 7.3 Visual/Audio Stimulation a. For new build or when adding to or refurbishing existing kennels, buildings must be so constructed that they offer visual/audio stimulation and distraction to the dogs being housed where applicable. 	In the design of a new kennel building a 'view' from each kennel will be a means of visual/audio stimulation or alternatively the incorporation of a television or provision of a radio within each block for each dog to be able to watch/listen to for periods through the day.
7.4 Identification of Dogsa. Dogs must be able to be readily identified by an appropriate means.	Premises Identity dog tags should be worn by all boarders e.g.: "I am staying at ABC Dog Boarding" and the contact details. This is good practice and especially important where dogs are exercised (with the owners consent) outside the licensed premises. In the event that a dog may be lost it can facilitate a speedy reunion.

Recommendation

Recommendation	Guidance
Insurance Policy It is strongly recommended that every boarding establishment has comprehensive and adequate insurance cover.	The cover should cater for a wide range of "canine misfortunes" from emergency veterinary care, loss, third party liability and employer's liability where applicable.

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT.

A. APPEALS PROCEDURE

Animal Boarding Establishments Act 1963

Any person aggrieved by the refusal of a local authority to grant such a licence, or by any condition subject to which such a licence is proposed to be granted, may appeal to a magistrates' court; and the court may on such an appeal give such directions with respect to the issue of a licence or, as the case may be, with respect to the conditions subject to which a licence is to be granted as it thinks proper.

B. FIRE PRECAUTIONS GUIDANCE

The following information is supplied to licensees, in order to aid compliance with the fire precaution requirements detailed in the Council's licence conditions that require appropriate steps to be taken for the protection of animals in case of fire or any other emergency.

The guidance is aimed at ensuring that the means of escape and associated fire precautions are adequate for human occupants. It should be borne in mind that the fire safety requirements for people maybe covered by other legislation.

The following matters must be considered:

- 1. Access for Fire Fighting and Water Supplies There should be good access for firefighting appliances (minimum width of 3.7m) to all hydrants and other water sources and hard standings should be provided. The name board of the premises should be clearly displayed beside the nearest road access.
- 2. Means of Escape Escape routes for animals should be designed to provide a straight run out of buildings, with the minimum of human assistance. Pen doors should be so arranged that animals can be evacuated quickly and acute turns, obstructions and ramps in the escape routes should be avoided as far as possible.
 - a) All premises should be provided with exits of sufficient width and height to allow easy access to the animals at all times.
 - b) The exits should be easily opened from the inside without the use of a key.
 - c) If necessary provision should be made for the ready summoning of a key holder.

In buildings exceeding 18 metres in length or where considerable numbers of animals are housed, at least two exits should be provided and situated as far apart as possible. The distance of travel should be limited to 45 metres.

- 3. No Smoking Signs No smoking notices should be displayed in the vicinity of all hay and straw and where practicable precautions should be taken against unauthorised entry especially by children.
- 4. Electrical Installations Electrical installations including lamps should be cleaned regularly to avoid the build-up of dust. Electrical equipment, heaters etc should be positioned and secured so that they are kept at a safe distance from any likely accumulation of flammable bedding material.
- 5. Fire Fighting Equipment
- a. Portable Fire Extinguishers -The following are recommended as a minimum:
 - Buildings not exceeding 200sqm in area require at least 2x9 litre water extinguishers for buildings over 200sqm an additional fire extinguisher must be provided for every additional 200sqm or part thereof.
 - Portable fire extinguishers must meet the requirements of BS EN 3 and be installed and maintained according to the recommendations given in BS 5306.
 - Depending on the outcome of your fire risk assessment, it may be possible to reduce this to one extinguisher in very small premises with a floor space of less than 90m².
 - Fire extinguishers that when operated produce a loud noise, e.g. CO2, or large clouds of dry powder, **should not** be used in close proximity to animals.
- b. Hose Reels Hose reels can be provided as an alternative to portable fire extinguishers. There should be a minimum of one hose for each 800sqm in area or part thereof. It should confirm to BS 5306: Part 1. Wash down hoses may be acceptable provided there is a constant flow of water that is able to produce water jet with a minimum throw of 5 metres. Hose reels must not exceed 45m in length and should be sited so that the nozzle can be taken to within 6m of each part of the protected premises.
- 6. Fire Notices All staff at the establishment should be familiar with what action must be taken in the event of a fire. A clearly written and conspicuous notice should be provided indicating the action to be taken in case of fire and the location of the nearest telephone. This notice may include the following:

7. O/S Map Reference - An Ordnance Survey map reference number should be made available for the premises and displayed with the Fire Notice provided.

The Regulatory Reform (Fire Safety) Order 2005 requires that necessary fire precautions are put in place to protect relevant persons in case of fire in, and in the vicinity of all premises to which the legislation applies.

Responsibility for complying with the order rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises the person(s) in control of the premises will be responsible.

The responsible person must:

Carry out a Fire Risk Assessment, the significant findings of which must be recorded if five or more persons are employed, if the premises are licensed or if an alterations notice is in force.

To further assist you, the Fire Safety Guide to Animal Premises and Stables (ISBN: 978 1 85112 884 6) is available from the stationary office or via the Department for Communities and Local Government website (www.communities.gov.uk).

C. <u>HEALTH AND SAFETY</u>

Health and safety law applies to all businesses, no matter how small. As an employer or a self employed person, you are responsible for health and safety in your business. You need to take the right precautions to reduce the risks of workplace dangers and provide a safe working environment.

There is a guide called "Health and safety made simple". This guide makes life easier for you by providing the basic information on what you need to do in one place. It will help you get started in managing health and safety in your business.

For some work activities there may be extra things you need to do to make sure you are complying with the law. Further guidance on specific topics, such as managing asbestos, preventing ill health from animal contact etc, and model risk assessments are available online at www.hse.gov.uk. You can also contact the health and safety team of Carmarthenshire County Council on 01267 234567, and ask for the Health and Safety Officer.

The "health and safety made simple" leaflet can be downloaded by following this link: http://www.hse.gov.uk/pubns/indg449.pdf

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LICENCE CONDITIONS AND GUIDANCE FOR DOG BREEDERS

Contents

1. 1.1	ENHANCEMENT AND ENRICHMENT Exhibiting normal behavior patterns
2. 2.1	SOCIALISATION Socialisation of puppies
3.1 3.2 3.3 3.4 3.5 3.6 3.7 3.8	HEALTH AND WELFARE Registration with a veterinary surgeon Medicines Contagious/infectious diseases on the premises Health status of dogs Isolation facilities First aid kit Protection from fire Safety of electrical equipment
4 .	MATING
4.1	Breeding
5. 5.1	CHANGE OF OWNERSHIP OF A PUPPY Puppies
5.	CHANGE OF OWNERSHIP OF A PUPPY

8.	GENERAL	CONDITIONS

- 8.1 Licence display
- 8.2 Plan of licensed premise

9. ACCOMMODATION & ENVIRONMENT

- 9.1 Construction
- 9.2 Size of quarters
- 9.3 Bedding
- 9.4 Temperature and heating
- 9.5 Lighting
- 9.6 Ventilation
- 9.7 Cleanliness
- 9.8 Pest control
- 9.9 Waste Disposal
- 9.10 Whelping facilities

10. <u>DIET AND NUTRITION</u>

- 10.1 Food and drink
- 10.2 Food preparation

11. NORMAL BEHAVIOUR

- 11.1 Exercise
- 11.2 Supervision
- 11.3 Staff ratio/stocking density
- 11.4 Kennel layout

12. RECORD KEEPING

- 12.1 Dog Identification
- 12.2 Sales of breeding bitches and stud dogs
- 12.3 Transport of dogs

Page 259

13. ANIMAL WELFARE ACT 2006

- 13.1 Puppy facilities
- 13.2 Responsible breeding
- 13.3 Strategy for the retirement of breeding bitches and stud dogs

14. MATERIAL CHANGE TO / AT THE LICENSED PREMISES

Notify local authority of any change

15. HEALTH ANNUAL CHECK

Yearly health check

16. OTHER REQUIREMENTS

16.1 Other current relevant legislation and codes of practice

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT

A - Appeals Procedure

B - Fire Precautions Guidance

C – Health and Safety

ADDITIONAL SCHEDULES

Schedule 1 - Breeding Bitch Log Book

Schedule 2 - Breeding Stud Log Book

Schedule 3 - Puppy ID Card

<u>Condition 1</u> – ENHANCEMENT AND ENRICHMENT - The licence holder must implement an enhancement and enrichment programme that has been approved by the local authority.

Licence Condition	Guidance
 1.1 Exhibiting Normal Behaviour Patterns a. All dogs kept at the establishment must be given the opportunity for daily interaction and stimulation in order to express normal behaviour. b. Written evidence of the provision of enhancement and enrichment must be supplied to the local authority inspector. 	Outdoor environments, if provided, should be as complex as safety and cleanliness allow. Play items, where possible, should be rearranged regularly and swapped between runs to enhance novelty and stimulation. Examples of environmental enrichment are: appropriate exercise, play, and sufficient contact with humans (grooming, training or playing) and food finding activities e.g. puzzle feeders or scavenging exercises.

<u>Condition 2</u> – SOCIALISATION - The licence holder must implement a socialisation programme that has been approved by the local authority.

Licence Condition	Guidance
2.1 Socialisation of Puppies a. All puppies must be socialised before being sold or homed and method of implementing this must be discussed and agreed with the local authority inspector.	Puppies should be the product of sociable and environmentally competent parents. A planned socialisation plan should, amongst other things include:
	 gently handling each puppy, the introduction of low level noise from 14 days onwards; from 21 days the animal should be introduced daily to a variety of human contact, play with suitable toys organised to play away from the mother. Where

biosecurity allows, puppies of other litters should mix in suitable environments. Care should be taken that removal of puppies for handling is done in such a way that does not distress the dam.

When employed, any training should be reward-based. Use of electric shock collars is banned from being used in Wales.

<u>Condition 3</u> – HEALTH - The licence holder must take all reasonable steps to protect dogs from pain, suffering, injury and disease.

Reasonable precautions must be taken to prevent and control the spread of infectious or contagious diseases. Registration with a vet is essential. There is a requirement to have appropriate health plans, to use licensed medicines as necessary and to promote the health status of the dogs through proper breeding. Isolation facilities, first aid equipment and fire protection are necessary.

Licence Condition	Guidance
3.1 Registration with a Veterinary Surgeon a. All breeding establishments must be registered with a veterinary practice and ensure full details are made available to the Licensing Authority.	Addresses of veterinary surgeries can be accessed from the Royal College of Veterinary Surgeons: http://www.rcvs.org.uk/FindAVet
 a. All medicines used must have a current Marketing Authorisation for sale in the UK. b. Each medicine used must be within its expiry date, and used as per instruction. c. They must be stored in a suitable secure cabinet and in accordance with manufacturer's guidelines. 	Prescription Only Medicine – Veterinary (POM-V) medicines should only be used for the specific animals to which they are prescribed. The specific veterinary instruction must be followed. Non Food Animal Medicine – Veterinary, Pharmacist and Suitably Qualified Person (NFAM-VPS) and Authorised Veterinary medicine – General Sale List (AVM-GSL) medicines must be used in accordance with the manufacturer's guidelines.

d. They must be protected from light and extremes of temperature.	Homeopathic medicine is allowed but only with written veterinary approval, and should be case specific. i.e. where a specific dog may have adverse reactions to the normal veterinary medicines.
 3.3 Contagious / Infectious diseases on the premises a. All dogs must be adequately protected from contagious and infectious disease and parasites as determined by your veterinary surgeon. b. Up to date records must be kept for each dog detailing what treatments and vaccinations they have received. 	Adequate precautions should be taken to prevent and control the spread of infectious and contagious diseases and parasites among dogs, and zoonoses among dogs, staff and visitors. Records to be kept of all vaccination and worming regimes.
 a. There must be a daily physical inspection of every animal to check for any signs of illness, injury or distress. b. Stud dogs and breeding bitches must be physically and behaviourally sound. c. Any breeding stock which appears to the licensing inspector to exhibit unsound hereditary or behavioural characteristics may be required to be verified as sound by the licensee's veterinary surgeon. d. Advice from a veterinary surgeon must be sought without delay where a dog shows signs of disease, injury, illness or behavioural disorder and recorded in the dog's logbook and be available to potential purchasers. 	Any breeding stock that show signs of fear or anxiety do not normally make good parents. Puppies should be the product of healthy, sociable and environmentally competent parents.
3.5 Isolation facilities	Veterinary advice about the isolation of dogs with potentially infectious diseases should be documented and followed

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a. Isolation facilities must be available and must be in immediately. compliance with the other licence conditions but must also be physically isolated. These isolation facilities must Procedures and facilities should be in place to allow the be a minimum of 5 metres away from other kennels. quarantining of new arrivals as devised in consultation with a **b.** Adequate facilities to prevent the spread of infectious veterinary surgeon. Veterinary advice should be sought when disease between isolated dogs and other dogs must be new arrivals show any signs of disease before they are mixed available. with other dogs. c. Effective biosecurity measures must be in place and understood by all staff. Isolation animals need to be effectively isolated and evidence of veterinary involvement will be expected. 3.6 First aid kit A first aid kit should include the following: A selection of Dressings a. A fully stocked first-aid kit suitable for use on dogs and Non adherent wound cover puppies must be available and accessible on the Retaining bandages premises. Covering bandages Cotton wool Scissors **Tweezers** Torch Suitably sizes muzzle/s Contact number for Veterinary Surgeon including out of routine hours details. Available medicines to be stored in medicine cabinet include: Wound cream & Antiseptic solution. 3.7 Protection from fire **a.** There must be an emergency fire and evacuation plan in This procedure must include instructions dealing with where place, which staff must be informed of dogs are to be evacuated. **b.** This must be posted where staff can see it.

C.	There must be adequate means of raising an alarm in the
	event of a fire or other emergency.
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d. Fire fighting equipment and detectors must be properly maintained and fire extinguishers need to be serviced or replaced as required.

- **e.** All electrical installations and appliances must be maintained in a safe condition.
- **f.** There should be a residual current circuit breaker system on each block of kennels.
- **g.** Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to dogs.
- **h.** Precautions must be taken to prevent any accumulation of material which may present a risk of fire.

It is also recommended that the properties map reference be included in the evacuation plan.

To aid with the compliance of the regulations please see details in the attached Schedule B.

3.8 Safety of Electrical Equipment

a. You must ensure that all electrical systems are adequately constructed and maintained so as to prevent danger, so far as is reasonably practical, in accordance with the Electricity at Work Regulations 1989.

To aid with the compliance of the regulations please see details in the attached Schedule C

Condition 4 - MATING - The licence holder must ensure a breeding bitch:-

Licence Condition	Guidance
 a. is not mated until she is 12 months old; b. does not give birth to more than one litter of puppies in a twelve month period; c. does not give birth to more than six litters of puppies in total. 	

<u>Condition 5</u> – CHANGE OF OWNERSHIP OF A PUPPY – The licence holder must retain ownership and possession of a puppy on the premises occupied by the licence holder until it is at least 56 days old.

Licence Condition	Guidance
5.1 Puppies	
 a. All puppies must be identified by microchip before being sold or homed and the details referenced to the breeding bitch. b. The details of the microchip must be registered on a recognised database. c. Microchips must be registered to the breeder before the puppy moves off the premises. d. Puppies considered to be too small to be micro chipped will only be exempted by a letter from a veterinary surgeon. Schedule 3 – Puppy ID Card e. A puppy I.D card must be completed for each puppy bred and a copy given to the purchaser at the time of sale. f. The breeder must retain the original. g. The records must also show: the details of sale, namely the date of sale; name and address of who was supplied; 	 A puppy Identity card includes the following details: Breeder name and address/contact details Date of birth and date of sale Microchip no. of puppy (if applicable) Name and microchip number of both parents (to include K.C. reg no. if applicable) Vaccination details Worming details Guidance on re-registering microchip to new owner N.B. all puppies should be accompanied by their individual cards through each phase of their journey to their final permanent home. Purchasers of puppies should be provided with a 'Puppy Pack', this should include: - Ration of food currently fed, insurance details (if provided), any breed specific advice/information and reference to existence of the Code of Practice for the Welfare of Dogs (Government Publication).
 the microchip number. 	
Sales of puppies must be recorded in the Breeding of bitches log book.	

Condition 6 - BREEDING BITCH RECORD REQUIREMENTS -

Licer	nce Condition	Guidance
6.1	The licence holder must maintain a written record in relation to each breeding bitch kept setting out her: (a) name; (b) date of birth; (c) breed; (d) physical description including colour and identifying features; (e) health status; (f) mating details including; (i) in relation to the sire, the information required in sub-paragraph 1 (a) to (e); (ii) in relation to each puppy born — (aa) date of birth; (bb) when ownership is transferred the new owners name and address.	
6.2	When ownership of a breeding bitch is transferred the name, address and telephone number of the new owner must be recorded by the licence holder on the record referred to in sub-paragraph (1) and a copy of the record must be provided to the new owner and a copy retained by the licence holder.	
6.3	The record referred to in sub-paragraph (1) must be available for inspection and retained by the licence holder for the lifetime of the breeding bitch.	

<u>Condition 7</u> – PUPPY RECORD REQUIREMENTS

Licen	ce Condition	Guidance
7.1	The licence holder must maintain a written record confirming the following details in relation to each puppy which is on the premises occupied by the licence holder:	
	 (a) sex; (b) date of birth; (c) breed; (d) physical description including colour and identifying features; (e) health status; (f) in relation to the dam, the information required by condition 6(1)(a) to (e); and (g) in relation to the sire, the information required by condition 6(1)(a) to (e) 	
7.2	When ownership of a puppy is transferred the name, address and telephone number of the new owner must be recorded by the licence holder on the record referred to in sub-paragraph (1) and a copy of the record must be provided to the new owner and a copy retained by the licence holder.	
7.3	The record referred to in sub-paragraph (1) must be available for inspection by the local authority at any time and retained by the licence holder for 3 years from the date of birth of the puppy.	

Condition 8 - GENERAL CONDITIONS

Licence Condition	Guidance
8.1 Licence Display	
A copy of the licence and its conditions must be suitably displayed to the public in a prominent position at the breeding establishment.	
8.2 Plan of Licensed Premises The Licensee must submit a suitable plan showing the outline of the buildings, kennel layout, exercise yard and any other construction relevant to the Licensed premises.	This outlined plan may be hand drawn but must be in a rough scale to other buildings. All outlines must be identified on the plan. The plan must have the name of the premises written on it, the date and the name of the person who has drawn it.

Condition 9 - ACCOMMODATION & ENVIRONMENT

Dogs must be kept in accommodation that is appropriate for construction, size of quarters, bedding, exercising facilities, temperature and heating, lighting, ventilation, cleanliness, and waste disposal. Whelping and puppy facilities must be available.

Licence Condition	Guidance
9.1 Construction	
a. All internal surfaces used in the construction of walls,	Dogs should be able to control their own view of dogs in other
floors, partitions, doors and door frames must be durable,	kennels. This can be achieved, for example (1) in an open
smooth and impervious and easily cleansed.	kennel having an area that the dog can move into to avoid visual
b. There must be no projections or rough edges liable to	contact with other dogs and (2) in a visually restricted kennel by

Page 269

- cause injury.
- **c.** Wood must not be used internally in the construction of new kennels and should be phased out in existing kennels over an agreed time scale.
- **d.** When washed out all areas (to include all kennel floors, exercise areas, passageways and kitchen area) must not be subject to pooling and be able to dry easily.
- **e.** Drainage must be suitable and adequate to facilitate the above.
- **f.** Partition walls between adjacent sleeping areas must be of solid construction to give privacy to individual dogs.
- **g.** Kennel doors must be strong enough to resist impact and scratching and must be capable of being effectively secured.
- h. Where metal bars and frames are used, they must be of suitable size to prevent dogs escaping or becoming entrapped.
- i. Where metal edging is used, this must not present a risk of injury to the dog.

having a raised area, e.g. a platform, to enable visual contact.

Wood is not seen as a suitable and hygienic material for modern dog kennels and when wood used in established kennels requires replacement it should be replaced with an alternative impervious smooth material such as galvanised steel.

Group or pair housed dogs should have adequate hiding places, platforms, beds, toys, etc. to avoid competition and monopolisation in the kennel.

Kennels and buildings should be designed in such a way as to reduce noise. Due consideration of the high sensitivity of dogs to high frequency noise should be incorporated into the design where necessary. The design of the kennel should ensure that every dog is provided with continual access to a comfortable, dry, draught-free, clean and quiet place to rest.

Design should consider geographical orientation e.g. north-facing kennels may be more difficult to heat. Correct orientation of the kennel will allow maximum use of natural light.

Buildings, paths, gardens and exercise areas should be well maintained and in good, clean, safe condition.

All floors of kennels and related exercise areas should provide sufficient grip for the animal to walk or run without slipping.

Kennel design should also prevent against the risk of escape.

9.2 Size of Quarters

a. The following are the minimum size requirements for :

Free access to exercise means the dogs have unrestricted daily access to exercise area.

Small Size Dogs

No. dogs	Free access to exercise	Limited access to exercise
1	2.5 sq m	4.5 sq m
2	2.5 sq m	4.5 sq m
3	4.5 sq m	6.5 sq m
4	6.0 sq m	8.5 sq m

Medium Size Dogs

No. dogs	Free access to exercise	Limited access to exercise
1	2.5 sq m	4.5 sq m
2	4.5 sq m	6.5 sq m
3	6.0 sq m	8.5 sq m

Large Size Dogs

No. dogs	Free access to exercise	Limited access to exercise
1	4.5 sq m	6.5 sq m
2	6.0 sq m	8.5 sq m

Limited access to exercise means the dogs have restricted access to an exercise area.

The kennel should be sufficiently large to allow each dog to be able to walk, turn around and wag its tail without touching the sides of the kennel, to play, to stand on its hind limbs and to lie down without touching another individual. When the animal/s is in the kennel there should be sufficient space for the door to open fully.

Bitches with litters should be provided with double this space allowance.

The definition for small, medium and large dogs which have been used can be found on the Kennel Club website. www.thekennelclub.org.uk

e.g. Small :- Pug, Bichon Frise Medium:- Spaniel, Corgi Large:- German Shepherd, Doberman

9.3 Bedding

a. Beds and bedding must be provided and be suitable to allow dogs to be comfortable.

A dog bed is defined as a base with 3 or 4 side walls (3D) with the option of a roof.

- **b.** Beds and bedding must be capable of being easily cleaned, disinfected and sited away from draughts.
- **c.** All bedding material in use must be clean, non-irritant and dry.
- **d.** A dog bed must be of a durable impervious construction and be a suitable size for the breed of dogs kept.
- e. Each dog must have access to a bed of its own.

Examples of suitable bedding are fabric or fleece materials (capable of being washed), shredded paper and clean fresh straw

N.B. Rubber mats alone are not considered suitable.

9.4 Temperature & Heating

- **a.** Kennels must be insulated so as to prevent extremes of temperature.
- **b.** Heating and cooling facilities must be available in the kennel and used according to the requirements of the individual dog and pups.
- **c.** There must be some part of the sleeping area where the dog is able to enjoy a minimum temperature of 10°C and a maximum temperature of 26°C
- d. In isolation kennels there must be a means of maintaining the temperature at a level suitable for the condition of the dog, and dependent upon veterinary advice. However, the temperature in the isolation kennel must not be allowed to rise above 26 C or fall below 13 C
- **e.** A 'minimum maximum' thermometer must be provided in each kennel block and isolation unit.
- **f.** Licensees must ensure that all heat sources are safe and comply with all regulatory requirements for both the animals and people working there.

As puppies have limited thermoregulatory control in the first ten days or so of life, additional local heating should be provided within the whelping enclosure.

Temperatures at dog level should be monitored and recorded.

The source of heat should cover a large enough area for the whole litter.

Outdoor areas provided for animals to exercise and interact cannot have strict temperature regulation. Animals should not be restricted to such areas under climatic conditions which may cause them distress.

The materials used on the kennel exterior should offer adequate protection against temperature variations throughout the year.

In order to maintain temperatures as required, the use of individual heat sources for dogs may prove adequate. In some circumstances additional background heating will also be required.

Devices used for heating and cooling should be safe and free from risk of burning or electrocution. Open flame appliances should not be used and manufacturer's instructions should be followed.

9.5 Lighting

- **a.** Light must be provided to exercise and sleeping areas so that all parts are clearly visible. Where practicable this should be natural light.
- **b.** Adequate supplementary lighting must be provided throughout the establishment.
- **c.** Lighting needs to be switched off at night time to allow proper sleep patterns.
- **d.** All artificial lighting must be fitted with clear plastic covers to eliminate possible injuries to dogs from broken glass.

By their very nature heat lamps are installed at low level and cannot be fitted with plastic covers but should have metal mesh guards to protect dogs from direct contact with hot bulbs.

There is a far greater chance of heat lamps being knocked and bulbs broken when suspended at low levels but there are bulbs available on the market that are resistant to breakage during normal use. These bulbs should be sourced and used if at all possible.

9.6 Ventilation

a. Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area. It must also be able to regulate changes in temperature.

Ventilation in the indoor accommodation of all dogs should provide sufficient fresh air of an appropriate quality and to keep down the levels and spread of odours, noxious gases, dust and infectious agents of any kind, and to provide for the removal of excess heat and humidity.

The ventilation system should be so designed as to avoid harmful draughts and noise.

9.7 Cleanliness

- a. All kennels, corridors, common areas, kitchens etc must be kept clean and free from accumulations of dirt and dust so that disease control is maintained and the dogs are comfortable.
- **b.** Each occupied kennel must be cleaned daily.
- **c.** All excreta and soiled material must be removed from all areas used by the dogs at least daily and more often if necessary.
- **d.** A cleansing schedule must be implemented and displayed outlining daily, weekly and monthly cleansing and

A list of disinfectants can be found at:

http://disinfectants.defra.gov.uk/

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	disinfection duties which must incorporate an approved formulation effective against micro-organisms responsible for canine diseases and must be put in the health plan.	
9.8 P	est Control	
a.	Measures must be taken to minimise the risks from rodents, insects and other pests within the breeding establishment. Such pests must be adequately dealt with without delay to eradicate any infestation.	The manufacturer's guidance should be followed when using control products in order to minimise risk to dogs. Licensees should try to discourage birds from entering the kennels as far as possible.
9.9 V	Vaste Disposal	
b. c.	The establishment must be connected to mains drainage or an approved, localised sewage disposal system. Facilities must be provided for the proper reception, storage and disposal of waste. Particular care must be taken to segregate waste arising from the treatment and handling of dogs with infectious diseases. Disposal facilities for animal waste must be agreed with the Licensing Authority in liaison with Natural Resources Wales.	The licensee should check with Natural Resources Wales for current guidance on the appropriate means of disposal.
a.	Whelping Facilities All bitches must be provided with a designated area or kennel prior to whelping, with a suitable whelping box/bed. Heating facilities must be adequate, secure and safe and capable of providing the range of temperatures, suitable for both pups and bitch.	Bitches should generally be housed with other dogs in a pair or group, but should be individually housed for a few days prior to whelping. However, they should continue to have sight, sound and smell of other familiar bitches and daily contact with humans. The whelping area/kennel should cater for the maximum number of puppies taking account of breed size and litter size. To avoid

c. An area must be provided where a bitch can rest away from her pups.	crushing puppies, crush bars can be useful.
nom her pups.	From approximately 3 days after parturition, bitches should be given short periods of exercise away from their litter.
	Bitches due to whelp should be inspected regularly. When in labour, bitches should be closely monitored and if any signs of difficulty are shown, a vet should be contacted as a matter of urgency. Contact details for veterinary support should be readily available

Condition 10 - DIET AND NUTRITION

Dogs must be adequately supplied with suitable food and drink at all times for breed, age and varying nutritional requirements. Adequate food preparation facilities must be available.

Licence Condition	Guidance
 a. All dogs must be supplied with a diet suitable for their type, age and breed. b. Fresh clean water must be available at all times and changed daily. c. Eating and drinking vessels must be of a design that prevents spillage as far as is practicable. d. Vessels must be capable of being easily cleansed, sterilized and must be maintained in a clean condition. 	All dogs including weaned puppies should have access to separate feeding vessels. All dogs must receive a diet which fulfils their nutritional requirements and is matched to their age, breed, reproductive status, body condition score and activity level. Veterinary advice should be sought where puppies fail to gain weight, or lose weight. Refer to Welsh Government Codes of Practice
 10.2 Food Preparation & Storage Facilities a. Suitable facilities, hygienically constructed and maintained, must be provided for the storage and 	

Page 275

- preparation of food for the dogs.
- **b.** Where fresh and cooked meats are stored, designated refrigeration facilities must be provided. Food contamination must be avoided.
- **c.** A sink with hot and cold running water must be available for washing kitchen utensils and eating and drinking vessels.
- **d.** Containers must be provided for the storage of foods and shall be so constructed and kept in such good order, repair and condition as to be proof against insects and other pests.

Condition 11 - NORMAL BEHAVIOUR

Dogs must be able to exhibit normal behaviour patterns at all times. They must have the opportunity to enjoy exercise and be adequately supervised. Consequently owners must comply with approved staff ratios. Dogs will be kept in a kennel layout with facilities to enhance and enrich their environment and to enable the socialisation of puppies.

Licence Condition	Guidance
 a. All dogs must have sufficient exercise for their individual needs to ensure their physical and mental wellbeing. b. Where dogs do not have a specific exercise area or free access to an exercise area, a written exercise programme must be provided and approved by the local authority. 	Dogs should have daily access to a reasonable size exercise area. Adequate protection from adverse weather should be provided In the form of a sheltered area. Care should also be taken to observe and ensure the group of dogs work as a sociable unit. Additional time requirement of a minimum of three ½ hour periods per day of human contact and interaction (to include interactive play with toys) should be carried out with the dogs to ensure the dogs have physical and mental exercise.

11.2 Supervision

- **a.** Where the Licensee is absent for some time then supervision of the premises must be by a suitable and competent person of least 16 years of age.
- **b.** Those that supervise must have a thorough and detailed knowledge of the licensing conditions and comply with them at all times.
- **c.** The licensee must live in close proximity to the licensed premises, so as to be able to attend promptly at all times.
- **d.** Dogs must be visited at regular intervals, as necessary to ensure their health, safety and welfare and prevent any unnecessary suffering.
- **e.** Regular intervals must be a minimum of 3 times per day.

11.3 Staff Ratio/Stocking Density

- **a.** The maximum number of dogs kept at any one time is stated on the licence and must not be exceeded.
- **b.** Under no circumstances will the total number of dogs on the licence exceed 20 for every FULL time attendant and 10 for every PART-time attendant employed at the premises.
- **c.** The number of dogs will be reduced if there is a failure to comply with other licence requirements. A 'dog' is defined as any canine over 6 months old to include stud, breeding, retired and juveniles.

Anyone supervising the dogs needs to have sufficient knowledge and experience to be able to handle the dogs correctly and safely. They must also be able to recognise if a dog's behaviour suggests there is a problem and act appropriately.

