

**TUESDAY, 21 MARCH 2023**

**TO: ALL MEMBERS OF THE CABINET**

I HEREBY SUMMON YOU TO ATTEND A **MULTI LOCATION MEETING** OF THE **CABINET** WHICH WILL BE HELD IN THE **CHAMBER - COUNTY HALL, CARMARTHEN. SA31 1JP AND REMOTELY AT 10.00 AM, ON MONDAY, 27TH MARCH, 2023** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

*Wendy Walters*

**CHIEF EXECUTIVE**

<b>Democratic Officer:</b>	<b>Emma Bryer</b>
<b>Telephone (direct line):</b>	<b>01267 2240029</b>
<b>E-Mail:</b>	<b><a href="mailto:ebryer@carmarthenshire.gov.uk">ebryer@carmarthenshire.gov.uk</a></b>

**This is a multi-location meeting.  
Members can attend in person at the venue detailed above or remotely via the  
Zoom link which is provided separately.**

**The meeting can be viewed on the authority's website via the following link:-  
<https://carmarthenshire.public-i.tv/core/portal/home>**

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

# **CABINET**

## **MEMBERSHIP – 10 MEMBERS**

<b>COUNCILLOR</b>	<b>PORTFOLIO</b>
<b>Councillor Darren Price</b>	<b>Leader</b>
<b>Councillor Linda Evans</b>	<b>Deputy Leader and Cabinet Member for Homes</b>
<b>Councillor Glynog Davies</b>	<b>Education and Welsh Language</b>
<b>Councillor Ann Davies</b>	<b>Rural Affairs and Planning Policy</b>
<b>Councillor Philip Hughes</b>	<b>Organisation and Workforce</b>
<b>Councillor Gareth John</b>	<b>Regeneration, Leisure, Culture and Tourism</b>
<b>Councillor Alun Lenny</b>	<b>Resources</b>
<b>Councillor Edward Thomas</b>	<b>Transport, Waste and Infrastructure Services</b>
<b>Councillor Jane Tremlett</b>	<b>Health and Social Services</b>
<b>Councillor Aled Vaughan Owen</b>	<b>Climate Change, Decarbonisation and Sustainability</b>

# 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 13TH MARCH 2023** 5 - 10
4. **QUESTIONS ON NOTICE BY MEMBERS**
5. **PUBLIC QUESTIONS ON NOTICE**
  - 5.1 **QUESTION BY MR HAVARD HUGHES TO CLLR. ANN DAVIES, CABINET MEMBER FOR RURAL AFFAIRS AND PLANNING POLICY**

“When the review documents related to the reassessment of the current local plan’s Special Landscape Areas Policy EQ6, leading to the formulation of Policy BHE2, will be published?”
  - 5.2 **QUESTION BY MS TARA-JANE SUTCLIFFE TO CLLR. ANN DAVIES, CABINET MEMBER FOR RURAL AFFAIRS AND PLANNING POLICY**

“Can she confirm which Supplementary Planning Guidance (SPG) is replacing the current Wind and Solar Energy SPG (adopted June 2019); and can she give a guaranteed date of adoption of the replacement SPG.”
6. **COUNCIL’S REVENUE BUDGET MONITORING REPORT** 11 - 42
7. **CAPITAL PROGRAMME 2022/23 UPDATE** 43 - 52
8. **EMPTY HOMES POLICY- OUR APPROACH TO BRINGING EMPTY HOMES BACK TO USE** 53 - 82
9. **BUSINESS RATES - RETAIL, LEISURE AND HOSPITALITY RATES RELIEF SCHEME 2023/24** 83 - 92
10. **COMMUNITY ASSET TRANSFER UPDATE** 93 - 120
11. **APPOINTMENT OF LA GOVERNOR** 121 - 124
12. **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

13 MARCH 2023

**PRESENT:** Councillor D. Price (Chair)

**Councillors (In Person):**

C.A. Davies, L.D. Evans, G. Davies, P.M. Hughes,  
G.H. John, A. Lenny, J. Tremlett, A. Vaughan Owen.

**Also in attendance (Virtually):**

Councillor D.M. Cundy

**Also Present (In Person):**

W. Walters, Chief Executive;  
J. Morgan, Director of Community Services;  
C. Moore, Director of Corporate Services;  
G. Morgans, Director of Education & Children's Services;  
A. Williams, Director of Place and Infrastructure;  
L.R. Jones, Head of Administration and Law;  
C. Harrison, Head of Strategic Joint Commissioning;  
S Charles, Transport Strategy and Infrastructure Manager;  
C. Higginson, Media Manager ;  
S. Rees, Simultaneous Translator;  
M. Runeckles, Members Support Officer;  
J. Owen, Democratic Services Officer.

**Also Present (Virtually):**

S. Hendy, Member Support Officer.

**Chamber, County Hall, Carmarthen, SA31 1JP and remotely: 10:00am - 10:20am**

**1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor E. Thomas.

**2. DECLARATIONS OF PERSONAL INTEREST**

Councillor	Minute Number	Nature of Interest
A. Davies	Item 10 - Tywi Valley Shared Use Route - Land Acquisition and the use of Compulsory Purchase Order Powers to Support the Acquisition of Land and Rights	Councillor Davies owns land which crosses the path of the Tywi Valley route.

**3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON THE:-**

**3.1. 13<sup>TH</sup> FEBRUARY 2023**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Cabinet held on the 13<sup>th</sup> February 2023 be signed as a correct record.

**3.2. 20<sup>TH</sup> FEBRUARY 2023**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Cabinet held on the 20<sup>th</sup> February 2023 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. REGIONAL ADULT ADVOCACY STRATEGY**

The Cabinet considered a report which included a new Regional Adult Advocacy Strategy for Cabinet endorsement. The strategy that had been developed with stakeholders through the Advocacy Working Group which comprised of the membership of three Local Authorities, Health board and third sector.

The draft Regional Adult Advocacy Strategy aimed to shape the commissioning arrangements to meet requirements to ensure good quality advocacy is readily and equitably available to those who want, or need it, in the West Wales region of Ceredigion, Carmarthenshire and Pembrokeshire.

The strategy outlined five priority areas which all aimed to improve the outcomes for people who require advocacy. The priorities were defined in the light of co-productive activity to date, engagement, the Regional Population Assessment, and in response to legislative requirements.

**UNANIMOUSLY RESOLVED** that the **Regional Adult Advocacy Strategy** which seeks to shape the commissioning arrangements of Hywel Dda University Health Board, Carmarthenshire County Council, Ceredigion County Council and Pembrokeshire County Council in order to meet their statutory duties, be endorsed.

**7. ANY OTHER ITEMS OF BUSINESS**

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

## **8. EXCLUSION OF THE PUBLIC**

**UNANIMOUSLY RESOLVED**, pursuant to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, that the public be excluded from the meeting during consideration of the following items as the reports contained exempt information as defined in paragraph 14 of Part 4 of Schedule 12A to the Act.

## **9. CARMARTHENSHIRE SUSTAINABLE COMMUNITIES FOR LEARNING (CSCFL) (FORMERLY THE MODERNISING EDUCATION PROGRAMME) YSGOL GWENLLIAN, KIDWELLY**

Following the application of the public interest test it was **RESOLVED**, pursuant to the Act referred to in minute no. 8 above, not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act). The public interest test in respect of this report outweighed the public interest in disclosing the information contained therein as disclosure would significantly undermine the commercial interests of the Council in future property negotiations.

The Cabinet considered a report which set out a proposal in respect of the purchase of land and virement in the capital programme to proceed with a new replacement Welsh medium school for Ysgol Gwenllian, Kidwelly.

### **UNANIMOUSLY RESOLVED:**

- 9.1 to proceed with the purchase of land to support the development of a new replacement Welsh medium primary school for Ysgol Gwenllian, Kidwelly;**
- 9.2 That a virement in the capital programme, as detailed in the report, be approved in order to allow the purchase to be completed as soon as possible.**

**10. TYWI VALLEY SHARED USE ROUTE - LAND ACQUISITION AND THE USE OF COMPULSORY PURCHASE ORDER POWERS TO SUPPORT THE ACQUISITION OF LAND AND RIGHTS**

[Note: Councillor Ann Davies, having earlier declared a personal interest in this item, left the meeting prior to the consideration and voting thereof.]

Following the application of the public interest test it was **RESOLVED**, pursuant to the Act referred to in minute no. 8 above, not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act). The public interest test in respect of this report outweighed the public interest in disclosing the information contained therein as disclosure would undermine the Council's position in any continuing negotiations to purchase outstanding land pieces which will run alongside the CPO process.

The Cabinet considered a report which sought approval to continue land negotiations and to approve the use of Compulsory Purchase Powers (CPO) to acquire land and interests.

**UNANIMOUSLY RESOLVED:**

- 10.1 To take all necessary action to secure the making, confirmation and implementation of the Tywi Valley Shared Use Route Compulsory Purchase Order (CPO) under section 226(1)(a) of the Town and Country Planning Act 1990, Section 13 of the Local Government(Miscellaneous Provisions) Act 1976 and the Acquisition of land Act 1981 to acquire all or part of the land shown tinted pink on the Plans attached together with the acquisition of easement rights over the areas coloured blue thereon all of which are described generally in Appendix A for the purpose of delivering the shared use route.**
- 10.2 In tandem with 10.1 above, the Corporate Property department to continue negotiations to acquire the land required for the Shared Use Route by agreement, if possible, including, where relevant, those parcels of land which currently do not have the benefit of planning consent for the delivery of the Scheme.**
- 10.3 To confirm that the shared use route once constructed will be designated a 'highway maintainable at the public expense'.**
- 10.4 That the Director for Place and Infrastructure be authorised to:**
  - i. Settle the final form and content of the CPO and all associated documentation (including the Statement of Reasons) including minor amendments to the plans and schedules identifying the land.**



- ii. Take all action needed to pursue the making of a CPO and secure its confirmation including the publication and service of all notices and the presentation of the Council's case at any public inquiry;
- iii. To acquire interests in the land within the CPO either by agreements or compulsorily; and
- iv. Approve agreements with landowners setting out the terms for the withdrawal of objections to the CPO including where appropriate seeking exclusion of land or new rights from the CPO.
- v. Following confirmation of the CPO, implement the CPO powers and General Vesting Powers to acquire title to and / or take possession of the land.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
DATE

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## CABINET 27<sup>th</sup> MARCH 2023

### Council's Revenue Budget Monitoring Report

#### Recommendations / key decisions required:

That the Cabinet receives the Budget Monitoring report and considers the budgetary position and appropriate corrective action.

In respect of significant overspends on specific budget areas, Chief Officers and Heads of Service to critically review options available to them to address the ongoing impact.

#### Reasons:

To provide the Cabinet with an update on the latest budgetary position as at 31<sup>st</sup> December 2022, in respect of 2022/23.

Cabinet Decision Required                      YES

Council Decision Required                      NO

#### CABINET MEMBER PORTFOLIO HOLDER:

Cllr. Alun Lenny (Resources)

Directorate: Corporate  
Services

Designations:

Tel No. 01267 224886  
E Mail Addresses:

Name of Director:  
Chris Moore

Director of Corporate  
Services

CMoore@carmarthenshire.gov.uk

Report Author:  
Randal Hemingway

Head of Financial Services

RHemingway@carmarthenshire.gov.uk

## EXECUTIVE SUMMARY

The revenue budget monitoring reports as at 31<sup>st</sup> December 2022 are attached and indicate that:

### **COUNCIL FUND REVENUE ACCOUNT (Appendix A)**

Overall, the monitoring report forecasts an overspend for the year at departmental level of £6,259k, with a forecast overspend on the Authority's net revenue budget of £270k.

Across the whole authority, the largest driver remains the effect of nationally negotiated pay offers at much higher levels than budgeted, for which additional governmental funding has not been provided. Since the last report, the effect of the pay award has been built into departmental budgets, leading to some service areas such as the School Meals Service and Older Peoples budgets showing a significantly worse overspend position. The updated monitoring position indicates that individual grants have been able to accommodate the increase without drawing on core budgets to fund overspends. The unfunded cost has been partially mitigated by increased staffing vacancies due to ongoing recruitment challenges. It should be noted that the current forecast includes now allowance for an increased teachers pay offer.

In addition, there remain:

- overspends in service areas driven by increased demand combined with reduced grant funding versus previous years, particularly Learning Disabilities and Children's Service
- a sustained reduction in commercial income, covering car parks, leisure centres and school meals
- capital financing underspends due to scheme delays and reduced need to borrow. The inherent underspend is £3m, against which £750k direct has been committed to cover the tendered price increase required to proceed with the Oriel Mryddin project, which attracts c. £1m national lottery match funding.

As part of the 2022/23 budget setting process the Authority agreed a £3m in year contingency budget which is currently held centrally which provides a partial offset to the general pressures above. £200k has been used to offset the increase in fuel prices impacting on School Transport.

The full year forecast reflects the impact which includes known financial positions at the point of preparation. As such the forecast does not contain the full impact of any additional in year grant adjustments which may yet be received. In line with our existing policies, forecast departmental overspends are met out of departmental reserves, where available.

### Chief Executive's Department

The Chief Executive Department is anticipating an underspend of £683k for the year. There are net underspends on Member pay and travelling, Registrars and staffing savings from vacant posts across the department, offset by overspends within People Management due to employing additional staff, mainly to deal with a recruitment backlog, along with prior year efficiencies that have yet to be achieved. There is also a shortfall in income on Land Charges, Provision Markets and County Farms.

### **Operational budgets**

The Chief Executive's section has an anticipated underspend of £131k, primarily due to staff being seconded to other sections.

There is an expected £223k overspend in the People Management section. This consists of a £60k overspend in People Services HR on agency staff costs, to deal with the backlog in recruitment along with unachieved prior year efficiencies, and an overspend of £66k in payroll, due to past year efficiencies not yet being met. There is an anticipated overspend of £66k on Agile working due to an unfunded post. There is an overspend of £74k in Organisational Development due to an unfunded post, a one off cost for Investors in People Assessment, and a training efficiency target not currently being met. This is offset by an underspend on DBS (£26k), due to fewer checks being undertaken than budgeted for, along with an underspend of (£22k) in the Transformation team due to vacant posts, along with other smaller variances.

The ICT & Corporate Policy section are reporting a £51k underspend, largely due to part year vacant posts within the division. These have now been filled or are due to be filled imminently.

Admin and Law are showing an underspend of £277k. Members pay and travelling are underspent by £163k, and there is an additional £26k of income for work undertaken on behalf of the HRA. There is also additional income for DSU from external work of £30k along with a £15k saving on supplies and services. Legal services are expecting to be underspent by £64k due to vacancies that are being filled imminently. Central Mailing is also underspent by £23k due to a saving on franking machine leasing costs. There are also other small underspends on supplies and services within the division. This is offset by an overspend on Land Charges of £48k due to a reduction in income, following a fall in demand for the service.

The Marketing and Media section are anticipating a £265k net underspend, made up of an overspend of £158k within Marketing and Media on salary costs, pending a staffing review within the whole division (2019/20 saving proposal), and also a loss of income streams from external partners such as ERW. This is offset by an underspend on staffing costs in the Customer Services Centres, Translation Unit, Marketing & Tourism Development and Yr Hwb. These will all form part of the divisional staffing review.

Statutory Services are reporting an underspend of £93k. This is made up of a saving on vacant posts of £29k following a team review along with a £55k underspend on Registrars largely due to income generated above the budgeted figure. There is also a small saving of £9k within coroners.

The Regeneration division is anticipating a £89k underspend for the year. This is made up of an overspend of £50k due to a loss of income on farms as no scope to increase tenancy agreements currently, a £33k overspend in Provision Markets due to a shortfall in income

along with some essential maintenance work being undertaken, and an overspend of £33k due to cessation of staff time being recharged to projects.

This is offset by an underspend on Industrial Premises (£62k) and Commercial Properties (£13k) due to high occupancy and a saving of premises related costs within admin buildings and depots of (£34k) along with savings from vacant posts during the year.

### Communities

The Communities Department is projecting an overspend of £3,301k for the year.

There are significant variances as the department continues to recover and respond to the post-pandemic phase.

Membership and use of our leisure centres declined to near nil in the pandemic and it was anticipated that income targets (attendances and memberships) could not recover fully this year. However, they are on track to return to pre-pandemic levels by the end of the financial year. As a result, there is a projected in year overspend in Leisure and Culture of £907k. Despite the encouraging trends, lost income to the service is likely to be £1,267k for this year. The service is mitigating the overspend by reducing costs on casual staff (£399k). Minor offsetting expenditure / income variances account for the £39k balance.

Social Care services are projecting an overspend of £2,390k. Underspends are largely due to capacity issues in Residential Beds where it remains difficult to recruit staff. Several initiatives have been launched to address this albeit success in recruitment to meet assessed need is likely to worsen the financial position. Overspends are due to increased demand for services e.g. Direct Payments and in areas where budget savings proposals remain difficult to deliver as Social Work teams have prioritised the safe delivery of key services, meaning that the department has been unable to progress some of the planned savings' proposals. In year inflationary pressures, particularly the higher than anticipated pay award, on the sector make the financial position additionally challenging.

Older People's budgets are forecasting an overspend of £309k. The pay award for 2022-23 was significantly higher than budgeted for and has added a substantial challenge. This is especially true for those areas with a large number of staff on lower grades such as Local Authority Residential Homes (£460k) and Local Authority Home Care (£350k). Increased demand for Direct Payments (£166k) additional costs in the Home Care Framework in order to support rural provision (£270) has resulted in an additional overspend. This is offset by significant underspends in other areas as a result of reduced provision of day services due to COVID19 restrictions (£-299k) and on-going staff vacancies due to staff recruitment issues, particularly in Commissioning (£-129k) and Enablement (£-392k).

Physical Disabilities services are underspent by £376k. Demand for residential placements (£-250k) and supported living placements (£-448k) remains lower than pre-pandemic levels. An increased demand for Direct Payments as an alternative to other service provisions (£507k) partially offsets the underspend in this area.

In Learning Disability services, there is an overspend of £2,171k. Budgetary pressure remains on Residential (£1,133k) and Group Homes / Supported Living (£1,894k) as the savings target are difficult to deliver due to COVID19 restrictions and an under-developed market for care in West Wales. Families of adults with learning disabilities are finding it increasingly challenging to cope resulting in more demand for formal care (£118k). Also, an increased demand for Direct Payments and a lack of availability of alternative provision due to COVID

restrictions has added further pressure (£459k). These pressures have been partially offset with savings due to the reduction of Day Services and Community Support (£-1,352k).

The overspend in Mental Health of £242k is due to increased demand with the main budget pressure in Residential Beds (£576k) and Group Homes / Supported Living (£192k) as the savings target are difficult to deliver due to COVID19 restrictions, partly offset by on-going staff recruitment difficulties (£-328k) and reduced Community Support Provision when compared to pre-pandemic levels (£-167k).

Support Services is forecasting an overspend of £51k.

Council Funded Housing and Public Protection Services are reporting a £5k overspend. However there are concerns around income receivable through the court system relating to the work of our financial investigation team and increased pressure on temporary accommodation services which is being supported by additional grant income from WG.

#### Corporate Services

The Corporate Services Department is anticipating a £1,022k underspend for the year.

There is a £331k underspend on pre LGR pension costs along with a £349k underspend on Council Tax Reduction and an £84k underspend on Rates Relief due to lower than budgeted take up of both schemes.

There are also underspends on salaries due to vacancies across the department, and staff not yet at the top of their scale, along with a reduction in audit fees and some additional income for work undertaken for external organisations.

These underspends are offset by an overspend of £134k on Rent Allowances. This service is demand led and is subject to fluctuation year on year. There is also an overspend in revenues, primarily due to an increase in bank charges as a result of a rise in card payments. This service is demand led and is subject to fluctuation year on year.

#### Department for Education and Children

The Department for Education and Children is forecasting a net overspend of £4,487k at year end.

The Education Services division is forecasting a net overspend of £38k. A forecast overspend due to increased demand for Additional Learning Needs provision £385k includes a mix of additional support in mainstream and the creation of additional classes in attached units. Education other than at school, mainly the PRU settings, also forecast an overspend of £96k as they incur increased staffing costs for the increased demand and more complex nature of behaviour issues since Covid. Due to few in year school redundancies, there is an underspend of £179k for the EVR budget and a further underspend against early years provision of £294k with WG grant received which funds what would have otherwise utilised core budget.

Access to Education division are forecasting a net overspend of £1,105k mainly due to the Schools Meals service of £863k for lunch provision and £192k primary breakfast provisions. Workforce pressures, pay award impact for the lower graded staff and increased food costs

contribute to the challenges of providing the service within the meal price across all schools, ranging from providing 15 to 600 meals per site

Strategy and Learner Support division forecast a net underspend of £361k which will contribute to funding pressures across other areas of the department. This contains part year staffing vacancies and additional grant funding allowing core budget to be released.

Children's Services division forecasts a net overspend of £3,931k with pressures across a number of areas. Commissioning and Social Work £885k forecast overspend is a mix of increased agency cover costs £450k and legal related costs (combination of number of cases and support for families in complex cases) of £430k. The Out of County budget is sufficient to cover the expected level of provision but there are currently three highly complex placements creating an overspend of £1,142k. £406k of the fostering & other looked after services forecast of £726k relates to specialist support packages for 2 children with the remaining £320k absorbed by fostering allowances and related payments in excess of the existing budget. Residential units £839k overspend is due to ongoing challenges around LHB contribution, staffing pressures generating significant agency expenditure and the new setting not having resolved staffing and funding whilst providing essential complex care. Short breaks and direct payments have all seen an increase in demand generating a forecast overspend of £501k.

These pressures are partially offset by maximisation of grant income and part year vacant posts in other service areas.

#### Schools Delegated Budgets

Schools working budgets are forecasting a net overspend in year of £7.5m, with a mix of supporting their formula funding to enable appropriate provision, Covid recovery/catch up and some schools utilising their balances for additional maintenance or initiatives that they would not otherwise have had resources to fund.

This level of utilisation of school reserves will reduce the brought forward balance of £15.2m net surplus to £7.7m by year end.

#### Place & Infrastructure

The Place & Infrastructure Department is forecasting an overspend of £177k for the financial year.

The Service Development & Improvement division is estimating a £220k overspend for the year, mainly due to a £170k additional pressure on Cleaning wages as a result of the pay award being more than budget, there is also a £22k overspend in the service due to a high level of agency as a result of sickness.

