

# Public Document Pack



CYNGOR SIR  
YNYS MÔN  
ISLE OF ANGLESEY  
COUNTY COUNCIL

Mr Richard Parry Jones, BA, MA.  
Prif Weithredwr – Chief Executive

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<b>RHYBUDD O GYFARFOD</b>	<b>NOTICE OF MEETING</b>
<b>PWYLLGOR GWAITH</b>	<b>THE EXECUTIVE</b>
<b>DYDD LLUN 17 MAWRTH 2014 10.00 o'r gloch</b>	<b>MONDAY 17 MARCH 2014 10.00 am</b>
<b>SIAMBR Y CYNGOR SWYDDFEYDD Y CYNGOR LLANGFNI</b>	<b>COUNCIL CHAMBER COUNCIL OFFICES LLANGFNI</b>
Rheolwr Gwasanaethau Pwyllgor	<b>Mr John Gould</b> <b>01248 752 515</b> Committee Services Manager

## **Annibynnol/Independent**

R Dew, K P Hughes, H E Jones and Ieuan Williams (Cadeirydd/Chair)

## **Plaid Lafur/Labour Party**

J A Roberts (Is-Gadeirydd/Vice-Chair) and Alwyn Rowlands

## **Heb Ymuno / Unaffiliated**

A M Jones (Democratiaid Rhyddfrydol Cymru / Welsh Liberal Democrats)

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I Aelodau'r Cyngor Sir / To the Members of the County Council

Bydd aelod sydd ddim ar y Pwyllgor Gwaith yn cael gwahoddiad i'r cyfarfod i siarad (ond nid i bleidleisio) os ydy o/hi wedi gofyn am gael rhoddi eitem ar y rhaglen dan Reolau Gweithdrefn y Pwyllgor Gwaith. Efallai bydd y Pwyllgor Gwaith yn ystyried ceisiadau gan aelodau sydd ddim ar y Pwyllgor Gwaith i siarad ar faterion eraill.

A non-Executive member will be invited to the meeting and may speak (but not vote) during the meeting, if he/she has requested the item to be placed on the agenda under the Executive Procedure Rules. Requests by non-Executive members to speak on other matters may be considered at the discretion of The Executive.

## A G E N D A

1. **DECLARATION OF INTEREST**

To receive any declarations of interest from any Member or Officer in respect of any item of business.

2. **URGENT MATTERS CERTIFIED BY THE CHIEF EXECUTIVE OR HIS APPOINTED OFFICER**

No urgent matters at the time of dispatch of this agenda.

3. **MINUTES** (Pages 1 - 16)

To submit for confirmation, the minutes of the meeting of the Executive held on the following dates:-

- 10<sup>th</sup> February, 2014
- 17<sup>th</sup> February, 2014

4. **MINUTES FOR INFORMATION** (Pages 17 - 22)

To submit for information, the draft minutes of the meeting of the Corporate Parenting Panel held on 10<sup>th</sup> February, 2014.

5. **THE EXECUTIVE'S FORWARD WORK PROGRAMME** (Pages 23 - 34)

To submit a report by the Interim Head of Democratic Services.

6. **ANNUAL EQUALITY REPORT** (Pages 35 - 48)

To submit a report by the Interim Head of Democratic Services.

7. **DISCRETIONARY RATE RELIEF POLICY FOR CHARITIES AND NON PROFIT-MAKING ORGANISATIONS** (Pages 49 - 56)

To submit a report by the Head of Function (Resources).

8. **DISCRETIONARY HOUSING PAYMENTS FOR 2013/14** (Pages 57 - 70)

To submit a report by the Head of Function (Resources).

9. **PUBLIC SECTOR HOUSING CAPITAL PROGRAMME 2014/15** (Pages 71 - 76)

To submit a report by the Head of Housing Services.

10. **NORTH WALES ADOPTION SERVICE** (Pages 77 - 84)

To submit a report by the Head of Service (Children's Services).

11. **STANDARD CHARGE 2014/15 - COUNCIL CARE HOMES** (Pages 85 - 88)

To submit a report by the Business Support Unit Manager.

12. **INDEPENDENT SECTOR RESIDENTIAL AND NURSING HOME FEES 2014/15**  
(Pages 89 - 104)  
To submit a report by the Business Support Unit Manager.
13. **SCHOOL MODERNISATION - Y LLANNAU** (Pages 105 - 108)  
To submit a report by the Director of Lifelong Learning.
14. **COMMUNITY BENEFIT CONTRIBUTIONS** (Pages 109 - 136)  
To submit a report by the Head of Economic and Community Regeneration.
15. **WELSH GOVERNMENT VIBRANT AND VIABLE PLACES GRANT FUNDING FOR HOLYHEAD REGENERATION AND HOMES** (Pages 137 - 144)  
To submit a report by the Head of Economic and Community Regeneration.
16. **INFORMATION GOVERNANCE PROJECT** (Pages 145 - 160)  
To submit a progress report by the Chief Executive.
17. **EXCLUSION OF THE PRESS AND PUBLIC** (Pages 161 - 162)  
To consider adoption of the following:-  
  
*“Under Section 100(A)(4) of the Local Government Act 1972, to exclude the press and public from the meeting during discussion on the following item on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the said Act and in the attached Public Interest Test”.*
18. **NORTH WALES RESIDUAL WASTE TREATMENT PROJECT** (Pages 163 - 512)  
To submit a report by the Head of Environment and Technical, inclusive of appendices 1- 9.
19. **EXCLUSION OF THE PRESS AND PUBLIC** (Pages 513 - 514)  
To consider adoption of the following:-  
  
*“Under Section 100(A)(4) of the Local Government Act 1972, to exclude the press and public from the meeting during discussion on the following item on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the said Act and in the attached Public Interest Test”.*
20. **SMALLHOLDINGS PROGRAMME** (Pages 515 - 522)  
To submit a report by the Head of Environmental and Technical.

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**THE EXECUTIVE  
(BUDGET)**

**Minutes of the meeting held on 10 February 2014**

**PRESENT:** Councillor Ieuan Williams (Chair)  
Councillor J Arwel Roberts (Vice-Chair)

Councillors R Dew, K P Hughes, A M Jones, H E Jones and Alwyn Rowlands

**IN ATTENDANCE:** Chief Executive  
Deputy Chief Executive  
Director of Lifelong Learning  
Director of Sustainable Development  
Director of Community  
Head of Function (Resources)  
Head of Housing Services (Item 7)  
Interim Head of Adults' Services (Item 8)  
Interim Head of Democratic Services (Item 5.1)  
Business Support Unit Manager (Item 8)  
Capital and Treasury Accountant (BD) (Items 4 and 5)  
Accountant (BW) (Items 4 and 5)

**ALSO PRESENT:** Councillors Jeffrey M Evans, John Griffith, T LI Hughes, Victor Hughes, Llinos Medi Huws, G O Jones (Items 5.2), R LI Jones, R G Parry OBE (Items 5.3) and Nicola Roberts

**1. DECLARATION OF INTEREST**

The Committee Services Manager declared an interest in Item 5.3 (reference to voluntary redundancy) but remained at the meeting.

**2. URGENT MATTERS CERTIFIED BY THE CHIEF EXECUTIVE OR HIS APPOINTED OFFICER**

None to declare.

**3. MINUTES**

**RESOLVED** that the minutes of the meeting of the Executive held on 13<sup>th</sup> January, 2014, be confirmed as a true record.

#### **4.1 REVENUE BUDGET MONITORING REPORT - QUARTER 3**

Submitted - The report of the Head of Function (Resources) on the Council's revenue spending for the third quarter of 2013-14, together with a projected position for the year as a whole, an overview of available reserves and a review of progress by services in achieving agreed savings (referred to at Appendix A of the report).

##### **RESOLVED**

- **To note and monitor the position set out in respect of financial performance to date, the projected year-end deficit, and the actions being taken to address this.**
- **To approve the use of reserves and contingencies to Quarter 3 in 2013/14 as stated in the report in paragraph B3.**

#### **4.2 CAPITAL BUDGET MONITORING REPORT 2013/14 - QUARTER 3**

Reported by the Head of Function (Resources) - That this was the capital budget monitoring report for the third quarter of the financial year. Appendix A to the report included a summary of expenditure against the budget up to the end of December. The report drew attention to progress being made, resources, changes and potential changes this year and to any financial risk.

The Portfolio Holder for Finance requested a report back to the Executive in March upon the Smallholdings programme of improvements since the programme continued to run ahead of capital receipts, with a deficit of £1,590k brought forward from 2012-13.

##### **RESOLVED**

- **To note the progress of expenditure and receipts against the capital budget;**
- **To approve the virement of £60,000 of economic regeneration capital match-funding from the Cyfenter project to provide match-funding towards the Llangefni and Mona Sites and Premises scheme, Phase 2 (as detailed in Section 3.1.3 and appendix B of the report);**
- **That a report on the Smallholdings Programme be submitted for consideration to the Executive meeting on 17th March, 2014.**

#### **5.1 BUDGET 2014-15 - CONSULTATION ON BUDGET PROPOSALS**

Submitted - The report of the Interim Head of Democratic Services providing feedback received from partners, stakeholders and the general public in response to the public consultation on budget proposals for 2014-15.

The budget consultation received a total of 234 responses including those from representative groups. The vast majority of responses received to date (205) focused on proposals to reduce the admission age in schools, this included an on-line petition with 1365 signatures and also a petition with 541 signatures.

The Chair requested the Director of Lifelong Learning to brief the members on the latest position in this respect.

The Director of Lifelong Learning stated that there was a need to identify potential savings as part of the 2014-15 budget formulation process to balance statutory requirements against discretionary provision. The LEA was statutorily obliged to provide 10 hours of education to children of 3 years of age. The LEA currently provided grant funding to Mudiad Ysgolion Meithrin and to the WPPA for this provision.

The saving proposal involved reducing the school admission age to allow admission of children in the term following their 3<sup>rd</sup> birthday and sought to address the element of duplication. It did not entail reducing the provision but rather delivering that provision through different settings. The proposal may also pose a risk to the provision for children who were 2½ years old in as much as under the new proposed arrangements the funding to MYM groups to cater for children of 3 years of age would be reduced thereby raising the question of the viability of the Cylchoedd in being able to sustain provision for children of 2½ years of age only.

As a result of the concerns raised, a meeting with MYM was convened recently at which it was mutually agreed between both parties that the status quo was unsustainable and that both the LEA and MYM were keen to work together to arrive at a common understanding of what needed to be done. A short term plan was discussed along with the merits of a further dialogue to develop a long term plan to ensure the future of an Early Years provision that was both effective and efficient. The short term plan would need to give priority to financial savings and the WPPA would also be part of those discussions. The proposal to reduce the admission age for schools was one the LEA still wished to consider but the Director was uncertain whether it would be practical to implement the change from the September term.

**RESOLVED to take on board the observations received from partners, stakeholders and the general public as part of finalising the 2014-15 budget proposals to the Council.**

## **5.2 BUDGET 2014-15 - SCRUTINY OBSERVATIONS AND FEEDBACK ON THE BUDGET PROPOSALS FOR 2014-15**

Reported -That the Executive were requested to consider the contents of the report prior to making their final decisions on the budget proposals for 2014-15. The report had been prepared on behalf of the Corporate Scrutiny Committee, in response to the Executive's draft Budget proposal for 2014-15, outlined in their 16<sup>th</sup> December, 2013 report.

The Vice-Chair of the Corporate Scrutiny Committee requested the Executive to accept the contents of the report and to take note of the recommendations and

observations made therein. He stated that it was pleasing to note the intention for relevant members and officers to commence work on the 2015-16 budget immediately after acceptance of this year's budget on 27<sup>th</sup> February 2014, which would result in the Council being able to undertake consultation at a far earlier stage in the budget process.

Councillor Bob Parry, OBE forewarned the Executive that the Opposition group would vote against the proposed changes to Early Years provision at Council on 27<sup>th</sup> February unless discussions thereon had been completed by that time. He also requested clarification that two full-time scrutiny officers would continue to be employed in next year's budget and expressed concern that Council borrowing was increasing every year with resultant high interest charges.

The Portfolio Holder for Finance in reply confirmed that two scrutiny officers were to be retained on the payroll. As regards borrowing, he accepted that the figures were uncomfortably high in the budget at the moment, but explained that this was the way that the Assembly were now steering Councils to act. He mentioned that there would be an opportunity to sell Council property over the next year which would assist as far as borrowings were concerned.

**RESOLVED to note the recommendations of the Corporate Scrutiny Committee when preparing the Council budget for 2014-15.**

### **5.3 MEDIUM TERM REVENUE BUDGET STRATEGY AND FINAL REVENUE BUDGET PROPOSALS FOR 2014-15**

Reported by the Portfolio Holder for Finance on the proposed final budget proposals together with a review of the medium term revenue budget strategy.

Reported – That the report showed the detailed revenue budget proposals requiring final review and agreement for 2014-15 and the resulting impact on the County Council's budget. These were matters for the Council to agree and the Executive were asked to make final recommendations to the Council. The report also updated the latest Medium Term Financial Strategy which provided a context for work on the Council's future budgets and included the latest information for the efficiency strategy.

The report paid particular reference to the following matters:-

- The Council's Revenue Budget and Council Tax 2014-15 recommendations;
- Consultation on the draft budget proposals (detailed at Paragraph 4.1.1 and 4.3.6 of the report).

#### **Revenue Budget 2014-15**

The initial draft revenue budget was presented to the Executive in December 2013 which presented a draft standstill position budget, highlighting a potential gap of £7.661m between the standstill position and the total of the Aggregated Exchequer Funding and 5% increase in Council Tax.



The report also referred to the ongoing work to identify the savings required across all Departments, which would not necessarily be split evenly between all Directorates.

Since the draft budget proposals were presented to the Executive on 16<sup>th</sup> December 2013 a number of issues had emerged which required amendments to the proposals and these were summarised at Paragraph 4.2.3 of the report. The Executive was requested to confirm these adjustments.

●**Savings** – The Executive were informed on 15 July, 2013 that there was a projected funding gap of up to £7.511m in 2014-15 which equated to a percentage reduction in budgets of 5.4%. Different options for savings profiles were presented, showing the target reductions that would be set at different percentage levels if applied evenly across the board with further columns showing the effect of protection for particular services. The base percentage which produced the required total saving was 7.2%. Following further discussions at Member and Officer level since that date, a final list of proposed savings had been drawn up which was summarised at Paragraph 4.3.5 of the report and set out in detail at Appendix C of the report. The total required from the Services now equated to £7.416m.

Various matters were raised during the scrutiny and consultation process and these were summarised at Paragraph 4.3.6. of the report. In addition, Directorates had carried out further work to prioritise and review their proposals and the revised savings total now stood at £6.263m, a reduction of £1.153m over the proposals submitted to the Executive in December. (Appendix 2 of the report referred).

●**Pressures and Growth** – the report to the Executive on 16<sup>th</sup> December included allowances for pressures and growth totalling £1.136m and £276k respectively. There had been four changes to these figures and these were detailed at Paragraph 4.4.1 of the report. Further details of growth and pressures were shown at Appendices 3 and 4 respectively.

●**Council Tax** - the standstill position within reports to the Executive assumed a council tax increase of 5%. Each 0.5% reduction or increase was equal to approximately £141k. The proposal in this report was now to increase Council Tax by 4.5%, which would be met by reducing the value of the Corporate Contingency by a corresponding amount. This equated to a weekly increase of 81p over 2013-14 levels.

●**General and Specific Reserves, Contingencies and Financial Risks** - The proposed budget incorporated a number of assumptions in terms of likely levels of income and expenditure in future years. There were, therefore, inevitably a number of financial risks inherent in the proposed budget and the key financial risks were highlighted at Paragraph 4.6.1 of the report. In terms of any contingencies and reserves, the Section 151 Officer needed to review these in their totality in conjunction with the base budget itself and the financial risks which faced the Authority. In addition, this review should incorporate a medium term view where

needed and should take into account key developments that may impact on the need and use of one off resources.

The budget for 2013-14 included a planned contribution to general balances of £500k to maintain the level of general reserves at £5m. After making this contribution and the revised forecast addition to balances of £23k in 2013/14, the level of general balances was likely to be of the order of £6.3m, well ahead of the target threshold of £5m.

There was, however, an identified risk facing the Council relating to the cost of child placements within Social Services in 2014-15 and beyond. To counter this risk, the Executive was asked to approve the use of £300k from General Balances in 2013/14. Consideration should also be given to transfer £1m to reserves, also in 2013/14, to fund potential severance liabilities arising from budget reductions. Overall, the level of general balances would remain at an estimated £5m after allowing for these changes, the approved threshold.

● **Robustness of Estimates** - Section 25 of the Local Government Act 2003 required the Chief Finance Officer to report on the robustness of budget estimates and adequacy of financial reserves, and required the Council to take account of this report as it adopted its budget. The following different risks to the budget were considered:-

- Inflation Risk.
- Interest Rate Risk.
- Grants Risk.
- Income Risks.
- Optimism Risk.
- Over-caution Risk.
- Salary and Grading Risks.
- Savings Slippage.
- Social Care and Residential Fees.
- Staff redundancy costs.
- Outcome Agreement grant
- Council Tax Support Scheme

● **Proposed Budget and Council Tax Level** - The table at Paragraph 6.1 of the report showed the available and required budget funding with an increase in Council Tax of 4.5%. In setting Council Tax, the Council needed to be aware of the need to set a balanced budget.

Before the Executive could recommend a budget to Council, it required decisions based around the figures shown in the table. These decisions included:-

- Delete specific savings items;
- Provide additional capacity within services;
- Fund new initiatives and policies;
- Increase the base amount of Council Tax by the proposed level and so balance the budget.

● **Equalities Impact Assessments** - In delivering its services the Council had to be mindful of its duties to discharge its statutory obligations under the Equalities Act. Commentary on individual proposals was contained within the appendices for growth and savings. Any option which had a significant impact on services would need to be monitored closely by the service.

● **Treasury Management Strategy** - In accordance with the CIPFA Code of Practice on Treasury Management the Council was required to approve the 2014-15 Treasury Management Strategy Statement and Investment Strategy prior to the beginning of the financial year.

● **Updating the Medium Term Revenue Budget Strategy** - The initial budget report to the Executive on 16th December, 2013 updated the Medium Term Financial Strategy for changes in the funding notification from the Welsh Government. These assumptions included a level of pay award and inflation. The table at Paragraph 9.2 of the report was a further update of the medium term financial strategy, which had been updated for the proposed 2014-15 budget together with assumptions for 2015-16 to 2016-17.

● **Links to Council Policies and Priorities** - In drawing up budget proposals, due regard had been given to key Council policies and priorities.

● **Options Available** – detailed at Paragraph 11.1 of the report.

● **Staffing Implications** – detailed at Paragraph 12 of the report.

● **Local Issues** – detailed at Paragraph 13.1 of the report

● **Consultation** – detailed at Paragraph 14.1 of the report.

Councillor A.Morris Jones wished to minute his appreciation to Councillor H.Eifion Jones and to the Head of Function(Resources) and her team for their work in drawing up the Council budget for 2014-15.

## **RESOLVED**

● **To note the formal consultation meetings on the budget as outlined in paragraph 4.1 of the report;**

● **To note the equalities impact assessment summary on the budget proposals in Section 7 of the report;**

● **To agree that, within the proposed budget, schools are given an increase in budget which meets the Welsh Government's pledge for schools' funding as detailed in paragraph 4.1.3 of the report;**

● **To agree the final details of the Council's proposed budget, investments, pressures and savings as shown in Appendices 1-5 of the report;**

- **To note the Section 151 Officer's recommendations that minimum Council Fund Balances be maintained at £5m, the confirmation of the robustness of the estimates underlying the proposals and the adequacy of the General Reserves in the context of other earmarked reserves;**
- **To confirm the adjustments detailed within the table at Paragraph 4.2.3 of the report;**
- **To recommend a net budget for the County Council and resulting Council Tax to Council, noting that a formal resolution including the North Wales Police and Community Councils' precepts will be presented to Council on 27 February, 2014;**
- **To authorise the Section 151 Officer to make such changes as may be necessary before submission to the Council.**

#### **5.4 CAPITAL PLAN AND TREASURY MANAGEMENT 2014-15**

Reported by the Head of Function (Resources) - That as part of the budget process, the Executive was required to make proposals in relation to a capital plan and budget, a Treasury Management Strategy (incorporating the Annual Investment Strategy and the Minimum Revenue Provision Policy) and a suite of prudential and treasury indicators. Draft documents were attached as annexes and this report presented the key points so that the proposals may be presented to the County Council on 27<sup>th</sup> February. The projects in the current capital budget had been reviewed and no significant change was required.

#### **RESOLVED**

- **To note the contents of the report;**
- **To note the recommendations of the Audit Committee in relation to the Treasury Management Strategy Statement;**
- **To endorse the capital plan and budget as the Executive's proposal for next year;**
- **To endorse the contents of, and assumptions and proposals made within, the Treasury Management Strategy Statement (including the Prudential and Treasury Indicators) for 2014/15.**
- **That authority be given to the Head of Function (Resources) to complete this documentation in conjunction with the Finance Portfolio Holder for determination by Council on 27th February, 2014.**

**6. CORPORATE SCORECARD 2013/14 - QUARTER 3**

Reported by the Portfolio Holder, Councillor Alwyn Rowlands - That the Corporate Scorecard was developed to identify and inform readers of progress against indicators which explicitly demonstrated the successful implementation of the Council's day to day work.

The Portfolio Holder also reported verbally upon the Corporate Scrutiny Committee's observations of 3<sup>rd</sup> February, 2014 and made particular reference to the requirement for Services to comply with corporate sickness policies including return to work interviews.

Councillor A. Morris Jones wished to minute his appreciation to the Section for their work in this respect.

**RESOLVED to note the contents of the report and to also note the observations of the Corporate Scrutiny Committee on 3<sup>rd</sup> February, 2014.**

**7. HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN**

Submitted - The report of the Head of Housing Services seeking Executive endorsement to the Housing Revenue Account 30 year Business Plan and discussion on key considerations for the future, post exiting HRA subsidy system, planned for 2014/15.

Members considered that they should receive a report on the options available for building affordable housing which may include the Council building homes in the future and on the consequences of suspending the Right to Buy initiative for 5 years. Both reports should be evaluated by the relevant Scrutiny Committee prior to consideration by the Executive.

**RESOLVED**

- **To note the contents of the 30 year HRA Business Plan;**
- **To engage in an early discussion around the key issues highlighted from the Plan;**
- **That the Head of Housing Services be requested to report back to the Executive in due course on the options available for building affordable housing which may include the Council building homes in the future;**
- **That the Head of Housing Services be also requested to report back to the Executive on investigating the consequences of suspending the Right to Buy initiative for the next 5 years.**
- **That both the above reports be considered by the relevant Scrutiny Committee prior to consideration by the Executive.**

**8. CHARGES FOR COMMUNITY CARE SERVICES 2014/15**

Submitted - The report of the Interim Head of Adults' Services seeking Executive approval for the charging policy in respect of community based services for 2014/15.

**RESOLVED to endorse:-**

- **Home Care charges outlined in paragraph 4.4.2 of the report;**
- **Charges for meals in day services outlined in paragraph 4.5.2 of the report;**
- **Charges for Telecare services as outlined in paragraph 4.7.3 of the report;**
- **Freezing of Direct Payments rate at £10.50 / hour as outlined in paragraph 4.8.3 of the report;**
- **Maintaining a charge of £10.00 for administration in relation to Blue Badge requests and replacements.**

The meeting concluded at 11.05 am

**COUNCILLOR IEUAN WILLIAMS  
CHAIR**

## THE EXECUTIVE

### Minutes of the meeting held on 17 February 2014

- PRESENT:** Councillor Ieuan Williams (Chair)  
Councillor J Arwel Roberts (Vice-Chair)
- Councillors R Dew, K P Hughes, A M Jones, H E Jones and Alwyn Rowlands
- IN ATTENDANCE:** Chief Executive  
Director of Sustainable Development  
Director of Community  
Director of Lifelong Learning  
Head of Function (Resources)  
Head of Housing Services (Item 7)  
Interim Head of Democratic Services  
ICT Services Manager  
Solicitor (TR) (Item 10)  
Building Control Manager (JG)  
Financial Systems Manager (DG) (Item 7)  
Committee Services Manager
- ALSO PRESENT:** Councillors Victor Hughes, R Meirion Jones, R G Parry OBE;  
Robert LI Jones and Raymond Jones (Item 10)

#### 1. DECLARATION OF INTEREST

Councillor J Arwel Roberts declared an interest in Item 10 of these minutes since he had a close friendship with a sub-tenant and was also a member of the Holyhead Sailing Club. He was not present at the meeting during any discussion or voting thereon.