All breeders and staff should have access to and be familiar with the Code of Practice for the Welfare of Dogs and all other relevant legislation.

They should have a sound working knowledge of dog breeding and be aware of good practice and trait(s) of the breed(s) in their establishment.

Consideration will be made by the licensing authority to the establishment as a whole; to include available accommodation, exercise facilities, health & welfare programmes and level of continued licence compliance.

Where the licensing authorities are not content with the ability of the proposed licence holder or existing licence holder to comply fully with licensing conditions, they should reduce the number of dogs that the establishment can keep.

This may be evidenced by failure to meet licence conditions e.g. lack of exercising dogs and poor cleanliness.

Any attendant (full or part-time) should be suitably trained and competent. Details of suitable training can be found on the Pet Industry Federation website.

A full time attendant is someone who works a minimum of 30 hours per week and a part time attendant a minimum of 15 ours.

a. The kennel environment must be designed to ensure the safety, wellbeing and welfare of the occupants.	All dogs should be housed in the company of others unless for an individual's safety and wellbeing it is required to be kept in isolation. Each kennel should provide a raised area where dogs can enjoy an elevated view of their surroundings. The kennel design should enable all canine occupants to choose whether or not to be able to see another occupant of an adjacent or opposite kennel. The design should be as complex and stimulating as the space allowance and the need for cleanliness permits. The minimum standard of kennel layout should be the provision of a raised area, sufficiently large and robust to comfortably occupy the kennel's occupants in a recumbent position. Unless the individual dog is emotionally or physically unsuitable, all dogs should be housed in groups (min 2 dogs).

Condition 12 - RECORD KEEPING

Accurate and up to date records must be kept on the premises. These must be made available to Authorised Inspectors.

Licence Condition	Guidance
12.1 Dog Identification	Please refer to Schedule 1 for an example of a Breeding Bitch log book.
A list of all stud dogs/bitches must be kept by the licensee, detailing the dogs name, breed and microchip number	Please refer to Schedule 2 for an example of a Stud Dog log book.

- **b.** Breeding bitches and stud dogs must be microchipped by a suitably competent person and registered on a recognised national database.
- **c.** A logbook in the format supplied by the Licensing Authority must be completed and kept for both breeding bitches and stud dogs. The microchip is the link between the dog and the log book.

Schedule 1 – Breeding Bitches Log Book

d. This log book must be kept, recording details including microchip number, name, date of birth, breed, Kennel Club registration number, the address at which it is kept and it's record of health status.

Additionally, the log book for breeding bitches must include:

- results of any British Veterinary Association (BVA)/Kennel Club* health scheme;
- results of any validated DNA screening tests appropriate to the breed*;
- details of all litters (initial details to be entered at birth) as required by the Breeding of Dogs (Licensing Records) Regulations 1999 which also includes, date of mating and details of sire, the sex of the puppies, date of birth, weight description and total number in the litter.

*available from the Kennel Club

Schedule 2 - Stud Dog Log Book

e. This log book must be kept, recording details including microchip number, name, date of birth, breed, Kennel Club registration number, the address at which it is kept and it's record of health status.

Additionally, the log book for stud dogs will also include:
results of any BVA/Kennel Club health scheme;
details of all mating; and

the details of each bitch mated

f. After the dogs have left the licensed premises, records must be kept for a minimum of 24 months and must be available on demand to authorised officers.

12.2 Sales of Breeding Bitches and Stud Dogs

a. When sold for further breeding, breeding bitches must be accompanied with their logbook which includes their full breeding history.

b. Stud dogs must be accompanied by their log book when sold for further breeding.

Logbooks must accompany breeding bitches when sold to other breeding establishments to ensure that the number of litters produced does not exceed the maximum number of litters a bitch can have. Currently the maximum number is six litters at not less than yearly intervals.

12.3 Transport of Dogs

a. When stud dogs, breeding bitches and puppies are being transported, licensees must ensure that all appropriate steps are taken to secure that the dogs are provided with suitable food, drink, bedding material, and adequate exercise.

b. Full compliance with current Welfare of Animals in Transport legislation must be adhered to.

The legislation defines the requirements to ensure the 'Welfare of Animals in Transport'. You can ask your licensing inspector for details of the current regulations. Examples include; Securely fitted dog cage(s) and suitable ventilation. As well as the requirement to hold a Transporters authorisation.

Condition 13 - ANIMAL WELFARE ACT 2006

Section 9 of the above Act places a duty of care on a person who is responsible for an animal. The Act states that a person commits a criminal offence if they do not take reasonable steps to ensure for the needs of that animal. In order that you comply with these duties the Council has detailed certain requirements and guidance that you must follow.

Where there is a potential breach of a Duty of Care under the Animal Welfare Act 2006, the council may, at its discretion, issue an Improvement Notice to remedy the problem.

Licence Condition	Guidance
13.1 Puppy Facilities a. An area must be provided that is suitable for the socialisation of all litters.	If in kennels/sheds or other types of buildings, a specific area should be set aside to mimic environmental referencing in home environments.
 a. Any breeding stock which proves to exhibit unsound hereditary or behavioural characteristics must not be bred from. b. When intentionally breeding crossbreds, breeders must have due regard to the breeds' compatibility for ease of whelping and to produce healthy puppies. 	Licensees should be familiar with the health screening tests available to their chosen breeds, in consultation with their own Veterinary Surgeon. Cross breeds are defined as offspring of any two or more recognised breeds of dogs. Breeding closely related animals is not recommended and is
	Strongly discouraged. Close breeding examples include mating between brother and sister, father and daughter, mother and son, grandparent and grandchild or half brother or sisters.

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13.3 Strategy for the retirement of breeding bitches and stud dogs.	Breeders should plan for the retirement of their breeding dogs. Should retirement involve re-homing to a domestic environment
 a. All retired breeding bitches and stud dogs being kept within the licensed premises will still be included on the licence. b. Breeders must have a plan for dealing with retired dogs. 	dogs must be exposed, during their working lives, to a programme of stimulation designed to maintain their socialisation with humans and their competency with the domestic environment.

Condition 14 - MATERIAL CHANGE TO / AT THE LICENSED PREMISES

Licence Condition	Guidance
The Licensee must inform the licensing authority before making any material change to / at the Licensed premises.	A "material change" may include such things as building new kennels; significantly increasing the number of dogs, reduction in staff at the kennels etc

Condition 15 - . HEALTH ANNUAL CHECK

Licence Condition	Guidance
15.(a) The licensing authority requires the Licensee to have all stud dogs and breeding bitches checked by a veterinary surgeon each year. The veterinary surgeon will compile a written Health and Welfare Report which details the dogs he inspected.	

- **15.(b)** The Report will detail the health and welfare of the dogs and will state whether the dogs are fit to be used in the breeding establishment. This Report will be supplied to the Licence authority at the time of the Licence application.
- **15.(c)** The licensing authority will not accept an assessment of the dogs made by a veterinary surgeon for the Health and Welfare Report if the assessment has taken place more than 3 months prior to the date of the commencement of the Licence.
- **15.(d)** Where the veterinary surgeon has made recommendations in the report these will be considered as being mandatory requirements where they may affect the dogs health, welfare or safety.

Condition 16 - OTHER REQUIREMENTS

Licensees and Staff should make themselves aware of current relevant legislation and guidance which affects both staff and dog welfare as well as to ensure full compliance.

Licence Condition	Guidance
16.1 Other Current Relevant Legislation & Codes of Practice a. Licence holders and staff must also be aware of current Animal Welfare and Dog Breeding legislation to enable full compliance with the conditions.	List of current relevant legislation ◆ The Docking of Working Dogs' Tails (Wales) Regulations 2007 (SI 2007/1028 (W.95)). ◆ Dangerous dogs Act 1991 (as amended) ◆ Breeding and Sale of Dogs (Welfare) Act 1999 ◆ Pet Animals Act 1951 ◆ Animal Welfare Act 2006
	 Code of Practice for the Welfare of Dogs – Welsh Assembly Government

 Breeding of Dogs Act 1973 Control of Dogs Order 1992 The Breeding of Dogs (Licensing Records) Regulations 1999 The Animal Welfare (Electronic Collars) (Wales) Regulations 2010 No. 943 (W. 97) Welfare of Animals (Transport) (Wales) Order 2007
• Wellare of Affilhais (Transport) (Wales) Order 2007

OTHER MATTERS RELATING TO THE OPERATION OF A LICENCED ESTABLISHMENT.

A. APPEALS PROCEDURE

The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014

Any person who is aggrieved by the refusal to grant or renew, or the decision to revoke, a licence may appeal to a Magistrates' Court.

The procedure on an appeal to a Magistrates' Court under the above paragraph is by way of complaint, and the Magistrates' Courts Act 1980 (1) applies to the proceedings.

The period within which an appeal may be brought is 28 days beginning with the day following the date on which the decision is notified.

B. FIRE PRECAUTIONS GUIDANCE

The following information is supplied to licensees, in order to aid compliance with the fire precaution requirements detailed in the Council's licence conditions that require appropriate steps to be taken for the protection of animals in case of fire or any other emergency.

The guidance is aimed at ensuring that the means of escape and associated fire precautions are adequate for human occupants. It should be borne in mind that the fire safety requirements for people maybe covered by other legislation.

The following matters must be considered:

1. Access for Fire Fighting and Water Supplies - There should be good access for firefighting appliances (minimum width of 3.7m) to all hydrants and other water sources and hard standings should be provided. The name board of the premises should be clearly displayed beside the nearest road access.

- 2. Means of Escape Escape routes for animals should be designed to provide a straight run out of buildings, with the minimum of human assistance. Pen doors should be so arranged that animals can be evacuated quickly and acute turns, obstructions and ramps in the escape routes should be avoided as far as possible.
 - a) All premises should be provided with exits of sufficient width and height to allow easy access to the animals at all times.
 - b) The exits should be easily opened from the inside without the use of a key.
 - c) If necessary provision should be made for the ready summoning of a key holder.

In buildings exceeding 18 metres in length or where considerable numbers of animals are housed, at least two exits should be provided and situated as far apart as possible. The distance of travel should be limited to 45 metres.

- 3. No Smoking Signs No smoking notices should be displayed in the vicinity of all hay and straw and where practicable precautions should be taken against unauthorised entry especially by children.
- 4. Electrical Installations Electrical installations including lamps should be cleaned regularly to avoid the build-up of dust. Electrical equipment, heaters etc should be positioned and secured so that they are kept at a safe distance from any likely accumulation of flammable bedding material.
- 5. Fire Fighting Equipment
- a. Portable Fire Extinguishers -The following are recommended as a minimum:
 - Buildings not exceeding 200sqm in area require at least 2x9 litre water extinguishers for buildings over 200sqm an additional fire extinguisher must be provided for every additional 200sqm or part thereof.
 - Portable fire extinguishers must meet the requirements of BS EN 3 and be installed and maintained according to the recommendations given in BS 5306.
 - Depending on the outcome of your fire risk assessment, it may be possible to reduce this to one extinguisher in very small premises with a floor space of less than 90m².
 - Fire extinguishers that when operated produce a loud noise, e.g. CO2, or large clouds of dry powder, **should not** be used in close proximity to animals.
- b. Hose Reels Hose reels can be provided as an alternative to portable fire extinguishers. There should be a minimum of one hose for each 800sqm in area or part thereof. It should confirm to BS 5306: Part 1. Wash down hoses may be acceptable provided there is a constant flow of water that is able to produce water jet with a minimum throw of 5 metres. Hose reels

must not exceed 45m in length and should be sited so that the nozzle can be taken to within 6m of each part of the protected premises.

6. Fire Notices - All staff at the establishment should be familiar with what action must be taken in the event of a fire. A clearly written and conspicuous notice should be provided indicating the action to be taken in case of fire and the location of the nearest telephone.

This notice may include the following:

"On discovering a fire, ensure the building involved is evacuated.

Call the Fire Brigade {the nearest telephone is sited at}.

Attack the fire using the firefighting equipment provided, if safe to do so etc"

7. O/S Map Reference - An Ordnance Survey map reference number should be made available for the premises and displayed with the Fire Notice provided.

The Regulatory Reform (Fire Safety) Order 2005 requires that necessary fire precautions are put in place to protect relevant persons in case of fire in, and in the vicinity of all premises to which the legislation applies.

Responsibility for complying with the order rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises the person(s) in control of the premises will be responsible.

The responsible person must:

Carry out a Fire Risk Assessment, the significant findings of which must be recorded if five or more persons are employed, if the premises are licensed or if an alterations notice is in force.

To further assist you, the Fire Safety Guide to Animal Premises and Stables (ISBN: 978 1 85112 884 6) is available from the stationary office or via the Department for Communities and Local Government website (www.communities.gov.uk).

C. HEALTH AND SAFETY

Health and safety law applies to all businesses, no matter how small. As an employer or a self employed person, you are responsible for health and safety in your business. You need to take the right precautions to reduce the risks of workplace dangers and provide a safe working environment.

Please see the guide, "Health and safety made simple". This guide makes life easier for you by providing the basic information on what you need to do in one place. It will help you get started in managing health and safety in your business.

For some work activities there may be extra things you need to do to make sure you are complying with the law. Further guidance on specific topics, such as managing asbestos, preventing ill health from animal contact etc, and model risk assessments are available online at www.hse.gov.uk. You can also contact the health and safety team of Carmarthenshire County Council on 01267 234567 and ask for the Health & Safety Officer.

The "Health and Safety made simple" leaflet can be downloaded by following this link: http://www.hse.gov.uk/pubns/indg449.pdf

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LICENCE CONDITIONS FOR DANGEROUS WILD ANIMAL ESTABLISHMENTS

Contents

Licence Conditions

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT

- A Appeals ProcedureB Fire Precautions Guidance
- C Health and Safety

Conditions subject to which the attached licence is granted

1. Licence	e Conditions	Guidance
1 \\/\bilo.c	any animal is being kent under the authority of the License:	
I. Willie a	any animal is being kept under the authority of the Licence: -	
(i)	the animal(s) shall be kept by no person other than the person or persons specified in the Licence;	
(ii) (iii)	the animal(s) shall normally be held at such premises as are specified in the Licence; the animal(s) shall not be moved from those premises (except in the following	
	circumstances, namely: for Veterinary Treatment). Travel outside of its enclosure should always be in a secure transport box, which has a label stating the species, the number of animals in the container and a contact telephone number. This transport box should be of a suitable size and construction, and the animal(s) trained to go into the box on command;	
(iv)	the person to whom the licence is granted must hold a current insurance policy which insures him and any other person entitled to keep the animal(s) under the authority of the Licence against liability for any damage which may be caused by the animal(s), the terms of such policy being satisfactory in the opinion of the Local Authority;	
(v)	the animal(s) must be held in accommodation which secures that the animal will not escape, which is suitable as regards construction, size, temperature, lighting, ventilation, drainage and cleanliness and which is suitable for the number of animals proposed to be held in the accommodation;	
(vi)	the animal(s) to be supplied with adequate and suitable food, drink and bedding material and be visited at suitable intervals;	
(vii)	Appropriate steps will at all such times be taken for the protection of any animal	

	(viii) (ix)	concerned in case of fire or other emergency; All reasonable precautions will be taken at all such times to prevent and control the spread of infectious diseases; While any animal(s) kept under the licence is at the premises where it will normally be kept its accommodation is such that it can take adequate exercise.		
2.	•	cies and number of animals of each species which may be kept under the authority of the shall be restricted to those specified in the Schedule of the Licence.		
3.	. The Person to whom the Licence is granted shall at all reasonable times make available a copy of the Licence to any person entitled to keep any animal under the authority of the Licence.			
4.	Where n	ecessary, caging shall be of heavy gauge mesh.		
5.		where necessary) should be constructed on a concrete foundation of 10" depth and 9" a minimum.		
6.	Entry to p	pens or cages shall be by two independently locking doors		
7.		rage and preparation area shall have cleansable surfaces, be hygienic and vermin proof. e freezer for storage of food shall be maintained properly.		
8.		naterial must be removed daily, and disposed off in an appropriate manner, acceptable to Authority.		

9. Clean water shall always be available.	
Any animal kept under the provisions of the licence must be provided with accommodation where it can take adequate exercise	
11. Where animals of different species are held in adjacent pens an impervious partition (eg metal sheeting) should be in place to minimise cross infection between the two species.	
12. Common double gate entrances to both pens are to be padlocked at all times when an attendant is not working in the pens.	
13. There must be a structural separation to kitchen areas from the remainder of building. Domestic kitchens must not be used for the preparation of food and cleansing of animal food containers.	
14. Waste food must be stored in vermin proof building/areas	
15. All reasonable precautions will be taken to prevent and control the spread of infectious diseases.	
16. Appropriate steps will at all such times be taken for the protection of any animal concerned in case of fire or other emergency. Fire fighting equipment must be available.	
17. The services of a qualified veterinary officer must be obtained to treat cases of infectious or contagious disease.	
18. A notice must be displayed in a prominent position outside the premises, stating the name, address and telephone number of the licensee or other person, and instructing as to action in case	

	of fire.	
19.	Isolation facilities – separate accommodation must be provided for isolation of animals suffering from infectious/contagious disease.	

Page 295

OTHER MATTERS RELATING TO THE OPERATION OF A LICENCED ESTABLISHMENT.

A. APPEALS PROCEDURE

Dangerous Wild Animals Act 1976

Any person aggrieved by the refusal of a local authority to grant a licence under this Act, or

a person to whom such a licence has been granted is aggrieved by a condition of the licence (whether specified at the time the licence is granted or later) or by the variation or revocation of any condition of the licence,

he may appeal to a magistrates' court; and the court may on such an appeal give such directions with respect to the grant of a licence or, as the case may be, with respect to the conditions of the licence as it thinks proper, having regard to the provisions of this Act.

B. FIRE PRECAUTIONS GUIDANCE

The following information is supplied to licensees, in order to aid compliance with the fire precaution requirements detailed in the Council's licence conditions that require appropriate steps to be taken for the protection of animals in case of fire or any other emergency.

The guidance is aimed at ensuring that the means of escape and associated fire precautions are adequate for human occupants. It should be borne in mind that the fire safety requirements for people may be covered by other legislation.

The following matters must be considered:

- 1. Access for Fire Fighting and Water Supplies There should be good access for fire fighting appliances (minimum width of 3.7m) to all hydrants and other water sources and hard standings should be provided. The name board of the premises should be clearly displayed beside the nearest road access.
- 2. Means of Escape Escape routes for animals should be designed to provide a straight run out of buildings, with the minimum of human assistance. Pen doors should be so arranged that animals can be evacuated quickly and acute turns, obstructions and ramps in the escape routes should be avoided as far as possible.
 - a) All premises should be provided with exits of sufficient width and height to allow easy access to the animals at all times.
 - b) The exits should be easily opened from the inside without the use of a key.
 - c) If necessary provision should be made for the ready summoning of a key holder.

In buildings exceeding 18 metres in length or where considerable numbers of animals are housed, at least two exits should be provided and situated as far apart as possible. The distance of travel should be limited to 45 metres.

- 3. No Smoking Signs No smoking notices should be displayed in the vicinity of all hay and straw and where practicable precautions should be taken against unauthorised entry especially by children.
- 4. Electrical Installations Electrical installations including lamps should be cleaned regularly to avoid the build-up of dust. Electrical equipment, heaters etc should be positioned and secured so that they are kept at a safe distance from any likely accumulation of flammable bedding material.
- 5. Fire Fighting Equipment
- a. Portable Fire Extinguishers -The following are recommended as a minimum:
 - Buildings not exceeding 200sqm in area require at least 2x9 litre water extinguishers for buildings over 200sqm an additional fire extinguisher must be provided for every additional 200sqm or part thereof.
 - Portable fire extinguishers must meet the requirements of BS EN 3 and be installed and maintained according to the recommendations given in BS 5306.
 - Depending on the outcome of your fire risk assessment, it may be possible to reduce this to one extinguisher in very small premises with a floor space of less than 90m².
 - Fire extinguishers that when operated produce a loud noise, e.g. CO2, or large clouds of dry powder, **should not** be used in close proximity to animals.

Page 297

- b. Hose Reels Hose reels can be provided as an alternative to portable fire extinguishers. There should be a minimum of one hose for each 800sqm in area or part thereof. It should confirm to BS 5306: Part 1. Wash down hoses may be acceptable provided there is a constant flow of water that is able to produce water jet with a minimum throw of 5 metres. Hose reels must not exceed 45m in length and should be sited so that the nozzle can be taken to within 6m of each part of the protected premises.
- 6. Fire Notices All staff at the establishment should be familiar with what action must be taken in the event of a fire. A clearly written and conspicuous notice should be provided indicating the action to be taken in case of fire and the location of the nearest telephone.

This notice may include the following:

7. O/S Map Reference - An Ordnance Survey map reference number should be made available for the premises and displayed with the Fire Notice provided.

The Regulatory Reform (Fire Safety) Order 2005 requires that necessary fire precautions are put in place to protect relevant persons in case of fire in, and in the vicinity of all premises to which the legislation applies.

Responsibility for complying with the order rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises the person(s) in control of the premises will be responsible.

The responsible person must:

Carry out a Fire Risk Assessment, the significant findings of which must be recorded if five or more persons are employed, if the premises are licensed or if an alterations notice is in force.

To further assist you, the Fire Safety Guide to Animal Premises and Stables (ISBN: 978 1 85112 884 6) is available from the stationary office or via the Department for Communities and Local Government website (www.communities.gov.uk).

C. HEALTH AND SAFETY

Health and safety law applies to all businesses, no matter how small. As an employer or a self employed person, you are responsible for health and safety in your business. You need to take the right precautions to reduce the risks of workplace dangers and provide a safe working environment.

Please see the guide, "Health and safety made simple". This guide makes life easier for you by providing the basic information on what you need to do in one place. It will help you get started in managing health and safety in your business.

For some work activities there may be extra things you need to do to make sure you are complying with the law. Further guidance on specific topics, such as managing asbestos, preventing ill health from animal contact etc, and model risk assessments are available online at www.hse.gov.uk. You can also contact the health and safety team of Carmarthenshire County Council on 01267 234567 and ask for the Health & Safety Officer.

The "Health and Safety made simple" leaflet can be downloaded by following this link: http://www.hse.gov.uk/pubns/indg449.pdf



LICENCE CONDITIONS FOR DANGEROUS WILD ANIMAL (WILD BOAR) ESTABLISHMENTS

Contents

- 1. GENERAL
- 2. INSURANCE
- 3. SUPERVISION AND EMERGENCY PROVISIONS
- 4. RECORD KEEPING AND DOCUMENTATION
- 5. STOCK LIST
- 6. ENCLOSURES
- 7. FENCING
- 8. GATES
- 9. LOADING AND UNLOADING AREAS
- 10. DISPLAY OF NOTICES
- 11. WELFARE OF ANIMALS
- 12. FOOD PREPARATION AREAS
- 13. DISPOSAL OF WASTE
- 14. DISEASE PREVENTION AND CONTROL

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT

- A Appeals Procedure
- B Fire Precautions Guidance
- C Health and Safety

Conditions subject to which the attached licence is granted

-	1. Licence Conditions 1. General		Guidance
	<u>1. Ge</u>	<u>eneral</u>	
	1.1	While any animal is being kept under the authority of the Licence: -	
	1.2	 (i) The animal shall be kept by no person other than the person or persons specified in the Licence. (ii) The animal shall normally be held at such premises as are specified in the Licence. (iii) The animal shall not be moved from those premises (except in the following circumstances, namely: for Veterinary Treatment; or to another place legally authorised by licence for the keeping of such Dangerous Wild Animals and only with the written consent of the Licensing Authority). It must be transported in a carrying box/ trailer built for the purpose of carrying wild boar. The species and number of animals of each species which may be kept under the authority of the Licence shall be restricted to those specified in the Licence. 	
	<u>2. Ins</u>	surance	
	2.1	The person to whom the Licence is granted must hold a current insurance policy which insures him and any other person under the authority of the Licence, against liability for any damage which may be caused by the animal, the terms of such policy being satisfactory in the opinion of the Local Authority.	

3. Supervision and Emergency Provisions

3.1 At least one person who holds a current firearms certificate and who is within a period of 15 minutes travelling time from the site must be nominated by the Licensee to attend the site with a suitable firearm in the event of any wild boar escaping from the site.

Note: In the event that a nominated person uses a firearm to deal with any stray boar, they must do so in accordance with the terms and conditions stated on their firearms certificate.

3.2 The person to whom the Licence is granted, or any authorised keeper shall immediately notify the Police and the Licensing Authority in the event of any animal to which the licence relates escaping from the confines of the licensed premises.

4. Record Keeping and Documentation

- 4.1 Carmarthenshire County Council must be provided with an up to date site plan and detailed layout plan of the area devoted to wild boar farming.
- 4.2 The detailed plans should show clearly the position of access roads and footways, perimeter and safety fences, sties, breeding and isolation facilities.
- 4.3 The person to whom the Licence is granted shall at all reasonable times make available a copy of the Licence to any person legally authorised to request it.

5. Stock List

- 5.1 The Licensee must maintain an annual stock list of all animals kept under the authority of the licence. The stock list shall include the information listed below and be retained for a minimum period of six (6) years:
 - a. The common and scientific name of the species.

- b. The total number kept as at January 1st.
- c. Number of arrivals onto the premise during the year, identifying their source.
- d. Number of births during the year.
- e. Number which have died within 30 days of birth.
- f. Number which died from other causes/ slaughtered, specifying the cause.
- g. Number departed from the premises, including sales, breeding, and abattoirs.
- h. Address of authorised premises where dead stock are disposed of.
- i. Total number remaining as at 31st December.

6. Enclosures

- 6.1 Animals shall only be kept in enclosures which are designed, constructed and maintained so as to prevent their escape.
- Any animal kept under the Authority of the Licence will at all times be kept in accommodation which is suitable as regards construction, size, temperature, lighting, drainage and cleanliness and which is suitable for the number of animals held in the accommodation.
- 6.3 Entry to enclosures shall be by two (2) independently locking doors.
- 6.4 Common double gate entrances to both pens are to be padlocked at all times when an attendant is not working in the pens.

7. Fencing

7.1 Fencing to the enclosure shall be at least 1.5 metres high and comprise high tensile stock proof Boar netting, or equivalent.

In order to inhibit digging at the fence line either;

- i. The high tensile netting shall be continued to a depth of 300 mm below ground level at the base of the fence, or
- ii. An electric snout wire shall be inset into the field.
- 7.2 All fencing and gates and electric fences must be inspected daily.

8. Gates

All gates to enclosures must open inwards and be kept locked to prevent unauthorised access. All gates must be at least 1.5m high and constructed to contain all sizes of wild boar.

9. Loading and Unloading Areas

9.1 A secure loading/unloading area must be created for each enclosure, sufficient in size to accommodate vehicles used, and allow the external gate to be open/shut whilst the inner gate is shut. Once the vehicle is in the loading area, the outer gate must be closed and locked before the inner gate is opened.

10. Display of Notices

10.1 Notices warning that the animals are dangerous and should not be approached or fed must be displayed at the access points of the enclosure.

10.2 A notice must be displayed in a prominent position outside the premises, stating the name, address and telephone number of the Licensee or other person, and instructing as to action in case of fire.

11. Welfare of Animals

- 11.1 Any animal kept under the Authority of the Licence will be supplied with adequate food, drink and bedding material and be visited at regular intervals.
- 11.2 Clean water shall always be available.
- 11.3 Appropriate steps will at all such times be taken for the protection of animals concerned in case of fire or other emergency. Fire fighting equipment must be available.
- 11.4 While any animal concerned is at the premises where it is normally held, its accommodation will be such that it can take adequate exercise.

12. Food Preparation Areas

- 12.1 Food storage and preparation areas shall have cleansable surfaces, be hygienic and vermin proof. The fridge freezer for food storage shall be maintained properly.
- 12.2 There must be a structural separation to kitchen areas from the remainder of the building. Domestic kitchens must not be used for the preparation of food and cleansing of animal food containers.
- 12.3 Waste food must be stored in vermin proof building/areas.

13. Disposal of Waste

13.1 Faecal material must be removed daily, and disposed of in an appropriate manner, acceptable to the Local Authority.

14. Disease Prevention and Control

- 14.1 All reasonable steps will be taken at all such times to prevent and control the spread of infectious disease.
- 14.2 Isolation facilities separate accommodation must be provided for isolation of animals suffering from infectious/contagious disease.
- 14.3 Where animals of different species are held in adjacent pens an impervious partition (e.g. metal sheeting) should be in place to minimise cross infection between the two species.
- 14.4 The services of a qualified Veterinary Officer must be obtained to treat cases of infectious or contagious disease.

Page 307

OTHER MATTERS RELATING TO THE OPERATION OF A LICENCED ESTABLISHMENT.

A. APPEALS PROCEDURE

Dangerous Wild Animals Act 1976

Any person aggrieved by the refusal of a local authority to grant a licence under this Act, or

a person to whom such a licence has been granted is aggrieved by a condition of the licence (whether specified at the time the licence is granted or later) or by the variation or revocation of any condition of the licence,

he may appeal to a magistrates' court; and the court may on such an appeal give such directions with respect to the grant of a licence or, as the case may be, with respect to the conditions of the licence as it thinks proper, having regard to the provisions of this Act.

B. FIRE PRECAUTIONS GUIDANCE

The following information is supplied to licensees, in order to aid compliance with the fire precaution requirements detailed in the Council's licence conditions that require appropriate steps to be taken for the protection of animals in case of fire or any other emergency.

The guidance is aimed at ensuring that the means of escape and associated fire precautions are adequate for human occupants. It should be borne in mind that the fire safety requirements for people may be covered by other legislation.

The following matters must be considered:

1. Access for Fire Fighting and Water Supplies - There should be good access for fire fighting appliances (minimum width of 3.7m) to all hydrants and other water sources and hard standings should be provided. The name board of the premises should be clearly displayed beside the nearest road access.

- 2. Means of Escape Escape routes for animals should be designed to provide a straight run out of buildings, with the minimum of human assistance. Pen doors should be so arranged that animals can be evacuated quickly and acute turns, obstructions and ramps in the escape routes should be avoided as far as possible.
 - a) All premises should be provided with exits of sufficient width and height to allow easy access to the animals at all times.
 - b) The exits should be easily opened from the inside without the use of a key.
 - c) If necessary provision should be made for the ready summoning of a key holder.

In buildings exceeding 18 metres in length or where considerable numbers of animals are housed, at least two exits should be provided and situated as far apart as possible. The distance of travel should be limited to 45 metres.