The Waste and Environmental Services division is forecasting a £247k overspend of which £199k is as a result of sickness absence related agency cover and driver support services in Refuse, £180k additional pressure on wages due to actual pay award being more than budget and a £69k underachievement of income against budget on the Sustainable Drainage Approval service. These pressures are off-set by staff vacancies of £118k and a £106k surplus on Green Waste collections due to an increased customer base.

Highways and Transportation are forecasting a £204k overspend for the year. The two main variances are the loss of income on Parking Services of £231k and a £251k overspend on



School Transport. The total estimated additional cost of fuel prices and tender prices is £376k, £200k of which has been funded corporately, £75k is estimated additional staff costs, £51k of which is the difference between the actual pay award and the budget for Passenger Assistants. These pressures are partly offset by a £82k net increase in Traffic Regulation orders income and a net £247k underspend on pay costs due to vacancies, staff reducing hours or not on top of their grades plus time recharged to grants.

The Property Division is forecasting a £124k underspend for the year due to the £140k underspend on the vacant Property division Head of Service post and a £190k estimated underspend on Property maintenance. This estimated outturn is based on the current works programme and may vary as the year progresses. These are offset by a £51k overspend on the Schools Handyvan Service due to more work being identified within schools which require to be undertaken, £44k additional costs due to further testing at Llandovery pumping station and a £100k overspend due to the purchasing of equipment to facilitate hybrid working and increased non chargeable time on the Property Design Business unit.

The Place and Sustainability Division is forecasting a £369k underspend, largely due to vacant posts within the team.

## **HOUSING REVENUE ACCOUNT (Appendix B)**

The HRA is predicting to be underspent by £651k for 2022/23. This will be reviewed as the significant issues identified become clearer from a financial perspective.

Variances in Repairs and Maintenance (R&M) costs (+£551k) reflect the managers' current position. However, given current inflation and the impact on construction industry capacity post-Covid and post-Brexit including significantly increasing pay, energy, fuel, and construction materials costs, there will continue to be upwards pressure on contractor rates and reduced availability as we progress through 2022/23. Future budget monitoring will show this developing scenario linked to industry capacity, which is currently affecting year end predictions.

Nationally negotiated pay offers at much higher levels than budgeted, falls directly on the HRA to fund. This will result in £256k overspend. Also, there are other overspends on Supervision and Management taking the total for S&M to £448k. This is offset by additional recharge income of £155k.

The provision for bad debt will not be utilised in 2022/23 resulting in £517k underspend.

While interest rates on capital financing costs in the HRA are forecast higher than budget, the capital financing requirement is significantly reduced due to additional grant funding received in 2021/22 and 2022/23. There is also forecast underspend on the current year capital programme reducing the forecast capital financing costs by £666k. Increased interest rates also benefit the HRA due to the level of reserves held. This equates to approximately £367k.

Lists of the main variances are attached to this report.

<b>DETAILED REPORT ATTACHED?</b>	<b>YES</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	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

### 3. Finance

#### Council Fund

Overall, the Authority is forecasting an overspend of £270k at this point in time. The final out-turn position could be further influenced by any changes to the level of pay awards, and the extent of any additional funding forthcoming.

#### HRA

The HRA is predicting to be underspent by £651k for 2022/23.

# 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

<b>1. Scrutiny Committee request for pre-determination</b>	Not applicable
<b>If yes include the following information: -</b>	
<b>Scrutiny Committee</b>	
<b>Date the report was considered:</b>	
<b>Scrutiny Committee Outcome/Recommendations:</b>	

- 2. Local Member(s)** – Not applicable
- 3. Community / Town Council** – Not applicable
- 4. Relevant Partners** – Not applicable
- 5. Staff Side Representatives and other Organisations** – Not applicable

<b>CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED</b> NO	Include any observations here
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**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
2022/23 Budget		Corporate Services Department, County Hall, Carmarthen

## REPORT OF THE DIRECTOR OF CORPORATE SERVICES

PRE-CABINET 13th MARCH 2023

## COUNCIL'S BUDGET MONITORING REPORT 2022/23

Director and Designation	Author & Designation	Telephone No	Directorate
C Moore, Director of Corporate Services	R Hemingway, Head of Financial Services	01267 224886	Corporate Services

Table 1

Forecasted for year to 31st March 2023

Department	Working Budget				Forecasted				Dec 2022 Forecasted Variance for Year	Oct 2022 Forecasted Variance for Year
	Controllable Expenditure	Controllable Income	Net Non Controllable	Total Net	Controllable Expenditure	Controllable Income	Net Non Controllable	Total Net		
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000		
Chief Executive	39,154	-17,797	-4,140	17,218	39,979	-19,305	-4,140	16,534	-683	-530
Communities	176,259	-70,523	13,795	119,531	179,476	-70,440	13,796	122,832	3,301	2,634
Corporate Services	76,552	-46,040	-1,693	28,819	72,405	-42,915	-1,693	27,797	-1,022	-881
Education & Children (incl. Schools)	206,201	-41,416	22,906	187,691	230,782	-61,510	22,906	192,178	4,487	3,696
Place and Infrastructure	142,564	-89,975	13,252	65,841	144,645	-91,878	13,252	66,018	177	-75
<b>Departmental Expenditure</b>	<b>640,730</b>	<b>-265,751</b>	<b>44,121</b>	<b>419,100</b>	<b>667,286</b>	<b>-286,049</b>	<b>44,122</b>	<b>425,359</b>	<b>6,259</b>	<b>4,844</b>
Unfunded pay offers - Departments				0				0	0	4,800
Unfunded pay offers - Schools				0				1,500	1,500	1,500
Corporate Contingency				3,000				200	-2,800	-2,800
Capital Charges/Interest/Corporate				-17,694				-19,944	-2,250	-2,500
<b>Levies and Contributions:</b>										
Brecon Beacons National Park				154				152	-2	-2
Mid & West Wales Fire & Rescue Authority				11,170				11,170	0	0
West Wales Corporate Joint Committee				155				155	0	0
<b>Net Expenditure</b>				<b>415,885</b>				<b>418,593</b>	<b>2,707</b>	<b>5,842</b>
Transfers to/from Departmental Reserves										
- Chief Executive				0				342	342	265
- Communities				0				-982	-982	-982
- Corporate Services				0				511	511	440
- Education & Children (incl Schools)				0				-2,131	-2,131	-2,131
- Place and Infrastructure				0				-177	-177	38
<b>Net Budget</b>				<b>415,885</b>				<b>416,156</b>	<b>270</b>	<b>3,473</b>

**Chief Executive Department**  
**Budget Monitoring - as at 31st December 2022**

PRE-CABINET 13th MARCH 2023

Division	Working Budget				Forecasted				Dec 2022 Forecasted Variance for Year £'000	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Chief Executive	859	0	-845	14	732	-4	-845	-117	-131	-136
People Management	4,687	-1,585	-2,619	484	6,212	-2,887	-2,619	706	223	297
ICT & Corporate Policy	6,500	-964	-4,785	752	6,586	-1,100	-4,785	701	-51	-34
Admin and Law	4,926	-838	703	4,791	4,691	-880	703	4,514	-277	-261
Marketing & Media	2,826	-713	-1,430	683	2,375	-526	-1,430	419	-265	-345
Statutory Services	1,444	-346	281	1,380	1,495	-489	281	1,287	-93	-70
Regeneration	17,911	-13,352	4,555	9,114	17,889	-13,420	4,555	9,024	-89	19
<b>GRAND TOTAL</b>	<b>39,154</b>	<b>-17,797</b>	<b>-4,140</b>	<b>17,218</b>	<b>39,979</b>	<b>-19,305</b>	<b>-4,140</b>	<b>16,534</b>	<b>-683</b>	<b>-530</b>

## Chief Executive Department - Budget Monitoring - as at 31st December 2022

### Main Variances

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022 Forecasted Variance for Year £'000	Notes	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
<b>Chief Executive</b>							
Chief Executive-Chief Officer	240	0	214	0	-26	Savings on supplies & services	-25
Chief Executive Business Support Unit	618	0	518	-4	-104	3 staff on secondment, no commitment to year end.	-111
<b>People Management</b>							
TIC Team	242	-61	221	-61	-22	3 vacant posts during year. One currently vacant, expected to be filled from March.	-7
Agile Working Project	0	0	66	0	66	Unfunded post	66
Payroll	872	-365	929	-356	66	Past year staffing efficiencies of £79k not being met. Partially offset by vacancies during the year.	58
People Services – HR	964	-275	1,007	-258	60	Temporary additional resource to deal with increased recruitment along with past year efficiencies of £48k not being met.	84
Organisational Development	468	-40	564	-62	74	Training efficiency target not currently being met (£33k). Investors in People assessment one-off costs of (£26k), Unfunded Welsh Language post previously funded from Risk Management fund.	81
Employee Services – HR/Payroll Support	142	0	152	0	10	Regrading of 2 posts not currently budgeted for.	7
DBS Checks	137	0	112	-4	-29	Review of DBS checks process & budget to be undertaken	-27
Other variances					-3		34
<b>ICT &amp; Corporate Policy</b>							
Chief Executive-Policy	722	-32	689	-39	-41	Vacant posts in early part of year now filled with the exception of one, estimated to be filled from March.	-33
Other variances					-10		-1
<b>Admin and Law</b>							
Democratic Services	2,133	-290	1,970	-315	-189	Underspend on members pay and allowances £145k, travelling costs £18k, along with an additional £26k of income for work undertaken for the HRA.	-187
Democratic Services - Support	526	0	511	-30	-45	Additional income for work undertaken for the Wales pension partnership £22k & PCC £8k, savings on supplies & services £15k.	-48
Land Charges	103	-275	134	-258	48	Shortfall in income due to low demand for searches	36
Legal Services	2,092	-273	2,017	-263	-64	Vacancies in early part of the year now filled. 4 current vacancies estimated to be filled from March	-36
Central Mailing	46	0	27	-4	-23	Saving on franking machine leasing costs	-23
Other variances					-3		-4

**Chief Executive Department - Budget Monitoring - as at 31st December 2022**  
**Main Variances**

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022 Forecasted Variance for Year £'000	Notes	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
<b>Marketing &amp; Media</b>							
Marketing and Media	409	-171	427	-32	158	Overspend on salaries pending divisional realignment. Loss of income streams from external partners (e.g. ERW £80k).	160
Translation	595	-53	475	-53	-120	2 vacant posts pending divisional realignment & number of staff working reduced hours, savings on supplies & services.	-138
Customer Services Centres	1,203	-362	996	-358	-203	Part year vacancies in Contact Centre and Hwbs. Constantly out to advert due to difficulty in filling posts.	-260
Yr Hwb, Rhydaman a Llanelli	174	-96	73	-53	-58	2 vacant posts pending divisional realignment, offset partly by less income from decreased demand for desk rent space.	-57
Marketing Tourism Development	405	-5	363	-5	-41	Underspend on vacant posts pending divisional realignment	-50
Other variances					-0		0
<b>Statutory Services</b>							
Registrars	525	-343	591	-464	-55	Increase in anticipated income due to large number of ceremonies taking place	-64
Electoral Services - Staff	265	0	236	0	-29	1 post currently vacant, committed from March	-42
Other variances					-9		37
<b>Regeneration &amp; Property</b>							
Regeneration Management	308	0	341	0	33	Overspend due to cessation in staff time recharged to projects	41
Property	1,195	-91	1,036	-19	-88	4 posts currently vacant estimated to be filled from March. These vacancies and an underspend on supplies and services are covering a shortfall on income generated from external work undertaken.	-57
Commercial Properties	34	-463	102	-545	-13	Relatively high occupancy rate currently	-9
Provision Markets	623	-556	613	-513	33	Shortfall in income at Carmarthen Market due to low occupancy. Essential work undertaken on the Llanelli Market Recycling compound.	3
Operational Depots	356	0	328	0	-28	Underspend on various premises related costs	-5
Industrial Premises	494	-1,519	536	-1,624	-62	High occupancy levels currently	-8
County Farms	79	-351	86	-308	50	Income target not met due to current economic climate, as no scope to increase tenancy agreements at the moment.	57
Other variances					-15		-1
<b>Grand Total</b>					<b>-683</b>		<b>-530</b>



**Department for Communities**  
**Budget Monitoring - as at 31st December 2022**

PRE-CABINET 13th MARCH 2023

Division	Working Budget				Forecasted				Dec 2022 Forecasted Variance for Year £'000	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
<b>Adult Services</b>										
Older People	71,111	-25,954	3,557	48,715	71,441	-25,974	3,557	49,024	309	-482
Physical Disabilities	8,478	-1,909	286	6,856	8,263	-2,069	286	6,480	-376	-404
Learning Disabilities	43,972	-11,718	1,439	33,693	45,799	-11,374	1,439	35,864	2,171	2,309
Mental Health	11,512	-4,325	233	7,420	11,719	-4,290	233	7,662	242	160
Support	11,251	-7,370	1,167	5,048	11,366	-7,444	1,167	5,089	42	-51
<b>Homes &amp; Safer Communities</b>										
Public Protection	3,506	-1,384	532	2,655	3,506	-1,337	532	2,701	47	93
Council Fund Housing	9,216	-7,994	798	2,020	10,011	-8,832	798	1,978	-42	135
<b>Leisure &amp; Recreation</b>										
Leisure & Recreation	17,213	-9,870	5,783	13,126	17,370	-9,120	5,783	14,033	907	873
<b>GRAND TOTAL</b>	<b>176,259</b>	<b>-70,523</b>	<b>13,795</b>	<b>119,531</b>	<b>179,476</b>	<b>-70,440</b>	<b>13,796</b>	<b>122,832</b>	<b>3,301</b>	<b>2,634</b>

**Department for Communities - Budget Monitoring - as at 31st December 2022**  
**Main Variances**

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022 Forecasted Variance for Year £'000	Notes	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
<b>Adult Services</b>							
<b>Older People</b>							
Older People - Commissioning	4,520	-912	4,302	-823	-129	Recruitment issues re Social Workers. Additional budget has been allocated in 2022/23 and a wide range of initiatives are being launched to increase recruitment.	-110
Older People - LA Homes	9,265	-4,286	9,899	-4,460	460	Recruitment issues in respect of care workers has increased the reliance on Agency staff. Impact of 2022/23 pay award significantly higher than budgeted (approx. £390k).	120
Older People - LA Home Care	7,836	0	8,110	0	274	Impact of 2022/23 pay award significantly higher than budgeted (approx. £350k).	-98
Older People - Direct Payments	1,285	-313	1,451	-313	166	Demand for Direct Payments remains high as an alternative to other service provision	149
Older People - Private Home Care	9,515	-2,638	9,784	-2,638	270	Additional costs in the Home Care Framework due to supporting rural provision	358
Older People - Enablement	2,060	-485	1,668	-485	-392	Demand for Reablement Services remains high but capacity to deliver is constrained by staff recruitment issues. A wide range of initiatives have been launched to address this.	-541
Older People - Day Services	895	-84	515	-4	-299	Provision of Day Services is reduced compared to pre-pandemic levels.	-335
Older People - Other variances					-40		-25
<b>Physical Disabilities</b>							
Phys Dis - Private/Vol Homes	1,574	-313	1,324	-313	-250	Demand for residential placements is lower than pre-pandemic. Demand levels are increasing slowly.	-260
Phys Dis - Group Homes/Supported Living	1,447	-174	1,000	-174	-448	Demand for Supported Living placements is lower than pre-pandemic.	-488
Phys Dis - Direct Payments	3,024	-603	3,530	-603	507	Demand for Direct Payments remains high as an alternative to other service provision	481
Phys Dis - Other variances					-185		-138
<b>Learning Disabilities</b>							
Learn Dis - Employment & Training	1,921	-279	1,515	-61	-188	Provision of LD Day Services is reduced compared to pre-pandemic levels.	-124
Learn Dis - Private/Vol Homes	12,296	-4,482	13,430	-4,482	1,133	Whilst demand for LD Residential Placements has not increased significantly, the budget has been reduced to reflect efficiency proposals. The delivery of this has been delayed.	1,037
Learn Dis - Direct Payments	4,490	-572	4,936	-559	459	Demand for Direct Payments remains high as an alternative to other service provision	462

## Department for Communities - Budget Monitoring - as at 31st December 2022

### Main Variances

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022 Forecasted Variance for Year £'000	Notes	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Learn Dis - Group Homes/Supported Living	10,967	-2,295	12,861	-2,295	1,894	Whilst demand for LD Supported Accommodation has not increased significantly, the budget has been reduced to reflect efficiency proposals. The delivery of this has been delayed.	1,894
Learn Dis - Adult Respite Care	1,086	-812	1,205	-812	118	Recruitment issues in respect of care workers has increased the reliance on Agency staff	98
Learn Dis - Day Services	2,672	-464	2,349	-361	-220	Provision of LD Day Services is reduced compared to pre-pandemic levels.	-157
Learn Dis - Private Day Services	1,179	-84	647	74	-374	Provision of LD Day Services is reduced compared to pre-pandemic levels.	-313
Learn Dis - Adult Placement/Shared Lives	2,940	-1,992	2,434	-2,056	-570	Provision of LD Day Services which forms part of the Shared Lives Services, is reduced compared to pre-pandemic levels.	-554
Learn Dis - Other variances					-82		-34
<b>Mental Health</b>							
M Health - Commissioning	1,539	-154	1,177	-120	-328	Recruitment issues re Social Workers. Additional budget has been allocated in 2022/23 and a wide range of initiatives are being launched to increase recruitment.	-335
M Health - Private/Vol Homes	6,653	-3,377	7,229	-3,377	576	Whilst demand for MH Residential Placements has not increased significantly, the budget has been reduced to reflect efficiency proposals. The delivery of this has been delayed.	527
M Health - Group Homes/Supported Living	1,648	-466	1,840	-466	192	Accommodation and Efficiency project plans for strategic longer term future accommodation options as well as current client group has experienced delays due to COVID19. The Progression & Review Team will prioritise Rightsizing in Supported Living in 2022.	192
M Health - Community Support	777	-78	610	-78	-167	Community Support Provision is reduced compared to pre-pandemic levels.	-206
M Health - Other variances					-30		-18
<b>Support</b>							
Other Variances - Support					42		-51
<b>Homes &amp; Safer Communities</b>							
<b>Public Protection</b>							
Noise Control	227	0	178	-0	-49	Under on salaries	-54
Animal Welfare	87	-87	90	-41	49	Under achievement of income, mainly due to reduction in licensed dog breeders	47
Dog Wardens	105	-30	123	-26	22	Increase in abandoned dogs & not reclaimed	16
Public Health Services Management	54	-115	74	-115	20	Over on salaries	38

## Department for Communities - Budget Monitoring - as at 31st December 2022

### Main Variances

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022 Forecasted Variance for Year £'000	Notes	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Trading Standards Services Management	94	-40	32	0	-22	Staff Vacancy £58k offset by income not achieved £40k	-14
Safeguarding, Licensing & Financial Investigation	96	0	44	0	-52	Under on salaries & Supplies & Services	-32
Fair Trading	231	-68	191	-4	23	Under achievement of income	58
Other Variances					56		35
<b>Council Fund Housing</b>							
Home Improvement (Non HRA)	662	-273	671	-397	-115	Over achievement of income	-76
Penybryn Traveller Site	182	-132	121	-98	-27	Underspent on salaries	-8
Social Lettings Agency	846	-839	868	-758	102	Reduction in commission to retain stock, under achieved on Fees & Rent	12
Other variances					-1		207
<b>Leisure &amp; Recreation</b>							
Burry Port Harbour	21	-107	25	-129	-17	Excess income achieved to budget for Parking	-16
Discovery Centre	6	-90	6	-109	-19	Excess income achieved to budget for Parking	-19
Pembrey Ski Slope	436	-475	510	-564	-15	Forecast to over achieve income to budget	-3
Newcastle Emlyn Sports Centre	337	-192	313	-147	21	Income shortfall (COVID19 recovery) £45k offset by in year vacancies / lower use of casual staff £12k, along with various underspends in S & S headings	21
Carmarthen Leisure Centre	1,513	-1,616	1,452	-1,348	206	Income shortfall (COVID19 recovery) £267k offset by in year vacancies / lower use of casual staff £55k, along with various underspends in S & S headings	198
Amman Valley Leisure Centre	960	-856	1,003	-766	134	Income shortfall (COVID19 recovery) £91k, along with Utilities £27k and R & M £53k, offset in part with in year vacancies / lower use of casual staff £37k	157
Llandovery Swimming Pool	376	-259	389	-153	119	Income shortfall (COVID19 recovery) £106k along with overspend in Employees due to pay award not being fully funded	104
Gwendraeth Sports Centre	0	0	-37	0	-37	Credit relating to backdated NNDR	-37
Actif Facilities	249	0	259	0	10	Numerous minor expenditure overspends	-15
Actif health, fitness and dryside	213	-135	191	-84	28	Income shortfall (COVID19 recovery) £50k offset by in year vacancies / lower use of casual staff £22k	22
Catering - Sport Centres	320	-297	262	-190	49	Income shortfall (COVID19 recovery) £107k offset by in year vacancies / lower use of casual staff £17k and underspend in cost of Catering £41k	30
Sport & Leisure General	840	-46	839	-61	-15	In year staff vacancies	-14
PEN RHOS 3G PITCH	21	-48	11	-49	-11	Numerous minor expenditure underspends	-7
St John Lloyd - 2G Pitch	62	-14	27	-13	-35	Numerous minor expenditure underspends	-22

## Department for Communities - Budget Monitoring - as at 31st December 2022

### Main Variances

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022 Forecasted Variance for Year £'000	Notes	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Llanelli Leisure Centre	1,297	-1,094	1,371	-906	262	Income shortfall (COVID19 recovery) £188k, Premises Mtce £61k and Employee costs due to pay award not being fully funded £33k, along with various underspends in S & S headings	249
Outdoor Recreation - Staffing costs	423	0	472	0	49	Forecast overspend due to planned installation of transformer to safeguard future Service delivery	47
Ammanford Library	293	-14	261	-7	-25	In year staff vacancies	-7
Llanelli Library	491	-30	516	-25	29	Forecast overspend in Employees due to pay award not being fully funded	-2
Libraries General	1,130	-1	1,166	-4	34	Forecast overspend in Employees due to pay award not being fully funded	6
Museums General	158	0	224	0	66	Unable to achieve vacancy factor, a legacy of undelivered PBB's and unfunded post	73
Arts General	16	0	1	0	-15	Vacant post being held pending restructure	-14
St Clears Craft Centre	111	-39	69	-19	-22	Vacant posts being held pending potential community run venture	-29
Cultural Services Management	103	0	84	0	-19	Numerous minor expenditure underspends	-0
Laugharne Boathouse	157	-117	148	-70	38	Income shortfall (COVID19 recovery)	46
Lyric Theatre	417	-315	392	-265	24	Income shortfall (COVID19 recovery)	13
Y Ffwrnes	813	-486	712	-440	-55	Income shortfall (COVID19 recovery) £46k, offset by forecast underspend on Utilities £57k, cost of Catering £13k and numerous other expenditure underspends	41
Entertainment Centres General	564	-63	557	-24	32	Budgeted grant from ACW not due to fully materialise	-37
Attractor - Management	0	0	51	0	51	Forecast cost of Project manager post (10 mths) not funded	46
Attractor - Externals	7	-58	10	-10	52	Parking income budgeted for Attractor site not fully achievable due to delays in contract completion	46
Leisure Management	436	-3	408	-3	-28	In year staff vacancy	-30
Other Variances					18		25
<b>Grand Total</b>					<b>3,301</b>		<b>2,634</b>

