

**TUESDAY, 22 FEBRUARY 2022**

**TO: ALL MEMBERS OF THE CABINET**

**I HEREBY SUMMON YOU TO ATTEND A VIRTUAL MEETING OF THE CABINET AT 10.00 AM, ON MONDAY, 28TH FEBRUARY, 2022 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA**

*Wendy Walters*

**CHIEF EXECUTIVE**

<b>Democratic Officer:</b>	<b>Martin S. Davies</b>
<b>Telephone (direct line):</b>	<b>01267 2240594059</b>
<b>E-Mail:</b>	<b>MSDavies@carmarthenshire.gov.uk</b>

Wendy Walters Prif Weithredwr, *Chief Executive*,  
Neuadd y Sir, Caerfyrddin. SA31 1JP  
County Hall, Carmarthen. SA31 1JP

# CABINET

## MEMBERSHIP - 9 MEMBERS

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

# **A G E N D A**

- 1. APOLOGIES FOR ABSENCE.**
- 2. DECLARATIONS OF PERSONAL INTEREST.**
- 3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE CABINET HELD ON THE 14TH FEBRUARY 2022.** 5 - 8
- 4. QUESTIONS ON NOTICE BY MEMBERS.**
- 5. PUBLIC QUESTIONS ON NOTICE.**
- 6. CARMARTHENSHIRE COUNTY COUNCIL ENVIRONMENT ACT FORWARD PLAN 2020 - 2023.** 9 - 20
- 7. REVIEW OF GAMBLING POLICY.** 21 - 90
- 8. MODERNISING EDUCATION PROGRAMME PROPOSAL TO CHANGE THE NATURE OF PROVISION AT YSGOL Y FELIN.** 91 - 110
- 9. MODERNISING EDUCATION PROGRAMME PROPOSAL TO CHANGE THE AGE RANGE OF YSGOL SWISS VALLEY FROM 4-11 TO 3-11.** 111 - 116
- 10. MODERNISING EDUCATION PROGRAMME PROPOSAL TO RECONFIGURE AND REMODEL BEHAVIOUR SUPPORT SERVICES AT YSGOL RHYDYGORS TO IMPROVE PROVISION FOR CHILDREN AND YOUNG PEOPLE.** 117 - 122
- 11. CARMARTHENSHIRE ECONOMIC RECOVERY AND DELIVERY PLAN PROGRESS UPDATE.** 123 - 138
- 12. REDEVELOPMENT OF FORMER PROVISIONS MARKET LLANDEILO (THE OLD MARKET HALL).** 139 - 144
- 13. REVIEW OF ELECTION FEES PAYABLE AT THE COUNTY COUNCIL AND TOWN/COMMUNITY COUNCIL ELECTIONS.** 145 - 150
- 14. PENTRE AWEL.** 151 - 170
- 15. ANY OTHER ITEMS OF BUSINESS THAT BY REASONS OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT, 1972.**

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## CABINET

Monday, 14 February 2022

**PRESENT:** Councillor E. Dole (Chair)

**Councillors:**

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

**Also in attendance:**

Councillor D.M. Cundy and J.S. Edmunds

**The following Officers were in attendance:**

J. Morgan, Director of Community Services  
C. Moore, Director of Corporate Services  
G. Morgans, Director of Education & Children's Services  
L.R. Jones, Head of Administration and Law  
P.R. Thomas, Assistant Chief Executive (People Management & Performance)  
N. Daniel, Head of ICT and Corporate Policy  
A. Williams, Head of Waste and Environmental Services  
J. Morgan, Head of Homes & Safer Communities  
R. Griffiths, Head of Place and Sustainability  
D. Hockenhull, Marketing and Media Manager  
I.R. Llewelyn, Forward Planning Manager  
S. Rees, Simultaneous Translator  
L. Jenkins, Executive Board Support Officer  
J. Owens, Democratic Services Officer  
K. Evans, Assistant Democratic Services Officer  
K. Thomas, Democratic Services Officer

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**Virtual Meeting - 10.00 - 10.45 am**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor A. Davies and W. Walters (Chief Executive)

**2. DECLARATIONS OF PERSONAL INTEREST**

Councillor	Minute Number	Nature of Interest
H.A.L. Evans	6 – Housing Regeneration and Development – Five Year Delivery Plan (2022-2025)	Sister is the Chief Executive of a Housing Association

**3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE CABINET HELD ON THE 31ST JANUARY 2022**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Cabinet held on the 31<sup>st</sup> January, 2022 be signed as a correct record.

#### **4. QUESTIONS ON NOTICE BY MEMBERS**

The Chair advised that no questions on notice had been submitted by members.

#### **5. PUBLIC QUESTIONS ON NOTICE**

The Chair advised that no public questions had been received.

#### **6. HOUSING REGENERATION AND DEVELOPMENT - FIVE YEAR DELIVERY PLAN (2022 - 2027)**

(NOTE: Councillor H.A.L. Evans having earlier declared an interest in this item, re-declared that interest and left the meeting during its consideration)

The Cabinet considered the Housing Regeneration and Development Delivery Plan that set out the Authority's plans to support the delivery of over 2,000 additional homes across the County over the next five years. If adopted, the Plan would build on the success of the current affordable housing delivery plans, would support economic growth by investing over £300m into communities and directly support the actions in the Economic Recovery Plan, supporting business, people and places.

#### **UNANIMOUSLY RESOLVED TO RECOMMEND COUNCIL:-**

- 7.1 To confirm that the Housing Regeneration and Development Delivery Plan will support the delivery of over 2,000 homes for rent and sale in the County over the next five years, meeting housing need, stimulating economic recovery and growth and supporting the Council's Net Zero Carbon Principles;**
- 7.2 To agree that the authority acquire non-Council owned land and buildings identified in the Housing Regeneration and Development Delivery Plan, together with any other land and/or buildings that would add value to the Council's Housing and Regeneration priorities and aspirations be delegated to the Head of Regeneration in consultation with the Housing and Regeneration Strategic Team;**
- 7.3 To agree that the Plan would play a key role in increasing the supply of social rented homes in our communities, including homes suitable for:**
  - General needs households;**
  - Specialist supported accommodation for people with complex needs and;**
  - Easily adapted flexible accommodation for older people.**
- 7.4 To confirm that mixed tenure developments, consisting of homes for social rent, low-cost home ownership and open market sale will be supported through this delivery plan, creating balanced, strong resilient communities;**
- 7.5 To agree that the Plan would include providing new flexible, innovative, mixed tenure housing solutions that meet the needs of an aging population;**
- 7.6 To agree that the Plan would support the delivery of the**

**Council's strategic regeneration sites by providing more homes for rent and sale, including:**

- **Town Centre Regeneration;**
- **Rural towns and villages;**
- **Pentre Awel Life Science Village and;**
- **Tyisha.**

**7.7 To confirm that the homes supported through the plan would be delivered using a range of delivery vehicles that offer flexibility, scale and place;**

**7.8 To agree that the county-wide delivery of homes in the plan would follow the affordable housing action areas, building up wards in the County into distinctive areas which link geographically and culturally.**

## **7. LOCAL ENVIRONMENT QUALITY MANAGEMENT PLAN 2022 - 2026.**

The Cabinet considered a report on the Local Environment Quality (LEQ) Management Plan 2022-2026, including the action plan, detailing the direction of the Council's litter management within the County for the next four years. It demonstrated how litter management would be undertaken, thereby contributing to the Council's Corporate Strategy, with particular emphasis on Wellbeing Objective 10 – Healthy and Safe Environment; look after the environment now and in the future.

**UNANIMOUSLY RESOLVED that the Local Environment Quality Management Plan 2022-2026 for Carmarthenshire, including the LEQ Action Plan, be approved.**

## **8. DIGITAL SCHOOLS & DIGITAL TECHNOLOGY STRATEGIES 2022-2025**

The Cabinet considered the revised and updated Digital Schools Strategy and the Digital Technology Strategy 2022-2025. The strategies detailed the Council's strategic priorities to underpin the delivery of digital learning over the next 3 years, along with the direction of the digital technologies that would be adapted by the Council to underpin all digital services and achieve its vision of being a 'Digitally Enabled Carmarthenshire'.

**UNANIMOUSLY RESOLVED that the Digital Schools and Digital Technology Strategies 2022-2025 be approved.**

## **9. REVISED CARMARTHENSHIRE LOCAL DEVELOPMENT PLAN NEXT STEPS AND REVISED DELIVERY AGREEMENT**

The Cabinet considered an update report on the progress of the Revised Local development Plan (LDP) and, notably, the impact of a series of factors, issues and guidance on the progress and/or future Plan content. In detailing those areas, the report proposed a series of next steps and sought endorsement of the recommendations to prepare a further Revised Deposit LDP to address and mitigate the implications arising from the identified issues and to ensure it was procedurally compliant and 'sound' thus enabling its adoption.

The Cabinet referred to Natural Resources Wales guidance on the environmental impact of phosphates in watercourses for the 9 riverine Special Areas of Conservation in Wales, and the significant issues that raised on the delivery of development and the progress of LDP's affected by the phosphate guidance and prevented the consultation and the Plan making any further development. The Cabinet welcomed the establishment of the Afon Tywi Nutrient Management Board to address the issue of phosphates and to prepare a Nutrient Management Plan.

Reference was also made to the Council's net zero carbon plan by 2030 and noted the Council had taken the lead in developing a draft carbon calculator to be used across Wales

**UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL:**

- 9.1 To provide delegated authority to officers to amend the Revised Delivery Agreement timetable and agree its content with the Welsh Government;**
- 9.2 To consider the content of the report and endorse the need to prepare a consolidated second Deposit Revised LDP and associated documents;**
- 9.3 To grant the Director of Environment in conjunction with the Cabinet Member for Planning delegated authority to establish the Afon Tywi Nutrient Management Board (NMB), develop its terms of reference and prepare a Nutrient Management Plan;**
- 9.4 In conjunction with other key public bodies, to join the membership board for the Afon Teifi, Afon Cleddau and River Wye NMB's**

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

The Chair advised that there were no items of urgent business.

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**CHAIR**

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**DATE**

## Cabinet 28<sup>th</sup> February 2022

### CARMARTHENSHIRE COUNTY COUNCIL ENVIRONMENT ACT FORWARD PLAN 2020 – 2023

**Purpose:** The Forward plan sets out how CCC is delivering its Environment Act Duty 2020 - 2023

#### Recommendations / key decisions required:

- To endorse the attached Carmarthenshire County Council Environment Act Forward Plan 2020 – 2023 and recommend that it be presented to Pre-Cabinet.
- To endorse the actions set out in the attached Forward Plan and commit to their delivery across the relevant CCC services.

#### Reasons:

The Environment (Wales) Act 2016 requires that all public bodies in Wales, such as local authorities, publish and deliver an Environment Act Forward Plan.

It is a statutory requirement that every three years Carmarthenshire County Council prepares, and reports on the delivery of its Environment Act duty to maintain and enhance biodiversity and promote ecosystem resilience.

The Council's first Environment Act Forward Plan was published in March 2017, and delivery of it was reported to Welsh Government in December 2019. The following report refers to the Council's second three-year plan which runs from Jan 2020 to Dec 2023. The actions it contains are monitored in June and December each year via the Council's Performance Improvement Management System. It is Council procedure that the progress in delivering the Forward Plan is reported to EPP Scrutiny Committee every year.

**Relevant scrutiny committee to be consulted:** YES

#### Environment & Public Protection SCRUTINY

Cabinet Decision Required YES

Council Decision Required NO

#### CABINET MEMBER PORTFOLIO HOLDER:

Cllr Philip Hughes Biodiversity Champion

Cllr Hazel Evans - Environment

**Directorate:** Environment

**Designations:**

**Name of Head of Service:**

Head of Place and Sustainability

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**EXECUTIVE SUMMARY**  
**Cabinet**  
**28<sup>th</sup> February 2022**

**Carmarthenshire County Council Environment Act**  
**Forward Plan 2020 - 2023**

**1. BRIEF SUMMARY OF PURPOSE OF REPORT**

The purpose of this report and the plan attached is to set out the actions the Council will be taking across its services to deliver the Biodiversity Duty placed on it by the Environment (Wales) Act 2016 and seeks approval of the plan for Pre-Cabinet consideration.

The Forward Plan links the necessary Environment Act actions to the Council's Well-being Objectives and identifies target dates for delivery of each action and the officers responsible. Actions included in the Forward Plan will be included in the relevant departmental business plans 2021/2022.

**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:**

*Rhodri Griffiths*

**Head of Place and Sustainability**

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

## 2. Legal

The delivery of the Environment Act Forward Plan 2020 – 2023 is consistent with the S6 Biodiversity Duty placed on all public bodies in Wales under the Environment Act (Wales) 2016.

Delivery of the actions set out in the Report evidences the Council's delivery and commitment of this duty and its compliance with this Act. It is also consistent with its responsibilities under the Well-Being of Future Generations (Wales) Act 2015 in particular the Resilient Wales goal.

## 3. Finance

While the action plan identifies actions that will result in costs, these costs will be met by the budgets linked to these projects e.g., in Section 5 all the site management works proposed are covered by existing budgets and grant aid. In both Section 6 Caeau Mynydd Mawr project and Section 7 Delivering Biodiversity on Development sites, all the actions proposed will be delivered via S106 agreements funded by developers.

## 5. Risk Management Issues

Failure to publish and deliver its Environment Act Forward Plan 2020-2023 places a reputational risk on the Council and risks its compliance with its S6 Biodiversity Duty under the Environment (Wales) Act 2016.

## 6. Physical Assets

Delivery of the Environment Act Forward Plan will have an impact on how the Council manages some of the assets for which it is responsible e.g., grassland management at amenity sites, around property and housing, where these areas will be managed in line with the Council's Strategy for land management use for the benefit of Pollinators

## CONSULTATIONS

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

Signed:  Head of Place and Sustainability

**1. Scrutiny Committee** EPP Scrutiny to be consulted post Pre-Cabinet

**2. Local Member(s)** Cllr Phillip Hughes - Biodiversity Champion

Comments – none received to date

**3. Community / Town Council** Not applicable

**4. Relevant Partners** Not applicable

**5. Staff Side Representatives and other Organisations** Not applicable

**CABINET MEMBER PORTFOLIO  
HOLDER(S) AWARE/CONSULTED**

YES

**Include any observations here**  
None to date

## 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 Environment Act Forward Plan		<a href="#">Legislation and Guidance (gov.wales)</a> (in the downloads section)

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**Carmarthenshire County Council Environment Act Forward Plan 2020 – 2023**  
**Proposed actions Nov 2021**

Dept Plan Ref #	Actions and Measures	By When or EOY Target?	By Who? Responsible Officer	Scrutiny?	ALL DELIVER WBO10
<b>1.DEVELOPING BEST PRACTICE FOR BIODIVERSITY WITHIN CCC - CCC RURAL CONSERVATION SECTION will delivery to seminars on:</b>					<b>WBO10</b>
1.1	Building design and biodiversity - building in features for bird and bats into new builds and building maintenance - for Architects and Property Design and Property Maintenance	Delivered 9/9/21	IM and JB		
1.2	Roads, pavements, cycle ways and trees – design solutions for Highways and Transportation to be prepared	Dec 2022	Rural Conservation Section		
1.3	Planning and Bats for Development Managers:	6/5/21	LR and SJ		
1.4	Planning, Hedgerows and Highways for Development Managers:	6/5/21	RC and AE		
Valent	Working in/adjacent to SSSI and other sensitive habitats for Highways and Transportation. Guidance provided for Highways and Transportation	11/6/21	IM		
1.6	Seminar on s.6 Biodiversity Duty for CCC Planning Committee	13/4/21	RC and SJ		
<b>2. FACILITATING THE CARMARTHENSHIRE NATURE PARTNERSHIP CCC RURAL CONSERVATION SECTION</b>					<b>WBO10</b>
2.1	Facilitate 3 meetings of the CNP p.a. (February, June, and October) each year	3 meetings 3 times each year	IM		

2.2	Prepare with CNP partners a State of Nature Report for Carmarthenshire, that will inform the actions required to address the WG Nature Emergency  Workshops May to June 22 Draft by Nov 2022	Nov 2022	IM and CNP		
2.3	In partnership identify and publish the actions required to deliver nature recovery across Carmarthenshire and ensure ecosystem resilience  Preparation of draft June to Nov 2022	Nov 2022	IM and CNP		
2.4	Continue to raise awareness of the importance of biodiversity e.g., Carmarthenshire Nature Notes and Carmarthenshire's Wildlife on your Ward profiles Produce 3 Press Releases or equivalent p.a.	3 PRs or equivalent by March 22	IM		
<b>3.ENVIRONMENT (WALES) ACT 2016, and S.6 Biodiversity Duty to maintain and enhance biodiversity and promote ecosystem resilience CCC RURAL CONSERVATION SECTION with others</b>					<b>WBO10</b>
Continue to develop systems to ensure all CCC plans, projects and working practices demonstrate delivery of CCC's Env Act duty at the concept, planning and delivery stages. Demonstrate how biodiversity informs design and delivery of projects			JB		
3.1	<b>CCC Regeneration - Pentre Awel</b> Major input in project delivery to ensure all ecological requirement are met	Dec 2023	JB SW		
3.2	<b>CCC Highways and Transportation - Cross Hands Economic Link Road</b> Delivery of dormice and marshy grassland mitigation consistent with planning conditions, and on-going management of the site	Dec 2023	JB AH		
3.3	<b>CCC Regeneration - Cross Hands East Strategic Site Phase 1 and 2.</b> Delivery of dormice and marshy grassland mitigation consistent with planning conditions, and on-going management of the site	Dec 2023	JB CJ		

3.4	<b>CCC Education - Ysgol Gwennllian Kidwelly</b> , delivery of dormouse mitigation as required by NRW plus delivery of biodiversity enhancement on site	Dec 2023	JB KD		
3.4	<b>CCC Highways and Transportation Road safety improvements on the A 484</b> , incorporating ecology requirements into planned improvements	Dec 2021	JB RE		
3.5	<b>CCC Planning Services</b> Through the planning system ensure Section 7 Habitats and Species and designated sites are protected. The Planning Ecologists and NRW will be consulted on sites that support S7 interest. All recommendations received will be incorporated into CCC's decision making	On-going	HT SJ		
3.6	<b>CCC Planning Services</b> Ensure developers deliver biodiversity enhancement consistent with local and national policy. All decisions made will reflect the LA's duty to maintain and enhance biodiversity and promote ecosystem resilience	On-going	HT SJ		
3.7	<b>CCC Planning Services</b> Improve information available on CCC Planning web pages to developers regarding the requirement biodiversity. Develop use of post validation ecological guidance for all applicants	Jan 2023	HT RC ED		
3.8	<b>CCC Mineral Planning Service</b> Produce a protocol for managing peat on minerals and development sites that can be used by all those LAs using CCC's Minerals planning. Ensure CCC adopts this protocol and raise awareness of the benefits of its use by other LAs in Wales	Peat Protocol published on CCC web site May 2022 Report annually (November) on uptake by other LAs	HT		
<b>4.CCC STRATEGIES:</b> Adoption of CCC strategies that will benefit biodiversity and the natural environment  Delivery of actions set out in these strategies					<b>WBO10</b>

CCC RURAL CONSERVATION SECTION					
4.1	A Strategic Plan for Pollinators	To CMT in March 2022	IM		
4.2	A Strategic Plan for Pollinators – WG's LP4N provided grant aid in 2021 for purchase of machinery to enable pollinator friendly management of grasslands. Actions as per plan delivered in 2021, annual report Nov each year consistent with grant awarded for purchase of machinery	Nov 21	GB, IM		
4.3	CCC's Ash Dieback Plan – actions delivered. 2021 All A and B roads surveyed by Highway inspectors. 300 trees on CCC land to be removed adj to highways in autumn / winter 2021. 48 tree safety surveys completed for CCC schools and work resulting from these will be completed in winter 2021	On-going	JW		
4.4	Tree Strategy for CCC – Draft plan to be completed by 15 <sup>th</sup> Dec 2021, for approval by Council in 2022	April 2022	RC, JW, GH SE		
<b>5.SITES MANAGED BY CCC for BIODIVERSITY</b> Biodiversity management plans will be prepared/ updated and delivered for the following sites.					<b>WBO10</b>
<b>Actions will be delivered by CCC RURAL CONSERVATION SECTION subject to funding being available</b>					
5.1	Sites managed as part of the <b>Carmarthenshire Bogs project</b> . ENRaW funded in Winter 2021. Mynydd y Styfflau Carn, Peniel, Firebreaks on heathland and scrub managed, some ash dieback work	March 2022	IM, RC		
5.2	<b>Pembrey Canal</b> Mgm Plan to be prepared that will deliver multiple benefits, biodiversity, green and blue infrastructure, active travel and the necessary flood defence etc. Funding to be confirmed WG ENRaW grant may cover some aspects	Mgm plan to be prepared in collaboration with Flood	BK (Flood Defence)		

		defence by June 2022			
5.3	<b>Kidwelly Quay</b> Mgm plan to be updated with partners and winter work programme with PROW and Kidwelly TC to be developed. Funded by WG ENRaW grant	Nov 2022	IM, AE		
5.4	<b>Commissioner's Bridge, Kidwelly</b> Installation of otter pass. Funded by National Grid via NRW agreement. The necessary Flood risk Activity Permit to be granted by NRW	June 2022	IM and Highways, NG		
5.5	<b>St Clears Wetland and cycle way</b> mgm plan to be developed for the wetland area. WG ENRaW funding.	Feb 2022	Rural Conservation Section		
5.6	<b>Cwmoernant Reservoirs</b> Carmarthen. Delivery of mgm plan to address tree safety, and safety of the reservoirs, public access and ongoing woodland management. Disease ash removed in early Spring and Autumn 2021. Funded by Ash Dieback budget and WG grant aid (Green Recovery)	Dec 2023	GH, JW, BK		
5.7	<b>CCC land adjacent Penclacwydd</b> Continue to manage new areas of water vole habitat and survey for water voles to gauge success of habitat creation. Autumn/ winter 2022. Funded by WG ENRaW grant	Dec 2022	IM		
<b>6.CAEAU MYDD MAWR PROJECT</b> <b>Delivery of the project safeguards the Marsh Fritillary population associated with the Special Are of Conservations, and enables development in the Cross Hands Economic Growth are to proceed in accordance with legislation</b> <b>CCC RURAL CONSERVATION SECTION</b>					<b>WBO10</b>
6.1	Continue to deliver the project which is funded 100% by developer contribution. Project area to be extended subject to new LDP being approved. The project manages 26 grassland sites. 7 sites are owned by CCC and 19 are subject to voluntary management agreements with landowners. 132ha of marshy grassland are managed for biodiversity and in particular the marsh fritillary butterfly		AE		

7.S106 AND OTHER MECHANISMS FOR DELIVERING BIODIVERSITY ENHANCEMENT ON DEVELOPMENT SITES.					WBO10
Taking on the management of other sites subject to S 106 that require biodiversity management					
Liaise with developer prepared costed management plans, and deliver actions					
<b>CCC RURAL CONSERVATION SECTION</b>					
7.1	Persimmon site in Machynys enhancement of water vole habitat, and public access consistent with agreed mgm plan, and planning permission granted, funded by the developer.		AE		
	Mgm in 2020 and 2021 has included: Survey ecological of habitat quality for water vole 300m of ditch opened and scrub cleared to improve habitat for water vole 0.5 ha conservation grassland managed Management of scrub around 4 ponds on west side of site PROW re-surfaces and edge of path cut to enhance public access				
7.3	Morfa Berwig LNR, Bynea Management of the habitats in the Local Nature Reserve, public access and interpretation Mgm plan and conservation volunteer days to be delivered by Leisure when new ENRaW funded post is filled	On-going, mgm plans for LNRs will all be reviewed by March 23	AE/ Leisure		
7.4	Dyfed Powys Police Custody Suite, Dafen. Delivery of habitat management onsite and off-site at Mynydd Mawr Woodland Park (MMWP), funded by the developer in accordance with costed mgm plan. Spring/Summer 2021 – reptile clearance of built footprint and construction of hibernacula Winter 2021 – Woodland management to diversify structure of young plantations Scrub clearance and scarification of open mosaic habitat Treatment of INNS (invasive species) Enhancement of 0.25ha open mosaic habitat at MMWP	On-going for 25 years 2021 - 2056	AE		
7.5	Cross Hands West. INNS managed in summer 2021, 1ha of Japanese Knotweed treated	On-going	AE		

	0.6 ha grassland managed Silt traps maintained and rubbish removed 220m fencing installed to protect 2/3 habitat Winter 2021 - Delivery of the woodland management as set out in winter work programme				
7.6	Caegaer Housing site, Bynea Delivery of agreed off-site mitigation at Cae Pobl, Cross Hands in partnership with NBGW, funded by the developer. NBGW have collected seed from marshy grassland plants for growing on and planting out in 2022/3	On-going for 25 years, 2021 - 2056	AE		
<b>8. REVIEW PROCUREMENT AND USE OF CLEANING PRODUCTS</b> - use only those products that are phosphate free <b>CCC CLEANING SERVICES</b>					WBO10
8.1	In revising procurement framework for all CCC cleaning products request that all product supplied must be phosphate free Framework to be in place by		HS JE		
8.2	Ensure all cleaning staff understand why products that are phosphate-free are being purchased. Run briefing sessions for all cleaning staff by Dec 2022		HS JE		
<b>9. REGULATION and COMPLIANCE</b> The Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009 <b>CCC PUBLIC HEALTH OFFICERS</b>					WBO 10
9.1	Set up reporting system within CCC to comply with these Regulations	March 22	Lisa Jones/ Tom O'Leary Public Health		
9.2	Raise awareness of the regulations in CCC and the need to report breaches	June 22	Lisa Jones/ Tom O'Leary Public Health		

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**Cabinet**  
**28<sup>th</sup> February 2022**

## REVIEW OF GAMBLING POLICY

### Recommendations / key decisions required:

A summary of the consultation responses is attached.