#### 2. URGENT MATTERS CERTIFIED BY THE CHIEF EXECUTIVE OR HIS APPOINTED OFFICER

None to declare.

#### 3. MINUTES FOR INFORMATION

Submitted for information, the minutes of the meeting of the Voluntary Sector Liaison Committee held on 17<sup>th</sup> January, 2014.

**RESOLVED to note the contents of the minutes of the meeting of the Voluntary Sector Liaison Committee held on 17<sup>th</sup> January, 2014.**

#### **4. EXECUTIVE'S FORWARD WORK PROGRAMME**

Submitted - The report of the Interim Head of Democratic Services seeking approval of the Executive's updated Forward Work Programme for the period March to July, 2014.

**RESOLVED to confirm the updated work programme for the period March - July, 2014, subject to the minor amendments agreed to at the meeting and subject to discussion between the Leader and the Chair of the Corporate Scrutiny Committee with regard to matters that need to be identified for scrutiny in the future.**

#### **5.1 CONSTITUTIONAL CHANGES - WHISTLEBLOWING POLICY**

Submitted -The report of the Head of Function (Council Business) seeking Executive approval to update the Whistleblowing Policy in accordance with the Enterprise and Regulatory Reform Act, 2013 ("legislation") and for the Executive to make a recommendation to the full Council regarding the approval of the changes.

**RESOLVED to recommend to the County Council that it amends the Whistleblowing Policy contained in the Constitution in the manner indicated in the appendix to the report and to authorise the Monitoring Officer to make any consequential amendments to the Constitution.**

#### **5.2 CONSTITUTIONAL CHANGES - PRESIDING MEMBER**

Submitted -The report of the Head of Function (Council Business) seeking the views of the Executive on suggested amendments to the Constitution to reflect the Local Government Democracy (Wales) Act, 2013, and for the Executive to consider making a recommendation to full Council regarding the appointment of a Presiding Member.

Councillor Alwyn Rowlands, Portfolio Holder did not consider that there was any need to move ahead in this respect and requested the Executive to recommend such course of action to the County Council.

**RESOLVED to recommend to the County Council that it does not proceed in this respect.**

#### **6. HOUSING RENTS 2014/15**

Submitted - The report of the Head of Housing Services seeking Executive approval to the rent levels to be charged on Tenants of Council Housing for 2014-2015, as set out by the Welsh Government at a rate of 5.45% which equated to an average rent increase of £3.47 per dwelling per week and 36 pence per week for garages.



**RESOLVED**

- **To approve the increase of rent by 5.45% on all dwellings for 2014-2015, which equates to an average increase of £3.47 per dwelling per week;**
- **To approve the increase of garage rent of 5.45% for 2014-2015, which equates to 36 pence per week.**

**7. SERVICE CHARGES FOR COUNCIL TENANTS AND LEASEHOLDERS**

Submitted -The report of the Head of Housing Services seeking Executive approval to the service charges costs for ground maintenance services for domestic and sheltered housing tenants for 2014-2015.

**RESOLVED**

- **To approve to change the threshold, to receive the ground maintenance for free from 60 to 70 years old.**
- **To delegate power to the Head of Housing Services, to act, on the advice given by the Council's Legal Services in relation to Right to Buy service changes.**
- **To approve the costs to be charged for tenants of domestic properties, excluding Right to Buys, of £2.26 per week.**
- **To approve the costs to be charged for tenants of sheltered properties excluding RTBs ranging from 13 pence to £2.25 per week, depending on the size of the communal grassed area;**
- **That the charges be on a weekly basis for Council tenants and yearly for the leaseholders.**

**8. NATIONAL MODEL FOR IMPROVING SCHOOLS**

Submitted -The report of the Corporate Director of Lifelong Learning updating the Executive on developments in relation to school improvement services and seeking Executive approval to the new national model for school improvement.

Councillor K P Hughes raised issues around the increased responsibilities of the Regional Service whilst accountability remained with the Council. He also drew attention to the possible increase in funding of some £70k for Anglesey.

It was noted that Welsh Government would monitor progress against and hold consortia and local authorities to account for their performance against the business plan.

Councillor Hughes wished to minute that he would be abstaining from voting on the matter.

**RESOLVED to approve the proposed National Model for Regional Working on School Improvement and that the Director be requested to develop a business plan with the intention of incorporating the additional services listed in the model within the Regional Services.**

**9. EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED**

**“Under Section 100(A)(4) of the Local Government Act 1972, to exclude the press and public from the meeting during discussion on the following item on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A (Category 16) of the said Act.”**

**10. CONSIDERATION OF THE LEASE AT NEWRY BEACH, HOLYHEAD**

Submitted - The report of the Head of Environment and Technical on the Council's leasehold interest at Newry Beach, Holyhead.

The Monitoring Officer explained that the Executive were required under Section 100(A)(4) of the Local Government Act 1972, to consider reaching a decision to exclude the press and public from the meeting during discussion on this matter, on the grounds that the report may involve the disclosure of exempt information as defined in Schedule 12A (Category 16) of the said Act.

Category 16 of the Act related to *‘information in respect of which a claim to legal privilege could be maintained in legal proceedings’ and did not need to satisfy the public interest test.*

Having received preliminary advice from the Monitoring Officer, the Executive were in agreement that the press and public should be excluded from the meeting and the Monitoring Officer thereafter provided detailed advice to the Executive of the reasons why Property Services were against publication of the report in the public domain at this time.

Councillors Raymond Jones and R Llewelyn Jones (Local Members) wished to express their concerns that the local community were not being given the opportunity to respond to the proposal before the Executive reached a decision today.

Councillor H E Jones, in response stated that the report paid specific reference to this point in that it was a requirement to advertise the disposal in a local newspaper for 2 consecutive weeks and to give consideration to any objections received. Today, the Executive were merely stating their intentions and inviting comments thereon.

**RESOLVED that the offer currently available from Conygar Stena Line Ltd for the early surrender of the Council's leasehold interest at Newry Beach, Holyhead is accepted, subject to the requirement of a two week public consultation and due consideration given to any objections received.**

*(Councillor J A Roberts declared an interest in the matter and was not present at the meeting during any discussion or voting thereon).*

**11. EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED**

***“Under Section 100(A)(4) of the Local Government Act 1972, to exclude the press and public from the meeting during discussion on the following item on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the said Act and in the attached Public Interest Test.”***

**12. WEBCASTING PROCUREMENT**

Submitted -The joint report of the Interim Head of Democratic Services/ICT Manager on the procurement exercise undertaken and seeking the Executive’s approval for the awarding of a contract under contract procedure rule 4.9.3.5.3 (v) to enable the Council to proceed with the webcasting of meetings for a two year pilot in order to utilise Welsh Government funding.

Some of the Members enquired as to whether a local company could have undertaken this work? The Leader in response stated that this had not proved possible because of its specialist nature.

**RESOLVED to approve the awarding of a contract to Public-i in accordance with contract procedure rule 4.9.3.5.3 (v).**

The meeting concluded at 10.45 pm

**COUNCILLOR IEUAN WILLIAMS  
CHAIR**

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## CORPORATE PARENTING PANEL

### Minutes of the meeting held on 10 February, 2014

- PRESENT:** Mr Richard Parry Jones (Chief Executive)
- Councillor Kenneth Hughes (Portfolio Member for Social Services & Housing)  
Councillor Ann Griffith (Corporate Scrutiny Committee)  
Councillor Dylan Rees (Partnerships and Regeneration Scrutiny Committee)  
Sue Willis (BCUHB)  
Mrs Gwen Carrington (Director of Community)  
Anwen Huws (Head of Children's Services)  
Glyn Hughes (Interim Principal Corporate Parenting Officer)  
Mrs Rona Jones (Independent Reviewing Officer)  
Natalie Woodworth (Principal Officer – Operations)  
Deborah Stammers (Child Placement Team Manager)  
Heulwen Owen (LAC Education Liaison Officer)  
Llinos Edwards (LAC Nurse)  
Mrs Mair Read (SEN Education Officer)  
Ann Holmes (Committee Officer)
- APOLOGIES:** Mr David Lydford, Alison Jones, Llio Johnson, Sean McClearn,  
Deiniol Williams
- 

#### 1 DECLARATION OF INTEREST

No declaration of interest was received.

#### 2 IMPROVEMENT STUDY – SAFEGUARDING

At the request of the Chair, the Director of Community informed the Panel of the arrangements regarding an imminent inspection of the Authority's safeguarding arrangements as part of an All Wales Improvement Study with regard to safeguarding to be conducted by the Welsh Audit Office across all 22 Welsh councils. The Officer explained that the focus of the inspection will be the robustness of the Authority's internal governance and management arrangements for satisfying itself that its safeguarding practices are working effectively rather than the operational aspects of safeguarding. She went on to outline the form the inspection would take and the fieldwork requirements as regards the examination of documentation and the interview of relevant personnel. The inspection will result in feedback to each individual council as well as in a national report bringing together the findings from the work undertaken locally. The Director of Community also referred to an inspection of the Authority's fostering arrangements which was deferred from late last year and will also take place shortly. The Department will be formulating a Work Programme and making preparations for the fieldwork.

The issue of training on safeguarding for the Elected Member representatives was raised and it was suggested that a previously arranged session which was postponed due to insufficient elected member subscribers might be re-scheduled. The Director of Community said that the matter is currently under discussion notwithstanding the timescales are extremely challenging. Following consideration of the matter, it was agreed that training should be provided for Elected Members on the matter of safeguarding and should be tailored to enable them to respond to the requirements of the inspection.

**It was agreed to note the information.**

**ACTION ARISING: Director of Community/Head of Children's Services to instigate arrangements for providing training on safeguarding for Elected Members as appropriate.**

### 3 MINUTES

The minutes of the previous meeting of the Corporate Parenting Panel held on 11 November, 2013 were submitted and confirmed as correct.

Matters arising –

- It was confirmed that the success of the young person in care in having his art work accepted by the Foundling Museum had been acknowledged by letter.
- The Principal Officer (Operations) informed the Panel that it was premature at this time to try to gauge the impact which the revised Public Law Outline is having on the care planning for Looked After Children and how it is assisting Children's Services' staff given the limited number of care cases in the process at this time. Training in the revised PLO procedures has been provided for the Service's front line staff who are directly involved in care proceedings and will be extended to all the Service's other staff as well by the end of the year. The Officer said that she hoped to be in better position to brief the Panel at its next meeting on the effects which the revised PLO is having on LAC care proceedings and planning.

**ACTION ARISING: Principal Officer (Operations) to brief the Panel at its next meeting on the impact of the PLO on LAC care planning.**

- The Principal Officer (Operations) confirmed that feedback from the Corporate Parenting Panel and other relevant forums is shared with Children's Service's staff including social workers, and administrative and support staff in bi-monthly departmental meetings in which any matters arising are discussed.
- Councillor Ann Griffith said that she had been seeking to bring the Council's attention to the matter of free gym membership for the looked after population and she sought clarification of the channels available to her in order to take the matter forward. The Director of Community said that she would investigate what steps could be taken to progress the matter.

**ACTION ARISING: Director of Community to investigate possible avenues for raising the matter of free gym membership for the Looked After population.**

- In response to question about the outcome of a meeting with the Chair and Acting Chief Executive of the BCUHB, the Chair said that the meeting had served to introduce the new Chair of the Health Board. Further regular meetings are planned which will focus on specific issues of mutual interest to the Health Board and the Local Authority.

### 4 MATTER DEFERRED FROM THE PREVIOUS MEETING – PROPOSAL TO PROVIDE IT SUPPORT FOR ELIGIBLE LOOKED AFTER CHILDREN

The Panel considered progress to date in moving to provide IT support for eligible Looked After Children. Mention was made by the Officers of an options appraisal exercise to establish the costs involved and to the formulation of eligibility criteria and attention was drawn to the LAC Team Manager's report wherein reference was made to an agreement in principle for funding for the provision of 10 laptop computers for LAC children. The Chair said that the issue of providing IT equipment for Looked After Children has been a long standing aspiration of the Corporate Parenting Panel in seeking to ensure that Looked After Children are given the same learning support and opportunities as their contemporaries. The Head of Children's Services said that some concern has been expressed previously by Foster Carers who felt that it would be difficult for them to monitor the use of the laptops by the children in their care. The Chair said that the Education Service does have systems to ensure appropriate use of laptops and that the Panel was of the view that it would be possible to provide security to Looked After children in their use of the devices. The Head of Children's Service said that she would investigate further in order to clarify the stage reached in terms of the work undertaken.

**It was agreed to note the position.**

**ACTION ARISING: Head of Children's Services to address the issue of providing laptops for eligible Looked After Children as a matter of priority.**

## 5 SERVICE REPORTS

5.1 The report of the Independent Reviewing Officer providing an oversight of issues arising in relation to Looked After Children in the care of the Authority and their management by the Authority was presented for the Panel's consideration.

The following matters were raised in the ensuing discussion on the contents of the report:

- Placement breakdown. Reference was made to the case of young child who had experienced 6 different placements within a five month period and it was suggested that a management review of the circumstances and the way the case has been dealt with be undertaken. The Officers explained the steps taken at each stage in terms of ensuring the welfare and wellbeing of the child in question and in seeking to meet her needs. The Panel was satisfied that all possible action had been taken to try to meet the needs of this individual child.
- The issue of the lack of placement options due to a shortage of local foster carers was raised as a factor in the case above. The Officers said that the matter is being addressed via a foster carers' recruitment strategy and by developing training for current foster carers to ensure they are equipped to deal with children with challenging behaviour. The Head of Children's Services said that because of the shortage of local foster carers the Authority has been placing children with additional needs with private agency foster carers at greater cost. She explained that the Recruitment Officer and the Child Placement Team during the next quarterly period have been tasked with completing the foster carers' recruitment strategy; completing and costing the recruitment plan for the year along with the placement strategy. She said there are several strands that need to be brought together in an encompassing strategy including the issue of remuneration for foster carers including the option of salaried carers; the quality and breadth of the support package around the looked after child and consideration to establishing a multi-agency team to be able to provide comprehensive 24 hour support for foster carers.
- The challenge which lies in trying to put together a support package for foster carers that will facilitate recruitment of new carers and help retain current carers and that addresses aspects other than remuneration e.g. a support package that has built into it respite provision for carers of children with acute needs and/or difficult behaviour.
- Whether a specific strategy needs to be developed for supporting children who experience placement breakdown and instability in trying to make sense of their circumstances and in dealing with the emotional impact thereof.
- The need to consider alternative methods for obtaining the views of looked after children in reviews other than through monitoring forms. The Interim Principal Corporate Parenting Officer said that a broader view of advocacy needs to be taken and that advocacy needs to extend beyond conveying a viewpoint to identifying and developing different means of engaging and contributing.
- The need for clarification around respite care and regulations in relation to looked after children. Whilst the Principal Corporate Parenting Officer said that a Looked After Child is formally defined as such when his/her accommodation period is for a continuous period over 24 hours, the LAC Nurse pointed out that the six North Wales local authorities' approach this matter differently. It was agreed that the Director of Community would take this matter up with the North Wales local authorities' Directors of Social Services' network.

**It was agreed to accept the report and to note its contents.**

### **ACTIONS ARISING:**

- **Quality and Assurance Officer to undertake an audit of the case management of the child who experienced several placement breakdowns.**
- **Director of Community to raise on a regional level with Directors of Social Services the need to clarify and regularise respite care and regulations within the looked after status across North Wales authorities.**

5.2 The report of the LAC Team Manager containing information about the LAC population for Quarter 3 2013/14 was presented for the Panel's consideration.

The following issues were noted:

- The increase in the LAC population from the Quarter 2 reporting period.

- The numbers subject to care orders have increased slightly. However there continues to be purposeful planning to move children on from the care system through special guardianship order; discharge of orders, and adoption orders as appropriate and where these are in the best interests of the child.
- A decline in the recording of statutory visits within timescales. The service is committed to addressing the issues behind this downturn.
- The lack of local Foster Carers continues to be a risk area.

#### **NO FURTHER ACTION ARISING**

5.3 The report of the LAC Education Liaison Officer providing an overview of matters relating to providing for the educational needs of the Looked After population in Quarter 3 2013/14 was presented for the Panel's consideration.

The following issues were noted:

- School attendance rates for Looked After Children for the 2012/13 school year. It was suggested that it would be helpful for the Panel to be able to draw a comparison with the attendance rates of the mainstream school population.
- From the information obtained for the summer 2013, that 43 of the 59 children of school age within scope of the LAC Education Liaison Officer have additional needs which are being met with different levels of support plans.
- A concern exists that due to a shortage of local foster carers, a number of Anglesey's looked after children are in out of county placements meaning they must travel some distance to receive their education.

#### **ACTION ARISING: LAC Education Liaison Officer to incorporate in her report school attendance data for the mainstream school population for comparison purposes.**

5.4 The report of the LAC Nurse for Quarter 3 2013/14 was presented for the Panel's consideration.

The following issues were noted:

- Compliance with health assessment completion timescales and the reasons for any variation in compliance rates from Quarter 2.
- That whilst there is no prescribed timescale for the completion of adoption medicals, at least 6 weeks are required to collect the necessary information from various sources to be able to complete them. It was noted that there should be a review of adoption procedures to ensure they reflect this requirement.
- An improvement in the notification of adoption orders along with the developing of a protocol on changes to the health records of children being placed for adoption.
- The increased use of the new health assessment form which is more in-depth and designed to be of benefit to the individual child and placement.

#### **NO FURTHER ACTION ARISING**

5.5 The report of the Leaving Care Co-Ordinator for Quarter 3 of 2013/14 was presented for the Panel's consideration.

The following issues were noted:

- The impact of a move towards job seeking on line on those care leavers without computer/internet access. The Authority is the first to broker a partnership with the Department of Works and Pensions in relation to local Job Centre Plus Teams to engage in better working relations with Care Leavers to allow for a smoother transition for young people needing to claim benefits and in appealing decisions relating to job seeking online.
- The absence within the Authority of an up to date Financial Policy relating specifically to care leavers given that the Children Commissioner for Wales' report Lost After Care calls for an agreement between Children's Services and Corporate Heads of Service about accepted levels of support and financial commitment towards care leavers written into policy.
- The high number of young care leavers living out of county in sometimes distant locations making visiting by the Care Leavers Team difficult.



- The status and current situation of care leavers.

#### **ACTIONS ARISING:**

- **Leaving Care Co-ordinator to provide the Panel at its next meeting with an update on progress against the Lost After Care Action Plan and the status of any unfinished tasks.**
- **Leaving Care Co-ordinator to make inquiries regarding other authorities' financial policies relating specifically to Care Leavers in order to inform development of the Local Authority policy.**

5.6 The report of the Child Placement Team for Quarter 3 2013/14 was presented for the Panel's consideration.

The following issues were noted:

- A decline in the number of initial inquiries from prospective foster carers. With the commencement in post of the Recruitment Officer it is anticipated that that situation will improve by the next reporting period.
- That the service is currently on course to meet its target of 10 new fostering households within the first year of the Recruitment Officer's activity.
- A sharp increase in the number of friends and family placements and assessments being undertaken in the last quarter and the risk that this trend will continue due to the new Public Law Outline legislation; because of the urgency of court timescales this may impact on the team's ability to meet the targets for assessing mainstream foster carers.
- That the placement strategy will be reviewed in the near future and consideration will be given to retained carers and salaried carers as possible options particularly in relation to providing support for single foster carers.
- Launch of Foster Care Forum planned for February, 2014.

The Panel also noted the investment made in terms of time and capacity in the assessment of prospective foster carers. The Head of Children's Service said that she was committed to ensuring the success of the Recruitment Strategy including if necessary by identifying additional resources within the Children's Service's budget to support the strategy which will in the long term yield the savings which the Service needs to make. The Officer said that the service needs to be more robust in its approach to families in terms of not assessing each and every member of a family and asking each family to identify one or two of its members for assessment as carers.

Careful consideration also needs to be given to salaried and retained carers.

#### **NO FURTHER ACTION ARISING**

### **6 NYAS INDEPENDENT ADVOCACY SERVICE**

In the absence of Ms Alison Jones, Senior Advocate for NYAS North West Wales, it was agreed to defer consideration of the Quarter 3 report of the NYAS Advocacy Service.

It was suggested that NYAS be requested to provide information on the consultation event held with children and young people who are Looked After on Anglesey and particularly the output from the work in terms of the children's views as a point of interest for the Panel.

**ACTION ARISING: LAC Team Manager to liaise with Alison Jones regarding the provision of a report to the Panel's next meeting on the consultation event held by NYAS for LAC children and young people on Anglesey.**

### **7 ANY OTHER BUSINESS**

A Written Statement by the Welsh Government's Deputy Minister for Social Services regarding post 18 placements for care leavers and the Social Services and Well-being (Wales) Bill was presented and noted.

## 8 NEXT MEETING

It was noted that the next proposed meeting of the Panel was scheduled for 3:30pm on Wednesday, 30<sup>th</sup> April, 2014.

Councillor Ann Griffith suggested that the Panel might be provided with information about any children/young people lost in care and the reasons therefore. Councillor Dylan Rees asked for consideration to be given to an earlier start time for meetings of the Panel.

### **ACTIONS ARISING:**

- **IRO to incorporate in her next report information about any children/young people lost in care with reference to asylum seekers and/or victims of trafficking.**
- **Committee Officer to bring forward the start time of meetings of the Panel.**

**Mr R.P.Jones  
Chair**

DRAFT

<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	<b>The Executive</b>
<b>Date:</b>	<b>17 March 2014</b>
<b>Subject:</b>	<b>The Executive's Forward Work Programme</b>
<b>Portfolio Holder(s):</b>	<b>Cllr Ieuan Williams</b>
<b>Head of Service:</b>	<b>Lynn Ball Head of Function – Council Business / Monitoring Officer</b>
<b>Report Author:</b> Tel: E-mail:	<b>Huw Jones, Interim Head of Democratic Services</b> <b>01248 752108</b> <a href="mailto:JHuwJones@anglesey.gov.uk">JHuwJones@anglesey.gov.uk</a>
<b>Local Members:</b>	<b>Not applicable</b>

<b>A –Recommendation/s and reason/s</b>
<p>In accordance with its Constitution, the Council is required to publish a forward work programme and to update it regularly. The Executive Forward Work Programme is published each month to enable both members of the Council and the public to see what key decisions are likely to be taken over the coming months.</p> <p>The Executive is requested to:</p> <p>confirm the attached updated work programme which covers <b>April–December 2014</b>;</p> <p>identify any matters subject to consultation with the Council's Scrutiny Committees and confirm the need for Scrutiny Committees to develop their work programmes further to support the Executive's work programme;</p> <p>note that the forward work programme is updated monthly and submitted as a standing monthly item to the Executive.</p>

**B – What other options did you consider and why did you reject them and/or opt for this option?**

-

**C – Why is this a decision for the Executive?**

The approval of the Executive is sought before each update is published to strengthen accountability and forward planning arrangements .

**D – Is this decision consistent with policy approved by the full Council?**

Yes.

**DD – Is this decision within the budget approved by the Council?**

Not applicable.