**Corporate Services Department**  
**Budget Monitoring - as at 31st December 2022**

PRE-CABINET 13th MARCH 2023

Division	Working Budget				Forecasted				Dec 2022 Forecasted Variance for Year £'000	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Financial Services	12,453	-2,788	-863	8,801	11,700	-2,479	-863	8,358	-444	-445
Revenues & Financial Compliance	64,099	-43,252	-830	20,018	60,705	-40,436	-830	19,439	-578	-436
<b>GRAND TOTAL</b>	<b>76,552</b>	<b>-46,040</b>	<b>-1,693</b>	<b>28,819</b>	<b>72,405</b>	<b>-42,915</b>	<b>-1,693</b>	<b>27,797</b>	<b>-1,022</b>	<b>-881</b>

## Corporate Services Department - Budget Monitoring - as at 31st December 2022

### Main Variances

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022 Forecasted Variance for Year £'000	Notes	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
<b>Financial Services</b>							
Accountancy	1,877	-478	1,907	-468	40	Accountancy support costs of one-off Welsh Government payments	0
Treasury and Pension Investment Section	277	-200	244	-217	-51	Additional income for work undertaken for Wales Pension Partnership £18k. Salary costs chargeable to grant schemes £28k, along with other smaller underspends on supplies and services	-24
Grants and Technical	357	-114	275	-47	-15	Vacant post will not be filled until the new financial year	-4
Systems and Accounts Payable	581	-79	546	-78	-34	6 Vacant posts during the year. All now filled.	-37
Audit Fees	325	-96	301	-96	-24	A proportion of audit fees are chargeable directly to grants	-25
Bank Charges	66	0	53	0	-13	Reduced costs following new bank contract	-14
Miscellaneous Services	6,719	-125	6,283	-39	-350	£331k underspend on pre LGR pension costs along with a £19k underspend on Treasury Management expenses.	-342
Other variances					4		1
<b>Revenues &amp; Financial Compliance</b>							
Procurement	638	-36	576	-36	-61	Savings from staff member working reduced hours, maternity leave and a number of posts currently at lowest point on the salary scale	-58
Audit	511	-20	463	-40	-68	3 posts currently vacant, that will not be filled until the new financial year £34k; Additional SLA income from Fire Service and Delta £20k; £14k underspend on supplies and services	-38
Risk Management	158	-1	141	-1	-17	Staff member working reduced hours	-18
Corporate Services Training	62	0	31	0	-31	Less planned training during the year	-26
Local Taxation	986	-763	972	-802	-52	Savings on 4 vacant posts to date this year. Three are still currently vacant and not going to be filled during this financial year. Some Agency cover has been used during the year following failure to recruit to these posts.	-53
Council Tax Reduction Scheme	17,249	0	16,900	0	-349	Underspend based on latest demand figures.	-241
Rent Allowances	41,323	-41,540	37,206	-37,289	134	Projections on expenditure based on 2021/22 claims	112
Rates Relief	289	0	205	0	-84	Low take-up anticipated in 2022/23. Based on current demand.	-105
Housing Benefits Admin	1,702	-753	1,426	-632	-155	DWP Housing Benefit Admin grant received is £212k less than budget. There is a net £240k underspend on pay costs, due to 10 current vacant posts, 3 of which will be filled from March. The remaining 7 will not be replaced until the next financial year. These vacancies are offset by the cost of agency staff who have been covering some of these posts due to difficulties in recruiting replacements. We have also received £127k of one off grants from DWP during the year to complete specific projects.	-125

**Corporate Services Department - Budget Monitoring - as at 31st December 2022**  
**Main Variances**

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022	Notes	Oct 2022
	Expenditure	Income	Expenditure	Income	Forecasted Variance for Year		Forecasted Variance for Year
	£'000	£'000	£'000	£'000	£'000		£'000
Revenues	1,033	-139	1,143	-136	114	£103k increase in bank charges over budget due to increased number of card payments. £82k one off essential software upgrade. Offset by short term vacant posts that are being covered by agency following failure to recruit, along with 5 current vacant posts, only one of which will be filled in March. The remaining 4 will not be filled until next financial year.	129
Other variances					-8		-13
<b>Grand Total</b>					<b>-1,022</b>		<b>-881</b>



**Department for Education & Children**  
**Budget Monitoring - as at 31st December 2022**

PRE-CABINET 13th MARCH 2023

Division	Working Budget				Forecasted				Dec 2022 Forecasted Variance for Year £'000	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
<b>Schools Delegated Budgets</b>	150,324	-22,289	0	128,035	157,853	-22,289	0	135,564	7,529	7,390
<b>Transfer from Reserves</b>				0		-7,529		-7,529	-7,529	-7,390
Director & Strategic Management	1,572	0	-109	1,463	1,345	0	-109	1,236	-227	-240
Education Services Division	17,053	-6,954	18,289	28,388	18,516	-8,380	18,289	28,426	38	-57
Access to Education	3,793	-103	1,339	5,030	12,608	-7,811	1,339	6,135	1,105	476
Strategy & Learner Support	4,933	-3,126	653	2,460	4,927	-3,482	653	2,099	-361	-293
Children's Services	28,526	-8,944	2,734	22,316	35,532	-12,020	2,734	26,247	3,931	3,811
<b>TOTAL excluding schools</b>	<b>55,877</b>	<b>-19,127</b>	<b>22,906</b>	<b>59,656</b>	<b>72,929</b>	<b>-31,693</b>	<b>22,906</b>	<b>64,143</b>	<b>4,487</b>	<b>3,696</b>
<b>GRAND TOTAL</b>	<b>206,201</b>	<b>-41,416</b>	<b>22,906</b>	<b>187,691</b>	<b>230,782</b>	<b>-61,510</b>	<b>22,906</b>	<b>192,178</b>	<b>4,487</b>	<b>3,696</b>

## Department for Education & Children - Budget Monitoring - as at 31st December 2022

### Main Variances

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022 Forecasted Variance for Year £'000	Notes	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
<b>Director &amp; Strategic Management</b>							
Director & Management Team	1,201	0	966	0	-235	£225k earmarked for 2023/24 efficiency this year reducing the department's in year overspend.	-235
Other variances					8		-5
<b>Education Services Division</b>							
School Redundancy & EVR	2,133	0	1,955	0	-179	Low number of school redundancies due to the surpluses brought forward & continuation of RRRS grant	-153
Early Years Non-Maintained Provision	922	-558	899	-828	-294	WG grant funding received where already committed core budget. In year underspend supporting department pressures	-280
Additional Learning needs	4,078	-2,359	4,593	-2,488	385	New ALN pressures in excess of the already committed budget for school provision.	308
Education Other Than At School (EOTAS)	3,751	-470	4,188	-811	96	Increased agency costs due to staff absences across the 4 settings	48
Other variances					29		21
<b>Access to Education</b>							
School Admissions	420	0	345	0	-75	Part year vacant posts currently being recruited to	-77
School Modernisation	142	0	396	-128	126	£117k closed schools & £9k additional transport costs following school reorganisations	110
School Meals & Primary Free Breakfast Services	3,231	-103	11,867	-7,684	1,055	School meals £863k - significant increase in staffing costs re actual pay award and reduced income projections. Primary breakfast contributions for care element shortfall £89k & increased costs of food & labour £103k	442
<b>Strategy &amp; Learner Support</b>							
Welsh Language Support	655	-217	662	-270	-46	Maximisation of grant income supporting priorities the service had already identified and have staff working on, partially offsetting overspends elsewhere within the Department	12
Youth Support Service & Participation	2,294	-1,272	2,118	-1,242	-145	Number of part year staff vacancies, delays in recruitment and additional short term grants being utilised	-140
European Funded Projects	315	-314	152	-203	-52	Project led by Pembs CC ended in May 2021, final grant income is still outstanding. £52k underspend on the flat rate allowance for indirect costs has been achieved due to the project not fully spending 15% allowance provided to cover any indirect or ineligible items. The project could still be subject to further European audits.	-51
School Information Systems	370	-28	250	-28	-120	Part year vacant posts being reviewed as part of current restructure	-117
Other variances					2		2

## Department for Education & Children - Budget Monitoring - as at 31st December 2022

### Main Variances

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022 Forecasted Variance for Year £'000	Notes	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
<b>Children's Services</b>							
Commissioning and Social Work	7,854	-109	8,914	-284	885	Increased agency staff costs forecast £578k re additional demand & difficulty recruiting permanent staff, legal costs £299k with additional external provision due to increased complexity of cases and increased demand for assistance to clients and their families £157k. This is partly offset by other net savings - £149k - staffing budget due to vacancies as not able to recruit and additional grant income	1,016
Corporate Parenting & Leaving Care	1,067	-124	1,036	-209	-116	Maximisation of grant income supporting priorities the service had already identified and have staff working on	-101
Fostering & Other Children Looked After Services	4,276	0	5,064	-62	726	Specialist support (mainly agency) for 2 young people with highly complex needs £406k. Boarded out costs re demand, allowance increases and additional payments due to connected carers £181k. Enhancement costs re more complex children in placements £52k, transport to school costs £48k re demand & increased fuel costs, one off IT equipment purchases for Carers £24k, an extension for 1 family £32k, panel costs £15k, promotion & marketing costs £11k. Increase in Special Guardianship Orders (SGO's) £19k. This is offset by additional WG grant £62k	753
Adoption Services	564	0	1,198	-532	102	Increased staffing costs, including agency staff re ongoing service demands and maternity leave cover required for 3 members of the team	90
Out of County Placements (CS)	446	0	1,619	-31	1,142	3 new highly complex placements in 2022/23	990
Residential Units	849	-365	2,486	-1,162	839	£672k Garreglwyd - significant agency staff costs forecast due to difficulty recruiting to vacant posts & sickness cover. This projected outturn position assumes £394k income from Hywel Dda University Health Board. £167k forecast overspend at the new Ty Magu Residential Unit - increased staffing costs re complex placements £336k (including £54k agency staff costs) and other estimated running costs £51k, with no budget currently available for non-staffing costs. This is offset by £220k WG grant	725
Supporting Childcare	1,321	-710	1,639	-1,088	-60	Maximisation of grant income supporting priorities the service had already identified and have staff working on	-29
Short Breaks and Direct Payments	689	-59	1,386	-255	501	Increased demand for Direct Payments since change in legislation, further pressures linked to covid-19 & lack of commissioned services available £377k. Also increased demand for 1-2-1 support under Short Breaks due to lack of available location based services £296k, partly offset by recently awarded WG grant - £172k	328
Other Family Services incl Young Carers and ASD	946	-577	1,043	-752	-78	Maximisation of grant income, partially offsetting overspends elsewhere within the division	-61

## Department for Education & Children - Budget Monitoring - as at 31st December 2022

### Main Variances

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022	Notes	Oct 2022
	Expenditure	Income	Expenditure	Income	Forecasted Variance for Year		Forecasted Variance for Year
	£'000	£'000	£'000	£'000	£'000		£'000
Children's Services Mgt & Support (inc Eclipse)	1,165	-164	1,635	-669	-36	Increased funding from Home Office in relation to Unaccompanied Asylum Seeker Children - only communicated recently and therefore not committed in October return	64
Other Variances					25		34
<b>Grand Total</b>					<b>4,487</b>		<b>3,696</b>

**Place and Infrastructure Department  
Budget Monitoring - as at 31st December 2022**

PRE-CABINET 13th MARCH 2023

Division	Working Budget				Forecasted				Dec 2022 Forecasted Variance for Year £'000	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Service Development & Improvement	4,331	-3,878	492	944	4,595	-3,922	492	1,164	220	36
Waste & Environmental Services	28,964	-4,796	1,399	25,568	29,469	-5,053	1,399	25,816	247	85
Highways & Transportation	56,878	-33,134	10,132	33,875	58,358	-34,411	10,132	34,079	204	280
Property	46,813	-45,838	899	1,874	46,671	-45,821	899	1,750	-124	-125
Place and Sustainability	5,578	-2,329	330	3,579	5,552	-2,672	330	3,210	-369	-350
<b>GRAND TOTAL</b>	<b>142,564</b>	<b>-89,975</b>	<b>13,252</b>	<b>65,841</b>	<b>144,645</b>	<b>-91,878</b>	<b>13,252</b>	<b>66,018</b>	<b>177</b>	<b>-75</b>

## Place and Infrastructure Department - Budget Monitoring - as at 31st December 2022

### Main Variances

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022 Forecasted Variance for Year £'000	Notes	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
<b>Service Development &amp; Improvement</b>							
Facilities Management - Building Cleaning	4,311	-3,783	4,578	-3,858	192	£170k additional pressure on wages due to actual pay award being more than budget. £22k due to high level of agency as a result of staff sickness	3
Departmental - Core	103	0	114	0	12	£22k - recruitment costs for Director post; less £10k saving on pay costs due to officer not at top of grade and reduction in hours.	32
Other variances					16		1
<b>Waste &amp; Environmental Services</b>							
Waste & Environmental Services Unit	-12	0	-80	-0	-69	Interim staffing complement, recruitment will be reviewed in the fourth quarter	-66
SAB - Sustainable Drainage approval Body Unit	132	-134	132	-65	69	Anticipated income not materialised - Dependent on number of submissions and market buoyancy of development projects	47
Environmental Enforcement	589	-19	543	-22	-49	Underspend relates to vacated post. Future needs are being assessed.	-37
Waste Services	18,836	-1,257	19,141	-1,372	189	£180k additional pressure on wages due to actual pay award being more than budget.	-0
Green Waste Collection	574	-446	614	-591	-106	Increased customer base	-45
Waste services - COVID19 related	0	0	199	0	199	Sickness absence related agency cover and driver support services	199
Other variances					13		-13
<b>Highways &amp; Transportation</b>							
Departmental - Transport	43	0	-5	0	-48	Vacant post, management review underway	-0
Departmental Pooled Vehicles	0	0	17	0	17	Under-utilisation of pool vehicles	17
Transport Strategic Planning	419	0	446	0	27	Staff costs incurred on grant project - funding subject to review of levelling up project management allocation	16
School Transport	12,570	-946	13,061	-1,186	251	Total estimated additional cost of fuel prices and tender prices is £376k - £200k of which has been funded corporately; £75k estimated additional staff costs, £51k of which is the difference between the actual pay award and the budget for Passenger Assistants.	280
Traffic Management	579	-189	925	-617	-82	Net increase in Traffic Regulation orders income	-54
Car Parks	2,113	-3,348	1,879	-2,883	231	Parking income not achieving income targets due to reduced footfall in town centres.	217
Nant y Ci Park & Ride	85	-34	117	-54	13	Reduced demand on the service	12
Road Safety	248	-5	155	-0	-88	Vacant post filled in January, reduced hours for another post and an estimated £74k officers time recharged to grants	-85
School Crossing Patrols	160	0	126	0	-34	Several posts have become vacant and will not be refilled	-33
Highway Lighting	2,608	-1,221	2,148	-812	-50	Vacant Assistant Public Lighting Engineer post estimated to be filled by March 2023	-28

## Place and Infrastructure Department - Budget Monitoring - as at 31st December 2022

### Main Variances

PRE-CABINET 13th MARCH 2023

Division	Working Budget		Forecasted		Dec 2022 Forecasted Variance for Year £'000	Notes	Oct 2022 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Public Rights Of Way	1,043	-75	969	-56	-55	Savings on pay due to reduced hours; vacancies during the first and second quarters	-67
Other variances					22		5
<b>Property</b>							
Property Division Business Unit	140	0	0	0	-140	Vacant HOS post, review on-going	-140
Property Maintenance Operational	34,800	-35,749	35,400	-36,540	-190	Estimated sub-contractor costs based on 80% of works programme, this may vary as the year progresses	-136
Schools Handyvan Service	253	-249	304	-249	51	More work being identified within schools which require to be undertaken	57
Pumping Stations	55	0	98	0	44	Additional cost due to further testing at Llandovery pumping station	49
Design Services CHS Works	4,232	-4,437	3,362	-3,558	10	Slippage on Retrofit 2.1 scheme	-6
Property Design - Business Unit	2,970	-3,338	3,312	-3,580	100	Purchasing of equipment to facilitate hybrid working and return to the office. Increased non chargeable time due to increased absence as a result of sickness, maternity and paternity leave.	50
Other variances					2		-0
<b>Place and Sustainability</b>							
Planning Admin Account	331	-17	399	-132	-47	Underspend on supplies & services	-37
Building Control	687	-509	653	-456	19	Due to a shortfall in income as a result of a market slump since Christmas	-16
Forward Planning	731	0	745	-128	-114	Grant funding of £127k received from Welsh Government for Phosphates in December 2022; vacant posts during the year with 1 post estimated to be filled in the new financial year	-4
Development Management	1,839	-948	1,712	-1,024	-203	£289k underspend on vacant posts during the year offset by additional agency, fees & travel costs	-247
Other Variances					-25		-46
<b>Grand Total</b>					177		-75

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## Housing Revenue Account - Budget Monitoring as at 31st December 2022

	Working Budget £'000	Forecasted £'000	Dec 22 Variance for Year £'000	Notes	Oct 22 Forecasted Variance for Year £'000
<b>Expenditure</b>					
<b>Repairs &amp; Maintenance</b>					
Responsive	2,380	3,663	1,283	Budget managers are currently predicting a £551k overspend on revenue maintenance budget spend. However, given current inflation and the impact on construction industry capacity post-Covid and post-Brexit including significantly increasing pay, energy, fuel, and construction materials costs, there will continue to be upwards pressure on contractor rates and reduced availability as we progress through 2023 e.g. in January the Minor Works Framework Schedule of Rates was increased by 9.3% in line with CPI for the 12-month period August 2021 to July 2022. As a result, remaining within budget may require delivering less with our allocated financial resources. Budget managers will continue to respond to these fluctuations to ensure that the overall HRA expenditure remains within budget. The review of the 3-year HRA Business Plan for 2023/24 onwards has identified appropriate adjustments to future budget allocations to reflect the anticipated continuing inflation impacts.	1,011
Minor Works	3,464	2,224	-1,240		-1,395
Voids	4,523	4,683	160		-106
Servicing	1,934	2,098	164		97
Drains & Sewers	117	116	-1		5
Grounds	849	810	-39		-38
Property & Strategic Projects	423	647	224		5
Unadopted Roads	118	118	0		0
<b>Supervision &amp; Management</b>					
Employee	5,947	6,204	256	Impact of pay award compared to budgeted salary costs and transfers of staff from Place & Infrastructure to Communities with establishment of a distinct Housing Property team.	345
Premises	1,358	1,384	26	Additional energy and council tax related project costs, which will generate rental income once projects are occupied.	38
Transport	35	39	4		11
Supplies	922	1,084	162	Legal costs in housing management £75k & other supplies and services including Office relocation costs	-4
Recharges	-453	-608	-155	Additional recharge income to support Affordable Homes capital programme and reduction in recharge expenditure as services/staff transfer from the Place & Infrastructure Department to Communities to become direct costs.	170
Provision for Bad Debt	594	77	-517	Write offs in year only £40k with potential further £150k and age analysis of debt reduces requirement.	0
Capital Financing Cost	14,923	14,256	-666	Capital HRA programme is predicting a £21m underspend on the revised budget of £50m. This, in conjunction with increased grant funding in 2021/22 and 2022/23 has decreased the borrowing requirement in year from £17.4m to £4.1m. The impact on mid-year CFR and therefore interest is significant, reducing capital charges by £666k. This does assume an interest rate of 4.01% which may change if other elements of the capital programme on Council Fund vary.	-591
Central Support Charges	1,811	1,779	-32		-32
Direct Revenue Financing	10,000	10,000	0		0
<b>Total Expenditure</b>	<b>48,946</b>	<b>48,573</b>	<b>-372</b>		<b>-485</b>

### Housing Revenue Account - Budget Monitoring as at 31st December 2022

	Working Budget £'000	Forecasted £'000	Dec 22	Notes	Oct 22
			Variance for Year £'000		Forecasted Variance for Year £'000
<b>Income</b>					
Rents	-43,608	-43,515	93	Prediction close to target for rent due and voids	-4
Service Charges	-849	-849	0		-0
Supporting People	-70	-71	-1		0
Interest on Cash Balances	-5	-372	-367	Interest rate significantly above 0.05% budgeted, assumed current year average of 1.8%	-174
Grants	-296	-296	0		0
Insurance	-221	-221	0		0
Other Income	-496	-500	-4		-2
<b>Total Income</b>	<b>-45,545</b>	<b>-45,824</b>	<b>-279</b>		<b>-180</b>
<b>Net Expenditure</b>	<b>3,401</b>	<b>2,750</b>	<b>-651</b>		<b>-665</b>

HRA Reserve	£'000
Balance b/f 01/04/2022	21,895
Budgeted movement in year	-3,401
Variance for the year	651
Balance c/f 31/03/2023	<b>19,145</b>

## CABINET 27<sup>th</sup> MARCH 2023

### CAPITAL PROGRAMME 2022/23 UPDATE

Purpose: To report the latest projected outturn of the capital programme for the financial year and to agree the reprofiling of the budget.

#### Recommendations / key decisions required:

1. That the capital programme update report is received.
2. That the new projects are noted and agreed.

#### Reasons:

1. To provide an update of the latest budgetary position for the 2022/23 capital programme, as at the 31<sup>st</sup> December 2022.