It is recommended that :-

- The amended Gambling Policy be approved.

Reasons:

- The attached revised Gambling Policy document reflects the results of the consultation and review process and complies with relevant legislation and guidance

Relevant scrutiny committee to be consulted NO (Licensing Committee 17/02/2022)

Cabinet Decision Required	YES 28 <sup>th</sup> February 2022
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Council Decision Required YES 9<sup>th</sup> March 2022

**CABINET MEMBER PORTFOLIO HOLDER:-**

**Cllr. P M Hughes (Public Protection Portfolio Holder)**

<p>Directorate:</p> <p>Department for Communities</p> <p>Name of Head of Service:</p> <p>Jonathan Morgan</p> <p>Report Author:</p> <p>Emyr Jones</p>	<p>Designations:</p> <p>Head of Homes and Safer Communities</p> <p>Licensing Lead</p>	<p>Tel:</p> <p>Email addresses:</p>
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# EXECUTIVE SUMMARY

## CABINET

### 28<sup>th</sup> February 2022

#### REVIEW OF GAMBLING POLICY

##### **Context**

The current Gambling Policy was adopted by the authority in December 2018. The legislation requires it to be reviewed at least every three years to ensure that it reflects feedback from the local community that the statutory objectives are being met.

##### **Consultation**

As part of the review, the authority is required to undertake a consultation exercise aimed at the chief officer of Police, representatives of gambling businesses and persons representing the interests of residents and businesses in the area, in order for their views to be formally considered by the authority.

The consultation began on the 25<sup>th</sup> of October 2021 and finished on the 21<sup>st</sup> of November 2021. Over one thousand individuals and organisations, including licence holders and their representatives, town and community councils, members of parliament, assembly members, county councillors, council departments and responsible authorities received consultation documents. The responsible authorities include, The Licensing Authority, Dyfed Powys Police, Mid and West Wales Fire and Rescue Service, Gambling Commission, Environmental Health (Pollution Section), Planning Authority, HMRC, Children Services.

The survey was again undertaken using the consultation facility on the Council's web site. This enabled the majority of consultees to be contacted via e-mail, thus reducing the cost whilst increasing the accessibility of the consultation.

##### **The key issues raised as a result of the consultation exercise and review were:-**

- No clear evidence that specific areas of the county are suffering with gambling related problems.
- There is evidence of access to gaming machines by under 18's in alcohol licensed premises and improvements to supervision arrangements and staff training are required.

The authority's licensing section in conjunction with the council's legal department have reviewed the policy document in light of the consultation responses. The authority has liaised closely with the Gambling Commission, included hosting a virtual meeting with a representative of the Gambling Commission as well as the licensing sections of, Pembrokeshire, Powys and Ceredigion licensing authorities, with the aim of ensuring as far as possible a consistent approach to the revised Gambling Policy.

##### **The key change to Gambling Policy document include :-**

1. Section 21 of the Gambling Policy relating to licensed premises gaming machine permits has been updated to reflect the results of the test purchasing exercise undertaken in 2019.(Page 31)
2. Section 23 of the Gambling Policy relating to Club Gaming Machine Permits has also been updated with good practice advice following the test purchase exercise in 2019.(Page 33)

A revised gambling policy document, incorporating amendments to reflect the relevant consultation responses is attached.

**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: **Jonathan Morgan**

**Head of Homes and Safer Communities**

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

## 1. Policy, Crime & Disorder and Equalities

The proposed amendments to the Gambling Policy promote the prevention of crime and disorder. The Policy complies with the Authority's duty under section 17 of the Crime and Disorder Act.

An Equalities impact assessment has been undertaken and no negative impacts have been identified.

## 2. Legal

Legal services are satisfied that the proposed amendments comply with the Gambling Act 2005 and the statutory guidance issued by the Gambling Commission.

# CONSULTATIONS

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

Signed: Jonathan Morgan

Head of Homes and Safer Communities

**1. Scrutiny Committee** N/A - The Council's Licensing Committee considered the Gambling Policy Review report on the 17<sup>th</sup> of February and UNANIMOUSLY RESOLVED TO RECOMMEND TO THE CABINET that the amended Gambling Policy be approved.

**2. Local Member(s)** Local Members were consulted through correspondence.

**3. Community / Town Council** Town and Community Councils were consulted through correspondence.

**4. Relevant Partners** Relevant partners were consulted through correspondence and consultation meetings.

**5. Staff Side Representatives and other Organisations**

**CABINET MEMBER PORTFOLIO  
HOLDER(S) AWARE/CONSULTED**

YES

The cabinet members comments are incorporated within the analysis report.

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

**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Consultation Responses	Review of Gambling Policy 2021	3, Spilman Street, Carmarthen
Gambling Commission Guidance	Review of Gambling Policy 2021	3, Spilman Street, Carmarthen

# Gambling Policy

## Gambling Act 2005

2021

[carmarthenshire.gov.wales](http://carmarthenshire.gov.wales)

Cyngor **Sir Gâr**  
**Carmarthenshire**  
County Council



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## **PART A**

### **Statement of Gambling Policy**

#### **1. The Licensing Objectives**

1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;**
- **Ensuring that gambling is conducted in a fair and open way;**
- **Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

1.3 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- **in accordance with any relevant code of practice issued by the Gambling Commission;**
- **in accordance with any relevant guidance issued by the Gambling Commission;**
- **reasonably consistent with the licensing objectives and**
- **in accordance with the authority’s statement of Gambling policy.**

#### **2. Introduction**

2.1 Carmarthenshire is the third largest county in Wales in geographic terms, with a population in 2013 of 184 681. As a primarily rural area, Carmarthenshire has a strong agricultural base with a ‘necklace’ of key market towns providing for the needs of communities in those rural areas. South East Carmarthenshire is the most densely populated part of the county, and is characterised by close knit former industrial communities. A plan of the county showing individual wards is attached as Appendix C.

2.2 Currently there are 26 Gambling Premises in the County, consisting of 15 Betting Premises, 4 Bingo Premises, 4 Adult Gaming Centres, 2 Family Entertainment Centre and 1 Track Betting Licence.

2.3 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles, which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed periodically and any amended parts re-consulted upon. The statement must be then re-published. This document is



Carmarthenshire County Council's statement of principles in accordance with the Act.

2.4 This policy has been formulated as a result of a consultation exercise involving (but not limited to):-

- a) The Police
- b) Gambling Commission
- c) Other Responsible Authorities
- d) Licence Holders and their representatives
- e) Permit Holders and their representatives
- f) Local Gambling businesses and their representatives
- g) Local residents and their representatives

Due consideration has been given to all those who have responded.

2.5 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

2.6 It is noted that applicants for premises licences need to obtain operating licences from the gambling commission and have responsibilities to the Commission as a result.

### **3. Declaration**

3.1 In producing this policy document, Carmarthenshire County Council declares that it has had regard to the licensing objectives of the Gambling Act 2005 and the guidance issued by the Gambling Commission.

#### **3.2 Glossary of Terms**

Within this Statement of Policy, the following words and terms are defined as stated:

Licensing Objectives:	As defined in section 1.1 above
Council:	Carmarthenshire County Council (hereinafter referred to as "the Council")
County	The area of Carmarthenshire administered by Carmarthenshire County Council referred to in the map attached (see Appendix C)
Licences:	As defined in Part B
Applications:	Applications for licences and permits as defined in Parts B and C

Licensing Authority	A Licensing Authority within the meaning of Section 2 of the Gambling Act 2005 (hereinafter referred to as “the Authority”)
Notifications:	Means notification of Temporary and Occasional Use Notices
Act:	The Gambling Act 2005
Regulations:	Regulations made under the Gambling Act 2005
Premises:	Any place
Code of Practice:	Means any relevant code of practice under section 24 of the Gambling Act 2005
Mandatory Condition:	Means a specified condition provided by regulations to be attached to a licence
Default Condition:	Means a specified condition provided by regulations to be attached to a licence, unless excluded by Carmarthenshire County Council

#### 4. Responsible Authorities

The following are responsible authorities in relation to premises licences under the Act :-

1. The Licensing Authority in whose area the premises are wholly or partly situated (“Carmarthenshire County Council”);
2. The Gambling Commission;
3. Chief Constable of Heddlu Dyfed-Powys Police;
4. Mid and West Wales Fire and Rescue Service
5. Head of Planning, Carmarthenshire County Council or Brecon Beacons National Park Authority.
6. Public Health Services Manager, Public Protection, Carmarthenshire County Council.
7. Department for Education and Children, Carmarthenshire County Council.
8. HM Revenue and Customs.
9. In relation to a vessel, a navigation authority, Environment Agency, British Waterways Board and Secretary of State
10. Any other person prescribed in regulations by the Secretary of State

4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

4.2 The principles are:

- a) the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- b) the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

4.3 For these reasons, this authority designates the Department for Education and Children , Carmarthenshire County Council for this purpose.

4.4 The contact details of all the Responsible Authorities under the Gambling Act 2005 are contained in Appendix B of this Policy document and are also available via the Council's website at: [www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)

## 5. Interested parties

5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

“For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)”.

5.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.9 and 8.17. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

- Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, community councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the **Licensing Section, Department for Communities, 3 Spilman Street, Carmarthen, SA31 1LE.**

5.3 Any community or County Councillors who are approached to represent interested persons should ensure that they comply with the Code of Conduct and seek dispensation from the Standards Committee if appropriate.

## 6. Exchange of Information

- 6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 of the Act.
- 6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the General Data Protection Regulation 2016 and Data Protection Act 2018 will not be contravened. The licensing authority will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Should any protocols be established as regards information exchange with other bodies then they will be made available.

## 7. Enforcement

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 This licensing authority's principles are that it will be guided by the Gambling Commission's Guidance for local authorities, and will endeavour to be:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
  - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
  - Consistent: rules and standards must be joined up and implemented fairly;
  - Transparent: regulators should be open, and keep regulations simple and user friendly; and
  - Targeted: regulation should be focused on the problem, and minimise side effects.
- 7.3 As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions, which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission
- 7.5 This licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.
- 7.6 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the Licensing Section, 3 Spilman Street, Carmarthen, Carmarthenshire, SA31 1LE.

## **8. Licensing Authority functions**

8.1 Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences; for Bingo premises, Betting premises, Tracks, Adult Gaming Centres and Family Entertainment Centres.
- Issue Provisional Statements;
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres;
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Register small society lotteries below prescribed thresholds;
- Issue Prize Gaming Permits;
- Receive and Endorse Temporary Use Notices;
- Receive Occasional Use Notices;
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange');
- Maintain registers of the permits and licences that are issued under these functions.

8.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

### *PART B*

#### *PREMISES LICENCES – CONSIDERATION OF APPLICATIONS*

## **9. General Principles**

9.1 Premises licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

9.2 All applicants for Premises Licences will be required to set out how they will have regard to the licensing objectives, as specified in section 1.1 above, and what measures they intend to employ to ensure compliance with them.

### 9.3 Decision-making

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission ;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

9.4 It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that unmet demand is not a criterion for a licensing authority.

This licensing authority also notes Gambling Commission guidance on ensuring that betting is the primary activity of a licensed premises. Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. Operators will need to demonstrate that betting will continue to be the primary activity of the premises when seeking variations to licenses.

In making this determination, this licensing authority will have regard to the six indicators of betting as a primary gambling activity.

- The offer of established core products (including live event pictures and bet range)
- The provision of information of products and events
- The promotion of gambling opportunities and products
- The actual use made of betting facilities
- The size of premises
- The delivery of betting facilities

9.5 **Definition of "premises"** – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place.

But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, we will pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

9.6 The Gambling Commission states in S7.6 of the fifth edition of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building



/ plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing authority. S7.7 The Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises. If a premises is located within a wider venue, a licensing authority should request a plan of the venue on which the premises should be identified as a separate unit”

9.7 This licensing authority takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

9.8 The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.



## **9.9 The Gambling Commission's relevant access provisions for each premises type are reproduced below:**

7.23:

### **Casinos**

- The principal access entrance to the premises must be from a street (as defined at 7.21 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

### **Adult Gaming Centre**

- No customer must be able to access the premises directly from any other licensed gambling premises

### **Betting Shops**

- Access must be from a street (as per para 7.20 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises.

### **Tracks**

- No customer should be able to access the premises directly from:
  - a casino
  - an adult gaming centre

### **Bingo Premises**

- No customer must be able to access the premise directly from:
  - a casino
  - an adult gaming centre
  - a betting premises, other than a track

### **Family Entertainment Centre**

- No customer must be able to access the premises directly from:
  - a casino
  - an adult gaming centre
  - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

## **9.10 Premises "ready for gambling"**

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future,

consistent with the scale of building or alterations required before the premises are brought into use.

9.11 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

9.12 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

9.13 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

9.14 More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.58-7.65 of the Guidance.

9.15 **Location** - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. This does not preclude any applications being made and each application will be decided on its merits.

9.16

When determining an application to grant a Premises Licence or review a Premises Licence, regard will be taken regarding the proximity of the premises to schools, youth centres, vulnerable adult centres or residential areas where there is an evidential link between the proximity of such premises and the gambling premises. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be decided on its merits and will depend to a large extent on the type of gambling that it is proposed will be offered on the premises. Therefore, if an Applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.

#### **9.17 Duplication with other regulatory regimes**

When determining an application, the Authority shall not take into account matters not relevant under the Act such as the likelihood of the applicant obtaining planning permission or building control approval.

An applicant can apply for a “provisional statement” if the building is not complete or if he does not yet have a right to occupy it. Such an application is, however, a separate and distinct process to the granting of planning permission or building control approval.

9.18 This licensing authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a premises is likely to be awarded planning permission or building regulations approval or comply with any existing permission or approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions, which are not able to be met by licensees due to planning restrictions, should such a situation arise.

9.19 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

9.20 **Licensing objectives** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission’s Guidance to local authorities and some comments are made below.

#### **1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime –**

- a) This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime.
- b) The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective.
- c) Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the

behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

d) When preparing licence applications, applicants are advised to consider the following:-

1. The design and layout of the premises;
2. Location in so far as the location relates to the licensing objectives
3. The training given to staff in crime prevention measures appropriate to those premises;
4. Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
5. Where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
6. The likelihood of any violence, public order or policing problem if the licence is granted.
7. In relation to the prevention of disorder, the Authority has the ability (under S169 of the Act) to impose licence conditions.
8. The staffs awareness of the Money Laundering Regulations and the provision of a clear procedure for reporting any suspicious activity to senior management

## **2. Ensuring that gambling is conducted in a fair and open way –**

*This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below – page 16).*

## **3. Protecting children and other vulnerable persons from being harmed or exploited by gambling –**

- a) This licensing authority has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling. The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas within the same premises, staff training and design and layout of the premises.
- b) This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.
- c) **Children and vulnerable persons**
  1. Children

The Gambling Act and guidance issued by the commission make detailed provision for the protection of children from gambling harm. Licence holders should familiarise themselves with these provisions.

## **2. Test Purchasing**

The Authority supports the stance of the Gambling Commission in promoting operators to test the integrity of their age verification policies and procedures to prevent children from accessing gambling facilities. Each premises will be expected to inform their Primary Authority (where there are such agreements in place with specific operators) in writing of the approach they have adopted and share the results of such tests with the Authority annually with a view to working with the Authority to enhance robustness of procedures preventing children using gambling facilities.

Those who do not have such primary authority agreements are expected to share the results of such test purchases with this Licensing Authority.

### **d) Vulnerable Persons**

1. As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case by case basis.
2. The Authority expects all gambling premises to make available information regarding the Financial Exploitation Safeguarding Scheme (FESS) .Given the evidence of a link between gambling and financial exploitation. Further information regarding the scheme can be obtained from the Licensing Section.

### **e) Local Health Board Notification.**

The Licensing Authority will notify the Local Health Board of applications for gambling premises licences.

### **f) Good Practice Guidance**

Premises operators, responsible authorities and decision makers are strongly advised to consider best practice guidance when assessing the impact of granting a licence. Particular reference should be made to the following reports:-

- Welsh Government Framework on Tackling the Night Time Economy
- The Relationship Between Alcohol and Gambling behaviours - Alcohol Concern Cymru (2015)

- Gambling with Our Health – Chief Medical Officer for Wales Annual Report 2016/17

#### **g) Training**

Premises operators are advised to provide staff training that includes training on drug and alcohol related issues, particularly training on local policies for dealing with discarded needles and the risks of blood borne virus in order to protect staff. Training could also include awareness of the types of new and emerging drugs referred to as “New Psychoactive Substances” (previously “Legal Highs”) in order to better equip staff to handle use on premises. Local services can provide short, bespoke courses free to licensed premises and operators are strongly advised to contact the licensing authority for details of how to access these courses.

Premises operators are also strongly advised to promote local help services for addressing gambling, drug and alcohol issues. Details of where to obtain relevant promotional material can be obtained from the licensing authority.

#### **h) Safeguarding**

1. Carmarthenshire County Council believes that the safeguarding of Children and Vulnerable persons is a priority.
2. Carmarthenshire’s Licensing Section in conjunction with agencies, including the Gambling Commission and Dyfed Powys Police is looking to work in partnership with licensees, their staff and other organisations to ensure that premises offering gambling activities operate responsibly and with due regard to children and vulnerable persons.
3. As part of this initiative the group has produced information and training material to raise awareness of safeguarding issues, including Child Sexual Exploitation and to provide local points of contact for advice and guidance as well as to report concerns.
4. The authority recommends that businesses offering gambling activities need to ensure that their staff have been adequately trained in relation to safeguarding matters in order to respond appropriately and quickly where issues arise. This advice is equally as important to operators of premises which offer gaming machines alongside the sale or supply of alcohol.
5. The authority strongly suggests that applicants for authorisations include information regarding their arrangements for staff safeguarding training as part of the application documents.
6. Gambling businesses are advised to contact the licensing section or visit the Authority’s gambling web pages to obtain copies of the documents.

#### **i) Bet – Watch**

The Authority encourages and will support local operators to create and maintain an information sharing network to discuss issues of problem



gamblers that are identified. This will also be an opportunity for operators to discuss issues with licensing officers.

### **Conditions**

9.21 - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

9.22 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

9.23 This licensing authority will also consider specific measures, which may be required for buildings that are subject to multiple premises licences.

9.24 Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

9.25 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- that all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- that only adults are admitted to the area where these machines are located;
- that access to the area where the machines are located is supervised;
- that the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- that at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

9.26 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure

that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

9.27 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

9.28 **Door Supervisors** - The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirement for different types of premises vary (as per the Guidance, Part 33).

9.29 However, where an applicant chooses not to engage SIA registered door supervisors this Licensing Authority will expect the applicant to describe in their application how they intend to: -

- a) Carry out Criminal Record checks (CRB) on each individual
- b) Provide details of their criminal convictions criteria
- c) Explain the proposed method of identifying these individuals when working in the capacity of door supervisors.
- d) Indicate the ratio of male and female operatives
- e) Provide details of the appropriate training for the role
- f) Provide a work register showing the duty time and date (same applies to SIA registered).

9.30 **Closed Circuit Television Systems** - This Licensing Authority recognises the value of CCTV systems in preventing crime and disorder. Applicants are advised to follow the guidance available from the Dyfed Powys Police regarding the standards and specifications of any proposed system to ensure that it is appropriate for the premises.



## **10. Adult Gaming Centres**

- 10.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.
- 10.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions should cover issues such as:
- Adopt a proof of age scheme such as challenge 21 or 25;
  - How any risks to children and vulnerable persons from gambling that have been identified in a risk assessment carried out in accordance with paragraph 19.5 of this policy will be addressed;
  - CCTV;
  - Supervision of entrances/machine areas;
  - Physical separation of areas;
  - Location of entry;
  - Notices/signage;
  - Specific opening hours;
  - Self-exclusion schemes;
  - Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

## **11. (Licensed) Family Entertainment Centres:**

- 11.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. Applicants are strongly advised to refer to the safeguarding information set out on page 13 of this policy document.
- 11.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives. However appropriate measures/licence conditions should cover issues such as:
- CCTV;
  - Supervision of entrances/machine areas;
  - Physical separation of areas;
  - Location of entry;
  - Notices/signage;
  - Specific opening hours;

- Self-exclusion schemes;
- Provision of information leaflets/helpline numbers for organisations such as GamCare;
- Measures/training for staff on how to deal with suspected truant school children on the premises.
- How any risks to children and vulnerable adults from gambling that have been identified in a risk assessment carried out in accordance with paragraph 19.5 of this policy will be addressed.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11.3 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

## **12. Casinos**

12.1 There are currently no casinos operating within the county.

12.2 There is no resolution to prohibit casinos in the county at present. However the Council reserves the right to review this situation and may, at some time in the future, resolve not to permit casinos.

12.3 Should the Council choose to make such a resolution, this will be a resolution of Full Council following considered debate, and the reasons for making the resolution will be given. There is no right of appeal against this resolution.

## **13. Bingo premises**

13.1 This licensing authority notes that the Gambling Commission's Guidance states:

18.4 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

- 13.2 This authority also notes the Guidance at paragraph 18.8 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.
- 13.3 Paragraph 18.7 further states that children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.
- 13.4 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures/licence conditions should cover issues such as:
- Adopt a proof of age scheme such as challenge 21 or 25;
  - How any risks to children and vulnerable persons from gambling that have been identified in a risk assessment carried out in accordance with paragraph 19.5 of this policy will be addressed
  - CCTV;
  - Supervision of entrances/machine areas;
  - Physical separation of areas;
  - Location of entry;
  - Notices/signage;
  - Specific opening hours;
  - Self-exclusion schemes;
  - Provision of information leaflets / helpline numbers for organisations such as GamCare.

## 14. Betting premises

- 14.1 **Betting machines** - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. This Licensing Authority expects applicants to demonstrate suitable measures to ensure children do not have access to such machines.
- 14.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures/licence conditions should cover issues such as:
- Adopt a proof of age scheme such as challenge 21 or 25;
  - How any risks to children and vulnerable persons from gambling that have been identified in a risk assessment carried out in accordance with paragraph 19.5 of this policy will be addressed
  - CCTV;
  - Supervision of entrances/machine areas;
  - Physical separation of areas;

- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

14.3 The Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the Authority a single named point of contact, who shall be a senior individual, and whom the Authority will contact first should any compliance queries or issues arise.

## **15. Tracks**

15.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

15.2 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities.

15.3 It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

15.4 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes, such as challenge 21 or 25;
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

**15.5 Gaming machines** - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

**15.6 Betting machines** - This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

**15.7 Condition on rules being displayed** - The Gambling Commission has advised in its Guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."

**15.8** This Licensing Authority will expect applicants to demonstrate how they will comply with this guide as part of their application.

**15.9 Applications and plans**

The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, para 20.43).

**15.10 Plans** – Applicants will be expected to provide a plan of the premises in a scale of 1:100 unless the Authority has agreed in writing to the applicant to accept a plan in an alternative scale. The plan should show:

- The entire boundary of the premises, and all buildings and structures within the premises.
- The location of the points of access to and egress from the premises.
- The areas to be used for gambling activities whether permanent or temporary.
- Any areas where access by children is restricted/prohibited.
- Location of any warning or information notices.
- Location of any public conveniences.
- Location of any gambling areas at the premises covered by separate licences or permits.

- The plan may include a legend through which the above matters may be identified.

15.11 This Licensing Authority is of the view that, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

15.12 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information so that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities, para 20.46).

## **16. Travelling Fairs**

16.1 It will fall to this licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

16.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

16.3 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

## **17. Provisional Statements**

17.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises

licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

17.2 S.204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

17.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

17.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

17.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

17.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

## **18. Reviews:**



- 18.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;
- in accordance with any relevant Code of Practice issued by the Gambling Commission;
  - in accordance with any relevant guidance issued by the Gambling Commission;
  - reasonably consistent with the licensing objectives; and
  - in accordance with the authority's statement of principles.
- 18.2 The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- 18.3 The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 18.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.
- 18.5 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 18.6 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-
- (a) add, remove or amend a licence condition imposed by the licensing authority;
  - (b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
  - (c) suspend the premises licence for a period not exceeding three months; and
  - (d) revoke the premises licence.
- 18.7 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.
- 18.8 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.



18.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder
- the applicant for review (if any)
- the Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

## **19. Risk Assessments**

19.1 Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence. The Licence Conditions and Code of Practice issued by the Gambling Commission ( The code ) requires all operators of; Adult Gaming Centres (AGC's), Bingo Premises, Family Entertainment Centres (FEC's), Betting shops and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.

19.2 Operators are required by the code from 6<sup>th</sup> April 2016 to make the risk assessment available to licensing authorities when an application is submitted either for new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the Authority's inspection regime and may be requested when officers are investigating complaints.

19.3 Operators are strongly advised to ensure that a copy of the current premises risk assessment is kept at the premises alongside the premises licence document and made available to staff.

19.4 The code requires the Authority to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this Authority expects the following matters to be considered by operators when making their risk assessment.

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may reflect benefit payments and paydays.
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall,
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

19.5 The Authority expects the following matters to be considered by Operators when making their risk assessment.

Matters relating to children and young persons, including;

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.
- Any premises where children congregate including bus stops, cafés, shops, and any other place where children are attracted,
- Areas that are prone to issues of youths participating in anti social behaviour, including such activities as graffiti/tagging, underage drinking, etc.
- Recorded incidents of attempted underage gambling

19.6 Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, places of worship, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

19.7 This list is not exhaustive and other relevant factors not in this list that are identified must be taken into consideration.

## **PART C**

### **Permits/Temporary & Occasional Use Notice**

**20. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits – Schedule 10 paragraph 7).**

20.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238 of the act).