- 3. No Smoking Signs No smoking notices should be displayed in the vicinity of all hay and straw and where practicable precautions should be taken against unauthorised entry especially by children.
- 4. Electrical Installations Electrical installations including lamps should be cleaned regularly to avoid the build-up of dust. Electrical equipment, heaters etc should be positioned and secured so that they are kept at a safe distance from any likely accumulation of flammable bedding material.
- 5. Fire Fighting Equipment
- a. Portable Fire Extinguishers -The following are recommended as a minimum:
 - Buildings not exceeding 200sqm in area require at least 2x9 litre water extinguishers for buildings over 200sqm an additional fire extinguisher must be provided for every additional 200sqm or part thereof.
 - Portable fire extinguishers must meet the requirements of BS EN 3 and be installed and maintained according to the recommendations given in BS 5306.
 - Depending on the outcome of your fire risk assessment, it may be possible to reduce this to one extinguisher in very small premises with a floor space of less than 90m².
 - Fire extinguishers that when operated produce a loud noise, e.g. CO2, or large clouds of dry powder, **should not** be used in close proximity to animals.
- b. Hose Reels Hose reels can be provided as an alternative to portable fire extinguishers. There should be a minimum of one hose for each 800sqm in area or part thereof. It should confirm to BS 5306: Part 1. Wash down hoses may be acceptable

provided there is a constant flow of water that is able to produce water jet with a minimum throw of 5 metres. Hose reels must not exceed 45m in length and should be sited so that the nozzle can be taken to within 6m of each part of the protected premises.

6. Fire Notices - All staff at the establishment should be familiar with what action must be taken in the event of a fire. A clearly written and conspicuous notice should be provided indicating the action to be taken in case of fire and the location of the nearest telephone.

This notice may include the following:

7. O/S Map Reference - An Ordnance Survey map reference number should be made available for the premises and displayed with the Fire Notice provided.

The Regulatory Reform (Fire Safety) Order 2005 requires that necessary fire precautions are put in place to protect relevant persons in case of fire in, and in the vicinity of all premises to which the legislation applies.

Responsibility for complying with the order rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises the person(s) in control of the premises will be responsible.

The responsible person must:

Carry out a Fire Risk Assessment, the significant findings of which must be recorded if five or more persons are employed, if the premises are licensed or if an alterations notice is in force.

To further assist you, the Fire Safety Guide to Animal Premises and Stables (ISBN: 978 1 85112 884 6) is available from the stationary office or via the Department for Communities and Local Government website (www.communities.gov.uk).

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LICENSING CONDITIONS AND GUIDANCE FOR HOME BOARDING OF DOGS

Contents

1. GENERAL CONDITIONS

- 1.1 Licence Display
- 1.2 Authority Approval

2. ACCOMMODATION & ENVIRONMENT

- 2.1 Domestic Environment
- 2.2 Size of Quarters
- 2.3 Bedding
- 2.4 Temperature & Heating
- 2.5 Lighting
- 2.6 Ventilation
- 2.7 Cleanliness
- 2.8 Pest Control
- 2.9 Waste Disposal

3. DIET & NUTRITION

- 3.1 Food & Drink
- 3.2 Food Preparation & Storage Facilities

4. NORMAL BEHAVIOUR

- 4.1 Exercise Facilities
- 4.2 Supervision
- 4.3 Maximum Number of Dogs Boarded

5. HEALTH & WELFARE

- 5.1 Registration with a Veterinary Surgeon
- 5.2 Disease Control & Vaccination
- 5.3 Isolation Facilities
- 5.4 Miscellaneous Requirements

- 5.5 Transport of Dogs
- 5.6 Protection from Fire
- 5.7 Safety of Electrical Equipment

6. RECORD KEEPING

6.1 Register

7. ANIMAL WELFARE ACT 2006

- 7.1 Routine Medication
- 7.2 Socialisation
- 7.3 Identification of Dogs

RECOMMENDATION

Insurance Policy

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT

- A Appeals Procedure
- B Fire Precautions Guidance
- C Health and Safety

Page 313

1. GENERAL CONDITIONS

Guidance

2. Accommodation & Environment

Dogs must be kept in accommodation that is appropriate for construction, size of quarters, bedding, exercising facilities, temperature and heating, lighting, ventilation, cleanliness, and waste disposal.

Licence Condition	Guidance
 a. Dogs must live in the home as family pets. There must be no external construction of buildings, cages or runs. b. The premises shall have its own entrance and must not have shared access e.g. communal stairs. c. As far as reasonably practicable all areas/rooms within the home to which boarded dogs have access, must have no physical or chemical hazards that may cause injury to the dogs. d. There must be direct access to a suitable outside area. The area / garden must only be for use by the homeowner (not shared with other residents). 	Licensees are advised to check with the local planning authority for any possible planning permissions that may be required. Normally planning permission will not be required for the home boarding of animals on the scale proposed, however should complaints be received because of particular noise or odour problems, then the Council reserves the right to consider whether there has been a change of use which requires a planning application to be submitted.
 2.2 Size of Quarters a. There must be sufficient space available to be able to keep the dogs separately if required. b. The layout must enable all dogs to choose whether or not to be able to see another dog. 	There should be a sufficient number of rooms available to the boarded dogs to allow them to be housed separately if required, this maybe beneficial during the night. Or some dogs just prefer to have some solitary time.

2.3 Bedding This may help with the settling in of a dog into a new environment – home comforts. a. Clients must be encouraged to provide each dog with its own bedding. The Licensee however should also be able to provide extra **b.** All bedding areas must be kept clean and dry. bedding material. 2.4 Temperature & Heating a. Heating and cooling facilities must be available in the In order to maintain temperatures as required, the use of domestic environment and used according to the individual heat sources for dogs may prove adequate. In some requirements of the individual dog. circumstances additional background heating will also be **b.** There must be some part of the sleeping area where the required. dog is able to enjoy a minimum temperature of 10°C and a maximum temperature of 26°C Devices used for heating and cooling should be safe and free c. In the isolation area there must be a means of maintaining from risk of burning or electrocution. Open fires should be the temperature at a level suitable for the condition of the suitably quarded. dog, and dependant upon veterinary advice. However, the temperature in the isolation area must not be allowed to rise above 26 C or fall below 13 C d. Licensees must ensure that all heat sources are safe and comply with all regulatory requirements for both the dogs and people working there. 2.5 Lighting Consideration should be given in the domestic environment to a. Light must be provided to exercise and sleeping areas so the positioning of any free standing lights, which could otherwise that all parts are clearly visible. Where practicable this be knocked over by dogs. should be natural light. **b.** Lighting needs to be switched off at night time to allow proper sleep patterns.

		I
	Ventilation Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area. It must also be able to regulate changes in temperature.	In the domestic environment adequate ventilation can be provided by simply opening a window, but full consideration should be given and steps taken to prevent the risk of escape or compromise the safety of the dogs.
2.7 C	leanliness	
	All areas where the dogs have access to, including the kitchen etc must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance, disease control and dog comfort. All excreta and soiled material must be removed from all areas used by the dogs at least daily and more often if necessary.	A list of disinfectants can be found at: http://disinfectants.defra.gov.uk/
	est Control Measures must be taken to minimise the risks from rodents, insects and other pests within the home. Such pests must be dealt with using a suitable veterinary product without delay to eradicate any infestation.	The manufacturer's guidance should be followed when using control products in order to minimise risk to dogs.
a.	Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical	The licensee should check with Natural Resources Wales for current guidance on the appropriate means of disposal.

	waste arising from the treatment and handling of dogs
	with infectious diseases.
c.	Disposal facilities for animal waste must be agreed with
	the Licensing Authority in liaison with Natural Resources

3. Diet & Nutrition

Wales.

All boarded dogs must be adequately supplied with suitable food.

Licence Condition	Guidance
3.1 Food & Drink	
 a. All dogs must have an adequate supply of suitable food as directed by the client. b. Fresh drinking water must be available at all times and the drinking vessel cleaned daily. The water must be changed at least daily. c. Each dog must be provided with its own bowl. d. Eating and drinking vessels must be capable of being easily cleansed and disinfected to prevent crosscontamination. e. Feeding bowls must be cleaned after each meal. 	Food should be provided by the dogs' owner to avoid any sudden change in the dogs' diet which can cause digestive problems. Dogs should have access to their own feeding bowls, and shy feeders should be monitored. All dogs should receive a diet which fulfils their nutritional requirements and is matched to their age, breed, reproductive status, body condition score and activity level.
	Refer to Welsh Government Codes of Practice
3.2 Food Preparation & Storage Facilities	
a. Airtight containers must be provided for the storage of dry foods.	Dog food preparation should be kept totally separate from areas

b.	Uncooked food and the remains of opened tins must be	used for human food preparation for hygiene reasons.
	stored in covered, non-metal, leak proof containers in a	
	designated fridge.	
C.	All bulk supplies of food shall be kept in vermin proof	
	containers.	

4. Normal Behaviour

Dogs must be able to exhibit normal behaviour patterns at all times. They must have the opportunity to enjoy exercise and be adequately supervised.

Licence Condition	Guidance
4.1 Exercise Facilities	
 a. Dogs must be exercised in accordance with their owner's wishes. b. If dogs are taken off the premises, they must be kept on leads unless the owners' written permission allows off lead exercise. c. The exercise/garden area of the premises and any other area, to which the boarded dogs may have access, must be totally secure and safe. d. Fencing must be adequate to offer security to prevent escape and be safe, with no dangerous sharp objects or protrusions. e. Gates must be secure. 	Consideration should be taken regarding the age, fitness, temperament and safety of the dogs and to the suitable type of exercise, for example circumstances may mean that a dog being allowed to be exercised off the lead may be found not to be appropriate.

4.2 Supervision

- **a.** A fit and proper person with relevant experience must always be available to exercise supervision and deal with emergencies whenever dogs are boarded at the premises.
- **b.** Dogs must be visited at regular intervals, as necessary for their health, safety and welfare.
- **c.** Only people over 16 years of age are allowed to walk the dogs in public places unsupervised.

Anyone supervising the dogs needs to have sufficient knowledge and experience to be able to handle the dogs correctly and safely. They must also be able to recognise if a dog's behaviour suggests there is a problem and act appropriately.

All licensees/supervisory staff should have access to and be familiar with the Code of Practice for the Welfare of Dogs and all other relevant legislation.

4.3 Maximum number of Dogs Boarded

- **a.** The maximum number of dogs kept at any one time is stated on the licence and must not be exceeded and under no circumstances will exceed 6 dogs.
- **b.** This maximum number of dogs will be determined by the facilities of the premises.
- **c.** The number of dogs will be reduced if there is a failure to comply with other licence requirements.
- **d.** Dogs from different households may be boarded together at the same time provided a prior assessment of their temperament, sociability and boarding history is made to ensure that the arrangement is suitable and their various owners' consent is obtained.
- **e.** Dogs must not be boarded with any cat, unless they normally live together in the same household.
- **f.** Where there is a resident dog or cat kept at the household, written consent from the owners of the boarded dog must be gained following a trial familiarisation session.

Considerations will be made by the licensing authority to the establishment as a whole; to include available accommodation, exercise facilities and level of continued licence compliance when determining the maximum number of dogs that might be kept at the licensed premises.

Where the licensing authorities are not content with the ability of the proposed licence holder or existing licence holder to meet licensing conditions they may reduce the number of dogs that the establishment can board.

This may be evidenced by failure to meet licence conditions e.g. lack of exercising dogs and poor cleanliness.

5. Health & Welfare

Reasonable precautions must be taken to prevent and control the spread of infectious or contagious diseases. Any sick or injured animal must receive appropriate care and treatment without delay. Isolation facilities, first aid equipment and fire protection are necessary.

Licence Condition	Guidance
5.1 Registration with a Veterinary Surgeon	
 a. All boarding establishments must be registered with a veterinary practice and ensure full details are made available to the Licensing Authority. b. The clients own veterinary practice must be known and consulted if necessary. c. Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any dog is sick or injured, any instructions for its treatment, which have been given by a veterinary surgeon, must be strictly followed. d. The Licensing Authority must be informed of any animal death on the premises. e. The Licensee must make arrangements for the body to be stored at a veterinary surgeon's premises until the owners return. 	Addresses of veterinary surgeries can be accessed from the Royal College of Veterinary Surgeons: http://www.rcvs.org.uk/FindAVet The use of the establishment's own veterinary practice should be agreed with the customer prior to boarding. It is advisable that in the event of an emergency, all efforts are made to contact either the owner or the emergency contact provided by the owner.
5.2 Disease Control & Vaccinations	
 a. Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors. b. Dogs boarded or resident must be accompanied by an up 	Adequate precautions may include annual booster vaccinations and any other preventative measures at the discretion of the licensee.

Page 32

- to date record of a veterinary approved protection against distemper, kennel cough, hepatitis, parvovirus, leptospirosis and other relevant diseases.
- c. Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in both boarded and resident dogs; this must include routine treatment of the accommodation. Proof must be maintained of all routine and emergency treatment for parasites.
- **d.** Following an episode of infectious disease during any stay, the premises must undergo a reasonable quarantine period before new boarders are admitted. This period will be specified by the Licensing Authority as agreed with their authorised veterinary surgeon.

In all cases this should be in consultation with a veterinary surgeon.

5.3 Isolation Facilities

- **a.** Isolation facilities must be available and must be in compliance with the other licence conditions but must also be physically isolated from other dog accommodation.
- **b.** Adequate facilities to prevent the spread of infectious disease between isolated dogs and other dogs must be available.
- **c.** Effective biosecurity measures must be in place and understood.
- **d.** The Licensee must inform the Licensing Authority on the next working day if a dog develops an infectious disease.

Veterinary advice about the isolation of dogs with potentially infectious diseases should be documented and followed immediately.

Isolation animals need to be effectively isolated and evidence of veterinary involvement will be expected.

5.4 Miscellaneous Requirements

- **a.** A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site.
- **b.** Entire males and bitches in season or bitches due to be in season during the boarding, must not be boarded together.
- **c.** In the event of a dog escaping or being lost from a licensed home boarder, licensees must notify the Licensing Authority as soon as is practical and without undue delay.
- **d.** Full details of date, time, location and circumstances of the incident, the description of the dog, the owner's full details, and any recovery actions already taken by the licensee must be given.
- **e.** A relative, friend or neighbour within 5 minutes travelling time must have a spare set of keys and access to the premises in case of an emergency. These details must be made available to the Licensing Authority.

For un-neutered bitches it is advisable to ask owners when a bitch had its last season so that the licensee will be aware if the bitch is likely to come into season during the stay.

Most Authorities operate an "out of hours" emergency line; escapes can be reported to this facility in the first instance if you are unable to contact your licensing department. Agencies such as the Police and your Councils Dog Warden Service should also be notified at the earliest opportunity.

5.5 Transport of Dogs

a. Licensees who offer collection and delivery services must ensure vehicles used comply with current Welfare of Animals in Transport regulations

The legislation defines the requirements to ensure the 'Welfare of Animals in Transport'. You can ask your licensing inspector for details of the current regulations. Examples include; Securely fitted dog cage(s) and suitable ventilation. As well as the requirement to hold a Transporters authorisation.

5.6 Protection from Fire

- **a.** There must be an emergency fire and evacuation plan in place.
- **b.** There must be adequate means of raising an alarm in the event of a fire or other emergency.

This procedure must include instructions dealing with where dogs are to be evacuated.

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c. Fire fighting equipment and detectors must be properly To aid with the compliance of the regulations please see details in the attached Schedule B maintained and appropriately placed. Fire extinguishers need to be serviced or replaced as required. **d.** Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to dogs. e. Precautions must be taken to prevent any accumulation of material which may present a risk of fire. f. The occupier of the property must be aware of the location of the dogs in the property at all times. g. The Licensee must have suitable arrangements for the temporary boarding of dogs in the event that the licensed premise is rendered uninhabitable. 5.7 Safety of Electrical Equipment a. You must ensure that all electrical systems are To aid with the compliance of the regulations please see details adequately constructed and maintained, so as to prevent in the attached Schedule C

danger, in accordance with the Electricity at Work

Regulations 1989.

6. Record Keeping

Records must be kept as required by the legislation detailing all pertinent information for each dog boarded, to ensure licensees are fully aware of each dog's individual requirements.

Licence Condition	Guidance
 6.1 Register a. A register must be kept of all dogs boarded. The information kept must include the following: date of arrival name of dog, as well as any other identification mark such as microchip number or tattoo description, breed, age and gender of dog name, address and telephone number of owner or keeper name, address and telephone number of contact person whilst boarded name, address and telephone number of dog's veterinary surgeon anticipated and actual date of departure, health, welfare and nutrition requirements quantity and administration of any medication on each occasion its given 	The register should be in a format that is clear and easy to understand by any staff and the licensing inspector.
 b. Records must be kept available for a minimum of 24 months and kept in such a manner as to enable an authorised officer easy access to such information. c. Where records are computerised, a hard copy must be kept. d. The register must also be available to members of staff of the establishment at all times. 	

7. Animal Welfare Act 2006 - Duty of Care Requirements

Section 9 of the above Act places a duty of care on a person who is responsible for an animal. The Act states that a person commits a criminal offence if they do not take reasonable steps to ensure for the needs of that animal. In order that you comply with these duties the Council has detailed certain requirements and guidance that you must follow.

Where there is a potential breach of a Duty of Care under the Animal Welfare Act 2006, the Council may, at its discretion, issue an Improvement Notice to remedy the problem.

Licensing Conditions	Guidance
 7.1 Routine Medication a. Any dog boarded that requires routine/daily medication or treatments must have them administered by a suitably competent person. b. The quantity and frequency of administration must be fully discussed and logged prior to the dogs stay. c. Any medications must be stored securely and in accordance with manufacturer's guidelines. 	It is good practice for the licensee to have written evidence regarding any medication requirements to both safeguard the health & welfare of the dog and protect themselves in the event of any future issues. Whilst being boarded there should be a check list devised of the day & time of each administration which is subsequently signed off.
 7.2 Socialisation a. All animals must be given the opportunity for daily interaction and stimulation. 	Appropriate exercise, play, and other human contact should be carried out to ensure that dogs get as much as they would be used to within their home environment.

7.3 Identification of Dogs

a. Dogs must wear a collar and identity tag during their time in boarding. The tag must display the name, address and telephone number of the boarding premises.

An example of a premises Identity dog tag would be: "I am staying at ABC Dog Boarding" and the contact details.

This is especially important where dogs are exercised (with the owners consent) outside the licensed premises. In the event that a dog may be lost it can facilitate a speedy reunion.

Recommendation

Recommendation	Guidance
Insurance Policy It is strongly recommended that every boarding establishment has comprehensive and adequate insurance cover.	The cover should cater for a wide range of "canine misfortunes" from emergency veterinary care, loss, third party liability and employer's liability where applicable.

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT.

A. APPEALS PROCEDURE

Animal Boarding Establishments Act 1963

Any person aggrieved by the refusal of a local authority to grant such a licence, or by any condition subject to which such a licence is proposed to be granted, may appeal to a magistrates' court; and the court may on such an appeal give such directions with respect to the issue of a licence or, as the case may be, with respect to the conditions subject to which a licence is to be granted as it thinks proper.

B. FIRE PRECAUTIONS GUIDANCE

The following information is supplied to licensees, in order to aid compliance with the fire precaution requirements detailed in the Council's licensing conditions that require appropriate steps to be taken for the protection of animals in case of fire or any other emergency.

The guidance is aimed at ensuring that the means of escape and associated fire precautions are adequate for human occupants. It should be borne in mind that the fire safety requirements for people maybe covered by other legislation.

The following matters must be considered:

- 1. Access for Fire Fighting and Water Supplies There should be good access for fire fighting appliances (minimum width of 3.7m) to all hydrants and other water sources and hard standings should be provided. The name board of the premises should be clearly displayed beside the nearest road access.
- 2. Means of Escape Escape routes for animals should be designed to provide a straight run out of buildings, with the minimum of human assistance. Pen doors should be so arranged that animals can be evacuated quickly and acute turns, obstructions and ramps in the escape routes should be avoided as far as possible.
 - a) All premises should be provided with exits of sufficient width and height to allow easy access to the animals at all times.
 - b) The exits should be easily opened from the inside without the use of a key.
 - c) If necessary provision should be made for the ready summoning of a key holder.

- In buildings exceeding 18 metres in length or where considerable numbers of animals are housed, at least two exits should be provided and situated as far apart as possible. The distance of travel should be limited to 45 metres.
- 3. No Smoking Signs No smoking notices should be displayed in the vicinity of all hay and straw and where practicable precautions should be taken against unauthorised entry especially by children.
- 4. Electrical Installations Electrical installations including lamps should be cleaned regularly to avoid the build-up of dust. Electrical equipment, heaters etc should be positioned and secured so that they are kept at a safe distance from any likely accumulation of flammable bedding material.
- 5. Fire Fighting Equipment
- a. Portable Fire Extinguishers -The following are recommended as a minimum:
 - Buildings not exceeding 200sqm in area require at least 2x9 litre water extinguishers for buildings over 200sqm an additional fire extinguisher must be provided for every additional 200sqm or part thereof.
 - Portable fire extinguishers must meet the requirements of BS EN 3 and be installed and maintained according to the recommendations given in BS 5306.
 - Depending on the outcome of your fire risk assessment, it may be possible to reduce this to one extinguisher in very small premises with a floor space of less than 90m².
 - Fire extinguishers that when operated produce a loud noise, e.g. CO2, or large clouds of dry powder, should not be used in close proximity to animals.
- b. Hose Reels Hose reels can be provided as an alternative to portable fire extinguishers. There should be a minimum of one hose for each 800sqm in area or part thereof. It should confirm to BS 5306: Part 1. Wash down hoses may be acceptable provided there is a constant flow of water that is able to produce water jet with a minimum throw of 5 metres. Hose reels must not exceed 45m in length and should be sited so that the nozzle can be taken to within 6m of each part of the protected premises.
- 6. Fire Notices All staff at the establishment should be familiar with what action must be taken in the event of a fire. A clearly written and conspicuous notice should be provided indicating the action to be taken in case of fire and the location of the nearest telephone.

This notice may include the following:

7. O/S Map Reference - An Ordnance Survey map reference number should be made available for the premises and displayed with the Fire Notice provided.

The Regulatory Reform (Fire Safety) Order 2005 requires that necessary fire precautions are put in place to protect relevant persons in case of fire in, and in the vicinity of all premises to which the legislation applies.

Responsibility for complying with the order rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises the person(s) in control of the premises will be responsible.

The responsible person must:

Carry out a Fire Risk Assessment, the significant findings of which must be recorded if five or more persons are employed, if the premises are licensed or if an alterations notice is in force.

To further assist you, the Fire Safety Guide to Animal Premises and Stables (ISBN: 978 1 85112 884 6) is available from the stationary office or via the Department for Communities and Local Government website (www.communities.gov.uk).

C. HEALTH AND SAFETY

Health and Safety law applies to all businesses, no matter how small. As an employer or a self employed person, you are responsible for health and safety in your business. You need to take the right precautions to reduce the risks of workplace dangers and provide a safe working environment.

There is a guide called "Health and Safety made simple". This guide makes life easier for you by providing the basic information on what you need to do in one place. It will help you get started in managing health and safety in your business.

For some work activities there may be extra things you need to do to make sure you are complying with the law. Further guidance on specific topics, such as managing asbestos, preventing ill health from animal contact etc, and model risk assessments are available online at www.hse.gov.uk. You can also contact the health and safety team of Carmarthenshire County Council on 01267 234567 and ask for the Health and Safety Officer.

The "Health and Safety made simple" leaflet can be downloaded by following this link: http://www.hse.gov.uk/pubns/indg449.pdf



LICENCE CONDITIONS AND GUIDANCE FOR HOME DOG BREEDERS

Contents

1. GENERAL CONDITIONS

1.1 Licence Display

2. ACCOMMODATION & ENVIRONMENT

- 2.1 Domestic Environment
- 2.2 Size of Quarters
- 2.3 Bedding
- 2.4 Temperature & Heating
- 2.5 Lighting
- 2.6 Ventilation
- 2.7 Cleanliness
- 2.8 Pest Control
- 2.9 Waste Disposal
- 2.10 Whelping

3. DIET AND NUTRITION

- 3.1 Food & Drink
- 3.2 Food Preparation & Storage Facilities

4. NORMAL BEHAVIOUR

- 4.1 Exercise
- 4.2 Supervision
- 4.3 Staff ratio/stocking density
- 4.4 Domestic Layout

5. HEALTH AND WELFARE

- 5.1 Registration with a Veterinary Surgeon
- 5.2 Medicines
- 5.3 Contagious/Infectious diseases
- 5.4 Health Status of dogs
- 5.5 Breeding

- 5.6 Isolation facilities
- 5.7 First aid kit
- 5.8 Protection from fire
- 5.9 Safety of Electrical Equipment

6. RECORD KEEPING

- 6.1 Dog Identification
- 6.2 Puppies
- 6.3 Sales of Breeding Bitches and Stud Dogs
- 6.4 Transport of Dogs

7. ANIMAL WELFARE ACT 2006

- 7.1 Puppy Facilities
- 7.2 Exhibiting Normal Behaviour Patterns
- 7.3 Socialisation of Puppies
- 7.4 Responsible Breeding
- 7.5 Strategy for the retirement of breeding bitches and stud dogs.

8. OTHER GUIDANCE

8.1 Other Current Relevant Legislation

OTHER MATTERS RELATING TO THE OPERATION OF A LICENCED ESTABLISHMENT

- A Appeals Procedure
- B Fire Precautions Guidance
- C Health and Safety

ADDITIONAL SCHEDULES

- Schedule 1 Breeding Bitch Log Book
- Schedule 2 Breeding Stud Log Book
- Schedule 3 Puppy ID Card

1. GENERAL CONDITIONS

Licence Condition	Guidance
1.1 Licence Display	
A copy of the licence and its conditions must be suitably displayed to the public in a prominent position at the breeding establishment.	Licensees are advised to check with the local planning authority for any possible planning permissions that may be required.

2. ACCOMMODATION & ENVIRONMENT

Dogs must be kept in accommodation that is appropriate for construction, size of quarters, bedding, exercising facilities, temperature and heating, lighting, ventilation, cleanliness, and waste disposal. Whelping and puppy facilities must be available.

Licence Condition	Guidance
 2.1 Domestic Environment a. All dogs must live, sleep and whelp within the domestic premises. b. The domestic premises must be a safe environment for the dogs to live in. 	Dogs should have adequate resources to avoid competition and monopolisation in the domestic environment, e.g. this includes hiding places, beds, toys etc. Paths, gardens and exercise areas should be well maintained and in good, clean, safe condition. All floors should provide sufficient grip for the dogs to walk or run without slipping. The domestic environment should also prevent against, the risk of escape.

2.2 Size of Quarters

- **a.** Dog cages may be used as overnight sleeping accommodation for a maximum of 9 hours only.
- **b.** If they are used they must be sufficiently large to allow each dog to be able to stand, turn around and wag its tail without touching the sides.

Please refer to 2.10 with regards to Whelping facilities.

2.3 Bedding

- **a.** Beds and bedding must be provided and be suitable to allow dogs to be comfortable.
- **b.** Beds and bedding must be capable of being easily cleaned, disinfected and sited away from draughts.
- **c.** All bedding material in use must be clean, non-irritant and dry.
- **d.** A dog bed must be of a durable impervious construction and be a suitable size for the breed of dogs kept.
- e. Each dog must have access to a bed of its own.

A dog bed is defined as a base and 3 or 4 side walls (3D) with the option of a roof.

Examples of suitable bedding are 'Vetbed' and fabric or fleece materials (capable of being washed).

2.4 Temperature & Heating

- **a.** Heating and cooling facilities must be available in the domestic environment and used according to the requirements of the individual dog and pups.
- **b.** There must be some part of the sleeping area where the dog is able to enjoy a minimum temperature of 10°C and a maximum temperature of 26°C

As puppies have limited thermoregulatory control in the first ten days or so of life, additional local heating should be provided within the whelping enclosure. Temperatures at dog level should be monitored and recorded.

The source of heat should cover a large enough area for the whole litter.

Outdoor areas provided for animals to exercise and interact

- c. In the isolation area there must be a means of maintaining the temperature at a level suitable for the condition of the dog, and dependant upon veterinary advice. However, the temperature in the isolation kennel must not be allowed to rise above 26 C or fall below 13 C
- **d.** Licensees must ensure that all heat sources are safe and comply with all regulatory requirements for both the animals and people working there.

cannot have strict temperature regulation. Animals should not be restricted to such areas under climatic conditions which may cause them distress.

In order to maintain temperatures as required, the use of individual heat sources for dogs may prove adequate. In some circumstances additional background heating will also be required.

Devices used for heating and cooling should be safe and free from risk of burning or electrocution. Open fires should be suitably guarded.

By their very nature heat lamps are installed at low level and cannot be fitted with plastic covers but should have metal mesh guards to protect dogs from direct contact with hot bulbs.

There is a far greater chance of heat lamps being knocked and bulbs broken when suspended at low levels but there are bulbs available on the market that are resistant to breakage during normal use. These bulbs should be sourced and used if at all possible.

2.5 Lighting

- **a.** Light must be provided to exercise and sleeping areas so that all parts are clearly visible. Where practicable this should be natural light.
- **b.** Lighting needs to be switched off at night time to allow proper sleep patterns.

Consideration should be given in the domestic environment to the positioning of any free standing lights, which could otherwise be knocked over by dogs.

2.6 Ventilation	
a. Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area. It must also be able to regulate changes in temperature.	In the domestic environment adequate ventilation can be provided by simply opening a window, but full consideration should be given and steps taken to prevent the risk of escape or compromise the safety of the dogs.
2.7 Cleanliness a. All excreta and soiled material must be removed from all areas used by the dogs at least daily and more often if necessary.	A list of disinfectants can be found at: http://disinfectants.defra.gov.uk/
Dest Control Measures must be taken to minimise the risks from rodents, insects and other pests within the home. Such pests must be adequately dealt with without delay to eradicate any infestation.	The manufacturer's guidance should be followed when using control products in order to minimise risk to dogs.
 a. Facilities must be provided for the proper reception, storage and disposal of waste. b. Particular care must be taken to segregate waste arising from the treatment and handling of dogs with infectious diseases. c. Disposal facilities for animal waste must be agreed with the Licensing Authority in liaison with Natural Resources Wales. 	The licensee should check with Natural Resources Wales for current guidance on the appropriate means of disposal.

2.10 Whelping Facilities

- **a.** All bitches must be provided with a designated area prior to whelping, with a suitable whelping box/bed.
- **b.** Heating facilities must be adequate, secure and safe and capable of providing the range of temperatures, suitable for both pups and bitch.
- **c.** An area must be provided where a bitch can rest away from her pups.
- **d.** Dog cages are not suitable and must not be used as whelping beds

Bitches should generally be housed with other dogs in a pair or group, but should be individually housed for a few days prior to whelping. However, they should continue to have sight, sound and smell of other familiar bitches and daily contact with humans.

The whelping box/bed should be of a suitable size to contain the bitch and all puppies comfortably taking into account breed and size of litter. Also, beds with crush bars are advisable to avoid the accidental crushing of puppies by the bitch.

From approximately 3 days after parturition, bitches should be given short periods of exercise away from their litter.

Bitches due to whelp should be inspected regularly. When in labour, bitches should be closely monitored and if any signs of difficulty are shown, a vet should be contacted as a matter if urgency. Contact details for veterinary support should be readily available.

3. **DIET AND NUTRITION**

Dogs must be adequately supplied with suitable food and drink at all times for breed, age and varying nutritional requirements. Adequate food preparation facilities must be available.