Cabinet Decision Required YES

Council Decision Required NO

#### CABINET MEMBER PORTFOLIO HOLDER:

Cllr. Alun Lenny (Resources)

Directorate:  
Corporate Services

Designations:

Tel: 01267 224886

Name of Head of Service:  
Randal Hemingway

Head of Financial  
Services

Email addresses:  
[RHemingway@cararthenshire.gov.uk](mailto:RHemingway@cararthenshire.gov.uk)

Report Author:  
Randal Hemingway

## EXECUTIVE SUMMARY

### CAPITAL PROGRAMME 2022/23 UPDATE

The current capital programme is based on information available as at the end of December 2022. Part of the General Fund budget (£56,878k net) has been slipped to future years and has been incorporated into the new Capital Programme 2023-2028. This brings the working budget more in-line with the projected outturn for the year. HRA budgets remain unchanged. **Appendix A** therefore shows the position after this slippage has been stripped out of the current year's budget. It shows a forecasted net spend of £56,590k compared with a working net budget of £92,515k, giving a **-£35,925k** variance (£15,567k General Fund and £20,358k HRA).

Some of the budgets have also been amended to account for differences in actual grant allocations compared with the anticipated allocations at the time the programme was approved, and new grant awards received during the year to date.

**Appendix B** details the main variances within each department.

#### **New Projects and virements to note and approve for the current year:**

A slippage Virement from 2022-23 to future years of the new capital programme: Gross £119,883k less External Funding £63,005k = £56,878 Net. Appendix C set out the individual detail. This slippage is incorporated into the new five-year capital programme approved by County Council on 1st March 2023.

#### **Leisure:**

A new project for the Upgrade of Electrical Infrastructure at Pembrey County Park introduced to the programme which will be funded by direct revenue funding. £106k.

#### **Regeneration:**

The residual budget of £380k relating to the purchase of the Grillo Site in Burry Port has been withdrawn from the programme because the purchase amount was lower than expected.

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: **Randal Hemingway** Head of **Financial Services**

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

### 3. Finance

The capital programme shows an in-year forecasted variance of **-£35,925k** against the 2022/23 approved budget as at 31<sup>st</sup> December 2022.

### 7. Physical Assets

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

## CONSULTATIONS

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

Signed: Randal Hemingway Head of Financial Services

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

<b>1. Scrutiny Committee request for pre-determination</b>	N/A
<b>If yes include the following information:</b>	
<b>Scrutiny Committee</b>	
<b>Date the report was considered:</b>	
<b>Scrutiny Committee Outcome/Recommendations:</b>	

- 2. Local Member(s)** N/A
- 3. Community / Town Council** N/A
- 4. Relevant Partners** N/A
- 5. Staff Side Representatives and other Organisations** N/A

<b>CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED</b>	<b>Include any observations here</b>
NO	

**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
2022/23 Capital Programme		Corporate Service Department, County Hall, Carmarthen.  On-line via corporate website – Minutes of County Council Meeting 2 <sup>nd</sup> March 2022.

<b>Capital Programme 2022/23</b>							
<b>Capital Budget Monitoring - Report for December 2022</b>							
	<b>Working Budget</b>			<b>Forecasted</b>			<b>Variance for Year</b>
<b>Department</b>	<b>Expenditure £'000</b>	<b>Income £'000</b>	<b>Net £'000</b>	<b>Expenditure £'000</b>	<b>Income £'000</b>	<b>Net £'000</b>	
<b>Public Housing</b>	49,975	-15,330	<b>34,645</b>	29,902	-15,615	<b>14,287</b>	<b>-20,358</b>
<b>Private Housing</b>	3,303	-415	<b>2,888</b>	3,368	-415	<b>2,953</b>	<b>65</b>
<b>Leisure</b>	1,566	-428	<b>1,138</b>	1,277	-248	<b>1,029</b>	<b>-109</b>
<b>Social Care</b>	1,754	-338	<b>1,416</b>	1,716	-338	<b>1,378</b>	<b>-38</b>
<b>Environment</b>	29,981	-10,876	<b>19,105</b>	26,273	-11,010	<b>15,263</b>	<b>-3,842</b>
<b>Education &amp; Children</b>	22,294	-8,001	<b>14,293</b>	18,763	-9,229	<b>9,534</b>	<b>-4,759</b>
<b>Chief Executive</b>	2,087	0	<b>2,087</b>	864	-64	<b>800</b>	<b>-1,287</b>
<b>Regeneration</b>	38,215	-21,272	<b>16,943</b>	21,461	-10,115	<b>11,346</b>	<b>-5,597</b>
<b>TOTAL</b>	<b>149,175</b>	<b>-56,660</b>	<b>92,515</b>	<b>103,624</b>	<b>-47,034</b>	<b>56,590</b>	<b>-35,925</b>

Capital Programme 2022/23							Variance for Year £'000	Comment
Capital Budget Monitoring - Report for December 2022 - Main Variances								
DEPARTMENT/SCHEMES	Working Budget			Forecasted				
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000		
<b>COMMUNITIES</b>								
- Public Housing	49,975	-15,330	34,645	29,902	-15,615	14,287	-20,358	
Sewage Treatment Works Upgrading	20	0	20	27	0	27	7	Accelerated spend.
Internal and External Works (Property)	19,557	0	19,557	12,765	0	12,765	-6,792	Continuing supply chain and capacity issues.
Environmental Works (Housing Services)	450	0	450	389	0	389	-61	
Adaptations and Equalities Works (Building Services)	2,000	0	2,000	2,000	0	2,000	0	
Programme Delivery and Strategy	1,056	0	1,056	1,145	0	1,145	89	
Housing Development Programme	25,791	0	25,791	12,830	-285	12,545	-13,246	Main Variances: Continuing supply chain issues with new builds -£6,274k, purchase of new properties for buyback programme depends on the supply in the market for suitable properties in areas of demand -£3,157K, delay with the appointment of delivery partner for Tyisha development -£1,608K, Strategic Regeneration Schemes -£1,655K, Self Build programme -£465k, and Assisted Living programme -£87k.
Retrofit and Decarbonisation	1,101	0	1,101	746	0	746	-355	Delays because of additional costs because of inflationary pressures.
MRA and IHP Grants Income	0	-15,330	-15,330	0	-15,330	-15,330	0	
- Private Housing	3,303	-415	2,888	3,368	-415	2,953	65	
Disabled Facilities Grant (DFG)	2,313	-47	2,266	2,378	-47	2,331	65	Work accelerated. Negative slippage to 2023/24.
ENABLE - Adaptations to Support Independent Living	368	-368	0	368	-368	0	0	
Empty Properties Initiatives	622	0	622	622	0	622	0	
- Leisure	1,566	-428	1,138	1,277	-248	1,029	-109	
Amman Valley Leisure Centre 3G Pitch	180	0	180	180	0	180	0	
Oriol Myrddin Redevelopment	140	0	140	140	0	140	0	
Libraries & Museums	397	0	397	386	0	386	-11	
Burry Port Harbour Walls	34	0	34	34	0	34	0	Project Complete.
Country Parks	815	-428	387	537	-248	289	-98	Slippage against phase 2 of the Pump Track.
- Social Care	1,754	-338	1,416	1,716	-338	1,378	-38	Slippage on the Learning Disability Accommodation. Projects to be delivered in future years.
<b>ENVIRONMENT</b>	29,981	-10,876	19,105	26,273	-11,010	15,263	-3,842	
Coastal Protection & Flood Defence Works	1,630	-1,379	251	879	-771	108	-143	Slipped to 2023/24.
Fleet Replacement	2,173	0	2,173	629	0	629	-1,544	Slipped to 2023/24.
Bridge Strengthening & Replacement	1,026	0	1,026	1,026	0	1,026	0	
Road Safety Improvement Schemes	545	0	545	117	0	117	-428	Retained for future roads programme - Slip to 2023/24.
Highways Infrastructure	4,550	0	4,550	4,470	0	4,470	-80	
Integrated Waste Strategy	1,558	0	1,558	1,009	0	1,009	-549	Waste Strategy will be delivered in future years.
Cross Hands ELR	1,105	0	1,105	1,836	0	1,836	731	Funding needs to be identified to complete the scheme.
Towy Valley Path	756	0	756	587	0	587	-169	Delays with land acquisition.



Capital Programme 2022/23								
Capital Budget Monitoring - Report for December 2022 - Main Variances								
DEPARTMENT/SCHEMES	Working Budget			Forecasted			Variance for Year £'000	Comment
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000		
Other Infrastructure Projects	12,353	-9,497	2,856	12,315	-10,239	2,076	-780	The main variances include: £93k against Murray Street Car Park which is needed for future works, -£90k Trebeddrod Reservoir, -£366k Junctions - retained for future roads programme, -£62k Ammanford Infrastructure - slipped to 2023/24, £-£200k walking and Cycling, £31k Public Transport Infrastructure.
Property	4,285	0	4,285	3,405	0	3,405	-880	Slippage against the capital maintenance programme - slip to 2023/24.
<b>EDUCATION &amp; CHILDREN</b>	<b>22,294</b>	<b>-8,001</b>	<b>14,293</b>	<b>18,763</b>	<b>-9,229</b>	<b>9,534</b>	<b>-4,759</b>	
Schools: General Projects, including Equality Act Works, Bus Bays, Mobile Class Provision	2,167	0	2,167	2,119	0	2,119	-48	Variance to fund retentions on Dyffryn Aman
Sustainable Communities for Learning - Band A - Design Stage Schemes	200	0	200	100	0	100	-100	Delays with acquiring land for Laugharne Primary School.
Sustainable Communities for Learning - Band A - WG FBC Approved Schemes	3,960	-56	3,904	3,415	-56	3,359	-545	Slip to 2023/24.
Sustainable Communities for Learning - Band B - Design Stage Schemes	671	0	671	718	0	718	47	
Sustainable Communities for Learning - Band B - WG FBC Approved Schemes	4,832	-4,910	-78	4,395	-4,045	350	428	Pembrey slip to 2023/24
Infant Class Size	0	0	0	193	0	193	193	Penygroes - negative slippage to be funded by 2023/24 budget.
Welsh Language Immersion Centres	0	0	0	70	-50	20	20	Additional Costs against Maes y Gwendraeth covered by MEP match funding.
School Buildings - Education Capital Grants - including Capital Maintenance, Rollout of free school meals and Use of facilities by the Community	8,321	-3,455	4,866	6,383	-4,711	1,672	-3,194	
Carmarthen Community Education Centre	331	0	331	331	0	331	0	
Flying Start Capital Expansion Programme	253	-253	0	115	-115	0	0	
Childcare Offer Places	0	0	0	237	-237	0	0	
Play Opportunities Grant Projects	10	0	10	10	0	10	0	
Rhydygors Intermediate Care Project	965	0	965	500	0	500	-465	Slip to 2023/24.
Sustainable Communities For Learning - Match Funding Budget	455	-177	278	0	0	0	-278	Programme under development. Funding to slip to future years.
Other Projects with Minor Variances	129	0	129	177	0	177	48	Snagging against Dyffryn Aman.
<b>CHIEF EXECUTIVE</b>	<b>2,087</b>	<b>0</b>	<b>2,087</b>	<b>864</b>	<b>-64</b>	<b>800</b>	<b>-1,287</b>	
IT Strategy Developments	1,670	0	1,670	428	0	428	-1,242	Slip to 2023/24.
Purchase of Grillo Site, Burry Port	34	0	34	34	0	34	0	
Block 3, St David's Park	292	0	292	292	0	292	0	
Glanamman Industrial Estate Redevelopment	85	0	85	40	0	40	-45	Slip to 2023/24.
Other Projects with Minor Variances	6	0	6	70	-64	6	0	Covid19 Hospitals.

Capital Programme 2022/23							Variance for Year £'000	Comment
Capital Budget Monitoring - Report for December 2022 - Main Variances								
DEPARTMENT/SCHEMES	Working Budget			Forecasted				
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000		
<b>REGENERATION</b>	<b>38,215</b>	<b>-21,272</b>	<b>16,943</b>	<b>21,461</b>	<b>-10,115</b>	<b>11,346</b>	<b>-5,597</b>	
Swansea Bay City Region Projects	7,100	-7,100	0	4,994	-4,994	0	0	
County Wide Regeneration Funds	838	0	838	446	0	446	-392	Slip to 2023/24.
Cross Hands East Strategic Employment Site Phase 1	540	0	540	401	0	401	-139	Slip to 2023/24.
Cross Hands East Phase 2	95	-5	90	32	58	90	0	
Cross Hands East Plot 3 Development	11,802	-8,050	3,752	7,652	-3,900	3,752	0	
Carmarthen Town Regeneration - Jacksons Lane	5	0	5	5	0	5	0	
Carmarthen Old Town Quarter	691	0	691	0	0	0	-691	Detailed design to follow Greening Infrastructure masterplan outcome.
Pendine Iconic International Visitors Destination	3,863	0	3,863	4,063	-200	3,863	0	
Llandeilo Market Hall	2,242	0	2,242	2,242	0	2,242	0	
Ammanford Regeneration Development Fund	280	0	280	175	0	175	-105	Delays because of changes to State Aid rules.
Town Centre Loan Scheme	144	0	144	144	0	144	0	
TRI Strategic Projects - Market Street North	688	0	688	11	0	11	-677	Project delayed because plans were called in by Welsh Government planning division. Slipped to 2023/24.
TRI Strategic Projects - Former YMCA Building, Stepney Street, Llanelli	1,429	0	1,429	0	0	0	-1,429	Slip to 2023/24.
Transforming Town Centres Strategic Projects	290	0	290	0	0	0	-290	Slip to 2023/24. Some of the budget has been transferred to specific TRI projects.
Business Support for Renewable Energy Initiatives	100	0	100	26	0	26	-74	Forecast grant drawdowns based on expected spend profiles. Balance to slip to 2023/24.
Ten Towns Growth Plan	0	0	0	0	0	0	0	Budget Slipped to future years.
Place Making	1,680	-925	755	5	0	5	-750	Slip to 2023/24.
Levelling Up Fund - Carmarthen Hwb	6,192	-5,142	1,050	850	-850	0	-1,050	Slip to 2023/24.
Other Projects	236	-50	186	415	-229	186	0	Llanelli JV, Brilliant Basics.
<b>TOTAL</b>	<b>149,175</b>	<b>-56,660</b>	<b>92,515</b>	<b>103,624</b>	<b>-47,034</b>	<b>56,590</b>	<b>-35,925</b>	

**Capital Programme 2022/23**  
**Capital Budget Monitoring December 2022**  
 Slippage from 2022/23 to future Years

Project Name	£'000
Pembrey CP School	-4,000
MEP Band A Match Funding	-4,371
MEP Band B Match Funding	-39,877
Disabled Facilities Grant (DFG)	-700
Amman Valley 4G Pitch	-870
Oriel Myrddin	-1,700
Tywi Valley Path (Non Levelling Up)	-428
Tywi Valley Path (Levelling Up)	-8,993
County Hall Works	-1,600
Ty Elwyn	-1,150
St David's Park Block 3	-1,000
City Deal: Pentre Awel	-31,000
City Deal: Llanelli LC	-17,094
Rural Fund	-1,500
Community Fund	-2,500
Market Street North	-1,700
Business Support Grants	-400
Ten Towns	-1,000
<b>TOTAL</b>	<b>-119,883</b>

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## CABINET 27<sup>TH</sup> MARCH 2023

### **EMPTY HOMES POLICY- OUR APPROACH TO BRINGING EMPTY HOMES BACK TO USE**

#### **Purpose**

- To introduce the Empty Homes Policy that will set the vision and the work programme for the Council in tackling empty private residential homes within the County for the next 3 years; and
- To provide clear direction on the approach and where our efforts will be focussed to meet this and other policy goals.

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

##### **The decisions required are:**

- To approve the Empty Homes Policy- "*Our Approach to Bringing Empty Homes Back in to Use*".
- To agree the vision to reduce the number of empty properties in the County to 1500 by 2026;
- To confirm that the type of properties that we will focus on and the rating matrix applied to empty properties meets the policy goals.
- To confirm that the Empty Homes Policy aligns with the recent Council decision to impose Council Tax Premiums on long term empty properties and the way this is enforced through this policy
- To agree the way that we measure performance going forward so that it is consistent and reflective of the efforts being made to bring empty homes back into use.

#### **Reasons:**

- To continue the work done in previous years to reduce the number of empty homes in the County;
- Effective intervention has shown to have a positive impact on the reduction of empty homes;
- To provide alternative options to meeting housing need across all tenures and contribute to the housing market in Carmarthenshire;
- To further sustain communities by increasing the supply of housing for local people, reducing the visual and public health affect they have on surrounding areas; and
- To contribute to the Council's Economic Recovery and Delivery Plan.

<b>Cabinet Decision Required</b>	<b>Yes – 27<sup>th</sup> March, 2023</b>
<b>Council Decision Required</b>	<b>Yes – 19<sup>th</sup> April, 2023</b>

**CABINET MEMBER PORTFOLIO HOLDER:-**

Cllr. Linda Evans (Deputy Leader and Homes Portfolio Holder)  
Cllr Alun Lenny (Resources Portfolio Holder)

<b>Directorate</b> <b>Communities</b> <b>Name of Head of Service:</b> <b>Jonathan Morgan</b>  <b>Report Author:</b> <b>Gareth Williams</b> <b>Hayley O'Brian</b>	<b>Designations:</b>  <b>Head of Housing and Public Protection</b>  <b>Housing Services Manager</b> <b>Private Sector Housing Lead</b>	<b>E Mail Addresses &amp; Tel Nos:</b>  <a href="mailto:JMorgan@cararthenshire.gov.uk">JMorgan@cararthenshire.gov.uk</a> <b>01267 228960</b> <a href="mailto:GaJWilliams@cararthenshire.gov.uk">GaJWilliams@cararthenshire.gov.uk</a> <b>07787402901</b> <a href="mailto:Hobrian@cararthenshire.gov.uk">Hobrian@cararthenshire.gov.uk</a>
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# EXECUTIVE SUMMARY

## EMPTY HOMES POLICY- OUR APPROACH TO BRINGING EMPTY HOMES BACK TO USE

### Introduction

Empty homes are a wasted resource when there is a shortage of housing across the County, including rural wards. These properties also blight our neighbourhoods and can be a focus for anti-social behaviour.

The Council is committed to bringing empty homes back into use as quickly as possible and has worked with the owners of empty homes and our partners to take all available opportunities to help tackle the issue of long-term empty properties.

Bringing empty homes back into use can help address a number of housing and social issues by increasing supply in areas where there are housing shortages and pressures and where there is an opportunity to link to other regeneration projects.

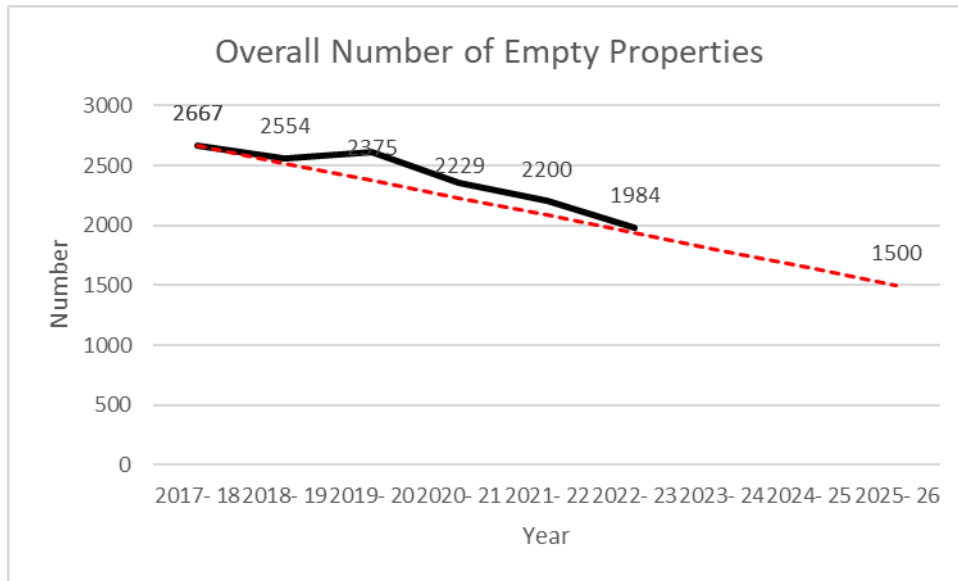
It is essential that the Council has effective measures in place to deal with these issues and a comprehensive Empty Homes Policy which contributes towards local strategic planning and the economic recovery efforts.

The Policy sets out our approach and aims to be ambitious/ forward thinking in the way that we will tackle the problem by moving at scale and pace to return as many empty homes into use during the year. The Policy will allow officers to target certain types of properties, in certain areas, and will give clarity and confidence in the actions that are taken.

### Context

Good progress has been made over the past five years to reduce the overall number of empty homes through persistent activity and action to encourage/ enforce against homeowners to bring them back into use. The current number is 1,984 (Sep 2022). This represents approximately 2.1% of the overall housing stock within the County and our performance can be seen in Graph 1 below:

Graph 1



Innovative approaches have and continue to be developed such as being the first Council in Wales to apply for an Empty Dwelling Management Order, the expansion of our in-house Social Lettings Agency and various financial assistance packages to help owners bring their properties back into use.

In comparison, Carmarthenshire performs well against other Welsh Authorities in returning empty homes back into use and has consistently been in the top four Councils in Wales over the past 10 years (Table 1). This is because we have a dedicated resource towards bringing empty homes back into use and by working cross departmentally, we have been able to target specific properties or schemes that will have the greatest impact.

Table 1

County	Actual Number returned to use	% compared to overall number of empties
Rhondda Cynnon Taf	213	7.4
Carmarthenshire	189	7.4
The Vale of Glamorgan	111	14.1
Bridgend	104	8.4
Swansea	100	5.4

Approximately two thirds (62%) of all empty homes have been vacant for two years or more and 20% have been vacant between 6- 12 months. Of all the empty homes, over half (52%) are within the *Fourteen Towns Action Areas*. In addition, the current council tax debt associated with homes that have been empty for 6 months or more is £1.46m.

This information has allowed us to develop the policy to ensure that we are focusing in the right areas and targeting the right properties.



## Approach to Tackling Empty Homes

Our vision is to reduce the overall number of empty homes within the County to 1500 by 2026. To achieve this, the number of empty homes that we return to use each year through this policy must be greater than those that become empty. Hopefully, this policy will discourage owners from allowing their properties to become empty in the first place by imposing financial penalties through Council Tax exemptions and premiums backed by a robust enforcement strategy, but also encourage others to take up financial assistance and other support offered by the Council to bring them back into use.