20.2 An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and the Chief Officer of Police has been consulted on the application. This Licensing Authority will expect applicants to :

- Demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;

- Demonstrate that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- Demonstrate that staff are trained to have a full understanding of the maximum stakes and prizes.
- Demonstrate an understanding of safeguarding issues highlighted on page 13 of this policy.
- Provide a basic criminal record check from the Disclosure and Barring Service (DBS) or a Subject Access printout from the Police National Computer dated within one calendar month of the date of application being submitted (unless the applicant holds a current Operator's licence issued by the Gambling Commission)
- Provide plans of the premises which comply with the requirements of paragraph 15.9 – 15.10 of this policy and which illustrate the proposed locations of gaming machines and the locations of staff managing and supervising the centre.

20.3 When considering any convictions revealed in an application the licensing authority will consider the nature and relevance of the offence, how long ago it took place and any other factors that may be relevant. The application will be subject to the terms of the Rehabilitation of Offenders Act and “spent” convictions may not be referred to when considering the permit application. The application process will make specific reference to the Relevant Offences listed in Schedule 7 to the Gambling Act 2005.

20.4 It should be noted that a licensing authority cannot attach conditions to this type of permit.

20.5 **Statement of Principles** - This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

20.6 The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, appropriate measures / vetting of staff/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

20.7 Applicants are advised to refer to the Safeguarding advice outlined on page 13 of this Policy or contact the relevant Responsible Authorities for further guidance.

## 21.(Alcohol) Licensed premises gaming machine permits

21.1 Based on experience of a test purchase exercise undertaken at licensed premises in 2019 which resulted in a 100% failure rate premises licence holders are strongly advised to review and improve their staff training and the supervision of gaming machines in order to protect children from gambling harm.

### **Gaming Machines -Automatic Entitlement**

21.2 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority and pay the prescribed fee.

21.3 The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

### **21.4 Gaming Machine Permit: 3 or more machines – (schedule 13 paragraph 4(1))**

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives under the 2005 Act, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant”.

This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

Applicants for Licensed premises Gaming Machine Permits are therefore required to provide the following information alongside their application:-

1. A plan of the premises in accordance with paragraph 15.10 of this policy on which they shall show the proposed location of each gaming

machine along with details of the locations of supervising staff as well as Notices and signage.

2. Information regarding the nature of the premises including access to the premises by persons aged under 18.
3. Applicants are required to demonstrate that the gambling activity proposed at the premises will be incidental / ancillary to the other licensable activities at the premises.

21.5 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

21.6 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

21.7 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

21.8 The Local Authority may consult the Police prior to determining any such applications.

## **22.Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3)).**

22.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

22.2 **Statement of Principles** - Applicants should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.
- Clear policies that outline the steps to be taken to protect children from harm.

22.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard

to any Gambling Commission guidance (Gambling Act 2005, Schedule 14 paragraph 8(3)).

22.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

## **23. Club Gaming and Club Machine Permits**

23.1 Based on experience of a test purchase exercise undertaken at licensed premises in 2019, which resulted in a 100% failure rate at those premises, members clubs are strongly advised to review and improve their staff training and the supervision of gaming machines in order to protect children from gambling harm.

23.2 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.

Members Clubs and Miner's welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

23.3 This licensing authority notes that the Gambling Commission's Guidance states:

25.44 The LA has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. In doing so it will take account a number of matters as outlined in sections 25.45-25.47 of the Gambling Commission's Guidance. These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members.



The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

23.4 The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police".

23.5 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced". The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

23.6 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

23.7

This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions should cover issues such as:

- Adopt a proof of age scheme such as challenge 21 or 25;
- How any risks to children and vulnerable persons from gambling will be addressed;
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;

- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

## **24. Temporary Use Notices**

24.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

24.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

24.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

24.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the licensing authority will look at, amongst other things, the ownership/occupation and control of the premises.

24.5 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

## **25. Occasional Use Notices**

25.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice. This licensing authority will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.



## 26. **Small Society Lotteries**

26.1 This licensing authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries

26.2 Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact this licensing authority on 01267 228717 for further advice.

## APPENDIX A DELEGATION OF FUNCTIONS

Matter to be dealt with	Full Council	Sub Committee	Officers
Final approval of three year Licensing policy	X		
Policy not to permit casinos	X		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a review of a premises / club licence		X	
Application for club gaming/ Club machine permits		Where objections have been made and not withdrawn	Where no objections made or where objections have been withdrawn
Cancellation of club gaming/ Club machine permits		X	
Applications for other permits		Where objections have been made and not withdrawn	Where no objections made or where objections have been withdrawn
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	
Fee setting (when appropriate)	Executive Member Board Decision Meeting		
Decision of whether a representation is irrelevant, frivolous or vexatious			X In consultation with Licensing Committee Chairperson

## **GAMBLING ACT 2005**

### **GAMBLING POLICY**

#### Appendix B

#### Contact Details

##### Licensing Authority

Licensing Section  
Department for Communities  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LE

Tel No. 01267 234567

e-mail : [PublicProtection@Carmarthenshire.gov.uk](mailto:PublicProtection@Carmarthenshire.gov.uk)

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP

Tel No. 0121 230 6666

e-mail: [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

Fax No. 0121 230 6720

HMRC  
The National Registration Unit  
Betting and Gaming  
Portcullis House  
21 India Street  
Glasgow  
G2 4PZ

Tel No. 03000 516023

e-mail [nrubetting&gaming@hmrc.gsi.gov.uk](mailto:nrubetting&gaming@hmrc.gsi.gov.uk)

Fax No. 03000 516249

#### **The Relevant planning Authority**

**Either ,**

Head of Planning  
Carmarthenshire County Council

8 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LQ

Tel No. 01267 242454

e-mail: [Planning@Carmarthenshire.gov.uk](mailto:Planning@Carmarthenshire.gov.uk)

**Or**

Brecon Beacons National Park, for premises within its administrative area

Enforcement Officer  
Brecon Beacons National Park Authority  
Plas Y Ffynnon  
Cambrian Way  
Brecon  
Powys  
LD3 7HP

Tel No: 01874 620431

Email: [planning.enquiries@breconbeacons.org](mailto:planning.enquiries@breconbeacons.org)

Fax: 01874 622524

Commercial Services Manager  
Department for Communities  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LE

Tel No. 01267 234567

e-mail: [PublicProtection@Carmarthenshire.gov.uk](mailto:PublicProtection@Carmarthenshire.gov.uk)

Licensing Officer  
Dyfed Powys Police  
Police Station  
Foundry Road  
Ammanford  
Carmarthenshire  
SA18 2LS

Tel No. 101 Ext 26464

e-mail: [Mike.Price@Dyfed-Powys.pnn.police.uk](mailto:Mike.Price@Dyfed-Powys.pnn.police.uk)

County Commander  
Mid and West Wales Fire and Rescue Service  
Carmarthenshire Command HQ  
Lime Grove Avenue

Carmarthen  
Carmarthenshire  
SA31 1SP

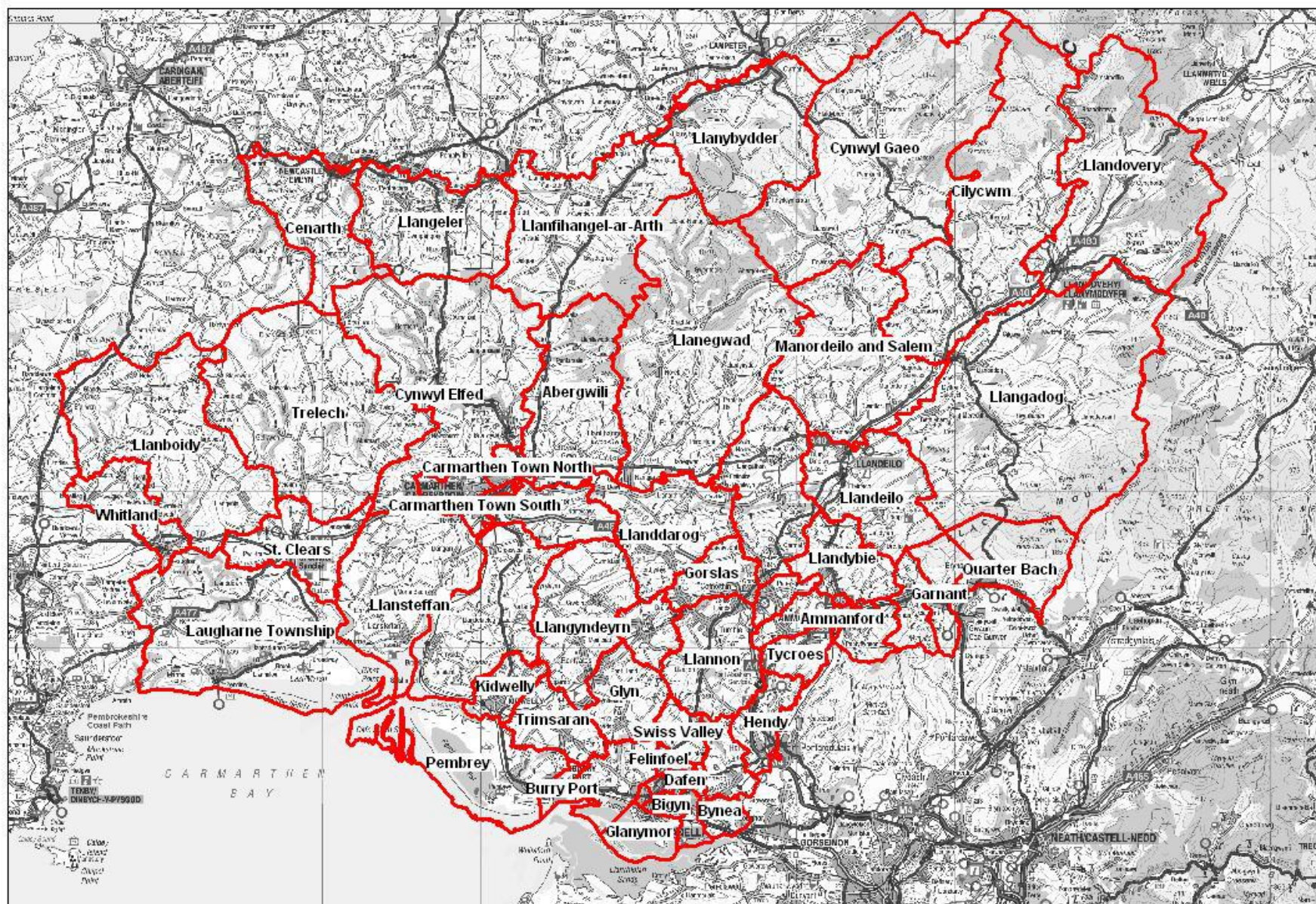
Tel No. 0870 6060699  
e-mail : [Mail@Mawwfire.gov.uk](mailto:Mail@Mawwfire.gov.uk)

Head of Children Services  
Department for Education and Children  
Carmarthenshire County Council  
Building 2  
St. Davids Park  
Jobs Well Road  
Carmarthen  
Carmarthenshire  
SA31 3HB

Tel No. 01267 246549  
e-mail. [Childrensocialcare@Carmarthenshire.gov.uk](mailto:Childrensocialcare@Carmarthenshire.gov.uk)

**Applicants for licences in respect of vessels should contact the Licensing Authority for additional information.**







# Review of Gambling Policy

## Consultation Report

2021

[carmarthenshire.gov.wales](http://carmarthenshire.gov.wales)

Cyngor **Sir Gâr**  
**Carmarthenshire**  
County Council



Page 67

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# **CARMARTHENSHIRE COUNTY COUNCIL**

## **GAMBLING POLICY CONSULTATION**

### **INTRODUCTION & CONTEXT**

On a periodic basis – at least once every three years – the local authority is legally required to review its Gambling Policy under the Gambling Act 2005 to ensure fitness for purpose. Consultation is an intrinsic part of this process: the policy must be responsive to local needs, it should take under advisement comments from myriad stakeholders and seek evidence that will help evaluate progress against its statutory objectives.

To this end, a five week consultation (25<sup>th</sup> October to 21<sup>st</sup> November 2021) was held to garner views from a wide range of organisations and individuals with an interest in licensing matters. The consultation was the first opportunity that local residents, businesses, existing licence holders and their representatives have had to formally comment on the Policy since 2018.

This report, incorporating the results of the public consultation and the authority's response in summary form, will go to both the Licensing Committee and the Executive Board in February 2022 before going to full Council in March 2022.

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This report:

- 1) Outlines the approach and consultation methods deployed;
  - 2) Summarises results and key findings;
  - 3) Considers free-text responses from residents, licence holders, organisations and town and community councils in a summary matrix table;
  - 4) Provides a short summary
- 

### **1) OUTLINE OF APPROACH AND CONSULTATION METHODS**

A mixed-methods approach to ascertaining views on Carmarthenshire's Gambling Policy was employed to gather quantitative and qualitative data for analytical and evaluative purposes. Specifically, the consultation focused on identifying locations where gambling and gambling-related problems were perceived to be a serious issue.

In accordance with the Gambling Act 2005, a number of statutory consultees were engaged throughout the consultation. This included:

- the Police
- the fire authority
- the Gambling Commission
- Planning
- Environmental Health
- Child Protection
- HMRC

The gambling consultation was jointly publicised with the licensing policy. Awareness was raised through use of the following consultation channels:

### **Publicity**

The consultation was publicised through the Council's press office, through means including: press releases; information on the Council's website; online consultation portal and through social media feeds.

### **Survey**

Surveys are a cost-effective method for finding out stakeholders' views and can be administered in a variety of different ways. An electronic survey was thus selected as the principal method for gathering data. The survey contained a number of fixed-response (closed) and free-response (open) questions. Furthermore, the survey encouraged respondents to upload/attach evidence to support their submission.

The on-line survey was made available through Carmarthenshire County Council's website. In addition to listed statutory consultees, links to the survey were circulated to members of the aging well forum, county councillors and town and community councils, gambling licence holders, licensing solicitors, MPs, AMs and the Police and Crime Commissioner. Taken as a whole, consultation invites were sent to over 1000 individuals and organisations.

The consultation exercise resulted in **72 submissions**, covering a wide section of the community. The table presented below provides a breakdown of the composition of respondents. Some have responded in a number of capacities, therefore the table presented below contains 86 responses.

<b>Are you responding as a... (Multiple choice question)</b>		
Member of the Public	26	37%
Premises licence holder	15	21%
Other	11	16%
Personal licence holder	9	13%
Gambling premises licence holder	5	7%
Gambling permit holder	5	7%
Club premises certificate holder	5	7%
Body representing licence holders / clubs	5	7%
Local business	4	6%
Body/ Person representing members of the Public (e.g. County councillors; Town & Community Council)	1	1%

The table below presents the areas respondents resided in. Respondents were asked to enter the first two digits of their postcode following SA. The following table presents the postcodes entered. No other postcode attracted a response.

<b>Postcode*</b>	<b>Number of responses (/47)</b>
SA14	6
SA15	11
SA16	2
SA17	1
SA18	5
SA20	1
SA31	10
SA32	3
SA33	3
SA34	5

\*Note Postcode areas seen in Appendix B.

### **Other**

Carmarthenshire's Licensing Section convened a meeting with representatives of Ceredigion, Pembrokeshire and Powys Council licensing sections as well as the Gambling Commission to discuss revisions to Gambling Policies and to adopt a consistent approach where possible.

## 2) KEY QUANTITATIVE FINDINGS FROM THE SURVEY

The section will be structured by considering each quantitative survey question in turn. Mention will be made of the views of different categories of respondent (i.e. Postcode area and nature of respondent), to enable comparisons to be made. In section 3, comments from the consultation will be considered separately in a matrix table, whether these have arisen through survey submission, or letter or email submissions.

### *About the **Average Index Score (AIS)***

Sometimes known as a 'weighted average', the AIS is a way of distilling the 'balance and strength of opinion' down into one number. Useful for questions with options to 'strongly agree', 'disagree', etc., the technique is used throughout the report.

#### **Example**

10 people are asked whether they 'strongly agree', 'agree', 'have no opinion', 'disagree' or 'strongly disagree' that Wales will win the six nations.

Results...

3 strongly agree (each response worth 2, so=**6**)

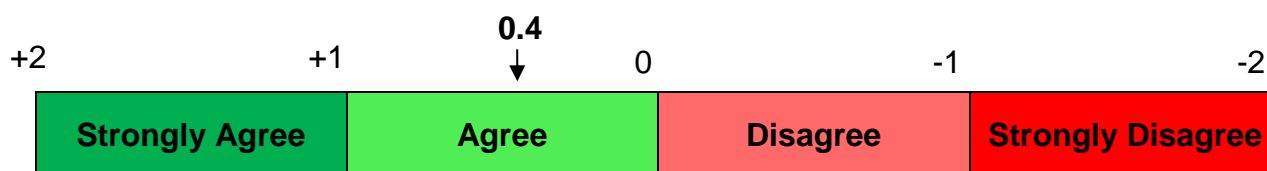
3 agree (each response worth 1, so=**3**)

1 no opinion (each response worth 0, so=**0**)

1 disagree (each response worth -1, so= **-1**)

2 strongly disagree (each response worth -2, so=**-4**)

The AIS is calculated by adding all the numbers in bold: So,  $6+3+0-1-4=4$ ; Then dividing by the number of responses (10 in this case). The average index score is:  $4 \div 10 = \mathbf{0.4}$

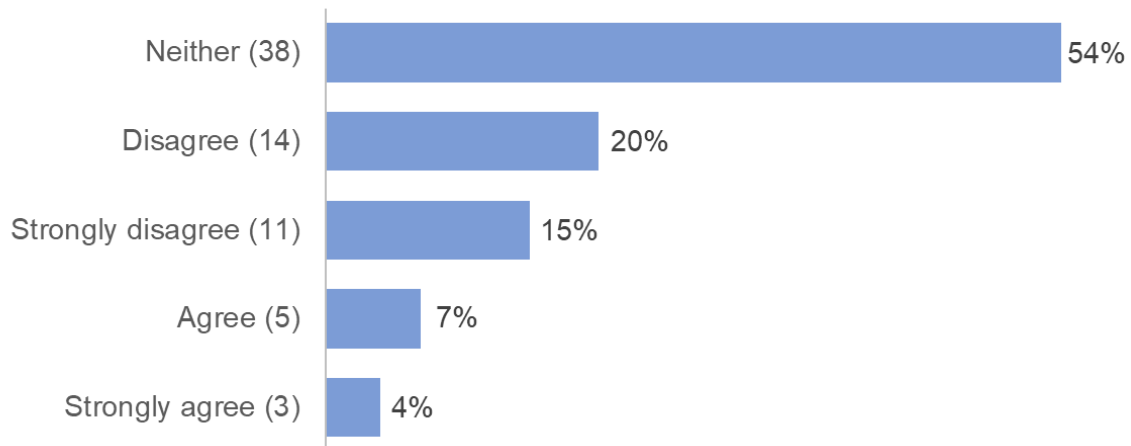


Respondents were asked to indicate the extent to which they agreed or disagreed with a series of statements about gambling – designed to produce information on the gambling-related problems across Carmarthenshire. A likert scale was used, with 'strongly agree' and 'strongly disagree' as response anchors.

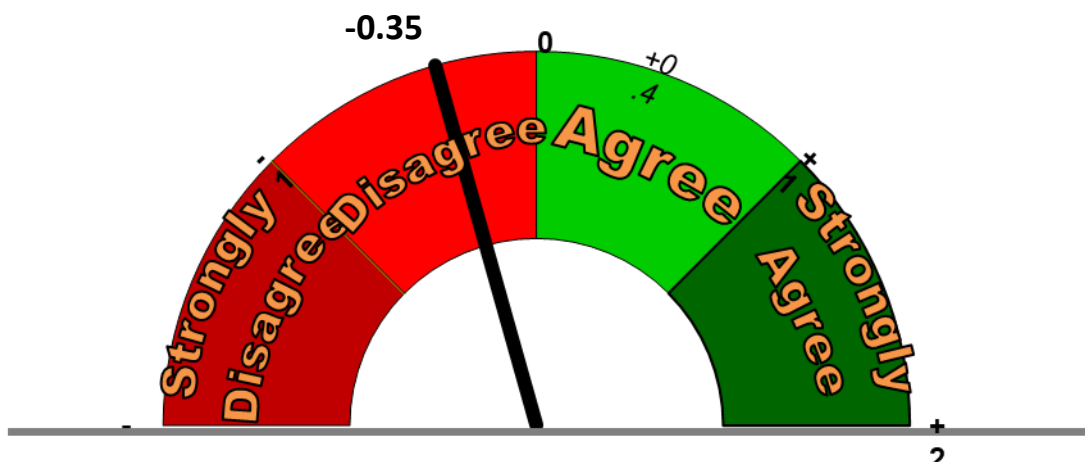
### 1. *There are gambling related problems in my area.*

Firstly, 36% of respondents disagreed (20% disagree; 16% strongly disagree) that there were **gambling-related problems in their area**. 54% of respondents reported that they 'Neither' disagreed nor agreed with this statement. This may suggest that respondents do not feel they have sufficient knowledge/information or local intelligence to make an informed judgment, thus preferring to remain neutral. It was seen that only 11% of respondents agreed with the statement with 4% of these participants strongly agreeing.

#### 1. There are gambling related problems in my area.



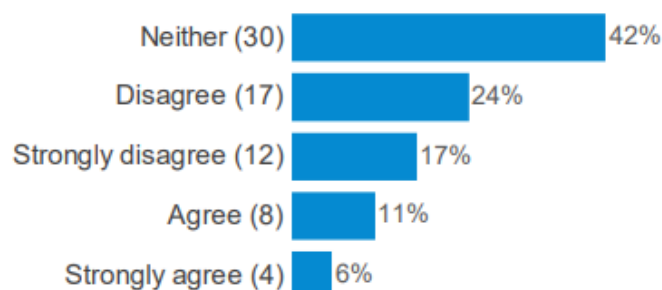
That the majority do not consider gambling-related problems to be an issue in their area is borne out by a negative Average Index Score (AIS) of **-0.35** (plotted below).



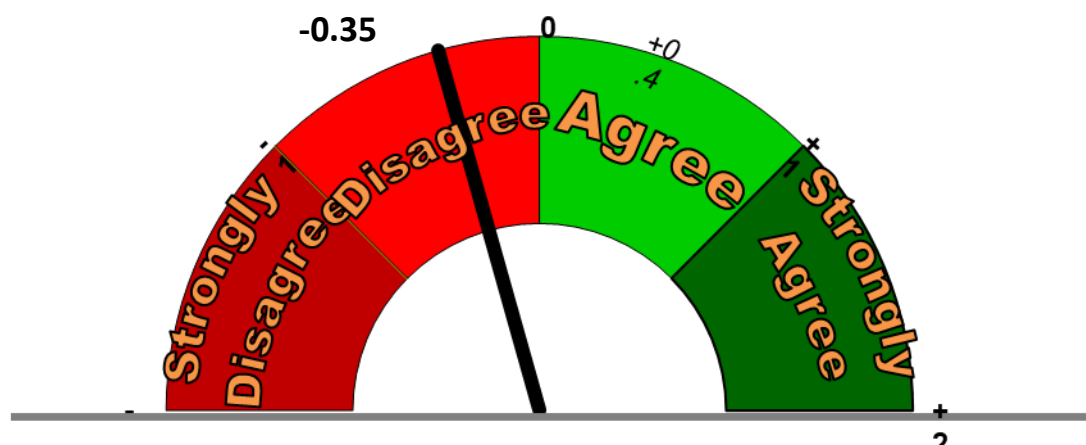
### 2. *Access to gambling by children, young people and other vulnerable persons is a problem in my area*

Next, 41% of respondents disagreed (24%) or strongly disagreed (17%) that **access to gambling by children and young people was a problem in their area**. Contrastingly, 11% agreed with this statement and 6% strongly agreed. The results can be seen in the table below. When examining the breakdown, it is clear that most individuals, organisations and businesses noted that access to gambling by children, young people and vulnerable persons is not a problem in their area.

## 2. Access to gambling by children, young people and other vulnerable persons is a problem in my area



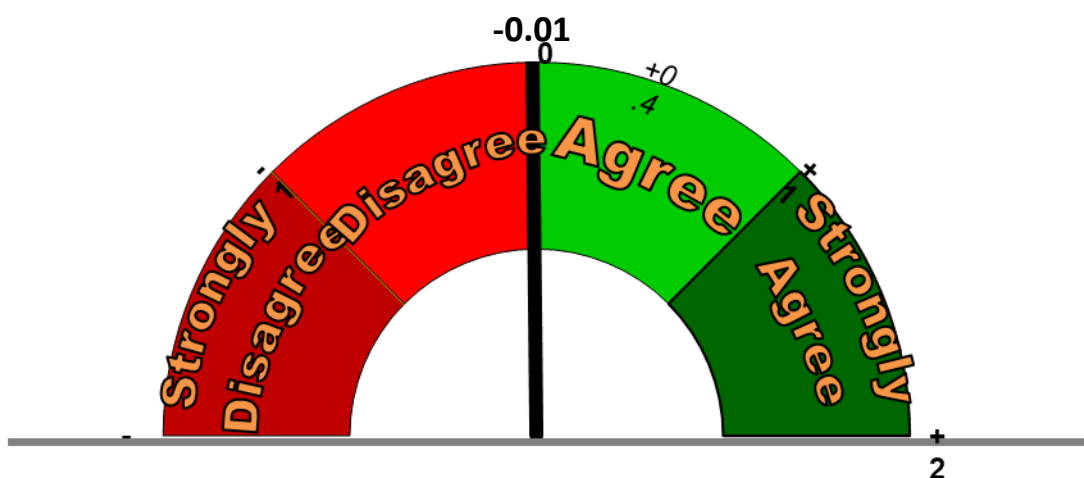
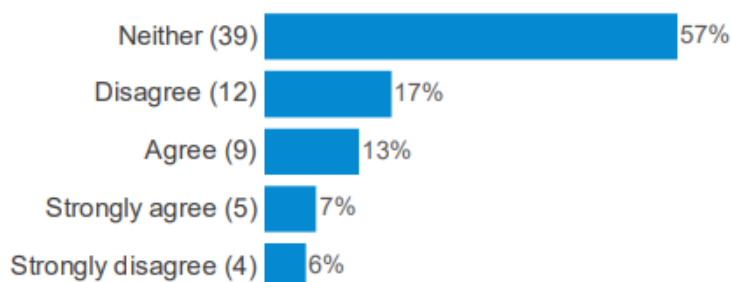
An Average Index Score of -0.35 confirms this result, with a score in the 0 – -1 range indicating disagreement.