<b>E – Who did you consult?</b>		<b>What did they say?</b>
1	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	The forward work programme is discussed at Heads of Service meetings ('Penaethiaid') on a monthly basis (standing agenda item).  It is also circulated regularly to Corporate Directors and Heads of Services for updates.
2	<b>Finance / Section 151</b> (mandatory)	
3	<b>Legal / Monitoring Officer</b> (mandatory)	
5	<b>Human Resources (HR)</b>	
6	<b>Property</b>	
7	<b>Information Communication Technology (ICT)</b>	
8	<b>Scrutiny</b>	
9	<b>Local Members</b>	Not applicable.
10	<b>Any external bodies / other/s</b>	Not applicable.

<b>F – Risks and any mitigation (if relevant)</b>		
<b>1</b>	<b>Economic</b>	
<b>2</b>	<b>Anti-poverty</b>	
<b>3</b>	<b>Crime and Disorder</b>	
<b>4</b>	<b>Environmental</b>	
<b>5</b>	<b>Equalities</b>	
<b>6</b>	<b>Outcome Agreements</b>	
<b>7</b>	<b>Other</b>	
<b>FF - Appendices:</b>		
The Executive's Forward Work Programme: April – December 2014.		

<b>G - Background papers (please contact the author of the Report for any further information):</b>
Previous forward work programmes.

# THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – December 2014

Updated: 4 March 2014



The Executive's forward work programme enables both Members of the Council and the public to see what key decisions are likely to be taken by the Executive over the coming months. It includes information on the decisions sought and who the lead Officers and Portfolio Holders are for each item.

The Executive's draft Forward Work Programme for the period **April – December 2014** is outlined on the following pages.

It should be noted, however, that the work programme is a flexible document as not all items requiring a decision will be known that far in advance and some timescales may need to be altered to reflect new priorities etc. The list of items included is therefore reviewed regularly.

Some matters identified in the forward work programme may be delegated to individual portfolio holders for approval.

Reports will be required to be submitted from time to time regarding specific property transactions, in accordance with the Asset Management Policy and Procedures. Due to the influence of the external market, it is not possible to determine the timing of reports in advance.

\* Key:  
*Strategic – key corporate plans or initiatives*  
*Operational – service delivery*  
*For information*

# THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – December 2014

Updated: 4 March 2014

Subject and * Category (Strategic / Operational / For information)	Why the decision is sought from the Executive	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Date to Scrutiny	Date to Executive	Date to Full Council
1 <b>The Executive's Forward Work Programme</b>  Category: <b>Strategic</b>	To update the work programme.	Deputy Chief Executive	Huw Jones Interim Head of Democratic Services  Cllr Ieuan Williams		22 April 2014	
2 <b>Annual Delivery Document (Improvement Plan) 2014/15</b>  Category: <b>Strategic</b>	Approval.	Deputy Chief Executive	Bethan Jones Deputy Chief Executive  Cllr Alwyn Rowlands	Date to be confirmed.	22 April 2014	Date to be confirmed.
3 <b>Funding the cost of relocating the Council's archive of closed files</b>  Category: <b>Operational</b>	Approval.	Deputy Chief Executive	Lynn Ball Head of Function - Council Business / Monitoring Officer  Cllr Alwyn Rowlands		22 April 2014	
4 <b>Llawr y Dref – options for the future</b>  Category: <b>Operational and Strategic</b>	To approve the strategic direction prior to consultation with tenants.	Community	Shan L Williams Head of Housing Services  Cllr Kenneth P Hughes		22 April 2014	
5 <b>HRA Subsidy Reform</b>  Category: <b>Strategic</b>	Changes and impact of the Housing Revenue Account subsidy system in Wales.	Community	Shan L Williams Head of Housing  Cllr Kenneth P Hughes		22 April 2014	

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\* Key:

*Strategic – key corporate plans or initiatives*

*Operational – service delivery*

*For information*

## THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – December 2014

Updated: 4 March 2014

	Subject and * Category (Strategic / Operational / For information)	Why the decision is sought from the Executive	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Date to Scrutiny	Date to Executive	Date to Full Council
6	<b>Affordable Housing</b>  Category: <b>Strategic</b>	For information, as requested by the Finance Portfolio Holder (as per Executive minutes - 21.10.13).	Community	Shan L Williams Head of Housing  Cllr Kenneth P Hughes	Date to be confirmed.	22 April 2014	
7	<b>Options appraisal on the Housing Services Building Maintenance Unit</b>  Category: <b>Operational</b>	Decision required on the provision of the Council housing maintenance service.	Community	Shan L Williams Head of Housing  Cllr Kenneth P Hughes	Date to be confirmed.	22 April 2014	
8	<b>Schools Modernisation – Holyhead</b>  Category: <b>Strategic</b>	Approval to progress Schools Modernisation within the Holyhead area.	Lifelong Learning	Dr Gwynne Jones Director of Lifelong Learning  Cllr Ieuan Williams	Date to be confirmed.	22 April 2014	
9	<b>Grants for the Arts 2014/15</b>  Category: <b>Operational</b>	Approval.	Lifelong Learning	Dr Gwynne Jones Director of Lifelong Learning  Cllr Ieuan Williams		22 April 2014	
10	<b>The Executive's Forward Work Programme</b>  Category: <b>Strategic</b>	To update the work programme.	Deputy Chief Executive	Huw Jones Interim Head of Democratic Services  Cllr Ieuan Williams		May 2014	

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\* Key:

*Strategic – key corporate plans or initiatives*

*Operational – service delivery*

*For information*



## THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – December 2014

Updated: 4 March 2014

	Subject and * Category (Strategic / Operational / For information)	Why the decision is sought from the Executive	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Date to Scrutiny	Date to Executive	Date to Full Council
11	<b>Corporate Scorecard – Quarter 4, 2013/14</b>  Category: <b>Strategic</b>	Quarterly performance monitoring report.	Deputy Chief Executive	Bethan Jones Deputy Chief Executive  Cllr Alwyn Rowlands		May 2014	
12	<b>2013/14 Revenue and Capital Budget Monitoring Report – Quarter 4</b>  Category: <b>Strategic</b>	Quarterly financial monitoring report.	Deputy Chief Executive	Clare Williams Head of Function - Resources  Cllr Hywel Eifion Jones		May 2014	
13	<b>Changes to the Constitution – Remote Attendance</b>  Category: <b>Strategic</b>	Approval.	Deputy Chief Executive	Lynn Ball Head of Function - Council Business / Monitoring Officer  Cllr Alwyn Rowlands		May 2014	TBC
14	<b>Updates to the Constitution – Family Absence Regulations</b>  Category: <b>Strategic</b>	Approval.	Deputy Chief Executive	Lynn Ball Head of Function - Council Business / Monitoring Officer  Cllr Alwyn Rowlands		May 2014	TBC
15	<b>Constitutional Changes – Contract Procedure Rules</b>  Category: <b>Strategic</b>	Approval.	Deputy Chief Executive	Lynn Ball Head of function – Council Business / Monitoring Officer  Cllr Alwyn Rowlands		May 2014	TBC

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\* Key:

*Strategic – key corporate plans or initiatives*

*Operational – service delivery*

*For information*

## THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – December 2014

Updated: 4 March 2014

	Subject and * Category (Strategic / Operational / For information)	Why the decision is sought from the Executive	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Date to Scrutiny	Date to Executive	Date to Full Council
16	<b>Constitutional Changes – Terms of Reference of the Appeals Committee</b>  Category: <b>Strategic</b>	Approval.	Deputy Chief Executive	Lynn Ball Head of function – Council Business / Monitoring Officer  Cllr Alwyn Rowlands		May 2014	TBC
17	<b>Constitutional Changes – The Forward Work Programme</b>  Category: <b>Strategic</b>	Approval.	Deputy Chief Executive	Lynn Ball Head of Function - Council Business / Monitoring Officer  Cllr Alwyn Rowlands		May 2014	TBC
18	<b>Môn/Gwynedd Building Control Integration</b>  Category: <b>Operational</b>	Support the proposed joint working arrangements.	Sustainable Development	Jim Woodcock Head of Regulation  Cllr J Arwel Roberts		May 2014	
19	<b>Deposit Local Development Plan</b>  Category: <b>Strategic</b>	For comment / support before submission to the Joint Planning Policy Committee.	Sustainable Development	Jim Woodcock Head of Regulation  Cllr J Arwel Roberts		May 2014	
20	<b>Joint Highways Promotion Agreement with Horizon Nuclear Power</b>  Category: <b>Strategic</b>	Approval to proceed with improvements to the A5025.	Sustainable Development	Dewi Williams Head of Environment and Technical  Cllr Richard Dew		May 2014	

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\* Key:

*Strategic – key corporate plans or initiatives*

*Operational – service delivery*

*For information*

## THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – December 2014

Updated: 4 March 2014

Subject and * Category (Strategic / Operational / For information)	Why the decision is sought from the Executive	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Date to Scrutiny	Date to Executive	Date to Full Council
21 <b>The Executive's Forward Work Programme</b>  Category: <b>Strategic</b>	To update the work programme.	Deputy Chief Executive	Huw Jones Interim Head of Democratic Services  Cllr Ieuan Williams		June 2014	
22 <b>Welsh Language Scheme Monitoring Report</b>  Category: <b>Operational</b>	To ratify the annual report for submission to the Welsh Language Commissioner.	Deputy Chief Executive	Huw Jones Interim Head of Democratic Services  Cllr Ieuan Williams		June 2014	
23 <b>Policy on Council Tax Reduction Scheme for Pensioners</b>  Category: <b>Strategic</b>	Approval of policy.	Deputy Chief Executive	Clare Williams Head of Function - Resources  Cllr Hywel Eifion Jones		June 2014	
24 <b>Local Housing Strategy 2014-2019 – draft</b>  Category: <b>Strategic</b>	To approve the strategic direction prior to consultation.	Community	Shan L Williams Head of Housing Services  Cllr Kenneth P Hughes		June 2014	
25 <b>Lein Amlwch</b>  Category: <b>Strategic</b>	Decision required on the future of the Line.	Sustainable Development	Dewi Williams Head of Environment and Technical  Cllr Richard Dew		June 2014	

\* Key:

*Strategic – key corporate plans or initiatives*

*Operational – service delivery*

*For information*

## THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – December 2014

Updated: 4 March 2014

	Subject and * Category (Strategic / Operational / For information)	Why the decision is sought from the Executive	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Date to Scrutiny	Date to Executive	Date to Full Council
26	<b>The Executive's Forward Work Programme</b>  Category: <b>Strategic</b>	To update the work programme.	Deputy Chief Executive	Huw Jones Interim Head of Democratic Services  Cllr Ieuan Williams		July 2014	
27	<b>2015/16 Budget</b>  Category: <b>Strategic</b>	Initial discussion paper.	Deputy Chief Executive	Clare Williams Head of Function - Resources  Cllr Hywel Eifion Jones		July 2014	
28	<b>Annual Report of the Director of Social Services</b>  Category: <b>Strategic</b>	Approval.	Community	Gwen Carrington Director of Community  Cllr Kenneth P Hughes	June 2014	July 2014	
29	<b>The Executive's Forward Work Programme</b>  Category: <b>Strategic</b>	To update the work programme.	Deputy Chief Executive	Huw Jones Interim Head of Democratic Services  Cllr Ieuan Williams		September 2014	
30	<b>Corporate Scorecard – Quarter 1, 2014/15</b>  Category: <b>Strategic</b>	Quarterly performance monitoring report.	Deputy Chief Executive	Bethan Jones Deputy Chief Executive  Cllr Alwyn Rowlands		September 2014	

\* Key:

*Strategic – key corporate plans or initiatives*

*Operational – service delivery*

*For information*

## THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – December 2014

Updated: 4 March 2014

	Subject and * Category (Strategic / Operational / For information)	Why the decision is sought from the Executive	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Date to Scrutiny	Date to Executive	Date to Full Council
31	<b>2014/15 Revenue and Capital Budget Monitoring Report – Quarter 1</b>  Category: <b>Strategic</b>	Quarterly financial monitoring report.	Deputy Chief Executive	Clare Williams Head of Function - Resources  Cllr Hywel Eifion Jones		September 2014	
32	<b>The Executive's Forward Work Programme</b>  Category: <b>Strategic</b>	To update the work programme.	Deputy Chief Executive	Huw Jones Interim Head of Democratic Services  Cllr Ieuan Williams		October 2014	
33	<b>2015/16 Budget</b>  Category: <b>Strategic</b>	To begin dialogue on the Executive's intentions.	Deputy Chief Executive	Clare Williams Head of Function - Resources  Cllr Hywel Eifion Jones		October 2014	
34	<b>The Executive's Forward Work Programme</b>  Category: <b>Strategic</b>	To update the work programme.	Deputy Chief Executive	Huw Jones Interim Head of Democratic Services  Cllr Ieuan Williams		November 2014	
35	<b>Corporate Scorecard – Quarter 2, 2014/15</b>  Category: <b>Strategic</b>	Quarterly performance monitoring report.	Deputy Chief Executive	Bethan Jones Deputy Chief Executive  Cllr Alwyn Rowlands		November 2014	

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\* Key:

*Strategic – key corporate plans or initiatives*

*Operational – service delivery*

*For information*

## THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – December 2014

Updated: 4 March 2014

	Subject and * Category (Strategic / Operational / For information)	Why the decision is sought from the Executive	Lead Department	Responsible Officer/ Lead Member & contact for representation	Pre-decision / Date to Scrutiny	Date to Executive	Date to Full Council
36	<b>2014/15 Revenue and Capital Budget Monitoring Report – Quarter 2</b>  Category: <b>Strategic</b>	Quarterly financial monitoring report.	Deputy Chief Executive	Clare Williams Head of Function - Resources  Cllr Hywel Eifion Jones		November 2014	
37	<b>The Executive's Forward Work Programme</b>  Category: <b>Strategic</b>	To update the work programme.	Deputy Chief Executive	Huw Jones Interim Head of Democratic Services  Cllr Ieuan Williams		December 2014	
38	<b>2014/15 Council Tax Base</b>  Category: <b>Strategic</b>	Calculation and setting of the Council Tax Base for the Isle of Anglesey County Council and the Town and Community Councils.	Deputy Chief Executive	Clare Williams Head of Function - Resources  Cllr Hywel Eifion Jones		December 2014	
39	<b>2015/16 Budget</b>  Category: <b>Strategic</b>	To finalise the Executive's initial draft budget proposals for consultation.	Deputy Chief Executive	Clare Williams Head of Function – Resources  Cllr Hywel Eifion Jones		December 2014	
July 2014 onwards							
40	<b>Common Allocations Policy</b>  Category: <b>Strategic</b>	<i>Adoption of new Common Allocations Policy.</i>	<i>Community</i>	<i>Shan L Williams Head of Housing  Cllr Kenneth P Hughes</i>		<i>March 2015</i>	

\* Key:

*Strategic – key corporate plans or initiatives*

*Operational – service delivery*

*For information*

<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	<b>The Executive</b>
<b>Date:</b>	<b>17 March 2014</b>
<b>Subject:</b>	<b>Annual Equality Report 2012/13</b>
<b>Portfolio Holder(s):</b>	<b>Cllr Kenneth P Hughes</b>
<b>Head of Service:</b>	<b>Lynn Ball, Head of Function – Council Business / Monitoring Officer</b>
<b>Report Author:</b> Tel: E-mail:	<b>Carol Wyn Owen, Policy and Strategy Manager</b> <b>01248 752561</b> <a href="mailto:CarolWynOwen@anglesey.gov.uk">CarolWynOwen@anglesey.gov.uk</a>
<b>Local Members:</b>	<b>Not applicable</b>

<b>A –Recommendation/s and reason/s</b>
<p>The Public Sector Equality Duty (PSED) requires that all public authorities covered under the Equality Act 2010 Statutory Duties (Wales) Regulations 2011 must publish an annual equality report by 31 March in the year following each reporting period. The role of the Annual Equality Report is to support the authority in meeting its general equality duty to:</p> <ul style="list-style-type: none"> <li>• Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</li> <li>• Advance equality of opportunity between people who share a relevant protected characteristic and those who do not</li> <li>• Foster good relations between people who share a protected characteristic and those who do not</li> </ul> <p>We are required to publish a report covering 2012/13 by 31 March 2014 but an outline of progress up to December 2013 has also been included so as to provide a more up-to-date picture.</p> <p><b>The Executive is requested to approve the Council’s Annual Equality Report 2012/13 for publication by 31 March 2014.</b></p>

**B – What other options did you consider and why did you reject them and/or opt for this option?**

--

**C – Why is this a decision for the Executive?**

To obtain high-level strategic ownership of our equalities agenda.

**D – Is this decision consistent with policy approved by the full Council?**

Yes. The Council's Strategic Equality Plan 2012 – 2016 was approved by full Council on 6 March 2012.

**DD – Is this decision within the budget approved by the Council?**

Not applicable.

<b>E – Who did you consult?</b>		<b>What did they say?</b>
1	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	The draft annual report and its appendices were circulated internally to services and other relevant officers for comment.
2	<b>Finance / Section 151</b> (mandatory)	
3	<b>Legal / Monitoring Officer</b> (mandatory)	
5	<b>Human Resources (HR)</b>	
6	<b>Property</b>	
7	<b>Information Communication Technology (ICT)</b>	
8	<b>Scrutiny</b>	
9	<b>Local Members</b>	
10	<b>Any external bodies / other/s</b>	



<b>F – Risks and any mitigation (if relevant)</b>		
<b>1</b>	<b>Economic</b>	
<b>2</b>	<b>Anti-poverty</b>	
<b>3</b>	<b>Crime and Disorder</b>	
<b>4</b>	<b>Environmental</b>	
<b>5</b>	<b>Equalities</b>	
<b>6</b>	<b>Outcome Agreements</b>	
<b>7</b>	<b>Other</b>	

<b>FF - Appendices:</b>
The Isle of Anglesey County Council's Annual Equality Report 2012/13

<b>G - Background papers (please contact the author of the Report for any further information):</b>
<p>Appendices to the Annual Equality Report 2012/13:</p> <ul style="list-style-type: none"> <li>• Appendix 1 – 'Making a Difference' consultation – equality monitoring</li> <li>• Appendix 2 – Strategic Equality Plan 2012-2016: Equality Objectives – progress</li> </ul> <p>The Council's Strategic Equality Plan 2012 – 2016 and related documents:  <a href="http://www.anglesey.gov.uk/equalityplan">www.anglesey.gov.uk/equalityplan</a></p>

## **1.0 Introduction and Background**

### **1.1 Annual Equality Report**

This is our second annual equality report since the introduction of the new general duty under the Equality Act 2010 and specific duties under the Statutory Duties (Wales) Regulations 2011. This report covers the period from 1 April 2012 to 31 March 2013. We have also included an outline of progress as at December 2013 so as to provide a more up-to-date picture.

### **1.2 Council Priorities**

The Council adopted a new Corporate Plan on 5 December 2013. Our aim is, by 2017, to be a professional and well-run Council, innovative and outward looking in our approach, committed to developing people and partnerships in order to deliver efficient and effective services of good quality that are highly valued by our citizens.

The people of Anglesey were asked their views about which Council services were most important to them. The following three priorities were consistently found to be the most important:

- Supporting the most vulnerable
- Developing the economy
- Raising the standards of and modernising our schools

Our 2013-2017 Corporate Plan therefore focuses on these three areas.

When working on the above, the Council will continue its commitment to equality, in terms of:

- service provision
- its responsibilities as a major employer and
- ensuring that Council policies, procedures and practices do not discriminate in any way.

### **1.3 North Wales Public Sector Equality Network (NWPSSEN)**

Equality officers in all six North Wales Local Authorities, Betsi Cadwaladr University Health Board, North Wales Fire and Rescue Service, Welsh Ambulance Service NHS Trust, National Parks Authority and North Wales Police have shared good practice for many years. During 2011/12, NWPSSEN developed a set of shared objectives which every partner has agreed to. These are:

## Isle of Anglesey County Council Draft Annual Equality Report 2012/13

- Reduce **Health** inequalities
- Reduce unequal outcomes in **Education** to maximise individual potential
- Reduce inequalities in **Employment and Pay**
- Reduce inequalities in **Personal Safety**
- Reduce inequalities in **Representation and Voice**
- Reduce inequalities in **Access** to information services, buildings and the environment

Each objective has an accompanying set of action areas with different partners agreeing to contribute to each. Details of how our shared objectives were developed can be found in our partnership documents:

- Shared Equality Objectives – a collaborative working project between North Wales public sector organisations
- Background and Research Document

The work of the Network was acknowledged by the Equality and Human Rights Commission in its Annual Review 2012/13 – Working together to strengthen equality and human rights in Wales - noting that *“This shared regional agenda makes partnership working much easier and saves time and money for all.”*

The Network’s Prospectus for Collaborative Working is available on each partner’s website.

### 1.4 Strategic Equality Plan

We explain how the Council has chosen to contribute towards the shared objectives in our Strategic Equality Plan which was published in March 2012. The Plan and the above partnership documents can be found at: [www.anglesey.gov.uk/equalityplan](http://www.anglesey.gov.uk/equalityplan)

## 2.0 Identifying, collecting and using relevant information

### 2.1 Our Communities

We outline below some of the relevant information collected about our communities during 2012/13 and to date :

#### 2.1.1 Anglesey Residents Survey

The Anglesey Residents’ Survey 2012 was carried out in February 2012 and its results were published in May 2012. The telephone survey was completed by 1,100 residents and five focus groups were held across Anglesey. This survey provided a much needed ‘baseline’ investigation of the public’s satisfaction with the way the Council operates. It also provided

## **Isle of Anglesey County Council Draft Annual Equality Report 2012/13**

useful data in terms of what's important to the public and where they think improvements are necessary.

### **2.1.2 'Making a Difference'**

An extensive and comprehensive citizen engagement process was undertaken between August and September 2013 to identify and indeed confirm further the priorities and outcomes highlighted as important during the Anglesey Residents Survey of 2012. The results of the 'Making a Difference' exercise were used to form the basis of our 2013-17 Corporate Plan (see section 1.2 – Council Priorities).

Equality monitoring helps us to assess whether we are reaching all sections of our community. Those responding to the 'Making a Difference' questionnaire were also invited to complete equality monitoring forms. 288 forms were completed and details can be found in **Appendix 1**.

### **2.1.3 Isle of Anglesey Data Review**

This review was initiated to support the Council in identifying priorities for supporting vulnerable people on Anglesey. The data review took place during May 2012 and its aim was to highlight themes and issues emerging from data that the Council may choose to pay particular attention to in the future.

### **2.1.4 North Wales Public Sector Equality Network (NWPSSEN)**

The Network held its second regional engagement event on 7 November 2013. We provided an update on progress and discussed how the Network can best continue to address the issues identified as important by those present. An event report has been prepared and will be published on partners' websites. Feedback received at this event will be used to inform the Network's work plans. NWPSSEN members will continue to work together to engage with stakeholders and will hold joint events as and when resources allow.

### **2.1.5 Tenant Profiling**

To prepare and support our tenants for Welfare Reform changes introduced during the year, and future years, Housing Service staff have visited households likely to be affected. This exercise will be undertaken with all tenants and completed by August 2014. It involves capturing information on the key equality characteristics – and good practice to get to know our customers better.

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We believe that we are continuing to take positive steps to identify and collect relevant equality information. This information is included within a wide range of corporate and service strategies, plans and committee reports that are published on our website and key plans are available for inspection at our public libraries. We acknowledge, however, that more work needs to be done. We are committed to continuously developing and improving the information we hold about protected groups on Anglesey and will continue to work with our partners and involve people to achieve this.

### **2.2 Our Staff**

#### **2.2.1 Employment Information**

The Authority is continuing to collect and analyse data on the required protected equality groups through the new electronic HR system. Whilst this system has helped to ensure the information on all new members of staff and staff changing roles is current and up to date, it is still a challenging task to collect this information relating to the current workforce whose information will not have been stored electronically previously.