To ensure we have a balanced and transparent approach in meeting the overall aims of this policy we have developed a risk-based approach. Appendix 1 of the Policy document contains the risk assessment that we will use. Officers have tested this on several types of empty homes in different localities, of varying condition and are confident that it will help us prioritise action to:

- Target empty homes in areas of high housing demand;
- Target empty homes that will be brought back as affordable homes for people on the Housing Choice Register and focus on empty homes within our own council estates that had been previously sold off through the 'right to buy' scheme;
- Support bringing empty residential units above commercial business in our town centres back into use for people that will contribute to the town centre economy;
- Work with the families of empty homeowners that are in care, manage the properties on their behalf, allowing the income could cover part of their care cost;
- Respond to complaints where empty properties are a nuisance to neighbouring properties or attracting anti-social behaviour; and
- Identify empty properties that are in a poor state of repair, are detrimental to the surrounding area and take appropriate remedial action.

The enforcement options that are available to us are outlined in Appendix 3 and will depend on the owners willingness to engage with us. Where empty homeowners are willing to work with us we will provide them with:

- Advice, assistance and technical expertise;
- Financial assistance through grants and loans;
- An offer to lease their properties through the Council's Social Lettings Agency; and
- An offer to buy their properties in certain circumstances.

## Council Tax Exemptions and Premiums

The Empty Homes Policy aligns with the Council's decision on the 8<sup>th</sup> March 2023 to impose Council Tax premiums for long term empty properties. This Policy aims to support the recovery of Council Tax Liability for empty homes or to force owners to do something with them.

Under the new provisions, a long-term empty home is defined as a dwelling which is both unoccupied and substantially unfurnished for a continuous period of at least one year. The

Council Tax Premiums will be applied to all Empty Homes that have been vacant for 1 year or more. 62% of the current number of empty homes have been vacant for 2 years or more. It is used as a deterrent mainly, and when properties are returned to use will generate a revenue for the Council. Of the empty properties that have been empty for 2 years or more over 1,300 have an existing debt against them.

Table 2

Debt Banding	Number of properties	Total Debt
£2000 and above	121	£442,000
£1000 to £1999	324	£427,000
£500- £999	777	£559,000
£1- £499	113	£36,000
No debt	253	0

The Council Tax premiums have been set at 50% between 1-2 Years, 100% between 2-5 years and 200% for 5+ Years. Taking into consideration the parish precept for the Council Tax setting for each of the associated banding we have calculated what the average would be, the number of properties in each of those bandings and what the total liability would be if a no premium was added, 50%, 100% and 200% premium is added.

**The Council, however, does have discretion to increase this in future to 300% and the increase is not restricted to the length of time the property has been empty, but does need to be proportionate.** The table below demonstrates the additional revenues that would be applied though the Council Tax Premium based on the current empty properties data we hold.

Table 3

	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H	Total
No Premium	16,271	61,015	48,037	34,865	34,091	10,072	2,905	0	<b>207,256</b>
50% Premium	71,474	142,368	120,867	125,516	124,644	45,325	39,224	5,230	<b>674,647</b>
100% Premium	183,624	309,141	334,708	303,330	362,214	156,120	58,109	0	<b>1,707,245</b>
200% Premium	387,006	597,944	641,523	596,200	479,400	128,421	104,596	0	<b>2,935,091</b>
Total									<b>5,524,239</b>

This approach could:

- Reduce the number of overall empties naturally with the owners returning them to use voluntarily;
- Result in empty home owners choosing to pay the general liability thus increasing the revenues to the Council; or
- Owners deciding on neither, thus generating a debt against the property.

Where the owners choose to do nothing and leave the debt accrue, officers will actively pursue a charging order and the enforced sale process (outlined in Appendix 2) to force the change of ownership of the property and recover the debt owed from the sale value of the house. Any

surplus sums from the sale will be held by the Council until claimed by the owner, estate, executors or any other person being able to demonstrate an interest in the property. The use of the enforced sale process is likely to become a more frequently used enforcement tool under this Policy.

To ensure that empty home owners don't pay their general liability and keep the property empty to avoid paying the premiums we will work with colleagues in electoral services and other departments to review the information and take the necessary action to deal with this.

To ensure that the new owner returns the property to use in a reasonable time period and that the condition is improved, we will serve suspended notices on the property under the Housing Act 2004 to carry out necessary repairs and will be active upon change of ownership. If the property is in a reasonable condition that does not merit the service of a statutory notice, the owner will be subject to further enforced sales, empty dwelling management orders or compulsory purchase.

The enforced sale procedure is complex and can also be used to recover other debt secured against the property and registered as a local land charge.

#### Economic, Social & Community Benefits

The Policy will also contribute to other wider actions around economic, social and community benefits. Over the term of this policy, we aim to bring back into use between 450- 550 homes through direct action and/or financial assistance or enforcement action. This will help with the economic recovery of the County, safeguard or create up to 90 jobs, support local businesses and town centres and promote the Welsh language and culture by providing homes in our main towns, market towns and other rural areas for local people.

#### Conclusion

High levels of empty properties are recognised as having a serious impact on the viability of communities in terms of blight on neighbourhoods and potential for anti-social behaviour to occur.

Empty homes are also a wasted resource and when brought back into use contribute to an increase in the supply of housing. Dealing with empty properties can therefore have social, economic and regeneration benefits.

The Policy aims to be flexible in its approach and have that balance between encouragement of owners to make better use of their empty homes and for officers to have the confidence to take decisive action to force empty homes back into occupation.

## Recommendations

1. To approve the Empty Homes Policy- *“Our Approach to Bringing Empty Homes Back in to Use”*.
2. To agree the vision to reduce the number of empty homes in the County to 1500 by 2026.
3. To confirm that the type of properties that we will focus on and the rating matrix applied to empty properties meets the policy goals.
4. To confirm that the Empty Homes Policy aligns with the recent Council decision to impose Council Tax Premiums on long term empty properties and the way this is enforced through this policy
5. To agree the way that we measure performance going forward so that it is consistent and reflective of the efforts being made to bring empty homes back into use.

**DETAILED REPORT ATTACHED?**

**YES – Empty Homes Policy 2023/26**

## **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 Housing & Public Protection**

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>NONE</b>	<b>YES</b>	<b>NONE</b>

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

The Empty Homes Policy will provide the framework to bring empty properties back into use, meet the local housing need, enhance communities, reduce crime associated with empty homes by making them secure and will contribute to other wider agendas and programmes.

## **2. Legal**

The Council has a responsibility to deal with housing standards and public health issues that arise from properties that are left empty. Statutory action requires legal support, particularly if enforced sale is seen as the most satisfactory action to recover debt and force the change of ownership of properties to return them to use. We'll need to ensure that any action taken is in line with the Council's Enforcement Policy. There will be other legal involvement in registering statutory and financial charges and developing agreements for loans/ grants. There will possibly be an increase in the number of leases or buy backs as a result of owners wishing to rid the responsibility of the property.

## **3. Finance**

The recovery of council tax liability, debt from statutory action or council tax premiums will increase. Financial systems will need to be put in place to administer grants and loans. Where enforced sale procedures are applied there will need to be a mechanism for repaying the surplus sums of money to the rightful owner or the person(s) that would have had control of the property.

## **4. People Management & Performance**

The inclusion of council tax premiums on empty homes may have implications on Revenue Services.

Recovery of debt will require significant enforcement activity through enforced sales.

# **CONSULTATIONS**

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

**Signed: Jonathan Morgan Head of Housing & Public Protection**

**1. Scrutiny Committee request for pre-determination**

YES

**Scrutiny Committee****Communities, Homes & Regeneration****Date the report was considered:-****23<sup>rd</sup> February, 2023****Scrutiny Committee Outcome/Recommendations:-**

- a. The report to clarify that the 6 priority bullet points were not in ranked any order of priority with each being afforded equal priority to enable the council to take tailored and targeted action to bring an empty property back into use- **Amended on Pg.8 of the policy to further clarify;**
- b. The timescales for undertaking enforcement action particularly in relation to Compulsory Purchase Order procedures and Empty Dwelling Management Orders, **Amended on Pg.10 to provide some explanation around timescales for enforcement action and keeping complainants, other residents and members informed;**
- c. Powers to deal with safety issues lay with the council's building control responsibilities in relation to ruinous, dilapidated and dangerous structures- **Amended on Pg.9 to include Councils response (Building Control and Housing Services) to deal with an immediate risk to public safety arising from structural issues with an empty house;**
- d. To link in with the Council's regeneration department with regard to empty land within town centres- **not included as part of this Policy but will be picked up outside this process by respective HoS;** and
- e. The policy timescales on the front cover of the report to be clarified- **Amended on cover page of main Policy.**

The Chair (Cllr. Deryk Cundy) has confirmed that the amendments reflect the recommendations and comments of members of the Communities, Homes & Regeneration Scrutiny Committee.

**2.Local Member(s) – N/A****3.Relevant Partners**

Engagement with stakeholders and partners has taken place in order to develop this Policy through digital interaction.

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

On-going engagement with Revenue Services is taking place

**CABINET MEMBER 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:**

**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Empty Homes Policy	Housing General Files	Council website- Democratic Services

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# Our Approach in Bringing Empty Homes Back to Use

*Empty Homes Policy*

April 2023 - March 2026



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

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



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For further details on Empty Homes, please visit;

<https://www.carmarthenshire.gov.wales/home/council-services/housing/empty-properties/#.Y33c0hTP02x>

## 1. Overview

The overall aim of this policy is to;

- Reduce the number of long-term empty homes across the County
- Increase the supply of affordable housing to meet the demand, and
- Tackle issues relating to property nuisance, blight and the effect on communities

This policy intends to be bold in bringing about the improvement and occupation of empty houses, increasing the supply and use of housing to all.

The Council will work with homeowners to support and encourage voluntary action but commit to take appropriate enforcement action where reasonable negotiations fail.

Emphasis will be placed on developing appropriate, low-cost solutions which are both effective in bringing empty homes back into use and help meet our broader housing objectives to increase the availability of decent, affordable housing in Carmarthenshire.

The Policy also aims to complement other key Strategies and Policy areas like the Housing and Regeneration Delivery Plan, Rapid Rehousing Plan, Ten Towns and Developing the Private Rented Sector.

The implementation of this policy will be regularly monitored and will be subject to a full review in 2026.

## 2. The Local Context

### Local Population Data

In Carmarthenshire, the population size has increased by 2.2%, from around 183,800 in 2011 to 187,900<sup>1</sup> in 2021. This is higher than the overall increase for Wales (1.4%), where the population grew by 44,000 to 3,107,500.

The population of Carmarthenshire makes up 6% of the total population in Wales and Carmarthenshire is ranked fourth for total population out of 22 Local Authority Areas in Wales, maintaining the same position held a decade ago.

The Carmarthenshire population is one of the sparsest in Wales at just 78 people per km<sup>2</sup> who live across a diverse County of both urban and rural communities. Llanelli, Carmarthen and Ammanford are home to 25% of the population and 60% of the population live in rural areas.

The total population is projected to grow by an average of 373 people a year between 2021 and 2040, and there will likely be an accompanying growth in the use of the health and social care services in Carmarthenshire. In addition, the proportion of people aged 80+ will increase by more than 50% in a similar timeframe and, will likely contribute to greater pressure being placed on health and social care services in the future.

Whilst the number of deaths has consistently exceeded the number of births year on year, there has been consistent growth in the population because of net inward migration.

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<sup>1</sup> Census Data as of 21<sup>st</sup> March 2021

## Carmarthenshire Housing Market

Local Authority No.	RSL (Housing Association) No.	Owner Occupied	Private Rented	Total of all Tenures
9,223 (10%)	3,197 (4%)	66,389 (75%)	9,664 (11%)	<b>88,473</b>

The figures above indicate that the largest proportion of housing is Owner Occupied, equating to 75% of all tenure types. This is in contrast to social housing stock, which equates to a total of 14% of all tenure types.

### Housing need:

In the context of this policy, it is important to understand the local housing need and how bringing empty homes back into use will meet the additional demand by making them available to local people, with strong local connections that will help them live in the areas they were raised.

Generally, household sizes are getting smaller, meaning that in the future the population will be made up of more households, increasing the demand for homes.

Carmarthenshire has fewer areas amongst the most deprived in Wales and those areas are largely concentrated in the three main towns: Ammanford, Carmarthen and, to the greatest extent, Llanelli. However, Carmarthenshire has a higher proportion of areas that are less acutely deprived which are spread across the rural hinterland and smaller rural towns. The table below is based on the Local Housing Market Assessment done in 2018 and predicts the housing need in Carmarthenshire over a 15-year period (up until 2033). It also takes into consideration the additional need created as a result of the pandemic:

<b>Households Requiring Housing</b>					
<b>Market Housing</b>	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4+ bed</b>	<b>Total</b>
Ammanford & the Amman Valley	+37	+403	+1,051	+342	<b>+1,834</b>
Carmarthen & the West	+80	+415	+928	+447	<b>+1,870</b>
Carmarthenshire Rural & Market Towns	+69	+240	+354	+105	<b>+768</b>
Llanelli & District	+83	+680	+1,793	+476	<b>+3,031</b>
<b>Total Market Housing (77%)</b>	<b>+270</b>	<b>+1,738</b>	<b>+4,125</b>	<b>+1,370</b>	<b>+7,503</b>
<b>Affordable Housing</b>	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4+ bed</b>	<b>Total</b>
Ammanford & the Amman Valley	+385	+413	+173	+34	<b>+1005</b>
Carmarthen & the West	+563	+379	+190	+23	<b>+1155</b>
Carmarthenshire Rural & Market Towns	+449	+294	+25	0	<b>+769</b>
Llanelli & District	+974	+945	+492	+79	<b>+2490</b>
<b>Total Affordable Housing (23%)</b>	<b>+2371</b>	<b>+2031</b>	<b>+836</b>	<b>+136</b>	<b>+5419</b>

As can be seen from the table above, there is an overwhelming need for affordable 2-bedroom houses and single person accommodation in the County and significant demand for 2 and 3-bedroom houses across the general housing Market in the County.

This is also reflected in the pressure on our homelessness services and in particular the demand for temporary accommodation. COVID-19 had a significant impact on the use of temporary accommodation, with the total number of households in temporary accommodation doubling compared with pre-pandemic levels. Prior to the pandemic there were 75 households in temporary accommodation with 43 single person households accounting for 57% of the total.<sup>2</sup>

Household Type	No. Placed
Single People	43
Couples	2
Single Person Pregnant	0
Household + 1 child	14
Household + 2 children	10
Household + 3 children	4
Household + 4 children	1
Household + 5 children	1

The total number doubled to 150 households in temporary accommodation in late July and early August 2020, decreasing to 83 households in March 2021 before increasing to 121 households by the end of November 2021. In the context of this policy, returning empty homes to use will increase the supply of affordable accommodation that in turn will reduce the overall number of people placed into temporary accommodation or Bed & Breakfast.

### Empty Homes in Carmarthenshire

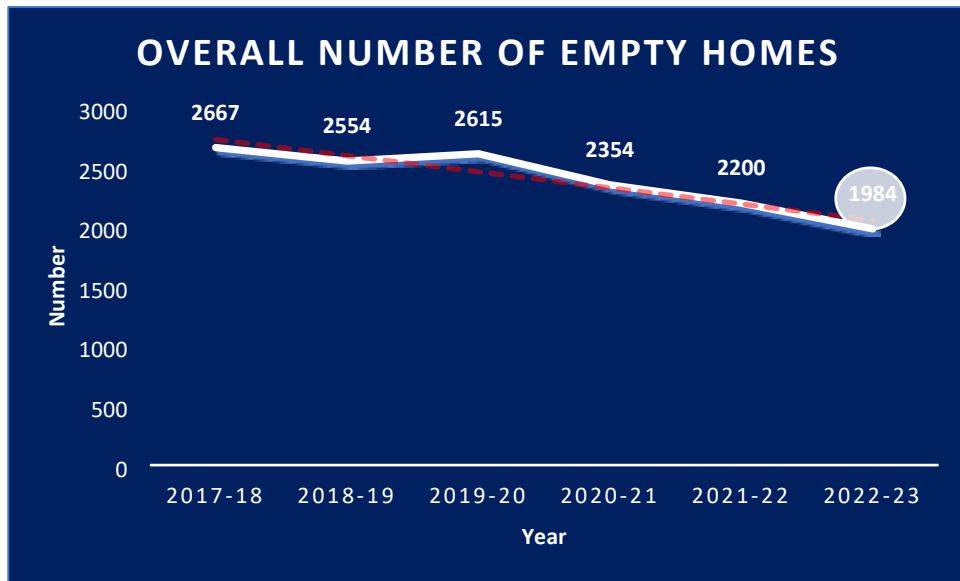
According to the most recent estimates, there were a reported 27,213<sup>3</sup> empty private sector residential properties across Wales.

In Carmarthenshire, the overall number of properties within the private sector that have been empty for a period of 6 months or more from April 2022 is currently 1,984. This figure represents around 2.1% of all dwellings (88,473). We have made good progress in decreasing the overall number of empty homes across the County in the last 6 years following work with Owner Occupiers and Landlords.

The following Graph shows the decrease in number of Empty Homes since 2017 and the table shows the length of time they have been empty for;

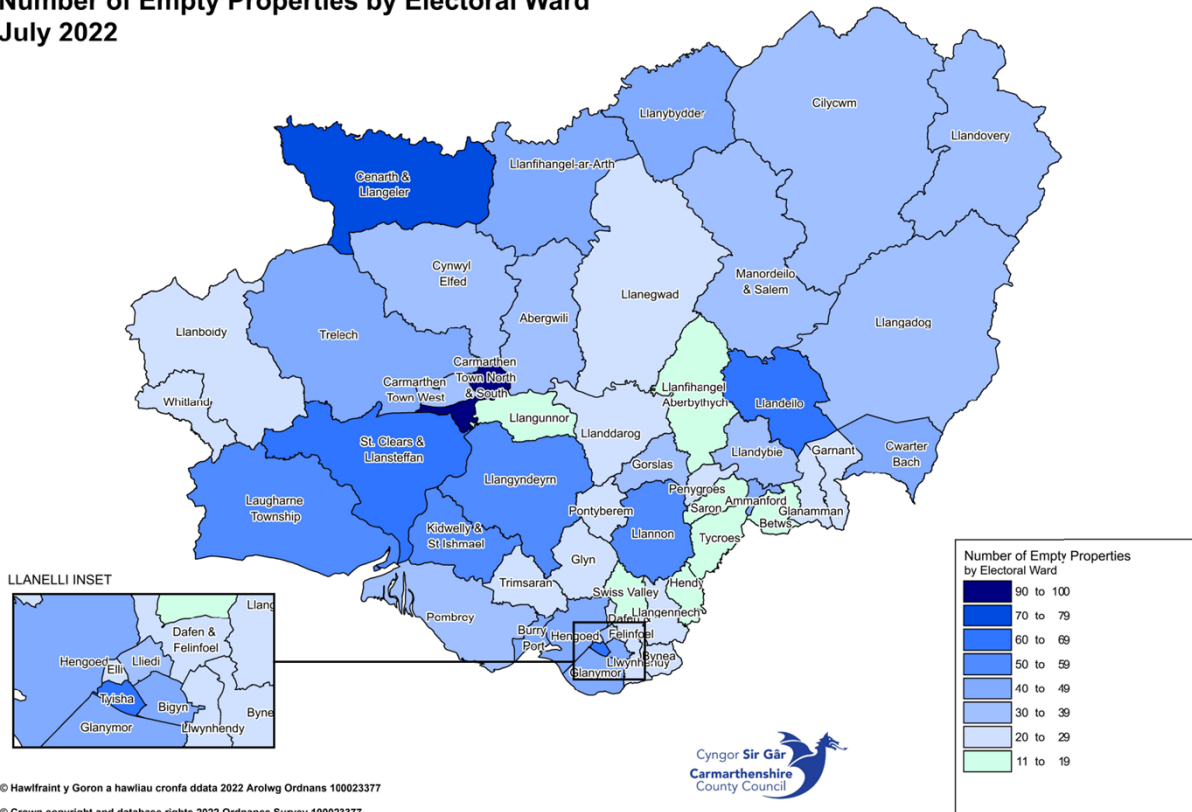
<sup>2</sup> Homeless Needs Mapping February 2021

<sup>3</sup> Data Cymru 2018/19



The distribution of these properties can be seen on the map below, most properties are concentrated around the three main townships and run along the Gwendraeth and Amman Valley, which is characteristic of old mining and industrial areas.

**Number of Empty Properties by Electoral Ward  
July 2022**



Further breakdown shows that 38% of empty homes have been empty for a period of between six months and two years. It is these properties that are likely to turn-over naturally and may be subject to sale or probate issues. On the other hand, 62% of empty homes in the County have been empty for longer than two years and these are the ones that require

intervention. In addition, a recent survey of empty property owners in Carmarthenshire told us the reasons why they were left empty.

Length of time houses have been empty	
2 Years (or less)	38%
2 – 5 Years	29%
5 – 10 Years	17%
10 Years (or more)	16%

Common Reasons for houses being empty for longer than 6 months	
Under Renovation	30%
For Sale	26%
Require/ Planned Renovation	13%
Other	28%

### 3. Definition of an ‘Empty Property’

For the purpose of this policy and in terms of how the Council reports performance to the Welsh Government, an empty property is defined as follows;

*‘An empty property is a property liable for Council Tax, which has been Unoccupied for a period of 6 months or more’*

This definition excludes:

- A second or holiday home
- A property owned by any of the following:
  - Registered Social Landlords (RSLs)
  - Police and Armed forces
  - National Health Service
  - Universities and colleges
  - Local authorities and government
  - Crown estate
  - Churches and other religious bodies
- A property that is purpose built for use as student accommodation
- A property that is in use but for non-residential purposes
- Properties that have been un-banded by the Valuation Office Agency

However, this does not mean that we will exclude homeowners that wish to work with us where the property has been empty for 6 months or less particularly where the property is likely to meet local housing demand and provide affordable accommodation to households in need.

### 4. Tackling the Problem – The Council’s Approach

***Our Vision:***

*To reduce the overall number of empty homes across the County to under 1,500 by 2026 and ensuring that everyone has a home that meets their needs, that people in all parts of the County always feel safe and secure and that a range of initiatives are available to help communities come together to enhance their neighbourhoods and environment.*

It is important that we have effective methods in place to deal with the issues of Empty Homes and that interventions contribute towards local strategic planning. Carmarthenshire County Council is strongly committed to reducing the number of empty homes, facilitating and assisting the creation of good quality and affordable homes in the County and making the best use of existing housing stock.

It is also important to note that not all empty properties will be in a poor condition or need action. Some will be in good condition, but vacant and on the market for sale etc. Conversely, not all empty properties will be contained within the Empty Property denominator (National Performance Indicator), as they may be substantially furnished (therefore not within the council tax exemption banding), or removed from council tax listings completely, based on their poor condition, people in care or holiday/ second homes.