## 3. I am aware of where to get advice or support locally/nationally for gambling related problems.

It was seen that 57% (N=9) respondents neither agreed nor disagreed that they were **aware of where to get advice or support locally / nationally for gambling related problems**. Again, this suggests most respondents are neutral/undecided on the matter or have insufficient knowledge or experience to form strong feelings. Additionally, 20% of respondents agree (Strongly agreed 7%; agreed 13%) with this statement. Moreover it was seen that 23% participants disagreed (6% strongly disagree; 17% disagree).

**3. I am aware of where to get advice or support locally / nationally for gambling related problems.**



An Average Index Score of -0.01 suggests, overall, respondents neither agreed or disagreed with the statement. Values closer to a '0' value are indicative of a fairly neutral response.

**4, Are you aware of any problems that have occurred as a result of gambling premises being located in close proximity to sensitive buildings e.g. schools, sixth form colleges, children's play areas, treatment centres for drug, alcohol and other addictions?**

The graph below shows that the majority of respondents (n=69; 97%) are unaware of any problems which have occurred as a result of gambling premises being located in close proximity to sensitive buildings. Only two people responded that they were aware of problems which have occurred.

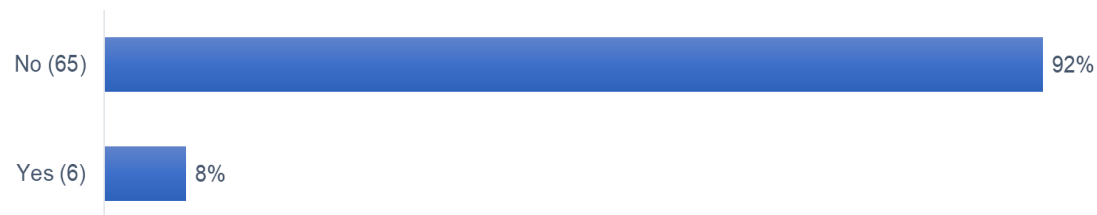
**4. Are you aware of any problems that have occurred as a result of gambling premises being located in close proximity to sensitive buildings e.g. schools, sixth form colleges, children's play areas, treatment centres for drug, alcohol and other addictions?**



**5. Are you aware of any premises where problems have occurred as a result of gaming machines being made available to the public?**

Similar to the preceding question, 92% (N=65) were unaware of any premises in their area where problems have occurred as a result of gaming machines being made available to the public. In contrast only 9% (N=6) noted that they have experiences problems due to gaming machines being made available to the public.

**5. Are you aware of any premises where problems have occurred as a result of gaming machines being made available to the public?**





### 3) ANALYSIS OF COMMENTS – SUMMARY MATRIX TABLE

The report now considers comments expressed in the survey's free-text questions. Note is made of the respondents' ID number (to provide a traceable record), comment(s) received, the Council's response and, where appropriate, changes to the gambling policy as a result of the consultation. Respondents that have not submitted a reply are omitted from the table.

RESPONDENT	COMMENTS	APPRAISAL	RESPONSE	CHANGES
Respondent 11	<b>Question 6</b> I think it's important to recognise establishments that are well run and which keep a close eye on any gambling activities, ensuring that children do not have access to gaming machines. We consider ourselves to be such an establishment, as we do not rely on gambling as our main source of revenue. For this club, it is a sideline because our members want to play bingo and some of them also enjoy our various gaming machines. We tend to have an older clientele who would not otherwise be able to enjoy the social aspect of a game of bingo in a friendly, small scale environment. We strongly believe that a club like our should not be penalised simply because other forms of gambling cause problems.	Noted	No Change required to policy	No Change

Respondent 29	<p>Question 6</p> <p>Monitoring adverts online and aimed at young adults and children</p>	Noted	No change required to policy	No power to control advertising online. Online gambling controlled by the Gambling Commission.
Respondent 38	<p>Question 1</p> <p>The are about the same number of betting shops in the town centre as public houses. The hours of opening are quite late and there is often parking issues in Caersalem terrace due to people placing bets late in the evening.</p> <p>Question 6</p> <p>The number of "gambling" outlets needs to be reduced, similarly the number of street side advertising. Llanelli has significant social issues and reducing the presence may prevent a recovering gambling addict being tempted back</p>	<p>Noted</p> <p>Noted</p>	<p>No change required to policy</p> <p>No change required to policy</p>	<p>Cannot limit number of premises.</p> <p>Cannot limit number of premises.</p>

Respondent 43	Question 6 Keep your noses out of peoples lives. Got nothing to do with you	Noted	No change required to policy	No Change
Respondent 51	Question 3  Online ability through phones	Noted.	No change required to policy	No power to control advertising online. Online gambling controlled by the Gambling Commission.
Respondent 54	Question 6 More accessible places for people to get support for gambling addiction. I am 24 yrs old, and have friends who gamble - they never go into any betting shops, all online/on app. Need to have more accessible and local places for them to get support.	Noted.	No change required to policy	No power to control advertising online. Online gambling controlled by the Gambling Commission.
Respondent 58	Question 3 This is an online problem and not specific to the locality. Nor is it anything that one can hold the Local Authority responsible for.	Noted	No change required to policy	No Change

	As with so many issues this is an question of balance. It must be considered that Gambling does provide much needed income for the country as well as providing an element of fun when handled correctly, an element of life that has been sorely lacking in recent years. However, there is no question that the ease of access to gambling does create problems although I believe that this is mainly due to online presence and apps rather than anything the Council has much control over.			
Respondent 66	<p>Question 1 Lots of betting shops</p> <p>Question 2  Some pubs etc have fruit machines in communal areas that aren't monitored such as entrance halls - children could access these without being stopped</p>	<p>Noted</p> <p>Noted</p>	<p>No change required to policy</p> <p>The Policy document has been amended to include further strong advice regarding the supervision of gaming machines</p>	<p>Cannot limit number of premises.</p> <p>Paragraphs have been added to sections 21 and 23 of the Gambling Policy advising operators of the need to improve staff training and the supervision of gaming machines.</p>
Respondent 67	<p>Question 2 I am a Trading Standards Officer in Carmarthenshire and undertook a an under age test purchasing survey in Oct 2019. In total, 17 premises from</p>	Noted	The Policy document has been amended to reflect the findings of the test purchasing exercise undertaken at licensed	Paragraphs have been added to sections 21 and 23 of the Gambling Policy advising operators of the need

	across the county were visited with a 100% failure rate, with no challenge made of the young volunteers.		Premises in 2019 and includes a statement strongly advising operators to improve staff training and the supervision of gaming machines to protect children from harm through gambling.	to improve staff training and the supervision of gaming machines.
Respondent 68	<p>Question 1</p> <p>lots of betting shops in small area</p> <p>Question 2</p> <p>lots of fruit machine in some places not supervised - could be an issue</p> <p>Question 4</p> <p>station road as an example - drug rehab place &amp; 'half way house' in old Vista Lounge - within stones throw of several 'bookies'!</p> <p>Question 6</p> <p>encourage schools to do a session on the dangers of gambling? they concentrate on drugs, smoking etc but maybe gambling should be included</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>No change required to policy</p> <p>The Policy document has been amended to include further strong advice regarding the supervision of gaming machines</p> <p>No change required to policy</p> <p>No change required to policy</p>	<p>Cannot limit number of premises.</p> <p>Paragraphs have been added to sections 21 and 23 of the Gambling Policy advising operators of the need to improve staff training and the supervision of gaming machines.</p> <p>Each application considered on their individual merits.</p> <p>Not within the scope of the Gambling Policy</p>

Respondent 70	<p>Question 6</p> <p>While physical gambling premises can be regulated locally the real issue is with the online gambling companies. While Carmarthenshire County Council can't influence policy making in regard to these establishments regrettably this is where the root of the problem lies and more actions in the form of advertising restrictions and controls are needed as well as spending caps.</p>	Noted	No change required to policy	Not within the scope of the Gambling Policy
Respondent 71	<p>Question 6</p> <p>The licensing authority undertook an underage test purchase exercise in October 2019, looking at access to gaming machines in licensed premises by persons under the age of 18. All 17 premises tested failed the exercise and were required to review and improve their staff training and supervision of Gaming Machines at the premises.</p>	Noted	The Policy document has been amended to reflect the findings of the test purchasing exercise undertaken at licensed Premises in 2019 and includes a statement strongly advising operators to improve staff training and the supervision of gaming machines to protect children from harm through gambling.	Paragraphs have been added to sections 21 and 23 of the Gambling Policy advising operators of the need to improve staff training and the supervision of gaming machines.

Respondent 72	<p>Question 2</p> <p>The issue I have found is that we need to improve the supervision of Gaming Machines located within premises. Once these machines have been installed, the supervision especially towards young people is poor. The age verification systems can only be described as poor</p>	Noted	<p>The Policy document has been amended to reflect the findings of the test purchasing exercise undertaken at licensed Premises in 2019 and includes a statement strongly advising operators to improve staff training and the supervision of gaming machines to protect children from harm through gambling.</p>	<p>Paragraphs have been added to sections 21 and 23 of the Gambling Policy advising operators of the need to improve staff training and the supervision of gaming machines.</p>
	<p>Question 6</p> <p>As I have previously alluded to, I am aware of test purchases being conducted within Carmarthenshire during 2019. I was very disappointed at the results and the failure rates whereby such a high proportion of children were allowed access to Gaming Machines at various premises without any form of challenge regarding their ages. It was quite apparent that there was simply very little supervision of the gaming machines at the premises. Whilst there was and is no evidence of a gambling problem in the area, these premises</p>	Noted	As above	As above

	<p>need to vastly improve their supervision and challenging mechanisms. My Organisation together with the Licensing Department need to work closely with Licensed Premises which have Gaming Machines in order to improve the age verification process. this can be done through visits, campaigns, education etc. in order to improve the situation.</p>			
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#### **4) SUMMARY – KEY CHANGES TO THE GAMBLING POLICY**

1. New paragraph inserted into section 21 (Licensed Premises Gaming Machine Permits) strongly advising licensees to improve staff training a supervision of gaming machines.
2. New paragraph inserted into section 23 (Club Gaming and Club Machine Permits) strongly advising members clubs to review and improve staff training and the supervision of gaming machines.



# Gambling Act 2005 - Review of Gambling Policy Consultation Document 2018

## Part 1 - About You

Are you responding as a...

- Gambling premises licence holder
- Gambling permit holder
- Premises licence holder
- Personal licence holder
- Club premises certificate holder
- Member of the Public
- Local business
- Body representing licence holders / clubs
- Body/ Person representing members of the Public (e.g. County councilors; Town & Community Council)
- Other Organisation or Group
- If responding as an organisation/business/body, please write its name here

Following 'SA', please specify the two numbers of your postcode

4	20	39
9	31	40
14	32	44
15	33	48
16	34	66
17	35	67
18	37	out of county
19	38	

Part 2

To what extent would you agree or disagree with the following statements:

1. There are gambling related problems in my area

Strongly agree      Agree      Neither      Disagree      Strongly disagree

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

2. Access to gambling by children, young people and other vulnerable persons is a problem in my area

Strongly agree      Agree      Neither      Disagree      Strongly disagree

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

3. I am aware of where to get advice or support locally / nationally for gambling related problems.

Strongly agree      Agree      Neither      Disagree      Strongly disagree

If you agree, please give details of the services that you are aware of below

Street

Town / Village

Nature of problem

**4. Are you aware of any problems that have occurred as a result of gambling premises being located in close proximity to sensitive buildings e.g. schools, sixth form colleges, children's play areas, treatment centres for drug, alcohol and other addictions?**

Yes

No

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Nature of problem

**5. Are you aware of any premises where problems have occurred as a result of gaming machines being made available to the public?**

Yes

No

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Nature of Problem

**6. Is there anything else that you want us to take into account when reviewing the Gambling Policy?**

If you would like to attach a document to your survey response, please do so:

### Part 3 - Your Details

(optional)

Name:

Address:

Tel No:

Fax:

E-mail:

Under certain circumstances, we may wish to contact you to follow-up on your response, either to ask for additional comment or to reply to the points you have raised.

Do you consent to CCC using your details in this way?

Yes - I am happy to be contacted  
contacted

No - I do not wish to be

#### How we will use your information

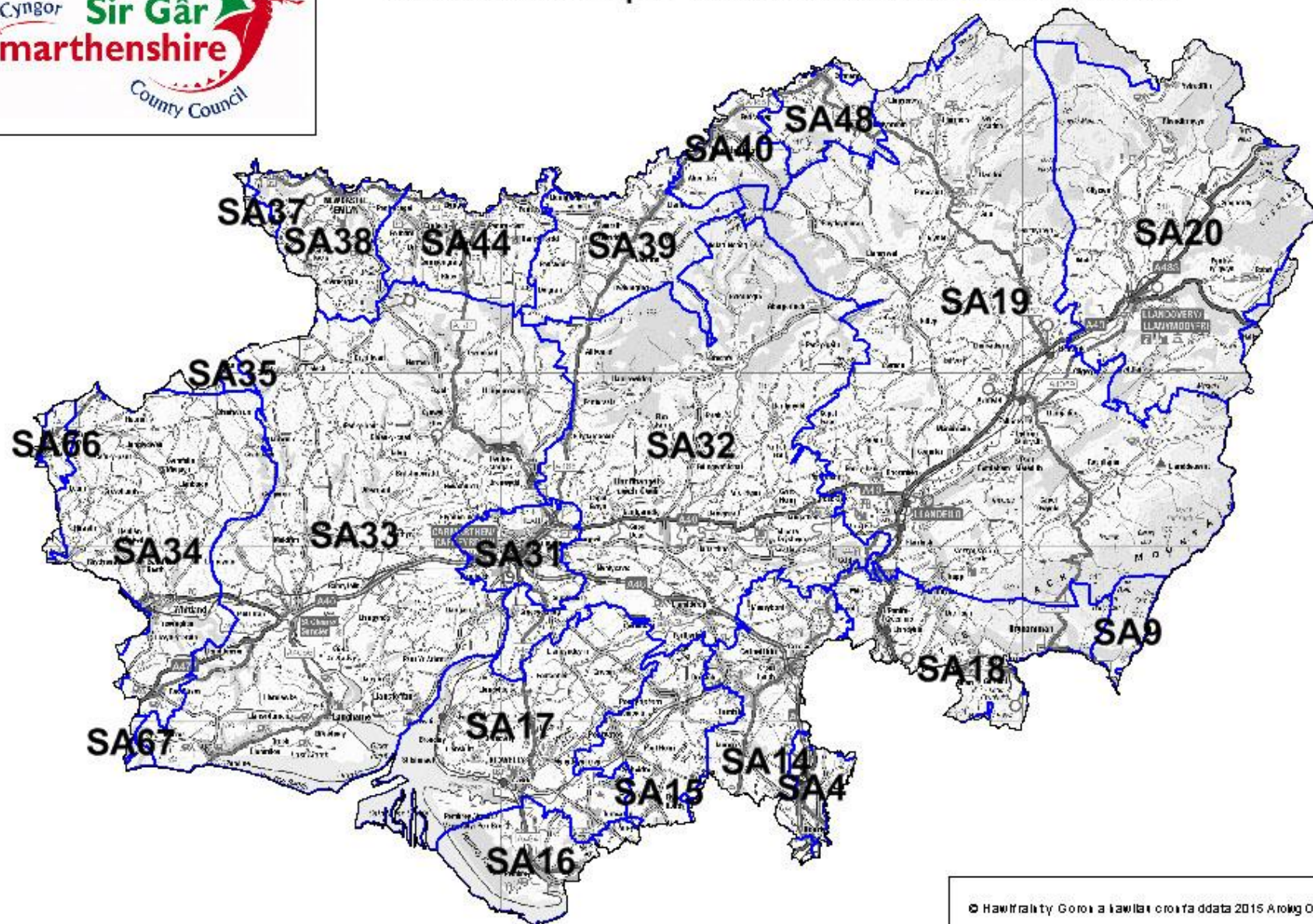
We are collecting personal data about you on this form to comply with requirements in the Gambling Act 2005 on carrying out consultations.

This personal data will only be used for the purpose of this consultation exercise by the Licensing team and will not be shared with any other Council service or external organisation. When we publish a report on this consultation this will not contain your personal details.

To find out more about how we will use your information, including your Data Protection rights, please contact the Licensing Section on 01267 228717.



## APPENDIX 2 - Map of Carmarthenshire Postcode Districts



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## CABINET 28/02/2022

### MODERNISING EDUCATION PROGRAMME

### PROPOSAL TO CHANGE THE NATURE OF PROVISION AT YSGOL Y FELIN

#### Recommendations / key decisions required:

It is recommended that the Cabinet:

1. Considers the submissions received to the Statutory Notice (Objection Report attached) for Ysgol Y Felin.
2. Being satisfied that there are no other related proposals; that the statutory proposal has been consulted upon and published in accordance with the School Organisation Code and contains all the relevant information and, having considered the consultation document and consultation report, the objections and any responses to the notice in the objection report, recommend to the County Council the implementation of the proposal as laid out in the Statutory Notice.

#### Reasons:

- To comply with statutory procedures and guidance in relation to school re-organisation
- To support Carmarthenshire's Welsh in Education Strategic Plan launched on 25 June 2018 in accordance with WG Strategic Plans.

**Relevant scrutiny committee to be consulted:** No

**Cabinet Decision Required:** Yes - 28/02/2022

**Council Decision Required:** Yes - 09/03/2022

**Cabinet Member Portfolio Holder:** Cllr. Glynog Davies (Education & Children)

#### Directorate:

Education & Children

#### Name of Head of Service:

Simon Davies

#### Report Author:

Sara Griffiths

#### Designations:

Head of Access to Education

Modernisation Team

Manager



#### Tel: Email addresses:

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# EXECUTIVE SUMMARY

## CABINET

### 28/02/2022

#### MODERNISING EDUCATION PROGRAMME

#### PROPOSAL TO CHANGE THE NATURE OF PROVISION AT YSGOL Y FELIN

##### Background

On 25<sup>th</sup> June 2018 in accordance with WG Strategic Plans the Local Authority launched **Carmarthenshire's Welsh in Education Strategic Plan** and its vision for a bilingual Carmarthenshire. To achieve this, the authority will deliver significant growth in Welsh medium education and training to increase the number of children and young people who become fluent in both Welsh and English and have the ability to use their languages confidently with their families, in their communities and in the workplace.

With this in mind, the Local Authority has a responsibility to provide its communities with the best education and opportunities possible and believes that this can be achieved through set objectives. Carmarthenshire County Council are fully supportive of the aim that all pupils are able to speak, read and write in both Welsh and English fluently by the end of Key Stage 2 and will provide services that will ensure high quality learning opportunities for all Carmarthenshire's children, young people and adults, thereby enabling them to achieve their full potential as lifetime learners in the context of the unique bilingual nature of the County.

In order to support Carmarthenshire's Welsh in Education Strategic Plan and national policies in moving the county's schools along the Welsh language continuum, the consultation document (link provided) sets out proposals with regards to the change in nature of provision at **Ysgol Y Felin**.

##### The Proposal

- From 1 September 2022 the nature of Foundation Phase provision at Ysgol Y Felin will change to Welsh medium education with Dual Stream provision remaining from Key Stage 2 (KS2).

##### Statutory Process

In accordance with Executive Board's (now known as the Cabinet) instructions on the 8 February 2021 a formal consultation exercise was undertaken from 22 February 2021 and was due to end on the 4 April 2021. However, a decision was made by the Executive Board to extend the



Consultation Period until the 16 July 2021. The results of the consultation exercise are contained in the Consultation Report (link provided) and were presented to the Cabinet for consideration and determination on whether or not to publish a Statutory Notice.

On the 6<sup>th</sup> December 2021, approval was granted by the Cabinet for the publication of the Statutory Notice. The Statutory Notice (link provided) was published on 10th January 2022. The notice provided objectors with 28 days in which to forward their objections in writing to the Council which ended on the 6th February 2022.

- 4 objections were received for Ysgol Y Felin

The attached Objection Report summarises the objections received and the Local Authority's responses to these submissions.

The full suite of documents which include: Consultation Document, Consultation Report, the Statutory Notice and the Objection Report will be presented to the Cabinet and ultimately will be presented to the County Council for their determination.

This provides the Cabinet the opportunity to offer comment and a recommendation to the County Council whether or not to implement the proposal as laid out in the Statutory Notice.

Should the County Council agree to implement the proposal, the nature of Foundation Phase provision at Ysgol Y Felin will change to Welsh medium education with Dual Stream provision remaining from Key Stage 2 (KS2) from 1st September 2022.


### **Recommendation**

Being satisfied that there are no other related proposals; that the statutory proposal has been consulted upon and published in accordance with the School Organisation Code and contains all the relevant information and, having considered the consultation document and consultation report, the objections and any responses to the notice in the objection report, that the Cabinet recommend to the County Council the implementation of the proposal as laid out in the Statutory Notice.

<b>DETAILED REPORT ATTACHED?</b>	<b>YES: Objection Report</b>
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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: 		Head of Access to Education				
Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>

## 1. Policy, Crime & Disorder and Equalities

Developments are consistent with the Authority's Corporate Strategy and the Modernising Education Strategic Outline Programme and WESP 2018.

## 2. Legal

Appropriate consultation was initiated in accordance with the relevant statutory procedures.

## 3. Finance

Revenue implications will be catered for within the Local Management of Schools Fair Funding Scheme.

## 4. ICT

None.

## 5. Risk Management Issues

The proposal may impact on the demand for school places at the school and surrounding catchment area schools. The situation will be monitored as part of the school admission process and ongoing data forecasting and analysis through the Authority's Modernising Education Programme.

## 6. Staffing Implications

Staffing implications will be addressed in accordance with the County Council's Policy and Procedures.

## 7. Physical Assets

None.

# CONSULTATIONS

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

Signed: 

Head of Access to Education

- 1. Scrutiny Committee** – The Scrutiny Committee were formally notified of the Statutory Notice period.
- 2. Local Member(s)** – The local member was formally notified of the Statutory Notice period.
- 3. Community / Town Council** – The relevant Town Council was formally notified of the Statutory Notice period.
- 4. Relevant Partners** – All relevant partners were formally notified of the Statutory Notice period.
- 5. Staff Side Representatives and other Organisations** – Staff side representatives and other organisation were formally notified of the Statutory Notice period.

<b>CABINET</b>	<b>PORTFOLIO</b>	<b>HOLDER(S)</b>	<b>N/A</b>
<b>AWARE/CONSULTED</b>			
<b>YES</b>			

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

Title of Document	File Ref No. / Locations that the papers are available for public inspection
Stage 2 (Permission to Notice) – Cabinet	<a href="https://carmarthenshireintranet.moderngov.co.uk/ieListDocuments.aspx?CId=131&amp;MId=4555&amp;Ver=4">https://carmarthenshireintranet.moderngov.co.uk/ieListDocuments.aspx?CId=131&amp;MId=4555&amp;Ver=4</a>
Stage 1 (Permission to Consult) Exec Board	<a href="https://democracy.carmarthenshire.gov.wales/ieListDocuments.aspx?CId=131&amp;MId=4190&amp;Ver=4">https://democracy.carmarthenshire.gov.wales/ieListDocuments.aspx?CId=131&amp;MId=4190&amp;Ver=4</a>
Stage 1 (Permission to Consult) – ECS Scrutiny Committee Report	<a href="https://democracy.carmarthenshire.gov.wales/ieListDocuments.aspx?CId=153&amp;MId=4184&amp;Ver=4">https://democracy.carmarthenshire.gov.wales/ieListDocuments.aspx?CId=153&amp;MId=4184&amp;Ver=4</a>
Consultation Document / Consultation Report / Statutory Notice	<a href="https://www.carmarthenshire.gov.wales/media/1226179/consultation-document-ysgol-y-felin.pdf">https://www.carmarthenshire.gov.wales/media/1226179/consultation-document-ysgol-y-felin.pdf</a>
Carmarthenshire's Welsh in Education Strategic Plan	<a href="https://www.carmarthenshire.gov.wales/home/council-democracy/strategies-and-plans/welsh-in-education-strategic-plan/">https://www.carmarthenshire.gov.wales/home/council-democracy/strategies-and-plans/welsh-in-education-strategic-plan/</a>
MEP Biennial Review	<a href="http://www.carmarthenshire.gov.uk">www.carmarthenshire.gov.uk</a> - Executive Board 20 <sup>th</sup> June 2016
21 <sup>st</sup> Century Schools Website	<a href="http://www.21stcenturyschools.org">www.21stcenturyschools.org</a>

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# Proposal to change the nature of provision at Ysgol Y Felin

## Objection Report



[carmarthenshire.gov.uk](http://carmarthenshire.gov.uk)



## **School Modernisation Section**

**Sara Griffiths**, Modernisation Team Manager

If you require this information in large print, Braille or on audiotape please contact the Department for Education & Children

**Email:** [DECMEP@carmarthenshire.gov.uk](mailto:DECMEP@carmarthenshire.gov.uk)

**Telephone:** 01267 246618

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## **Executive Summary**

### **The Consultation Period**

On the 22<sup>nd</sup> February 2021 Carmarthenshire County Council published proposals to:

- Change the nature of provision in the Foundation Phase from dual stream to Welsh medium.