The new, self-service, HR computer system (MyView) is a useful tool to obtain data to fill some of the gaps currently present in the information collated. This secure system enables staff to check and update their own records, so the information stored should be up to date. However, not all staff have access to the internet and are therefore not able to log in and utilise this system. For these members of staff, a hard copy is available to download from the intranet or can be obtained through line managers and HR.

Although correspondence explaining the reason why the Authority is collecting this data has been sent out via the e-newsletter and is available through the Equalities and Language section on the intranet, it appears there is still some work to be done to communicate the importance of updating this data. So, whilst the Authority is working positively to ensure the correct reporting features are in place, there is still more to do on gathering the data to ensure the information is as correct as possible.

We are able to provide the following employment information for 2012/13 :

**Isle of Anglesey County Council  
Draft Annual Equality Report 2012/13**

<b>People employed by the Authority as at 31 March 2013</b>							
Male	Female	Total	Age <25	Age 65+	*Disabled	*BME**	*LGB***
1122	2875	3997	302	314	22	4	4
<b>People who have applied for jobs with the Authority over the last year</b>							
Male	Female	Total	Age <25	Age 65+	*Disabled	*BME**	*LGB***
291	518	809	279	Data not held	43	19	6
<p>*It is not mandatory for employees or applicants to provide this data. Of those who have declared, this is the breakdown.  **BME – Black, Minority Ethnic  ***LGB – Lesbian, Gay, Bisexual</p>							

## 2.2.2 Training

The Authority is committed to the development of employees and elected members to ensure that those employed and working with the Authority are skilled, trained and motivated to meet the challenging and diverse needs of the community. This training and awareness begins from the employee's first day and continues throughout their employment.

All new staff are expected to attend the corporate induction. Within this session, there is a specific section relating to equality and diversity, raising awareness of the Equality and Diversity Policy. By providing staff with the relevant equality information from day one, the Authority promotes and emphasises the importance of equality to its staff.

There is a 1-day Equality and Diversity training course available to all staff who wish to gain more information and increase their knowledge. HR also work closely with departments to develop any training sessions required to ensure their specific equality training needs are met.

The Authority currently does not have an e-learning platform for equality training as it believes in-house training is a more effective method of delivery. However, HR is working closely with the other five North Wales Authorities to move the training agenda forward. The WLGA are also developing equality e-learning modules which could be used by the Authority in future in order to increase the equality training provision available.

## **Isle of Anglesey County Council Draft Annual Equality Report 2012/13**

The Authority also recognises the statutory requirement for undertaking equality impact assessments, and training is available for any staff members who feel they require further guidance when using the Authority's Equality Impact Assessment templates. The aim is for this process to become mainstreamed into day to day work of policy making, employment practice, service delivery and other functions carried out within the organisation.

The Authority feels it is making positive steps towards promoting and developing Equality & Diversity within the organisation.

### **3.0 Assessing Impact**

We are continuing to work towards securing a consistent approach across the authority in terms of completing effective impact assessments. Improvements have been made to the template and guidance notes which are available on our intranet. Training is available (see above) and the Policy Unit continues to provide support and guidance to services.

Equality impact assessments are crucial to improving our services and meeting the needs of those using them as it ensures that consideration is given to the impact that decisions, policies or services may have on groups protected by the Equality Act 2010. Assessing for impact on equality therefore must be an integral part of decision making.

To further embed and mainstream equality considerations, we intend to ensure a closer alignment between the Equality Impact Assessment process and project management within the Authority. Initial screening will occur at Project Start-up and will continue to be an integral part of the process.

### **4.0 Promoting Equality**

In the following paragraphs we outline some examples of what we did during 2012/13 and more recently to promote equality. For consistency, we are reporting under the themes of our regional equality objectives:

#### **4.1 Health**

##### **4.1.1 Healthy lifestyles**

2012 saw 45 sport clubs and organisations from across Anglesey share a funding pot of £52,480 thanks to the Community Chest Grant. Community Chest offers grants for activities that encourage more people to become more active, more often and/or raises the standards of existing facilities. Out of the 45 successful applications:

- 3 were aimed specifically at or included disabled people
- 7 were aimed at opportunities specifically for women and girls

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- 5 were aimed at opportunities specifically for men and boys
- 16 clubs provided opportunities for both young and older people
- 18 were aimed at young people
- 6 were aimed specifically for those aged over 50

### 4.1.2 Putting carers in the foreground

Councillor Llinos Medi Huws has been appointed as a Carers Champion for Anglesey. The main function of the Carers Champion is to promote carers' rights and engage with unpaid carers on a regular basis so that any issues they have are highlighted. When we were developing our Strategic Equality Plan, we were told it is vital to understand and take into consideration the needs of carers when planning, commissioning and providing services. The Carers Champion will be in an ideal position to listen to the voice of carers and raise awareness of their needs.

### 4.1.3 Anti-Poverty Champions

There are proven links between mental health and poverty. The Council has appointed two Anti-Poverty Champions (officer and councillor) to agree priorities to tackle poverty, facilitate the sharing of good practice between the Council and third sector organisations and influence and encourage key policies and programmes within the Council and relevant partnerships to favour children and families living in poverty.

## 4.2 Education

### 4.2.1 Free School Meals

A 'cashless' school meals system has been introduced in Anglesey's secondary schools. It was found that the take-up of free school meals (FSM) in Anglesey was below expected levels and declining and that one of the factors behind this was the stigma attached to claiming FSM, especially in secondary schools. The 'cashless' system removes the stigma by making it impossible to distinguish between those who pay for their meals and those who do not.

## 4.3 Employment and Pay

### 4.3.1 Helping People Back to Work

'**New Work Connections**' aims to help people who face the most disadvantages to improve their chances of finding employment and provide opportunities to increase skills levels. During 2012/13, 394 individuals participated in Anglesey's New Work Connections project, of which there were 88 participants with work-limiting health conditions or disability and 114 older participants.

Môn Communities First's '**LIFT**' project provides a single point of contact for people seeking employment advice and support. Mentors work intensively with people from workless



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households to identify and remove barriers to employment. Support is provided in a wide range of areas, including managing health conditions to remove health-related barriers to employment.

**'Employment Support'** is another project being run by Môn Communities First which delivers a local employability service to 16-24 year olds who are economically inactive, unemployed, at work entry level or NEET (not in education, employment or training).

The Council is the lead delivery body for Môn Communities First.

### 4.4 Personal Safety

#### 4.4.1 Tackling Domestic Abuse

We have formally launched a policy on Domestic Abuse in the Workplace. The policy gives guidance to employees and employers and includes details of useful contacts, such as helplines and local support services.

#### 4.4.2 Tackling Human trafficking

Reliable statistics on human trafficking in Wales are very difficult to find due to the highly secretive and illegal nature of human trafficking. Whilst many may perceive human trafficking as a problem which affects only inner cities, rural communities such as Anglesey also need to be alerted to the issue and have adequate procedures in place to deal with human trafficking.

In January 2013, we hosted a summit to address what action can be taken to prevent human trafficking. The summit, chaired by Anglesey's Chief Executive, saw key officials from the Welsh Government, Serious Organised Crime Agency, Home Office, UK Border Agency, Gang Masters Licensing Authority, North Wales Police and the victim support provider BAWSO coming together along with other key partner organisations to discuss the different roles each agency plays and developing an action plan for further joint working.

### 4.5 Representation and Voice

#### 4.5.1 Democratic Renewal

A number of different methods were used to raise the profile of the local elections in 2013, including:

- A series of adverts and press releases appeared in the local press and were published on the Council's website, as well as on 'Facebook'
- A campaign through 'Twitter' to target women's groups and young people's groups, asking them to spread the message

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- Election Services Team available to provide information to prospective candidates – at the Anglesey Show and in a road show at five different locations on the island
- Article promoting democratic renewal in “Dan dô Môn” – a circular for the voluntary sector
- Articles appearing in the island’s community newspaper - “Anglesey News” – which was also produced in audio format, in partnership with the North Wales Association for the Blind, and circulated to blind and partially sighted residents on the island (the Winter 2012/13 edition was circulated to 424 individuals)

The campaign to raise the profile was successful in terms of the County Council’s local elections, with 106 candidates for 30 seats. All seats were well-contested, there was a much broader demographic spread and an increase in the number of women candidates (19 for 30 seats compared with 12 for 40 in 2008). Following the election, we now have 3 female members out of 30, compared with 2 female members out of the 40 on the previous Council – so the percentage of women county councillors in Anglesey has doubled from 5% to 10%.

### **4.5.2 Youth Forum**

Llais Ni is a project that gives young people on Anglesey (between the ages of 11-25) a chance to voice their opinions and make a difference in their communities. The Youth Service has been working in collaboration with Young Farmers and the Children and Young Peoples’ Partnership to run the Llais Ni Participation Development Project (supporting five Area Youth Forums and one County Youth Forum). During 2012/13, 30 young people have gained confidence to discuss matters of importance to them in public at discussion forums and by delivering presentations.

In addition, the Urdd and Young Farmers have their own Youth Forum which meets regularly.

### **4.5.3 Older People’s Council**

An Older People’s Council is in place to ensure that older people are routinely considered when decisions are made about matters that affect them.

The Older People’s Council offers older people the opportunity to have a voice in the decisions that impact on their lives. The Authority’s work covers a broad range of issues that are important to older people – from promoting lifelong learning opportunities to planning decisions. The Older People’s Council acts independently to the Authority and is supported by Age Cymru Gwynedd a Môn. Members meet every three months.

## **4.6 Access to information, services, buildings and the environment**

### **4.6.1 Improving access to buildings**

During 2012/13 we carried out access improvements as follows:

- Provision of a hoist at Plas Arthur Leisure Centre, Llangefni
- Platform Lift at Ysgol Gyfun Llangefni
- Hoist and disabled toilet at Holyhead Leisure Centre
- Ramp, front entrance, reception and changing facilities at Amlwch Leisure Centre
- New entrance installed in the Anglesey Business Centre
- Installation of motion-sensored LED lights in the Anglesey Business Centre

## **5.0 Our Equality Objectives**

### **5.1 What we have done so far**

Our equality objectives, and details of how we chose them, were published as part of our Strategic Equality Plan. **Appendix 2** gives an outline of the progress made as at December 2013 towards achieving these objectives.

We believe that we are taking positive steps towards fulfilling our equality objectives. This is demonstrated in Appendix 2 and in the examples noted in section 4 of this report – promoting equality.

### **5.2 What we intend to do next**

We will continue to work towards achieving our equality objectives as outlined in this report and are committed, within the capabilities and influence of the County Council, to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
  
- advance equality of opportunity between persons who share a relevant protected characteristic and those who do not
  
- foster good relations between people who share a relevant protected characteristic and people who do not

**March 2014**

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<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>REPORT TO:</b>	<b>EXECUTIVE</b>
<b>DATE:</b>	<b>17 MARCH 2014</b>
<b>SUBJECT:</b>	<b>1. UPDATE ON BUSINESS RATES POLICY DEVELOPMENTS 2. DISCRETIONARY RELIEFS FROM PAYMENT OF THE NON-DOMESTIC RATES (BUSINESS RATES) FOR CHARITIES AND NON-PROFIT MAKING ORGANISATIONS</b>
<b>PORTFOLIO HOLDER(S):</b>	<b>COUNCILLOR HYWEL EIFION JONES</b>
<b>HEAD OF SERVICE:</b>	<b>HEAD OF FUNCTION (RESOURCES) - CLARE WILLIAMS</b>
<b>REPORT AUTHOR:</b>	<b>REVENUES AND BENEFITS MANAGER - GERAINT JONES</b>
TEL:	<b>(x2651)</b>
E-MAIL:	<b>GeraintHJones@anglesey.gov.uk</b>
<b>LOCAL MEMBERS:</b>	<b>NONE</b>

**A - Recommendation/s and reason/s**

**Recommendations**

1. To note the recent business rate policy developments.
2. The current policy guidelines to grant discretionary reliefs from payment of non domestic rates for Charities and Non-Profit Organisations are readopted for a further 1 year up to 31 March 2015.
3. Organisations and charities are to be advised of this decision before 31 March 2014 and also that the policy will come to an end on 31 March 2015.
4. The Resources Department will undertake a general review and consult upon revised policy guidelines during 2014/2015 in respect of discretionary business rates relief. A new or revised discretionary rate relief policy to be adopted as a consequence from 1 April 2015.

**Reasons**

Local Authorities in Wales **must** grant mandatory rate relief provided for within the Local Government Finance Act 1998 (LGFA88), as amended by the Local Government Act 2003.

Under the LGFA88 local authorities **can** also grant discretionary relief or remission from rates up to 100% of the rates payable. This applies to the properties occupied by:-

- Charities (“20% top-up” in addition to 80% mandatory relief);
- Other non-profit making organisations.

The cost of granting discretionary business rates relief is borne in part by the National Non-Domestic Rates (NNDR) Pool (i.e. Welsh Government – WG) and by local council taxpayers.

For example, the proportion borne by the WG in respect of non-profit making organisations is 90% of the cost. This means, that every £1 spent by the Council buys relief worth £10 to the ratepayer.

However, in respect of the cost of the “20% top-up”, the proportion borne by the WG is 25% of the cost. This means that for every £7.50 spent by the Council buys relief worth £10 to the ratepayer.

## Current position

The Authority's current local policy of discretionary business rates relief for charities and non-profit making organisations is given in **Appendix A**. It has operated since 1st April 2003. It was also a policy renewable every 5 years and was extended for a further 5 years by the Executive from April 2008 to March 2013. The Executive on 18 March 2013 decided that the policy guidelines be readopted for a further 12 months up to 31 March 2014. All organisations and charities were advised of this decision before 31 March 2013 and also that the policy would come to an end on 31 March 2014.

## Policy changes

In April 2013 the Minister for Economy, Science and Transport (the Minister) launched a consultation on the Business Rates Task and Finish Group's Review into Business Rates Relief for Charities and Social Enterprises. The consultation closed on 28 June 2013 and a further announcement on the Minister's next steps was planned for the Autumn 2013.

On 1 October 2013 the Minister gave the Welsh Assembly in Plenary Proceedings a "Statement: Update on Business Rates Policy". The statement included the following with regard to business rates reliefs:-

- Introduction of two new local discretionary business rates reliefs schemes from 1 October 2013, "Open for Business" and "New Development Schemes". The Portfolio Holder (Finance) introduced both schemes for the Island on 5 December 2013 effective from 1 October 2013 under delegated executive powers;
- With regard to charities and social enterprises specific recommendations of the task and finish group such as, a reduction in the mandatory relief for charities from 80% to 50% required primary legislation. The Minister has written to the UK Government and devolved administrations to initiate discussion on the recommendations concerning levels of reliefs for charities and social enterprises as well as other wider tax avoidance issues;
- To work with the Minister for Local Government and Government Business that the existing regime places a responsibility on local authorities to monitor the sale of new goods in charity shops.

On 5 December 2013 in the Autumn Statement by the Chancellor of the Exchequer to the UK Parliament further national non-domestic rates related changes were announced. This statement included:-

- Continuation of the enhanced Small Business Rate Relief into 2014/2015 with an extension to the scheme where a person buys a new property next year which is eligible in rateable value terms they can claim relief on this new property. The WG has confirmed that the enhanced Small Business Rate Relief will apply in Wales but as to relaxation of eligibility no advice has been received on Welsh ministers' intentions;
- 2% cap of the national non-domestic rates multiplier. Welsh Ministers have confirmed that this will be repeated in Wales;
- Empty Property Occupation relief. This is basically the same as the "Open for Business" scheme adopted by the Portfolio Holder (Finance) on 5 December 2013, except that the scheme in England will give 18 months relief instead of 12. Welsh Ministers have not yet indicated that they wish to extend the relief period in Wales;
- £1,000 relief for designated retail properties. No indication as yet whether or not this will be implemented in Wales;
- Giving local authorities the option of offering businesses payment by 12 monthly instalments. This will **not** apply from April 2014 in Wales.

Over recent years, business rates policy and reliefs has become more complicated and therefore more difficult for business to comprehend and staff to administer. This is shown in **Appendix B** which provides a detailed description of both mandatory and discretionary reliefs that are available and how the costs of funding such reliefs are funded.

### **Local Discretionary Business Rates Relief Policy Scheme for Charities and Non-Profit making organisations**

Having regard to the above policy changes and intentions, a decision needs to be taken on whether to extend the current policy, for what period and whether it will be appropriate that a formal consultation exercise is carried out during 2014/2015 on the “ way forward”. This was not undertaken on 2013/2014 as planned, having regard to the WG’s own review and policy announcements. (The policy under consideration is parts 1, 2 & 3 of **Appendix B**).

#### **B - What other options did you consider and why did you reject them and/or opt for this option?**

Generally, the current policy granting reliefs to charities and non-profit making organisations continues to achieve the Executive’s aim of consistency of interpretation and ease of administration and that the policy Guidelines adopted 10 years ago continue to be a success.

However, the current policy has not been reviewed or consulted upon for a decade.

The WG has recently reviewed mandatory and discretionary relief for charities, social enterprises and credit unions and is undertaking further consultation with the UK Government and devolved administrations in this area.

#### **C - Why is this a decision for the Executive?**

The current discretionary rate relief policy is due end on 31 March 2014. If a new policy or the deadline of the current policy is not extended beyond 31 March 2014, non-profit making organisations and charities will have to reapply and be considered individually by the Executive. Currently, applications falling within the remit of the policy are administered by officers within Revenues and only those not covered by the policy considered by the Executive.

A decision to extend the policy should be made before the 31 March 2014. It is a requirement of regulations that due notice of a termination of a discretionary business rates policy at the end of a financial year must be made prior to the end of the previous financial year.

As this is an extension to a current policy consideration could be given for the Portfolio Holder (Finance) to be given the delegated authority to make the decision on behalf of the Executive as a whole.

#### **CH - Is this decision consistent with policy approved by the full Council?**

It is a policy previously approved by the Executive and requires further Executive endorsement to extend the current policy.

#### **D - Is this decision within the budget approved by the Council?**

The cost to the local council taxpayer of this local discretionary business rates relief is £49,548 during 2013/14 (see **Appendix A**). The total number of charities and non-profit making organisations receiving discretionary relief 178.

Current budgetary provision to meet the cost of this scheme is £50,000.

DD - Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	
2	Finance / Section 151 (mandatory)	Author of the report
3	Legal / Monitoring Officer (mandatory)	None
4	Human Resources (HR)	
5	Property	
6	Information Communication Technology (ICT)	
7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	
<b>E - Risks and any mitigation (if relevant)</b>		
1	Economic	
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	
5	Equalities	
6	Outcome Agreements	
7	Other	
<b>F - Appendices:</b>		
<p><b>Appendix A</b> - "Current Isle of Anglesey County Council Discretionary Business Rates Relief Policy Guidelines for Charities and Non-Profit Making Organisations"</p> <p><b>Appendix B</b> - "Summary of Business Rates Reliefs and Discounts"</p>		
<b>FF - Background papers (please contact the author of the Report for any further information):</b>		
<ul style="list-style-type: none"> <li>• "Business Rates Wales Review: Incentivising Growth" - May 2012;</li> <li>• "Welsh Government Response to the Business Rates Review" - October 2012;</li> <li>• "Consultation on the Business Rates Task and Finish Group's Review into Business Rates Relief for Charities and Social Enterprises" - April 2013;</li> <li>• "The Record of Proceedings of the National Assembly for Wales 1 October 2013".</li> </ul>		



## APPENDIX A

Category	Description	Mandatory	Discretionary	Total	Cost to Council	No
<b>A (1)</b>	Village Halls, Community Centres, Memorial Institutes, Old People Clubs, Scout and Guide Associations, Sea Cadets, Hospices, Playgroups	80% <b>£94,258</b>	20% <b>£23,567)</b>	100% <b>£117,825</b>	<b>£17,675</b>	<b>63</b>
<b>A (2)</b>	Maritime safety	80% <b>£29,956</b>	20% <b>£7,489</b>	100% <b>£37,445</b>	<b>£5,617</b>	<b>6</b>
<b>B (1)</b>	Recreation Clubs, Theatres, Band Rooms and Museums – (registered charity)	80% <b>£11,452</b>	20% <b>£2,863</b>	100% <b>£14,315</b>	<b>£2,147</b>	<b>9</b>
<b>B (2)</b>	Recreation Clubs, Theatres, Band Rooms and Museums – (not a registered charity)	0% <b>£0</b>	100% <b>£94,003</b>	100% <b>£94,003</b>	<b>£9,400</b>	<b>31</b>
<b>C (1)</b>	Educational organisations statutory or open to all	80% <b>£4,269</b>	20% <b>£1,067</b>	100% <b>£5,336</b>	<b>£800</b>	<b>1</b>
<b>C (2)</b>	Educational organisations	80% <b>£247,928</b>	0% <b>£0</b>	80% <b>£247,928</b>	<b>£0</b>	<b>11</b>
<b>CH</b>	Charity Shops	80% <b>£49,787</b>	0% <b>£0</b>	80% <b>£49,787</b>	<b>£0</b>	<b>19</b>
<b>D</b>	Regeneration, Employment, Rehabilitation Organisations	80% <b>£6,849</b>	20% <b>£1,712</b>	100% <b>£8,561</b>	<b>£1,284</b>	<b>3</b>
<b>DD</b>	Race equality and ethnic minority	80% <b>£0</b>	20% <b>£0</b>	100% <b>£0</b>	<b>£0</b>	<b>0</b>
<b>E (1)</b>	Registered charity or a charitable purpose whose objectives have substantial common ground with Council objectives and which mainly serve Island residents	80% <b>£38,606</b>	20% <b>£9,651</b>	100% <b>£48,257</b>	<b>£7,238</b>	<b>22</b>
<b>E (2)</b>	Not a registered charity but whose objectives have substantial common ground with Council objectives and which mainly serve Island residents	0% <b>£0</b>	100% <b>£25,126</b>	100% <b>£125,126</b>	<b>£2,513</b>	<b>11</b>
<b>F (1)</b>	Registered charity or a charitable purpose whose objectives are supported by the Council but, either there is not substantial common ground with Council objectives or they do not mainly serve Island residents	80% <b>£0</b>	0% <b>£0</b>	100% <b>£0</b>	<b>£0</b>	<b>0</b>
<b>F (2)</b>	Not a registered charity and whose objectives are supported by the Council but, either there is not substantial common ground with Council objectives or they do not mainly serve Island	0% <b>£0</b>	80% <b>£891</b>	100% <b>£891</b>	<b>£89</b>	<b>1</b>
<b>FF</b>	Agricultural show grounds	80% <b>£14,848</b>	20% <b>£3,712</b>	100% <b>£18,560</b>	<b>£2,784</b>	<b>1</b>
<b>G</b>	Not any of the above categories	Various <b>£0</b>	Various <b>£0</b>	Various <b>£0</b>	<b>£0</b>	<b>0</b>
<b>Totals – 2013/2014</b>		<b>£497,952</b>	<b>£170,081</b>	<b>£668,033</b>	<b>£49,548</b>	<b>178</b>
<b>Cost per Band D – 2013/14</b>					<b>£1.67</b>	