To ensure we have a balanced and transparent approach in meeting the overall aims of this policy which is to;

- Reduce the number of long-term empty homes across the County consistently over time
- Increase the supply of affordable housing to meet local housing demands, and
- Tackle issues relating to property nuisance, blight and the effect on communities

There are some things that we **will do** and others that we **won't do**, which are as follows:

#### What we will do

We will focus on empty homes in the following ways regardless of the time they have been empty for. They are not necessarily in priority order and each one will be given equal consideration to determine the most appropriate course of action or targeted action that will allow us to return them to use.

- 1) Target empty homes in areas of high housing demand or in the ten towns areas that will also act as a catalyst for wider regeneration**
- 2) Target empty homes that will be brought back as affordable homes for people on the Housing Choice Register and a key focus on empty homes within our own Council Estates that had been previously sold off through the 'right to buy' scheme**
- 3) Support bringing empty residential units above commercial business in our town centres back into use for people that will contribute to the town centre economy**
- 4) Work with the families of empty homeowners that are in care, manage the properties on their behalf and the income could cover part of their care cost**
- 5) Respond to complaints where empty houses are a nuisance to neighbouring properties or attracting anti-social behaviour**
- 6) Identify empty houses that are in a poor state of repair and are detrimental to the surrounding area and take appropriate remedial action**

Every empty property will be risk assessed on the above criteria and greater weighting will be given to those factors that are of higher priority. Action will be based on this and the co-



operation of the homeowner. Empty Property Risk Assessment Scoring Matrix can be found at **Appendix 1** of this document.

### What we won't do

We will not focus our efforts on bringing empty properties back into use that do not meet any of the above priority criteria. In addition, we will not actively pursue properties:

- 1) Where the value of the property is considerably higher than the local or national average unless there is a significant advantage to the Council e.g., supported housing projects, conversion to flats, visible in the main town centres**
- 2) Houses that are far beyond a reasonable state of structural repair, that are located in areas where they don't affect anybody, and the most satisfactory course of action is likely to be demolition/ clearance**

This does not mean that the door is closed to owners, members of the public or elected members seeking help and assistance through us, however, they will depend on the resources available to us.

### Financial Support for Owners

It is hugely important that we do all we can to try and support empty homeowners to bring houses back into use. That is why we have put a range of financial packages together to support the works needed to improve the standards of empty homes so that they can be lived in.

Schemes are subject to Eligibility Criteria, however, we have every intention to deliver these where and when possible. The schemes that are available are included in **Appendix 2**.

In addition to these schemes, we will take advantage of other funding such as Ecoflex, NEST and other energy saving schemes to improve the efficiency of homes, reduce our carbon emissions and lower energy bills particularly in the current economic climate.

Buying Back empty houses through the Housing and Regeneration Delivery Plan is also an option that is available to homeowners.

### Enforcement Action

The Council and its partners seek to work cooperatively with owners of empty houses to bring their properties back into use. Therefore, regular and effective communication with the owner is paramount, to establish the most appropriate course of action to bring the empty property back into use.

However, where we fail to get co-operation from the owners or their estate executors, we will look to take enforcement action to reduce any risk and return the property to use within the shortest possible time. Likewise, where there is a serious and immediate risk to the public or neighbouring properties e.g. structural collapse, slippage or storm damage, officers from Building Control and Housing Services will act quickly to deal with the dangerous structure in

order to mitigate the risk. This may involve employing a contractor and carrying out the works ourselves.

Prior to taking any statutory action we will conduct all reasonable enquiries to ensure that our action is proportionate and transparent, in line with this Policy. Where a property has been empty for a long period of time and officers have spent time encouraging the owners to re occupy the property but no progress has been made, or the owner of the property has been untraceable or demonstrates an unwillingness to work with the Council, formal action will be undertaken. In some circumstances we will be required to utilise land registry records, electoral records, other council held information and/or local intelligence in order to establish ownership of property.

There are a number of enforcement options (legislative provision) available to the Council in order to deal with issues caused by empty properties and also to secure their return to use and these are outlined in **Appendix 3**.

Whilst there are no definitive timescales on when enforcement action will be taken or how long that will take, officers will provide complainants, immediate residents and local members with regular progress updates. Information will be made available to the above of the plan/ stages to return the property to use and deal with any associated problems. Where possible, we will try to provide anticipated timescales to ensure that there is some accountability with the decision making process and action taken.

Officers will make it clear at an early stage where enforcement action is not warranted based on the risk it presents or where there is no strategic purpose for our intervention. We will however continue to monitor these properties, communicate regularly with the owners and encourage them to return them to use and if circumstances change, review our course of action.

## **5. Council Tax Exemption and Premiums**

Welsh Government changed its accounting methods in April 2020 and no longer accounts for the discount awarded to long term empty properties and as such, the financial burden of awarding any future discounts would have to be borne by the Council.

The Council's Cabinet unanimously agreed in November 2019 that the 50% discount awarded on long term empty houses be removed and the full council tax charge apply for houses empty for longer than 6 months.

**To further encourage bringing long term empty homes back into use we will apply a Council Tax Premium to all homes that have been empty for 12 months and longer, in line with Council's decision to impose this on the 8<sup>th</sup> March 2023.**

Length of time Empty	Premium
> 1 year < 2 years	50%
> 2 years < 5 years	100%
> 5 years	200%

**Under Section 139 of the Housing (Wales) Act 2014, the Council could determine in future to charge a Council tax premium on empty houses of up to 300%. This may be incremental based on length of time a property has been empty.**

We don't foresee that this will affect holiday homes that will subsequently affect the tourism, visitors to the County and the local economy, given that properties will be accommodated by holidaymakers during parts of the year.

## 6. Economic, Social & Community Benefits

This policy will ensure that there are strong links between returning empty houses to use and the positive impact they will have on the local economy, meeting housing demand and how that spreads out into the community. The Council's Economic Recovery and Delivery Plan sets clear goals and actions to support recovery following Brexit, the Pandemic and now the cost-of-living crisis. Key action areas include:

<b>Businesses</b>	<p>Safeguarding existing businesses, supporting new start-ups and growing businesses in the foundational and growth sectors to become more productive and competitive, including the green economy.</p> <p><i>Focus given in the Policy to town centre residential premises for key workers that will spend and support independent business and night-time economy.</i></p>
<b>People</b>	<p>Protecting jobs, responding to the expected increases in unemployment, helping people gain the skills needed for the jobs that will become available, and creating new and better-skilled employment opportunities.</p> <p><b>We aim to return between 450-550 long-term empty homes during the term of this policy through direct action. Through our financial support packages and private sector investment this will create/safeguard almost 90 jobs, helping replace the jobs lost during the period above.</b></p>
<b>Places</b>	<p>Ensuring a fair distribution of opportunities through investing in the infrastructure and adaptation of our strategic growth areas, town centres, the rural economy and regenerating our most deprived communities.</p>

*Through this policy we will provide affordable homes for young and working aged people in both rural and urban areas, helping them remain in the county, increasing footfall in our primary towns and protecting the Welsh language and culture in rural areas.*

## **7. Measuring Performance**

Monitoring the impact of the policy will be reported and updated quarterly. However, the Denominator will not be reported during the first quarter to take into account any new information that's made available through Council Tax.

The success in bringing empty private sector residential properties back into use will be measured using the following Welsh Local Government Association (WLGA) Public Accountability Measures (PAMs) and performance will be compared to other Councils in Wales:

- PAM/013 – Percentage of empty private sector houses brought back into use during the year through direct action by the local authority
- PAM045 – Number of new homes created as a result of bringing empty properties back into use

The work resulting from the Policy will also be measured and reported on in terms of the quantity of engagement and enforcement undertaken; the increase of supply of housing in Carmarthenshire to meet housing demand, as well as the number of council tax premiums applied (when the premium is in place) in order to demonstrate the efforts that are being made to bring empty houses back into use. A suite of sub-measures will be created to reflect the effectiveness of this policy in terms of outcomes and officer activity.

## Appendix 1: Empty Property Risk Assessment Scoring Matrix



**EICH CYNGOR arleinamdani**  
www.sirgar.llyw.cymru  
**YOUR COUNCIL doitonline**  
www.carmarthenshire.gov.wales

### Empty Property Risk Assessment Sheet

Premises Address:

Service Request ID:

Service Request Date:

#### RISK ASSESSMENT DETAILS

Length of Time Vacant	
Less than 2 year	<b>4</b>
2 – 5 Years	<b>8</b>
5 – 10 Years	<b>10</b>
Over 10 Years	<b>20</b>

Area	
Rural	<b>1</b>
Village	<b>5</b>
Ten Towns	<b>20</b>
Key Towns	<b>30</b>

Housing Potential	
One Bed Flat	<b>10</b>
Multiple Flats (above Commercial)	<b>10</b>
2 Bed House	<b>10</b>
3+ Bed House	<b>5</b>

Ownership	
Contactable & responds	<b>0</b>
Contactable, does not respond	<b>5</b>
Uncontactable	<b>10</b>
Owner in Care Home	<b>15</b>

Condition	
Good condition, no defects	<b>0</b>
Minor defects, no safety issues	<b>10</b>
Multiple Cat 2 Hazards	<b>20</b>
Multiple Cat 1 Hazards	<b>30</b>
Dangerous - Loose / Falling elements	<b>40</b>

Property Type	
Detached	<b>1</b>
Semi-Detached	<b>5</b>
Terraced	<b>10</b>
Flat / HMO	<b>15</b>
Local Authority Site	<b>20</b>

Market/Habitability	
Saleable/Good	<b>0</b>
Renovate/Habitable	<b>5</b>
Substantial Disrepair	<b>10</b>

Property Appearance in the Area	
Good Appearance	<b>0</b>
Some Detriment	<b>10</b>
Major Detriment	<b>20</b>
Ruinous / Derelict	<b>30</b>

Social Impact	
No Incidents	<b>0</b>
Minor Incidents	<b>10</b>
Major Impact	<b>20</b>

Security	
Secure	<b>0</b>
Insecure	<b>30</b>

Enforcement	
Advisory	<b>10</b>
Major / No WID	<b>20</b>
Small Scale / WID	<b>30</b>
Major / WID	<b>40</b>
Urgent	<b>50</b>

## Appendix 2: Financial Support for Empty Property Owners

<p><b>Houses into Homes</b></p>	<ul style="list-style-type: none"> <li>• This is a Welsh Government funded scheme, offering interest free loans to owners of empty properties, offering financial assistance to improve such properties for sale or let as residential properties, on completion.</li> <li>• This scheme will consider loans up to £25,000 per self-contained unit, up to a maximum £150,000 (6 units) per applicant.</li> <li>• The loan is subject to a maximum Loan to Value of 80% and has no monthly repayment terms.</li> <li>• This scheme is also available for commercial empty properties, where planning consent is in place for its conversion to residential units.</li> </ul>
<p><b>Leasing Scheme Wales</b></p>	<ul style="list-style-type: none"> <li>• This scheme is aimed at improving access to long term affordable and good quality housing, with tenancy support, in the Private Rented Sector.</li> <li>• Leasing Scheme Wales will support landlords and offer grants of up to £5,000 to bring their properties up to Housing, Health and Safety Rating System Standards</li> <li>• Up to £25,000 in grants is offered to landlords where properties have been empty for 6 months or more, in return for longer term leases of between 5 to 20 years</li> <li>• Leasing Scheme Wales will provide tenants with longer term security of accommodation (of between 5 to 20 years) in the Private Rented Sector at an affordable rent based on Local Housing Allowance levels.</li> <li>• Leasing Scheme Wales will support those who are at risk of homelessness or are homeless according to the definition in the Housing (Wales) Act 2014.</li> </ul>
<p><b>National Empty Homes Grant Scheme</b></p>	<ul style="list-style-type: none"> <li>• Owner Occupier grants are administered through One National Body (RCT Council) offering grant assistance to the value of £25,000, to improve empty properties which are occupied by owners, within the County.</li> <li>• Beneficiaries of the grant will need to occupy the property for a minimum of 5 years</li> <li>• Homes must have been empty for a minimum of 12 months</li> <li>• Supported by WG funding, with Carmarthenshire Council providing match funding 10% to the Programme.</li> </ul>
<p><b>Targeted Regeneration Investment Programme</b></p>	<ul style="list-style-type: none"> <li>• Targeted Regeneration Investment Programme is a regional plan which looks to support area-based regeneration projects that promote economic regeneration such as creating jobs, enhancing skills and employability and creating the right environment for businesses to grow and thrive; with a focus on</li> </ul>

	<p>individuals and areas most in need to ensure prosperity is spread to all parts of Wales.</p> <ul style="list-style-type: none"> <li>• Carmarthenshire’s priority areas are; <ul style="list-style-type: none"> <li>○ Llanelli town centre</li> <li>○ Station Road, Llanelli</li> <li>○ Ammanford town centre</li> </ul> </li> <li>• The programme has two main thematic funding streams, a property enhancement development grant and sustainable living grant.</li> </ul>
<p style="text-align: center;"><b>Property Enhancement Development Grant</b></p>	<ul style="list-style-type: none"> <li>• The Property Enhancement Grant addresses the requirement for retail and commercial floor space that meets the needs of businesses by providing gap funding for vacant commercial building occupiers and owners to enhance building frontages and bring vacant commercial floor space back into beneficial business use.</li> <li>• In addition, where a local need has been identified, it would fund development projects that create new commercial floor space.</li> </ul>
<p style="text-align: center;"><b>Sustainable Living Grant</b></p>	<ul style="list-style-type: none"> <li>• Will support the conversion of vacant commercial floor space into new homes and can be used alongside the Property Enhancement Development Grant and other initiatives to ensure comprehensive mixed-use regeneration of properties.</li> <li>• The aim of the funding is to convert vacant floor space on upper floors into new residential accommodation. The minimum requirement from each scheme is 1 x 1 bedroom self-contained flat. Student accommodation and bedsits are not eligible for grant funding.</li> <li>• A maximum of £20,000 grant can be considered eligible per residential unit created</li> </ul>

### Appendix 3: Enforcement Options

<p><b>Enforced Sale</b></p>	<p>An Enforced Sale is a process by which the Council can force the sale of a privately owned property or piece of land where a ‘relevant debt’ is owed to the Local Authority. It is a means of transferring ownership to a new owner, in circumstances where the present owner is either unwilling or unable to deal with the site or property, and its associated problems and either refuses or is unable to repay the debt owed.</p> <p>Relevant debts will mainly be accrued where the Council carries out work to the property following the service of a statutory notice, where the recipient failed to carry out the work themselves.</p> <p>The debt is then registered as a local land charge. The enforced sale of a property has the effect of changing the ownership of the land/property, and with encouragement generating interest, investment and reoccupation. Prior to forcing the sale, the Council will take other statutory action below to force improvement or reoccupation through the new owners. Properties will be sold at Public Auction to guarantee the best price for the property, fees and charges will be recovered and any surplus repaid to the owners or treasury if unregistered and owners not known.</p>
<p><b>Empty Dwelling Management Orders (EDMO)</b></p>	<p>Introduced by the Housing Act 2004, Empty Dwelling Management Orders (“EDMOs”) give the Local Authority the power to take management control of privately owned empty homes to secure occupation of them.</p> <p>The power resides in Sections 132 to 138 of the Housing Act 2004. Interim and Final EDMOs are made against the proprietor of the property, who may be either the owner, or a leaseholder where there are at least 7 years remaining on lease. The authority, having exhausted all other avenues of encouraging the proprietor to bring the property back into use, can apply to a Residential Property Tribunal for an order.</p>
<p><b>Compulsory Purchase Orders (CPO)</b></p>	<p>Section 17 of the Housing Act 1985 gives the council the power for the purposes of Part II of that Act to acquire: a. land to build houses; b. houses or buildings which may be made suitable as houses together with any occupied land; c. land proposed to be used for any purpose authorised by legislation (facilities to be provided in connection with housing accommodation); and d. land to carry out works on it for the purpose of or in connection with the alteration, enlarging, repair or improvement of an adjoining house.</p>



<p><b>Section 215 – Detrimental to the Public Amenity</b></p>	<p>If it appears to Planning Services that the amenity of a part of their area, or of an adjoining area, is adversely affected by the condition of the land in their area, they may serve on the owner and occupier of the land a notice under this section requiring steps to be taken under Section 215 of the Town and Country Planning Act 1990. The notice will specify the steps to be taken to remedy the condition of the land. If the owner or occupier does not comply with the terms of the notice within the specified period, the owner or occupier will be guilty of an offence and liable for prosecution in the Magistrates Court (liable to a fine not exceeding level 3 on the standard scale).</p>
<p><b>Housing Act 2004 Statutory Notices</b></p>	<p>Under the Housing Act 2004, the council must take the appropriate enforcement action where it considers that either a Category 1 or 2 Hazard exists on residential premises. Appropriate enforcement action can include the serving of an improvement notice. We will not be serving Prohibition Orders as this will preclude us from bringing the property back into use. We will consider Demolition Orders under the 1985 and 2004 Act as well as suspending the notices. Notices may be split by hazard to enforce and carry out works in default on specific defects/ elements. Any works in default and charges incurred will be considered as a Primary Charge and registered against the property.</p>
<p><b>Building Act 1984</b></p>	<p>If the Council considers a building or structure, or part of it, to be in a dangerous condition or ruinous/ dilapidated that subsequently detrimental to the amenity then, under the Building Act, the Council can apply to the Magistrates Court requesting an order be made requiring the owner to carry out works to remove the danger or to demolish the building. If the owner fails to comply with the order within the specified time period, the Council may execute the order and recover its reasonably incurred expenses of doing so from the owner. The owner will also be liable to prosecution.</p>
<p><b>Environmental Protection Act 1990</b></p>	<p>If the Council is satisfied that a statutory nuisance exists or is likely to occur or recur with an Empty Property, the Council can serve an abatement notice. The notice will require the abatement of the nuisance or prohibit or restrict its occurrence or recurrence. The Council may then execute works and take other steps necessary for any of those purposes.</p>

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**CABINET**  
**27<sup>TH</sup> MARCH 2023**

**Business Rates – Retail, Leisure and Hospitality Rates Relief Scheme 2023/24**

**Purpose:**

To consider the adoption of a rate relief scheme being made available to billing authorities by Welsh Government for 2023/24

**RECOMMENDATIONS / KEY DECISIONS REQUIRED:**

It is recommended that the 2023/24 Retail Leisure and Hospitality Rates Relief scheme outlined in this report be adopted by Cabinet.

**REASONS:**

The proposed scheme will reduce the 2023/24 business rates liability for qualifying businesses, at no cost to the Authority.

<b>Cabinet Decision Required</b>	<b>YES</b>
<b>Council Decision Required</b>	<b>No</b>

<p><b>Directorate: Corporate Services</b></p> <p><u><b>Cabinet Member:</b></u> Cllr. Alun Lenny</p> <p><u><b>Name of Head of Service:</b></u> Helen Pugh</p> <p><u><b>Report Author:</b></u> Ann Thomas</p>	<p><b>Designations:</b></p>   <p><b>Head of Revenues &amp; Financial Compliance</b></p>  <p><b>Revenue Services Manager</b></p>	<p><u><b>E Mail Address:</b></u> HLPugh@ Carmarthenshire.gov.uk AnThomas@sirgar.gov.uk</p>
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# EXECUTIVE SUMMARY

## **Business Rates – Retail, Leisure and Hospitality Rates Relief Scheme 2023/24**

### **1. Background**

- 1.1. In 2017/18 Welsh Government introduced a “High Street Rate Relief scheme” for eligible businesses and the scheme continued for 2018/19, 2019/20 2020/21 and 2021/22.
- 1.2. Unlike previous years, the 2019-20 scheme was not limited to high street premises but included all properties within Wales meeting the wider retail criteria.
- 1.3. In response to the Coronavirus emergency in 2020/21 Welsh Government announced that it would introduce the Retail, Leisure and Hospitality Rates Relief scheme to increase the discount to 100%, This scheme also applied in 2021/22 and in addition to retail sector, extend it to include leisure and hospitality sectors for example shops, pubs and restaurants, gyms, performance venues and hotels across Wales.
- 1.4. However, the scheme for 2022/23, unlike the previous 2 years provided support for eligible occupied properties by offering a discount of 50% on non-domestic rates bills for 2022/23.
- 1.5. Welsh Government has recently confirmed it will provide grant funding to all 22 local authorities in Wales to provide the Retail, Leisure and Hospitality Rates Relief scheme to eligible businesses for 2023-24.
- 1.6. However, for 2023/24 the scheme will provide a discount of 75% discount for eligible occupied properties.
- 1.7. The scheme will apply to all eligible businesses; however, the relief will be subject to a cap in the amount each business can claim across Wales. The total amount of relief available is £110,000 across all properties occupied by the same business.
- 1.8. Welsh Government has indicated the types of business that they consider appropriate for this relief, and those which are not. The non-exhaustive list of business types is given in **Appendix A**
- 1.9. This is a temporary measure which means Welsh Government is not making any legislative changes but instead will allow billing authorities to grant relief under the general discretionary relief powers available under section 47 of the Local Government (Finance) Act 1988. However, being a discretionary power, it is necessary for the Local Authority to formally adopt the scheme.
- 1.10. The scheme is fully funded and therefore at no cost to the authority provided relief is granted in accordance with the Welsh Government guidelines.

### **2. Retail, Leisure and Hospitality Rates Relief scheme 2023/24**

- 2.1. The Welsh Government will provide grant funding to the 22 local authorities in Wales to provide the Retail, Leisure and Hospitality Rates Relief scheme to eligible ratepayers for 2023-24.

- 2.2. The scheme aims to provide support for eligible occupied properties by offering a discount of 75% on the non domestic rates bill for a property, to all eligible premises.
- 2.3. The scheme will apply to all eligible businesses, however, the relief will be subject to a cap in the amount each business can claim across Wales. The total amount of relief available is £110,000 across all properties occupied by the same business.
- 2.4. All businesses are required to make an application for the relief and a declaration that the amount of relief they are seeking across Wales does not exceed this cap, when applying to individual local authorities.
- 2.5. If, for any reason, an authority is unable to provide this relief to eligible businesses from 1 April 2023, consideration should be given to notifying eligible businesses that they qualify for the relief and that their bills will be recalculated.