The consultation period commenced on the 22<sup>nd</sup> February 2021 in line with the publication of the proposal and closed on 16<sup>th</sup> July 2021, with a total of 40 responses received (excluding the responses received from Estyn and the pupils' consultation event) in response to the formal consultation.

Following the end of the consultation period, a Consultation Report was prepared summarising the observations received and the Local Authority's responses to these observations. The report was presented to the Cabinet for a decision on whether or not to publish a Statutory Notice. On the 6<sup>th</sup> December 2021 the Cabinet resolved to proceed to publish a Statutory Notice.

### **Publication of the Statutory Notice**

Following the Cabinet's approval, Carmarthenshire County Council published the proposal by way of a Statutory Notice on 10<sup>th</sup> January 2022 for 28 days until 6<sup>th</sup> February 2022.

The table below notes the objections received. It must be noted that of the 4 objections received, they were received prior to the end of the consultation period.

<b>Objections Received</b>	
Online survey	Total 4

### **Responses Received**

The responses received to the Statutory Notice are similar to the observations received during the consultation period.



## **Workshops**

Following the end of the Statutory Notice period on the 6<sup>th</sup> February 2022, a workshop was held to analyse the objections received.

## **The Objection Report**

The objection report summarises the submissions received in objection to the proposal and the Local Authority's responses to these submissions.

For completeness, these responses have also been included within this report and the themes for the objections received are as follows:

### **Concerns**

- Theme 1 - Status Quo is Successful
- Theme 2 – Coping with the Welsh Language
- Theme 3 - Transfer to English Medium Schools
- Theme 4 - Additional Learning Needs (ALN)
- Theme 5 - Parents won't be able to help support their child

## **Next Steps**

The objection report will be presented to the Cabinet and then ultimately to the County Council who will determine whether or not to implement the proposal.

## Summary of Objections received and Local Authority Responses

Point Number	Point Raised	Local Authority Response	Number of responses raising this point	% of responses raising this point
<b>Concerns Raised</b>				
1.	<p><b><u>Status Quo is Successful</u></b></p> <p>Respondents noted that the current linguistic arrangements at the school are working well and there is no need for change.</p> <p>Respondents noted that the school should remain as dual stream as it gives the local community a choice in which language, they wish their children to be taught in and benefits the county as those who study through the medium of English are able to speak to more children who speak Welsh.</p>	<p>The Local Authority acknowledge that the school is performing well and is successful. This proposal seeks to improve even further the opportunity for children attending the school to secure continually improving outcomes. Carmarthenshire County Council has a statutory responsibility under Part 4 of the School Standards and Organisation (Wales) Act 2013 to prepare a Welsh in Education Strategic Plan (WESP) for its area with the explicit aim of improving planning of the provision of education through the medium of Welsh, from improving the standards of that education and of the teaching of Welsh.</p> <p>In April 2014 the County Council formally adopted a comprehensive strategy for the development of the Welsh language in Carmarthenshire, endorsing the</p>	2	50%

		<p>recommendations of a politically balanced group of elected members that had examined in depth the status of the Welsh language in the county in the wake of the 2011 census of the population. The strategy required action on 73 points, 21 of which applied to the education service.</p> <p>The language strategy received cross-party support from elected members when it was adopted at a meeting of the full County Council. On 25<sup>th</sup> June 2018, the Local Authority launched Carmarthenshire's most recent Welsh in Education Strategic Plan. The WESP has been subject to public consultation during its preparation and subsequent review. Its contents have, therefore, been subject to a test of public opinion in line with statutory requirements. It has also been approved by the Welsh Government in accordance with the requirements of the Act.</p> <p>The plan seeks to achieve the following outcomes relevant to the proposal:</p> <ul style="list-style-type: none"> <li>• Outcome 1 - More seven year old children being taught through the medium of Welsh.</li> <li>• Outcome 2 - More learners continuing to improve their language skills on transfer from primary to secondary school.</li> </ul>		
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		<ul style="list-style-type: none"> <li>• Outcome 5 – More students who have higher language skills in Welsh.</li> <li>• Outcome 6 – Welsh medium provision for learner with additional learning needs (ALN); and</li> <li>• Outcome 7 – Workforce planning and continuing professional development.</li> </ul> <p>The proposal is adhering to the recommendations as set out in Carmarthenshire's WESP.</p> <p>It is important to note that the WESP requires all primary schools in Carmarthenshire, including English medium schools, to move along the language continuum, progressively expanding the proportion of education that is delivered through the medium of Welsh, with a view to ensuring that in time all children leaving primary school are fully bilingual.</p> <p>The pace at which schools will be able to expand bilingualism and Welsh medium education will depend upon local circumstances but the expectation for progress applies to all schools. The school has been identified as having the potential to move quickly along the language continuum.</p>		
	<p><b><u>Coping with the Welsh Language</u></b></p> <p>Respondent is concerned that not all children will be able to cope with learning</p>	<p>The school will continue to provide support for current pupils through the medium of which</p>	1	25%

	<p>through the medium of Welsh, especially pupils from non-Welsh backgrounds. In addition, there are concerns that non-Welsh speaking parents may find it hard to support and help their children with their schoolwork and homework should the school the proposal be implemented.</p>	<p>they currently receive their education. Should the proposal be implemented, sufficient support will be provided to all new pupils in accordance with the needs of each individual. It is also important to note that staff are required to differentiate the curriculum and make reasonable adjustments when required to meet the needs of every pupil. "Athrawon Bro" who provide support to the schools around the county will also be supporting the school. Welsh Language Immersion Centres will also be available for those pupils who may need extra input linguistically. The schools currently offer a range of support to pupils and parents from non-Welsh speaking families and are committed to increasing provision as necessary to meet the future needs of individual families.</p> <p>Several organisations who attended the formal drop-in session during the consultation period have also offered their help and support to the community with the development of the Welsh language.</p>		
3.	<p><b><u>Transfer to English Medium schools</u></b></p> <p>Respondents believe that it is unfair for pupils who desire/require an English medium education to have to transfer to another school outside of their catchment. In addition, it is felt that pupils who struggle</p>	<p>It is the Local Authority's intention that all current pupils remain at the school and continue to receive their education through the current language arrangements. The proposals will not therefore, affect current pupils. The school will continue to provide sufficient</p>	2	50%

	<p>with the Welsh language will also have to transfer to another school.</p>	<p>support for all current pupils through the medium in which they currently receive their education so there is, consequently, no need for any child to be moved from the school. Similarly, it is the Local Authority's desire that in the future local children attend their local school. Sufficient support will be provided for all future pupils in accordance with each individual's needs.</p> <p>Please see <b>point 2 above</b> which refers to the help and support which is currently and will continue to be provided to all pupils and parents with regards to the Welsh language.</p> <p>Please see <b>point 4 below</b> which refers to pupils with additional learning needs, special educational needs and the help and support which is and will continue to be provided to these pupils.</p>		
4.	<p><b><u>Additional Learning Needs (ALN)</u></b></p> <p>Respondent is concerned that children with special education needs, or additional learning needs may not be able to cope with learning through the medium of Welsh and may require English medium education. It is unfair to assume that all children with SEN/ALN will be able to learn through the medium of Welsh.</p>	<p>Carmarthenshire County Council's policy is that all its schools should be inclusive, with children with additional learning needs being educated in a mainstream setting alongside their peers wherever possible.</p> <p>For this proposal, the support provided to children currently in the schools with additional needs will continue through the medium in which they currently receive their education.</p>	1	25%

		<p>Should the proposal be implemented, all future pupils will receive support which is individually tailored to their needs.</p> <p>All pupils with additional learning needs have specific individual plans based on their circumstances and a tailored support programme is provided according to need.</p> <p>Generally, an additional learning need is not a barrier to learning two languages. It is important to assess and monitor progress in each or all the languages that a child is using or learning, including sign and visually supported communication systems required for some pupils, particularly as the stronger developed language can be used to support and build learning through a lesser developed language medium. Staff are required to differentiate the curriculum and make reasonable adjustments to the language of instruction and response to accommodate additional needs and ensure access to the curriculum and learning progress. At times it may be appropriate to target additional support in one language for a period to consolidate and accelerate learning, e.g., in literacy. There will be rare instances, however, where a child may be diagnosed with a condition that is not conducive to a fully bilingual education. In these circumstances a package of support is identified by professional practitioners and discussed with parents.</p>		
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		<p>Whilst the system is designed to meet the needs of learners through a universal and inclusive approach, for a small number of children with significant and complex additional needs this is not always possible and specialised provision offers a more appropriate learning setting.</p> <p>To make sure that the needs of all learners are met the school's system in Carmarthenshire includes a range of provision for children with additional needs. A specialised school or unit offer education to children with the most profound or complex needs where a mainstream setting is either not suitable for the children's needs or where parents prefer an alternative setting. Selected secondary and primary schools across the county include specialised units for children with particular needs, such as autism, sensory impairment or speech and language delay. The Department for Education and Children provides specific additional support in schools wherever practicable so that as many children as possible remain in their local school. Whilst the Council's preference is to meet the needs of all children in a mainstream setting wherever possible, this is not always practicable. It is this Council's experience that the vast majority of pupils with a wide range of additional learning needs and abilities are successful in our schools irrespective of the</p>		
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		<p>language of instruction, but the Council does acknowledge that there will be a very few children whose needs cannot be met other than through provision at a specialist unit.</p> <p><b>It should be noted that this proposal does not affect the current arrangements at the special Unit at Ysgol Y Felin.</b></p>		
5.	<p><b><u>Parents won't be able to help support their child</u></b></p> <p>Respondents are concerned that parents will no longer be able to play an active role in their child's education.</p>	<p>Welsh schools set homework instruction in Welsh and in English so there will be no problem in understanding what children are being asked to do at home. Work set will be appropriate to the pupil's age and ability level and therefore should be within reach. Developing increasingly as independent learners, parents may find that children are happy to progress without extra parental guidance as they get older.</p> <p>The school currently offers a range of support to pupils and parents from non-Welsh speaking families and are committed to increasing provision as necessary to meet the future needs of families.</p>	2	50%



# CABINET

## 28/02/2022

### MODERNISING EDUCATION PROGRAMME

### PROPOSAL TO CHANGE THE AGE RANGE OF YSGOL SWISS VALLEY FROM 4-11 TO 3-11

#### Recommendations / key decisions required:

It is recommended that the Cabinet:

1. Being satisfied that there are no other related proposals; that the statutory proposal has been consulted upon and published in accordance with the School Organisation Code and contains all the relevant information and, having considered the consultation document and consultation report, and that no objections were received in response to the Statutory Notice, recommend to the County Council the implementation of the proposal as laid out in the Statutory Notice.

#### Reasons:

- To comply with statutory procedures and guidance in relation to school re-organisation.

<b>Relevant Scrutiny Committee to be consulted:</b>	No
<b>Cabinet Decision Required:</b>	Yes - 28/02/22
<b>Council Decision Required:</b>	Yes - 09/03/22

**Cabinet Member Portfolio Holder:** Cllr. Glynog Davies (Education & Children)

<b>Directorate:</b> Education & Children  <b>Name of Head of Service:</b> Simon Davies  <b>Report Author:</b> Sara Griffiths	<b>Designations:</b>  Head of Access to Education  Modernisation Team Manager	<b>Tel Nos. / E-Mail Addresses:</b>  01267 246471 <a href="mailto:SiDavies@cararthenshire.gov.uk">SiDavies@cararthenshire.gov.uk</a>  01267 246618 <a href="mailto:SMGriffiths@cararthenshire.gov.uk">SMGriffiths@cararthenshire.gov.uk</a>
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# EXECUTIVE SUMMARY

## CABINET 28/02/2022

### MODERNISING EDUCATION PROGRAMME

### PROPOSAL TO CHANGE THE AGE RANGE OF YSGOL SWISS VALLEY FROM 4-11 TO 3-11

#### Background

Ysgol Swiss Valley has been undertaking a pilot scheme to become a 3-11 school since 2013 which was initiated as part of a Welsh Government scheme to give parents flexibility and choice regarding nursery provision. However, as the school is currently advertised officially as a 4-11 school, parents are unaware or confused in regard to what nursery provision the school offers.

The proposal aims to provide equal provision within the Llanelli area, aligning Ysgol Swiss Valley with neighbouring schools that are already 3-11 schools. The governing body and head teacher are positive with the outcome of the pilot scheme and now wish to proceed with officially making the school a 3-11 school through statutory process.

#### The Proposal

The proposal is to change the age range of Swiss Valley Primary School from 4-11 to 3-11 from 1 September 2022.

#### Statutory Process

In accordance with the Executive Board's (now known as the Cabinet) instructions on the 21 December 2020, a formal consultation exercise was undertaken from 11 January 2021 and was due to end on the 21 February 2021. However, a decision was made by the Executive Board to extend the Consultation Period until 16 July 2021. The results of the consultation exercise are contained in the Consultation Report ([link provided](#)). and were presented to the Cabinet for consideration and determination on whether or not to publish a Statutory Notice.

On the 6 December 2021 approval was granted by the Cabinet for the publication of the Statutory Notice. The Statutory Notice ([link provided](#)) was published on 10 January 2022. The notice provided objectors with 28 days in which to forward their objections in writing to the Council which ended on the 6 February 2022. No objections were received to the Statutory Notice therefore there is no Objection Report.

The full suite of documents which include: Consultation Document, Consultation Report, the Statutory Notice will be presented to the Cabinet and ultimately will be presented to the County Council for their determination.

This provides the Cabinet the opportunity to offer comment and a recommendation to the County Council whether or not to implement the proposal as laid out in the Statutory Notice.

Should the County Council agree to implement the proposal, the age range of Ysgol Swiss Valley will change from 4-11 to 3-11 from 1 September 2022.

### **Recommendation**

1. Being satisfied that there are no other related proposals; that the statutory proposal has been consulted upon and published in accordance with the School Organisation Code and contains all the relevant information and, having considered the consultation document and consultation report, and that no objections were received in response to the Statutory Notice, recommend to the County Council the implementation of the proposal as laid out in the Statutory Notice.

<b>DETAILED REPORT ATTACHED?</b>	<b>NO</b>
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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:  Head of Access to Education

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

## 1. Policy, Crime & Disorder and Equalities

Developments are consistent with the Authority's Corporate Strategy and the Modernising Education Strategic Outline Programme.

## 2. Legal

Appropriate consultation was initiated in accordance with the relevant statutory procedures.

## 3. Finance

Revenue implications will be catered for within the Local Management of Schools Fair Funding Scheme.

## 4. ICT

None.

## 5. Risk Management Issues

The proposal may impact on the demand for school places at the school and surrounding catchment area schools. The situation will be monitored as part of the school admission process and ongoing data forecasting and analysis through the Authority's Modernising Education Programme.

## 6. Staffing Implications

Staffing implications will be addressed in accordance with the County Council's Policy and Procedures.

## 7. Physical Assets

None.

## CONSULTATIONS

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

Signed:  Head of Access to Education

- 1. Scrutiny Committee** – The Scrutiny Committee were formally notified of the Statutory Notice period.
- 2. Local Member(s)** – The local member was formally notified of the Statutory Notice period.
- 3. Community / Town Council** – Llanelli Rural Council was formally notified of the Statutory Notice period.
- 4. Relevant Partners** – All relevant partners were formally notified of the Statutory Notice period.
- 5. Staff Side Representatives and other Organisations** – Staff side representatives and other organisation were formally notified of the Statutory Notice period.

**EXECUTIVE BOARD PORTFOLIO  
HOLDER(S) AWARE/CONSULTED**

YES

N/A

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

Title of Document	File Ref No./Locations that the papers are available for public inspection
MEP Biennial Review	<a href="http://www.carmarthenshire.gov.uk">www.carmarthenshire.gov.uk</a> Executive Board 20 <sup>th</sup> June 2016
21 <sup>st</sup> Century Schools Website	<a href="http://www.21stcenturyschools.org">www.21stcenturyschools.org</a>
Consultation Document/Consultation Report/Statutory Notice	<a href="http://Swiss Valley (gov.wales)">Swiss Valley (gov.wales)</a>
Stage 1 (Permission to Consult) – ECS Scrutiny Committee Report	<a href="http://Agenda for Education &amp; Children Scrutiny Committee on Monday, 23rd November, 2020, 10.00 am (gov.wales)">Agenda for Education &amp; Children Scrutiny Committee on Monday, 23rd November, 2020, 10.00 am (gov.wales)</a>
Stage 1 (Permission to Consult) - Exec Board	<a href="http://Agenda for Cabinet on Monday, 21st December 2020, 10.00 am - Carmarthenshire County Council (moderngov.co.uk)">Agenda for Cabinet on Monday, 21st December 2020, 10.00 am - Carmarthenshire County Council (moderngov.co.uk)</a>
Stage 2 (Permission to Notice) – Cabinet	<a href="http://Agenda for Cabinet on Monday, 6th December 2021, 10.00 am (gov.wales)">Agenda for Cabinet on Monday, 6th December 2021, 10.00 am (gov.wales)</a>

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# CABINET

## 28/02/2022

### MODERNISING EDUCATION PROGRAMME

#### PROPOSAL TO RECONFIGURE AND REMODEL BEHAVIOUR SUPPORT SERVICES AT YSGOL RHYDYGORS TO IMPORVE PROVISION FOR CHILDREN AND YOUNG PEOPLE

#### Recommendations / key decisions required:

It is recommended that the Cabinet:

1. Being satisfied that there are no other related proposals; that the statutory proposal has been consulted upon and published in accordance with the School Organisation Code and contains all the relevant information and having considered the consultation document and consultation report, and that no objections were received in response to the Statutory Notice, recommend to the County Council the implementation of the proposal as laid out in the Statutory Notice.

#### Reasons:

- To comply with statutory procedures and guidance in relation to school re-organisation.

**Relevant scrutiny committee to be consulted:** No

**Cabinet Decision Required:** Yes - 28/02/22

**Council Decision Required:** Yes - 09/03/22

**Cabinet Member Portfolio Holder:** Cllr. Glynog Davies (Education & Children)

<b>Directorate:</b> Education & Children  <b>Name of Head of Service:</b> Simon Davies  <b>Report Author:</b> Sara Griffiths	<b>Designations:</b>  Head of Access to Education  Modernisation Team Manager	<b>Tel: Email addresses:</b>  01267 246471 <a href="mailto:SiDavies@carmarthenshire.gov.uk">SiDavies@carmarthenshire.gov.uk</a>  01267 246618 <a href="mailto:SMGriffiths@carmarthenshire.gov.uk">SMGriffiths@carmarthenshire.gov.uk</a>
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# **EXECUTIVE SUMMARY CABINET 28/02/2022**

## **MODERNISING EDUCATION PROGRAMME**

### **PROPOSAL TO RECONFIGURE AND REMODEL BEHAVIOUR SUPPORT SERVICES AT YSGOL RHYDYGORS TO IMPROVE PROVISION FOR CHILDREN AND YOUNG PEOPLE**

#### **Background**

Following a strategic review of the Local Authority's Behaviour Services, the LA aims to move from a silo focus on behaviour to a more universal approach to include pupil wellbeing and engagement. To achieve this the LA has developed a Four Phase Model of its behaviour services which includes providing behaviour and engagement support on four levels. Support ranges from intervention and support in mainstream schools to specialised respite or residential placements.

This proposal supports the realisation of the Four Phase Model. Currently, the Local Authority have a range of settings in which pupils with SEBD are supported. This includes Ysgol Rhydygors, Carmarthenshire Secondary Teaching and Learning Centre (Pupil Referral Unit for secondary pupils), Canolfan Bro Tywi (Pupil Referral Unit for primary pupils) and Canolfan y Gors (Pupil Referral Unit for secondary pupils with significant anxiety and/or emotional wellbeing and mental health issues requiring the support of CAMHS-Child and Adolescent Mental Health Services).

The vision of the four-phase model includes encouraging each of these settings to work together as one Specialist Behaviour and Wellbeing Support Service Team. One of the principal ways of achieving this is to create consistency in the type of provision offered at each of the settings and to create a system ensuring that links with mainstream schools.

At the current time, once a child is placed in Rhydygors, the historical evidence suggests that the young person remains there until they are 16 with no further mainstream experience.

The new Four Phase Model is developing behaviour support services to allow easier access to early intervention so that schools have direct access to a link Behaviour Support Service team member who will be trained in restorative approaches, trauma informed practices and have continuous professional development to support the needs of their cluster of schools. Members of the Behaviour Support Community team are supported by their line Manager, the Lead Officer for Behaviour Support Services and PRUs and an ECP with senior responsibility for behaviour to address any young people that they feel they need advice, support and guidance with so that any training will be approved to meet the needs of the young learners and the schools they attend.

As the Behaviour Support Community Team and PRUs will come under Phase 3 management there will be consistency in training programmes, ethos development, curriculum offer and the development of trauma informed practitioners in a trauma informed setting and psychological informed environments (PIE).

By having regular and link access to Behaviour Support Community Team staff we will have greater opportunity to work with our learners at an earlier stage for intervention and allow us through multi-agency meetings and possibly TAPPAS (Teams Around Pupils Parents and Settings), currently a pilot project in the local authority, we will be able to develop creative and innovative support packages at the earliest possible time to keep our learners in mainstream if this is the most appropriate setting.

There are always learners who have complex needs and require robust support packages outside of mainstream provision but our ethos supports inclusivity and developing needs led support and services. Within the Four Phase model when a child is recommended for a place in Phases 3 or 4 there should always be the opportunity for transition back to mainstream, or even access mainstream for subjects that they engage with positively and the learning of others is not negatively impacted, when the young person can regulate emotions and engage in their education in a positive and safe manner. This can be undertaken by continuous monitoring and assessment and with close, transparent and trusting relationships with our mainstream schools.

For the reasons of consistency, access to highly specialist support, access to a broad and balanced curriculum with a range of accreditation options and the offer of individual and bespoke education plans offered in the current PRUs through the 3-Tiered approach, there is a requirement to discontinue Ysgol Rhydygors as a special school and establish it as a Pupil Referral Unit. This proposal will initiate this change.

Whilst it is acknowledged that Ysgol Rhydygors has been providing education for pupils with social, emotional, and behavioural difficulties (SEBD) in the form of a special school for a number of years, it is recognised that an enhancement of the PRU model will more appropriately cater for the needs of society and its young people providing consistent opportunities across the county.

## The Proposal

1. In line with the School Organisation Code (2018) the Local Authority proposes to:  
**Discontinue Ysgol Rhydygors Special School as of the 31st August 2022**

All former Ysgol Rhydygors pupils will continue to receive their education on the site of the former Ysgol Rhydygors school. If approved, instead of receiving provision in a special school, pupils will be educated in a Pupil Referral Unit (PRU).

Whilst the proposal should be considered as a whole. This consultation document relates to Point 1 only. Points 2 and 3 noted below will be undertaken via separate procedures.

2. Should the above (Point 1) be approved, the Local Authority will establish a Pupil Referral Unit (PRU) on the site of the former Ysgol Rhydygors school as of the 1st September 2022.

3. Additionally, should Point 1 be approved, the Local Authority will establish a Children's Home/Respite Centre on the site of the former Ysgol Rhydygors school/Residential Unit as of the 1st September 2022.

All former Ysgol Rhydygors pupils who have an element of residential education as part of their SEN Statement will continue to receive this on the site of the former Ysgol Rhydygors school.

### **Statutory Process**

In accordance with Executive Board's (now known as the Cabinet) instructions on the 21 December 2020 a formal consultation exercise was undertaken from 11 January 2021 and was due to end on the 21 February 2021. However, a decision was made by the Executive Board to extend the Consultation Period until the 16 July 2021. The results of the consultation exercise are contained in the Consultation Report (link provided) and were presented to Cabinet for consideration and determination on whether or not to publish a Statutory Notice.

On the 6 December 2021 approval was granted by the Cabinet for the publication of the Statutory Notice. The Statutory Notice (link provided) was published on 10 January 2022. The notice provided objectors with 28 days in which to forward their objections in writing to the Council which ended on the 6 February 2022. No objections were received to the Statutory Notice therefore there is no Objection Report.

The full suite of documents which include: Consultation Document, Consultation Report and the Statutory Notice will be presented to the Cabinet and ultimately will be presented to the County Council for their determination.

This provides the Cabinet the opportunity to offer comment and a recommendation to the County Council whether or not to implement the proposal as laid out in the Statutory Notice.

Should the County Council agree to implement the proposal to discontinue Ysgol Rhydygors Special School this will be implemented as of the 31st August 2022.


### **Recommendation**

Being satisfied that there are no other related proposals; that the statutory proposal has been consulted upon and published in accordance with the School Organisation Code and contains all the relevant information and having considered the consultation document and consultation report, and that no objections were received in response to the Statutory Notice, recommend to the County Council the implementation of the proposal as laid out in the Statutory Notice.

<b>DETAILED REPORT ATTACHED?</b>	<b>NO</b>
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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: 		Head of Access to Education				
Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>

## 1. Policy, Crime & Disorder and Equalities

Developments are consistent with the Authority's Corporate Strategy and the Modernising Education Strategic Outline Programme.

## 2. Legal

Appropriate consultation was initiated in accordance with the relevant statutory procedures.

## 3. Finance

Revenue implications will be catered for within the Local Management of Schools Fair Funding Scheme.

## 4. ICT

None.

## 5. Risk Management Issues

If the proposal is not implemented the local authority will continue to provide inconsistent SEBD provision to pupils across the County.

## 6. Staffing Implications

Staffing implications will be addressed in accordance with the County Council's Policy and Procedures.

## 7. Physical Assets

The Ysgol Rhydygors site will continue to be used for Education purposes. If approved, it will be the location of the Pupil Referral Unit and Children's Home/Respite Centre.