PROPERTY ELIGIBLE FOR RATE RELIEF	TYPE OF RELIEF	AMOUNT OF RELIEF	FINANCIAL IMPLICATIONS	
			Proportion offset against Payments into the NNDR Pool	Proportion borne locally by council taxpayers
			%	%
1. Property wholly or mainly used for charitable purposes which is occupied by a registered charity or charity shop	Mandatory Discretionary	80 Up to further 20	100 25	- 75
2. Community Amateur Sports Clubs (CASCs)	Mandatory Discretionary	80 Up to further 20	100 25	- 75
3. Property, all or part of which is occupied for the purposes of non-profit making:-				
a) institution or other organisation whose main objects are philanthropic or religious or concerned with social welfare, science, literature of the fine arts; or	Discretionary	Up to 100	90	10
b) Club, society or other organisation and is used for the purposes of recreation.				
4. Property, all or part of which is occupied, where the billing authority is satisfied that the ratepayer would suffer hardship.	Discretionary	Up to 100%	75	25
5. Property, all or part of which is occupied, other than as trustee, by a charging or precepting authority.	None	None	-	-
6. Shops and offices which are unoccupied for:-				
a) 0 to 3 months	Mandatory	100	100	-
b) after 3 months	None	None	-	-
Industrial property which is unoccupied for:-				
a) 0 to 6 months	Mandatory	100	100	-
b) after 6 months	None	None	-	-
7. Shops and offices which are partly occupied for a short period only (Section 44A of the LGFA):-				
a) 0 to 3 months	Mandatory	100	100	-
b) after 3 months	None	None	-	-
Industrial property which is partly occupied for a short period only (Section 44A of the LGFA):-				
a) 0 to 6 months	Mandatory	100	100	-
b) after 6 months	None	None	-	-
8. Property which is unoccupied and has a rateable value of £2,600 or less.	Mandatory	100	100	-
9. <u>Small Business Rate Relief Scheme for occupied property</u> – from 1 April 2010 (Default Scheme)				
a) most properties with a rateable value of £2,400 or less	Mandatory Discretionary	50 Up to 100	100 -	- 100
b) most properties with a rateable value between £2,401 and £7,800	Mandatory Discretionary	25 Up to 100	100 -	- 100
c) Post Offices (and a property that includes a Post Office) with a rateable value of £9,000 or less	Mandatory	100	100	-
ch) Post Offices (and a property that includes a Post Office) with a rateable value between £9,001 and £12,000	Mandatory Discretionary	50 Up to 100	100 -	- 100
d) Child Care premises with a rateable value of £12,000 or less	Mandatory Discretionary	50 Up to 100	100 -	- 100

PROPERTY ELIGIBLE FOR RATE RELIEF	TYPE OF RELIEF	AMOUNT OF RELIEF	FINANCIAL IMPLICATIONS	
			Proportion offset against Payments into the NNDR Pool	Proportion borne locally by council taxpayers
			%	%
<p><b>dd)</b> Retail Premises with a rateable value between £7,801 and £11,000 which are used wholly or mainly for the sale of any goods, which include:-</p> <ul style="list-style-type: none"> <li>i. the sale of meals, refreshments or intoxicating liquor for consumption on or off the premises on which they are sold or prepared</li> <li>ii. petrol or other automotive fuels for fuelling motor vehicles intended or adapted for use on roads</li> </ul> <p>(Note: retail businesses occupying more than one property in Wales will only be eligible for relief on one property)</p>	Mandatory Discretionary	25 Up to 100	100 -	- 10
<p><b>e)</b> Credit Unions with a rateable value of £9,000 or less</p> <p><u>Small Business Rate Relief (Default Scheme)(Continued)</u></p> <p>Small business rate relief does not apply to property occupied by the Crown and charging and precepting authorities, by charities and non-profit making organisations, advertising boards, car parks, sewage works or electronic communications apparatus.</p> <p>The following properties continue to get relief and will not be affected by the Enhanced Scheme –</p> <p>Properties with a rateable value between £10,501 and £11,000 in receipt of 25% retail relief - all others will receive the enhanced relief. Post Offices in receipt of 100% or 50% relief; Registered Child Care premises with rateable value between £9,001 and £12,000 in receipt of 50% relief.</p> <p><u>Small Business Rate Relief Scheme for occupied property - from 1 October 2010 to 31 March 2015 (Enhanced scheme)</u></p> <ul style="list-style-type: none"> <li>a) most properties with a rateable value of £6,000 or less</li> <li>b) most properties with a rateable value of between £6,001 and £12,000 will receive relief that will be reduced on a tapered basis from 100% to zero:- <ul style="list-style-type: none"> <li>Rateable Value £7,000 83.4% relief</li> <li>Rateable Value £8,000 66.6% relief</li> <li>Rateable Value £9,000 50.0% relief</li> <li>Rateable Value £10,000 33.3% relief</li> <li>Rateable Value £11,000 16.6% relief</li> </ul> </li> </ul> <p>Where businesses receive a higher rate of relief under the Default Scheme rather than the Enhanced Scheme, they will receive the rate of relief most beneficial to them.</p>	Mandatory Discretionary	50 Up to 100	100 -	- 100
<p><b>a)</b> most properties with a rateable value of £6,000 or less</p> <p><b>b)</b> most properties with a rateable value of between £6,001 and £12,000 will receive relief that will be reduced on a tapered basis from 100% to zero:-</p> <ul style="list-style-type: none"> <li>Rateable Value £7,000 83.4% relief</li> <li>Rateable Value £8,000 66.6% relief</li> <li>Rateable Value £9,000 50.0% relief</li> <li>Rateable Value £10,000 33.3% relief</li> <li>Rateable Value £11,000 16.6% relief</li> </ul> <p>Where businesses receive a higher rate of relief under the Default Scheme rather than the Enhanced Scheme, they will receive the rate of relief most beneficial to them.</p>	Mandatory Discretionary	100 Tapered Up to 100	100 100 -	- - 100
<b>10. Discretionary Business Rates Discount</b>	Discretionary	Up to 100	-	100
<b>11. Business Rates Discount – Enterprise Zones</b>	Discretionary	Up to 100	100	-
<b>12. “New Development” Relief – from 1 October 2013 to 30 September 2016</b> Relief for the first 18 months from payment of business rates for new builds that remain unoccupied.	Discretionary	Up to 100	100	-
<b>13. “Open for Business” Relief – from 1 October 2013 to 31 March 2015</b> Relief for retail properties which become occupied from payment of business rates for 12 months for properties with a rateable value of £45,000 or less that have been unoccupied continuously for a period of 12 month or more.	Discretionary	Up to 50	100	-

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ISLE OF ANGLESEY COUNTY COUNCIL	
REPORT TO:	EXECUTIVE COMMITTEE
DATE:	17 MARCH 2014
SUBJECT:	ADOPTION OF A LOCAL DISCRETIONARY HOUSING PAYMENTS POLICY SCHEME
PORTFOLIO HOLDER(S):	COUNCILLOR HYWEL EIFION JONES
HEAD OF SERVICE:	HEAD OF FUNCTION (RESOURCES) – CLARE WILLIAMS
REPORT AUTHOR:	REVENUES AND BENEFITS MANAGER – GERAINT JONES DEVELOPMENT MANAGER – KEVIN SPICE
TEL:	(x2651) / (x2212)
E-MAIL:	<a href="mailto:GeraintHJones@anglesey.gov.uk">GeraintHJones@anglesey.gov.uk</a> <a href="mailto:ksxfi@anglesey.gov.uk">ksxfi@anglesey.gov.uk</a>
LOCAL MEMBERS:	NONE

A - Recommendation/s and reason/s																								
<p><b>Recommendation</b></p> <p>To adopt the Discretionary Housing Payment Policy (DHP) Scheme as set out in <b>Appendix A</b>.</p> <p><b>Reasons</b></p> <p>DHP's provide claimants with '<i>further financial assistance</i>' to meet their housing costs in addition to any other welfare benefits they receive, where the Local Authority considers that such additional help is necessary.</p> <p>The Department for Work and Pensions (DWP's) annual funding for DHP was £20m up to April 2011. To help local authorities manage the impact of the housing benefit reforms announced in the June 2010 budget, DHP funding was initially increased to £30m in 2011/12 and up to £60m annually for 2012/13 and for the remainder of the Spending Review period (i.e. until 2015). Since the June 2010 budget announcement, further additional funding have been made available to local authorities to deal with the impact of the welfare reforms - particularly the Social Sector Size Criteria (known as 'bedroom tax') and the Benefit Cap respectively. The total funding now available nationally for the DHP scheme in 2013/14 was £180m and up to £165m in 2014/15.</p> <p>In addition to the DWP funding, local authorities are allowed to spend up to two and a half times the Government Contribution from their own resources.</p> <p>For the Isle of Anglesey County Council, the Government's contribution and spending under the Council's DHP scheme for the last four years including 2013/14 is as follows:-</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Government Contribution (£)</th> <th>Overall limit (2.5x) (£)</th> <th>Spent by Council (£)</th> </tr> </thead> <tbody> <tr> <td>2010/11</td> <td>16,400</td> <td>41,000</td> <td>34,343<sup>①</sup></td> </tr> <tr> <td>2011/12</td> <td>28,500</td> <td>71,250</td> <td>20,866<sup>②</sup></td> </tr> <tr> <td>2012/13</td> <td>73,538</td> <td>183,845</td> <td>47,729<sup>③</sup></td> </tr> <tr> <td>2013/14</td> <td>136,536</td> <td>341,340</td> <td>140,378<sup>④</sup></td> </tr> <tr> <td>2014/15</td> <td>156,027</td> <td>390,068</td> <td>15,275<sup>⑤</sup></td> </tr> </tbody> </table> <p><sup>①</sup> Expenditure incurred in 2010/11 above the Government's contribution was as a result of the Menai Broad Rental Market Area being merged into the North West Wales Broad Rental Market Area and Local Housing Allowance (LHA) Rates paid in the private Sector were reduced as a consequence.</p>	Year	Government Contribution (£)	Overall limit (2.5x) (£)	Spent by Council (£)	2010/11	16,400	41,000	34,343 <sup>①</sup>	2011/12	28,500	71,250	20,866 <sup>②</sup>	2012/13	73,538	183,845	47,729 <sup>③</sup>	2013/14	136,536	341,340	140,378 <sup>④</sup>	2014/15	156,027	390,068	15,275 <sup>⑤</sup>
Year	Government Contribution (£)	Overall limit (2.5x) (£)	Spent by Council (£)																					
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- ② The Council was allowed to carry over the unspent Government Contribution into 2012/13 due to the impact of transitional arrangements.
- ③ For 2011/12 and 2012/13 the former DHP policy was modified to take account of the anticipated additional demands resulting from changes to the Local Housing Allowance (LHA) in the private sector. The qualifying criteria were revised in anticipation of an increase in demand from those affected by the LHA changes at the time. This proved not to be the case leading to a modification of the qualifying criteria to allow additional expenditure under the policy toward the end of the period.
- ④ This is the amount spent at 18 February 2014. We anticipate that by the end of the financial year the overall expenditure for the year will be £150k. Expenditure over and above the DWP grant will be covered by the additional grant of £28k awarded to the Council by Welsh Government.
- ⑤ By 18 February 2014, £15k has already been committed to be spent during 2014/15.

There has been a substantial increase in both demand and expenditure on DHP during 2013/14. The number of applications received increased by 420% over the previous year and expenditure increased from £47k in 2012/13 to £140k (year to date) in the current financial year.

The main problem facing the DHP scheme in 2014/15 will be the issue of how to deal with repeat applications from those who continue to be affected by the welfare reform changes. Simply renewing awards to those affected will be unsustainable; the expenditure on these ongoing, indefinite cases would eventually allow little or no funding for new applications. Furthermore, DHP is not intended to be an indefinite top up of shortfalls in rent.

In the table below, is an analysis of DHP applications between 1 April 2013 and 18 February 2014:-

DHP applications received	653 (projected to be over 700 by end of year)
Cases still pending	42 (6.4%)
Cases awarded	404 (61.9%)
Cases refused	207 (31.7%)
Average value per award	£347
DHP applications due to 'bedroom tax'	393 (60.2%) of all DHP applications)
Cases awarded	247 (62.8%) of bedroom tax DHP applications
Cases refused	117 (29.8%) of bedroom tax DHP applications
Cases pending	29 ( 7.4%) of bedroom tax DHP applications

#### **Issues regarding the 2014/15 funding allocation**

The total DHP allocation for 2014/15 (£165m) has been split into four component parts:-

- original baseline before the private sector LHA reforms (£20m);
- LHA reforms (£40m);
- Social Sector Size Criteria (£60m); and
- Benefit Cap (£45m).

Funding for the original baseline is to help people with non-welfare reform related matters, such as issues with non-dependents and helping people transition into work.

Funding for the LHA reforms is based on each local authority's share of total anticipated losses through the introduction of the 30<sup>th</sup> percentile LHA rate.

As regards the Social Sector Size criteria funding is split into two parts. £55m has been allocated based on the aggregated removal of the spare room subsidy losses in each LA area with the remaining £5m distributed amongst the 21 most sparsely populated local authorities.

The Benefit Cap funding is to provide short term support to those affected by the cap.

As at 18 February 2014, the latest available expenditure figures for the Isle of Anglesey County Council based on the above funding criteria is as follows:-

- Original baseline £22,201 (63);
- LHA reforms £31,498 (89);
- Social Sector Size Criteria £81,612 (247);
- Benefit Cap £5,067 (5).

**B - What other options did you consider and why did you reject them and/or opt for this option?**

The Council's proposed DHP Scheme has been revised to take into account

- i. the DWP's own revised 'Discretionary Housing Payments Guidance Manual (including Local Authority Good Practice Guide) which came into effect in April 2013. The DWP consulted widely on its proposed revised manual and has published the responses to its consultation.  
<http://www.dwp.gov.uk/docs/discretionary-housing-payments-guide-draft.pdf>  
<http://www.dwp.gov.uk/docs/discretionary-housing-payments-response.pdf>
- ii. the benefit of operational experience following the introduction of the welfare benefit changes in April 2013

In respect of the Council's proposed local scheme for 2014/15, an initial draft of the policy was issued to relevant internal and external stakeholders for consultation and comments during January 2014. Those consulted were Council housing benefit staff, Council Housing Services, Citizens Advice Bureau and Shelter and registered social landlords. No adverse comments were received. The final version reflects most of the views expressed which include:-

- Clearer guidelines on making second or subsequent awards following an initial 26 week award of DHP. Before renewing an award, the applicant must now show that they have made every effort to improve their situation. Further awards will only be made where the applicant can show that they have made reasonable efforts to improve their circumstances and where that has not happened, it was for reasons outside the control of the applicant;
- The policy not to be too prescriptive thereby allowing staff discretion to consider each request, subject to challenge and review;
- The policy to include the DWP's broader definition of Housing costs as laid out in the DWP's Guidance Manual. This means that in addition to rental liability, housing costs can be interpreted to include - rent in advance, deposits and lump sums associated with housing needs e.g. removal costs and no requirement to repay any 'lump sum' payments made.

The Council undertook an Initial Impact Assessment of its proposed DHP Scheme. The Initial Impact Assessment identifies the groups likely to get assistance under the DHP Policy based on the DWP's own Impact Assessments regarding the groups affected by the UK Government's welfare reforms. The consultation and impact assessment assists the Council in satisfying the public sector equality duty in the Equality Act and are available from the Finance Department, Revenues and Benefits Section.

<b>C - Why is this a decision for the Executive?</b>		
<p>In order to take account of new Department for Work and Pensions (DWP) guidelines for making awards the Council's DHP policy was updated and amended. The revised policy was approved by the executive in March 2013. It was also anticipated that the welfare reform changes would result in an increase in demand for DHP. However, at that time, the extent of additional demand for the scheme could only be estimated. This revision to the DHP policy previously approved by the Executive takes account of operational experience gained following the introduction of the April 2013 changes.</p>		
<b>CH - Is this decision consistent with policy approved by the full Council?</b>		
<p>It is a revision to a policy previously approved by the Executive and requires Executive endorsement.</p>		
<b>D - Is this decision within the budget approved by the Council?</b>		
<p>DHP awards must be made within the overall limit as determined by the DWP (£390,069). Any award in excess of the overall limit is unlawful. The overall limit is 2.5 times the Government Contribution (£156,027).</p> <p>The Council has no specific budget allocated to meet the cost of awards made in excess of the Government Contribution up to the overall limit. This is a financial risk to the Council and, as at present, DHP expenditure will be subject to review on a quarterly basis.</p> <p>Unspent Government Contribution grant must be returned to DWP at the end of the financial year.</p>		
<b>DD - Who did you consult?</b>		<b>What did they say?</b>
1	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	
2	<b>Finance / Section 151</b> (mandatory)	Author of the report
3	<b>Legal / Monitoring Officer</b> (mandatory)	No Comments
4	<b>Human Resources (HR)</b>	
5	<b>Property</b>	
6	<b>Information Communication Technology (ICT)</b>	
7	<b>Scrutiny</b>	
8	<b>Local Members</b>	
9	<b>Any external bodies / other/s</b>	
<b>E - Risks and any mitigation (if relevant)</b>		
1	<b>Economic</b>	
2	<b>Anti-poverty</b>	
3	<b>Crime and Disorder</b>	
4	<b>Environmental</b>	
5	<b>Equalities</b>	
6	<b>Outcome Agreements</b>	
7	<b>Other</b>	
<b>F - Appendices:</b>		
<p><b>Appendix A - Local Discretionary Housing Policy Scheme.</b></p>		
<b>FF - Background papers (please contact the author of the Report for any further information):</b>		
<ul style="list-style-type: none"> <li>• DWP's Discretionary Housing Payments Guidance Manual (including Local Authority Good Practice Guide) April 2013;</li> <li>• DWP Housing Benefit Circular HB S1/2014 – "Details of the government contribution towards DHP for local authorities (LAs) in 2014/15";</li> <li>• Finance Department (Revenues and Benefits Section) Initial Impact Assessment, Outcome Report and Action Plan – October 2012.</li> </ul>		





# DISCRETIONARY HOUSING PAYMENTS POLICY 2014

Date	Version	Name
January 2014	1.0	Kevin Spice

## 1. BACKGROUND

- 1.1 The Discretionary Housing Payment (DHP) scheme is intended to provide customers with 'further financial assistance' with their housing costs in addition to any other welfare benefits where the Local Authority (LA) considers that such help is necessary.
- 1.2 Regulations covering payment of DHP are The Discretionary Financial Assistance Regulations 2000. Whilst the regulations give Local Authorities (LAs) very broad discretion as to how they administer the scheme, decisions must be made in accordance with good principles of administrative decision making. In determining whether to make an award the LA must always act fairly, reasonably and consistently.
- 1.3 All DHP awards must be made within the overall cash limits as determined by the Department of Work and Pensions (DWP). The DWP will award the Local Authority (LA) an annual sum (*Government Contribution*) towards administration of the scheme. In addition to the Government Contribution the LA may spend up to two and a half times that amount (*permitted total*) in DHP. Any awards in excess of the permitted total would be illegal.
- 1.4 The amount of money remaining in the DHP 'pot' should not be a factor in the decision making process; each decision must be made on its own merits, regardless of whether an award will be funded by the Government Contribution element or the LA contribution element of the overall Permitted Total. Decision making must be fair, transparent and consistent throughout the year.
- 1.5 Unspent DHP funds must be returned to DWP at the end of the financial year.

## 2. WHAT CAN DHP BE USED FOR?

- 2.1 Housing costs are not defined in the regulations so this gives LAs a broad discretion to interpret the term as they wish. In addition to rental liability housing costs may also be interpreted to include:-
  - Rent in advance;
  - Deposits;
  - Lump sum costs associated with housing need such as removal costs (where such 'lump sum' payments are made, there will be no requirement for them to be repaid by the recipient).
- 2.2 Specific circumstances where DHP may be relevant will include:-
  - Reductions in Housing Benefit (HB) or Universal Credit (UC) where the benefit cap has been applied;
  - Reductions in HB or UC for under-occupation in the social rented sector;
  - Reductions in HB or UC as a result of Local Housing Allowance (LHA) restrictions;
  - Rent shortfalls to prevent a household becoming homeless whilst the Authority's Housing Department explores alternative options;
  - Rent Officer restrictions such as Local Reference Rent or shared room rate;
  - Non dependant deductions;
  - Claimants affected by the "bedroom tax" who foster children;
  - Claimants with specific medical issues that may result in them incurring additional expenditure or needing additional accommodation;
  - Income tapers.

- 2.3 When considering DHP awards for rent in advance or deposits the assessing officer should be satisfied that the new property is affordable and suitable for the tenant's needs.
- 2.4 DHPs are intended as a safety net for those experiencing difficulty in meeting their housing costs. The scheme should not be seen as a means of allowing applicants to maintain a certain level of lifestyle that they may have become accustomed to. To this end, the assessing officer may choose to reduce or refuse DHP where the applicant is clearly not prepared to make reasonable compromises with regards to their expenditure and lifestyle.
- 2.5 DHPs are a short term measure intended to allow the applicant sufficient time to:-
- Seek cheaper alternative accommodation (will not apply to tenants in social housing);
  - Negotiate a lower rent with their landlord (will not apply to tenants in social housing);
  - Seek employment;
  - Modify their household expenditure.

DHP should not be viewed as an indefinite top up of shortfalls in rent; awards will normally be made for a period of 26weeks. Second or subsequent awards will only be made where the applicant can show that they have made every effort to improve their situation and that any failure to do so has been for reasons beyond their control.

- 2.6 One area of difficulty in assessing eligibility for DHP may arise with regards to applicants with alcohol and/or substance abuse problems. The individuals concerned may lead chaotic lifestyles that result in poor decision making, including expenditure on items that would, to most people, appear to be unreasonable; this should not necessarily preclude making a DHP award.

The main criteria in making a determination in such cases will be to determine whether the applicant is receiving appropriate help to deal with his/her problems. If he/she is being supported on a formal programme, delivered by an official service provider, it may be relevant to consider making an award of DHP. Awards in these circumstances should be supported by documentary evidence from the organisation working with the applicant.

- 2.7 DHP assessment officers must always take account of individual circumstances when assessing the reasonableness of household expenditure. For example, some medical conditions or disabilities may require high levels of expenditure on certain items; this should not necessarily preclude making an award. However, where such situations apply, the assessing officer may require the applicant to provide documentary evidence in support of the stated expenditure.
- 2.8 Following the abolition of Council Tax Benefits in 2013, **DHP can no longer be made towards Council Tax Liability.**

### 3. CRITERIA FOR MAKING DHP AWARD

- 3.1 Before making an award LAs must be satisfied that the claimant is entitled to:-
- HB; **or**
  - UC; **and**
  - Has a rental liability; **and**
  - Requires further financial assistance with housing costs

**3.2** Following the introduction of Universal Credit, LAs will have to consider DHP claims from customers who are not receiving HB. Customers receiving UC will not receive a specific amount towards housing costs. In such cases the assessing officer should ensure that the UC award:-

- Does include a housing costs element; **and**
- The amount of DHP awarded does not exceed the claimant's weekly eligible rent.

#### **4. WHAT DHP CANNOT COVER**

**4.1** Certain elements of a claimant's rent that cannot be included in housing costs for DHP because the regulations specifically exclude them. Excluded elements include:-

- Ineligible service charges;
- Increases in rent due to outstanding rent arrears;
- Certain sanctions and reductions in benefit.

**4.2** In addition to the above, DHP will not be paid in respect of shortfalls resulting from:-

- A claimant choosing to lead an unreasonably lavish lifestyle which is clearly beyond his/her means (determining lifestyle may require a home visit)
- Repayment of overpayments and fines

#### **5. THE APPLICATION PROCESS**

**5.1** Regulations require that there must be a claim for DHP before the LA can consider making an award.

**5.2** The LA will actively promote the DHP scheme with internal and external partners as well as with HB/UC claimants. Where staff identify situations where DHP may be relevant, they should always invite the customer or his/her representative to make an application.

**5.3** Applications must be made in writing and may be received by the Revenues and Benefits Section or any department within the LA acting on their behalf. Where an application is made to a department other than the Revenues and Benefits Section, it will be passed to them for determination.

**5.4** Applications for DHP should be accompanied by a statement of the applicant's income and expenditure in order to determine whether they are suffering financial hardship. If requested, the claimant may also be required to provide documentary evidence in support of stated expenditure. Applicants for 'one off' payments may be required to provide bank statements in support of their application for DHP.

**5.5** Where the DHP application relates to removal costs, the applicant will provide two quotes for the cost of the move.