Licence Condition	Guidance
 a. All dogs must be supplied with a diet suitable for their type, age and breed. b. Fresh clean water must be available at all times and changed daily. c. Eating and drinking vessels must be of a design that prevents spillage as far as is practicable. d. Vessels must be capable of being easily cleansed, sterilized and must be maintained in a clean condition. 	All dogs including weaned puppies should have access to separate feeding vessels. All dogs must receive a diet which fulfils their nutritional requirements and is matched to their age, breed, reproductive status, body condition score and activity level. Veterinary advice should be sought where puppies fail to gain weight, or lose weight. Refer to Welsh Government Codes of Practice
 3.2 Food Preparation & Storage Facilities a. Suitable facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs. b. Where fresh and cooked meats are stored, designated refrigeration facilities must be provided. Food contamination must be avoided. c. A sink with hot and cold running water must be available for washing kitchen utensils and eating and drinking vessels. 	Dog food preparation should be kept totally separate from areas used for human food preparation for hygiene reasons.

d. Containers must be provided for the storage of foods and shall be so constructed and kept in such good order, repair and condition as to be proof against insects and other pests.

4. NORMAL BEHAVIOUR

Dogs must be able to exhibit normal behaviour patterns at all times. They must have the opportunity to enjoy exercise and be adequately supervised. Consequently owners must comply with approved staff ratios. Dogs will be kept in an environment with facilities to enhance and enrich their environment and to enable the socialisation of puppies.

Licence Condition	Guidance
4.1 Exercise	
 a. All dogs must have sufficient exercise for their individual needs to ensure their physical and mental wellbeing. b. Where dogs do not have a specific exercise area or free access to an exercise area, a written exercise programme must be provided and approved by the local authority. 	In a domestic environment dogs should have regular exercise outside the domestic environment. This could take the form of walks in the park/on the beach.
4.2 Supervision	
 a. Where the Licensee is absent for some time then supervision of the premises must be by a suitable and competent person of least 16 years of age. b. Those that supervise must have a thorough and detailed knowledge of the licensing conditions and comply with them at all times. 	Anyone supervising the dogs, need to have sufficient knowledge and experience to be able to handle the dogs correctly and safely. They must also be able to recognise if a dog's behaviour suggests there is a problem and act appropriately.

This is necessary to ensure their health, safety and welfare and prevent any unnecessary suffering.

c. Dogs must be checked at regular intervals to ensure their health, safety and welfare.

All breeders and staff should have access to and be familiar with the Code of Practice for the Welfare of Dogs and all other relevant legislation.

They should have a sound working knowledge of dog breeding and be aware of good practice and trait(s) of their chosen breed(s).

4.3 Dog Numbers

- **a.** The maximum number of dogs kept at any one time is stated on the licence and must not be exceeded.
- **b.** This maximum number of dogs will be determined by the facilities of the premises.
- **c.** The number of dogs will be reduced if there is a failure to comply with other licence requirements. A 'dog' is defined as any canine over 6 months old to include stud, breeding, retired and juveniles.

Consideration will be made by the licensing authority to the establishment as a whole; to include available accommodation, exercise facilities, health & welfare programmes, any other commitments of licensee (e.g. work) and level of continued licence compliance.

Where the licensing authority is not content with the ability of the proposed licence holder or existing licence holder to comply with licensing conditions, they may reduce the number of dogs that the establishment can keep.

This may be evidenced by failure to meet licence conditions e.g. lack of exercising dogs and poor cleanliness.

4.4 Domestic Layout

a. All dogs must be kept in the company of other dogs unless for an individual's safety and wellbeing it is required to be kept in isolation.

The layout should enable all dogs to choose whether or not to be able to see another dog.

Unless the individual dog is emotionally or physically unsuitable, all dogs should be housed in groups (min 2 dogs).

5. HEALTH AND WELFARE

Reasonable precautions must be taken to prevent and control the spread of infectious or contagious diseases. Registration with a vet is essential. There is a requirement to have appropriate health plans, to use licensed medicines as necessary and to promote the health status of the dogs through proper breeding. Isolation facilities, first aid equipment and fire protection are necessary.

Licence Condition	Guidance
5.1 Registration with a Veterinary Surgeon	
All licensees must be registered with a Veterinary Practice and ensure full details are made available to the Licensing Authority.	Addresses of veterinary surgeries can be accessed from the Royal College of Veterinary Surgeons: http://www.rcvs.org.uk/FindAVet
 5.2 Medicines a. All medicines used must have a current Marketing Authorisation for sale in the UK. b. Each medicine used must be within its expiry date, and used as per instruction. c. They must be stored in a suitable secure cabinet and in accordance with manufacturer's guidelines. 	Prescription Only Medicine – Veterinary (POM-V) medicines should only be used for the specific animals to which they are prescribed. The specific veterinary instruction must be followed. Non Food Animal Medicine – Veterinary, Pharmacist and Suitably Qualified Person (NFAM-VPS) and Authorised Veterinary medicine – General Sale List (AVM-GSL) medicines must be used in accordance with the manufacturer's guidelines.
d. They must be protected from light and extremes of temperature.	Homeopathic medicine is allowed but only with written veterinary approval, and should be case specific. i.e. where a specific dog may have adverse reactions to the normal veterinary medicines.
5.3 Contagious / Infectious diseases on the premises	
All dogs must be adequately protected from contagious and infectious disease and parasites as determined by	Adequate precautions should be taken to prevent and control the spread of infectious and contagious diseases and parasites

your veterinary surgeon.	among dogs, and zoonoses among dogs, staff and visitors.
b. Up to date records must be kept for each dog detailing what treatments and vaccinations they have received.	Records to be kept of all vaccination and worming regimes.
5.4 Health Status of dogs	
 a. There must be a daily physical inspection of every animal to check for any signs of illness, injury or distress. b. Stud dogs and breeding bitches must be physically and behaviourally sound. c. Any breeding stock which appears to the licensing inspector to exhibit unsound hereditary or behavioural characteristics may be required to be verified as sound by the licensee's veterinary surgeon. d. Advice from a Veterinary Surgeon must be sought without delay where a dog shows signs of disease, injury, illness or behavioural disorder and results maintained in the dog's log book and be available to potential purchasers. 	Any breeding stock that show signs of fear or anxiety do not normally make good parents. Puppies should be the product of healthy, sociable and environmentally competent parents.
 a. Breeding bitches must not be mated if they are less than one year old. b. A breeding bitch must not give birth to more than six litters of puppies in their lifetime. c. Breeding bitches must not give birth to more than one litter of puppies in a period of twelve months. 	

5.6 Isolation facilities

- a. Isolation facilities must be available and must be in compliance with the other licence conditions but must also be physically isolated from other dog accommodation.
- **b.** Adequate facilities to prevent the spread of infectious disease between isolated dogs and other dogs must be available.
- **c.** Effective biosecurity measures must be in place and understood.

Veterinary advice about the isolation of dogs with potentially infectious diseases should be documented and followed immediately.

Procedures and facilities should be in place to allow the quarantining of new arrivals as devised in consultation with a veterinary surgeon.

Veterinary advice should be sought when new arrivals show any signs of disease before they are mixed with other dogs.

Isolation animals need to be effectively isolated and evidence of veterinary involvement will be expected.

5.7 First aid kit

a. A fully stocked first-aid kit suitable for use on dogs and puppies must be available and accessible on the premises.

A first aid kit should include the following:

A selection of Dressings

- Non adherent wound cover
- Retaining bandages
- Covering bandages
- Cotton wool
- Scissors
- Tweezers
- Torch
- Suitably sizes muzzle/s

Contact number for Veterinary Surgeon including out of routine hours details.

Available medicines to be stored in medicine cabinet include: Wound cream & Antiseptic solution.

5.8 Protection from fire

- **a.** There must be an emergency fire and evacuation plan in place.
- **b.** There must be adequate means of raising an alarm in the event of a fire or other emergency.
- **c.** Firefighting equipment and detectors must be properly maintained and fire extinguishers need to be serviced or replaced as required.
- **d.** Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to dogs.
- **e.** Precautions must be taken to prevent any accumulation of material which may present a risk of fire.

This procedure must include instructions dealing with where dogs are to be evacuated.

To aid with the compliance of the regulations please see details in the attached Schedule B

5.9 Safety of Electrical Equipment

a. You must ensure that all electrical systems are adequately constructed and maintained so as to prevent danger, so far as is reasonably practical, in accordance with the Electricity at Work Regulations 1989.

To aid with the compliance of the regulations please see details in the attached Schedule C

6. RECORD KEEPING

Accurate and up to date records must be kept on the premises. These must be made available to Authorised Inspectors.

Licence Condition	Guidance
6.1 Dog Identification	
a. A list of all stud dogs/bitches must be kept by the licensee, detailing the dogs name, breed and microchip number	Please refer to Schedule 1 for an example of a Breeding Bitch log book.
b. Breeding bitches and stud dogs must be microchipped by a suitably competent person and registered on a recognised national database.	Please refer to Schedule 2 for an example of a Stud Dog log book.
c. A logbook in the format supplied by the Licensing Authority must be completed and kept for both breeding bitches and stud dogs. The microchip is the link between the dog and the log book.	A copy of the logbooks can be found on the Animal Licensing page of the Carmarthenshire County Council Website.
Schedule 1 – Breeding Bitches Log Book	
d. This log book must be kept, recording details including microchip number, name, date of birth, breed, Kennel Club registration number, the address at which it is kept and it's record of health status.	
 Additionally, the log book for breeding bitches must include: results of any British Veterinary Association (BVA)/Kennel Club * health scheme; results of any validated DNA screening tests appropriate to the breed*; 	

 details of all litters (initial details to be entered at birth) as required by the Breeding of Dogs (Licensing Records) Regulations 1999*. which also includes, date of mating and details of sire, the sex of the puppies, date of birth, weight description and total number in the litter.

*available from the Kennel Club

Schedule 2 – Stud Dog Log Book

e. This log book must be kept, recording details including microchip number, name, date of birth, breed, Kennel Club registration number, the address at which it is kept and it's record of health status.

Additionally, the log book for stud dogs will also include:

- results of any BVA/Kennel Club health scheme;
- details of all mating; and
- the details of each bitch mated.
 - **f.** After the dogs have left the licensed premises, records must be kept for a minimum of 24 months and must be available on demand to authorised officers.

6.2 Puppies

- a. No puppy must be sold before it is 56 days old.
- **b.** All puppies must be identified by micro-chip before being sold or homed and the details referenced to the breeding bitch.
- **c.** The details of the microchip must be registered on a recognised database.

A puppy Identity card includes the following details::

- Breeder name and address/contact details
- · Date of birth and date of sale
- Micro-chip no. of puppy (if applicable)
- Name and micro-chip number of both parents (to include Kennel Club reg no. if applicable)

- **d.** Microchips must be registered to the breeder before the puppy moves off the premises.
- e. Puppies considered to be too small to be micro chipped will only be exempted by a letter from a veterinary surgeon

Schedule 3 – Puppy ID Card

f. A puppy I.D card must be completed for each puppy bred and a copy given to the purchaser at the time of sale. The breeder must retain the original.

The records must also show:

- the details of sale, namely the date of sale;
- name and address of who was supplied;
- it's microchip number.

Sales of puppies must be recorded in the Breeding of bitches log book

- Vaccination details
- Worming details
- Guidance on re-registering micro-chip to new owner

N.B. all puppies should be accompanied by their individual cards through each phase of their journey to their final permanent home.

Please refer to Schedule 3 for an example of a Puppy I.D Card.

Purchasers of puppies should be provided with a 'Puppy Pack', this should include: - Ration of food currently fed, insurance details (if provided), any breed specific advice/information and reference to existence of the Code of Practice for the Welfare of Dogs (Government Publication).

6.3 Sales of Breeding Bitches and Stud Dogs

- **a.** When sold for further breeding, bitches must be accompanied with their logbook which includes their full breeding history.
- **b.** Stud dogs must be accompanied by their log book when sold for further breeding.

Logbooks must accompany breeding bitches when sold to other breeding establishments, to ensure that the number of litters produced does not exceed the maximum number of litters a bitch can have.

Currently the maximum number is six litters at not less than yearly intervals.

6.4 Transport of Dogs

- **a.** When stud dogs, breeding bitches and puppies are being transported, licensees must ensure that all appropriate steps are taken to ensure that the dogs are provided with suitable food, drink, bedding material, and adequate exercise.
- **b.** Full compliance with current Welfare of Animals in Transport legislation must be adhered to.

The legislation defines the requirements to ensure the 'Welfare of Animals in Transport'. You can ask your licensing inspector for details of the current regulations. Examples include; Securely fitted dog cage(s) and suitable ventilation. As well as the requirement to hold a Transporters authorisation.

7. ANIMAL WELFARE ACT 2006

Section 9 of the above Act places a duty of care on a person who is responsible for an animal. The Act states that a person commits a criminal offence if they do not take reasonable steps to ensure for the needs of that animal. In order that you comply with these duties the Council has detailed certain requirements and guidance that you must follow.

Where there is a potential breach of a Duty of Care under the Animal Welfare Act 2006, the council may, at its discretion, issue an Improvement Notice to remedy the problem.

Licence Condition	Guidance
7.1 Puppy Facilitiesa. Adequate and suitable facilities for the socialisation of all litters must be provided.	In domestic homes, there will be a natural environment and an enriched socialising situation, so there is no need for a specific separate area.
iliters must be provided.	Ample socialisation with both humans and other animals is considered necessary to ensure puppies are able to face the rigours of modern family life.

7.2 Exhibiting Normal Behaviour Patterns

- **a.** All dogs kept must be given the opportunity for daily interaction and stimulation in order to express normal behaviour.
- **b.** Written evidence of the provision of enhancement and enrichment must be supplied to the local authority inspector.

Examples of environmental enrichment are: appropriate exercise, play, and sufficient contact with humans (grooming, training or playing) and food finding activities e.g. puzzle feeders or scavenging exercises.

In a domestic environment dogs will enjoy freedom of the house and garden plus additional leash exercise and licensees need only produce short documented programmes.

7.3 Socialisation of Puppies

a. All puppies must be socialised before being sold or homed and the method of implementing this must be discussed and agreed with the local authority inspector.

Puppies should be the product of sociable and environmentally competent parents.

A socialisation plan should, amongst other things include:

- gently handling each puppy,
- the introduction of low level noise from 14 days onwards;
- from 21 days the animal should be introduced daily to a variety of human contact, play with suitable toys organised to play away from the mother. Where biosecurity allows, puppies of other litters should mix in suitable environments. Care should be taken that removal of puppies for handling is done in such a way that does not distress the dam.

When employed, any training should be reward-based. Use of electric shock collars is banned.

7.4 Responsible Breeding

- **a.** Any breeding stock which proves to exhibit unsound hereditary or behavioural characteristics must not be bred from.
- **b.** When intentionally breeding crossbreds, breeders must have due regard to the breeds' compatibility for ease of whelping and to produce healthy puppies.

Licensees should be familiar with the health screening tests available to their chosen breeds, in consultation with their own Veterinary Surgeon.

Cross breeds are defined as offspring of any two or more recognised breeds of dogs.

Breeding closely related animals is not recommended and is strongly discouraged.

Close breeding examples include mating between brother and sister, father and daughter, mother and son, grandparent and grandchild or half brother or sisters.

7.5 Strategy for the retirement of breeding bitches and stud dogs.

- **a.** All retired breeding bitches and stud dogs being kept within the licensed premises will still be included on the licence.
- **b.** Breeders must have a plan for dealing with retired dogs.

Breeders should plan for the retirement of their breeding dogs and ensure that if they are to be re-homed that suitable domestic homes are sourced in advance.

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8. OTHER REQUIREMENTS

Licensees and Staff should make themselves aware of current relevant legislation and guidance relevant to dog welfare.

Licence Condition	Guidance
8.1 Other Current Relevant Legislation & Codes of Practice a. Licence holders and staff must be aware of current Animal Welfare and Dog Breeding legislation to enable full compliance with the conditions.	List of current relevant legislation The Docking of Working Dogs' Tails (Wales) Regulations 2007 (SI 2007/1028 (W.95)). Dangerous dogs Act 1991 (as amended) Breeding and Sale of Dogs (Welfare) Act 1999 Pet Animals Act 1951 Animal Welfare Act 2006 Code of Practice for the Welfare of Dogs – Welsh Government Breeding of Dogs Act 1973 Control of Dogs Order 1992 The Breeding of Dogs (Licensing Records) Regulations 1999 The Animal Welfare (Electronic Collars) (Wales) Regulations 2010 No. 943 (W. 97) Welfare of Animals (Transport) (Wales) Order 2007

OTHER MATTERS RELATING TO THE OPERATION OF A LICENCED ESTABLISHMENT.

A. APPEALS PROCEDURE

The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014

Any person who is aggrieved by the refusal to grant or renew, or the decision to revoke, a licence may appeal to a Magistrates' Court.

The procedure on an appeal to a Magistrates' Court under the above paragraph is by way of complaint, and the Magistrates' Courts Act 1980 (1) applies to the proceedings.

The period within which an appeal may be brought is 28 days beginning with the day following the date on which the decision is notified.

B. FIRE PRECAUTIONS GUIDANCE

The following information is supplied to licensees, in order to aid compliance with the fire precaution requirements detailed in the Council's licence conditions that require appropriate steps to be taken for the protection of animals in case of fire or any other emergency.

The guidance is aimed at ensuring that the means of escape and associated fire precautions are adequate for human occupants. It should be borne in mind that the fire safety requirements for people maybe covered by other legislation.

The following matters must be considered:

1. Access for Fire Fighting and Water Supplies - There should be good access for firefighting appliances (minimum width of 3.7m) to all hydrants and other water sources and hard standings should be provided. The name board of the premises should be clearly displayed beside the nearest road access.

- 2. Means of Escape Escape routes for animals should be designed to provide a straight run out of buildings, with the minimum of human assistance. Pen doors should be so arranged that animals can be evacuated quickly and acute turns, obstructions and ramps in the escape routes should be avoided as far as possible.
 - a) All premises should be provided with exits of sufficient width and height to allow easy access to the animals at all times.
 - b) The exits should be easily opened from the inside without the use of a key.
 - c) If necessary provision should be made for the ready summoning of a key holder.

In buildings exceeding 18 metres in length or where considerable numbers of animals are housed, at least two exits should be provided and situated as far apart as possible. The distance of travel should be limited to 45 metres.

- 3. No Smoking Signs No smoking notices should be displayed in the vicinity of all hay and straw and where practicable precautions should be taken against unauthorised entry especially by children.
- 4. Electrical Installations Electrical installations including lamps should be cleaned regularly to avoid the build-up of dust. Electrical equipment, heaters etc should be positioned and secured so that they are kept at a safe distance from any likely accumulation of flammable bedding material.
- 5. Fire Fighting Equipment
- a. Portable Fire Extinguishers -The following are recommended as a minimum:
 - Buildings not exceeding 200sqm in area require at least 2x9 litre water extinguishers for buildings over 200sqm an additional fire extinguisher must be provided for every additional 200sqm or part thereof.
 - Portable fire extinguishers must meet the requirements of BS EN 3 and be installed and maintained according to the recommendations given in BS 5306.
 - Depending on the outcome of your fire risk assessment, it may be possible to reduce this to one extinguisher in very small premises with a floor space of less than 90m².
 - Fire extinguishers that when operated produce a loud noise, e.g. CO2, or large clouds of dry powder, **should not** be used in close proximity to animals.
- b. Hose Reels Hose reels can be provided as an alternative to portable fire extinguishers. There should be a minimum of one hose for each 800sqm in area or part thereof. It should confirm to BS 5306: Part 1. Wash down hoses may be acceptable provided there is a constant flow of water that is able to produce water jet with a minimum throw of 5 metres. Hose reels must not exceed 45m in length and should be sited so that the nozzle can be taken to within 6m of each part of the protected premises.

6. Fire Notices - All staff at the establishment should be familiar with what action must be taken in the event of a fire. A clearly written and conspicuous notice should be provided indicating the action to be taken in case of fire and the location of the nearest telephone. This notice may include the following:

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"On discovering a fire, ensure the building involved is evacuated.

Call the Fire Brigade {the nearest telephone is sited at ...............}.

Attack the fire using the firefighting equipment provided, if safe to do so etc"
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7. O/S Map Reference - An Ordnance Survey map reference number should be made available for the premises and displayed with the Fire Notice provided.

The Regulatory Reform (Fire Safety) Order 2005 requires that necessary fire precautions are put in place to protect relevant persons in case of fire in, and in the vicinity of all premises to which the legislation applies.

Responsibility for complying with the order rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises the person(s) in control of the premises will be responsible.

The responsible person must:

Carry out a Fire Risk Assessment, the significant findings of which must be recorded if five or more persons are employed, if the premises are licensed or if an alterations notice is in force.

To further assist you, the Fire Safety Guide to Animal Premises and Stables (ISBN: 978 1 85112 884 6) is available from the stationary office or via the Department for Communities and Local Government website (www.communities.gov.uk).

C. HEALTH AND SAFETY

Health and safety law applies to all businesses, no matter how small. As an employer or a self employed person, you are responsible for health and safety in your business. You need to take the right precautions to reduce the risks of workplace dangers and provide a safe working environment.

Please refer to the guide, "Health and Safety made simple". This guide makes life easier for you by providing the basic information on what you need to do in one place. It will help you get started in managing health and safety in your business.

For some work activities there may be extra things you need to do to make sure you are complying with the law. Further guidance on specific topics, such as managing asbestos, preventing ill health from animal contact etc, and model risk assessments are available online at www.hse.gov.uk. You can also contact the health and safety team of Carmarthenshire County Council on 01267 234567, and ask for the Health & Safety Officer.

The "Health and Safety made simple" leaflet can be downloaded by following this link: http://www.hse.gov.uk/pubns/indg449.pdf

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LICENCE CONDITIONS FOR PET SHOPS

Contents

1. GENERAL CONDITIONS

- 1.1 Licence Display
- 1.2 The Inspection

2. ACCOMMODATION & ENVIRONMENT

- 2.1 Construction
- 2.2 Stocking Density
- 2.3 Bedding
- 2.4 Temperature & Heating
- 2.5 Lighting
- 2.6 Ventilation
- 2.7 Cleanliness
- 2.8 Dangerous Wild Animals (DWA)
- 2.9 Pest Control
- 2.10 Waste disposal

3. DIET & NUTRITION

- 3.1 Food and Drink
- 3.2 Food Storage

4. NORMAL BEHAVIOUR

- 4.1 Exercise
- 4.2 Accessories
- 4.3 Company

5. HEALTH & WELFARE

- 5.1 Registration with a Veterinary Surgeon
- 5.2 Health Status
- 5.3 Disease Control
- 5.4 Isolation
- 5.5 Supervision
- 5.6 Acclimatisation

- 5.7 Sale of Livestock
- 5.8 Transportation

6. STAFF TRAINING & LIVESTOCK KNOWLEDGE

- 6.1Training
- 6.2 Knowledge
- 6.3 Pet Care Advice

7. RECORD KEEPING & PROCEDURES

- 7.1 Registers
- 7.2 Point of Sale

8. FIRE & OTHER EMERGENCY PRECAUTIONS

- 8.1 Evacuation Plan
- 8.2 Fire Precautions
- 8.3 Key Holder & Access
- 8.4 Electrical Safety & Contingency

9. ANIMAL WELFARE ACT 2006

- 9.1 Duty of Care
- 9.2 Socialisation
- 9.3 Protocol of Disposal

RECOMMENDED

Level of Difficulty

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT

- A Appeals Procedure
- B Fire Precautions Guidance
- C Health and Safety

ADDITIONAL SCHEDULES

Schedule 1 – DWA Schedule Schedule 2 – Level of Difficulty

1. General Conditions

Licence Condition	Guidance
1.1 Licence Display	
a. A copy of the licence and its conditions must be suitably displayed to the public in a prominent position in, on or about the Pet Shop.	Licensees should check with the local planning authority for any possible planning permissions that may be required.
1.2 The Inspection	
a. All animals kept on the premises comprise the 'business of selling animals as pets', and as such will be subject to licensing inspections.	

2. Accommodation & Environment

Animals must at all times be kept in accommodation suitable to their species with respect to construction, size, temperature, lighting, ventilation, cleanliness and protection from harm. Accommodation must be such that it allows the exhibition of natural behaviours.

Licence condition	Guidance
2.1 Construction	Emphasis should be with regards to the size and material used that is suitable to the species being housed and kept in good
a. All housing must be constructed of materials which are capable of being easily and thoroughly cleansed and suitable for the species.	repair. All housing should be designed and constructed to allow animals

 b. Animals must not be kept in housing in such a way that they can be interfered with by other animals, the public of allow them to escape. c. All accommodation must be adequately secured. 	to move naturally e.g. climb, fly, swim or jump. Signage should be in place to deter public interference and accommodation locked as appropriate.
2.2 Stocking Density	
 a. The maximum numbers of animals to be stocked on the premises will be governed by the accommodation available and must not be exceeded as stated on the Schedule that accompanies the licence. b. All aquaria must be maintained within the industry's recommended minimum water standards to ensure suitable water quality. c. Water quality must be checked routinely, no less than once a week. 	Please refer to Pet Care Trust guidelines on stocking density and water quality. Further information regarding minimum water standards can also be found at Ornamental Aquatic Trade Association (OATA) www.ornamentalfish.org
2.3 Bedding a. The type of bedding used will depend on the animal kept. It must be provided in sufficient quantities to enable the animal to feel secure and warm.	Needs to be clean, dry and parasite free and where practicable as close to the species natural environment as possible.
2.4 Temperature & Heating	
 a. Individual accommodation temperatures must be maintained within a range suitable for the particular species kept. b. If animals are displayed outdoors they must have adequate protection from weather. 	These may include max/min thermometers placed within individual environments, as required to ensure accurate & continuous temperature monitoring. This should include shelter from wind, rain or snow and/or the sun and predators if appropriate.

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 2.5 Lighting a. Lighting must be provided to all accommodation, which is suitable to the species. b. In all cases lighting periods should mimic natural daylight patterns to suit the species kept. 	It is important that species specific lighting is used and is especially important with regards to some species of reptiles. It should be suitable for those species that are naturally nocturnal. In all circumstances expert advice should be sought.
2.6 Ventilation	
Adequate ventilation must be provided to all livestock accommodation without causing excessive draughts.	Ventilation is important as an aid to disease control and prevents excessive atmospheric humidity. The spread of airborne infection can be of significant risk, also excessive or inadequate humidity may cause other health problems.
2.7 Cleanliness	
 a. Accommodation must be cleaned as often as necessary to maintain good hygiene standards, consistent with the rate of stock turnover. b. Where accommodation is on a tiered system, water, food or other waste must not be allowed to enter the lower housing. c. Cleansing and disinfection of accommodation must take place before any new stock is brought in and otherwise at least every month. 	Spoiled food and water should be removed without delay. Soiled bedding should be removed frequently (at least daily) in order to maintain a clean and healthy environment. This is not intended to include aquarium filtered re-circulation systems.

2.8 Dangerous Wild Animals

- a. Where Dangerous Wild Animals (DWA) are kept on the premises they must be kept in appropriate and securely locked accommodation, with warning signs and in compliance with all relevant conditions detailed in the Dangerous Wild Animals Act 1976.
- **b.** The Local Authority must be notified of the intention to keep and/or sell any species on the DWA schedule.
- **c.** These animals must not be kept until the written permission has been received from the licensing authority
- **d.** These animals will be inspected as if they were being kept under a DWA licence.
- **e.** When DWA's are kept for sale there must be a notice advising potential customers of the need to obtain a DWA licence prior to purchase.
- f. An appropriate Risk Assessment for the species of DWA kept will be supplied to the licensing authority before permission is given.

The Licensee should be fully conversant and compliant with all the requirements in relation to the Dangerous Wild Animals Act 1976.

Please refer to the current list of Dangerous Wild Animals in the attached Schedule 1.

2.9 Pest Control

- **a.** All necessary precautions must be taken to prevent the introduction into the premises, of rodents, insects and other pests. (Excluding those for sale or for feeding).
- **b.** A vermin control plan must be formulated and followed.

This may be covered by having a contract with a pest control firm for routine visits.

2.10 Waste Disposal

- **a.** All excreta and soiled bedding must be stored in impervious containers with close fitting lids.
- b. Excreta, soiled bedding and waste food must be removed from the premises on a regular basis, at least weekly, and disposed of to the satisfaction of the appropriate local authority, in liaison with Natural Resources Wales, and in accordance with regulation and good waste management.
- **c.** Similarly all dead stock must be disposed of in an appropriate manner.
- d. All containers must be kept in a clean condition.

The licensee should check with Natural Resources Wales for current guidance on the appropriate means of disposal.

Premises should maintain a contract for removal of waste with an appropriate company and adhere to local authority regulations.

Whilst awaiting the removal of excreta and soiled bedding, it should be stored in a way that it reduces the risk of smells and pest nuisance to a minimum.

There should be appropriate arrangements in place for removal of dead animals.

3. Diet & Nutrition

Animals must be supplied with adequate amounts of food suitable for the species, appropriate to their needs, and at suitable times.

Licence condition	Guidance
3.1 Food & Drink	
 a. All animals must be supplied with a diet suitable for the species and age. b. Perishable foods must be changed daily. c. Fresh, clean water must be available at all times and changed daily as a minimum. d. Food and drink receptacles must be capable of being easily cleansed and disinfected and must be positioned to 	Particular attention needs to be made to the most appropriate intervals and type of food to be given to each animal dependant on age, species group and any necessary extra vitamin and mineral requirements to ensure basic nutrition and health needs are made e.g. Rabbits require a constant supply of fresh hay to maintain dental and gastrointestinal health.

minimise faecal contamination. e. A sufficient number of receptacles for the number of animals housed in order to eliminate feeding competition must be provided and must be cleansed at least once a day.	Faecal and urine contamination is of significant risk to health, any dirty food or drink receptacles should be removed and cleaned without delay. All receptacles should be thoroughly cleaned before passing between separate groups of animals.
 a. All food, excluding live food, intended for feeding to livestock on the premises must be stored in impervious closed containers. b. Any spilt food must be cleared up promptly to avoid attracting vermin. c. The containers and equipment used for feeding must be kept in a clean condition. 	Food storage containers must be thoroughly cleaned between batches of food, and feeding equipment must be washed after each use.

4. Normal Behaviour

Each species must be kept in an environment that enables them to exhibit normal behaviours and provide for adequate exercise e.g. digging, bathing, climbing and hiding.

Licence condition	Guidance
 4.1 Exercise a. Exercise facilities must be available for the animals where appropriate. 	Animals must be able to exhibit normal behaviour patterns and this may require the provision of suitable space for exercise and or appropriate accessories.
	In the case of puppies an exercise pen must be provided and kittens must have a multi-level environment.