# CONSULTATIONS

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

Signed: 

Head of Access to Education

**1. Scrutiny Committee** – The Scrutiny Committee were formally notified of the Statutory Notice period.

**2. Local Member(s)** – The local members were formally notified of the Statutory Notice period.

**3. Community / Town Council** – Were formally notified of the Statutory Notice period.

**4. Relevant Partners** – All relevant partners were formally notified of the Statutory Notice period.

**5. Staff Side Representatives and other Organisations** – Staff side representatives and other organisations were formally notified of the Statutory Notice period.

<b>CABINET</b>	<b>PORTFOLIO</b>	<b>HOLDER(S)</b>	<b>N/A</b>
<b>AWARE/CONSULTED</b>			
<b>YES</b>			

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

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Carmarthenshire's Welsh in Education Strategic Plan		<a href="https://www.carmarthenshire.gov.wales/home/council-democracy/strategies-and-plans/welsh-in-education-strategic-plan/">https://www.carmarthenshire.gov.wales/home/council-democracy/strategies-and-plans/welsh-in-education-strategic-plan/</a>
MEP Biennial Review		<a href="http://www.carmarthenshire.gov.uk">www.carmarthenshire.gov.uk</a> Executive Board 20 <sup>th</sup> June 2016
21 <sup>st</sup> Century Schools Website		<a href="http://www.21stcenturyschools.org">www.21stcenturyschools.org</a>
Consultation Document/ Consultation Report/ Statutory Notice		<a href="http://Ysgol.Rhydygors.gov.wales">Ysgol Rhydygors (gov.wales)</a>
Stage 1 (Permission to Consult) – ECS Scrutiny Committee Report		<a href="#">Agenda for Education &amp; Children Scrutiny Committee on Monday, 23rd November, 2020, 10.00 am (gov.wales)</a>
Stage 1 (Permission to Consult) Exec Board		<a href="#">Agenda for Cabinet on Monday, 21st December, 2020, 10.00 am - Carmarthenshire County Council (moderngov.co.uk)</a>
Stage 2 (Permission to Notice) - Cabinet		<a href="#">Agenda for Cabinet on Monday, 6th December, 2021, 10.00 am (gov.wales)</a>

## Cabinet 28<sup>th</sup> February 2022

### Carmarthenshire Economic Recovery and Delivery Plan Progress Update

#### Recommendation / key decisions required:

For information and to note the progress proposed and achieved in relation to meeting the key outcomes of the Carmarthenshire Economic Recovery and Delivery Plan.

#### Reasons:

At its meeting on 29th June 2020, the Executive Board (as it was then called) considered a report which provided an assessment of the impact that Covid-19 was having on Carmarthenshire businesses and identified what was important to them in the short, medium, and long-term, so that going forward the Authority could provide them with the assistance they most needed. This resulted in the preparation of the Carmarthenshire Economic Recovery and Delivery Plan (ERP), which was considered and approved by Cabinet at its 21st June 2021 meeting. Across the three themes of Business, People and Place, the ERP highlights outcomes against which success can be measured. It was agreed that Cabinet would receive regular progress updates. This is the first such update.

Relevant scrutiny committee to be consulted NO

Cabinet Decision Required	YES
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Council Decision Required	NO
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#### CABINET MEMBER PORTFOLIO HOLDER:-

Cllr. Emlyn Dole – Leader – Cabinet Member with responsibility for Regeneration

Directorate:	Designations:	E Mail Address:
Name of Head of Service:		
Jason Jones	Head of Regeneration	<a href="mailto:JaJones@carmarthenshire.gov.uk">JaJones@carmarthenshire.gov.uk</a>
Report Author:		
Jason Jones		

## EXECUTIVE SUMMARY

Cabinet

28<sup>th</sup> February 2022

### **Carmarthenshire Economic Recovery and Delivery Plan Progress Update**

#### **BACKGROUND**

At its meeting on 29th June 2020, the Executive Board considered a report which provided an assessment of the impact that Covid-19 was having on Carmarthenshire businesses and identified what was important to them in the short, medium and long-term, so that going forward the Authority could provide them with the assistance they most needed. In response to the issues identified a draft recovery strategy was proposed focusing on 11 key themes. A business, economy and community recovery group has been established to coordinate development and delivery of actions aligned to these 11 themes and an overarching advisory group, comprising key private sector industry leaders, has also been established. This group assisted us with the development and refinement of our draft plan into a finalised economic recovery and delivery plan, which was considered and approved by Cabinet at its 21st June 2021 meeting. At that same meeting Cabinet received a further update on the impact that Covid-19 was having on Carmarthenshire's economy, businesses and communities.

The intelligence gathered at that time clearly demonstrated that the authority and the local economy faced an extremely difficult time over the next 24 months as the effects of the Covid-19 crisis put pressure on jobs and demand. It was therefore essential that the Council's response was in tune with the needs of businesses and communities across Carmarthenshire, taking advantage of opportunities to accelerate change to enable success in the economy of the future. Carmarthenshire's economic recovery plan identifies some 30 actions to support the recovery of the Carmarthenshire economy from the social and economic impacts of the COVID-19 pandemic and Brexit. It sets out our priorities for supporting Business, People and Place. With this support Carmarthenshire's economy can recover as quickly as possible to become one which is more productive than before, more equal, greener, healthier, and with more sustainable communities.

Recovery plans for the County's 3 primary towns – Carmarthen, Llanelli and Ammanford – have also been developed to support the Council's overarching recovery proposals. Each plan is bespoke to the relevant town and sets out the impact that Covid-19 has had on the town centres in terms of loss of spending, increased vacancy rates and decline in footfall. Each of the plans highlight key issues and opportunities and provide a delivery framework of interventions specific to the individual town centres.



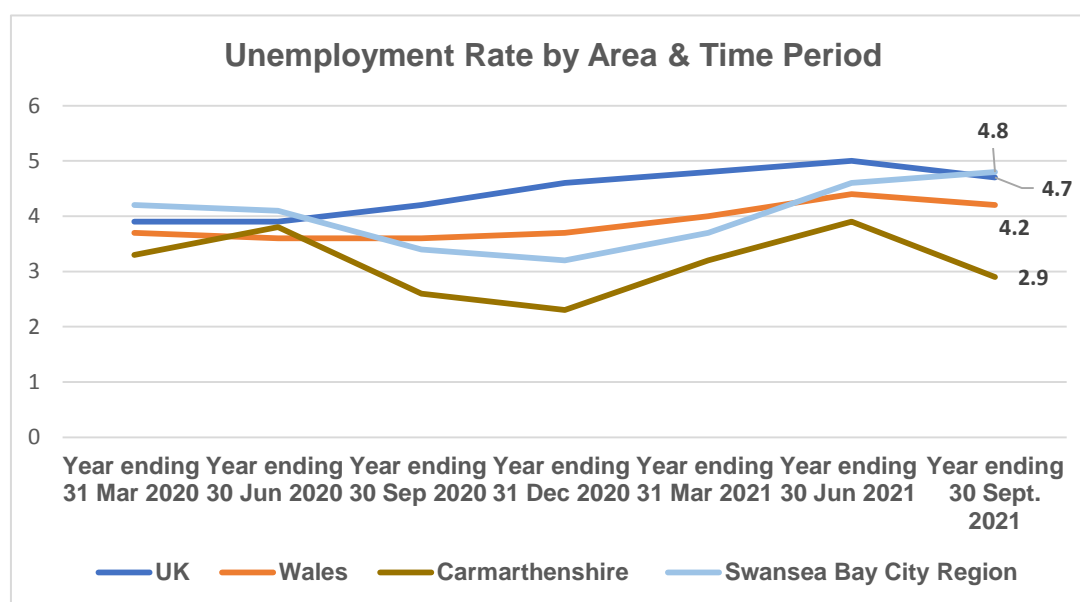
The Local Authority is not able to deliver everything, and we are working with public sector partners and external organisations, including the private sector, to ensure coordination of activity wherever possible to support our plan for recovery and growth.

It was previously agreed when the finalised Carmarthenshire Economic recovery and Delivery Plan was considered by Executive Board (as it was then called) that Cabinet would receive regular progress updates. This is the first such update.

### **CURRENT POSITION (DECEMBER 2021)**

It would be fair to say that Carmarthenshire's economic position has generally improved since the onset of the pandemic. Some challenges, however, remain. What was a difficult and uncertain time for all has seemingly improved in line with the reopening of the economy and the lifting of restrictions. Several Government interventions have been crucial to minimising what could have been catastrophic impacts to the economy. Most notably, these include the furlough scheme and the self-employment income support scheme which were complemented by a raft of business support grants (many of which were administered by the Authority). Detailed below are some of the key economic indicators that the Authority has been monitoring over the course of the last 22 months.

- **Employment and Unemployment<sup>1</sup>:**



Unemployment rates have exhibited significant variation since the onset of the pandemic which is to be expected given its far-reaching effects on the labour market. The graph clearly depicts that although Carmarthenshire had seen an overall rise in unemployment (from 3.3% to 3.9%<sup>2</sup> between March 2020 and June 2021) this increase was lower than predictions made at the onset of the pandemic. Much of this can be attributed to the support measures mentioned above. Positively, the

<sup>1</sup> <https://statswales.gov.wales/Catalogue/Business-Economy-and-Labour-Market/People-and-Work/Unemployment/ILO-Unemployment/ilounemploymentrates-by-welshlocalareas-year>

<sup>2</sup> Annual Population Survey (APS) responses are weighted to official population projections. The projections for 2020 were 2018-based, and, therefore, were based on demographic trends that pre-dated the COVID-19 pandemic. – This suggests care should be taken when viewing the data as there may not provide a full picture of the current landscape. They should be taken as an indication of trends.

most recent data indicates that the unemployment rate has decreased to 2.9%. It is also important to note that Carmarthenshire's unemployment rate has consistently remained below regional and national averages (except for a period in June 2020). The Council has been and remains committed to supporting individuals into work, details of specific activities are expanded on below.

- Recruitment Challenges:

Relatively low unemployment and high employment rates have culminated in what is known as a tightening of the labour market. This has resulted in several industries (most notably the Health and Social Care, Tourism and Hospitality and Haulage sectors) facing acute recruitment challenges. As well as hampering growth and productivity these challenges increase pressure on businesses to make uplifts to wages to attract talent. This is of course positive for prospective employees but places additional financial pressure on businesses and industries. This is especially pertinent for Carmarthenshire as these sectors are key drivers of the foundational economy on which we are particularly reliant in terms of employment and their economic contribution to the economy. Several initiatives have been developed and supported by the Council to address these challenges further detail of which can be seen further in the report under ERP outcomes.

- Furlough:

The end of the furlough scheme has not resulted in the severe economic downturns that were predicted. Whilst we are experiencing a tightening of the labour market, statistics indicate that the majority of those furloughed have returned to their substantive roles, which is positive. Incidences of staff acquiring alternative employment is minimal and mostly concentrated in the Health and Social Care, Tourism and Hospitality, Food and Construction sectors.

- Skills:

Much consideration was given to planning for the advent of new skills. Most businesses have, however, reported an acceleration and deepening of the skills issues and challenges that were present pre-pandemic. Most notably, these include digital and ICT skills, leadership and management skills and communication skills. Several sectors are also reporting that they are more aware of training needed around staff mental health and wellbeing.

Future considerations (the next 5-10 years) with regards to skills developments are concentrated within the following areas:

- Skills in new technology,
- Advanced or specialist IT skills,
- Renewable energy skills,
- Specialist engineering skills,
- Smart manufacturing skills.

- Business Recovery:

Businesses have done well to 'bounce back' – Restrictions imposed on businesses created a range of operational challenges which hampered income generation and productivity. Consumer demand and changing consumer spending practices were a significant concern but financial interventions and support provided by the Council have assisted businesses to

operate and diversify in a post-lockdown economy which was complemented by a campaign to think and buy local through the '100% Sir Gar' initiative.

With this being said, a different set of challenges appear to have come to the fore recently. Supply chain issues are a severe concern for several sectors, exacerbated by increasing costs and increased bureaucracy with regards to importing and exporting because of Brexit. This is of pertinence for the Manufacturing and Engineering and Construction sectors whereby these challenges are resulting in delaying work and in some instances the forced cancellation of some jobs.

- Disproportionate Effects:

The effects of the pandemic were not felt equally by all, evidence suggested that the effects would be felt disproportionately by the younger generation and those from low-income households. Much work has been done to counteract these effects, including the introduction of the Kickstart scheme which has been successfully supported by the Authority in our role as a Gateway Provider. This work will continue to ensure individuals have access to meaningful employment and training opportunities.

### **Economic Recover Target Outcomes**

Across the three themes of **Business, People and Place**, the Council's Economic Recovery Plan (ERP) highlights 7 key outcomes against which success can be measured:

Jobs Created:	Target 3,000
Jobs Safeguarded:	Target 3,000
Business Enquiries Supported:	Target 6,000
Number of individuals who have received training, providing them new skills/qualifications:	Target 600
Number of employees earning real living wage:	Target 200
Skills and Qualifications achieved by self-employed individuals and micro businesses:	Target 250
Increased Digital Competency Levels:	Target 200
Number of Construction/maintenance jobs safeguarded through delivery of energy efficiency measures:	Target 700

Progress against these targets as of December 2021 is detailed below:

- **Jobs Created – Target 3,000**  
**Quarter 3 progress 837**

Our dedicated employability team has been working with both short term and long-term unemployed individuals in Carmarthenshire to support them into sustainable employment opportunities. To date they have created 642 jobs through Communities for Work, Workways

Plus and the Kickstart Scheme. The team continues to work closely with key local employers and job seekers to create employment opportunities for Carmarthenshire residents.

We have worked with employers including TRJ, The Range, ERA Living, T&M Landscaping, The Little Welsh Deli, Argrip and CK Supermarkets.

In September 2021 we successfully delivered three jobs' fairs to support sectors experiencing the aforementioned acute recruitment challenges. A fair was conducted in each of the primary towns, which were attended by businesses in the local area including TRJ, Castell Howell, Dunbia and Owens. Further jobs fairs are planned.

The Economic Development team has continued to support businesses throughout the pandemic, providing grants, advice, guidance and signposting that has led to the creation of 187 jobs. The current release of business grants provides support for business start-ups and expanding businesses with projects that directly aligned to job creation.

Contracts awarded through procurement frameworks have led to the creation of 8 jobs.

- **Jobs Safeguarded – Target 3,000**  
**Quarter 3 progress - 673**

Throughout the pandemic our Economic Development team has delivered the Covid Business Recovery Funds on behalf of the Welsh Government. The funds have provided a lifeline to businesses in what has been a challenging time enabling these businesses to safeguard 356 jobs.

In addition to delivering the covid recovery grants, officers have also been supporting businesses to safeguard 111 jobs via the Carmarthenshire Rural Enterprise Fund and the emergency flood grants. The latter were set up in response to the adverse weather conditions we experienced in County that directly impacted businesses.

The Community Bureau have supported organisations during the pandemic, assisting them in safeguarding 20 jobs.

Through our Modernising Education and Housing and Highways programmes we have awarded contracts to local businesses, providing skilled work opportunities in the local economy, safeguarding a further 184 jobs.

- **Business Engaged / Enquiries Supported – Target 6,000**  
**Quarter 3 Total - 2,314**

As an immediate response to the restrictions imposed on businesses during the pandemic, we created a Covid-19 Business Support Line to enable businesses to contact the authority and find out what support was available to them. Whilst the number of enquiries received has fallen in line with the re-opening of the economy, the line remains open. Crucially, this ensures that businesses have a central point of contact which they can utilise during what is an uncertain time and ever-changing situation.

Furthermore, the employability projects have been working closely with businesses throughout the County to assist them with their employability requirements and assist them in filling vacant roles. This has been a crucial service during a time where sectors such as Care, Hospitality

and security have been experiencing acute recruitment challenges against a back-drop of increasing demand for their services.

During the pandemic we launched the 100% Sir Gar initiative as a virtual shop window on our Discover Carmarthenshire website to support local businesses to recover from the effects of lockdown and the restrictions imposed on them. This was complemented by the launch of the 100% Sir Gar Pop up Shops which ran for two weeks in August 2021 out of the old Topshop in Carmarthen, followed by a further week in Pembrey Country Park. The initiative relaunched in December 2021, with a Pop-up Shop in the old Debenhams, Carmarthen, which generated just under 22,500 visitors to the store, benefiting the wider town centre economy. Most businesses (83%) exceeded their anticipated income targets and all the business who responded expressed an interest in participating in future similar events. As a result, further 100% Sir Gar pop up events are proposed during February and April this year in the former Debenhams Store. Similar pop-up shop opportunities were also introduced at 1 Stepney Street, Llanelli during December 2022. 11 businesses took advantage of the opportunity to trade here, of which 4 are currently being supported to apply for business grants, one has moved on to a permanent retail unit and another has been introduced to a longer-term occupation opportunity of a council property. We will be promoting further pop-up use opportunities in Llanelli over coming months. We are targeting property acquisitions in Ammanford with a view to providing meanwhile use opportunities there also.

- **Progressive Procurement:**

The authority's Progressive Procurement Cluster Group are currently working to address the recommendations detailed within the CLES report into community wealth building through localising spend. The group have made significant steps to understand the £5-£25k spend accrued by the authority and have planned several activities to raise awareness of tender opportunities and support local businesses to become 'tender ready'. These include:

- As a pilot exercise, businesses aligned to the PPE, Cleaning and Workwear and Mechanical and Electrical sectors were engaged with in September to raise awareness of relevant tender opportunities. This engagement was welcomed by the majority and has served to inform our future activities which are detailed below.
- A business survey which has been launched to gain an in-depth understanding of the support local businesses require to become 'tender ready'. Business engagement teams will use this information to engage with businesses on a one-to-one basis and provide the support needed.
- A marketing and media campaign which will raise awareness of upcoming tender opportunities, encourage businesses to utilise the authority's new 'Supplier Guide' and sign up to 'Sell2Wales'.

- **Number of individuals who have received training, providing them new skills/qualifications Target – 600**

**Quarter 3 Total - 248**

Our employability programmes have been working hard to deliver training courses to job seekers throughout the county to ensure they have the skills needed to fill vacant roles. The team have worked closely with training providers to deliver courses in Care, Security, Construction and Hospitality.

The Community Benefits Officer works closely with contractors working on Council commissioned developments to ensure that training opportunities resulting from these developments are maximised in accordance with contracts awarded by the authority.

**Number of employees earning real living wage Target – 200**

**Quarter 3 total – 50**

Our Business Development team and Employability teams are liaising with employers to identify businesses that pay the real living wage. This knowledge enables our employment teams to identify work opportunities that will have most meaningful and sustainable impact on the quality of life of prospective employees.

- **Skills and Qualifications achieved by self-employed individuals and micro businesses – Target 250**

**Quarter 3 Total – 0**

Although we have not yet reported any outcomes against this target, we have secured funding which will allow us to deliver training to self-employed individuals and micro businesses.

Via the Transforming Towns Programme, we have commissioned mystery shopper visits to 60 small businesses across the towns which will identify training needs.

We have also commissioned production of promotional material which will demonstrate the advantages of Welsh language use in business. The videos will be supplemented by online resources which will be accessible by all businesses.

- **Increased Digital Competency Levels – Target 200**

**Quarter 3 total – 215**

The employability teams have been supporting job seekers to improve their digital competency levels through one-to-one support and mentoring. Improving digital skills and competency levels strengthen the employability prospects of individuals and ensures that they are well positioned to apply for vacant roles.

- **Number of Construction/maintenance jobs safeguarded through delivery of energy efficiency measures – Target 700**

**Quarter 3 total – 126**

As an authority we are delivering a wide portfolio of projects across service areas which support the green agenda. Our Modernising Education Programme is providing new, state of the art facilities to children and our Housing schemes are providing energy efficient accommodation for residents. As an authority we are committed to the Net Zero Carbon pledge and will continue to deliver projects which help to achieve this. Our ambition to support the delivery of over 2,000 additional homes across the County over the next five years, investing over £300 million into our communities, will also help to safeguard a significant number of construction jobs.

**MOVING FORWARD**

There has been very good progress to date against the overall ERP targets. Over the course of the next 18 – 24 months, activity to fully achieve proposed outcomes will focus, although not exclusively, on the projects and initiatives set out below:

Project	Brief Description	Outputs
<b>CCC Employability Programmes</b>	Communities for Work and Workways will provide support to some 3000 individuals.	Gaining full time employment 849 Gaining a qualification 1088 Volunteering 1087 Number of companies paying the living wage 260 Number into training 582 Number of residents feeling more Confident using IT after receiving Digital support 713
<b>Cross Hands East</b>	Completion of infrastructure to phase 2 of the site comprising extensive mine treatment, provision of main services, cut and fill earthwork to create of 7 no. plots, internal highway, drainage, landscaping, mitigation.	7 new commercial plots, to complement the 10 plots created in Phase 1, with the potential to create/safeguard 500 jobs in the medium term (3- 10 years) and circa 90 jobs in the short term - end of 2023.
<b>Cross Hands Plot 3</b>	Construction works to commence site early spring 2022 to create some 3,00m <sup>2</sup> of accommodation capable of net zero carbon operations and comprising 3 commercial buildings.	Jobs created 60 Jobs safeguarded 46 By end of 2023
<b>YMCA, Llanelli</b>	£4.5m Refurbishment of Listed Building, funded by WG Transforming Towns. Scheduled completion and achievement of outputs early 2023.	4 jobs created 10 jobs safeguarded 50 jobs accommodated 1 traineeship 4 enterprises accommodated 8 housing units created 1 non-residential unit brought back into use
<b>Llandeilo Market Hall</b>	Work commenced June 2020 and aiming for October 2022 completion. The £4.1m project will see 1,249m <sup>2</sup> floorspace created/refurbished with potential to accommodate 17 small and medium enterprises as well as a range of business incubation units, market/event hall space, café, open plan tech hub/hot desk area/break out space, shared meeting/conference rooms and an external events area & Parking	SME's accommodated: 17 Jobs created / accommodated: 45.6 By late 2022 / early 2023
<b>Tywi Valley Path</b>	20 km river path from Carmarthen to Llandeilo	Estimated user numbers 123k per annum. Total increased spend in the area approx. £4.4million.

		Potential tourism jobs supported from increased spend: 80 Construction jobs supported: 169 By early 2024
<b>Debenhams</b>	<p>Carmarthen Hwb project to bring back into use redundant Debenhams department store in St Catherine's Walk – the heart of the town centre - back into use, bringing together health, social care and active leisure, alongside university provision access to employment support and public services; a new, publicly-accessible home for Carmarthenshire's Museum collections; and a welcome point for visitors to the town.</p> <p>The total capital cost of the proposed Carmarthen scheme is £19.608 million. Funding of £15.860 million is now confirmed from the Levelling Up Fund, with the remaining £3.748 million to be funded by Carmarthenshire County Council.</p>	<p>Net present public value of £31.26m</p> <p>Visitor Economy – additional spend of around £67k per annum</p> <p>Additional Footfall - £385k per annum</p>
<b>Pendine</b>	<p>Pendine Attractor Project – on completion the site will host a new state of the art museum dedicated to Pendine's long association with land speed record breaking attempts, a 42 bed eco hostel with ancillary café and an accessible changing facility, outdoor events area and exhibition esplanade, dune gardens, children's play area and improved car parking.</p>	<p>41 Jobs accommodated</p> <p>4 SME's 123 Jobs Created (Direct, Indirect and Construction)</p> <p>By late 2022</p>
<b>Pentre Awel</b>	<p>Multi-million-pound project. Pentre Awel is the first development of its scope and size in Wales providing world-class medical research and health care delivery and supporting and encouraging people to lead active and healthy lives.</p> <p>Bouygues UK recently appointed to deliver Zone 1 (education, research, business, health and leisure facilities, together with primary infrastructure).</p>	<p>It is estimated that 1850 jobs will be created from the entire development proposed, of which 750 – 950 jobs will be attributed to phase 1. Phase 1 construction scheduled for completion early 2024.</p>
<b>Pentre Awel Community Benefits</b>	<p>We are working closely with Bouygues UK to maximise the community benefits arising from the Zone 1 construction Phase.</p>	<p>As a minimum:</p> <ul style="list-style-type: none"> <li>• Development of recruitment and training Plan – minimum engagement of 90 people</li> <li>• Provide 48 SMEs with access to development support</li> <li>• 7 Educational Programmes, e.g., Girls Believe</li> <li>• 1 Community Ambassador Programme</li> <li>• Work experience opportunities – contribute towards Pentre Awel's target of 270 placements a year</li> </ul>



		<ul style="list-style-type: none"> <li>• 7 Welsh language initiatives</li> </ul>
<b>Aldi</b>	Disposal of Council land for significant redevelopment. Store opened December 2021	Over 100 jobs created
<b>Burry Port</b>	<p><b>Burry Port Residential</b> Residential development comprising of 312 units to be released to the market in 2022. The site is a key part of the Burry Port masterplan for the redevelopment of the area and will act as a catalyst for further development. The site is to be released to market in 2022.</p> <p><b>Burry Port Site 4</b> A mixed-use development incorporating circa 5,000 sqm of retail, hotel, pub/restaurant and residential uses. The site will be released to market in 2022.</p>	<p>Jobs created 50 Jobs accommodated 100 By late 2023/ early 2024</p> <p>Jobs Created 50 By late 2023/ early 2024</p>
<b>Digital Infrastructure</b>	The £55 million SBCD Digital Infrastructure programme will benefit residents and businesses in all parts of the Swansea Bay City Region, which includes Carmarthenshire, Neath Port Talbot, Pembrokeshire and Swansea. The programme is estimated to be worth £318 million to the regional economy in the next 15 years.	Inward investment of £30 million is estimated throughout the five-year delivery phase of the programme
<b>Skills and Talent</b>	Carmarthenshire County Council is the Lead Body for the Regional Learning & Skill Partnership (RLSP). The RLSP is leading on the delivery of the SBCD regional Skills and Talent Programme over the next 5 years. The key aim of the programme is to deliver the skills needs of the 8 City Deal projects as well as supporting the skills needs of the region.	<p>Regionally the SBCD Skills and Talent programme aims to:</p> <ul style="list-style-type: none"> <li>• Create 3000 apprenticeships</li> <li>• Develop 2000 skilled individuals and create 14,000 skills within individuals</li> <li>• Create 2 Centres of Excellence</li> <li>• Create a Career pathway for school pupils through to FE, HE and apprenticeship in the key themes of Construction, Energy, Smart Manufacturing, Health and Wellbeing and Digital</li> <li>• Create 20 new/updated skills frameworks to meet industry needs.</li> </ul>
<b>Housing</b>	We will support the delivery of over 2,000 additional homes across the County over the next five years, promoting economic growth by investing over £300 million into our communities	This level of investment is estimated to safeguard some 700 over next 5 years
<b>CCC Funding Support</b>	Business Start Up / Business Growth Grant circa £500k currently available	<p>Businesses supported 120</p> <p>Jobs created 80</p> <p>Jobs safeguarded 100</p>

	<p>Carmarthenshire Rural Enterprise Fund – to be launched February 2022</p> <p>Property Development Fund - to be launched February 2022</p> <p>Transforming Towns Funding (Previously Property Enhancement Development Fund) Open market call Feb 2022. WG budget allocation over 4 years. Total availability TBC. Will look to maximise Carmarthenshire's allocation within the region.</p> <p>Carmarthenshire Business Renewable Energy Fund - (£500,000) Support to assist businesses with renewable energy initiatives and carbon reduction. Applicants can apply for up to 50% of the project cost to a maximum of £10,000. Businesses supported will need to demonstrate their project will improve their carbon footprint.</p>	<p>10 Businesses supported &amp; 50 Jobs created during 2022/23</p> <p>3 Businesses supported &amp; 30 Jobs accommodated during 2022/23</p> <p>Jobs created 10 Jobs accommodated 50 during 2022-2026</p> <p>No. of businesses signed up to the green growth pledge Carbon saved</p>
<b>Crown Buildings, Llanelli</b>	£3m private sector development with potential WG grant support.	Jobs safeguarded 100 by early 2024
<b>Glanaman Workshops</b>	The project comprised demolition works and construction of 505sqm flexible workshops space with sizes ranging from 48sqm to 100 sqm. The project would deliver 6 no units to accommodate circa 25 jobs	Creating circa 25 jobs in 2022.