**5.6** DHP applications will normally be made by the person entitled to HB or UC. However, claims can also be accepted from third parties such as appointees or advocates acting on behalf of the claimant if they are vulnerable.

#### **6. THE DECISION MAKING PROCESS**

**6.1** Each application for DHP should be considered on its own merits. Decisions should be fair and consistent throughout the year. The amount of funding available in the DHP 'pot' should not be a consideration in the decision making process.

- 6.2** When calculating entitlement, the LA should consider income and expenditure from all sources. Consequently, some benefits, normally disregarded in the means testing process will not necessarily be disregarded when assessing eligibility to DHP. The assessing officer will have discretion to decide whether or not to take such benefits/allowances into account.
- 6.3** Where the applicant can show that benefits/allowances have been used for the specific purposes that they were intended, for example, additional expenditure required because of a disability or medical condition, the assessing officer can choose to disregard them as income when assessing DHP entitlement.
- 6.4** On occasion, the assessing officer may ask for a Revenues and Benefits Visiting Officer to call at the home of the applicant in order to obtain a clearer view of the applicant's circumstances and living conditions.
- 6.5** Should the assessing officer determine that an applicant's stated expenditure on certain items is unreasonably excessive, they have discretion to disregard part or all of that expenditure in the financial assessment. Similarly, where the officer deems that the applicant is clearly living beyond their means in an unreasonable manner; they may choose to disregard such expenditure from the calculation.
- 6.6** In some instances, an applicant will provide expenditure profiles that are clearly unrealistically low or do not include expenditure that would normally be present in any household. In such cases, the assessing officer should consider increasing the expenditure profile by an appropriate notional amount in order to ensure that the applicant is not unduly disadvantaged during the DHP assessment process.
- 6.7** The assessing officer should avail him/herself of all relevant information relating to the application before reaching a decision. To this end, if a home visit is not conducted every effort should be made to interview the applicant, either in person, or on the telephone, in order to obtain a more accurate picture of their circumstances.
- 6.8** DHPs are not intended as a long term solution to rent shortfalls. Consequently, 26 week awards of DHP will not be renewed unless there are exceptional circumstances.
- 6.9** In some instances it will be clear that the applicant's circumstances are completely unsustainable; an award of DHP would have no impact on the claimant's ability to remain in their home regardless of any compromises that they may make. In such circumstances, an initial award may be made in order to allow the applicant 'breathing space' to make alternative accommodation arrangements. However, repeat awards in such circumstances will be unlikely.
- 6.10** DHPs are not intended to be an indefinite top up of a shortfall in rent. Consequently, assessing eligibility for second, or subsequent, awards at the same address will require additional factors to be considered to those applied to an initial application. The assessing officer must consider whether the applicant has made all reasonable efforts to improve his/her circumstances since the initial DHP award. Factors to consider will include:-
- Efforts to reduce household expenditure – has household expenditure reduced since the original DHP award was made? If expenditure has not reduced, is there a valid reason?
  - Efforts to re-negotiate rent with the contract rent. Has the tenant given permission for the Landlord Liaison Officer to approach their landlord? (will not apply to social housing tenants);
  - Efforts to seek cheaper accommodation or to downsize if they are over accommodated social housing tenants. Have they actively sought cheaper alternative accommodation – what evidence do they have of this?

Assessing this element of repeat applications will be a subjective matter; each case must be considered on its own merits. Where it is accepted that the applicant has made every reasonable effort to improve their situation, **or**, the circumstances preventing them from doing so were beyond their control, it may be appropriate to make a further award. However, where it is clear that the applicant has made no effort to improve their circumstances; a further award will not normally be appropriate.

- 6.11** There will be some cases where ongoing, long term, financial hardship suggest it would be neither reasonable nor feasible for the DHP applicant to move home or to reduce their household expenditure; for example, someone with disabilities living in a property adapted for their needs. In such cases, a longer term award may be appropriate. Awards of 12 months should be made and reviewed annually in order to determine whether there has been a change of circumstance that would preclude extending DHP for a further period.
- 6.12** Expenditure on fines or benefit overpayments will not be considered in the financial calculation; DHP cannot be seen to be paying off such liabilities.
- 6.13** The question of whether or not to accept expenditure relating to the servicing of debts in the DHP calculation will often be a contentious one. Whilst the repayment of outstanding debts will clearly place additional financial pressure on many households, DHP should not be viewed as a means of paying off such debts. DHP assessing officers will need to consider the amount of the debt outstanding as well as how and when it was incurred before making their determination. Factors to be considered with regards to expenditure on the servicing of debt will include:-
- Has the claimant sought to re-negotiate non priority debts? e.g. credit card agreements
  - Have they sought professional advice on how to clear their debts or reduce repayments?
  - Could the claimant afford to service the debt before they began claiming benefits?
  - Have the debts been incurred as a result of irresponsible borrowing/expenditure whilst in receipt of welfare benefits?
- 6.14** In cases where the applicant is at risk of becoming homeless, Revenues and Benefits staff should liaise with the Housing Options Team in order to determine whether there may be another course of action or alternative source of funding that may be more relevant than DHP.
- 6.15** Where the applicant is in imminent danger of eviction, the DHP application should be 'fast tracked'. Fast tracking will only be considered when the request is from an official body such as CAB, Housing Department, and Social Services etc. Where fast tracking is appropriate, the matter should be fully resolved within three working days.
- 6.16** If all supporting information is not present when fast tracking is deemed necessary, DHP should be awarded for a period of one month pending receipt of the required supporting evidence. The applicant should be told that the award is an interim one and, that there is no guarantee that DHP will continue once all required information is received.
- 6.17** If, following receipt of all information, it transpires that DHP would not have been awarded; any fast track payment already made should not be recovered.
- 6.18** Where a DHP application is made due to a shortfall between Housing Benefit and contract rent, the case should be referred to the Housing Options Team to see if a rent reduction can be negotiated (this can only be done with the permission of the claimant) The DHP application will proceed as normal; however, if the Landlord Liaison Officer is successful in negotiating a rent reduction, any DHP awarded will be reduced or extinguished as appropriate.
- 6.19** DHP applicants should always be asked to give their consent for their landlord to be contacted. Where consent is refused, they should be informed that failure to give consent without good cause may result in their application for DHP being refused.

**6.20** In some instances it may be necessary to discuss the DHP application with other departments or agencies before making a final determination on the matter. In such instances the approval of the claimant to share information should always be obtained.

**6.21** The length of the award will be determined by the person dealing with the claim. Normally, awards will be for a period of 26 weeks; however, in some circumstances an open ended award may be relevant. Where an award is indefinite, it should be reviewed annually to ensure that there has been no material change in circumstances. A change in the DHP recipient's circumstances during the award period may lead to the reduction or termination of the award.

**6.22** Payment will normally be made to the claimant; however, in some instances, payment to a third party may be appropriate:-

- Landlord in the case of rent in advance or deposit;
- Landlord if the claimant is considered vulnerable and is already having HB payments made to the landlord;
- Removal company for removal expenses;
- By way of a credit on the rent account in respect of Rent Rebate shortfalls;
- Landlord where there is already rent arrears equivalent to one month or more.

**6.23** DHP Applications should be considered in the light of the applicant's current circumstances as well as their previous history. Factors to consider will include:-

- Have they received returned deposits from their previous tenancy?
- Was the applicant able to afford the rent liability when they first moved into the property?
- Do they frequently move to properties with unreasonably high rent?
- Do they have a history of renting properties larger than they need?
- Is the applicant or his partner expecting a child and is moving to a larger property in anticipation of the need for an additional bedroom?
- Do they have any medical or family circumstances that would warrant payment of DHP
- Has the applicant demonstrated that they have made reasonable efforts to find cheaper alternative accommodation?
- Are there any exceptional or unforeseen circumstances that would warrant the award of DHP?

**6.24** In some instances, DHP awards may be conditional on the applicant agreeing to a course of action that may help alleviate their financial problems. The applicant cannot be compelled to undertake the suggested action. However, they should be informed that failure to agree to any suggested actions may lead to applications being refused despite there being a financial case for an award. Such circumstances may include:-

- Failure to accept a referral for help/advice to either internal or external stakeholders with regards to financial capability, budgeting, debt management etc;
- Failure to give authority for the Housing Options Team to contact their landlord to try and negotiate rent reduction;
- Refusing to consider referrals for financial capability training or debt management advice despite the fact that their financial statement show clear problems in these areas.

Conditional DHP awards will be subjective and, potentially, contentious in nature; care should always be taken to ensure that any conditional actions placed upon the applicant are fair and reasonable and do not place unrealistic expectations upon them.

- 6.25** With regards to lump sum payments, there will be no need to establish entitlement to HB at the address from which the application is received. As long as the applicant was in receipt of HB/UC at their previous address (even if the property was outside the LA boundary) DHP may be paid. Checks should be carried out to establish whether or not the LA where the applicant previously resided have already paid DHP in respect of the move.
- 6.26** When considering an application for a deposit or rent in advance, the following criteria should be considered:-
- Why is the applicant moving? There must be a justification for the move, for example, medical reasons, over accommodation or overcrowding etc. DHP should not be used to cover situations where the applicant simply wishes to move to another property;
  - Will the new property be affordable to the applicant? DHP should only be considered when the new property is affordable and suitable for the claimant's needs.
- 6.27** If the application for deposit/rent in advance is for a property outside Anglesey, payment can still be made if the claimant is currently entitled to HB or UC within the area.
- 6.28** In certain circumstances, payment of DHP on two homes may be appropriate e.g. someone fleeing domestic violence.
- 6.29** Backdated awards can be considered, however, backdated DHP cannot be awarded in respect of a period before 2<sup>nd</sup> July 2001.

## **7. TIMESCALES**

- 7.1** DHPs are requested because the applicant is suffering hardship as a result of experiencing difficulty in meeting their housing costs. Consequently, it is essential that applications are dealt with as quickly as possible. Unless exceptional circumstances prevent it, all DHP applications should be determined within one month of receipt.
- 7.2** Where the officer administering the DHP application deems a home visit to be appropriate, this should be undertaken as soon as is practical so as not to create unnecessary delay to the determination process.
- 7.3** A home visit may not be required if all supporting evidence of income and expenditure is present with the DHP application **and** there is no indication of unreasonable expenditure or, that the applicant is living beyond his/her means in an unreasonable manner

## **8. THE AMOUNT OF DHP**

- 8.1** The amount and length of an award will vary depending on individual circumstances. It may take the form of a 'one off' payment or regular periodic payments. In some cases, an indefinite award may be appropriate. Where such an award is made, it should be reviewed on an annual basis in order to ensure that there has been no change in circumstances that may be relevant to the award.
- 8.2** The level of award may cover all or part of a shortfall in rent or assist with the costs of taking up a tenancy. However, awards must not exceed the amount of the claimant's eligible rent (this will not apply in the case of 'one off' payments such as deposits, rent in advance or removal costs).
- 8.3** Where 'one off' payments for rent in advance or rent deposits are made, the applicant should be made aware that the award must be used for the purpose stated. Failure to use the award for the stated purpose may result in the sum having to be repaid by the claimant.



## 9. APPEALS

- 9.1 DHP are not part of the HB scheme and are, therefore, not subject to normal appeal rights. However, the interests of natural justice dictate that there should be recourse to a formal review process where the applicant disagrees with the LA determination.
- 9.2 Where the applicant disagrees with the decision not to award DHP or the amount or length of award, they can request that the decision be reconsidered. The reconsideration will be undertaken by a different officer at a more senior level.
- 9.3 Should the applicant disagree with the reviewing officer's determination, they can request that the matter be referred to a panel of the Council's elected members for a final determination on the matter. When considering their decision elected members should ensure that their decision is made in accordance with the Council's DHP policy and be mindful of the fact that any award must not result in the Council's 'permitted total' being exceeded.
- 9.4 Should the applicant feel dissatisfied with the way that the matter has been dealt with by the LA, they also have recourse to the Local Government Ombudsman Service or Judicial Review

## 10. NOTIFICATIONS

- 10.1 Following determination of an application for DHP the applicant must be notified of the outcome in writing. Notifications will include the following:-
- The amount of award;
  - Whether the award is to be paid as a lump sum or over a period;
  - The period of the award including the date of termination if relevant;
  - The method of payment;
  - To whom the payment is to be made;
  - Where the award is for less than the amount of shortfall; an explanation of how and why the figure was determined;
  - Explain that the award is intended to:-
    - Allow the applicant time to seek cheaper alternative accommodation;
    - Negotiate a lower rent with the landlord;
    - Help alleviate short/medium term financial hardship.
  - Explain that awards made on the grounds of error, misrepresentation or a failure to declare material facts may be recovered;
  - Explain that the applicant is required to notify the HB section if their financial circumstances change during the period of DHP award. Failure to notify changes may result in recovery of the DHP;
  - An explanation of the appeals process.
- 10.2 Where the award is for a deposit it should include information about landlords' legal obligations to protect the deposit in government approved *tenancy deposit protection scheme*.
- 10.3 Where DHP has been refused, the notification must give sufficient information to allow the applicant to decide whether to request that the matter be reconsidered or to lodge an appeal. The notification should clearly state the reasons for the decision and the factors taken into account when reaching that decision.
- 10.4 The notification should also clearly distinguish that appeal rights relating to the determination for DHP are separate from the appeal rights relating to HB and UC

- 10.5** Where DHP is paid with HB, notifications must clearly show how much is HB and how much is DHP.
- 10.6** When a DHP award period is due to end, the claimant will be notified of the fact one month before the award is terminated. They will also be sent an application form for a repeat award. However, it should be made clear that there is no guarantee that a repeat application will be successful even if the claimant's circumstances remain unchanged.
- 10.7** Where the applicant has given their permission for the landlord to be made aware of the outcome of the DHP application, the Authority will notify the landlord of both successful **and** unsuccessful outcomes.

## **11. PAYMENT CYCLES**

- 11.1** Payment cycles will vary depending on the circumstances of the applicant and the reason for the award. Where a 'one off' payment is awarded, the notification should make that fact clear to the claimant.
- 11.2** Periodic payments will normally be made on a four weekly basis; however, weekly payments may be relevant should the claimant indicate that they have problems with money management/budgeting.

## **12. OVERPAYMENTS AND RECOVERY**

- 12.1** Where an award of DHP has been made as a result of an error, misrepresentation or failure to disclose a material fact, fraudulently or otherwise, any resulting overpayment may be recovered.
- 12.2** Overpaid DHP awards cannot be recovered from other prescribed benefits. The only method of recovery is to request repayment of the debt from the claimant. This may be via the council's sundry debtor system, debt collecting agencies or the courts.
- 12.3** There is no requirement for DHP awards in respect of rent deposits to be repaid so long as the award has been used for the purpose stated.
- 12.4** DHP awards made 'on account' under the fast track process should not be recovered

## **13. RECORD KEEPING**

- 13.1** Department for Work and Pensions are required to monitor how DHPs are being used by customers affected by welfare reform. Consequently, Local Authorities are required to record the main reasons for making awards. Each DHP award should be recorded under the following categories:-
- To support customers affected by the benefit cap;
  - To support customers affected by the social rented sector size criteria;
  - To support customers affected by LHA reforms;
  - Any other reason.

<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	<b>Executive Committee</b>
<b>Date:</b>	<b>17<sup>th</sup> March 2014</b>
<b>Subject:</b>	<b>Public Sector Investment Programme</b>
<b>Portfolio Holder(s):</b>	<b>Councillor Kenneth P Hughes</b>
<b>Head of Service:</b>	<b>Shan Lloyd Williams</b>
<b>Report Author:</b> Tel: E-mail:	<b>Dafydd J Rowlands</b> <b>01248 752240</b> <b>drxhp</b>
<b>Local Members:</b>	<b>N/A</b>

<b>A – Recommendation/s and reason/s</b>
<p><b>1.0 INTRODUCTION</b></p> <p><b>1.1</b> The attached Planned Maintenance Programme for 2014 – 2015 (Appendix 1) in the sum of £5.735m allocates the capital resources previously included in our approved HRA Business Plan. The overall budget will include for carried forward commitment and slippage from the approved budget for 2013 – 2014. Total budget including commitment is in the sum of £7.085m.</p> <p><b>2.0 WELSH HOUSING QUALITY STANDARD UPDATE</b></p> <p><b>2.1</b> Our Capital Programme for 2013 – 2014 confirmed our intention to commission a post Internal Investment Programme stock condition survey in order to:</p> <ul style="list-style-type: none"> <li>• Seek independent verification that WHQS compliance has been achieved</li> <li>• Inform future investment planning priorities and financial requirements; and</li> <li>• Update Stock Condition data prior to the adoption of asset management software, namely Keystone.</li> </ul> <p>Following a report to the Executive Committee during June 2013, the Housing Service engaged the services of an experienced company to undertake a representative 20%</p>

sample of the Housing Stock.

Below is an extract of the Executive Summary of the Stock Condition Survey undertaken during the summer of 2013:

*“The overall impression of the stock gained from the surveys is that it is in good condition having enjoyed the benefits of substantial Investment. The Council has finished the internal modernisation programme which consisted of new kitchens, bathrooms, rewires and heating systems. Whilst there has been investment in the external and environment areas continued investment will need to be carried out to meet the ongoing obligations of the WHQS.*

*Our survey has included an assessment of the properties against the criteria set out in the WHQS. Other than where the residents have refused works or it is not pragmatic to carry out the work the housing stock meets the requirements for the WHQS.”*

### **3.0 2014 – 2015 INVESTMENT PROGRAMME**

#### **3.1 Internal Investment Programme**

We are satisfied that, wherever practically possible, all properties meet WHQS with the exception of refusals of acceptable fail criteria. Improvement works on past refusals are automatically carried out at Change of Tenancy and we will continue to allocate capital funding for this work until all work has been completed.

This budget will also be utilised for the continued management of asbestos within the housing stock or, where appropriate, the removal of asbestos containing materials.

#### **3.2 Social Housing off-gas properties**

During January - September 2013, works to extend the mains gas network and the subsequent installation of central heating was completed at Tyddyn Mostyn, New Street and Llanfaes.

Completion of mains gas infrastructure works at Llanerchymedd is scheduled for February, 2014 and the installation of gas central heating will commence immediately on completion of this work by the Utility company.

#### **3.3 Traditional External Planned Maintenance**

Members will recall that during January 2013, the Welsh Government confirmed that our bid for Arbed 2 ERDF funding in respect of 66 homes in Holyhead had been successful. The properties involved in this scheme are of solid random stone construction and the primary measure currently being installed under Arbed is external wall insulation. The value of Arbed works together with supplementary works to Council dwellings is in the region of £2m. Due to the lead in time to finalise scheme particulars taken by WG appointed scheme managers, this contract will involve significant carried forward commitment to 2014-2015.

In addition, during July 2013, following a competitive open tender process, a contract was awarded to a local contractor for external refurbishment works to a further 25 solid wall properties in Holyhead.

Home improvement in both the above mentioned schemes will significantly improve the comfort and appearance of the homes as well as making them more affordable to heat.

Similar external refurbishment schemes will form the basis of our Capital Investment Plan for 2014-2015. It is our intention to continue utilising the sell2wales web portal to advertise contract notices and expect to issue five notices during 2014. Tenders for one scheme valued at approximately £750K are due to be received before the end of February 2014.

It is the Housing Service's aim that the above contracts and procurement strategy will afford local contractors every opportunity to bid for capital investment works.

### **3.4 Renewable Energy and Feed in Tariff**

The Housing Service has embraced solar technology and 312 Council owned properties benefit from Solar PV systems. A further 87 properties benefit from the installation of Solar Thermal technology.

In total, 129 of the above mentioned systems are eligible for Feed in Tariff (FIT) subsidy. Total income generated up to September 2013 is in the region of £140,000. During 2014-2015 it is proposed that we will commence recycling this income in order to install further Solar PV systems. The Housing Service proposes to prioritise new systems for up to 30 bungalows designated for the elderly which are located off the mains gas network during 2014-2015.

### 3.5 Review of Sheltered Accommodation

The Housing Service has commissioned external consultants to undertake an option appraisal of accommodation designated for the elderly in Llangefni. In particular, the review will focus on a certain estate that has, historically, been classified as 'difficult to let' due to age restrictions, classification of units and configuration of existing accommodation.

The review will explore options that may include refurbishment, reconfiguration or redevelopment to include potential for extra care facilities.

Funding has been allocated for 2014 – 2015 as a preliminary measure whilst options are developed and final recommendations are presented for approval.

#### **Recommendation**

Members are asked: to note and approve the allocation of capital budget for 2014 - 2015

#### **B – What other options did you consider and why did you reject them and/or opt for this option?**

N/a

#### **C – Why is this a decision for the Executive?**

To approve the allocation of capital budget

#### **CH – Is this decision consistent with policy approved by the full Council?**

#### **D – Is this decision within the budget approved by the Council?**

It is within the budget of the HRA Business Plan submitted to the Executive on 10<sup>th</sup> January, 2014.

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<b>DD – Who did you consult?</b>		<b>What did they say?</b>
<b>1</b>	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	
<b>2</b>	<b>Finance / Section 151</b> (mandatory)	
<b>3</b>	<b>Legal / Monitoring Officer</b> (mandatory)	No comment
<b>4</b>	<b>Human Resources (HR)</b>	No comment
<b>5</b>	<b>Property</b>	
<b>6</b>	<b>Information Communication Technology (ICT)</b>	
<b>7</b>	<b>Scrutiny</b>	
<b>8</b>	<b>Local Members</b>	
<b>9</b>	<b>Any external bodies / other/s</b>	

<b>E – Risks and any mitigation (if relevant)</b>		
<b>1</b>	<b>Economic</b>	Consultation taken place and comments noted
<b>2</b>	<b>Anti-poverty</b>	
<b>3</b>	<b>Crime and Disorder</b>	
<b>4</b>	<b>Environmental</b>	
<b>5</b>	<b>Equalities</b>	
<b>6</b>	<b>Outcome Agreements</b>	
<b>7</b>	<b>Other</b>	

<b>F - Appendices:</b>
Appendix 1: Planned Maintenance Programme 2014 - 2015

<b>FF - Background papers (please contact the author of the Report for any further information):</b>
Housing Revenue Account Business Plan 2014

**Estimate 2014-2015****PLANNED MAINTENANCE CONTRACTS AS FOLLOWS**

1 Balance on current contracts	£1,250,000.00
2 WHQS Internal Package (BMU) & Asbestos Management	£ 750,000.00
3 Energy Efficiency Measures	£ 100,000.00
4 Traditional Planned Maintenance	£4,000,000.00
5 Environmental works	£250,000.00
6 Sheltered Housing Review	£735,000.00

<b>TOTAL ESTIMATED EXPENDITURE</b>	<b>£7,085,000.00</b>
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**RESOURCES**

Major Repair Allowance	£2,600,000.00
Capital Receipts	£31,000.00
Revenue Contribution	£3,104,000.00
Feed in Tariff	£100,000.00
Carried forward commitment	£1,250,000.00

<b>TOTAL APPROVED BUDGET</b>	<b>£7,085,000.00</b>
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**Note**

*Further schemes requiring capital expenditure will reflect the results of detailed survey work. Any further identified schemes will be agreed with the Director of Finance in consultation with the Portfolio Holder for Housing*



<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	Executive
<b>Date:</b>	17 March 2014
<b>Subject:</b>	North Wales Adoption Service
<b>Portfolio Holder(s):</b>	Councillor Ken Hughes
<b>Head of Service:</b>	Anwen Huws
<b>Report Author:</b> Tel: E-mail:	Anwen Huws 01248751811 <a href="mailto:AnwenMHughes@ynysmon.gov.uk">AnwenMHughes@ynysmon.gov.uk</a>
<b>Local Members:</b>	Not applicable

<b>A –Recommendation/s and reason/s</b>
<p>Pursuant to Financial Procedure rule 4.8.6.4.1 the executive is asked to approve Isle of Anglesey County Council entering into a further partnership agreement, to deliver in scope adoption services via the North Wales Adoption Service until such time as the All Wales National Adoption Service is established in April 2014.</p> <p>The benefits to the local authority will be:-</p> <ol style="list-style-type: none"> <li>1.Continuity in our ability to deliver an adoption service which is compliant with legislation, regulation and guidance.</li> <li>2.Allows the Local Authority and the region to aligns with the national adoption agenda and to be well placed to meet the requirements of establishing the National Adoption Service and the enactment of the provisions of the bill.</li> <li>3.Adoption is a key service responsibility for the local authority, the current arrangements provides greater placement choice for the growing number of children requiring adoption across the region.</li> </ol>

<b>B – What other options did you consider and why did you reject them and/or opt for this option?</b>
<p><b>Background</b> In 2010 a formal partnership in relation to the provision of a Regional Adoption</p>

Service, with Wrexham Borough Council acting as host authority on behalf of the local authorities of the Isle of Anglesey, Wrexham, Flintshire, Denbighshire, Conwy and Gwynedd was established. The North Wales Adoption Service (NWAS) became operational on the 1st April 2010. The period of Partnership agreement was April 2010 – March 2013, and was extended for a further 12 months in March 2013. Within the resources allocated, the service complies with the adoption legislation regulations, guidance and national minimum standards. In scope services are:-

- Recruitment and assessment of prospective adoptees.
- Training of prospective adopters
- Ensuring appropriate matching of the child
- Step parent adoption
- Provision of a whole range of support services including birth parent counselling, step parent adoptions, intermediary service and letter box contact.
- Ensure effective links are monitored with local authority's children social services.
- Inter-country adoption services for those adults who are seeking to adopt a child from abroad.