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	Where applicable exercise facilities should be used on a daily basis and exercise regimes should be formulated for those that would benefit from extra exercise outside of their normal living quarters.
Accessories must be provided to enhance the environment and must be suitable & sufficient for the species.	Sufficient facilities for species that enjoy privacy should be provided, so that each animal can enjoy solitude at the same time. Sufficient perches must be provided to allow all birds to perch at the same time. Sufficient species specific substrate (cage litter) and cage furniture should be provided so that natural behaviours can be carried out (e.g. materials for burrowing species, branches for
 4.3 Company a. Animals must be kept in social groups which are suitable to satisfy their need for company. b. Licensees must take into account group competition and aggression which needs to be avoided. 	Animals (unless a solitary species) should be kept in groups which reduce to a minimum the chances of indiscriminate breeding.
c. Species must be kept separately unless they are of proven compatibility.	Rabbits and Guinea pigs are not fully compatible and best practice is that they should not be co-housed. e.g. differing nutritional requirements and possibility of bullying/aggression which can increase as they mature.

5. Health & Welfare

All stock sold must be in good health as far as can be reasonably determined without veterinary inspection. Any sick or injured animal must receive appropriate care and treatment without delay. Veterinary advice must be sought whenever necessary.

Licence condition	Guidance
5.1 Registration with a Veterinary Surgeon	
All premises must be registered with a veterinary surgeon.	Ideally a local vet which specialises in the species kept and sold within the pet shop (small animal/reptiles etc where applicable).
5.2 Health Status	
 a. There must be a daily inspection of each animal to check for any signs of pain, suffering, injury or disease. b. Any sick or injured animal must receive appropriate care and treatment without delay. Veterinary advice should be sought whenever necessary. c. No animal receiving veterinary treatment must be exposed for sale until treatments have finished and the animal has regained full health. 	Keepers have a 'Duty of Care' under the Animal Welfare Act 2006. Section 9 defines the need to provide an animal its 'five freedoms'. Of which one is its need to be <i>Protected from Pain, Suffering, Injury and Disease</i> . As practicable, this should be off the shop floor to enable quiet recuperation and to prevent inadvertent sale. Where this is not possible as a minimum there should be a notice indicating 'not for sale'/ 'currently under treatment'.
5.3 Disease Control	
 a. All reasonable precautions must be taken to prevent the outbreak and spread of disease. b. No animal which is suffering from, or is suspected of having come into contact with any animal suffering from 	All animals should receive appropriate vaccinations where required for the species and as advised by the licensee's veterinary surgeon. Any record of vaccination should be passed to the purchaser. (e.g. puppies, kittens, ferrets etc)

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any infectious or contagious disease, or which is infested with parasites, shall be brought or kept on the premises unless effectively isolated. c. Suitable hand washing and/or sanitising facilities must be provided for staff and the public.	Precautions should include effective quarantine of newly arrived groups of animals.
Suitable and adequate facilities to isolate sick animals must be provided.	Preferably separate from public display to minimise stress. The facilities need to be appropriate to the species, type of sickness or injury and be conducive to aid optimum recovery. In most circumstances veterinary advice should be sought.
 a. All livestock must be attended to at regular intervals, appropriate to the species. b. Under no circumstances will this be less than daily. c. Where there are social/housed groups they must be monitored daily for signs of aggression or bullying. d. All livestock, for sale must be readily accessible and easy to inspect by staff. 	'Attended to' includes; general welfare check, feeding/watering, cleaning out and handling as applicable. Where social groups of animals are housed there is potential for aggression and bullying to develop careful monitoring of these groups must be made so that any problems can be identified at the earliest opportunity and corrective action be taken to prevent unnecessary injuries or stress. The person monitoring needs to have a sound understanding of the behaviours of the animals socially housed and to have adequate time to observe so that they can detect any early signs of a problem.
5.6 Acclimatisation	
a. All animals must be allowed a suitable acclimatisation period before being offered for sale.b. This must be no less than a 48 hour period.	The period required needs to be assessed on an individual species basis (this can be more than 48 hours). We would strongly recommend that the acclimatisation period should be

		ʻoff' display.
		The acclimatisation period is to allow the particular species to recover from their transportation and to allow time to ensure that they are fit for sale. (The stress of the journey may have exacerbated any underlying health issue).
5.7 Sa	ale of Livestock	
a.	No mammal shall be sold or accepted in from a supplier un-weaned or, if weaned, at an age at which it should not have been weaned. In the case of non-mammals, they must be capable of feeding.	Young mammals require nutritional and behavioural support from their mothers. It can prove detrimental to their health and wellbeing should this support be lost too early in the young mammals life.
b.	Any animals with an obvious, significant abnormality that would materially affect its quality of life must not be offered for sale. When in doubt, veterinary advice must be sought.	Veterinary advice may include euthanasia where this is the case under no circumstances may an animal be euthanised other than in a humane and effective manner. In almost all circumstances this should be carried out by a Veterinary Surgeon.
5.8 Tr	ransportation	
a.	Livestock must be handed to purchasers in suitable, durable containers with adequate ventilation for the anticipated journey.	The purchaser should be advised by the retailer as to the best method of transporting their purchases home to minimise stress.
	When receiving livestock, a licensee must make every effort to ensure it is transported in a suitable manner.	The legislation defines the requirements to ensure the 'Welfare of Animals in Transport'. You can ask your licensing inspector
C.	Any livestock received from a supplier or delivered to a purchaser shall be transported according to the current legislation and recommendations.	for details of the current regulations. Examples include; securely fitted cage(s) and suitable ventilation. As well as the requirement to hold a Transporters Authorisation.

6. Staff Training & Livestock Knowledge

A minimum level of knowledge is expected for staff working in a pet shop environment. All staff need to be competent to look after the animals kept on the premises and to offer purchasers sound advice with regard to their new pets.

Licence condition		Guidance
6.1 Training		
premises r Manageme qualification can include b. Those alrest appropriate appropriate additional sections all perman	nust hold the City and Guilds Pet Store ent Certificate or another appropriate on, and be available during opening hours. This e by telephone. Eady licensed and who do not hold an equalification must provide evidence of experience and/or knowledge before species are included on their schedule. ee must formulate a written training policy for ent staff, and will be required to demonstrate matic training is carried out.	Detailed advice with regards to training and qualifications can be sought through the various Trade Associations, which maybe tailored to the type of species kept.
6.2 Knowledge		
	can be stocked or sold unless the licensee or a f staff is familiar with the care and welfare of l.	Staff should be able to answer pertinent questions posed to them to ensure that the animal's welfare in its new home is catered for.
suitable ac	ee or an employee must be able to provide divice to purchasers of animals with regard to busing, handling, suitable accessories and care.	

c. The Pet Care Trust Quality Assurance Manual or other appropriate reference books (other than, those offered for sale) must always be available for use by staff.	
6.3 Pet Care Advice a. Pet care leaflets and advice must be made available free	Information can also be in the form of the 'Codes of Practice' for
of charge to customers where appropriate at the time of purchase. b. Purchasers of accessories must, where necessary, be given advice as to their maintenance and use.	the welfare of specific animals as issued by Government. These can be sourced electronically from the Welsh Government website.

7. Record Keeping & Procedures

Records, notices and any additional paperwork for animals must be kept or displayed as appropriate.

Licence condition	Guidance
7.1 Registers	
 a. A livestock purchase register containing the name, address and telephone number of the supplier must be maintained for all livestock. b. A sales register must be maintained for: 	Those species for which a sales register must be kept should be individually identified and a record kept of breeder & birth details and any pertinent records of health status and veterinary treatments to date. These details should accompany the animal when sold and a copy kept on file.
(i) Puppies; (ii) Kittens; (iii) Psittacines; (iv) Primates; and	N.B – *Those species that are included in vi) All other species, only require the purchasers name and address. They do not require to be individually identified.

- (v) Species contained in the schedule of the Dangerous Wild Animals Act 1976 and the register must be available to authorised officers for inspection.
- vi) *All other species

7.2 Point of Sale

- **a.** No animal can be sold to any person under the age of 16 years unless that person is accompanied by a parent or legal guardian.
- **b.** A Refusals Register must be kept to identify refusals at point of sale to anyone deemed under the age of 16 (and fails to satisfy the above) or unsuitable to acquire certain species.

Under the Animal Welfare Act 2006, section 11(1) A person commits an offence if he sells an animal to a person whom he has reasonable cause to believe to be under the age of 16 years. (exceptions apply)

The preferred scenario is that at all times anyone under the age of 16 should be accompanied by their parent or guardian to ensure that the appropriate consent is made and there is confidence that all the health & welfare needs of the animals will be catered for.

A refusals register is a good indicator of a procedure that is in place to show awareness by staff of their obligations with regards to the licence conditions and the welfare of the animals in their care. A template for the register can be found within the 'The Pet Care Trust Quality Assurance Manual'.

8. Fire & other Emergency Precautions

Suitable emergency precautions and written procedures shall exist and be made known to all staff, including arrangements for evacuation of livestock. Fire precaution requirements must comply with the attached 'Fire Precautions Schedule B'.

Guidance
This should detail how and by what means the animals, staff and the public should evacuate the premises and direct them to a designated fire assembly point. This by no means should put anyone at unnecessary risk.
In the case of fire precautions there also needs to be consideration for: Access for Fire Fighting and Water Supplies, Means of Escape, No Smoking Signs, Electrical Installations, Fire fighting equipment and notices. For full details please refer to Schedule B attached.
In case of an emergency there needs to be a contingency should the licensee or shop manager not be contactable or able

 available to visit the premises in a case of emergency. b. A list of key holders must be lodged with the local police and fire brigade. c. Where pet shop premises are situated within larger commercial premises (i.e. an in-door market or shopping centre) the licensee and key holders to the premises must have access to the main building at all times. 	to attend (e.g. abroad). There needs to be prompt action out of hours to have any chance of protecting the animals where possible, so there must always be a key holder available at any one time. Whether in case of emergency or for the purpose of ensuring the welfare of the animals, the pet shop needs to be able to be accessed 24 hours every day.
 a. All electrical installations and appliances must be maintained in a safe condition and comply with the Electricity at Work Regulations 1989. b. A contingency plan must be in place to adequately cover failures in essential life support systems (e.g. power cuts). 	To aid with the compliance to the regulations please see notes at the end of the licensing conditions. Some species may require a permanent source of power to provide the necessary light, heat or oxygen supply and during a power cut may not be able to survive (at all or for very long). Examples would be an alarm system to alert the licensee of the power cut and the use of a back up generator.

9. Animal Welfare Act 2006

Section 9 of the above Act places a duty of care on a person who is responsible for an animal. The Act states that a person commits a criminal offence if they do not take reasonable steps to ensure for the needs of that animal. In order that you comply with these duties the Council has detailed certain requirements and guidance that you must follow.

Where there is a potential breach of a Duty of Care under the Animal Welfare Act 2006, the Council may, at its discretion, issue an Improvement Notice to remedy the problem.

Licensing Condition	Guidance
9.1 Duty of Care	
	The licensee should also inform staff working in the pet shop of
a. All licensees must be fully aware of the contents of	the contents of this legislation and welfare codes.

- Section 9 of the Animal Welfare Act 2006 with regards to the animals they keep in their pet shops.
- **b.** All purchasers must be made fully aware of their duty of care under Section 9 of the Animal Welfare Act 2006 with regard to the animal they have just purchased.
- **c.** Licensees must follow any relevant codes of welfare that have been produced for certain species.

This may be by means of drawing purchasers' attention to posters within the establishment setting out that legislation and/or by highlighting that legislation (together with any relevant Codes of Practice (where applicable) either by the giving of a copy of it to the purchaser at the point of sale, or providing the purchaser with website details from where the codes can be downloaded.

As much as it is important that purchasers are aware of their legal requirements with regards to the animal purchased, whilst within the establishment the licensee and staff also have a 'duty of care' and the codes of practice are an invaluable tool to help provide this.

9.2 Socialisation

a. All species offered for sale should receive suitable human socialisation as appropriate, whilst on the premises prior to sale.

Where animals are likely to be handled in their 'new home' the handling of them (as appropriate) by staff will enable an easier transition into their new environment and help reduce any stress. It would also help as an indicator as to whether an individual animal would be a suitable pet for a particular purchaser.

9.3 Protocol for Unsold Stock

- **a.** A protocol must be in place for the re-homing of any unsold livestock.
- **b.** Records must be kept of the means and reason for the re-homing of each individual animal not sold to the public.

Animals which pass their 'cute and cuddly stage' can prove to be more difficult to sell and some species by their nature are less desirable. There will come a point when a 'business' decision is made as to the future of such an individual animal. A pet shop environment is only supposed to be temporary and many species can be affected both mentally & physically if kept in such an environment long term. Having the protocol in place will help provide evidence that consideration for the welfare of an individual animal has been made

Advice should be sourced from a veterinary surgeon and/or industry recognised trade body.

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Recommendation	Guidance
Level of Difficulty All animals on sale should be labelled with a 'level of difficulty' guide as per Schedule 2 to make purchasers aware of each species level of requirements.	A Veterinary expert has produced the 'Level of Difficulty' which has been calculated by scoring certain aspects concerning a species for example: size, life span and any specialist requirements. They are then categorised into Easy, Intermediate and Difficult dependant on their score. Its purpose is to aid as a quick guide to potential purchasers and to help them make a more informed decision as to whether a particular species would be suitable for them in their circumstances. This may also help reduce any likelihood of animals being returned, abandoned or caused any suffering.

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT.

A. APPEALS PROCEDURE

Pet Animals Act 1951 - Section 1 (4)

Any person aggrieved by the refusal of a local authority to grant such a licence, or by any condition subject to which such a licence is proposed to be granted, may appeal to a court of summary jurisdiction having jurisdiction in the place in which the premises are situated; and the court may on such an appeal give such directions with respect to the issue of a licence or, as the case may be, with respect to the conditions subject to which a licence is to be granted as it thinks proper.

B. FIRE PRECAUTIONS GUIDANCE

The following information is supplied to licensees, in order to aid compliance with the fire precaution requirements detailed in the Council's licensing conditions that require appropriate steps to be taken for the protection of animals in case of fire or any other emergency.

The guidance is aimed at ensuring that the means of escape and associated fire precautions are adequate for human occupants. It should be borne in mind that the fire safety requirements for people maybe covered by other legislation.

The following matters must be considered:

- 1. Access for Fire Fighting and Water Supplies There should be good access for fire fighting appliances (minimum width of 3.7m) to all hydrants and other water sources and hard standings should be provided. The name board of the premises should be clearly displayed beside the nearest road access.
- 2. Means of Escape Escape routes for animals should be designed to provide a straight run out of buildings, with the minimum of human assistance. Pen doors should be so arranged that animals can be evacuated quickly and acute turns, obstructions and ramps in the escape routes should be avoided as far as possible.
 - a) All premises should be provided with exits of sufficient width and height to allow easy access to the animals at all times.
 - b) The exits should be easily opened from the inside without the use of a key.
 - c) If necessary provision should be made for the ready summoning of a key holder.

In buildings exceeding 18 metres in length or where considerable numbers of animals are housed, at least two exits should be provided and situated as far apart as possible. The distance of travel should be limited to 45 metres.

- 3. No Smoking Signs No smoking notices should be displayed in the vicinity of all hay and straw and where practicable precautions should be taken against unauthorised entry especially by children.
- 4. Electrical Installations Electrical installations including lamps should be cleaned regularly to avoid the build-up of dust. Electrical equipment, heaters etc should be positioned and secured so that they are kept at a safe distance from any likely accumulation of flammable bedding material.
- 5. Fire Fighting Equipment
- a. Portable Fire Extinguishers -The following are recommended as a minimum:
 - Buildings not exceeding 200sqm in area require at least 2x9 litre water extinguishers for buildings over 200sqm an additional fire extinguisher must be provided for every additional 200sqm or part thereof.
 - Portable fire extinguishers must meet the requirements of BS EN 3 and be installed and maintained according to the recommendations given in BS 5306.
 - Depending on the outcome of your fire risk assessment, it may be possible to reduce this to one extinguisher in very small premises with a floor space of less than 90m².
 - Fire extinguishers that when operated produce a loud noise, e.g. CO2, or large clouds of dry powder, **should not** be used in close proximity to animals.
- b. Hose Reels Hose reels can be provided as an alternative to portable fire extinguishers. There should be a minimum of one hose for each 800sqm in area or part thereof. It should confirm to BS 5306: Part 1. Wash down hoses may be acceptable provided there is a constant flow of water that is able to produce water jet with a minimum throw of 5 metres. Hose reels must not exceed 45m in length and should be sited so that the nozzle can be taken to within 6m of each part of the protected premises.
- 6. Fire Notices All staff at the establishment should be familiar with what action must be taken in the event of a fire. A clearly written and conspicuous notice should be provided indicating the action to be taken in case of fire and the location of the nearest telephone. This notice may include the following:

'On discovering a fire, ensure the building involved is evacuated.	
Call the Fire Brigade (the nearest telephone is sited at	}

Attack the fire using the fire fighting equipment provided, if safe to do so etc"

7. O/S Map Reference - An Ordnance Survey map reference number should be made available for the premises and displayed with the Fire Notice provided.

The Regulatory Reform (Fire Safety) Order 2005 requires that necessary fire precautions are put in place to protect relevant persons in case of fire in, and in the vicinity of all premises to which the legislation applies.

Responsibility for complying with the order rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises the person(s) in control of the premises will be responsible.

The responsible person must:

Carry out a Fire Risk Assessment, the significant findings of which must be recorded if five or more persons are employed, if the premises are licensed or if an alterations notice is in force.

To further assist you, the Fire Safety Guide to Animal Premises and Stables (ISBN: 978 1 85112 884 6) is available from the stationary office or via the Department for Communities and Local Government website (www.communities.gov.uk).

C. <u>HEALTH AND SAFETY</u>

Health and safety law applies to all businesses, no matter how small. As an employer or a self employed person, you are responsible for health and safety in your business. You need to take the right precautions to reduce the risks of workplace dangers and provide a safe working environment.

There is a guide called "Health and safety made simple". This guide makes life easier for you by providing the basic information on what you need to do in one place. It will help you get started in managing health and safety in your business.

For some work activities there may be extra things you need to do to make sure you are complying with the law. Further guidance on specific topics, such as managing asbestos, preventing ill health from animal contact etc, and model risk assessments are available online at www.hse.gov.uk. You can also contact the health and safety team of Carmarthenshire County Council on 01267 228975 and ask for the Health and Safety Officer.

The "Health and Safety made simple" leaflet can be downloaded by following this link: http://www.hse.gov.uk/pubns/indg449.pdf

Page 380



LICENCE CONDITIONS FOR RIDING ESTABLISHMENTS

Contents

- 1. LICENSEE
- 2. HORSES KEPT AT THE ESTABLISHMENTS
- 3. TACK / EQUIPMENT
- **4. CONSTRUCTION**

OTHER MATTERS RELATING TO THE OPERATION OF A LICENSED ESTABLISHMENT

- A Appeals Procedure
- B Fire Precautions Guidance
- C Health and Safety

Conditions subject to which the attached licence is granted

1. Licence Conditions - The Licensee	Guidance
Only persons that appear to the Local Authority to be suitable and qualified either by experience in the management of horses or by being the holder of an approved certificate or by employing in the management of the riding establishment a person so qualified, to be the holder of such a licence.	
A copy of the licence and its conditions must be suitably displayed to the public in a prominent position in, on or about the Riding Establishment.	, , , , , , , , , , , , , , , , , , , ,
The licence holder must hold a current insurance policy which insures him against liability for any injury sustained by those who hire a horse from him/her for riding and those who use a horse in the course of receiving from him/her, in return for payment, instruction in riding and arising out of the hire or use of a horse as aforesaid and which also insures such persons in respect of any liability which may be incurred by them in respect of injury to any person caused by, or arising out of, the hire or use of a horse as aforesaid.	A copy of a valid insurance policy / certificate must be produced to the Authority.

A register must be kept by the licence holder of all horses in his possession aged three years and under and usually kept on the premises which shall be available for inspection by an Authorised Officer at all reasonable time	· · · · · · · · · · · · · · · · · · ·
The carrying on of the business of the establishment must at no time be left in the charge of any person under 16 years of age.	1 110 1 110 1 110 1 110 1 110 1 110 1 110 1 110 1 110 1 110 1 110 1 110 1 110 1 110
The licence holder must ensure that appropriate steps will be taken for the protection and extrication of horses in case of fire and in particular, that the name, address and telephone number of the licence holder or some other responsible person will be kept displayed in a prominent position on the outside of the premises and that instructions as to action to be taken in the event of fire, with particular regard to the extrication of horses, will be kept displayed in a prominent position on the outside of the premises.	should be kept in a prominent position outside the premises.

2. Licence Conditions - Horses kept at the Establishment	
The horses used for riding in connection with the Establishment at any one time must be included on the Veterinary Surgeon's Report Form dated the .(date)	, , , , , , , , , , , , , , , , , , , ,
Paramount consideration will be given to the condition of	Any horse showing signs of poor health or physical injury

horses and that they must be maintained in good health, and in all respects physically fit and that, in the case of a horse kept for the purpose of its being let out on hire for riding or a horse kept of the purposes of it being used in providing instruction in riding, the horse must be suitable for the purpose for which it is kept.	· · · · · · · · · · · · · · · · · · ·
No horse aged three years or under nor any mare heavy with foal nor any mare within three months after foaling may be let out on hire for riding or used, in return for payment, for instruction in or demonstrating riding.	heavy in foal and not within three months of having given
The feet of all animals must be properly trimmed and, if shod, their shoes must be properly fitted and in good condition.	Regular inspection of hooves must be undertaken.
No horse may be let out on hire for riding or used for providing instruction in riding without supervision by a responsible person of the age of 16 years or over unless (in the case of a horse let out for hire for riding) the holder of the licence is satisfied that the hirer of the horse is competent to ride without supervision.	
A horse found on inspection of the premises by an Authorised Officer to be in need of veterinary attention must not be returned to work until the holder of the licence has obtained at his own expense and has lodged with the Local Authority a veterinary certificate that the horse is fit for work.	stating the horse is fit to return to work before the said horse
In the case of horses maintained at grass there must be available for them at all times during which they are so	

maintained adequate pasture and shelter and water and supplementary feeds must be provided as and when required.	
Horses must be adequately supplied with suitable food, drink and (except in the case of horses maintained at grass, so long as they are so maintained) bedding material, and must be adequately exercised, groomed and rested and visited at suitable intervals.	are needed. Horses must be adequately exercised, groomed, rested and visited at suitable intervals.
All reasonable precautions must be taken to prevent and control the spread among horses of infectious or contagious diseases and veterinary first aid equipment and medicines must be provided and maintained in the premises	your veterinary surgeon.
2 Linear Conditions Table / Environment	
3. Licence Conditions - Tack / Equipment	
Any riding equipment supplied for a horse let out on hire must be free from visible defect which is likely to cause suffering to the horse or accident to the rider.	Any tack showing signs of defect MUST be replaced immediately.
A License Conditions Construction	<u></u>
4. Licence Conditions - Construction	
There must be available at all times accommodation for horses	Suitable accommodation must be provided.

suitable as respects construction, size, number of occupants, lighting, ventilation, drainage and cleanliness and that these requirements be complied with not only in the case of new

buildings but also in the case of buildings converted for use as stabling.	
The construction of the riding establishment must be substantial, adequate to contain the animals and provided with warmth and shelter in clean and hygienic conditions. There must be convenient and safe access to stalls and boxes. Stalls must be large enough to allow the animal to lie down and get up without risk of injury. Boxes must be large enough to allow the animal to turn round.	Suitable accommodation must be provided. See opposite.
Yards must provide enough space for every animal kept there.	
Lighting must be adequate to render the use of artificial light unnecessary in daylight.	
Ventilation must provide fresh air without draughts.	
Drainage must be adequate to carry away liquid voided by the horses and keep the standings dry.	
There must be provision for storage and disposal of manure	

and spoiled straw.		
Adequate accommodation must be provided to bedding, stable equipment and saddlery.	for forage,	Suitable accommodation/storage required.

OTHER MATTERS RELATING TO THE OPERATION OF A LICENCED ESTABLISHMENT.

A. APPEALS PROCEDURE

Riding Establishments Act 1964 and 1970 Section 1 (5)

Any person aggrieved by the refusal of a local authority to grant such a licence, or by any condition subject to which such a licence is proposed to be granted, may appeal to a magistrates' court; and the court may on such an appeal give such directions with respect to the issue of a licence or as the case may be, with respect to the conditions subject to which a licence is to be granted as it thinks proper.

B. FIRE PRECAUTIONS GUIDANCE

The following information is supplied to licensees, in order to aid compliance with the fire precaution requirements detailed in the Council's licence conditions that require appropriate steps to be taken for the protection of animals in case of fire or any other emergency.

The guidance is aimed at ensuring that the means of escape and associated fire precautions are adequate for human occupants. It should be borne in mind that the fire safety requirements for people may be covered by other legislation.

The following matters must be considered:

1. Access for Fire Fighting and Water Supplies - There should be good access for fire fighting appliances (minimum width of 3.7m) to all hydrants and other water sources and hard standings should be provided. The name board of the premises should be clearly displayed beside the nearest road access.

Page 389

- 2. Means of Escape Escape routes for animals should be designed to provide a straight run out of buildings, with the minimum of human assistance. Pen doors should be so arranged that animals can be evacuated quickly and acute turns, obstructions and ramps in the escape routes should be avoided as far as possible.
 - a) All premises should be provided with exits of sufficient width and height to allow easy access to the animals at all times.
 - b) The exits should be easily opened from the inside without the use of a key.
 - c) If necessary provision should be made for the ready summoning of a key holder.

In buildings exceeding 18 metres in length or where considerable numbers of animals are housed, at least two exits should be provided and situated as far apart as possible. The distance of travel should be limited to 45 metres.

- 3. No Smoking Signs No smoking notices should be displayed in the vicinity of all hay and straw and where practicable precautions should be taken against unauthorised entry especially by children.
- 4. Electrical Installations Electrical installations including lamps should be cleaned regularly to avoid the build-up of dust. Electrical equipment, heaters etc should be positioned and secured so that they are kept at a safe distance from any likely accumulation of flammable bedding material.
- 5. Fire Fighting Equipment
- a. Portable Fire Extinguishers -The following are recommended as a minimum:
 - Buildings not exceeding 200sqm in area require at least 2x9 litre water extinguishers for buildings over 200sqm an additional fire extinguisher must be provided for every additional 200sqm or part thereof.
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 - Depending on the outcome of your fire risk assessment, it may be possible to reduce this to one extinguisher in very small premises with a floor space of less than 90m².
 - Fire extinguishers that when operated produce a loud noise, e.g. CO2, or large clouds of dry powder, **should not** be used in close proximity to animals.
- b. Hose Reels Hose reels can be provided as an alternative to portable fire extinguishers. There should be a minimum of one hose for each 800sqm in area or part thereof. It should confirm to BS 5306: Part 1. Wash down hoses may be acceptable provided there is a constant flow of water that is able to produce water jet with a minimum throw of 5 metres. Hose reels

- must not exceed 45m in length and should be sited so that the nozzle can be taken to within 6m of each part of the protected premises.
- 6. Fire Notices All staff at the establishment should be familiar with what action must be taken in the event of a fire. A clearly written and conspicuous notice should be provided indicating the action to be taken in case of fire and the location of the nearest telephone.

This notice may include the following:

7. O/S Map Reference - An Ordnance Survey map reference number should be made available for the premises and displayed with the Fire Notice provided.

The Regulatory Reform (Fire Safety) Order 2005 requires that necessary fire precautions are put in place to protect relevant persons in case of fire in, and in the vicinity of all premises to which the legislation applies.

Responsibility for complying with the order rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises the person(s) in control of the premises will be responsible.

The responsible person must:

Carry out a Fire Risk Assessment, the significant findings of which must be recorded if five or more persons are employed, if the premises are licensed or if an alterations notice is in force.

To further assist you, the Fire Safety Guide to Animal Premises and Stables (ISBN: 978 1 85112 884 6) is available from the stationary office or via the Department for Communities and Local Government website (www.communities.gov.uk).

Page 39

C. HEALTH AND SAFETY

Health and safety law applies to all businesses, no matter how small. As an employer or a self employed person, you are responsible for health and safety in your business. You need to take the right precautions to reduce the risks of workplace dangers and provide a safe working environment.

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For some work activities there may be extra things you need to do to make sure you are complying with the law. Further guidance on specific topics, such as managing asbestos, preventing ill health from animal contact etc, and model risk assessments are available online at www.hse.gov.uk. You can also contact the health and safety team of Carmarthenshire County Council on 01267 234567 and ask for the Health & Safety Officer.

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					Proposed fees
ADDENIDIV 11	4.00001011/4.4			F F II 's	January 2016
APPENDIX 11			marthenshire 2014/2		•
Animal Boarding	New	Home Boarder	£45.00	£242.26	
		Single Species	£100.00	£230.73	
		Double Species	£145.00	£246.11	
	Renewal	Home Boarder	£45.00	£242.26	
		Single Species	£100.00	£230.73	£231.00
		Double Species	£145.00	£246.11	£246.00
Dog Breeding	New	Up to 10 Bitches	£230.00	£440.04	£440.00
		11-25 Bitches	£255.00	£530.73	£531.00
		26 - 50 Bitches	£355.00	£594.84	£595.00
		51 - 80 Bitches	£380.00	£709.11	£709.00
		Over 80 Bitches	£405.00	£748.15	£748.00
	Renewal	Up to 10 Bitches	£80.00	£261.97	£262.00
		11-25 Bitches	£105.00	£286.66	£287.00
		26 - 50 Bitches	£205.00	£340.77	£341.00
		51 - 80 Bitches	£230.00	£389.04	£389.00
		Over 80 Bitches	£255.00	£418.08	
			(Inclusive of Vet Fees)	(Inclusive of Vet Fees)	(Inclusive of Vet Fees)
Pet Shops	New		£125.00	£412.40	£412.00
	Renewal		£125.00	£412.40	£412.00
Riding Schools	New & Re	n Up to 10 Horses	£205.00	£355.87	£356.00
		11 to 20 Horses	£225.00	£367.40	£367.00
		21 to 50 Horses	£280.00	£378.94	£379.00
		Over 50 Horses	£355.00	£402.00	£402.00
			(Inclusive of Vet Fees)	(Inclusive of Vet Fees)	(Inclusive of Vet Fees
Dangerous Wild Ar	New		£255.00	£1,002.84	£1,003.00
	Renewal		£255.00	£1,002.84	£1,003.00
			(Exclusive of Vet Fees)	(Inclusive of Vet Fees)	(Inclusive of Vets Fees)

Page 394

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ADDENIDIY 1	1 h		Cered 14/15*	Pembs 14/15*	Carms 14/15	Fees Toolkit
	APPENDIX 11b		,		-	
Animal Boarding	New	Home Boarder	N/A	£324.00	£45.00	£242.26
		Single Species	£308.00	£324.00		£230.73
		Double Species	£349.00	£324.00	£145.00	£246.11
	Renewal	Home Boarder	N/A	£324.00	£45.00	£242.26
		Single Species	£268.00	£324.00	£100.00	£230.73
		Double Species	£308.00	£324.00	£145.00	£246.11
Dog Breeding	New	Up to 10 Bitches	£292.00	£341.00	£230.00	£440.04
Dog Diccums	INCW	11-25 Bitches	£322.00		£255.00	£530.73
		26 - 50 Bitches	£332.00			
		51 - 80 Bitches	£591.00		£380.00	£709.11
		Over 80 Bitches	£598.00		£405.00	£748.15
	Renewal	Up to 10 Bitches	£248.00		£80.00	£261.97
		11-25 Bitches	£277.00	£341.00	£105.00	£286.66
		26 - 50 Bitches	£287.00		£205.00	£340.77
		51 - 80 Bitches	£529.00		£230.00	£389.04
		Over 80 Bitches	£550.00		£255.00	£418.08
			(Exclusive of Vet Fees)	(Exclusive of Vet Fees)	(Inclusive of Vet Fees)	
Pet Shops	New		£308.00			
	Renewal		£264.00	£351.00	£125.00	£412.40
Riding Schools	New & Re	n Up to 10 Horses	£280.00	£393.00	£205.00	£355.87
		11 to 20 Horses	£280.00	£393.00	£225.00	£367.40
		21 to 50 Horses	£280.00	£393.00	£280.00	£378.94
		Over 50 Horses	£280.00	£393.00	£355.00	£402.00
			(Exclusive of Vet Fees)			
Dangerous Wild A	New		£308.00			,
	Renewal		£304.00		£255.00	£1,253.84
			(Exclusive of Vet Fees)	(Exclusive of Vet Fees)	(Exclusive of Vet Fees)	Exclusive of Vet Fees

^{*}at the time of writing and to the best of our knowledge and belief the comparative figures are correct, although subject to change.