## **CONCLUSION**

Current indicators suggest that the economic outlook for Carmarthenshire is not thankfully as stark as what was previously envisaged when the Economic Recovery Plan was being developed. There is confidence, however, supported by activity to date and proposed, that the overall ambitious ERP outcomes are achievable. Regular updates will be provided to Cabinet on progress.

All opportunities to draw down additional external, including UK and Welsh Government, funding will be explored to add value to activity already planned or being undertaken to ensure that economic growth opportunities are maximised. For example, In the autumn, the Authority welcomed the announcements from UK Government that it had secured £19.9 million, jointly with Pembrokeshire County Council, to create two town centre hubs and a further £16.7m for the Tywi Valley Initiative. Both will be funded via the first round of the Levelling Up Fund. The Authority also welcomed further £2.97m funding from the UK Government's Community Renewal Fund for projects involving upskilling, business support and town centre development – all of which greatly contribute to the economic recovery of Carmarthenshire.

We have benefitted from WG Transforming Towns funding support for a lot of our town centre related activity, and we look forward to continued WG funding to support delivery of our various town centre recovery proposals.

As part of its Levelling Up agenda, it is likely that UK Government will announce a new funding programme, the Shared Prosperity Programme (SPF) this March. Hailed as the EU replacement, this new programme will bring largely revenue funding for projects that address skills & training, business support and place regeneration. The guidelines for the SPF are expected before May and we will endeavour to take advantage of this future funding to maximise the impact of external funding in Carmarthenshire.

**DETAILED REPORT ATTACHED?**

**Yes – Carmarthenshire Economic Recovery and Delivery Plan (April 2021)**  
<https://democracy.carmarthenshire.gov.wales/documents/s51856/Report.pdf>

## 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:** Jason Jones Head of Regeneration

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

### 1. Policy

In developing our Economic Recovery and Delivery Plan we have fully taken account of the Well-being of Future Generations (Wales) Act by ensuring that the actions we have identified fully consider and embed sustainable development with a view to improving economic, social, environmental, and cultural well-being in all that we do. We have also considered how we can apply the five ways of working (long-term; prevention; integration; collaboration; involvement) as we make progress on the identified actions.

### 3. Finance

The Council has allocated £3.7m of capital funding and £700k of revenue funding to support the recovery actions. This funding is currently being used to deliver several grant schemes as identified in the report drawing down additional funding to maximise opportunities wherever possible.

## CONSULTATIONS

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

Signed: Jason Jones

Head of Regeneration

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

**1. Scrutiny Committee**

N/A

**2. Local Member(s)**

N/A

**3. Community / Town Council**

N/A

**4. Relevant Partners**

The Local Authority is not able to deliver everything, and we are working with public sector partners and external organisations, including the private sector, to ensure coordination of activity wherever possible to support our plan for recovery and growth.

**5. Staff Side Representatives and other Organisations**

N/A

**CABINET PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

YES

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

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

Cabinet Report (24th May 2021) on UK Government funding opportunities -

<https://democracy.carmarthenshire.gov.wales/documents/s51037/Summary.pdf>

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## Cabinet 28<sup>th</sup> February 2022

### REDEVELOPMENT OF FORMER PROVISIONS MARKET LLANDEILO (THE OLD MARKET HALL)

#### **Recommendation / key decisions required:**

To note and agree that the purchase of the land for the car park will no longer be taking place due it not having been possible to agree terms with the landowner.

To also note that an additional £300,000 has been requested and verbally agreed by Welsh Government's Building for the Future programme for the scheme.

#### **Reasons:**

Due to it not having been possible to agree terms with the land over for the purchase of the additional land.

Additional funding request submitted to Building for the Future to cover cost increases due to unforeseen additional works.

Relevant scrutiny committee to be consulted NO

Cabinet Decision Required YES

Council Decision Required NO

#### **CABINET MEMBER PORTFOLIO HOLDER:-**

Cllr. Emlyn Dole - Leader

Directorate:

Name of Head of Service:

Jason Jones

Report Author:

Rian Furlong

Designations:

Head of Regeneration

Economic Development  
Co-ordinator

E Mail Address:

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**EXECUTIVE SUMMARY  
CABINET  
28<sup>TH</sup> FEBRUARY 2022**

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

**Background**

A previous report on the project was considered at Executive Board in November 2019. The recommendations approved were:

1. The Council provides additional match funding as detailed in this report to enable delivery of the proposed comprehensive redevelopment scheme.
2. That Council approves the acquisition of the additional land as per the terms set out in the draft heads of terms to accommodate building car parking requirements.

**Current Position**

Discussions have been ongoing for some time with the adjoining landowner with a view to acquiring land, as identified in the 2019 report to Executive Board, to enable the Council to deliver a suitable car parking provision to service the redeveloped Market Hall. Unfortunately, these discussions have not proved successful and the Council will no longer be pursuing an agreement with the landowner. A revised car park layout has therefore been drawn up and will be presented to planning as a Variation of Condition. The revised layout will be contained to land that is already within Council ownership. On this basis the overall number of spaces will reduce slightly from the 33 spaces originally proposed to a revised 27 spaces. It should be noted however that all the proposed car parking spaces (see attached draft design) will now be solely for the use of the Market Hall, which wasn't the case previously.

Due to unforeseen circumstances (such as additional piling works, sprinkler installation and removal and replacement of the lower ground floor slab) the cost of the project has escalated, and a request was submitted to Welsh Government for an additional £300k grant funding towards the project. Verbal approval for this increase in grant has been provided and we are currently awaiting written confirmation which will see the Building for the Future's contribution increasing to £1,700,000 from £1,400,000. The Council's contribution as per the current Capital programme allocation remains at £2,462,600 to support a total estimated project cost of £4,162,600 as detailed below:

**Revised Project Costs & Funding Package**

Building for the Future	-	£1,700,000
Carmarthenshire County Council	-	£2,462,600
Total estimated cost	-	<u>£4,162,600</u>

Despite the proposed parking revision to the project, it is anticipated that the scheme will be completed and available for occupation by November 2022.

Given that the construction contract is well progressed, not progressing with the alternative proposed parking arrangements will mean a delay in progress on site, incurring penalties resulting in increased costs and delay. On this basis it is recommended that Cabinet:

- Notes and agrees that the purchase of the land for the car park will no longer be taking place due to it not having been possible to agree terms with the landowner.
- Also notes that an additional £300,000 has been requested and verbally agreed by Welsh Government's Building for the Future programme for the scheme.

**DETAILED REPORT ATTACHED?**

**Yes – Draft Car Park Redesign Plan (Subject to Approval)**



## 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:** Jason Jones

Head of Regeneration

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>YES</b>	<b>NONE</b>	<b>YES</b>	<b>NO</b>	<b>YES</b>	<b>NO</b>	<b>YES</b>

### 1. Policy, Crime & Disorder and Equalities

The project supports delivery of Carmarthenshire County Council's Economic Recovery plan, and 10 Towns growth plan for Llandeilo, whilst also being aligned to the principles of the Well-being of Future Generations Act (Wales) 2015 in terms of bringing this important asset back into sustainable use for the benefit of the local economy and future generations. Vacant properties can have a negative effect on the locality and the longer they remain vacant the higher the risk of vandalism and safety issues arising. The redevelopment currently being progressed mitigates this risk.

### 2. Finance

The requirement for Council capital funding remains unchanged. Increased project costs, subject to formal confirmation, will be covered by additional Building for the Future's contribution. There is no match funding required for the additional £300,000 approval; the intervention rate has been amended accordingly to reflect this.

### 3. Risk Management

The amended car parking plan will be reviewed with Planning and Environment pre submission of the Variation of Condition.

### 4. Physical Assets

The car park will now be redesigned within the boundary of the CCC owned land.

## CONSULTATIONS

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

**Signed:** Jason Jones

Head of Regeneration

**1. Scrutiny Committee** N/A

**2. Local Member(s)** Rian Furlong met with Cllr Edward Thomas on 6 January 2022 to update, the local member is fully supportive of the proposal.

**3. Community / Town Council** None

**4. Relevant Partners** None

**5. Staff Side Representatives and other Organisations** None

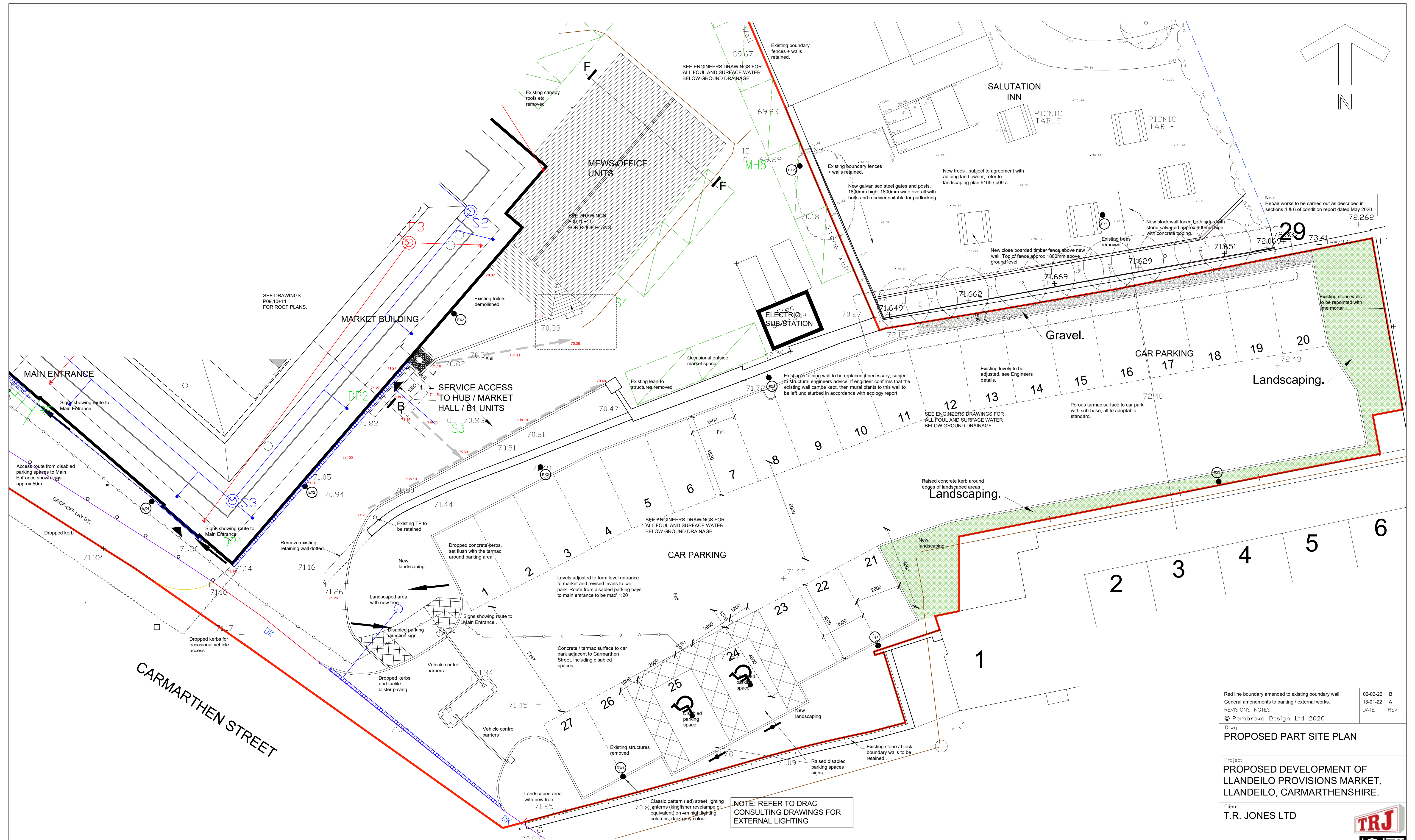
**EXECUTIVE BOARD PORTFOLIO HOLDER(S) AWARE/CONSULTED** Yes

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


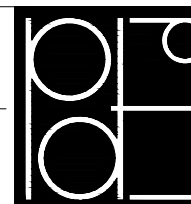
THERE ARE NONE

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PROPOSED PART SITE PLAN 1:100

Red line boundary amended to existing boundary wall. General amendments to parking / external works.		02-02-22 B 13-01-22 A
REVISIONS NOTES: © Pembroke Design Ltd 2020		DATE REV
Drawn <b>PROPOSED PART SITE PLAN</b>		
Project <b>PROPOSED DEVELOPMENT OF LLANDEILO PROVISIONS MARKET, LLANDEILO, CARMARTHENSHIRE.</b>		
Client <b>T.R. JONES LTD</b>		
<b>PEMBROKE DESIGN LIMITED</b>		
		
		
CHARTERED ARCHITECTS BUILDING SURVEYORS QUANTITY SURVEYORS C.O.W. CONSULTANTS		
Designed <b>JMT</b>	Scale <b>1:100@A1</b>	Original Size <b>A1</b>
Drawn <b>SCD/CJM</b>	Date <b>FEB' 2020</b>	Checked by <b>JMT</b>
Job No <b>9165</b>		Drawn No. Rev <b>PSP03B</b>



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**Cabinet**  
**28<sup>th</sup> February 2022**

## REVIEW OF ELECTION FEES PAYABLE AT THE COUNTY COUNCIL AND TOWN/COMMUNITY COUNCIL ELECTIONS

The purpose of this report is for Council to review and approve the fees payable to the Returning Officer in respect of these local elections.

**Recommendations / key decisions required:**

**To approve the following:**

1. That the fees payable to the Returning Officer which is inclusive of payments to those undertaking the role of Deputy Returning Officers and other key personnel involved in the planning and oversight of the County Council and Town / Community Councils be as follows:
  - a. £170.00 per contested election
  - b. £56.61 per uncontested election
2. To authorise the Chief Executive as the Council's Returning Officer to:
  - a. Make arrangements for the employment of persons to assist with the Local Elections
  - b. Determine the level of fees and payments to those employed on Election duties, subject to the total amount payable being within the available resources set to cover the cost of these elections
  - c. There will be full cost recovery for any costs incurred for Town/Community Council elections.

## Reasons

**To determine certain fees payable for the local elections.**

Relevant scrutiny committee to be consulted No

Cabinet Decision Required NO

Council Decision Required YES

CABINET MEMBER PORTFOLIO HOLDER:- Cllr David Jenkins

<p>Directorate: Corporate Services/Head of Administration &amp; Law/Assistant Chief Executive People Management</p> <p>Name of Director: Chris Moore</p> <p>Linda Rees-Jones Paul R Thomas</p>	<p>Designations:</p> <p>Director of Corporate Services</p> <p>Head of Administration and Law</p> <p>Assistant Chief Executive People Management</p>	<p>Tel No. 01267 224121</p> <p>E Mail Addresses:</p> <p>CMoore@carmarthenshire.gov.uk</p>
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## EXECUTIVE SUMMARY

### **Review of Election Fees payable at the County Council and Town/Community Council Elections**

The fees payable to the Returning Officer in respect of these Elections and all associated costs relating to them are determined locally and are funded by the County Council and the Town / Community Councils. This includes payments to persons employed by the Returning Officer to undertake the following tasks:

- (i) The preparation, revision and issue of official poll cards;
- (ii) The issue and receipt of postal ballot papers;
- (iii) The verification of the ballot paper accounts;
- (iv) The count; and
- (v) Any other clerical or other assistance for the purposes of the election.

The duties of the RO are separate and one of a personal nature from his/her duties as a local government officer. The RO is not responsible to the local authority but directly accountable to the courts as an independent statutory office holder by virtue of the Representation of the People Act 1983

The County Council has made budgetary provision to cover the costs of holding the local elections on 5th May 2022 in the Revenue Budget Strategy 2022-2025 and there will be full cost recovery for the administration of the Town / Community Council elections.

#### **Scheme for the calculation of the Returning Officer's fees and those undertaking the role of Deputy Returning Officers and other key personnel for the County Council and Town / Community Council Elections:**

The following sets out the current rates applied in 2017 (adjusted for estimated pay awards to 2022, together with the proposed scheme for calculating the fee payable to the Returning Officer which is inclusive of payments to those undertaking the role of Deputy Returning Officers and other key personnel involved in the planning and oversight of Local Elections:

	<b>Current Fees</b>	<b>Proposed Fee</b>
<b>County Council Elections</b>		
Contested Ward	£170.56	£170.00
Uncontested Ward	£66.60	£56.61
Postal Votes – fee for despatch and receipt (per contest)	£53.97	Nil
<b>Town/Community Council Elections</b>		
Town/Community Council Elections – fixed Fee	£6,297.30	Nil
Local elections - Contested Ward	-	£170.00
Local elections - Uncontested Ward	-	£56.61
By-election - Contested Ward	£170.56	£170.00
By-election - Uncontested Ward	£66.60	£56.61
Postal Votes – fee for despatch and receipt (per contest)	£53.97	Nil
<b>Fee for general round of Local Elections</b>		
Training Fee	£2,024.00	Nil

The proposed structure of a pre-set fee for each and every contested and uncontested electoral division/community ward at both county and town and community level follows the benchmarking of the rates, with the fee for non-contested elections being set at 1/3<sup>rd</sup> of the contested election rate.

Fees are not proposed for any other activity undertaken as part of the role, such as training, receiving candidate nominations, oversight of postal vote and poll card despatch, and overseeing the count and declaring results.

If it is assumed that the 2022 elections have the same ratio of contested/uncontested elections, then it would result in a reduction of 43% on the fee payable for the County Election.

<b>DETAILED REPORT ATTACHED ?</b>	<b>NO</b>
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## IMPLICATIONS

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

Signed: Chris Moore Director of Corporate Services

Policy, Crime & Disorder and Equalities <b>NO</b>	Legal <b>YES</b>	Finance <b>YES</b>	ICT <b>NO</b>	Risk Management Issues <b>YES</b>	Staffing Implications <b>YES</b>	Physical Assets <b>NO</b>
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### 2. Legal

- Representation of the People Act 1983;
- Representation of the People Act, the Representation of the People Regulations, the Local Elections (Principal Areas) (England and Wales) Rules 2006;
- Local Government and Elections (Wales) Act 2021.

### 3.Finance

Within the existing budget set aside in the 2022/2025 revenue budget strategy and the Earmarked reserves for the costs of holding the local elections in 2022

### 5. Risk Management Issues

Failure to meet the statutory requirements of the legislative requirement of local government elections.

## 7. Staffing Implications

Failure to recruit sufficient staff for the elections will result in our inability to meet the legislative requirement of local government elections.

## CONSULTATIONS

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

Signed: Chris Moore

Director of Corporate Services

### 1. Scrutiny Committee

N/A

### 2. Local Member(s)

N/A

### 3. Community / Town Council

None

### 4. Relevant Partners

None

### 5. Staff Side Representatives and other Organisations

None

### 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
		<a href="http://www.carmarthensire.gov.uk">www.carmarthensire.gov.uk</a>

## Cabinet Meeting 28<sup>th</sup> February 2022

### PENTRE AWEL

**Purpose:** To provide an update statement on Pentre Awel including the procurement of a contractor for Zone 1

#### **Recommendations / key decisions required:**

1. To receive and note the report of the process undertaken to progress the first phase of the two-stage design and build contract to deliver Pentre Awel Zone 1.
2. To receive the maximum cost (£87.07m) for the construction provided by Bouygues UK and to delegate authority to the Director of Corporate Services and the Chief Executive to agree the final cost envelope and confirm affordability in consultation with the Leader of Council and Cabinet Member for Resources.
3. To note the progress in securing tenancy agreements and to delegate authority to the Director of Corporate Services to agree to progress to construction on achieving suitable assurance of rental income. To note the delivery of Innovation and Business Development and therefore the shell and core space being developed is in advance of final plans and therefore at risk.
4. To approve a policy setting out the principles to be adopted for inclusion of Third Sector organisations within Pentre Awel
5. To note the progress across other zones and associated discussions and impact beyond the immediate project boundaries.

#### **Reasons:**

- To provide assurance that a robust process has been followed to optimise the design of Zone 1 and that comprehensive tenant discussions have taken place at strategic and operational level to develop the required internal configurations.
- To ensure that the construction is affordable and that appropriate delegation can be used to avoid any delay in commencing the build process.
- To provide assurance that there is significant commitment from tenant to take accommodation within Zone 1 and confirm overall project affordability.
- To ensure that Pentre Awel benefits from provided by the Third Sector and therefore their importance in achieving project objectives.
- To appraise Members of additional areas of progress to provide evidence that the wider benefits of the overall project can be achieved.

Relevant scrutiny committee to be consulted N/A

Cabinet Decision Required **Yes**

Council Decision Required **Yes**

CABINET MEMBER PORTFOLIO HOLDER:-

Cllr. Emlyn Dole, Leader of the Council with responsibility for Economic Development

01267 224816 / [EDole@sirgar.gov.uk](mailto:EDole@sirgar.gov.uk)

Directorate: Chief Executive

Designations:

Name of Director: Chris Moore

Director of Corporate Services

01267 224120

[CMoore@sirgar.gov.uk](mailto:CMoore@sirgar.gov.uk)

Report Author: Sharon Burford

Project Manager

01554 744368

[SBurford@sirgar.gov.uk](mailto:SBurford@sirgar.gov.uk)

**EXECUTIVE SUMMARY**  
**Pentre Awel**  
**UPDATE REPORT**

## BRIEF SUMMARY OF PURPOSE OF REPORT.

### 1. Background

Pentre Awel will feature a unique combination of academic, public, business and health facilities to create significant opportunities for employment, education skills and training, direct health and leisure provision. In addition, a network of integrated care and rehabilitation facilities will be provided at Pentre Awel with the aim of improving independence and providing a meaningful testbed for the private sector to pilot assisted living / life sciences technologies.

The following illustrated the zones and outlines the key elements of each area.



### 1.1 Projected Outputs

Through integration of the core elements of Pentre Awel the aim is to provide a unique ecosystem for business, education and research and clinical delivery whilst facilitating improved population health through prevention and health promotion. There will be a focus on education to address skills shortages and on initiatives to improve the unemployment and educational achievements in the area.