Over the last three years, the North Wales Adoption Service has been consolidating its position, and in May 2013 undertook a service review, led by the Institute of Public Care/Oxford Brookes University. This provided an opportunity to review existing arrangements especially in light of the publication of 'Sustainable Social Services' and the recommendations for a move to a national adoption service. The review and associated implementation plan has ensured that the North Wales Adoption Service is well placed to further develop over the next 3 to 5 years, and able to adapt to the changing national policy.

### **National Context**

The Executive in its meeting on the 9th September, and resolved to approve the plan to establish a National Adoption Service for Wales, supported by Regional Collaborative and that Wrexham Borough Council act as the lead authority for the North Wales Region. In summary, the creation of a National Adoption Service is one of the key policy strands of the Welsh Government. The developed model will see a National Adoption Service responsible for various functions, with five Regional Adoption Collaboratives delivering the functions of the National Service including:-

- Ensuring compliance with legislation, regulation and the performance management framework.
- Recruitment and assessment of prospective adoptees.
- Ensuring appropriate matching of the child.
- Provision of a whole range of support services including birth parent counselling, step parent adoptions, intermediary service and letter box contact.

- Ensure effective links are monitored with local authority's children social services.

The proposed five regional collaboratives are:

- North Wales – Wrexham, Flintshire, Gwynedd, Conwy, Denbighshire and Ynys Mon;
- South East Wales – Blaenau Gwent, Monmouthshire, Torfaen, Newport and Caerphilly;
- West & Mid Wales – Ceredigion, Carmarthenshire, Pembrokeshire and Powys;
- Western Bay – Bridgend, Neath Port Talbot and Swansea; and
- Mid & South Wales – Cardiff, the Vale of Glamorgan, Merthyr Tydfil and Rhondda-Cynon-Taff.

**C – Why is this a decision for the Executive?**

The current Partnership Agreement comes to an end in March 2014; and there is no further provision for extension within the current Partnership Agreement. In accordance with Financial Procedure rule 4.8.6.4.1 The Executive is responsible for approving delegations, including frameworks for partnerships. Therefore approval is required from the Executive to enter in to a further partnership agreement to deliver the in scope adoption services, until such time as the National Adoption Service and the five collaborative are established

**CH – Is this decision consistent with policy approved by the full Council?**

The decision required is not contrary to any policy within the remit of the full Council.

**D – Is this decision within the budget approved by the Council?**

Yes

**DD – Who did you consult?**

**What did they say?**

1	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	
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2	<b>Finance / Section 151</b> (mandatory)	The budget is in place for a further year and the proposals is compliant with Financial Regulations.
3	<b>Legal / Monitoring Officer</b> (mandatory)	No objections.
4	<b>Human Resources (HR)</b>	Should the Partnership be dissolved the individual officers would return to the direct management of the Local Authority, as the requirement to provide the service would remain
5	<b>Property</b>	N/A
6	<b>Information Communication Technology (ICT)</b>	N/A
7	<b>Scrutiny</b>	No
8	<b>Local Members</b>	N/A
9	<b>Any external bodies / other/s</b>	N/A

<b>E – Risks and any mitigation (if relevant)</b>		
1	<b>Economic</b>	N/A
2	<b>Anti-poverty</b>	N/A
3	<b>Crime and Disorder</b>	N/A
4	<b>Environmental</b>	N/A
5	<b>Equalities</b>	Will provide a service that is statutory compliant for some of the most vulnerable children
6	<b>Outcome Agreements</b>	N/A
7	<b>Other</b>	

<b>F - Appendices:</b>
Appendix 1 – Synopsis of Progress against the Implementation plan including details of staffing implications and funding formula

<b>FF - Background papers (please contact the author of the Report for any further information):</b>
Report to Executive 9th September 2013 – Establishing a National Adoption Service

Appendix 1

Workstream 1	Achieved																																								
Agree new Vision, Aims and Objectives for the service	Yes in full																																								
Review Legal basis for agreement	In progress and will be completed by 01.04.14																																								
Statutory Director to be identified to champion the service.	Yes – Gwen Carrington, Director Community (Ynys Mon)																																								
Funding Model	<p>No changes for 2014/15 to the original formula based on percentage population. Developing the cost model for Regional Adoption Service will become one of the national working groups which will consider in detail the options and implications of funding and partnership arrangements. It would seem beneficial to participate in this work and review funding formula in line with the conclusions of this work.</p> <p><b><u>North Wales Adoption Service - Local Authority Contributions 2014-2015</u></b></p> <table border="1"> <thead> <tr> <th>LA</th> <th>Staff Contribution</th> <th>Cash Contribution</th> <th>TOTAL</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Conwy</td> <td>£110,156.71</td> <td>£14,994.29</td> <td>£125,151.00</td> <td>16.50</td> </tr> <tr> <td>Denbighshire</td> <td>£75,262.00</td> <td>£30,927.00</td> <td>£106,189.00</td> <td>14.00</td> </tr> <tr> <td>Flintshire</td> <td>£75,262.00</td> <td>£94,640.00</td> <td>£169,902.00</td> <td>22.40</td> </tr> <tr> <td>Gwynedd</td> <td>£86,472.50</td> <td>£47,022.50</td> <td>£133,495.00</td> <td>17.60</td> </tr> <tr> <td>Wrexham</td> <td>£105,033.34</td> <td>£42,114.66</td> <td>£147,148.00</td> <td>19.40</td> </tr> <tr> <td>Ynys Mon</td> <td>£75,262.00</td> <td>£1,346.00</td> <td>£76,608.00</td> <td>10.10</td> </tr> <tr> <td><b>TOTAL</b></td> <td><b>£527,448.54</b></td> <td><b>£231,044.46</b></td> <td><b>£758,493.00</b></td> <td><b>100</b></td> </tr> </tbody> </table>	LA	Staff Contribution	Cash Contribution	TOTAL	%	Conwy	£110,156.71	£14,994.29	£125,151.00	16.50	Denbighshire	£75,262.00	£30,927.00	£106,189.00	14.00	Flintshire	£75,262.00	£94,640.00	£169,902.00	22.40	Gwynedd	£86,472.50	£47,022.50	£133,495.00	17.60	Wrexham	£105,033.34	£42,114.66	£147,148.00	19.40	Ynys Mon	£75,262.00	£1,346.00	£76,608.00	10.10	<b>TOTAL</b>	<b>£527,448.54</b>	<b>£231,044.46</b>	<b>£758,493.00</b>	<b>100</b>
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Review role of Operational Management Group	Will step down in 2014/15
Establish Terms of Reference for new Partnership Board accountable to the North Wales Heads of service, NWSICC and North Wales Health and Social Care Partnership Board in addition to accountability to local authority director of social services and democratic processes via partner representation on the Management Board	Yes in full
Workstream 2	
Review of Service Structure	Completed. Recommended additional Business Support capacity to support the development of service strategy, performance management and overall service management. Staff who remain in Partner employment will remain seconded to the host authority.
Review of service	Completed: Recommendations

location	<p>Retain the existing operational bases</p> <p>Modernise ways of working through maximising IT, streamlining processes and moving away from paper based systems</p> <p>Relocate to a more geographically central base the centralised functions of service management, recruitment and training</p> <p>Consider centralising to this central base administration/facilitation of panel, matching meetings and supervision</p>
Workstream 3	
To strengthen systems and practice	<p>Work is ongoing to develop systems and practice which will strengthen the service and make it 'fit for purpose' over the next 3 – 5 years. This includes considering changes in delivery of some aspects of the service e.g. step parent adoptions, after adoption support; improving performance in relation to timelessness of decisions and planning for individual children: promoting consistency in practice and quality across the region: and a strategic approach to the recruitment of prospective adopters</p> <p>.</p>

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ISLE OF ANGLESEY COUNTY COUNCIL	
<b>Report to:</b>	<b>Executive Committee</b>
<b>Date:</b>	<b>17<sup>th</sup> March, 2014</b>
<b>Subject:</b>	<b>Local Authority Homes for Older People – Setting the Standard Charge</b>
<b>Portfolio Holder(s):</b>	<b>Councillor Kenneth P Hughes</b>
<b>Head of Service:</b>	<b>Carys Emyr Edwards (Acting Head of Service)</b>
<b>Report Author:</b>	<b>Gareth Llwyd, Business Support Unit Manager</b>
Tel:	<b>2708</b>
E-mail:	<b>GarethLlwyd@anglesey.gov.uk</b>
<b>Local Members:</b>	<b>Various</b>

<b>A –Recommendation/s and reason/s</b>							
<p>The Local Authority needs to set the level of its Standard Charge for the year April, 2014 – March 2015.</p> <p>Members have determined a general guideline of a <b>5%</b> increase for fees and charges. Charges in relation to local authority owned residential accommodation can be treated as an exception as it is governed by a statutory provision which sets out how it should be calculated.</p> <p>As in previous years, the cost of all the homes has been pooled to calculate an average standard charge for the homes in accordance with National Guidance.</p> <p>Caution should be taken if the standard charge is compared with that of other authorities, since despite guidance, other authorities may not have calculated the charge on exactly the same basis. However, in terms of background information, we note below the 2013/14 standard charge levels in respect of Local Authority accommodation in both Gwynedd and Conwy:-</p> <ul style="list-style-type: none"> <li>• Gwynedd - £581.28</li> <li>• Conwy - £508.00</li> </ul> <p>The following table calculates the <b>estimated cost</b> per resident week for the year to <b>31 March 2014</b></p> <table border="1" data-bbox="128 1465 904 1663"> <tbody> <tr> <td>Number of Beds Available</td> <td>161</td> </tr> <tr> <td>Estimated Occupancy Rate</td> <td>84.00%</td> </tr> <tr> <td>Estimated Number of Resident Weeks</td> <td>7,051</td> </tr> </tbody> </table>		Number of Beds Available	161	Estimated Occupancy Rate	84.00%	Estimated Number of Resident Weeks	7,051
Number of Beds Available	161						
Estimated Occupancy Rate	84.00%						
Estimated Number of Resident Weeks	7,051						

	2014/15	2014/15	2013/14
	£	£	£
Estimated Running Cost for 2014/15	3,876,795	549.82	459.52
Add – Depreciation charge	257,297	36.49	32.62
- Support Services	217,958	30.91	27.95
	4,352,050	617.22	520.09
Less Income From Non Residential Activities	-40,000	-5.67	-30.06
	<b>4,312,050</b>	<b>611.55</b>	<b>490.03</b>
<b>Increase from 2013/14 standard charge</b>	<b>24.80%</b>	<b>£121.52</b>	

It is therefore recommended:

- To set the standard charge for 2014/15 at £611.55 per week, which is £121.52 more than in the current financial year.
- That the Council takes account of the costs incurred within residential care from implementing the Adult Transformation Programme and that these costs are taken into account when setting the fee for 2014/15 for those contributing towards the cost of care.
- That the increase for those contributing towards the cost of care is consistent with the guidance for council services and set at 5%.

**B – What other options did you consider and why did you reject them and/or opt for this option?**

This is the standard fee which the Authority is obliged to charge those residents who have the **financial means to pay the full cost** of their residential care. Our planning assumption around our local self-funding population has been reviewed over recent weeks to ensure that it still remains current. This review clearly identifies a marked reduction of 5% in self-funders choosing to move into local authority residential accommodation. Our planning assumption that the full standard charge would apply to 25% of the resident population now therefore needs to be amended to 18%. This equates to 27 individual service users.

**C – Why is this a decision for the Executive?**

Local Authorities are required under Section 22 of the National Assistance Act 1948 to set the Standard Charge for their homes at an amount equivalent to the full cost to the Authority of providing the accommodation.

**D – Is this decision consistent with policy approved by the full Council?**

This decision is consistent with National Policy as outlined in section C above.

**DD – Is this decision within the budget approved by the Council?**

The total number of available beds across the Local Authority's 6 residential units and underpinning the standard charge in respect of 2012/13 was 161 coupled with an estimated occupancy level of 95%. Internal remodelling of the provision during 2012 has resulted in a reduction in the total number of beds – the reduction in the availability of double room has now resulted in the availability of Internal Provision of residential beds reducing from 169 to 161.

An analysis of occupancy levels during the period April to December 2013 has painted a picture of an increase in voids. Management action to restrict admissions to Brwynog and Garreglwyd within the Adult Transformation Programme has contributed to the overall figure.

There was an expectation that 5% efficiencies could be identified in the running costs of the homes during 2013/14 and this has been achieved.

**E – Who did you consult?****What did they say?**

1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	✓
2	Finance / Section 151 (mandatory)	✓
3	Legal / Monitoring Officer (mandatory)	✓
5	Human Resources (HR)	✓
6	Property	
7	Information Communication Technology (ICT)	
8	Scrutiny	
9	Local Members	
10	Any external bodies / other/s	

<b>F – Risks and any mitigation (if relevant)</b>		
<b>1</b>	<b>Economic</b>	
<b>2</b>	<b>Anti-poverty</b>	
<b>3</b>	<b>Crime and Disorder</b>	
<b>4</b>	<b>Environmental</b>	
<b>5</b>	<b>Equalities</b>	
<b>6</b>	<b>Outcome Agreements</b>	
<b>7</b>	<b>Other</b>	

<b>FF - Appendices:</b>

<b>G - Background papers (please contact the author of the Report for any further information):</b>

ISLE OF ANGLESEY COUNTY COUNCIL	
<b>Report to:</b>	<b>Executive Committee</b>
<b>Date:</b>	<b>17<sup>th</sup> March, 2014</b>
<b>Subject:</b>	<b>2014/15 Independent Sector Care Home Fee Levels</b>
<b>Portfolio Holder(s):</b>	<b>Councillor Kenneth P Hughes</b>
<b>Head of Service:</b>	<b>Carys Emyr Edwards (Acting Head of Service)</b>
<b>Report Author:</b>	<b>Gareth Llwyd, Business Support Unit Manager</b>
Tel:	<b>2708</b>
E-mail:	<b>GarethLlwyd@anglesey.gov.uk</b>
<b>Local Members:</b>	<b>Various</b>

**A –Recommendation/s and reason/s**

Fee levels in respect of independent sector care homes need to be reviewed annually by the Local Authority to coincide with Central Government revision of benefit and pension levels which will apply this year from **07/04/14**. In setting the fee levels for independent sector care homes, consideration needs to be given to The need to demonstrate that we have taken the costs of provision fully into account in determining our standard care fees. This is done in collaboration with the other North wales local authorities and the Health Board through the application of a **regional fees methodology**.

Throughout the development of the methodology, considerable emphasis has been given to improving the quality of care provided to residents of care homes. This has included a critical review of the number of hours required to support residents based on staff rota returns from a number of care homes across the region. However, insufficient returns were received from care homes to the staffing survey conducted during 2013/14 to produce valid data to inform the estimation of real staff costs for providers.

This local regional data was compared and contrasted with Care Forum Wales data on staffing hours (which itself was originally drawn from available national toolkits such as that published by Laing and Buisson in 2008).

The methodology takes into account research data provided by Care Forum Wales over the past three years. Some cost components of the Care Forum Wales data have been adjusted to reflect regional conditions. Overall however, the use of the Care Forum Wales data provides additional assurances that care fees will be set on a reasonable basis. Information has also been used from the Joseph Rowntree and Laing and Buisson organisations (both of which are well established and reputable in the field of care fees).

The North Wales methodology has recommended a 1.7% increase for 2014/15 which sets fee levels as follows (see appendix 3):

Category	2013/14 Fee level	2014/15 Fee level	Increase £	% increase
<b>Residential (Older People)</b>	£451	£458.16	7.65	1.70
<b>Residential (EMI)</b>	£493 £510*	£501.69 £518.72*	8.47 8.77*	1.72
<b>Basic Nursing (Social care element)</b>	£505.70	£514.40	8.70	1.72
<b>Nursing (EMI) (Social Care element)</b>	£529.69	£538.85	9.16	1.73

Ynys Môn enhanced fee level for specialist residential dementia care as agreed in 2013/14 to encourage the development of specialist provision.

The North Wales Social Services Collaborative (NWSSIC) has also approved, at its meeting on 26/02/14, a 1.7% increase on the standard fee for all adult placements in residential and nursing homes along with a 1% increase on high cost placements arranged through the North Wales Regional Commissioning Hub.

NWSSIC recommend a 0% increase on fee levels during 2014/15 on residential placements for children and young people which are arranged through the North Wales Regional Commissioning Hub since further negotiations will need to take place with individual providers to rationalise high cost weekly fee levels for each child/young person placed.

The Executive Committee is requested to:-

1. Adopt the evolving North Wales fees methodology as implemented hitherto by the North Wales Authorities to underpin fee setting on the Isle of Anglesey during 2014/15 (Appendix 3).
2. Endorse the recommendation to increase fee levels by 1.7% per week in relation to the 2014/15 fee setting across North Wales.
3. Increase fee levels for high cost low volume placements (i.e. Learning Disability / Mental Health / Substance Misuse & Physical Disability) arranged through the North Wales Regional Commissioning Hub by 1.7% on the core fee and by 1% on the total fee per resident for high cost placements as agreed with the other North Wales local authorities and approved by NWSSIC.
4. To approve a 0% increase – as approved by NWSSIC on 26/02/14 - on high cost placements for children and young people arranged through the North Wales Regional Commissioning Hub.

**B – What other options did you consider and why did you reject them and/or opt for this option?**

Each year, Care Forum Wales (CFW) present a submission to the North Wales Regional Fees group to increase fee levels on behalf of the Care Home sector. CFW's submission for 2014/15 is included in appendices 1 & 2.

The implications of the Care forum Wales submission on current fee levels is shown in the table below:

**CARE FORUM WALES FEE SUBMISSION (NATIONAL –  
BASED ON CURRENT INDUSTRY NORMS): 2014/15**

Category of Home	Current Fees £/wk *	Care Forum Wales Claim (2014/15)		Increase £/wk
		Floor £/wk	Ceiling £/wk	
<b>Elderly Residential</b>	451	507.42	589.89	+ 56.42 - 138.89
<b>EMI Residential</b>	493 510	521.48	603.95	+28.48 - 110.95 + 11.48 - 93.95
<b>Elderly Nursing (excl FNC)</b>	505.44	570.07	652.54	+ 64.63 – 147.10
<b>EMI Nursing (excl FNC)</b>	529.44	596.55	679.02	+ 67.11 - 149.58

(\* includes third party top-up premium of £25 residential / £35 nursing)

The cost of meeting this national fee claim is far beyond the capacity of the Local Authority's budgets for Older People in North Wales. Therefore, the application of the North Wales Fee Methodology has resulted in a recommendation to increase weekly fee levels by 1.7% to meet the additional costs outlined in the attached Methodology spreadsheet (see appendix 3). The methodology (APPENDIX 3) breaks down the fee paid per resident/week under three main headings:

- hotel;
- other;
- staff costs.

### **Nursing Home Fees**

Nursing care home fees are made up of two components as described below:-

- The Local Authority contribution (referred to as the **social care element**);
- The NHS contribution (referred to as the **NHS Funded Nursing Care Contribution - FNC**) which is paid by Betsi Cadwaladr University Health Board has been revised at the National Level by Welsh Government during 2013/14.

During November 2013 we were informed that the Health Boards had agreed to an inflationary uplift of £18.05 per resident per week for direct nursing salary costs and that 50% of this should be applied from 1st April 2013. This has therefore meant that the FNC element has increased from £120.56 to a new weekly rate of £129.59 with the full £18.05 per resident per week for direct nursing salary costs being applied from 01/04/14. The new weekly rate from 01/04/14 will be £138.61.

### **C – Why is this a decision for the Executive?**

The requirement for local authorities to determine care home fee levels is consistent with national policy as outlined in Commissioning Guidance issued by Welsh Government. This decision has financial implications on local authority budgets and affordability in the current financial climate.

### **D – Is this decision consistent with policy approved by the full Council?**

This decision is consistent with approval to collaborate with the other North Wales local authorities in applying the North Wales Fee Methodology when determining fee levels on an annual basis.

**DD – Is this decision within the budget approved by the Council?**

In October 2013, the Department submitted a growth bid to the council to cover the potential cost of increasing fee levels across all services during 2014/15. Sufficient funds have been approved to cover the cost of the proposed increase in fee levels for 2014/15.

The total cost of increasing fee levels by 1.7% for all adult residential and nursing home placements has been estimated as 146,180.49 as indicated in the table below.

<b>User group Budget</b>	<b>Estimated 2013/14 expenditure</b>	<b>+ 1.7% for 2014/15</b>
Older People Residential (inc. EMI)	3,290,600.35	55,940.21
Older People Nursing (inc. EMI but less Health Authority contributions)	2,123,976.31	36,107.60
Adult Physical Disability Residential (less Health Authority contributions)	292,775.35	4,977.18
LD Residential (less Health Authority contributions)	1,917,409.00	32,595.95
MH Residential (less Health Authority contributions)	974,091.45	16,559.55
<b>TOTALS</b>	<b>8,598,852.45</b>	<b>146,180.49</b>

The following additional funds are available to fund any increase in fee levels in respect of the 2014/15 financial year:-

- Inflation at 2.0% on Local Authority contributions towards the fees – this has been calculated on the basis of the increase in costs shown in the methodology;
- Additional resident income (through increase in state benefits/pensions) which equates to £2.95 per person/week;
- Health Board contribution to nursing home placements (see above);
- Corporate contingency – further funds have been provided by the Authority to bring Anglesey fees into line with the evolving application of the North East Wales fees methodology.

**E – Who did you consult?****What did they say?**

<b>1</b>	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	Requested confirmation that sufficient funds are available to meet the proposed 1.7% increase in fee levels for 2014/15. Finance has confirmed funding as a growth budget to meet the cost of any agreed increase (see Section DD above).
<b>2</b>	<b>Finance / Section 151</b> (mandatory)	✓
<b>3</b>	<b>Legal / Monitoring Officer</b> (mandatory)	✓
<b>4</b>	<b>Human Resources (HR)</b>	✓
<b>5</b>	<b>Property</b>	
<b>6</b>	<b>Information Communication Technology (ICT)</b>	



7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	<ul style="list-style-type: none"> <li>• Care Forum Wales</li> <li>• All other North wales local authorities and Betsi cadwaladr University Health Board in applying the North wales Fee Methodology.</li> </ul>

<b>F – Risks and any mitigation (if relevant)</b>		
1	Economic	<ul style="list-style-type: none"> <li>• Sustainability of the local residential/nursing care home sector</li> <li>• Mitigation: Application of a North wales approach to fee setting to ensure consistency in applying fee increase on an annual basis.</li> </ul>
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	
5	Equalities	
6	Outcome Agreements	
7	Other	Risk of legal challenge by the Care Home Sector mitigated through adopting a North Wales approach to fee setting and the application of the North Wales Fee Methodology.