EXECUTIVE BOARD DATE: 2ND NOVEMBER, 2015

SUBJECT: APPOINTMENT OF PROPER OFFICER

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

 The Authority appoints the named consultants from the health authority as Proper Officers for the purposes of Health Protection legislation;

Mrs Heather Lewis	Consultant In Health Protection
Dr Rhianwen Stiff	Consultant In Communicable Disease Control
Dr Jorg Hoffmann	Consultant In Communicable Disease Control
Mr Sion Lingard	Consultant In Health Protection
Dr Marion Lyons	Director In Health Protection
Dr Gwen Lowe	Consultant In Communicable Disease Control
Dr Graham Brown	Consultant In Communicable Disease Control
Dr Christine Whiteside	Consultant In Communicable Disease Control

- The appointments will take immediate effect and will continue until -
 - the Council revokes the appointment or
 - the officer provides the Council with 3 months written notice of resignation or
 - the officer ceases employment with the health authority

REASONS:

The Council is required to appoint 'Proper' Officers from the Health Authority (Public Health Wales) for the purposes of Public Health (Control of Disease) Act (as amended by the Health and Social Care Act 2008) and Regulations made under the 1984 Act.

Relevant scrutiny committee to be consulted - NO

Exec Board Decision Required YES -2^{nd} November, 2015 Council Decision Required YES -11^{th} November, 2015

Executive Board Member Portfolio Holder:

Cllr. J. Jones (Environment & Public Protection Portfolio Holder)

Directorate

Communities

Name of Head of Service:

Robin Staines

Report Author:

Sue Watts

Designations:

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Manager

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EXECUTIVE SUMMARY EXECUTIVE BOARD DATE: 2ND NOVEMBER, 2015

APPOINTMENT OF PROPER OFFICER

Background

Individuals taking care of their own health is not always enough to protect the health of the population in general.

Consequently, legislation has long provided that local authorities may take certain actions or make certain requirements to protect overall public health.

This legislation is included in the Public Health (Control of Disease) Act 1984 ('the 1984 Act') which was updated by the Health and Social Care Act 2008. The amended 1984 Act came into force on 26 July 2010.

Health Protection Regulations

Under the amended 1984 Act, Welsh Ministers have powers to make regulations to enable public bodies to respond to public health threats.

Following a consultation exercise between November 2009 and January 2010, Welsh Ministers made three sets of regulations which came into force on 26 July 2010.

The regulations are:

- The Health Protection (Notification) (Wales) Regulations 2010: These Regulations include a revised list of diseases that doctors must report to the local authority. The regulations also include new provisions for cases that may have been caused by contamination with chemicals or radiation.
- The Health Protection (Part 2A Orders) (Wales) Regulations 2010: These Regulations provide details on the evidence required before a Justice of the Peace (JP) can make an order on a person to protect public health. The Regulations also set out safeguards for people affected by an order
- The Health Protection (Local Authority Powers) (Wales) Regulations 2010:These Regulations update local authorities powers and duties relating to their health protection role.

Proper Officer

The Council is required to appoint 'Proper' Officers from the Health Authority (Public Health Wales) for the purposes of Public Health (Control of Disease) Act (as amended by the Health and Social Care Act 2008) and Regulations made under the 1984 Act.

In light of the fact that there have been recent appointments by Public Health Wales, the list of Proper Officers requires reviewing.

The following is the current list of Consultants that requires appointments by the Council;

Mrs Heather Lewis	Consultant In Health Protection
Dr Rhianwen Stiff	Consultant In Communicable Disease Control
Dr Jorg Hoffmann	Consultant In Communicable Disease Control
Mr Sion Lingard	Consultant In Health Protection
Dr Marion Lyons	Director In Health Protection
Dr Gwen Lowe	Consultant In Communicable Disease Control
Dr Graham Brown	Consultant In Communicable Disease Control
Dr Christine Whiteside	Consultant In Communicable Disease Control

The appointments will take *immediate effect* and will continue until;

- the Council revokes the appointment or
- the officer provides the Council with 3 months written notice of resignation or
- the officer ceases employment with the health authority

These are honorary appointments and accordingly, no fees are payable by the Council in connection.

DETAILED REPORT ATTACHED?	NO

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: Robin Staines Head of Housing and Public Protection

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

2. Legal

The Council is required to appoint 'Proper' Officers from the Health Authority (Public Health Wales) for the purposes of Public Health (Control of Disease) Act (as amended by the Health and Social Care Act 2008) and Regulations made under the 1984 Act.

CONSULTATIONS

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

Signed: Robin Staines Head of Housing and Public Protection

- 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 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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EXECUTIVE BOARD DATE: 2ND NOVEMBER, 2015

SUBJECT:

Review of Access to Social Housing Policy

Purpose:

The purpose of this report is to:

- Outline the results of the members' consultation sessions with relation to the Access to Social Housing policy.
- Outline the results of the operational review of the Access to Social Housing policy.
- Propose an amended draft Access to Social Housing policy and approach.
- Seek approval to undertake a formal consultation exercise in relation to the draft policy.
- Establish a review of how we let properties in a timely and efficient manner.

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

It is recommended that:

- The results of the service review are accepted
- The draft amended Access to Social Housing policy and approach is approved.
- The consultation approach and plan is approved
- The existing policy is considered for information.
- A secondary review on how we let our properties in a timely and efficient way is undertaken.

REASONS:

- To ensure the amended policy reflects the results of the service review and member consultation sessions.
- To ensure we develop and review policies that meet local need and priorities.
- To ensure members, service users and partners are effectively engaged and consulted in the development and delivery of the policy.
- To ensure our approach to housing advice and the allocations policy reflects recent changes to the law and operational ways of working.
- To give further consideration to new ways of letting properties to ensure they are vacant for the minimum time possible.

Relevant scrutiny committee to be consulted: YES

(Community Scrutiny Committee to be consulted as part of the detailed consultation exercise on 15th January 2016)

EXECUTIVE BOARD:

Scrutiny Committee recommendations / comments:

Exec Board Decision Required YES – 2nd November, 2015
Council Decision Required NO

Executive Board Member Portfolio Holder:

Cllr. Linda Evans(Housing Portfolio Holder)

Directorate Designations: Tel Nos.

Communities Head of Housing & Public 01267 228960
Protection Protection 01554 899232

Name of Head of Service: Protection 01554 899232
Robin Staines

Report Author:

Housing Manager (Housing Detained Comments of Comm

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EXECUTIVE SUMMARY EXECUTIVE BOARD

DATE: 2ND NOVEMBER, 2015

SUBJECT: Review of our Access to Social Housing policy

The way social housing is allocated in Carmarthenshire is outlined in our Access to Social Housing policy (commonly known as 'The Allocations Policy'). We operate a common approach with other registered social landlords (Housing Associations) who operate within the county. This single policy in the county has the benefit of enabling us to meet our statutory requirements and targeting all social housing at our priorities.

The policy has been amended on a regular basis to try and simplify it, reflect changes to the law or reflect amended statutory guidance. However members of the Council have been frustrated with some aspects of both the policy and the way it operates on a day to day basis. Despite the proposed amendments it is doubtful that all the frustrations will disappear as the policy has to prioritise some households over others. This is a reflection of the imbalance in housing supply and demand and the lack of affordable housing in the county. The Council has recognised this shortfall and is laying out plans to address the issue in the affordable housing commitment.

Given the ongoing frustrations, and our commitment to continuous improvement, the department instigated a review of both the policy and the way it operates. Since January 2015 a number of sessions have been held for members regarding the policy. The general messages from these sessions include:

- Could the current system be simplified
- Could more priority be given to people from Carmarthenshire
- Could we give more priority to people who have lived in a particular ward
- Could we give more priority to existing tenants who want to down size and who are overcrowded
- Could we give more priority to people who work but on a low income
- Concerns about the number of households on the register
- Concerns about tenants who don't pay their rent and cause issues for their neighbours
- Concerns about members not being informed about a letting.

From the meetings it was clear members wanted to consider changes and amendments to our existing approach. Further meetings have since been arranged to help establish the key policy issues which would be considered as part of a wider consultation exercise.

In addition to members' views, the 2014 Wales Housing Act placed new statutory responsibilities on the Council, especially in how we deal with homelessness. The law requires that our policy sets out our priorities and gives preference to certain groups. These include the homeless, people with serious medical issues and people living in poor conditions.

We also have a duty to rehouse those in priority need. Around 1,100 social homes are let in a year. In 2014/5 we had a statutory duty to re-house 452 households.

Given the context and the strong views for change, it is proposed to adopt an allocation scheme that is simpler to understand whilst easier to administer. This will be based on the following steps:

Step	Approach
Making a housing enquiry Who can join the register	Rather than complete an application form, the service user will be encouraged to have telephone or face to face housing advice. For many users, social housing is not the appropriate solution. Housing Options staff can either supply or direct users to relevant and timely services. This will be confirmed in a written housing plan. Greater clarity on who can join the register <i>IF</i> social housing is the most appropriate solution.
The chances of getting housed	A reduction and simplification of the current banding and points based system where there are two bands (replacing four) - A and B. This will also result in the removal of the points system and the chase for points. To comply with the law Band A will not change in terms of who we prioritise. It will involve those who are determined as priority need and homeless. In addition it will involve those who are disabled and need to move to an adapted property. Households will then be prioritised by local connection and time on the register. The second band (Band B) will involve those who meet criteria which is set locally. Discussions have involved: Those who are homeless but non priority need. Those threatened with homelessness. Low income families who are in employment. People who if they or their relatives were rehoused would promote their independence and result in a reduction in homecare. Tenants who are overcrowded and need one bedroom or more /under occupied by one bedroom or more. We will register all applicants details if they require us to regardless of them meeting the criteria outlined. These applicants are only likely to be contacted if a particular home cannot be let. For each band there will be further priority given in the following order: 1. Local connection with, and time spent in, Carmarthenshire. 2. Time spent in a particular ward.



	Time on Housing Choice Register
What size and type of home	Greater clarity on what individual households will be entitled to in terms of size and type.
Suspensions from the register	Greater clarity on being suspended from the register and the process for appeals.
Specific types of housing	Clarity on separate registers for disabled people, older people/sheltered housing and for local/sensitive lettings policies.
Role of members	Clarity on the role of members in the allocation process.
Amendments	Note on amending the policy and other legal requirements.
Local Lettings and Sensitive Lets	There will be a continuation with these policies

Any change to the policy will require a full programme of public consultation as well as the engagement of our social housing partners. A consultation plan together with an outline approach is attached for consideration.

However it is recognised that the review and draft amended policy deals with the allocation of properties rather than lettings (including the issue of informing local members). It is suggested that a further review of the lettings process to investigate ways to ensure lettings are conducted in a timely and efficient way is commissioned as part of the consultation process.

Recommendations

It is recommended that:

- The results of the service review are accepted (Appendix 1)
- The draft amended Access to Social Housing policy and approach is approved (Appendix 2).
- The consultation approach and plan is approved (Appendix 3).
- The existing policy is considered for information (Appendix 4).
- A secondary review on how we let our properties in a timely and efficient way is undertaken.

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: Robin Staines Head of Housing & Public Protection

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

1. Policy, Crime & Disorder and Equalities

The proposals subject to consultation will lead to a change to our Allocations to Social Housing Policy. The policy will undergo an Equalities Impact Assessment.

The draft policy focuses on meeting local housing need and supporting balanced communities. It closely aligns with supporting people to live as independently as possible in their own home and improving people's health and well being.

2. Legal

We developed these proposals with the assistance of an independent external advice and in consultation with our solicitors. Subject and as part of the consultation we will undertake further expert legal advice.

The policy will need to meet the requirements of the Housing Act 1985, the Housing Act 1996, the Housing Act 2004, the Crime and Disorder Act 2003, the Housing Act (Wales) 2014, the Welsh Assembly Government Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness (2015).

Under S.167 (7) of the Housing Act 1996, before adapting or altering the policy the local authority will send a copy of the draft, or proposed alteration, to every housing association in the County; and ensure that those housing associations have a reasonable opportunity to comment on the proposals. In addition Under S.168 (3) of the Housing Act 1996, the local authority will notify by letter, within a reasonable period and consult with those affected by a major change to the policy.

4.ICT

Changes to the current IT system will be required as the policy is implemented. This can be carried out by further developing the existing in house system.

5. Risk Management Issues

Failure to review our policy may have an impact on people's perceptions of fairness and clarity in allocating social housing. The proposals have been developed to ensure additional weighting is given to identify local priorities, as well as meeting housing need.

CONSULTATIONS

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

Signed: Robin Staines Head of Housing & Public Protection

1.Scrutiny Committee

Community Scrutiny to be consulted as part of the consultation exercise on the 15th January, 2016.

Local Member(s)

Local members have been involved in developing options for change.

3. Community / Town Council

Community and Town Councils will form part of the detailed consultation exercise.

4.Relevant Partners

Housing Associations have been consulted in relation to possible options for change. Housing Associations and other partners will be involved in the detailed consultation exercise.

5. Staff Side Representatives and other Organisations

Housing Services Advisory Panel was involved in the initial discussions on options for change. Service users, existing applicants and other organisations like Shelter will be involved in the detailed consultation exercise.

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
Carmarthenshire County Council – Access to Social Housing Policy	Housing General Files	Council Website - Democratic Services

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Appendix 1 Access to Social HousingA service review



October 2015

Housing@carmarthenshire.gov.uk

www.carmarthenshire.gov.uk/english/housing

1.0 What is the purpose of this report?

- 1.1. The purpose of this report is to outline the results of a service review that has been carried out in relation to our Housing Option and Advice Services. The review focused on the policy and the way it operates.
- 1.2. We will cover the drivers for change in the first place as well as some of the encouraging early outcomes of the review.

2.0 What were the drivers for change?

- 2.1 We realised that we needed to be far more proactive in terms of giving housing advice and preventing homelessness. We wanted to ensure that people got through to the right people and at the right time in terms of providing options and advice.
- 2.2 Members told us that they wanted us to consider changes and amendments to our existing approach as well as concerns about the Access to Social Housing Policy itself.
- 2.3 The 2014 Wales Housing Act placed new statutory responsibilities on the Council, especially in how we deal with homelessness. We knew this would place increased demands on our front line team so we needed to ensure we set ourselves up to meet this challenge.
- 2.4 We wanted to ensure that we continued to improve the service we offered.

3.0 How did we approach the review?

- 3.1. The review was carried out in conjunction with the Transformation, Innovation and Change (TIC) team and we wanted to understand what really mattered to our customers.
- 3.2. In September 2014, a team of officers started to critically assess how we delivered the service. Our intelligence was telling us we:
 - had the highest number of homelessness casework compared with the size of population in Wales
 - had 8,000 households on the register
 - were sending out 12,000 applications for re-housing a year.

- 3.3. We first started by looking at what was actually happening on the ground. We spoke to customers and staff to try and understand why people were contacting us in the first place i.e. where was the demand coming from?
- 3.4. From this it was clear that people wanted:
 - to get through to the right person
 - someone to care about and understand their problems
 - to be communicated in a way they could understand
- 3.5. Other issues to emerge were the pressure on the phone system and staff having difficulty exploring the right option and providing quality advice.
- 3.6. We also started to understand why people were applying for social housing. The main three were relationship breakdown, affordability and problems with their home in the private rented sector.
- 3.7. We have undertaken a number of meetings with members who also told us:
 - The current allocation system could be simplified
 - We need to give more priority to people who have lived in a particular ward and Carmarthenshire
 - We need to give more priority to existing tenants who want to downsize or are overcrowded
 - We need to give more priority to people who work, but on a low income
 - They had concerns about the number of households on register, tenants who don't pay their rent, tenants who cause issues for their neighbours and not being informed of a letting in their area.
- 3.8. From this we then started to re-design our front line service.

4.0. What has changed as a result of the review?

- 4.1. The review has resulted in the following changes to date:
 - We have recognised the need to be more proactive in terms of preventing homelessness. Our approach now involves addressing the housing issues people have as opposed to simply registering them for social housing.
 - We have re-shaped the team by setting a front-line core. This is a team of housing advisors who speak directly to customers to resolve their issues when they phone and take all new enquiries.
 - We refer any detailed casework to specialist advisors/partners.
 - We have stopped giving out application forms.
 - We recognise the advantages for tenants of maintaining an existing tenancy. As a result we are now providing more support ourselves and more specialist support via partners like Shelter (money advice) and The Wallich (mediation services). We have re-aligned our staffing arrangements to account for this change of emphasis and co-located with our key partners.
 - It has further emphasised the importance of the private rented sector. We have built up our partnership with private landlords and have developed our Social Lettings Agency. This is a service where we manage homes on behalf of landlords and use this valuable accommodation to help us re-house homeless and potentially homeless households.
 - Drafted proposals for a new policy to go out for wider consultation based on member concerns.

- 4.2. The early impact of these changes has been:
 - 90% of people are now getting through when they phone
 - 85% of customers now indicating we have helped them resolve their housing problems.
 - The number of people who present themselves as homeless and the number we have determined as homeless has fallen. The table below shows the number of homeless presentations and number of homeless acceptances over a five year period.

Year	Homeless Presentations	Homeless Acceptances
14/15	1102	452
13/14	1227	532
12/13	1540	555
11/12	1602	705
10/11	1683	726

5.0. What are the next steps?

- 5.1. We will continue to critically assess the way we deliver the service and hold regular challenge sessions in the work place.
- 5.2. Our new approach will be incorporated into the review of the Access to Social Housing Policy.
- 5.3. We are moving forward on the review of the Access to Social Housing Policy itself as well as looking at new ways to let homes

Recommendation

To accept the results of the service review

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Appendix 2: Carmarthenshire's approach to allocating social housing Draft - October 2015



October 2015

Housing@carmarthenshire.gov.uk

www.carmarthenshire.gov.uk/english/housing

Contents

Making a housing enquiry	2
Joining the housing register	
The first priority for social housing	2
The second priority for social housing	4
Non priorities	5
Living in the county	5
What type and size of home are offered	5
Is being on the register a guarantee of re-housing	6
Offers of accommodation	7
Reviewing decisions	8
Older people's accommodation	
Specially adapted accommodation	
Allocations outside the priorities	9
Different approaches to allocations	9
Members of the Council, staff and their relatives 1	0
Working with housing associations 1	1
Publicising the policy 1	1
Changing the policy 1	1



Making a housing enquiry

Social housing is allocated to people on the housing register. The first step to joining the housing register is a discussion with a housing adviser. They will discuss individual housing circumstances and give appropriate advice. This will be in total confidence. This includes advice regarding accessing a number of services, including social housing, if it is agreed as the best option. The easiest way to contact the team is to phone 01554 899389, email schoptions@carmarthenshire.gov.uk or look at information on our website www.carmarthensire.gov.uk. For out of hours emergencies ring 01558 824283.

Joining the housing register

The housing options team will assess your needs and invite you to join the housing register if they feel social housing is the best option. You will need to join this to be eligible for social housing.

Anyone over the age of 16 can join the register. However if you are under 18 years of age your ability to manage a tenancy will be assessed. This may include a referral to Social Services or other support services to ensure the appropriate support is in place. If you are under 16 and given a tenancy, this will be held in trust until you reach 18. This means that another suitable person (such as a parent, legal guardian, social worker or relative) will be responsible for the property.

However there are some groups of people who cannot join the register. They are people who:

- Are under immigration controls and cannot claim benefits;
- Do not live permanently in the Common Travel Area (UK, Channel Islands, the Isle of Man or the Republic of Ireland) for tax purposes;
- Who do not have the right to live in the UK; and other categories of people who the Secretary of State has decided are not eligible for housing.

The first priority for social housing

Social housing is offered to those prioritised by their housing need, the strength of their local connection and the time they have waited. There are two priority groups and properties are offered to those in this order:

- 1. The first priority
- 2. The second priority
- 3. Hard to let properties

The law sets out groups of people we must give "due preference" or priority to when allocating social housing. These are those who:

- Are Homeless
- Are living in unsanitary or overcrowded housing or unsatisfactory housing conditions
- Need to move for medical or welfare reasons (including disability)
- Need to move to a particular area in the county because if they did not it would cause hardship.

Within this group of people we have a legal duty to make an offer of housing to households who meet specific criteria. These households are given first priority.

First Priority – people who meet *one* of the following criteria

- Homeless, in priority need and not intentionally homeless
- Assessed by an Occupational Therapist as needing to move to a suitably adapted home
- Wants to move from an adapted home that would benefit another household that needs adaptations
- Seriously overcrowded where the household lacks 2 or more bedrooms
- Veterans who have seen active service within the armed forces and are suffering from post traumatic stress disorder or serious illness directly related to service in the Forces
- Those in priority need whose home has a number of dangers which could affect their safety, health and wellbeing.

If there are more people in the first priority than properties available, there are three further deciding factors. In order, these are:

- 1. Allocations will be made to those people who meet *one* of the following criteria.
 - People who are currently living in the County and have been doing so for the past 3 years

- People who are employed (full or part time) in the county, on a permanent basis, for the previous six months
- People who need to move into the County in order to take up an offer of permanent employment
- Serving members of the Regular Forces who have a local connection to the area i.e. previously lived here, close family members (adult children, parents, brothers/sisters)
- Need to move into the county to provide or receive care or support
- Have a special reason such as currently residing outside the county but are fleeing violence or harassment (including hate crime)
- 2. In the event that there remain more people than properties, the next deciding factor will be those people who are currently living in the ward where the property is, and have been living there for the past 3 years.
- 3. The final deciding factor will be the time spent on the housing register.

The second priority for social housing

There are also other groups of people who have priority for social housing. If no first priority household is allocated a property, the following people will be considered.

Second priority – people who meet one of the following criteria

- Threatened with homelessness in 56 days
- A serious need to move to provide or receive support and care, including foster carers
- Serious medical condition or disability need that would be improved by rehousing
- People living in a mobile home, caravan or converted vehicle which, due to medical conditions, does not meet their needs
- Overcrowding where the household is lacking one bedroom
- Existing social tenants who are under-occupying their home and they want to move to a smaller property
- Working families who have an income under the threshold for Working Families Tax Credit (£16,000 in October 2015)

If there are more people meeting the second priority than there are properties available the same criteria, in the same order of preference, will be applied to those in the first priority, i.e.

- 1. Additional housing need factors
- 2. Time lived in ward
- 3. Time on the register

Non priorities

Most of our social housing goes to people in the first and second priorities.

However we do occasionally offer properties that nobody in the two priorities wishes to be considered for. We will register people if they wish to be considered for one of these properties and they meet any other criteria (such as age for sheltered housing).

Living in the county

Living in the county means that you live in Carmarthenshire on a permanent basis. This does not include:

- Living in a mobile home or motor caravan
- Living in holiday accommodation including holiday lets, hotels and bed and breakfast

What type and size of home are offered

In general, the following households will be offered the following accommodation:

Household	Property type and number of bedrooms		
Single people	Bedsit, one-bedroom flat or one bedroom house		
Single people 50 and over	Bedsit, one or two bedroom flat or bungalows, one bedroom house and sheltered housing		
Single people or couples 60 and over who have been assessed as suitable for sheltered housing	One and 2 bedroom flats within sheltered housing schemes		
Household expecting a baby (see note 3)	Two or three bedroom flats, maisonettes or houses		
Household with no children	One or two bedroom flats, one bedroom house		
Household with no children, everyone who is 50 years or over	One or two bedroom bungalows		

Household with one child	Two or three bedroom flats maisonettes and houses	
Household with two children	Two or Three bedroom maisonettes and houses	
Household with three children	Three or four bedroom Houses	
Household with four or more children	Three, four or five bedroom houses	

There are a few exceptions to this:

- We will allocate our one and two bedroom ground and upper floor flats to all households (with a few exceptions such as specifically adapted properties).
- Bungalows (except for specifically adapted properties) will be allocated to households with a family member over the age of 50. If there are no eligible households meeting these criteria then other people will be considered below this age taking account of their circumstances.
- Adapted properties will be allocated to the household who has been assessed by an Occupational Therapist as benefitting most from the existing adaptations at the property.

Is being on the register a guarantee of re-housing

Membership of the register does not guarantee re-housing. There may not be an appropriate home in the area of choice. The demand for social housing outstrips supply.

Only members of the register will be considered for social housing. Under certain circumstances potential members can be either temporarily barred from joining, or temporarily suspended. This includes if *anyone* in the household meets *any* of the following criteria:

- Been found guilty of unacceptable behaviour serious enough to make them unsuitable to be the tenant of the Council or a Housing Association at the time of application
- Failure to pay rent
- Breaching conditions of a tenancy agreement
- Causing nuisance to neighbours
- Being convicted of using their homes for immoral or illegal purposes

- Being convicted of an arrestable offence committed in, or in the vicinity of, their home
- Causing the condition of the property to deteriorate by a deliberate act, or by neglect
- Making a false statement to obtain a tenancy
- Refused one reasonable offer of accommodation within six months of Being served with a notice seeking possession for breaking tenancy conditions. This will apply to Council, Housing Association and private tenants.
- Cannot apply for a transfer from a Council and Housing Association within 12 months of taking up a tenancy. However if there has been a substantial change in circumstances we will consider them on a case by case basis.

Offers of accommodation

Within any six month period, we will make one 'reasonable' offer. Reasonable offer means:

- Is the right size for the household
- Is near to support and takes account of any special needs (such as a home without steps or a home with adaptations)
- Is free from the threat of violence
- Is in a chosen area

However there are times and circumstances when this may be varied. For example, and as a last resort, we may make reasonable offers outside areas of choice. This helps us to ensure we meet our legal responsibilities for homeless people. There is an appeal process if it is felt that the offer is unreasonable.

All offers will be made formally, in writing. An offer is subject to pre-tenancy checks, which will be carried out at the point of offer. This is to verify that circumstances have not changed which would affect eligibility and/or priority.

There may be exceptional circumstances where an offer is withdrawn. This may be done before the tenancy agreement has been signed. Reasons for withdrawing an offer are:

- The property is not suitable for the households needs
- The property fails to become available
- There is an issue and concern for community safety

- It comes to light that information has been withheld
- It comes to light that that the household or member of the household has a property related debt
- The offer has been made in error
- The households circumstances changed
- The property is required for an emergency
- It transpires that the rent would not be affordable

Reviewing decisions

A request to review a decision will normally be made within 28 days of the decision. The type of decisions that can be reviewed include:

- Advice on joining the housing register
- Being barred from the housing register
- Being suspended from the register
- The priority allocated
- The reasonableness of an offer of accommodation

Normally one review per decision will be accepted unless circumstances have changed or additional information that could change the decision is forthcoming.

By law, we must inform you of the outcome of the review within 56 days. However we will attempt to do this in 15 days.

Older people's accommodation

In order to be considered for sheltered housing, an assessment will be carried out by a Sheltered Scheme Officer. To be considered, people will normally:

- a) be 60, (although some schemes may have a lower minimum age requirement)
- b) be able to evacuate the building by themselves in the event of a fire

Specially adapted accommodation

Some homes have been specially adapted to meet people's needs. This includes homes for the disabled and for older people. To ensure we match people to

homes, and make the best use of the accommodation, an Accessible Housing Register (AHR) is also operated as part of the main register.

Specific housing needs are identified and assessed as part of the initial housing enquiry through the discussion with the housing adviser. This includes current circumstances and the type of property required. An aid or adaptation to the current home may be more appropriate than moving. However if the current property is just not suitable due to a medical condition, we will offer an assessment by an Occupational Therapist. The result of this assessment will dictate the type of property offered.

Allocations outside the priorities

There are times when homes are allocated outside of the two priorities. These are:

- Where there is a need to provide alternative accommodation for a tenant in order to carry out repairs or improvements to their home or where the tenant needs to be moved as part of a regeneration scheme.
- Where there is a duty to re-house people following a compulsory purchase.
- Mutual exchanges between Council tenants or between Council tenants and the tenants of Housing Association.
- Where a person who has a secure tenancy dies, and succession of the tenancy to members of their household applies. If the home they have gained succession to is bigger than they reasonably need they may be offered suitable alternative accommodation.
- Where there is low demand for a property.

Different approaches to allocations

There are a number of other times when offers of accommodation are influenced by other policies. These are:

Local Lettings	In some circumstances, particular areas may have a formally	
Polices	agreed local lettings policy. A local lettings policy would be in	
(areas)	place to make sure that homes in that area are given in a way	
	that helps to tackle particular issues. To agree a local lettings	
	policy it should be based on the following test:	
	clear definition of what is to be achieved by the local	

	lettings policy	
Sensitive Lettings (individual properties)	An individual property may be a 'sensitive let'. This could be where there is a confirmed history of antisocial behaviour or criminal activity at that property involving the previous tenant or members of their household. A property will only be named a sensitive let with the approval of the Head of Housing (council) or by a Manager of equal seniority (housing association). If a property is a sensitive let, certain households will not be considered for that property. Once the property has been let it will no longer be classed as a sensitive let.	
Exceptional circumstances	The Head of Housing and Public Protection has delegated powers to make an emergency offer of accommodation. However this is rarely used. A register is maintained for inspection where this power has been used.	

Members of the Council, staff and their relatives

Elected Councillors cannot be involved in assessing housing applications or the allocation of housing. However this does not prevent them from seeking or providing information on behalf of their constituents.

The prime role, as outlined in statutory guidance, is developing and approving future policy and holding officers of the authority to account for their actions.

In order to ensure that the Council is treating all applicants fairly, any application for housing from Councillors or employees of the Council or associated persons must be disclosed. Canvassing is not allowed. These applications will be assessed in the normal way but any allocation of housing must be approved by the Council's Head of Housing and Public Protection or a Senior Manager within a Housing Association.

Working with housing associations

This policy for allocating social housing, and the operation of the housing register, is operated by the Council and by Bro Myrddin, Cantref, Family and Gwalia housing associations.