Specifically:

- Regeneration in an area of significant need
  - Projected to create 1,800 total jobs across whole project
  - Research based business development and growth
- Education Skills and Training
  - Skills development programmes, many to run alongside clinical delivery
  - Address key recruitment and retention challenges
  - Promote careers opportunities and STEM subject engagement through schools
- Improved health and care in community – care closer to home

- Quantifiable improvement in health outcomes
- Long terms projected reduction in GP demand, reduced chronic condition hospital admittance and readmission
- Community Benefits
  - Targeted support for residents in accessing work.
    - Minimum of 52 weeks of recruitment and training per £1m of spend on construction.
    - Engagement to promote entry level courses and building credits to promote employment. Programmes will facilitate access and affordability.
    - Health promotion and self-management initiatives – including social prescribing and work through schools.
  - Targets defined for sourcing through local suppliers
  - Community groups actively participating in Village facilities
  - Reduction in the number of young people in the adjacent Community First area, within the NEET category

## 1.2 Reporting

As a key strategic project, member engagement and scrutiny has been sought during the development of Pentre Awel. During 2020, key milestones were conveyed to members at Executive Board (21<sup>st</sup> September) and Full Council (14<sup>th</sup> October), including:

- Unanimous approval of the final **City Deal Business Case** and agreement to formally present it to the Swansea Bay City Region Joint Committee for approval to submit to Welsh Government and UK Government.
- Approval of, and agreement to, sign **Memoranda of Understanding** with all identified academic partners; and
- Endorsement of the **RIBA Stage 3** detailed design development work and outputs

During 2021, Pentre Awel transitioned from strategic planning to implementation and delivery, taking a number of important strides towards a start on site:

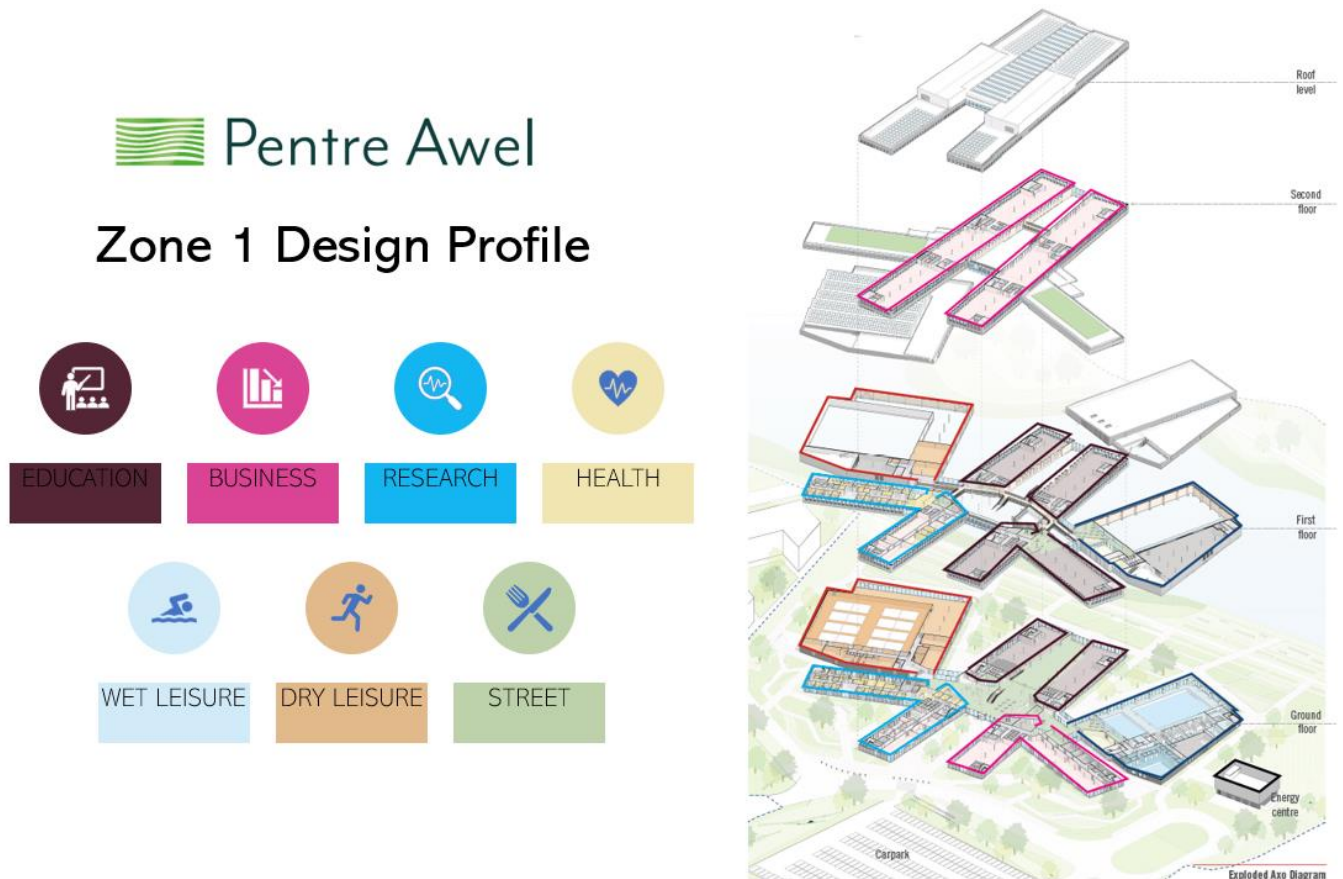
- An interim update was provided to Members of the Executive Board in May 2021 to ensure there was oversight of the decision to place the **tender for the construction of Zone 1** – one of the largest ever published by the Authority
- A report was presented to Members of the Cabinet September 2021 to updating Members on key procurement exercises, including the **appointment of a contractor** to design and build Zone 1 and procurement of **consultants to design Zone 3**. This was presented alongside updates to the projected outcomes for Pentre Awel and wider impact

This report will provide a further update on the project delivery covering:

- The progress of the design of Zone 1 and the maximum cost of the construction.
- The progress on securing tenants for Zone 1
- Progress in design development Zone 3
- Associated progress including Schools networking and Third Sector policy.

## 2. Design Development and maximum cost – Zone 1

Zone 1 will create five distinct buildings linked with a “street” space, comprising a wet sports facility and health building with education facilities, clinical delivery centre, and a well-being skills centre. Additionally, primary infrastructure is provided including a separate energy centre, road & car parking areas, cycle ways as well as extensive landscaped public spaces for recreational walkways. The design profile of Zone 1 at RIBA Stage 3 is illustrated below:



Following a comprehensive internal and external approvals process, the City Deal Business Case was formally approved by UK and Welsh Governments in March 2021. Accordingly, funding agreements were drafted and approved in order to secure £40m of capital investment over 15 years. Together with the commitment from prospective education, health and research tenants in the form of Memoranda of Understanding, the Authority was able to proceed with a procurement exercise to deliver Zone 1. This was taken to Members of the Executive Board in May.

The resultant **procurement strategy** advocated a two-stage, design and build tender in order to realise the Council's four key procurement drivers for the Project:

1. **Programme** – to deliver the Zone 1 building in alignment with the commencement of the 2023/24 academic term
2. **Control of design** – to deliver a high-quality and robust building



3. **Cost certainty** – to deliver the project within budget. A two-stage approach promotes collaboration between the Client and Contractor to identify and manage risks, further develop the design and achieve best value.
4. **Community benefits** – to improve the health, social, environmental and economic wellbeing of local communities

Bouygues UK were appointed by the Authority in October 2021 as the construction contractor and formally entered into a Pre-Construction Services Contract (PCSA). During the pre-construction period, CCC, external project and cost managers Gleeds, Bouygues UK and its design team have been working collaboratively to:

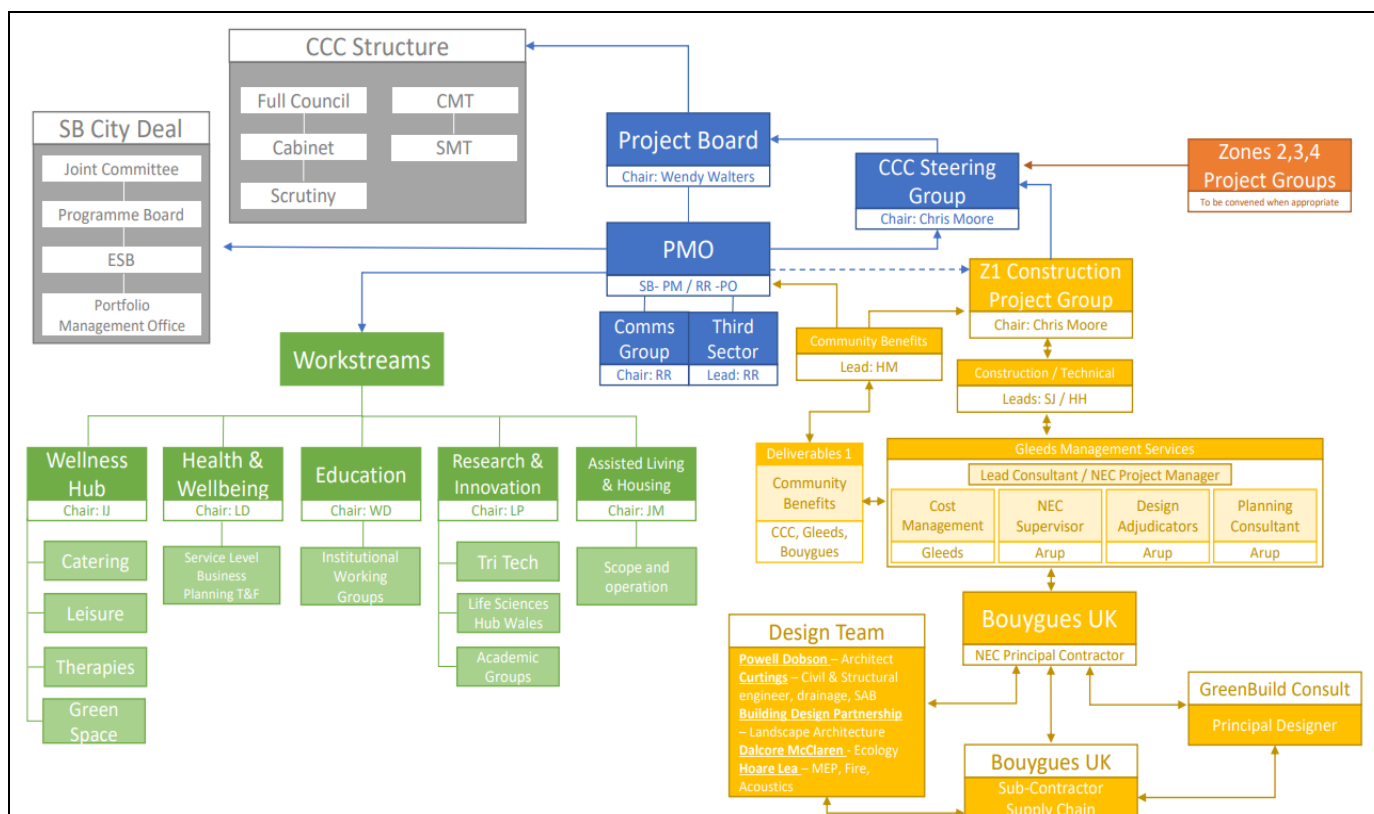
- Review RIBA Stage 3 designs with tenants, with a particular focus on the Clinical Delivery Centre, Clinical Research Centre and wet/dry leisure design.
- Undertake RIBA Stage 4 design
- Review planning conditions with a view to discharging the ‘pre-commencement’ planning conditions prior to breaking ground on-site. A Wintering Birds Survey is being undertaken onsite to update the available ecological information
- Prepare a Reserve Matters Application. There will be a Non-Material Amendment to the redline boundary plan approved at outline planning stage in order to reflect the revised Zone 1 (Phase 1) development area.
- Agree a programme, identify/assess risks and work toward greater cost certainty. Bouygues have been working to a ‘Not to Exceed Price’, which forms the basis of this report

To optimise the pre-construction period, a revised project governance structure was operationalised. A Construction Board, chaired by Director of Corporate Services as SRO has been established to oversee the design and build process and meets monthly. Construction and Technical leads have been appointed to manage the Gleeds/Contractors contract and ensure that the design and build process is optimised. Their designation within the overall structure is shown in the Governance plan shown over.

A Community Benefits work group has been established with Stakeholder Membership to ensure that we maximise the impact of Pentre Awel and ensure that the contractor delivers on the benefits set out in their tender. The Membership covers Economic Regeneration, Policy and Welsh Language, Educations Skills and Training, Third Sector and Procurement.

Bouygues UK design team comprises: Powell Dobson Architects, Curtings (Civil & Structural Engineering), Hoare Lea (MEP, Fire & Acoustics Engineering), Green Build Ltd (Principal Designer & BREEAM advisor), Building Design Partnership (Landscape Architecture) and Dalcour MacLaren (Ecology).

The revised governance structure is set out below and has been approved by Project Board.



The first phase of the contract, the detailed design and cost certainly is now nearing completion and sufficient details have been developed to enable the contractor to issue a maximum price for the construction of Zone 1.

This price is currently being firmed up at £87.07m

In achieving a cost profile, the tenants have reviewed their Stage 3 designs and the internal configuration adapted where required.

### Recommendation 1

Members are asked to receive and note the report of the process undertaken to progress the first phase of the two-stage design and build contract to deliver Pentre Awel Zone 1.

### Recommendation 2

To receive the maximum cost (£87.07m) for the construction provided by Bouygues UK and to delegate authority to the Director of Corporate Services and the Chief Executive to agree the final cost envelope and confirm affordability in consultation with the Leader of Council and Cabinet Member for Resources.

## 3. Progress in securing tenants

The Authority has entered into negotiations on Head of Terms with the main tenants for Zone one. Each agreement includes details of the floorspace required and the service level

agreements in respect of the service charges. The charge rate has been modelled to ensure the affordability and sustainability of the build. A rental valuation has been confirmed by the District Valuer and along with a service charge included within the Head of Terms, under which the tenant will contribute to all costs associated with the running and maintenance of the occupied areas as well as contributing to the costs of the common areas on an apportioned floor area basis. The service charge will include heating of demised area and electricity if not separately metered and any other additional services for demised area that are agreed - e.g. cleaning.

All Tenancy agreements are at Heads of Terms stage and will progress to lease agreements before the commitment to build is given.

### **3.1 Hywel Dda University Health Board**

#### ***3.1.1 Clinical Delivery***

The clinical services to be delivery at Pentre Awel will support a strategic shift to community-based care and delivering care closer to home. A Health and Wellbeing strategy was developed through a multidisciplinary work stream, this detailed the services to be delivered in Pentre Awel and the associated infrastructure required.

The strategy was revisited considering covid learning through a multidisciplinary workshop in June 2021 with subsequent service by service discussions. The final plans have been approved by the Health Board Executive Team in September.

#### ***3.1.2 Hywel Dda Clinical Research/Tritech Institute***

A research partnership exists between Hywel Dda University Health Board and UWTSD. This work is currently being developed in an interim premises in Bynea but will be relocated to Pentre Awel and will include clinical trials and a significant clinical engineering development with private sector support.

#### **Governance**

Following extensive consultation with Clinical Teams the plans for Hywel Dda involvement in Pentre Awel have been taken through Board, Strategic Development and Operational Delivery Committee and to the Executive Team for sign off.

### **3.2 Cardiff University**

Cardiff University and the Authority have entered into a partnership arrangement to develop plans for innovation and business at Pentre Awel along with delivery of academic courses.

#### **Governance**

Working group established. The Pro Vice Chancellor is the lead for the work at Pentre Awel through the College of Biomedical and Life Science.

### **3.3 University of Wales Trinity St David (UWTSD)**

UWTSD plan three key elements, digital innovation, a facility focussed on health and care training linked with Coleg Sir Gar and a third element comprising business development linked to advanced manufacturing and medical innovation.

#### **Governance**

Working group established, Senior Management Team involved at all stages of service development.

### **3.3 Swansea University**

Swansea University plan to develop a new 'spoke' of the Health and Wellbeing Academy at the Pentre Awel. The 'hub' would be retained in the existing facility on the Singleton Campus.

The Health and Wellbeing Academy at Pentre Awel will comprise Inter-professional clinical learning space, supported by learning technologies. The digital infrastructure will enable distance learning and delivery of education and assessment across all the university, HWA hub and spokes.

#### **Governance**

Working group established, Senior Management Team involved at all stages.

### **Recommendation 3**

To note the progress in securing tenancy agreements and to delegate authority to the Director of Corporate Services to agree to progress to construction on achieving suitable assurance of rental income. To note the delivery of Innovation and Business Development and therefore the shell and core space being developed is in advance of final plans and therefore at risk.

## **4. General update**

### **4.1 Progress on the design development of - Zone 3**

Zone 3 comprises 144 units of assisted living alongside an Expansion Business Centre of up to 10,000m<sup>2</sup>.

A needs analysis and affordability exercise has been undertaken to develop the assisted living specification for Zone 3. A mix of one and two bedded accommodation of a mix of tenures, has been identified.

A tender was placed via the Welsh Procurement Alliance (WPA) framework to procure multi-disciplinary consultants to take forward the design development of Zone 3 to RIBA Stage 3. The contract was awarded to AHR architects, the key factor that differentiated their submission

was their vision and suggestions for innovation in design meeting the project objectives of future proofed design focused on maintaining independence.

The design development will be completed by September 22.

## 4.2 Finance

Following an approach to the financial markets to secure further funding for Pentre Awel, two bids have now been received. These are currently under review to ensure that the optimal financial arrangements can be achieved for the Authority.

Further discussions have been held with the UK investment Bank and with the Department for International Trade. The overall viability of the Zone 1 development will be modelled and agreed prior to the agreement of the final cost envelope and start of construction.

The current funding position to meet the Guaranteed Maximum Price is as follows:

<b>Guaranteed Maximum Price</b>	<b>£87,070,00</b>
<b>Funding:</b>	
City Deal	-39,400,000
CC Capital Programme	-19,070,000
Trust Fund	-1,000,000
JV (CC & CCC)	-7,000,000
<i>(Some receipts TBC)</i>	
CC Reserves/DRF	-2,000,000
External Private Finance	-18,600,000
<b>Funding Total</b>	<b>£87,070,00</b>

## 4.3 Third Sector Policy

A policy is proposed to cover third sector organisations wishing to locate within Pentre Awel. A Third Sector organisation must through submission of a business case demonstrate how they will contribute to the objectives of Pentre Awel and demonstrate that they have financial sustainability.

A maximum figure for square meterage occupied by third sector has been set at 200sqm which is 10% of the shared space available within Zone 1, this in turn equates to 1% of the overall zone 1 build. Maintaining this level will enable an overall stable financial position to be maintained for the development but will ensure that the Third Sector can be accommodated and recognised for their contribution to meeting the overall project aim and outputs.

An organisation wishing to locate at Pentre Awel will need to match its proposed service delivery against the two core framework documents which underly the project, namely the 5 life Stages and the Health Impact Assessment. The greater the match against the life stages and

the strong recommendations of the Health Impact Assessment will enable a greater reduction in rent to be applied. An organisation may with sufficient alignment be able to qualify for a maximum of a 90% reduction in rent but must in all instances pay the full service charge applicable to all tenants.

#### **Recommendation 4**

To approve a policy setting out the principles to be adopted for inclusion of Third Sector organisations within Pentre Awel

#### **4.4 Wider County Impact**

Wider engagement has been held regarding the role of Pentre Awel in the Carmarthenshire Local Innovation Strategy.

The proposal is that the work in Pentre Awel be expanded to link into the developing community health bases being planned by Hywel Dda University Health Board. These links will enable the development of a 'Hub and Spoke model' for remote clinical consultations, research, education and training and business development. This will enable the establishment of a larger catchment area enhancing opportunities for innovation and product development and give larger population base for clinical trials

#### **4.5 Welsh Language**

Discussions have been held regarding equity of Welsh and English in Pentre Awel. An action plan is in development recognising the potential impact and opportunities due to the wide scope of Pentre Awel. The work planning will align with the Welsh Government 'More Than Just Words' Action Plan. Planning will include recognition of the importance for embedding language choice in areas such as emerging assisted living technologies and support for delivery of remote healthcare. Work is ongoing with Cardiff University and with University of Wales Trinity St David covering areas such as school engagement and the development of a link with Aberystwyth University to provide Nurse training in Welsh.

#### **Recommendation 5**

To note the progress across other zones and associated discussions and impact beyond the immediate project boundaries.

**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:**                      **Chris Moore**

**Director of Corporate Services**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>

### **1. Policy, Crime & Disorder and Equalities**

- The project will be compliant with policy and will meet all governance criteria agreed as part of the Swansea Bay City Deal programme.
- Crime and disorder are key considerations of the project and the site aims to achieve the 'Secure by Design' standard.
- A Health Impact Assessment has been undertaken in conjunction with Public Health Wales to reduce health inequalities. Process has been seen as an exemplar.
- The Full Business Case outlines strategic alignment across all partners, relevant Regional and National Strategic Policies and Plans.
- Pentre Awel aligns with the Wellbeing of Future Generations (Wales) Act 2015, with the Project Management Office using the 5 ways of working. The project will make a demonstrable contribution to the 7 National Goals.
- All public sector partners operating onsite will be expected to comply with the Welsh Language Standards. Private companies will be encouraged to use the Welsh Language and offered practical support to foster take-up.
- Work undertaken between the Authority and Health partners to ensure highest standards of accessibility. This is essential due to the inclusion of a hydrotherapy pool and delivery of therapeutic services delivered within a community environment. Wider accessibility criteria will be met to promote use of facilities across all abilities.
- Discussions on design have been held with the Disabilities Forum and assurance given.
- To facilitate accessibility, it is proposed to include 10% disabled parking spaces and two Changing Places facilities.



## **2. Legal**

Memoranda of Understanding have been signed with health and skills, training and business development partners.

These are not legally binding documents and will be superseded by Heads of Terms which are currently in development.

A decision-making structure has been agreed for each of the main tenants. Each tenant has identified a lead at executive level who is also a member of the overarching Pentre Awel Project Board. Work groups have been established within each tenant organisation to develop their remit and then identify the floorspace and infrastructure needs which will be incorporated into the Head of Terms. Tenants in turn are represented on the appropriate project Implementation Groups.

### 3. Finance

- Public, City Deal and institutional capital is required to deliver the whole of Pentre Awel:
  - Business case to draw down of £40m of City Deal money has been approved.
  - The City Deal funding provides an important catalyst for the wider project and subsequent benefits realisation programme.
  - Independent financial planning has been undertaken to secure institutional funding for this and subsequent phases of the project, including nursing home, assisted living, housing and hotel. An Information Memorandum was sent out to a pre-selected number of investors outlining the project together with financial information and business plans. The aim of the exercise being to obtain best value for the Authority and best long-term Investor partner for the project. Two Bids have now been received and are currently being assessed. Further discussion has been held with the UK Investment Bank and the Department of International Trade in relation to securing investment.
  - Running cost projections have been developed and these along with the cash flow requirements to meet the financial planning projections have been used to inform the lease terms with the tenants.
  - Funding for the County Council leisure centre elements of the project costs are included within the County Council Capital Programme 2022/23 – 2026/27.
  - The overall viability of the Zone 1 development will be modelled and agreed prior to the agreement of the final cost envelope and start of construction. The current funding position to meet the Guaranteed Maximum Price is set out as follows:

<b>Guaranteed Maximum Price</b>	<b>£87,070,00</b>
<b>Funding:</b>	
City Deal	-39,400,000
CC Capital Programme	-19,070,000
Trust Fund	-1,000,000
JV (CC & CCC)	-7,000,000
<i>(Some receipts TBC)</i>	
CC Reserves/DRF	-2,000,000
External Private Finance	-18,600,000
<b>Funding Total</b>	<b>£87,070,00</b>

#### **4. ICT**

- A key dependency in realising the benefits of interconnectivity will be the digital infrastructure created to facilitate and support partners and stakeholders, both now and in the future. Broadly, this will include:
  - Full fibre, multi tenancy connectivity to the site.
  - Full fibre, multi tenancy interconnectivity across/within the site.
  - Wireless network connectivity, indoor and outdoor across the park, multi tenancy.
  - 4G and 5G mobile coverage, including indoor solutions.
  - Internet of Things wireless networks.

Provision of this next generation Digital Infrastructure will provide Pentre Awel with future proofed network access for high speed connectivity to the internet, to private networks, data storage and cloud-based services within the facilities and remotely. The provision of first-class Digital Infrastructure at Pentre Awel will support and underpin the site in its entirety, significantly enhancing the success and its ability to deliver on the identified critical success factors.

#### **5. Risk Management Issues**

- Risk strategy and appropriate mitigation planning is maintained across all elements of the project work stream, procurement and planning.
- COVID-19 impact assessment undertaken to evaluate the impact of the outbreak. The project is resilient and able to capitalise on the opportunities, learning and new service delivery models developed through Covid.

#### **6. Physical Assets**

- New physical assets will be developed, the scope of which is set out within the outline planning application.
- RIBA stage 3 (detailed design phase 1 Street) formed the basis of the Zone One Tender.

#### **7. Staffing Implications**

- Provision of significant training opportunities to meet identified skills shortages in health and care professions, positive promotion of entry level opportunities for local people.
- No adverse impacts are expected on existing staffing.
- Enhanced training opportunities for staff both through leisure and care services.
- Possible recruitment of additional staff.

# CONSULTATIONS

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

Signed: Chris Moore

Director of Corporate Services

## 1. Scrutiny Committee

City Deal Joint Scrutiny 15.02.2020

## 2. Local Member(s)

Leader, Cllr. Emlyn Dole, briefed at key project intervals

Local members individually briefed since 01.06.2020 - Cllr. Louvain Roberts, Cllr. John Prosser, Cllr. Deryk Cundy. Cllr. Jane Tremlett with the Disabilities Partnership.

## 3. Community / Town Council

Consulted through public engagement event 27/10/17.

Outline planning application submitted 15/03/18. Town council is a statutory consultee. All documents are accessible to the general public.

## 4. Relevant Partners

### Hywel Dda University Health Board

#### Lead contact:

Lee Davies - Executive Director of Strategic Development & Operational Planning

Leighton Phillips - Director for Research, Innovation and University Partnerships

Regular updates submitted to Strategic Development and Operational Delivery Group  
Presentations to Executive Team

### Academic Partners

#### Lead contacts:

Vice Chancellor, University of Wales Trinity St David

Pro-Vice Chancellor Cardiff University

Provost Swansea University

Vice Chancellor Coleg Sir Gar

Vice Chancellor Pembrokeshire College

Vice Chancellor Gower College

## 5. Staff Side Representatives and other Organisations

Full communications log maintained

Attendance at CERF

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

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

**THESE ARE DETAILED BELOW**

<b>Title of Document</b>	<b>File Ref No.</b>	<b>Locations that the papers are available for public inspection</b>
<b>Project Board papers</b>	<b>Stored on <u>CFP.</u></b>	

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