### **3. Other Factors**

- 3.1. The scheme guidelines also confirm that there are a number of further types of hereditaments which the Welsh Government believes should not be eligible for relief:
  - i. Not reasonably accessible to visiting members of the public
  - ii. Hereditaments that are not occupied
  - iii. Hereditaments that are owned, rented or managed by a local authorityThe list is shown at **Appendix A**
- 3.2. As the granting of relief is discretionary, authorities may choose not to grant the relief if they consider that it would go against the authority's wider objectives for the local area.
- 3.3. Qualifying properties must be occupied and used *wholly or mainly* for the qualifying purpose, it is therefore a test on use rather than occupation.
- 3.4. Relief will be granted to each eligible business as a reduction to its rates bill, based on occupation between 1.4.23 and 31.3.24.
- 3.5. Ratepayers who occupy more than one property will be entitled to Relief for each of their eligible properties up to a cap of £110 000 across all properties occupied by the same business across Wales.
- 3.6. Retail, leisure and hospitality properties which are excluded from Small Business Rates Relief due to the multiple occupation rule are eligible for this relief scheme, subject to the cap being applied.
- 3.7. In instances where the local authority is notified retrospectively of change of occupier, if it is clear that the ratepayer was in occupation on or after 1.4.23, the local authority may use its discretion in awarding relief.
- 3.8. Empty properties becoming occupied after 1.4.23 will qualify for this relief.
- 3.9. If there is a change in occupier part way through the financial year, after relief has already been awarded to the hereditament, the new occupier will qualify for the relief on a pro-rata basis if they operate in the retail, leisure or hospitality sectors.
- 3.10. A new hereditament created as a result of a split or merger during the financial year, or

where there is a change of use should be considered afresh for the discount on that day.

- 3.11. Hereditaments which closed temporarily due to the government's advice on Covid-19 should be treated as occupied for the purposes of this relief.
- 3.12. A business with a single property with a remaining liability (after reliefs) greater than £146,665 can use the entire allocation of relief. No other properties owned by that business will be eligible for the scheme.
- 3.13. The total amount of government funded relief available for each property under the scheme for 2023-24 is 75% of the remaining bill, after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied, excluding those where local authorities have used their wider discretionary relief powers, introduced by the Localism Act 2011 which are not funded by section 31 grants. Retail, Leisure and Hospitality Rates Relief should be applied against the net bill after other reliefs have been applied.
- 3.14. As of 4<sup>th</sup> January 2023, the new UK subsidy control regime commenced with the coming into force of the Subsidy Control Act 2022. The Retail Leisure and Hospitality Rates Relief Scheme is likely to be a subsidy under the new regime. Any relief provide by local authorities under this scheme will need to comply with the UK's domestic and international subsidy control obligations.
- 3.15. No ratepayer can exceed the £110,000 cash cap across all of their hereditaments in Wales. Where the ratepayer has a qualifying connection with another ratepayer they will be considered as one ratepayer for the purpose of the cash caps.
- 3.16. To the extent that a local authority is seeking to provide relief that falls below the Minimal Financial Assistance (MFA) thresholds, the Subsidy Control Act 2022 allows a holding company and its subsidiaries to receive up to £315,000 in a 3 year period (consisting of 23/24 and two previous financial years).
- 3.17. Local Authorities in Wales are required to ask the ratepayer, on a self-assessment basis, to declare as part of the application for relief that they are not in breach of the cash cap or MFA limit.

#### **4. Scheme Adoption**

4.1. As this is a temporary measure Welsh Government are providing the relief by reimbursing local authorities that use their discretionary powers under Section 47 of the Local Government Finance Act 1988, it is appropriate for the Council to formally adopt the scheme.

It is therefore recommended that:

- a) The Retail Leisure and Hospitality Rates Relief Scheme be adopted for 2023/24
- b) Relief be granted in accordance with the Welsh Government guidelines
- c) Applications that are not specifically covered by the guidelines or otherwise require specific consideration, to be determined by the Cabinet Member for Resources

<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	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

**2. Legal**

The decision on whether or not to adopt these schemes is a Cabinet function.

**3. Finance**

The relief granted under the scheme is fully funded, provided Welsh Government guidelines in terms of qualifying ratepayers, are adhered to.

# 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 request for pre-determination**

N/A

**If yes include the following information: -**

**Scrutiny Committee**

**Date the report was considered:-**

**2. Local Member(s)**

N/A

**3. Community / Town Council**

N/A

**4. Relevant Partners**

N/A

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

N/A

**ection 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
<b>Business Rates – High Street Rate Retail Scheme</b> (various documents)	N/A	<b>File Plan (Finance/Local Taxation/Retail Rate Relief)</b>



## **Appendix A -**

### **Qualifying & Non-Qualifying Premises (extract from Welsh Government Guidelines)**

*“It is intended that, for the purposes of this scheme, retail properties such as, “shops, restaurants, cafes and drinking establishments” will mean the following (subject to the other criteria in this guidance).*

#### **i. Hereditaments that are being used for the sale of goods to visiting members of the public**

- Shops (such as florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off-licences, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Pharmacies
- Post offices
- Furnishing shops or display rooms (such as carpet shops, double glazing, garage doors)
- Car or caravan showrooms
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale or hire)
- Second hand car lots

#### **ii. Hereditaments that are being used for the provision of the following services to visiting members of the public**

- Hair and beauty services
- Shoe repairs or key cutting
- Travel agents
- Ticket offices, eg. for theatre
- Dry cleaners & Launderettes
- PC, TV or domestic appliance repair
- Funeral directors
- Photo processing
- DVD or video rentals
- Tool hire
- Car hire
- Estate and letting agents

#### **iii. Hereditaments that are being used for the sale of food and / or drink to visiting members of the public**

- Restaurants
- Drive-through or drive-in restaurants
- Takeaways
- Sandwich shops
- Cafés
- Coffee shops
- Pubs & Bars or Wine Bars

*It is intended that, for the purposes of this scheme assembly and leisure will mean the following (subject to the other criteria in this guidance).*

**iv. Hereditaments that are being used for the provision of sport, leisure and facilities to visiting members of the public (including for the viewing of such activities) and for the assembly of visiting members of the public.**

- Sports grounds and clubs
- Sports and leisure facilities
- Gyms
- Tourist attractions
- Museums and art galleries
- Stately homes and historic houses
- Theatres
- Live Music Venues
- Cinemas
- Nightclubs

**v. Hereditaments that are being used for the assembly of visiting members of the public**

- Public Halls
- Clubhouses, clubs and institutions

*It is intended that, for the purposes of this scheme hotels, guest and boarding premises and self catering accommodation to mean (subject to the other criteria in this guidance).*

**vi. Hereditaments where the non-domestic part is being used for the provision of living accommodation as a business:**

- Hotels, Guest and Boarding Houses
- Holiday Homes
- Caravan Parks and sites

“The list set out above is not intended to be exhaustive as it would be impossible to list all the many and varied retail, leisure and hospitality uses that exist,

There will also be mixed uses. However, it is intended to be a guide for local authorities as to the types of uses that the Welsh Government considers for this purpose to be eligible for this relief. Local authorities should determine for themselves whether particular properties not listed are broadly similar in nature to those above and, if so, to consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those listed above should not be eligible for the relief”

**Types of hereditaments that are not considered to be eligible for the high street relief**

The list below sets out the types of uses that the Welsh Government does not consider to be retail, leisure or hospitality use for the purpose of this relief and would not be deemed eligible for the relief. However, it will be for local authorities to determine if hereditaments are similar in nature to those listed below and if they would not be eligible for relief under the scheme.

**i. Hereditaments that are being used wholly or mainly for the provision of the following services to visiting members of the public**

- Financial services (eg. banks, building societies, cash points, ATMs, bureaux de change, payday lenders, betting shops, pawn brokers)
- Medical services (eg. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (eg. solicitors, accountants, insurance agents, financial advisers, tutors)
- Post office sorting office
- Children's play centres
- Day nurseries
- Kennels and catteries
- Casino and gambling clubs
- Show homes and marketing suites
- Employment agencies

There are a number of further types of hereditaments which the Welsh Government believes should not be eligible for the high street relief scheme:

**ii. Hereditaments that are not reasonably accessible to visiting members of the public**

**iii.. Hereditaments that are not occupied**

**iv. Hereditaments that are owned, rented or managed by a local authority**

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## CABINET

27.03.23

### COMMUNITY ASSET TRANSFER UPDATE

**Recommendations / key decisions required:**

To note the present status of the asset transfer of parks and playgrounds and to approve and adopt the updated Community Asset Transfer Procedures document.

**Reasons:**

To provide an update on the progress of community asset transfers of parks and playgrounds and to adopt the newly updated Community Asset Transfer Procedures document.

Cabinet Decision Required: YES

Council Decision Required: NO

**CABINET MEMBER PORTFOLIO HOLDER:**

Cllr. Gareth John (Cabinet Member for Regeneration, Leisure Culture and Tourism), Cllr. Edward Thomas (Cabinet Member for Transport, Waste and Infrastructure Services) and Cllr. Alun Lenny (Cabinet Member for Resources)

**Directorate:** Chief Executives

**Name of Head of Service:** Jason Jones

Head of Regeneration

jajones@sirgar.gov.uk

Senior Asset Management Surveyor

ehughes@sirgar.gov.uk

**Report Author:** Emily Hughes

**COMMUNITY ASSET TRANSFER UPDATE**

**Purpose of the Report** - The Community Asset Transfer of parks and playgrounds has been the subject of various reports to members over the last few years. The purpose of this report is to provide members with an update regarding the current position relating to the asset transfer of parks and playgrounds and to highlight the additional expressions of interest received.

The Council's Community Asset Transfer Procedures document has also recently been reviewed and has been updated to consider the challenges encountered to date and the lessons learnt from dealing with various asset transfers over the years. The new Procedures will replace the 2013-2016 version.

A consultation process was carried out with Town and Community Council at the beginning of the year with a questionnaire sent to all Councils requesting their feedback on their experiences to date. Their comments have been taken on board and incorporated within the new document. The main themes emerging from the responses to the questionnaire include:

- A requirement that the County Council will endeavour to provide the organisation with information that is available and relevant in each case. Where possible, the Council will provide condition surveys, historical maintenance and running costs of the asset, and relevant legal contractual information regarding service providers to the property.
- The provision of a more realistic timetable of the Community Asset Transfer process. Page 9 of the Procedures sets out a clear timeframe of the process. It is important to note that the timescales are for guidance only and that flexibility is essential, as other types of requirements may need to be addresses such as ownership or title issues, restrictive covenants, charitable land, fields in trust, rights of way, etc.
- Advice regarding where up to date funding information relevant to each project can be sought. The County Council will offer community development advice and assistance and access to funding opportunities for feasibility / business planning support via its Community Bureau Team. The Bureau can assist community, voluntary and charitable groups and social enterprises in Carmarthenshire to access support and advice where needed.

A copy of the new Procedures can be seen in **Appendix 1** and it is recommended that Cabinet approve these Procedures.

**Update on Asset Transfers** - Discussions have continued with numerous organisations to promote local management and maintenance of parks and playgrounds and to progress the transfers of these assets.

To date, **97%** of the parks and playgrounds across the County have been transferred on either leases or licences to Town and Community Councils and various other Organisations, with the remaining **3%** in the process of being transferred. A full list of the parks and playgrounds transferred under a lease or licence can be seen in **Appendix 2**.

A summary of the assets currently held on licences and those in the process of being transferred can be seen within the table in **Appendix 3**. Of the ones held on licences, six of the assets are subject to Trust with the remainder awaiting approval from the Land Registry. The assets in bold continue to be managed by the County Council until transfer is complete.

In addition to the transfer of parks and playgrounds, expressions of interest have been received for various other assets within the County ranging from a public convenience to a former lido. These assets are currently being considered for transfer or in the process of being transferred and are listed under 'Additional Community Asset Transfers' within the table in **Appendix 3**.

New expressions of interest are always welcomed, and the County Council will continue to support any future community asset transfer requests and assist, where it can, to promote potential opportunities via its Community Bureau Team.

**DETAILED REPORT ATTACHED?**

**YES** - Appendix 1, 2 and 3



## 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 and 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>NONE</b>	<b>YES</b>

### **Policy, Crime and Disorder and Equalities**

Assets are transferred in accordance with the current Community Asset Transfer Procedures document.

Community Asset Transfers support the principles of The Well-being of Future Generations (Wales) Act 2015, through collaboration to deliver improvements for the well-being of people and communities in Carmarthenshire for the benefit of present and future generations.

### **Legal**

Community Asset Transfers require Legal input to formalise the agreements. Asset transfers are generally undertaken on a long-leasehold basis and will have been the subject of Public Open Space Notices where relevant in accordance with s123 of the Local Government Act 1972. Transfers can be problematic where the ownership of the land to be transferred is unclear due to historic record keeping or where the land is held by the Council on Trust.

### **Finance**

Several of the asset transfers of parks and playgrounds have involved one-off maintenance and improvement grants to bring about longer term revenue savings. These grants were funded by existing budgets.

### **Risk Management Issues**

Asset transfers pass the insurance and maintenance responsibility via the lease to the tenant, reducing the Council's liability.

### **Physical Assets**

Asset transfers ensure the continued use of the assets concerned for the benefit of present and future generations and would result in a reduction in the number of assets directly managed by the Council.

# CONSULTATIONS

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

Signed: Jason Jones (Head of Regeneration)

<b>1. Scrutiny Committee request for pre-determination</b>	YES
<b>If yes include the following information: -</b>	
<b>Scrutiny Committee</b>	Communities, Homes and Regeneration
<b>Date the report was considered:-</b>	16.11.22
<b>Scrutiny Committee Outcome/Recommendations:-</b>	
<p>That the Community Asset Transfer Update Report be received.</p> <p>That it be recommended to Cabinet that the newly updated Community Asset Transfer Procedures Document be adopted.</p>	
<p><b>2. Local Member(s)</b> - Local Members have been consulted as part of the previous asset transfer process and current members will be consulted prior to any future disposals.</p> <p><b>3. Community / Town Council</b> - Various consultations / workshops and meetings have been held prior to the transfer of the assets.</p> <p>Presentations were carried out at the beginning of the year followed by a questionnaire sent to all Town and Community Councils requesting information regarding their experience of the asset transfer process to date.</p> <p><b>4. Relevant Partners</b> - Various consultations / workshops and meetings have been held with sporting groups and third sector bodies.</p> <p><b>5. Staff Side Representatives and other Organisations</b> - Not applicable.</p>	
<b>CABINET MEMBER PORTFOLIO HOLDER(S) AWARE / CONSULTED - Yes</b>	<b>Include any observations here</b>
<b>Section 100D Local Government Act, 1972 - Access to Information</b>	
<b>List of Background Papers used in the preparation of this report:</b>	
<b>Title of Document</b>	<b>Locations that the papers are available for public inspection</b>
Carmarthenshire County Council - Community Asset Transfer Procedures (2013-2016)	Community Asset Transfer (gov.wales)
Ystadau Cymru - Community Asset Transfer	<a href="#">community-asset-transfer-guide.pdf (gov.wales)</a>

# Community Asset Transfer Procedures

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

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



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# **Carmarthenshire County Council**

## **Community Asset Transfer Procedures**

### **Introduction**

Carmarthenshire County Council believes that Community Asset Transfer is about giving local people and community groups greater control of their area and their community. Local organisations are often best placed to manage facilities within their community as they can make extensive use of volunteers and their local knowledge. The hands on management of the asset is likely to result in better value for money, as well as leading to a more intensive and inclusive use of the asset.

Community ownership and management of assets empowers local communities, puts local organisations in control, encourages pride of place, enhances the local environment and raises people's aspirations. Carmarthenshire County Council is committed to working with community groups and local organisations to ensure that the transfer of assets within Carmarthenshire are successful and sustainable in the long-term. The Council, where possible, will also offer community development advice and assistance and access to funding opportunities via its Community Bureau Team.

### **Purpose of the Procedures**

This document replaces the earlier version (Community Asset Transfer Procedures 2013 - 2016) and sets a transparent, positive and proactive framework to enable asset transfers to take place. The principal changes include:

- A commitment that the County Council will endeavour to provide the organisation with whatever information is available and relevant in each case.
- The provision of a more realistic timetable of the Community Asset Transfer process as it is acknowledged and must be recognised by all parties that some transfers can take some time to complete.
- Information regarding where up to date funding information relevant to each project and information regarding the availability of Section 106 contributions can be obtained.

These Procedures explain what is meant by the term Community Asset Transfer and sets out how it will be achieved. It provides a clear framework to support the transfer of land and buildings from the County Council to local organisations.

The Procedures are not intended to cover property that is surplus to the Council's requirements with no requirement for ongoing service provision. Such property would continue to be disposed of in accordance with the County Council's Acquisition and Disposal of Property Policy.

## **What is Community Asset Transfer?**

Community Asset Transfer is the transfer of ownership or management of publicly owned assets to a community based organisation to allow the continuation of facilities and service provision previously undertaken by the County Council.

Community Asset Transfer supports community empowerment by ensuring that land, buildings and the services provided are retained or transformed and used for public benefit through community asset ownership and management.

## **The Local Context**

Carmarthenshire County Council believes that local organisations are key partners in the delivery of services and provide a vital link with local people. It recognises that working in partnership with these organisations can help achieve some of the outcomes of the Council's Corporate Strategy and help promote the social, environmental and economic well-being of Carmarthenshire.

Carmarthenshire County Council recognises that:

- The way its physical assets are managed can have a very positive impact on the long-term strength of local communities and the third sector more generally.
- Through asset ownership or management, community organisations can grow and become more secure, gaining access to sources of additional investment that the County Council itself may not be able to access.
- Successful asset transfer requires a long-term partnership approach between the County Council and the community groups that take over the management of an asset and provision of a service.

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

The Well-being of Future Generations (Wales) Act 2015 aims to improve the social, economic, environmental and cultural well-being of Wales and to ensure that the governance arrangement of public bodies for improving the well-being of Wales takes the need of future generations into account.

Public bodies listed in the Act, including ones that wish to transfer assets, need to think more about the long-term by involving people and communities and collaborating with partners from all sectors to take a more integrated and sustainable approach.

The way we work needs to focus on the long term; working in partnership and collaboration; involving people more; preventing problems before they materialise and ensuring we work in an integrated way to maximise our resources and reduce duplication.

## **Disposal of Surplus Assets**

The disposal of County Council assets is usually carried out on a commercial basis due to the general legal requirement that a Public Authority must achieve best value for the asset. Any disposal will be in accordance with the County Council's Acquisition and Disposal of Property Policy and where the Council's assets are identified as surplus to requirements, they will generally be sold on the open market. However, there will be circumstances where the County Council may dispose of an asset at below full market value, usually when a disposal will benefit the community where the economic, social or environmental well-being of the area will be improved.

In some circumstances, it may be appropriate to consider community use of the property. Such a use would only be approved if there is a clear identified need for such use in the area and where there is a business plan in place which demonstrates the viability of the alternative use - both in terms of the availability of capital funding for any conversion / refurbishment costs, and for the ongoing revenue funding of the project.

In assessing any application, it will also be necessary to identify whether any requirements can reasonably be accommodated in other facilities within the locality such as a proposed new school, community halls, play areas, recreation grounds, public houses or churches etc.

Where a surplus asset is let or sold for community use, the use of the property would be restricted to community use only. Commercial uses may also be considered, subject to the funds raised being used to support community activities.

All applications for surplus assets to be made available for community use will be evaluated by the Head of Regeneration in consultation with appropriate departmental heads. Following this appraisal, the terms of any proposed disposal for community purposes would generally be at open market value for the restricted use but would be determined by the Head of Regeneration.

Any disposal which has not been openly marketed and does not reflect market value would require Cabinet approval.

## **Aims of Community Asset Transfer**

The County Council's land and buildings are used for a variety of different social, community and public purposes. For some of these assets community management and ownership could deliver benefits to the local community; benefits for community based groups; and benefits to the County Council and other public sector service providers.



Changing ownership or management offers opportunities to extend the use of a building or parcels of land, increasing their social value in relation to the numbers of local people that benefit and the range of opportunities they offer.

Community-led ownership and management offers additional opportunities to secure resources within a local area and to empower local people and communities.

### **Community Asset Transfer - Key Principles**

The County Council's procedure on Community Asset Transfers are underpinned by the following principles:

- Asset transfer will only be approved if the property is required for continuation of a service and any proposed asset transfer must promote social, economic or environmental wellbeing and / or support the aims and priorities of the Council.
- The Council will encourage collaboration between community based groups and the sharing of assets to optimise social value and value for money.
- The proposed use of the asset is genuinely for the benefit of the community, and would offer real opportunities for successful and independent, community or third sector organisations to become more sustainable in the long term.
- The proposed use would enable communities to have more access to facilities and / or opportunities that respond to their local needs.
- Community Asset Transfers within Carmarthenshire will usually be by way of a lease or licence and freehold transfers will only be considered in exceptional circumstances. The tenure offered will be determined on a case-by-case basis dependant on the strength of the applicant and sustainability of the application, but the Council will endeavour to meet funders' requirements for security of tenure.
- The decision whether to charge an open market rent for the asset will be determined on a case-by-case basis. The social, economic or environmental benefits of the proposed transfer will be taken into account in determining the value.
- There will be a presumption that the transfer will be on a full repairing and insuring basis and that the organisation will be responsible for all running costs associated with the asset as well as maintenance and compliance with any statutory requirements. The Council will however adopt a flexible approach to the lease terms if the circumstances of a particular Community Asset Transfer so require.
- Where possible, the Council will provide condition surveys, historical maintenance and running costs of the asset, and relevant legal contractual information regarding service providers to the property.

- The Council will also provide, where it can, information on repairing responsibilities, planning conditions, restricted covenants, access requirements etc.
- It is important to note that there is no standard Community Asset Transfer and the information for each asset will be different. Some transfers are just the property asset which in some cases could have been vacant for several years, while others come with the existing service being delivered out of the asset and transferred.
- The organisation applying for an asset transfer will need to set out how they have considered the effect of the opportunities for people to use the Welsh language; or how the Welsh language will be treated no less favourably than the English language?
- The organisation will also need to show how can it be assured that the Welsh language is treated no less favourably than the English language post asset transfer including any service provision currently provided through the medium of Welsh and how these services will continue.
- If community use is agreed, then the County Council would offer community development advice and assistance and access to funding opportunities for feasibility / business planning support via its Community Bureau Team. The Bureau can assist community, voluntary and charitable groups and social enterprises in Carmarthenshire to access support and advice where needed. They can also provide up to date funding information relevant to each project and information regarding the availability of Section 106 contributions. Further information can be obtained by emailing: [bureau@carmarthenshire.gov.uk](mailto:bureau@carmarthenshire.gov.uk)

### **Who Can Apply**

The County Council will accept expressions of interest from all types of organisations as well as Town and Community Councils. Applicants should demonstrate that they have strong links with the local community and are able to meet the following criteria:

- Their primary purpose must be to continue and enhance service provision within the local community and must be open to and demonstrate an inclusive approach to members of the wider community.
- The proposed use of the asset should not duplicate activities, services or facilities already being provided within the local community.
- The organisation and key individuals managing the asset and associated project must have appropriate skills, knowledge and expertise to sustain the project in the long term.
- Only incorporated organisations with legal rights and responsibilities can complete a transfer; the Council will not complete a lease to individuals acting as trustees, although do acknowledge that sometimes a request from a community asset

transfer may be made by an organisation which proposes to become incorporated during the process.