Publicising the policy

We will publish this policy and make it freely available. We will provide a copy free of charge to anyone who requests one as well as making it available on line. Advice on the working of this policy is available through the housing options and advice team on 01554 899389.

Changing the policy

The policy cannot be amended until a copy of the proposed amendments has been sent to every housing association in the County. They must have a reasonable opportunity to comment on the proposals.

All changes have to be approved by the County Council. We will notify in writing, and within a reasonable period, our proposals to those it may affect. Any major changes will require a full and detailed consultation process for those potentially affected by the changes. Results of the consultation will be presented to the County Council and housing associations.

Page 429

Appendix 3 - Consultation on a Draft Access to Social Housing Policy

Method	Description
Local Members	Consultation via further member's seminars and consultation through
	the political process.
Staff Focus Group	Sessions held with staff of council and housing associations.
AM's / MP's	Letters ,questionnaire copy of the draft policy will be sent to AMs/MPs.
Tenant Networks	Sessions held with all tenant networks.
	➤ A&G
	> Llanelli
	> TTT
Stakeholders	Discussions will be held at the Homeless Forum. Homeless Forum
	group included:
	The Wallich, Shelter Cymru, NHS, Gwalia Care and Support, Leaving
	Care team, Hafan Cymru, Prison Service, Careers, Hywel Dda,
	Christians Against Poverty, Probation, Llety, Foundation Housing,
	Mental Health Team, Tai Cantref, CAB, Redcross
Community/Town Councils	E-mails with attachments will be sent to all with e-mail addresses and
	letters sent to the remainder informing them of the internet link to look at
	documents and provide feedback.
Groups through the Equalities Impact	Contact made to all the groups listed below with a link to the proposed
Assessment	new policy and an opportunity for feedback.
	CAVS – multicultural network in Llanelli
	➤ The Carmarthenshire Disability Coalition
	➤ Welsh Language
	➤ Older People (over 50)
	> Younger People
	> Stonewall – housing and LGB issues
Facebook	Notice posted on the wall which links to the Carmarthenshire website.
Website	Policy and questionnaire posted on the website under the consultations
	section which an electronic feedback survey.
Current applicants on the register	Text message sent to existing applicants on the housing register where
	there is a mobile number, directing them to the consultation page on the
	website.

Neighbouring Local Authorities	E-mail sent to the neighbouring authorities with copies of the proposed
	policy asking for any comments.
Shelter Cymru	Letter and copy of draft policy will be sent
Welsh Assembly	Letter and copy of draft policy will be sent
Ombudsman	Letter and copy of draft policy will be sent
Welsh Local Government Agency	Letter and copy of draft policy will be e-mailed.
Welsh Housing Notice Board	Article posted on the Welsh Housing Notice Board Forum pages.
Aelwyd Housing Association	Letter and copy of draft policy will be sent to the association.
Wales and West Housing Association	Letter and copy of draft policy will be sent to the association.
Pembrokeshire Housing Association	Letter and copy of draft policy will be sent to the association.
Legal Services Division	Discussion with Council Solicitors and expert legal opinions will be sought.
Press Release	Article placed in press informing public of the drfat policy and ways of providing us with feedback.
Tai Pawb	Letter ,questionnaire draft policy will be sent
Other Council Divisions	E-mail forwarded to Heads of Service and attached policy.
Landlords Forum	Link and documents forwarded to all landlords who form part of the
	forum.

Page 43

Key questions which we will consult on?

As part of the consultation process we will develop a questionnaire involving the following issues:

Local Connection

- What is your view on giving priority to people who are residents to Carmarthenshire?
 If so should we set timescales in relation to residency, for example 3 years, 5 years or longer?
- What is your view on giving more priority people who are residents in a particular area (ward)?
 If so should we set timescales in relation to residency, for example 3 years, 5 years or longer?
- What is your view about giving priority to people who want move to Carmarthenshire to work?
- What is your view about giving priority to those who want to move to care for an elderly relative

Existing Tenants

What is your view about giving priority to existing tenants who have adhered to the terms of their tenancy agreement?

Working Families

What is your view on giving more priority to people who work but on a low income?

Priorities

- What are your views on how the priorities have been set?
- Are there any other individuals or groups that should be given priority?

Number of offers

• Do you feel that the one offer within a six month period is reasonable?

Are there any other views or comments?

Appendix 4- The existing Access to Social Housing Policy

Choosing your housing options – applying for social housing in Carmarthenshire











1 Do you need a housing options interview?

You need to make sure that you consider the right housing options that suit your particular housing need. Detailed housing advice and agreeing realistic housing options are very important and you need to consider these fully before applying.

If applying for social housing is a realistic option for you, the following information outlines the policy for deciding who receives council and housing-association properties.

We also provide more booklets on applying for affordable housing to buy and private rented properties through the Social Lettings Agency.

This is a summary of how we decide who can rent our homes.

You can ask us for a copy of the full policy or it is available on our websites at:

www.carmarthenshire.gov.uk

www.bromyrddin.org.uk

www.cantref.co.uk

www.gwalia.com

www.fha-wales.com

2 What are the priorities for housing?

We must give priority to households who:

- are homeless
- are living in unsanitary, or overcrowded housing or unsatisfactory housing conditions;
- need to move for medical or welfare reasons (including disability);
- need to move to a particular area in the county because if they did not it would cause hardship.
- Are threatened with homelessness within 56 days

We have also identified our local priorities as being households who:

- are in the highest medical need;
- need to move to give or receive support;
- need a suitably adapted property;
- need to move to reduce delayed transfers of care;
- are moving from larger properties to smaller properties;

- are moving from smaller properties to larger properties;
- need to move to receive or provide support and care;
- need sheltered housing.

This policy is a points-based lettings scheme. You can choose as many areas as you want in which to apply for housing. You are more likely to get the property you want if you are flexible in choosing the type of housing you need and the area you want to live in.

3 Who can apply for housing?

 Anyone over the age of 16 can apply for housing. However, if you are 16 or 17 years old, we will only offer you an 'equitable tenancy'. When you reach the age of 18 you will then become an Introductory, Secure or Assured Tenant.

4 Who cannot apply for housing?

Some people are unable to apply for housing. They are people:

- under immigration control who cannot claim benefits (if you do not have access to benefits, you may be entitled to housing with the housing associations);
- who do not live permanently in the Common Travel Area (UK, the Channel Islands, the Isle of Man or the Republic of Ireland) for tax purposes;
- who do not have the right to live in the UK; and
- other categories of people who the Secretary of State has decided are not eligible for housing.

If you are not able to apply, we will let you know in writing and you will have the right to ask for a review.

5 Are there any circumstances where your application may be suspended or removed from the Housing Choice Register?

There are some circumstances in which we may delay an offer of housing no matter what your priority is under the scheme. You do not normally qualify for the offer of a tenancy through the scheme if you, or a member of your household:

- have deliberately made your housing condition worse to benefit from the allocations policy;
- are under notice seeking possession, for breaking of tenancy conditions. This will apply whether you are a council, housing association or private tenant.
- have a history of unacceptable behaviour, which may include serious and/or persistent rent arrears, the property is not in a good state of repair and clean enough inside or out; or you are convicted of any drug or sex offences taking place within a council or housingassociation property or within the area;
- have refused one reasonable offer of accommodation within 6 months

A 'reasonable offer' is an offer of a property that:

- is the right size for your household;
- is near to any support you need and takes account of any special needs you may have (such as a home without steps or a home with adaptations);
- is free from the threat of violence; and
- is in an area you have chosen. If we have accepted you as homeless, and there is a legal duty to rehouse you, we may offer you a home outside your area of choice if it is considered to be reasonable.
- are a council or housing association tenant or a tenant re-housed through the Social Lettings Agency and have not been a tenant for 1 year; or
- we are waiting for further evidence to confirm your present circumstances

Where a household refuses an offer that they would under occupy because they do not meet the housing benefit criteria for children of different sexes sharing up to the age of 10 this would not count as a reasonable offer and they would not be suspended from the housing register.

6 Can you ask us for a review of a decision made?

You can ask us to review a decision on whether you can apply for housing, any suspensions or the number of points awarded within 28 days of receiving the letter confirming our decision. We only allow one review unless your circumstances have changed or you have additional information that could change our decision.

7 What is the role of county councillors and housing association board members?

The main role of councillors and housing association board members is to approve this policy and any changes we make to it. Local councillors cannot decide who will live in individual properties but can represent you if you live in their ward.

8 What are local lettings policies and sensitive lets?

In some circumstances, particular estates may have a formally agreed local lettings policy. A local lettings policy would be in place to make sure that homes on that estate are given in a way that helps to tackle particular issues or problems. This may also apply to specialist supported housing projects e.g. substance misuse, learning difficulties, physical disabilities, care leavers and so on. You can find a list of where our local lettings policies are on our websites.

A Local Lettings Policy must be approved by the Executive Board Member for Housing, Property and Building Services or the Board of a partner Housing Association before it can be put into place. The Executive Board Member or the Board of a partner Housing Association will review all Local Lettings Policies once a year.

An individual property may be 'a sensitive let'. This could be where there is a confirmed history of antisocial behaviour or criminal activity at that property involving the previous tenant or members of their household. A property will only be named a sensitive let with the approval of the council's Head of Housing or by a Manager of equal seniority in the Housing Associations.

If a property is a sensitive let, we will not consider certain types of households for that property. Once we give the property to a household, it will no longer be a sensitive let.

The Head of Housing Services or a Manger of equal seniority in the Housing Associations will decide what is to be a sensitive let using clearly defined criteria. All sensitive lets will be reported to the Executive Board Member of the Council and the Boards of our Housing Association partners once a year.

9 What size of home can you be offered?

- With a few exceptions (such as specifically adapted properties) and ground floor flats within sheltered housing schemes which are specifically designated for those over 60 years of age), we will give our 1 and 2 bedroom ground-floor flats to all households that are eligible.
- With regard to bungalows, with the exception of specifically adapted properties, we will
 allocate to those households with a family members over 50 years of age. If there are no
 eligible households meeting this criteria we will then consider people below these ages in
 points order taking into account both age and medical circumstances.
- Adapted properties will be allocated to the household who has been identified by an Occupational Therapist who would benefit most from the adaptations at the property.
- Except for those one and two bedroom homes described above, the type of home offered will depend on the size of the household as shown in the table below:

Household	Number of bedrooms
Single people	Bedsit, one-bedroom flat or one bedroom house
Single people 50 and over	Bedsit, one or two bedroom flat or bungalows, one bedroom house and sheltered housing
Single people or couples 60 and over who have been assessed as suitable for sheltered housing	One and 2 bedroom flats within sheltered housing schemes
Household expecting a baby (see note 3)	Two or three bedroom flats, maisonettes or houses (see note 2)
Household with no children	One or two bedroom flats, one bedroom house
Household with no children, everyone who is 50 years or over	One or two bedroom bungalows
Household with one child	Two or three bedroom flats (see note 4), maisonettes and houses (see note 3)
Household with two children	Two or Three bedroom maisonettes and houses (see note 3)
Household with three children	Three or four bedroom Houses (see note 1)
Household with four or more children	Three, four or five bedroom houses (see note 1)

Note 1: This depends on the ages of the children; each person needs one bedroom unless:

- you are a couple (unless there are medical or cultural reasons why they need another bedroom);
- you have two children, of the same sex, aged 16 or under;
- you have two children, of the opposite sex, aged 10 or under; or
- children from a previous relationship stay with you regularly (we will look at each case individually).

Note 2: To make best use of our housing in areas where there are fewer two bedroom properties (where the number of two bedroom properties is less than half of the number of three bedroom houses), you may also qualify for 3 bedroom property. Should you choose to request a property larger than your household requirements, as outlined in Note 1 above, you may find that their entitlement to benefit may not cover the full rent of the property and you will be liable for any shortfall.

Where a household refuses an offer that they would under occupy because they do not meet the housing benefit criteria for children of different sexes sharing up to the age of 10 this would not count as a reasonable offer and they would not be suspended from the housing register.

- Note 3: We will accept a pregnancy of over 12 weeks as evidence that you may need an extra bedroom.
- Note 4: We will not give you an upper floor flat where you have children under the age of 7, unless you ask for this

10 How we award points

We will assess your application and award it points in one of the following categories. You will not be placed into more than one category.

Category A – Emergency housing need

130 points

- Homeless or threatened with homelessness, in priority need and not intentionally homeless.
- Urgent medical need directly affected by current housing arrangements where there is an
 essential need to move for medical or disability reasons or you need specialist support and
 treatment as the current housing is having a negative effect on the members of the household's
 health. These assessments will be carried out by officers and may be referred to an
 occupational therapist or any other independent medical advisor if further information is
 needed.
- Delayed transfers of care where the health authority has assessed that you cannot return home from hospital, residential care or a nursing home and cannot return home due to the property no longer being suitable.
- Households whose homes have many Category 1 dangers which are an immediate risk to health and safety. This will be assessed by an Environmental Health Officer and depends on you agreeing to us contacting your landlord to tackle these issues. You must be assessed as being in priority need in line with homeless law. This only applies to households who are renting privately.
- Urgent need to move to give or receive support or care. These assessments will be carried out by officers and may be referred to an independent assessor if further information is needed.
- Serious overcrowding where the household lacks three or more bedrooms (please see section 9).
- Households who have been assessed by an Occupational Therapist as needing to move to a suitably adapted home or moving from an adapted home that would benefit another household that needs the adaptations.
- Council or Housing Association tenants within Carmarthenshire who are under-occupying their homes by 2 or more bedrooms, are adversely affected financially by the Welfare Reform changes, and are requesting a property of the size that would meet their household's needs.
- In need of extra care accommodation within sheltered housing as assessed by a Sheltered Scheme Manager or designated officer within a Housing Association and the Community Resource Team.
- Veterans who have seen active service within the armed forces and are suffering from post traumatic stress disorder or serious illness directly related to their service in the Forces.

Category B - High housing need

90 points

- Homeless but not in priority need.
- Intentionally homeless households.
- Serious medical or disability need that would be improved by other housing. These
 assessments will be carried out by officers and may be referred to an Occupational Therapist or
 independent medical advisor if further information is needed.
- Overcrowded where the household is lacking two bedrooms (please see section 9).
- Serious disrepair Category 2 dangers and minor Category 1 dangers which are not immediately dangerous but need attention as assessed by an Environmental Health Officer. This depends on you agreeing to us contacting your landlord to tackle these issues. This only applies to households who are renting privately.
- Council or Housing Association tenants within Carmarthenshire who are under-occupying their homes by 1 bedroom, are adversely affected financially by the Welfare Reform changes, and are requesting a property of the size that would meet their household's needs.
- Serious need to move to provide or receive support or care These assessments will be carried out by officers and may be referred to an independent assessor if further information is needed.
- Households who are threatened with homelessness within 56 days and would be in priority need
- Households where a person is pregnant or has one or more children under the age of 7 in an upper-floor flat.
- Council or Housing Association tenants within Carmarthenshire who are under-occupying a
 property by two or more bedrooms but not affected adversely by the Welfare Reform changes,
 and are requesting a smaller flat, bungalow or house.
- In high need of sheltered housing due to support and care needs as assessed by a Sheltered Scheme Manager or designated officer within a Housing Association and the Community Resource Team.

Category C – Moderate housing need

50 points

- If you have a confirmed need (by your employer, school, college or university), due to transport difficulties, to take up or continue full-time employment, full-time education or training.
- Condition of current property awareness of dangers which need some attention as assessed by an Environmental Health Officer. This depends on you agreeing to us contacting your landlord to tackle these issues. This only applies to households who are renting privately.
- Overcrowded where the household is lacking one bedroom (please see section 9).
- In moderate need of sheltered housing due to support needs as assessed by a Sheltered Scheme Manager or designated officer within a Housing Association and the Community Resource Team.
- Council or Housing Association tenants within Carmarthenshire who are under-occupying a
 property by one bedroom but not affected adversely by the Welfare Reform changes, and are
 requesting a smaller property which meets your housing need.

Category D - Low housing need

10 points

- Where none of the above applies, we will award a low housing need of 10 points.
- In low need of sheltered housing due to support needs as assessed by a Sheltered Scheme Manager or designated officer within a Housing Association and Community Resource Team.

If we have placed you in category A, we may award the following points:

Exceptional circumstances

30 points

We award extra points in exceptional cases where there is a confirmed desperate need to move to another home.

This could be if you or anyone living with you is:

- experiencing serious harassment that has been confirmed by the police;
- experiencing intimidation or violence that has been confirmed by the police;
- recommended by Social Care or Children's Services, to be immediately re-housed into a more suitable housing. This could be where there is clear financial and social benefit to the council or prospective tenant e.g. to prevent out of county placements.
- Assessed with a disability or there are fire safety issues in your sheltered housing scheme and you need to a more suitable home

These points will only be given to households who have been accepted as homeless and in priority need.

Exceptional circumstances points may also be awarded where you or a member of your household are part of a witness protection scheme that has been confirmed by the appropriate agency.

Moving on 20 points

We award extra points if you have been living in supported housing, including supported lodgings, and the project has confirmed that you are ready to move on, or you have been in temporary housing and have been waiting to move on for 12 weeks. These are only awarded if you have been assessed and awarded points in category A and B.

If you have been placed in either A, B, C or D categories, we may also award the following points:

Residency Max 30 points

We award these points at the time we give a property if you want to move within the same ward that you are currently living in. You must have lived in the ward for three or more years.

3 years = 5 points 6 years = 20 points 4 years = 10 points 7 years = 25 points

5 years = 15 points 8 or more years = 30 points

If you are living outside the county and are moving back to get or give care to a relative, you may be given the points shown above based on the years your relative has lived within the ward.

Making best use of our stock

20 points

We will award extra points if you are a council or housing-association tenant living in the county and you:

- need to move from a small property to a larger property which will meet your housing need (please see section 9); or
- need to move from a larger property to a smaller property which will meet your housing need (please see section 9).

Work related training

20 points

 We will award extra points if you have finished or are currently taking part in a recognised employment related course that will help you in gaining employment. Evidence of your commitment in the form of attendance on any course will be needed before we award the points. This page is intentionally left blank

EXECUTIVE BOARD 2ND **NOVEMBER 2015**

CHILDREN & YOUNG PEOPLE'S PARTICIPATION STRATEGY 2015-18, ACTION PLAN, & CHILDREN'S RIGHTS PROMISE

Recommendations / key decisions required:

Executive Board Members endorse the Strategy, Action Plan & Promise for adoption by County Council, and confirm that the Lead Member for Children & Young People (Cllr. Gareth Jones) takes on the role of Lead Person (Member) for Children's Rights as set out in the Promise

Reasons:

To ensure the County Council delivers on its statutory and moral obligations for ensuring children and young people have their say on decisions that affect them, in line with the United Nations Convention on the Rights of the Child, and to formalise the Council's commitment to the United Nations Convention on the Rights of the Child through the Children's Rights Promise

PEB: 13th July - endorsed

Education & Children Scrutiny Committee consulted on 24th September - endorsed

Exec Board Decision Required YES

Council Decision Required YES (11th November 2015)

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- CIIr Gareth Jones

Directorate EDUCATION & CHILDREN

Name of Head of Service: Designations:

Robert Sully Director of Education & Children's

Report Author: Services

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www.carmarthenshire.gov.wales

EXECUTIVE SUMMARY EXECUTIVE BOARD 2ND NOVEMBER 2015

CHILDREN & YOUNG PEOPLE'S PARTICIPATION STRATEGY 2015-18, ACTION PLAN, & CHILDREN'S RIGHTS PROMISE

Involvement in decisions that affect their lives is a fundamental right for all children and young people (Article 12, United Nations Convention on the Rights of the Child). To deliver this commitment effectively a culture of engaging children and young people needs to be embedded across the County Council.

The Children & Young People's Participation Strategy 2015-18 (attachment 1) succinctly brings together the key drivers, identifies the benefits, and sets out 10 clear priorities to take this commitment forward. The Action Plan (attachment 2) sets out the key things we need to do to deliver on our 10 priorities. It will be a living document, reviewed formally every 12 months in line with our business planning cycle.

One of the actions in the plan is to develop a Children's Rights Promise, which is all about the County Council setting out a clear commitment to children's rights as set out in the UNCRC. The Promise will be a visible symbol of the Council's commitment to the whole of the UNCRC that children and young people can use to hold us to account.

Children & Young People from across the county have worked together to develop the Promise (attachment 3) which they feel will give them the commitment required from the local authority to ensure their rights are upheld and are seen as active citizens in their own lives.

The hope is that this Promise will help to create a clearer understanding of children's rights and how we can work together to ensure they are delivered.

DETAILED
REPORT
ATTACHED?

YES:

- 1. Children & Young People's Participation Strategy 2015-18
- 2. Action Plan 2015-18
- 3. Children's Rights Promise



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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: David Astins (Strategic Development Manager)

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

1. Legal

Section 12 of the Children & Families (Wales) Measure 2010 states that:

Participation of children in local authority decision making

- (1) A local authority must make such arrangements as it considers suitable to promote and facilitate participation by children in decisions of the authority which might affect them.
- (2) A local authority must—
 - (a) publish information about its arrangements under subsection (1), and
 - (b) keep the information published up to date.

This was covered in the Welsh Government *Shared Purpose*, *Shared Delivery* guidance on partnerships and plans. This strategy and action plan are the means to deliver this.

2. ICT

Properly engaging with children and young people will rely on use of modern technology such as social media and electronic survey tools.

3. Risk Management Issues

The Departmental Risk Register identifies failing to properly engage children and young people in decisions that affect them as a key risk.

4. Staffing Implications

We will be recruiting a Modern Apprentice through the Work Ready Programme to help us deliver the Action Plan over the next 18 months.



CONSULTATIONS

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

Signed: David Astins (Strategic Development Manager)

1. Scrutiny Committee

To be consulted on 24th September 2015

2.Local Member(s)

N/A

3.Community / Town Council

N/A

4.Relevant Partners

An early draft of the strategy was discussed at the Children & Young People's Partnership

5. Staff Side Representatives and other Organisations

N/A

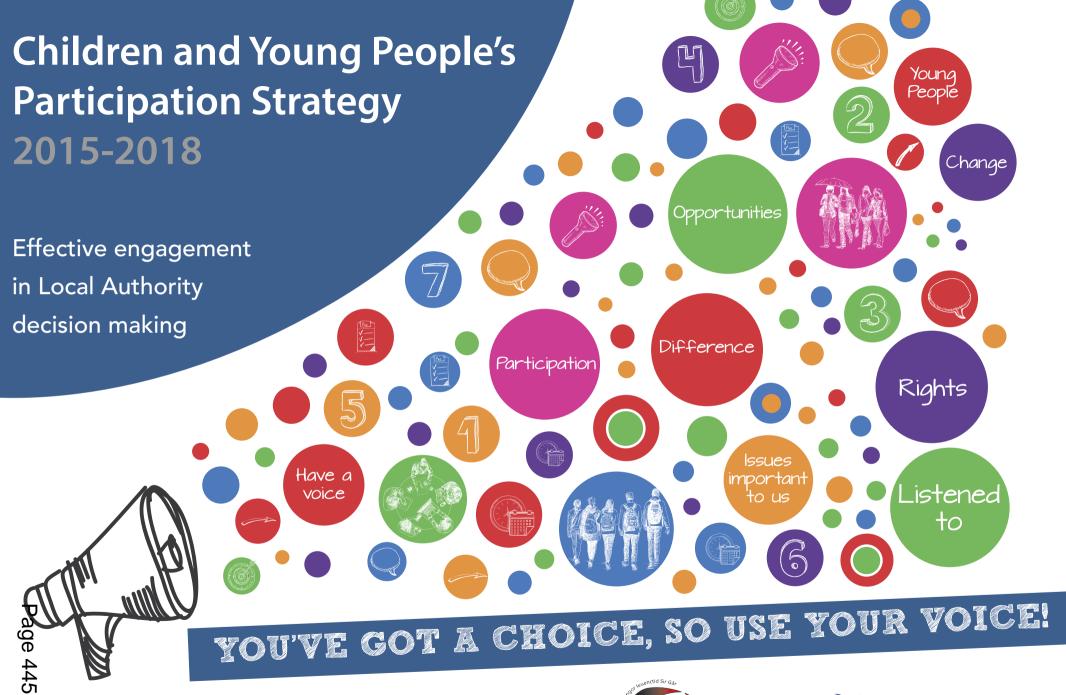
Section 100D Local Government Act, 1972 – Access to Information

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
Children & Families Wales Measure 2010	-	http://www.legislation.gov.uk/mwa/2010/1/pdfs/mwa 2010 0001 en.pdf
UNCRC	-	http://gov.wales/topics/people-and- communities/people/children-and-young- people/rights/uncrc/?lang=en











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FOREWORD



We want to embed a culture of participation across the County Council, by positively engaging with children and young people and ensuring that children and young people know how to be involved in the decisions that affect their lives and futures.

We will provide and develop opportunities and initiatives that truly engage children and young people in decision making. Our success depends on the meaningful involvement of children and young people. This means listening to their opinions, concerns and views in the design and delivery of our services that they use, to ensure that we meet their needs and improve the way we work.

We are committed to ensuring that children and young people are at the centre of all that we do. Through their long-term involvement we hope that children and young people are at the heart of planning and shaping our services. If we do not meet this commitment then please let us know so that we can put it right.

OUR VISION

Over the next three years we aim to embed a culture of participation across the Council, that gives all children and young people a voice, and ensures that their opinions can influence decisions that affect them and their daily lives.



WHAT WE MEAN BY PARTICIPATION

In olvement in decisions that affect their lives is a fundamental right for although the convention on the Rights of the Child or UNCRC says that children and young people

"have the right to say what you think should happen when adults are making decisions that affect you and to have your opinions taken into account"

(Article 12 of the UNCRC)

Therefore, participation is about giving children and young people the opportunity to have their voices heard and to support them to make decisions for themselves.

We are committed to driving forward Article 12 to make sure that all children and young people in Carmarthenshire have opportunities to contribute to and have their voices heard.

CARMARTHENSHIRE YOUTH COUNCIL SAY THAT PARTICIPATION MEANS...

"decision makers seeking and taking into consideration the views and opinions of children and young people, to bring about positive change on issues that impact on our lives"

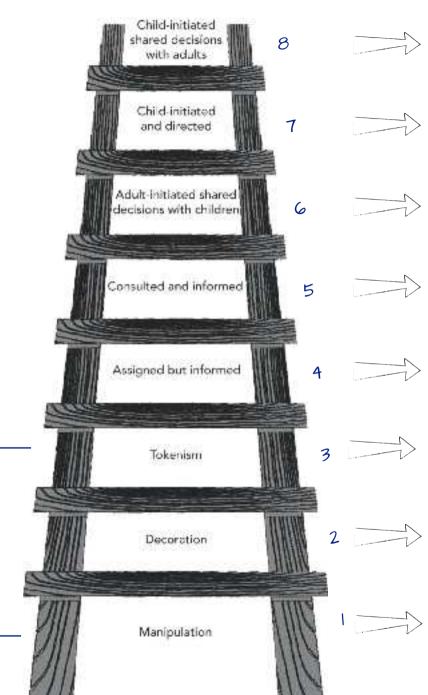
March 2015

LEVELS OF **PARTICIPATION**

The ladder of participation is an idea developed by Roger Hart (1992) that identifies eight levels of children and young people's participation. It is designed to demonstrate the degrees to which children and young people can be involved in organisations, with the bottom three levels seen as 'Non- Participation'.

Non-Participation

Page 449



Adults and young people share decision making.

Young people start it (their ideas) and decide what should be done.

Adults start it (their ideas) and share the decision making with young people.

Young people given information and are asked for their views on what should be done

Young people given information and then told what to do.

Young People appear to be given a voice, but in fact have little or no choice about what they do or how they participate.

Young people are used to help a cause in an indirect way. Adults do not pretend that the cause is inspired by young people.

Being used. Adults use young people to support causes and pretend that the causes are inspired by young people.

YOUR COUNCIL doitonline www.carmarthenshire.gov.wales

WHY HAVE A STRATEGY?

This strategy helps young people and decision makers understand the in ortance of meaningful participation and what we can achieve.

Building on good work already happening, this Strategy and the supporting Action Plan sets out our commitment and priorities for engaging children and young people in our decision making processes.

We must involve children and young people in order to understand their needs otherwise it is impossible to create and deliver effective services that meet their needs.



PARTICIPATION:

WHAT'S IN IT FOR ME?

FOR CHILDREN AND YOUNG PEOPLE

Participation has the potential to;

- Give children and young people a role within an organisation or service where our opinions are taken seriously, valued and listened to and we feel respected.
- Make changes for us and other young people by challenging and holding decision makers to account.
- Develop and improve our skills and knowledge, while also having the chance to gain accreditations and awards.
- Increase our confidence, self esteem and aspirations that in turn creates a better quality of life.
- Play an active part in our communities and understand how we
 - can make a difference by understanding systems and processes.
- Giving us a sense of pride in our own achievements.



FOR ORGANISATIONS AND SERVICES

Encouraging and supporting participation can;

- Plan, create and shape better quality services that meet the needs of children and young people.
- Help make sure that money is spent in a better and more efficient way.
- Improve attendance, attainment and behaviour.
- Help improve the quality of life for children and young people by services recognising, understanding and responding to their needs.
- Bring new perspectives and influence outcomes to improve organisations and services

FOR THE COMMUNITY

Encouraging and supporting young people to participate in decision making can;

- Promote active citizenship and ownership so children and young people feel valued and respected.
- Improve the quality of life for children and young people in their community.
- Make better use of resources
- Promote working with others and working together more effectively
- Help dispel negative stereotypes of young people
- Adult decision makers know what young people want and need.

Meaningful and sustainable engagement of children young people requires commitment from children and young people, the whole organisation and the community.



7 NATIONAL PARTICIPATION STANDARDS

In Wales there are 7 National Standards that organisations working with children and young people should aim to meet so that children and young people have a good experience of participation. (see appendices for poster)

The Seven National Participation Standards are;



INFORMATION -

which is easy for children and young people to understand



IT'S YOUR CHOICE -

enough information and time to make an informed choice



NO DISCRIMINATION -

every child and young person has the same chance to participate.



RESPECT -

Your opinion will be taken seriously



YOU GET SOMETHING OUT OF IT -

You will enjoy the experience



FEEDBACK -

You will find out what difference your opinion has made



IMPROVING HOW WE WORK -

Adults will ask you how we can do our work better.

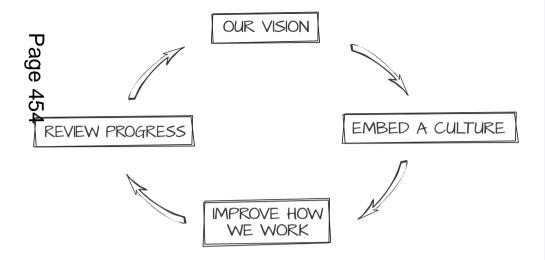
www.carmarthenshire.gov.wales

OUR PRIORITIES

 To be a County Council that has embedded a culture of participation that positively engages with listens to and takes into account what children and young people say.



- 2. To have children and young people involved in shaping current County Council work (when there is the proposal of a new policy and any review of, or change to, an existing policy, strategy and service delivery that may impact on the lives of children and young people in Carmarthenshire)
- To generate a culture of participation that truly respects, protects, values and supports children and young people in Carmarthenshire.
- 4. To have greater awareness of children's and young people's needs and providing services that are meeting their needs appropriately.
- 5. To enable children and young people to voice issues important to them through recognised representative groups on local, regional and national decision making.
- 6. To make sure that children and young people have different ways to get their views and opinions heard to influence decision making processes that affect them.
- 7. Ensure pupils have meaningful opportunities to influence their school work, education and school life.
- 8. To raise awareness and promote meaningful participation and Children's Rights
- 9. To make sure that Carmarthenshire County Council Staff have the ability to communicate and work positively with children and young people to ensure more efficient, better quality and more accessible services.
- 10. Ensure children and young people are aware of how to give comments, suggestions and complaints about the services they use.



BUILDING OPPORTUNITIES

- Our VISION that highlights how important listening to children and young people is to us.
- EMBED A CULTURE that truly supports and values the participation of children and young people
- IMPROVE HOW WE WORK by improving our ways of engaging and working with children and young people to support their participation individually and as a group to bring about positive change
- REVIEW PROGRESS evaluate the impact of children and young people's participation on the decisions we make and the outcomes for children and young people

HOW WILL WE KNOW WHAT'S CHANGED?

- We will closely monitor our Action Plan throughout the year to ensure we are on track
- We will produce an Annual Report that will report on our progress with our Action Plan, updated it if needed, and report on the activity we have undertaken and what difference it has made
- Our progress will be monitored by the Welsh Government (next scheduled for 2016) and they will review whether we are doing well or not



standards VOUR VOUR meet **M** 00

pple to participate. 'You' have a right to expect these star means anyone asking children and young pe *We' "Participation means that it is my right to be involved in making decisions, planning and reviewing any action that might affect me. Having a voice, having a choice"



INFORMATION



This means:

- •
- Information that is easy to understand for everyone Adults working with you who know what is going on and are up front and clear.



Let you know what difference you being involved will make Inform you about who is going to listen and make changes.

IT'S YOUR CHOICE

This means:

- . . .
- You choose if you want to get involved or not You choose to work on things that are important to you You choose what you do and how you do it.

We will:

Give you enough information and time to decide if this is something you want to do.

NO DISCRIMINATION



This means:

- Children and young people are all different but you **all** have the same right to have a say about the things that matter to you.

 We want everyone to feel welcome and be able to get involved if they want to be.

We will:

- •
- of challenge any discrimination get in touch with children and young people in lots different situations
 - get you involved in things you want to do.

This means: • Everyone ha

are Everyone has a chance to have a say, your opinions important and we will respect them.

We will:

- listen to your ideas, views and experiences take you seriously and treat you fairly work with you to do something about the things you tell us are important work with you to help change things for the better.

RESPECT

We will:

We want you to enjoy and benefit from taking part We know that you have other things to do in your lives

YOU GET SOMETHING OUT OF IT

This means:

- work in safe, fun, and enjoyable ways make the most of what you know do positive things that build your confidence meet in friendly places that are easy for all young people to use as well! Making sure that participating is a positive not a negative experience.
 - value and respect what you have to offer.

FEEDBACK

This means:

 It's really important that you know what difference you have made and how your ideas have been used.

We will:

keep you up to date with what is happening give feedback as soon as possible and in ways that are easy to understand for everyone.



IMPROVING HOW WE WORK



- This means:We want to learn and get better at the way we work with you.
- We will:

 look at the way we work with you and how to improve it

ask you what has gone well and what needs to change make sure your views make a difference to the way we make plans and decisions. • •



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Children & Young People's Participation Strategy 2015-18 Effective engagement in Local Authority decision making

Action Plan

(last updated 25th June 2015)

Action	Priority Links	Start	Finish	Lead(s)
Develop a Children's Rights Charter to be adopted by the County Council	1, 2, 3, 5, 6, 7, 8 & 9	June 2015	Nov 2015	Zoe Morgan
Undertake a comprehensive survey of young people to better understand their priorities & views on services, feeding into formal consultation on the Council's budget	1, 2, 3, 4, 6, 8, 9 & 10	Jan 2016	Mar 2016	Sarah Powell
Support the further development of the Carmarthenshire Youth Council, including broader representation from across Carmarthenshire and better engagement with Council decision makers including Elected Members	1, 2, 5 & 6	April 2015	March 2018	Sarah Powell
Develop the awareness and confidence of key staff and service managers within the County Council of Children's Rights & participation, including use of UNCRC elearning module	1, 9	April 2015	March 2018	Dave Astins (Sarah Powell / Zoe Morgan)
Ensure Children's Rights are actively considered when decisions are being taken, through the corporate Equalities Impact Assessment process	1,2, 3 & 9	Aug 2015	Sept 2015	Wendy Walters (Llinos Evans / Dave Astins)
Ensure vulnerable children & young people have opportunities to have their say (e.g. LAC, Care Leavers, C&YP subject to CPR & C&YP with disabilities)	1, 2, 5 & 6	April 2015	March 2018	Zoe Morgan (Stefan Smith)
Implement the National Participation Standards when they are re-launched by Welsh Government	1, 8	Jan 2016	March 2016	Sarah Powell (Zoe Morgan)
Develop accessible information & engagement tools for children & young people using a variety of methods, including digital media (Facebook & Twitter) and on-line survey tools (e.g. Viewpoint, SNAP)	1, 6, 9 & 10	Sept 2015	March 2018	Wendy Walters (Deina Hockenhull / Kevin Pett / Sarah Powell / Zoe Morgan)
Ensure there is an active, representative & effective school council in every primary & secondary school & provide support & guidance as & when required	1, 6 & 7	April 2015	March 2018	Sarah Powell (Zoe Morgan)
Ensure that children & young people are involved in the recruitment & selection of relevant County Council staff	1, 2, 3, 4 & 9	Jan 2016	March 2016	Zoe Morgan (Sarah Powell)

Action	Priority Links	Start	Finish	Lead(s)
Ensure children & young people actively engage in making the Council's safeguarding arrangements better through SNUG	1, 3, 4, 5, 6	April 2015	March 2018	Zoe Morgan
Involve young people in commissioning of key council services through support and training of Young Commissioners	1, 2, 3, 4 & 6	April 2015	March 2018	Wendy Thomas (Zoe Morgan)
Ensure our complaints and compliments procedure is accessible to children and young people	1 & 10	Jan 2016	March 2016	Wendy Walters (Noelwyn Daniel / Sarah Powell)
Ensure that young people are targeted during Local Democracy Week (12 th to 18 th October), linked to the concept of active citizenship identified in the Donaldson review of the Welsh Curriculum	1, 3, 6 & 8	Sept 2015	Oct 2015	Wendy Walters (Amanda Bebb / Sarah Powell / Zoe Morgan)

MAE GENNYCH HAWL I WNEUD EICH BARN HH S B Y S

ADDEWID HAWLIAU PLANT



"Mae dyletswydd gan bob oedolyn sy'n gweithio i Gyngor Sir Caerfyrddin i sicrhau bod plant a phobl ifanc yn ddiogel, yn hapus ac yn iach.

Gallwn wneud hyn drwy sicrhau bod plant a phobl ifanc yn gwybod beth yw eu hawliau a sut i'w cael"

BYDDWN OND YN ADDO ICHI BETHAU Y GWYDDOM Y GALLWN EU CYFLAWNI

BYDDWN YN EICH CYNNWYS MEWN PENDERFYNIADAU SY'N YMWNEUD A CHI A'CH BYWYD OND HEFYD MEWN PENDERFYNIADAU A ALLAI EFFEITHIO ARNOCH CHI

BYDDWN YN EICH TRIN FEL UNIGOLION AC YN GWRANDO AR YR HYN SY'N BWYSIG I CHI

BYDDWN YN GWNEUD I BETHAU DDIGWYDD PAN DDYLENT DDIGWYDD

BYDDWN YN EICH RHOI CHI MEWN CYSYLLTIAD A'R BOBL IAWN I'CH HELPU A'CH CEFNOGI PAN FYDD ANGEN

BYDDWN YN SICRHAU BOD ARWEINYDD AR GYFER HAWLIAU PLANT AC Y BYDD EF/HI YN SICRHAU BOD HAWLIAU PLANT YN GANOLOG WRTH WNEUD PENDERFYNIADAU BOB AMSER

BYDDWN YN DANGOS ICHI SUT RYDYM WEDI GWRANDO ARNOCH A BETH SYDD WEDI NEWID FEL CANLYNIAD I'CH CYFRANIAD CHI

BOB BLWYDDYN BYDDWN YN ADOLYGU SUT RYDYM YN CYFLAWNI'R ADDEWID HWN

Mae CCUHP 1989 (Confensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn) yn nodi hawliau ehangach Plant a Phobl Ifanc

CHILDREN'S RIGHTS PROMISE



"All adults working for Carmarthenshire County Council have a duty to make sure children and young people are safe, happy and healthy. We can do this by ensuring children and young people know about their rights and how to access them"

WE WILL ONLY PROMISE YOU THINGS WE KNOW WE CAN DO

WE WILL INVOLVE YOU IN DECISIONS ABOUT YOU AND YOUR LIFE BUT ALSO DECISIONS THAT MIGHT AFFECT YOU

WE WILL TREAT YOU AS INDIVIDUALS AND LISTEN TO WHAT MATTERS TO YOU

WE WILL MAKE THINGS HAPPEN WHEN THEY SHOULD

WE WILL PUT YOU IN TOUCH WITH THE RIGHT PEOPLE TO HELP AND SUPPORT YOU WHEN NEEDED

WE WILL ENSURE THERE IS A LEAD PERSON FOR CHILDREN'S RIGHTS WHOSE ROLE WILL BE TO ENSURE CHILDREN'S RIGHTS ARE CENTRAL TO ALL DECISION MAKING

WE WILL SHOW YOU HOW WE HAVE LISTENED TO YOU AND WHAT HAS CHANGED AS A RESULT OF YOUR INPUT

WE WILL REVIEW HOW WE ARE DELIVERING ON THIS PROMISE EVERY YEAR

The UNCRC 1989 (United Nations Convention on the Rights of the Child) sets out the wider rights of Children and Young People



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EXTRACT FROM THE MINUTES OF THE EDUCATION & CHILDREN SCRUTINY COMMITTEE HELD ON THE 6th JULY 2015

MINUTE 5

5. CARMARTHENSHIRE ADULT & COMMUNITY LEARNING SERVICE – PROGRESS REPORT – ACL SERVICE PROVISION 2015-16

The Committee considered a progress report in relation to the Carmarthenshire Adult & Community Learning (ACL) Service. It was reminded that at its meeting on the 11th of March 2015, members had requested such a report, which would include options for the provision of ACL in 2015/16. The report outlined implications of recent Welsh Government funding cuts on the service and the proposed transfer of the provision to Coleg Sir Gâr, as well as options for delivering the service during 2015/16.

The following issues were discussed during consideration of the report:

Concerns were expressed at the news that the TAD construction centre in Llanelli would be closing when its lease ended. The Lifelong Learning Networks Manager clarified that the 14 – 19 related work with Coleg Sir Gâr providing construction vocational courses would progress into the vocational village at Bryngwyn School site. Adult learner courses would however cease at the TAD centre from July 2015. He emphasised that the vocational village would be used by all of Llanelli and beyond, making the School truly community focused. The School Modernisation Manager advised that the project utilising £600k of WG capital grant was due for completion in February 2016.

It was asked how the new programme would be publicised. The Lifelong Learning Networks Manager advised that the service has stopped sending brochures to all households 3 years ago as only 1% of the population were accessing the courses. The programme would however be promoted at all public information points, through Carmarthenshire News as well as the corporate website.

Express was concerned that the Felinfoel Community Education Centre would go to waste given there were no alternative plans to run the facility. The Lifelong Learning Networks Manager highlighted that in the three public consultation meetings held in June 2015, Community Education Centre users expressed their view that they valued these facilities and requested that the County Council continue to run these buildings. He emphasised however that the ACL Service and Department for Education and Children would not have sufficient funding to continue to run these buildings in the 2016-2017 financial year and that additional funding from outside the Department would be required if these sites are to remain open in the future.

UNANIMOUSLY RESOLVED that:

5.1 The report be endorsed.

Iuliulii	g to maint	ain the Co	mmunity	Education	1 Centres	going to	rward

The Executive Board be asked to consider the possibility of finding

5.2

EXECUTIVE BOARD Agenda Item 12

MONDAY, 28TH SEPTEMBER, 2015

PRESENT: Councillor E. Dole (Chair)

Councillors:

H.A.L. Evans, L.D. Evans, M. Gravell, D.M. Jenkins, G.O. Jones, T.J. Jones,

P.A. Palmer, L.M. Stephens and J. Tremlett.

Present as observers:

Councillors T. Devichand, J.S. Edmunds, P. Hughes Griffiths and J.D. James.

The following Officers were in attendance:

Mr M. James - Chief Executive

Mr E. Bowen - Acting Director of Environment Mr C. Moore - Director of Corporate Services

Mr J. Morgan - Director of Communities

Mr R. Sully - Director of Education & Children

Ms W. Walters - Assistant Chief Executive Mr I. Jones - Head of Leisure & Sport

Mr S. Pilliner - Head of Transport & Engineering

Ms G. Ayers - Corporate Policy & Partnership Manager

Mr R. Edgecombe - Legal Services Manager

Ms D. Williams - Press Manager

Mrs M. Evans Thomas - Democratic Service Officer

Chamber, County Hall, Carmarthen: 10.00 a.m. - 11.35 a.m.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTEREST

No declarations of personal interest were made at the meeting.

3. QUESTIONS BY MEMBERS

The Chair advised that no questions on notice had been submitted by members. However, he had received notice that Councillor Deryk Cundy would like to ask questions in relation to agenda items 12, 13 and 14 and these would be addressed under the appropriate items later in the meeting.

4. PUBLIC QUESTIONS

The Chair advised that no public questions had been received.

5. WALES AUDIT OFFICE - ANNUAL IMPROVEMENT REPORT ON CARMARTHENSHIRE COUNTY COUNCIL

The Executive Board considered the Wales Audit Office Annual Improvement Report 2014/15.



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Each year the Auditor General was required to audit the improvement planning and reporting arrangements of Welsh Councils and to assess whether each Authority would meet statutory continuous improvement duties.

The Annual Improvement Report summarised the audit work undertaken at Carmarthenshire County Council since the last report was published in July 2014.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL that the report be received.

6. INTRODUCTION OF A CORPORATE SAFEGUARDING POLICY THAT COVERS ALL COUNCIL'S SERVICE AREAS

The Executive Board was advised that during the period March to May 2014 the Wales Audit Office completed a review of Carmarthenshire County Council's assurance and accountability arrangements for ensuring that safeguarding policies and procedures were in place and were being adhered to. The study examined what the Council itself had done to seek assurance that its arrangements to support safeguarding were effective by reviewing how the Council was discharging its safeguarding responsibilities at all levels: cabinet, senior management team, scrutiny and individual officers.

The review was specifically in relation to children and overall the findings were that the Authority has adequate systems in place. There were, however, a series of recommendations, one of which was to develop and introduce a Corporate Safeguarding Policy that covers all the Council's areas.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL that the Corporate Safeguarding Policy be endorsed.

7. COUNCIL'S REVENUE BUDGET MONITORING REPORT

The Executive Board considered the revenue budget monitoring report for the period 1st April, 2015 to 30th June, 2015 which provided an update on the latest budgetary position as at 30th June, 2015 in respect of 2015/16.

Overall the report forecast an end of year overspend of £690k on the Authority's net revenue budget with an overspend at departmental level of £2,200k.

UNANIMOUSLY RESOLVED

- 7.1 that the Budget Monitoring report be received;
- 7.2 that Chief Officers and Heads of Service critically review their budgetary positions and implement appropriate action to keep within allocated budget.

8. CAPITAL PROGRAMME 2015-16 UPDATE

The Executive Board considered a report providing an update on the capital programme spend against budget for 2015/16 as at the 30th June, 2015. The report included details of the main variances.

UNANIMOUSLY RESOLVED that the capital programme update report be



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received.

9. REVENUE BUDGET OUTLOOK 2016/17 TO 2018/19

The Executive Board considered a report detailing the current financial outlook and providing an update on the current financial model covering the next three financial years. The report outlined proposals for taking forward the budget preparation for the three year period 2016/17 to 2018/19.

Concern was expressed over the difficulties faced in preparing the budget without knowing the outcome of the National Government spending review and details of the Welsh Government provisional settlement, particularly in view of the tight timescales involved with the budget having to be finalised by the end of February/beginning of March.

UNANIMOUSLY RESOLVED

- 9.1 that the financial model and the significant financial challenges it poses be noted;
- 9.2 that the proposed approach to identifying the required savings be endorsed:
- 9.3 that the proposed approach to the budget consultation be endorsed.

10. DEVELOPMENT FUND APPLICATION

The Executive Board considered a report providing details of an application to the Development Fund from the Communities Department for an investment specifically targeted at recruiting a team of practitioners to clear the outstanding reviews across Older People Physical Disabilities and the Mental Health/Learning Disabilities Divisions. The funding requested was £289,407.

UNANIMOUSLY RESOLVED

- 10.1 that approval be given in the sum of £289,407 to fund a one off investment in a team of practitioners to clear the outstanding reviews across Older People Physical Disabilities and the Mental Health/Learning Disabilities Divisions;
- 10.2 that interest be not charged, as per amended Development Fund conditions:
- 10.3 that Development Fund criteria no. 5 be set aside for this application;
- 10.4 that the repayment term be over four years.

11. COMMUNITY NUTRITIONAL STRATEGY FOR CARMARTHENSHIRE INTEGRATED SERVICES

The Executive Board was advised that the Welsh Government's Health Promotion Action Plan for Older People in Wales highlighted the importance of prioritising good nutrition for health and well-being and informed the Food and Well Being Nutritional Strategy for Wales. Vulnerable older people were considered by this strategy as a priority group, acknowledging that many of them were living with limiting, long term illness and were on a low income.

The report outlined the main barriers to good nutrition for this group in the community and proposed that Carmarthenshire implemented a holistic community



nutritional strategy which focused on five priority areas and considered available options to support good nutrition for older people. Such a strategy would provide Carmarthenshire with overarching principles for developing services that promote nutritional wellbeing for older people living within our communities.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL

- 11.1 that the decline in the uptake of meals on wheels by 33% since 2012 be noted;
- 11.2 to agree and implement a Community Nutritional Strategy for Older People in Carmarthenshire to replace the limited impact of the meals on wheels service;
- 11.3 that the current meals on wheels service continue as long as it is practicable to do so and people wish to receive the service;
- 11.4 that Integrated Services develop an action plan and operationally roll out recommendations based on the 5 priority areas identified.

12. CARMARTHENSHIRE'S VISION FOR SUSTAINABLE SERVICES FOR OLDER PEOPLE FOR THE NEXT DECADE 2015-2025

The Executive Board was advised that over the course of the next 15 years Older People's services will come under increasing pressure in Carmarthenshire, with over 10,000 additional older people over the age of 75 living in the county, many of whom will require care and support.

Carmarthenshire's Vision for Sustainable Services for Older People for the Next Decade aimed to look in more detail at these challenges and to set out a plan for delivering more sustainable services over the next ten years. The plan must be ambitious and make the best use of the resources available in order to meet the challenges that lay ahead. The plan would be updated annually.

Councillor Deryk Cundy asked the following question:-

"With regard to the 4 year contracts for domiciliary care. The report states that 'The Council entered into a new 4-year contract with selected providers. The new contract enables providers to pay their staff better wages and better terms of employment. This should make it easier for providers to recruit and retain skilled care workers, which in turn should enable providers to be able to meet the demand for the service and deliver a high quality service. Monitoring arrangements are also more robust to ensure providers deliver the care at the standard we purchased.' Could I have some clarification on this please as there have been concerns about the travel between appointments - are staff being paid to do that? Also, about people having a 30 minute session so that carers are not just there for 2 minutes. And are we actually making sure that we have zero hour contracts for the providers who are doing this."

Councillor Jane Tremlett, Executive Board Member for Social Care & Health, clarified that the Authority does not have zero hour contracts and there is a whole new process in place with new contracts. With regard to 30 minute sessions, a new system has been introduced whereby if carers visit a client who has been able to get herself up that morning and get herself dressed and therefore doesn't need help, the carers can leave and bank that period of time for use on another day when the client is having a bad day and needs a bit more help. There is the



flexibility to actually do that and it actually provides better care for the client when it's needed. With regard to travelling, new arrangements are in place and staff are paid travel costs.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL that the draft Vision and Strategy be approved.

13. ALTERNATIVE DELIVERY MODULES FOR LEISURE

The Executive Board considered a report detailing alternative management options for leisure.

In 2013, as part of the Authority's work in examining more efficient ways of delivering services, officers were asked to undertake a review of alternative management options for the leisure portfolio. An initial options paper was subsequently presented to the Executive Board Members for consideration and further work was undertaken to examine options around:-

- a new Not for Profit Distributing Organisation (NPDO) or Trust to operate some or all of the services; or
- a partnering arrangement with an existing NPDO to delivery services.

Soft market testing was undertaken to establish interest from the market in terms of running the range of services within the leisure portfolio. The main interest was around the Sports & Leisure and Theatre services.

In terms of the two options of setting up an in-house trust or a partnership with an existing trust, it was felt that there were both financial and operational advantages in opting for a partnership with an existing trust.

Taking into account the response from the soft market testing, the key services which were recommended to be transferred were Sport & Leisure and Theatres and consideration could be given to other services if this proved successful.

Members were informed that there was a terrific opportunity to align any new Leisure Centre in Llanelli with a potential "Wellness" development as part of the major "ARCH" City Region project. The Executive Board agreed that, if possible, the new Leisure Centre could be part of this wider development and officers were asked to pursue the opportunity with vigour.

Councillor Deryk Cundy asked the following question:-

"This has already come to the Community Scrutiny and basically they supported the proposal apart from a concern about the finance and to make sure that the finance for Llanelli's residential care facilities was still available and my understanding is that is still the case. However, there was another part of the recommendation which came out of the Community Scrutiny which was to ask officers to look at a new NPDO for the other services that are mentioned in the report, things like libraries, museums, parks and this type of thing. I think it's the point that we need to look at the whole thing and that is what came out of Community Scrutiny, that it was something that was important that we understood that side of it and how much that would cost and where we could go in the future. We have to be prepared for changes. I believe that that is the right thing to do. It



was actually passed at the Community Scrutiny but it appears not to have come through in this report. I was just wondering if that could be attached to this report. The Executive Board thought that was a good idea."

Councillor Meryl Gravell, Executive Board Member for Regeneration & Leisure, clarified that the idea was to go out and test the market on this, see what comes back and then have another look at libraries and museums etc. as they are two completely different things.

The Director of Communities added that officers had discussed with the Community Scrutiny Committee the pros and cons of how services are grouped together as you look at alternative delivery modules. Officers felt more confident going where there were potential income streams that could be driven in relation to Leisure and Theatres. Some of the expertise of the Not for Profit companies who have a track record in driving that particularly suited those areas and they had a less established track record on a wider portfolio of services. Officers will be looking very carefully at ways in which library services can be delivered and trying to be creative whilst protecting local services for local people.

UNANIMOUSLY RESOLVED

- 13.1 that Carmarthenshire County Council seeks to enter into a partnership with an existing or hybrid Not for Profit Distributing Organisation (NPDO or Trust) through a procurement process using competitive dialogue, which has the key parameters set out in the procurement strategy within the main report, and which will seek to deliver the relevant services' 3 year PBB savings, in line with the affordability levels set out in the report. The procurement process would not include a bid submission from a newly establish 'internal' NPDO;
- 13.2 that the initial scope of the partnership would be for the Sports and Leisure portfolio (including facilities from Llanelli, Carmarthen, Ammanford, Newcastle Emlyn, St. Clears and Llandovery), plus Theatres services (from Llanelli, Carmarthen and Ammanford), with further consideration of other services by Council at a later date after the contract has been operational for a period of time;
- 13.3 that, if there is no interest in some or all of the services, Carmarthenshire County Council should then seek to develop a business case to consider establishing a new NPDO for the services to deliver the financial savings;
- 13.4 that it be proposed that the tender specifies that the partner organisation has to apply for admitted body status to the Dyfed Pension Fund, closed to existing employees at the point of transfer;
- 13.5 that the tender includes a requirement to cost for the replacement of Llanelli Leisure Centre through a Design, Build, Operate and Maintain Model (DBOM);
- 13.6 that officers pursue the opportunity to align any new Leisure Centre in Llanelli with a potential "Wellness" development as part of the major "ARCH" City Region project.



14. LLANELLI CAR PARKS

At its meeting held on 15th April, 2015 Council considered a motion requesting a 6 month trial of 2 hour free parking in Council car parks in Llanelli Town Centre. Council resolved that the motion be supported and the proposal be referred to the Executive Board for consideration.

The Executive considered a report providing detailed information on the following:-

- the Authority's Parking Policy;
- information and evidence on car parking performance in Llanelli;
- research undertaken on the impact of parking charges on town centres;
- implications that will arise if free car parking is introduced;
- car park budget decisions that are currently in abeyance whilst the motion is considered.

The report also detailed a number of options for consideration.

The provision of free car parking would reduce revenue for the Council resulting in a reduction in investment for other highway and transport related services, leading to further loss of services. Also, it may not have the desired outcome in terms of trade for the town, however, it was recognised that there was a need to respond to the concerns of the town centre traders and members.

Councillor Deryk Cundy asked the following question:-

"I think that the Task Force is a great idea and it is very important that we really do involve the traders. I'd like to see it as a cross party thing if possible. It is hugely important as obviously there are a lot of Llanelli members who would like to be involved in this. Measurement is the key and I am not convinced that we have all the measurements here. The point of the free parking is not going to go away until we get a proper measurement on this. Two hours in the afternoon, although that helps, I'm not totally sure if that is really in the spirit of the original proposal which was to have two hours in an earlier part of the day and I would like to see that. The whole point here is that we need to see measurements and that the traders are actually getting a benefit from this. Footfall alone does not actually show if the traders are getting a benefit. It's important that we work with the traders on that. The question is can we have more positive action with the traders to actually really involve them a lot better?"

The Chair agreed that it was important to get the traders on board as part of the equation. The Task Force will have to make sure that trader involvement is there because footfall is one thing but getting people into their shops is their role in the equation. What we can do to increase and encourage footfall we will do but the traders run their own businesses and shops and that part is up to them. He added that it was disappointing that in the past a lot of shops have chosen to close on the night of the Christmas Lights switch on and this was one of the things which could be discussed by the Task Force. He stressed that it was important to get the equation right between what we can do and what the traders can actually get on board and do themselves.



The Executive Board Member for Technical Services explained that the reason the hours 3.00 p.m. – 5.00 p.m. were chosen was to encourage new footfall into the town centre e.g. families visiting town after school.

UNANIMOUSLY RESOLVED

- 14.1 that the town centre be encouraged to maximise the take up of free car parking days available to the town centre;
- 14.2 that the existing charges be retained but the introduction of evening charges and the 20p increase for the current year be postponed and introduced next year;
- 14.3 that a two hour period of free car parking be introduced between 3.00 p.m. and 5.00 p.m. each day for a period of one month in October. Such an initiative would enable a further analysis of demand to measure the impact of free parking;
- 14.4 to retain all current and planned charges but seek town centre trader support for the introduction of a scheme whereby traders are able to discount the cost of their goods/services where users have produced evidence of parking on the day of purchase;
- 14.5 to retain all charges but explore an option to introduce a pay on exit system at the multi storey car park in lieu of the pay and display/pay on foot system;
- 14.6 that charges be introduced at the Llanelli Leisure Centre car park to encourage non centre users to park at more appropriate locations and appropriate dispensations for leisure centre users be accommodated within the charging system;
- 14.6 that the Llanelli Task Force be reintroduced and chaired by the Leader of Council.

15. PRE-APPLICATION FEES

The Executive Board was advised that Section 18 of the Planning Act 2015 introduced a new statutory requirement on Local Planning Authorities to provide pre-application services to applicants.

Under Section 93 of the Local Government Act 2003, Local Authorities may charge for discretionary services and the Board considered a report detailing various options for the introduction of charges.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL

- 15.1 that the charges be introduced as proposed in the consultation document, with the caveat that any charges reflect the nationally set levels once they have become law;
- 15.2 that charges also be introduced on issues not covered by the nationally listed developments such as work on Tree Preservation



Orders:

15.3 that existing charges for work such as High Hedge disputes be reviewed.

16. SYRIAN VULNERABLE PERSON'S RELOCATION SCHEME

Further to the decision made at Council on 9th November, 2015 (minute 12 refers) when it was resolved that the Council should assist with the Syrian refugee crisis, the Executive Board considered a report which provided details of the Syrian Vulnerable Person's Relocation Scheme and how Carmarthenshire could support and actively participate in the scheme.

UNANIMOUSLY RESOLVED

- 16.1 to appoint a member 'champion' and lead officer to be responsible for developing the Council's approach;
- 16.2 to initiate a cross sector task force of interested partners to deliver a co-ordinated programme;
- 16.3 to work with neighbouring authorities, public sector colleagues and the third sector (including advice agencies, voluntary, charitable and religious organisations) to ensure a co-ordinated and effective regional approach;
- 16.4 to play a full part in national conversations and initiatives, working closely with the Welsh Government and the WLGA;
- 16.5 to prepare a detailed action programme, including the financial implications, for consideration by the Executive Board;
- 16.6 that regular progress reports be submitted to the Executive Board on the delivery of the re-settlement and support programme.

17. MATTER REFERRED FROM THE SOCIAL CARE & HEALTH SCRUTINY COMMITTEE

The Executive Board was advised that the Social Care & Health Scrutiny Committee, at its meeting held on the 3rd July, 2015, requested the Executive Board to lobby the Welsh Government to stress the importance of the Carers Measure funding and to request that it not be cut from April 2016 onwards.

The Executive Board Member for Social Care & Health informed the Board that she met with the Minister for Social Care & Health earlier in the month and raised the concerns expressed by the Scrutiny Committee and Carers Forum. The Carers Measure will be repealed when the next Act comes in on 6th April, 2016 and for the first time, carers will have the same rights as the cared for.

UNANIMOUSLY RESOLVED that the referral be noted and the Social Care & Health Scrutiny Committee be advised that appropriate representations have been made.

18. APPOINTMENT OF MEMBERS TO SERVE ON THE SCHOOL IMPROVEMENT



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UNANIMOUSLY RESOLVED that Councillors J. Williams and J.M. Charles be appointed to serve on the School Improvement Panel in place of Councillors T. Davies and G.O. Jones respectively.

19	MI	NI	IT	ES

MINUTES	
UNANIMOUSLY RESOLVED that the Board held on the 1 st September, 20	e minutes of the meeting of the Executive 15 be signed as a correct record.
CHAIR	DATE

By virtue of paragraph(s) 14 of Part 1 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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