### **The Application Process**

The County Council has established a cross-departmental team of officers from Legal, Leisure, Grounds Maintenance, Education and Regeneration to deal with transfer requests, co-ordinated and chaired by the Property team. Applicants will be supported through the transfer process and provided with any relevant information to assist their application where it is available.

Organisations applying for asset transfer will need to complete an Expression of Interest form where the following information will be required:

- Proposals for the use and maintenance of the asset along with its benefits to the community.
- Evidence of consultation carried out within the community.
- Consideration of whether there are, and will continue to be, any conflicts / overlap of other similar facilities in the locality.
- Capacity of the community groups to manage and insure the asset as well as evidence of financial support for future development.
- Some form of business plan, the detail of which will reflect the scale of asset being transferred.
- Suggestions as to how the organisation will contribute towards the Well-being Act and the National well-being goals.
- Ideas as to how the organisation will consider and promote Equality and the Welsh Language.
- A community governance structure (how local people will be involved in decision making in relation to the asset and its use).

A copy of the Expression of Interest form can be seen in **Appendix 1**.

The Council's assessment of an asset transfer request and any subsequent decision to proceed will consider the physical condition of the building and the availability of other suitable premises from which the proposed activities could take place.

Where there is little or no likelihood of a community group taking over a building or area of land that has been identified for transfer and it is not considered viable for the Council to continue running / maintaining it, then the asset will normally be considered for disposal in line with the Council's Acquisition and Disposal of Property Policy.

## Timescales

The table below summarises the process Carmarthenshire County Council will follow where an expression of interest has been made:

Stage	Responsibility	Timescale
Expression of interest submitted for consideration	Community Group	
Application appraised and recommendations made	Asset Transfer Team	6 - 8 weeks
Business plan submitted <i>(if deemed necessary)</i>	Community Group	To be agreed - depending on the circumstances
Appraisal of business plan <i>(if deemed necessary)</i>	Asset Transfer Team	6 - 8 weeks
Decision on whether to proceed with the transfer <i>(with Cabinet / Local Member involvement as necessary)</i>	Asset Transfer Team	12 - 16 weeks
Detailed terms agreed and transfer completed	Asset Transfer Team	24 - 28 weeks

Please note that the timescales are for **guidance** only and that flexibility is essential, as other types of requirements may need to be addresses such as ownership or title issues, restrictive covenants, charitable land, fields in trust, rights of way, etc. It is also acknowledged and must be recognised by all parties that some transfers can take some time to complete.

The timescales within the table run consecutively. They will be monitored and where insufficient progress is made the County Council may withdraw from the transfer process and dispose of the asset in accordance with its Acquisition and Disposal of Property Policy. The Council will be prepared to consider reasonable requests for extensions of time to facilitate proposals.

### Support from Carmarthenshire County Council

Whilst community groups are expected to take their own advice, the County Council will try to help and support them through the application process. It will try making appropriate resources available to provide that support and to appraise applications within the target timescales. In return, it expects applications for transfer to contain, at each stage, sufficient information to enable appraisals to be completed and decisions made.

Carmarthenshire County Council is keen for Community Asset Transfer to succeed within the County and will provide community groups with guidance and support from its officers to help applicants through the transfer process.

Community Asset Transfer is not new to Carmarthenshire County Council and many organisations already utilise the Council's buildings and land. The key message from these Procedures is that both parties to any potential transfer enter the process in a

transparent way, with a mutual understanding of the long term implications and opportunities, as well as the fullest picture of the impact of these implications on the potential future success of the venture.

DRAFT

# EXPRESSION OF INTEREST FOR TRANSFER OF ASSETS FOR COMMUNITY USE

Your expression of interest form should be completed in full. If your form has not been completed, cannot be read or is not on an appropriate form, it will be returned to you to update / complete before assessment commences.

Council officers will then process and review your proposal. If the asset is suitable for transfer and the proposal is considered viable, you may be asked to supply further details in relation to the proposal.

#### DATA PROTECTION STATEMENT

We require the information requested in this form to allow us to process your application. All information provided in support of an application, including personal details, will be held in a database. Carmarthenshire County Council complies with strict security procedures in the storage and disclosure of your information. These procedures are in accordance with the principles of the Data Protection Act 1998.



# EXPRESSION OF INTEREST FORM

## FOR TRANSFER OF ASSETS FOR COMMUNITY USE

Please complete all sections of the form

ABOUT YOUR ORGANISATION	
Name of Organisation:	
Address of Organisation:	
Applicant Name / Key Contact: <i>This should be the individual approved by the organisation to act on their behalf</i>	
Position held within Organisation:	
Telephone Number:	
Email Address:	
Date:	

TYPE OF ORGANISATION	
What type of organisation are you e.g. registered charity?	
Do you have a formal constitution, governance documents or set of rules?	

<p>If you are not currently established, please outline the type of organisation you are considering establishing e.g. registered charity, company limited by guarantee?</p>		
<p>When was your organisation established?</p>		
<p>How many people are involved in your organisation?</p>	<p>Management Committee:</p>	
	<p>Full Time Employees:</p>	
	<p>Part Time Employees:</p>	
	<p>Volunteers:</p>	
<p>What is the purpose and main aims of your organisation?</p>		
<p>Does your organisation have experience of managing an asset? If yes, please provide detail:</p>		



Please indicate which of the following insurance cover your organisation holds and provide levels:	Public Liability:	
	Employer Liability:	
	Professional Indemnity:	

## ABOUT YOUR PROPOSAL

Title of Project:	
Please provide details of the asset (building or land) you are interested in (name, address, etc.):	
Please state the preferred tenure (please indicate the desired lease term):	
Please provide a brief description of your proposal, including the reason why you are applying for a council asset and what the intended use will be:	

<p>Please outline how the facility will be maintained after the project has completed / land had been transferred:</p>	
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**COMMUNITY BENEFIT**

How will the community benefit from the proposal? *(please attach any supporting documentation or further notes, if applicable)*

<b>Community Benefits</b>	<b>Yes / No</b>	<b>If 'Yes', please provide further details</b>
Will your proposal enable access by all members of the community?		
Will your proposal maintain an existing service or activity in the local community?		
Will your proposal create a new service or activity in the local community?		
Will your proposal have wider community benefits?		

<p>Will your proposal create opportunities for local organisations to work together?</p>		
<p>Will your proposal bring additional financial investment into the area (e.g. through grants unavailable to the Council)?</p>		
<p>Will your proposal create opportunities for developing local enterprise or additional employment?</p>		
<p>How will the organisation contribute towards the Well-being Act and National well-being goals?</p>		
<p>How will the organisation consider and promote Equality?</p>		
<p>How will the organisation consider and promote the Welsh language and how will it ensure that it provides services and opportunities to members of the community through the medium of Welsh and treat the Welsh language no less favourably than the English language?</p>		

**Will the project present conflict / overlap with other similar facilities in the locality?**

*Consider whether there are any similar facilities already in the vicinity and whether this project may have a negative impact on these*

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**What is your evidence of need for your project and who have you consulted with?**

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**SIGNATURE**

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<b>Name:</b>	<b>Position:</b>	<b>Date:</b>
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**Please return completed forms to:**

Community Asset Transfer Officer  
Regeneration Department  
Carmarthenshire County Council  
County Hall  
Carmarthen  
SA31 1JP

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

**Telephone:** 01267 246767

## Completed Community Asset Transfers

### Leases and Licences

<b>Ammanford Town Council</b>
Ammanford Park
Ammanford Recreation Ground
Pantyffynnon Recreation Ground
Norman Road Playground
Pantyffynnon Playground (New Road)
Carregamman Playground
Riverway Playground and MUGA
Maesycoed Playground, Pontamman
<b>Ammanford Bowls Club</b>
Ammanford Bowls Club
<b>Betws Community Council</b>
Betws Park
Maesquarre Playground
<b>Carmarthen Town Council</b>
Penllwyn Park
Park Hinds
Johnstown Park
Russell Terrace Ball Park
Allt Ioan Playground
Maes y Wennol (Pentre Meurig) Playground
<b>Cwmamman Town Council</b>
Penybont Park, Glanamman
Maesybedol Playground, Glanamman
Grenig Park, Glanamman
Parc Bryn Rhos Playground, Glanamman
Cwmamman Park, Garnant
Bishops Road Playground, Garnant
Highfield Park Play Area (Twyn), Garnant
Penyrallt, Garnant
Gelliwerdd Playground, Glanamman
<b>Kidwelly Town Council</b>
Parc Stephens Playground, Kidwelly
Water Street / Ger y Castell Playground, Kidwelly
Ger y Gwendraeth Playground, Kidwelly

<b>Park Stephens Community Association</b>
Parc Stephens Playing Fields, Kidwelly
<b>Llandeilo Town Council</b>
Parc Le Conquet, Llandeilo
Penlan Park, Llandeilo
<b>Dyffryn Cennen Community Council</b>
Dyffryn Cennen Playground, Ffairfach
<b>Llandovery Town Council</b>
Llandovery Playground and Skate Park
Green Lodge Playground, Llandovery
Maesglas Playground (Education & Children's Services)
<b>Castle Fields Sports Association</b>
Castle Fields
<b>Llandybie Community Council</b>
Penygroes Park
Llandybie Park
Saron Park
Penybanc Playground
Spian Road Playground
Part of Bancyddraenen Recreational Ground
<b>Llanedi Community Council</b>
Hendy Park
Tycroes Park
Coopers Playground
Bronallt Playground
Squirrels Walk Playground
Talyclun Playground
<b>Llanelli Rural Council</b>
Dafen Park and Playground
Pwll Recreation Ground
Trallwm Playing Field
Clos y Gelli (Pemberton) Playground
Heol Llanelli Playground
Swiss Valley Playground
Bryngolau Playground

## Completed Community Asset Transfers

### Leases and Licences

Bryn y Graig Playground, Mynyddgarreg
<b>Llanelli Town Council</b>
Parc y Dre
Crown Park
Penyfan Park
Havelock Park
Nightingale Court Playground
Part of Morfa Park
Clos yr Ysgol Playground (Alban Road)
Penygaer and Llanerch Playing Fields
<b>Llangadog Community Council</b>
Llangadog Playground
<b>Llangeler Community Council</b>
Pentrecwrt Playground
<b>Llangennech Community Council</b>
Parc yr Hendre
Bryn Park
Maes Ty Gwyn Playground
<b>Llangunnor Community Council</b>
Llangunnor Recreation Ground
<b>Llannon Community Council</b>
Tumble Park
Singleton Playground
Cross Hands Park
Caeglas Playground
Maesyffynnon Playground
Llannon Playground
<b>Tumble Rugby Club</b>
Tumble Rugby Fields, Tumble Park
<b>Tumble AFC</b>
Tumble Football Fields, Tumble Park
<b>Llanybydder Community Council</b>
Rhydymerau Playground

Dan y Banc Playground
<b>Pembrey and Burry Port Town Council</b>
Burry Port Memorial Park
Burrows Park
Tyle Teg Park
Penybryn Playground
Tanybryn Playground
Cwm Eglwys Playground
Trem y Mynydd Playground
Waun Sidan Playground
<b>Burry Port Rugby</b>
Burry Port Memorial Park
<b>Burry Port AFC</b>
Burry Port Memorial Park
<b>Pontyberem Community Council</b>
Pontyberem Park
Bancffosfelen Playground
<b>Quarter Bach Community Council</b>
Maes Elwyn Recreational Ground, Brynaman
Bryn Avenue Recreation Ground
Part of Ystradowen Recreational Ground
<b>Ystradowen Communities</b>
Part of Ystradowen Recreational Ground
<b>Trelech a'r Betws</b>
Trelech Playground
<b>Trimsaran Community Council</b>
Trimsaran Welfare Park
<b>Trimsaran Rugby Club</b>
Trimsaran Park Changing Rooms
<b>Whitland Town Council</b>
Bryngwenllian Playground

Asset	Comments	Update / Actions Required
<b>Abergwili Community Council</b>		
Peniel Playground	An adverse possession claim is being pursued due to land registration issues.	Grounds Maintenance have sworn the statutory declaration and Legal have applied to the Land Registry for title. Based on previous applications and assuming no issues arising, the Land Registry process takes between 6-12 months. Application remains with the Land Registry - Legal to chase (March 2023).
<b>Betws Community Council</b>		
Maesquarre Playground	Licence - part not registered. A statutory declaration required to register the land.	Grounds Maintenance have sworn the statutory declaration and Legal have applied to the Land Registry for title. Based on previous applications and assuming no issues arising, the Land Registry process takes between 6-12 months. Application remains with the Land Registry - Legal to chase (March 2023).
<b>Cwmamman Town Council</b>		
Parc Bryn Rhos Playground	Licence - A statutory declaration required to register the land is being pursued due to land registration issues.	Grounds Maintenance have sworn the statutory declaration and Legal have applied to the Land Registry for title. Based on previous applications and assuming no issues arising, the Land Registry process takes between 6-12 months. Application rejected by the Land Registry (30.09.2022) on basis that the playground was installed at the same time as housing estate was built and therefore with consent. Can take registration no further and as such can only offer a licence of the playground.
Golwg yr Amman Park	Lease documentation currently held by the Town Council. Some work to be carried out by Grounds Maintenance prior to completion.	Grounds Maintenance to prioritise the work so that completion can take place. Consideration given to enter into a side letter to enable the lease to be completed prior to the works being undertaken (March 2023).
<b>Park Stephens Community Association</b>		
Parc Stephens Playing Fields, Kidwelly	Licence - Land subject to Trust.	Agreed by Cabinet Members in their capacity as Trustees to proceed with the transfer on a Lease. Draft lease with Sports Association for approval. Meeting with the Sports Association on 09.03.2023 to discuss some queries.
<b>Dyffryn Cennen Community Council</b>		
Dyffryn Cennen Playground, Ffairfach	Licence - There are covenants on the property that are prohibiting us from completing the Lease.	Application submitted to the Land Registry to dispel the covenants. Based on previous applications and assuming no issues arising, the Land Registry process takes between 6-12 months. Hoping for a response by December 2022. Land Registry yet to determine the application - currently experiencing high volumes of work. Hopefully will hear back in the next 3 months (March 2023).
<b>Llandybie Community Council</b>		
Penygroes Park	Licence - Land subject to Trust.	Agreed by Cabinet Members in their capacity as Trustees to proceed with the transfer on a Lease. Lease completed 12.09.2022.
Llandybie Park	Licence - CCC title but subject to community trust. Charity Commission to advise on potential to grant Lease.	Agreed by Cabinet Members in their capacity as Trustees to proceed with the transfer on a Lease. Cabinet in their Capacity as Trustees approval obtained to proceed with the Lease. Lease sent to Community Council's Solicitors. Once lease agreed we can complete which hopefully will be in the next 3 months (March 2023).
<b>Llanedi Community Council</b>		
Squirrels Walk Playground	Licence - A statutory declaration required to register the land.	Grounds Maintenance have sworn the statutory declaration and Legal have applied to the Land Registry for title. Based on previous applications and assuming no issues arising, the Land Registry process takes between 6-12 months. Hoping for a response by December 2022. Land Registry have requested that the Ordnance Survey visit the site and so an appointment has been arranged (March 2023).
<b>Llanelli Rural Council</b>		
Dafen Park and Playground	Licence - Land held in Trust. Some land registration issues.	Agreed by Cabinet Members in their capacity as Trustees to proceed with the transfer on a Lease. Legal have applied to the Land Registry for title. Application remains with the Land Registry - Legal to chase (March 2023).
Pwll Recreation Ground	Licence - A deed of dedication to be entered into with Fields in Trust.	Draft Lease and Fields in Trust deed of dedication with Rural Council. Draft lease with proposed Tenants' Solicitors. They have asked for CPSE7 replies (March 2023).
Trallwm Playing Field	Licence - Current playground to be relocated. Lease to complete once housing development has finished. Housing has confirmed that the land can now be transferred.	Draft Lease sent to the Rural Council for approval. Not heard back from the Rural Council - Legal to chase (March 2023).

Asset	Comments	Update / Actions Required
Clos y Gelli Playground	Licence - A statutory declaration required to register part the land.	Grounds Maintenance have sworn the statutory declaration and Legal have applied to the Land Registry for title. Based on previous applications and assuming no issues arising, the Land Registry process takes between 6-12 months.
Clos Cilsaig Playground	<b>An adverse possession claim is being pursued due to land registration issues.</b>	Registration completed and draft Lease with the Rural Council for approval. Lease with the Rural Council - awaiting approval. Additional enquiries have been answered. Chased for an update, no reply to date. Will hopefully hear form them in the next 3 months to enable us to complete (March 2023).
<b>Llangennech Community Council</b>		
Maes Ty Gwyn Playground	Licence - An statutory declaration claim is being pursued due to land registration issues.	Grounds Maintenance have sworn the statutory declaration and Legal have applied to the Land Registry for title. Based on previous applications and assuming no issues arising, the Land Registry process takes between 6-12 months. Application with the Land Registry. They requested an Ordnance Survey visit last June. Would expect to hear back soon (March 2023).
<b>Llannon Community Council</b>		
Cross Hands Park	Licence - Community Council wish to received the payment of £35,000 towards the redevelopment of the changing rooms prior to completing the Lease. Issues relating to proposed new bridleway through the park.	Ongoing discussions with the Community Council regarding the proposed development within the Park. Issues with boundaries and responsibility for the drainage at the Park. Negotiations are ongoing (March 2023).
<b>Pontyberem Community Council</b>		
Pontyberem Park	Licence - Land subject to Trust.	Agreed by Cabinet Members in their capacity as Trustees to proceed with the transfer on a Lease. Lease sent to clerk in May 2022, have chased for a reply. Gomer Williams Solicitors are dealing with the matter but have heard nothing from them or the clerk. Legal to chase (March 2023).
<b>Trimsaran Community Council</b>		
Trimsaran Welfare Park	Licence - Land subject to Trust. Some land registration issues.	Agreed by Cabinet Members in their capacity as Trustees to proceed with the transfer on a Lease. Draft Lease agreement sent out to the Community Council for approval - June 2022. Copy of the conveyance and the historic trust document have been located - Application to the Land Registry imminent (March 2023).
<b>Menter Cwm Gwendraeth Elli</b>		
Penygroes Park Pavilion	Licence - Land subject to Trust.	Agreed by Cabinet Members in their capacity as Trustees to proceed with the transfer on a Lease. Engrossed licence with the organisation for signing (March 2023).
<b>Additional Community Asset Transfers</b>		
<b>Baton Twirling Association Cymru</b>		
Canolfan Carwyn, Drefach	Recently completed on the transfer of the Sports Centre to the Baton Twirling Association.	Lease completed - October 2022.
<b>Brynamman Lido Group</b>		
Brynamman Lido	Recently completed on the transfer of the Lido to the Brynamman Lido Committee.	Lease completed - October 2022.
<b>Newcastle Emlyn Bowls</b>		
Newcastle Emlyn Bowls Club	Missing deeds - stat dec required.	Deeds have been requested and a stat dec for the missing original deeds will be required. Linda Rees Jones to swear a Statutory Declaration in order to submit application to Land Registry (March 2023).
<b>Pembrey and Burry Port Town Council</b>		
Burry Port Station Toilets	Legal recently instructed to draft the transfer documentation.	Land registration issues identified. Legal and Property to establish a way forward (March 2023).



## CABINET 27 March 2023

**Subject:**

APPOINTMENT OF LA GOVERNOR

**Purpose:**

To meet statutory obligation of filling vacancies on governing bodies.

**Recommendations / key decisions required:**

Appointment of LA Governor for Brynaman Primary School Governing Body

**Reasons:**

The Cabinet Member who would normally be responsible for making this decision is the Chair of this Governing Body.

Cabinet Decision Required	YES	27 March 2023
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Council Decision Required	NO	
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CABINET MEMBER PORTFOLIO HOLDER:- Cllr. Glynog Davies

<p>Directorate: Education &amp; Children</p> <p>Name of Head of Service: Aneirin Thomas</p> <p>Report Author: Tanja Neumayer-James</p>	<p>Designations:</p> <p>Head of Education &amp; Inclusion Services</p> <p>Principal School Governance Officer</p>	<p>Tel: 01267 246448</p> <p>Email addresses: TNeumayer- James@carmarthenshire.gov.uk</p>
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## EXECUTIVE SUMMARY

### SUBJECT

Appointment of LA Governor

### SUMMARY OF PURPOSE OF REPORT.

In accordance with the LA appointment procedure for LA Governors, nominations are usually invited from Chairperson, Headteacher and Local Member(s) in the case of primary schools, and LA Governor appointments are made by the Cabinet Member for Education & Welsh Language.

In the case of Brynaman Primary School, Cllr. Glynog Davies, Cabinet Member for Education & Welsh Language, is the Local Member and Chairperson of this Governing Body, which is why he is not able to take this appointment decision.

LA Governors are appointed for 4 years and where the vacancy occurs as a result of an individual's term of office coming to an end, this is noted in the details for that particular person if their re-appointment is sought.

Nomination made by Mr Lee James, Brynaman Primary School Headteacher:

*Mr Mel Morgans is an ex-headteacher and ex community councillor who knows what is expected to run a successful school. Additionally, he is ready to challenge the school to ensure that high standards of education, safeguarding and wellbeing are in place and continually adapted.*

Mr Morgans is currently an LA Governor at Brynaman Primary School (and has been a governor there for many years); his current term of office will end on 31<sup>st</sup> March 2023. Mr James is seeking Mr Morgans' re-appointment from 1<sup>st</sup> April 2023.

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: **Aneirin Thomas**

**Head of Education & Inclusion Services**

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

## CONSULTATIONS

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

Signed: **Aneirin Thomas**

**Head of Education & Inclusion Services**

**1. Scrutiny Committee request for pre-determination**

NO

**2. Local Member(s)**

Cllr. Glynog Davies

**3. Community / Town Council – n/a**

**4. Relevant Partners – n/a**

**5. Staff Side Representatives and other Organisations – n/a**

**CABINET MEMBER 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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