<b>FF - Appendices:</b>
Appendix 1 – Care Forum wales North Wales Fee submission for 2014/15 Appendix 2 – CFW North Wales Fee calculations 2014/15 CFW Appendix 3 – North wales application of Fee Methodology

<b>G - Background papers (please contact the author of the Report for any further information):</b>
National Service Framework for Older People in Wales Fulfilled Lives, Supportive Communities – Commissioning Framework Guidance and Good Practice Dignity in Care Programme for Wales Sustainable Social Services for Wales: A Framework for Action in Wales



## Care Home Fees 2014/15 in North Wales

Care Forum Wales represents over 400 social care providers in Wales. As you are considering your budget for 2013/4 we are writing setting out the pressures and costs on care homes for you to consider in your fee setting process.

We would remind you of the framework in which you make these decisions:

- The Fulfilled Lives, Supportive Communities Commissioning Framework and Guidance <http://wales.gov.uk/topics/health/publications/socialcare/circular/commissioningguidance/?lang=en>. We would particularly draw your attention to Standard 10: “Commissioners have understood the costs of directly provided and contracted social care services and have acted in a way to promote service sustainability.”
- The Guidance also requires in standard 4 the importance of working in partnership with others including providers: “Commissioning plans have been developed with partners and have involved all key stakeholders including users, carers, citizens and service providers in the statutory, private and third sector.”
- The Memorandum of Understanding *Securing Stronger Partnerships in Care* <http://www.wlga.gov.uk/english/health-social-services-publications/securing-strong-partnerships-in-care/> also says: “Rational fee-setting is vital to the sustainability and quality of care provision, and to the capacity of the Council to meet its full range of responsibilities and a wide range of needs, as well as to fix an acceptable level of Council Tax. It is essential that the specific issue of fee-setting is on the agenda for those regular local discussions between Council commissioners and independent providers of social care.”

These legal requirements apply to fee setting across social care including domiciliary care and all care home placements. Traditionally Care Forum Wales has provided additional evidence based on the block fees set for care homes for older people and this is what we set out to do in this submission.

In this context we also discuss the interaction of *Funded Nursing Care* rates paid by the NHS and local authority rates.

All six local authorities in North Wales have indicated that they are likely to set fees based on the toolkit that the majority of them have used last year. Care Forum Wales is satisfied with the structure of the toolkit but is not always happy with the figures used. Therefore we have set our fee submission out in parts:

- Changes we would like to see to the baseline figures in the toolkit;
- Inflationary impacts on last year’s toolkit;
- New matters for consideration within the toolkit;
- Impacts from the Welsh Health Boards assessment of FNC payments.
- Appendix relating to Anglesey.



## **Changes we would like to see to the baseline figures in the toolkit**

### *Return on investment*

As you know we have never been satisfied on the baseline amount used for return on investment in 2012/13 by the four eastern counties and frozen for 2013/14 of £97.79 which purported to be for a new build cost including land, building and fixtures and fittings to meet regulations.

Members who have gained quotes for extensions and new developments would very much like to pointed to the firms who were quoting at this level! Our figures based on inflating the costs used in the Laing & Buisson survey as commissioned by Welsh Local Government Association by the Building Costs Index were £184.37 last year. Applying the 1.7% Buildings Cost Index to the end of the second quarter of 2013 would give £187.50. However, as per the work from Laing & Buisson we would be happy to agree a floor level for those homes which do not meet the minimum physical standards for new care homes. This would include a discount of £79.34 giving a total of £105.03 for return on capital for those homes that do not meet the relevant minimum standards.

We also remain unclear whether the listed item of maintenance of capital equipment is actually capital expenditure on maintenance. We are unclear whether or where revenue costs of repairs and maintenance are included.

These calculations do not take into account new regulations on sprinklers in new build properties which have come into effect for new builds. The cost of installing sprinklers is likely to be at least £3000 for each premises and potentially more as Dŵr Cymru tell us that across Wales water pressure is likely to be non-compliant 47% of the time and pumps may be needed as well. As care home provision is refreshed in your area the cost of buildings will increase in line with this measure.

We would also like to see consideration given for higher repairs and maintenance costs for EMH homes. Because of the nature of the client base we believe that unless high repairs and maintenance costs are paid it may be difficult to attract new entrants into this sector of the market. Whatever CSSIW decides on in the future regarding registration categories for EMH we believe there is an increased cost, both in terms of staffing and also repairs and maintenance costs for EMH residents, which needs to be included in fee calculations.



**Carer hours per resident per week**

We queried the hours used last year and understand that local authorities sent a survey out to providers earlier this year, which we were not consulted on or even informed of in advance and have not seen the results of.

However, our experience is that dependency has increased since the last Laing & Buisson survey and therefore more carer hours are needed. This is not surprising as authorities are increasingly seeking to keep people at home as long as possible and therefore those that are admitted to care homes are significantly more dependent each year. This is also backed up by CSSIW as we are frequently finding that inspectors are querying staffing levels as potentially inadequate, when they are already above the ratio paid for by authorities. We have therefore included figures in our submission for:

Basic Residential	21 hours
VDE	23 hours
EMI Residential	23 hours
Nursing	25 hours
EMI Nursing	28 hours



### **Inflationary and other impacts on lines in last year's toolkit**

The National Minimum Wage increased by 1.9% in October 2013 and this is the main driving force on carer's wages;

The Building Costs Index increased by 1.7% in the 12 months to the end of second quarter of 2013.

With regard to inflation, Care Forum Wales has always asserted that RPI provides a better measure than CPI for the care sector, as 55% of the basket of goods used to calculate CPI are not purchased by the sector and included in the toolkit e.g. clothes, alcohol and spirit, sports and leisure activities and entertainment. RPI was 3.3% in 12 months to August 2013. An alternative approach would be to use individual inflation lines for food, fuel etc.

One line we would like to draw particular attention to this year is insurance. Many care providers are finding it costly to renew insurance and indications from a leading mortgage broker are that the market of insurers covering the sector has halved in the past year. This is leading to a standard 30-40% increase in premiums with each applicant and their CSSIW report being examined with a fine toothed comb. The highest increase we have heard of is 1200%.

We are also seeing new pressures on staffing due to the introduction of new systems by Inland Revenue in anticipation of universal credit which mean weekly reporting of earnings and therefore an increasing reluctance of staff to vary hours and cover for each other etc. as they may lose benefits.

These costs are also based on existing staff terms of conditions. Our members would like to be able to offer improved staff terms and conditions to aid retention and increase staff morale. However, they recognise that in current economic circumstances local authorities may have some resistance to increasing fees to a level to allow for this. However, we know that some local authorities are considering implementing the living wage, and would urge those that do so not to forget the care staff in the organisations they are commissioning care from. The sector has also been under pressure to reduce the use of zero hours contracts. It needs to be recognised that these are often the result of the way care is commissioned.

Food quality within care homes has also been raised as an issue – both in terms of schemes such as those by the Soil Association, to improve provenance of food, but also worthwhile initiatives to reduce food supplements which while with merit transfer costs from the NHS to the provider.

Finally we would draw your attention to the proposal within Welsh Government's Inspection and Regulation White Paper to re-introduce inspection fees. Were this to go ahead it would obviously provide a significant burden on the sector.



## **New matters for consideration within the toolkit**

### *Pension changes*

Automatic enrolment into a pension scheme for staff aged 16-74 who an employer deducts tax and NI for has been introduced in a phased way from 1 October 2012. During the 2013/14 financial year all employers with 250+ employees are being required to roll out the scheme and smaller employers are being to put systems in place in anticipation of introduction in 2014/15. Indications so far (primarily from supermarkets) are that only a very small proportion of even low paid staff are opting out and therefore this will be an increased burden on employers.



## **Impacts from the Welsh Health Boards assessment of FNC payments.**

### **NHS contribution to nursing fees**

At the time of writing Health Boards across Wales are proposing an increase of £18.05 in the FNC fee from 1 April 2014 (with half of that backdated to 1 April 2013). This follows a review and a report produced for the Welsh Health Boards by Laing & Buisson some aspects of which we are still in discussion about. However the report does set out very clearly what the Health Boards see as being covered by the Funded Nursing Care rate and would therefore remind local authorities of Paragraph 37 of the *NAFWC 25/2004 NHS Funded Nursing Care in Care Homes - Guidance 2004* which clearly identifies that there should be no gap between local authority and NHS provision. *“37. Providers, local authorities and Local Health Boards will need to agree a total funding package that takes into account the NHS contribution. When making arrangements for residential care for an individual under the National Assistance Act 1948, local authorities are responsible for the remaining costs of accommodation and personal care. There should be no gap between local authority and NHS provision.”*

The proposed increase in FNC is described in the Laing & Buisson report as “a contribution towards nursing costs”. It does not cover the full cost of nurse cover 24/7 in a nursing home, let alone the extra costs of equipping a nursing home. This is on the basis of the Health Board’s assumption that some of a nurse’s time is spent not on nursing care but on social care and that they are therefore not required to pay for this time. By implication given that although delivered by a nurse this care is not nursing care, local authorities are able and expected to pay for it. By the calculations of the Laing & Buisson report there is a shortfall of £27.33 per resident per week (or £29.21 if the Health Boards procurement scheme for continence products is not up and running for 1 April 2014). Given the requirements above we believe local authorities may be liable to make up the shortfall and at the very least need to enter into discussions with the Health Board about it to ensure there is no gap.

### **A sustainable social care sector**

We recognise, of course, that this is a difficult time for local authority budgets, but in the care sector there is no fat to trim. Anything other than an increase to meet an increase in costs will hurt the vulnerable people we care for. Our members are getting increasing financial pressure from lenders, some of whom require a home to be profitable at 85% occupancy even if the home has always had a higher occupancy. Everyone wants to see a sustainable care sector for the point of view of residents and your commissioning plan no doubt requires one. As you will be aware the majority of care homes in Wales are SMEs and we hope your Commissioning Strategy will also take into account the effect on the Welsh pound and economic development within your area of how you commission your care provision. We are of course very happy to work with you in terms of identifying potential efficiency savings in the care sector.



**Final fee recommendations 2014-15**

Residential	£507.42 - £589.89
Residential EMI / VDE (where higher rate continues)	£521.48 - £603.95
Nursing	£570.07 - £652.54 plus FNC £138.61
Nursing EMI	£596.55 - £679.02 plus FNC £138.61

*Mary Wimbury, Senior Policy Adviser*





### **Appendix relating to Anglesey**

In March 2013 Anglesey decided to adopt the toolkit developed by North East Wales in its fee setting for 2013/14. The calculations used were based on current provision in homes in NE Wales broadly in line with National Minimum Standards. However, I understand from providers in Anglesey that in order to be able to receive the fees calculated under the toolkit they have been asked to satisfy Anglesey's quality requirements. The Anglesey Quality Contract asks providers to demonstrate "ways in which National Minimum Standards are exceeded in the home". In particular I note the inclusion of a number of training requirements which are not mandatory, and therefore have a cost implication which is not covered in the toolkit. In order to ensure Anglesey Council complies with Standard 10 in the Commissioning Guidance "Commissioners have understood the costs of directly provided and contracted social care services and have acted in a way to promote service sustainability." it needs to consider what the cost implications are for requiring providers to exceed National Minimum Standards.

<b>Fee Calculations 2014/15</b>		
<b>The figures below do not include FNC elements accepted by the Health Board</b>		
	<b>Fee 2012/13</b>	<b>Fee 2013/14</b>
<b>INDIRECT COSTS</b>		
Utilities	£24.73	26.95
Electric		
Gas		
TV License		
Council Tax		
Water		
Telephone		
Registration (Professional Membership, CRBs etc)	£1.17	1.19
Recruitment	£2.25	2.29
Contract maintenance of equipment	£3.25	3.32
Maintenance of capital equipment	£19.93	20.37
Gardener /handyman	£7.47	7.60
Furniture/Fittings including repairs and renewals	£6.31	12.29
Training	£2.23	2.28
Non prescription medical supplies	£3.37	3.44
Insurance	£5.62	5.74
Groceries & household provisions	£25.85	26.5
<b>Total Indirect Costs</b>	<b>£102.18</b>	<b>£111.97</b>
<b>Other Costs -standard for all categories of care</b>		
Return on Investment	£97.79	97.79
ROI not meeting min physical standards		
Additional Expenses (not covered elsewhere)	£6.47	16.72
<b>Sub Total</b>	<b>£104.26</b>	<b>114.51</b>
Floor Sub total		
<b>RESIDENTIAL STAFF COSTS</b>		
Management /Admin	£13.15	45.00
Registered Manager Costs	£44.51	
Care Staff	£141.01	143.55
Domestic Staff (cleaning and laundry)	£34.85	35.48
<b>Sub Total</b>	<b>£233.52</b>	<b>£224.03</b>
<b>at floor level</b>		
<b>TOTAL RESIDENTIAL</b>	<b>£439.96</b>	<b>£450.51</b>
<b>EMI RESIDENTIAL</b>		
Local/Central admin costs (e.g. office rent)	£13.15	45.00
Registered Manager Costs	£44.51	
Care Staff	£182.96	186.26
Domestic Staff (cleaning and laundry)	£34.85	35.48
<b>Sub total</b>	<b>£275.47</b>	<b>£266.74</b>
<b>at floor level</b>		
<b>TOTAL EMI RESIDENTIAL (and VDE where</b>	<b>£481.91</b>	<b>£493.22</b>
<b>NURSING</b>		
Local/Central admin costs (e.g. office rent)	£13.15	45.00
Registered Manager Costs	£44.51	
Care Staff	£195.22	198.74
Domestic Staff (cleaning and laundry)	£34.85	35.48
Nursing shortfall		
<b>Sub total</b>	<b>£287.73</b>	<b>£279.22</b>
<b>at floor level</b>		
<b>TOTAL NURSING</b>	<b>£494.17</b>	<b>£505.70</b>
<b>EMI NURSING</b>		
Local/Central admin costs (e.g. office rent)	£13.15	45.00
Registered Manager Costs	£44.51	
Care Staff	£218.79	222.73
Domestic Staff (cleaning and laundry)	£34.85	35.48
Nursing shortfall		
<b>Sub total</b>	<b>£311.30</b>	<b>£303.21</b>
<b>at floor level</b>		
<b>TOTAL EMI NURSING</b>	<b>£517.74</b>	<b>£529.69</b>

<b>Fee Calculations 2014/15</b>			
<b>The figures below do not include FNC elements accepted by the Health Board</b>			
	<b>Fee 2013/14</b>	<b>Inflation for 2014/15</b>	<b>Proposed fee 2014/15</b>
<b>INDIRECT COSTS</b>			
Utilities	26.95	2.7 CPI inflation	£27.68
Electric			
Gas			
TV License			
Council Tax			
Water			
Telephone			
Registration (Professional Membership, CRBs etc)	1.19	2.7 CPI inflation	£1.22
Recruitment	2.29	2.7 CPI inflation	£2.35
Contract maintenance of equipment	3.32	2.7 CPI inflation	£3.41
Maintenance of capital equipment	20.37	2.7 CPI inflation	£20.92
Gardener /handyman	7.60	1.9% inflation	£7.74
Furniture/Fittings including repairs and renewals	12.29	2.7 CPI inflation	£12.62
Training	2.28	2.7 CPI inflation	£2.34
Non prescription medical supplies	3.44	2.7 CPI inflation	£3.53
Insurance	5.74	2.7 CPI inflation	£5.89
Groceries & household provisions	26.5	2.7 CPI inflation	£27.22
<b>Total Indirect Costs</b>	<b>£111.97</b>		<b>£114.92</b>
<b>Other Costs -standard for all categories of care</b>			
Return on Investment	97.79	No Increase	£97.79
Additional Expenses (not covered elsewhere)	16.72	2.7% inflation	£17.17
<b>Sub Total</b>	<b>114.51</b>		<b>£114.96</b>
Floor Sub total			
<b>RESIDENTIAL STAFF COSTS</b>			
Management /Admin	45.00	1.9% inflation	£45.86
Registered Manager Costs			
Care Staff	143.55	1.9% inflation	£146.28
Domestic Staff (cleaning and laundry)	35.48	as above	£36.15
<b>Sub Total</b>	<b>£224.03</b>		<b>£228.29</b>
<b>at floor level</b>			
<b>TOTAL RESIDENTIAL</b>	<b>£450.51</b>		<b>£458.16</b>
<b>EMI RESIDENTIAL</b>			
Local/Central admin costs (e.g. office rent)	45.00	1.9% inflation	£45.86
Registered Manager Costs			
Care Staff	186.26	as above	£189.80
Domestic Staff (cleaning and laundry)	35.48	as above	£36.15
<b>Sub total</b>	<b>£266.74</b>		<b>£271.81</b>
<b>at floor level</b>			
<b>TOTAL EMI RESIDENTIAL (and VDE where</b>	<b>£493.22</b>		<b>£501.69</b>
<b>NURSING</b>			
Local/Central admin costs (e.g. office rent)	45.00	1.9% inflation	£45.86
Registered Manager Costs			
Care Staff	198.74	as above	£202.52
Domestic Staff (cleaning and laundry)	35.48	as above	£36.15
Nursing shortfall			
<b>Sub total</b>	<b>£279.22</b>		<b>£284.53</b>
<b>at floor level</b>			
<b>TOTAL NURSING</b>	<b>£505.70</b>		<b>£514.40</b>
<b>EMI NURSING</b>			
Local/Central admin costs (e.g. office rent)	45.00	1.9% inflation	£45.86
Registered Manager Costs			
Care Staff	222.73	as above	£226.96
Domestic Staff (cleaning and laundry)	35.48	as above	£36.15
Nursing shortfall			
<b>Sub total</b>	<b>£303.21</b>		<b>£308.97</b>
<b>at floor level</b>			
<b>TOTAL EMI NURSING</b>	<b>£529.69</b>		<b>£538.85</b>

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<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	<b>Executive Committee Meeting</b>
<b>Date:</b>	<b>March 17 2014</b>
<b>Subject:</b>	<b>Modernising Anglesey Schools - New Primary School in the 'Llannau' area</b>
<b>Portfolio Holder(s):</b>	<b>Councillor Ieuan Williams</b>
<b>Head of Service:</b>	<b>Dr Gwynne Jones</b>
<b>Report Author:</b> Tel: E-mail:	<b>Emrys Bebb</b>
<b>Local Members:</b>	<b>Councillor Ken Hughes Councillor Llinos Medi Huws Councillor John Griffith</b>

**A –Recommendation/s and reason/s**

In its meeting on February 11, 2013, the Isle of Anglesey County Council's Executive Committee resolved to support Option 5 (namely a new area school for Llanfachraeth, Llanfaethlu and Llanrhuddlad) as the option that the Executive Committee favours for formal consultation on a review of the primary education provision in North West Anglesey, conditional upon noting finance and a suitable site for the development before beginning the formal consultation process.

Reporting back to the Executive Committee will take place to show that Lifelong Learning Department officers have:

1. ensured **finance** in principle for the new primary school and
2. have identified the **site** for the new primary school.

In addition, a decision is required as to whether children who live in the old Ysgol Llanddeusant catchment area would be allowed to attend the proposed new primary school.

It is recommended that:

1. the Lifelong Learning department's officers should be authorised to move forward with the formal consultation process.
2. Option 2 in the document Options Site Appraisal for a New Primary school namely " Ysgol Llanfachraeth's present site along with the land to the south of the present school" should be adopted.
3. Authorize the Lifelong Learning Department's officers to consult with parents and pupils who live in the old Ysgol Llanddeusant catchment in order to decide whether they would attend the proposed new primary school.

**B – What other options did you consider and why did you reject them and/or opt for this option?**

A number of options were considered by the Executive Committee in its meeting on February 11, 2013. At that meeting, the Council's Executive Committee resolved to support Option 5 (namely a new area school for Llanfachraeth, Llanfaethlu and Llanrhuddlad) as the option that the Executive Committee favours for formal consultation. The options can be seen in the report for the Executive Committee for that meeting and in the statutory/formal consultation document.

**C – Why is this a decision for the Executive?**

The Executive Committee is responsible for overseeing school organisation plans.

**D – Is this decision consistent with policy approved by the full Council?**

Yes

**DD – Is this decision within the budget approved by the Council?**

Yes– it is one of the plans in the Strategic Outline Programme that was approved by the Executive Committee in its meeting on January 13, 2014.

<b>E – Who did you consult?</b>		<b>What did they say?</b>
<b>1</b>	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	
<b>2</b>	<b>Finance / Section 151</b> (mandatory)	
<b>3</b>	<b>Legal / Monitoring Officer</b> (mandatory)	
<b>5</b>	<b>Human Resources (HR)</b>	
<b>6</b>	<b>Property</b>	
<b>7</b>	<b>Information Communication Technology (ICT)</b>	
<b>8</b>	<b>Scrutiny</b>	
<b>9</b>	<b>Local Members</b>	
<b>10</b>	<b>Any external bodies / other/s</b>	

<b>F – Risks and any mitigation (if relevant)</b>	
<b>1</b>	<b>Economic</b>
<b>2</b>	<b>Anti-poverty</b>
<b>3</b>	<b>Crime and Disorder</b>
<b>4</b>	<b>Environmental</b>
<b>5</b>	<b>Equalities</b>
<b>6</b>	<b>Outcome Agreements</b>
<b>7</b>	<b>Other</b>

<b>FF - Appendices:</b>

<b>G - Background papers (please contact the author of the Report for any further information):</b>
<ol style="list-style-type: none"> <li>1. Minutes of the meeting of the Executive Committee held on February 11, 2013.</li> <li>2. Options Appraisal document for a new primary school in the Llannau</li> <li>3. Statutory Consultation Document</li> <li>4. Statutory Outline Programme (SOP) presented to the Welsh Government in December 2013.</li> <li>5. Letter from the Welsh Government dated January 31 2014.</li> </ol>

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<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	<b>Executive Committee</b>
<b>Date:</b>	<b>17<sup>th</sup> March 2014</b>
<b>Subject:</b>	<b>Community Benefit Contributions Strategy</b>
<b>Portfolio Holder(s):</b>	<b>Councillor Aled Morris Jones</b>
<b>Head of Service:</b>	<b>Dylan J. Williams</b>
<b>Report Author:</b>	<b>Dylan J. Williams (Head of Service Economic and Community Regeneration)</b>
Tel:	<b>2499</b>
E-mail:	<a href="mailto:DylanJWilliams@anglesey.gov.uk">DylanJWilliams@anglesey.gov.uk</a>
<b>Local Members:</b>	<b>Relevant to all Members</b>

<b>A –Recommendation/s and reason/s</b>
<p>To support and formally adopt the draft Community Benefit Contributions (CBC) Strategy.</p> <p>This will enable the Chief Executive, Leader, Economic Development Portfolio Holder and Head of Economic and Community Regeneration to consider and progress the delivery and implementation of the CBC’s Strategy.</p>

<b>B – What other options did you consider and why did you reject them and/or opt for this option?</b>
<p>The proposed major developments on the island provide the County Council with a unique and unprecedented opportunity to contribute positively towards the socio-economic transformation of the island. The County Council wants to ensure that communities benefit directly from the use of their local resources and are compensated for the disruption and inconvenience during both the construction and operation (and ultimately decommissioning) of all major developments on the island.</p> <p>CBCs are essentially “goodwill” contributions voluntarily donated by a promoter/ developer for the benefit of communities hosting a development. They can be either monetary payments or activities upon which a value can be attributed for the improvement of communities affected by a development. CBCs provide a legitimate opportunity to pursue significant rewards from developers in recognition of the burden that their projects are imposing on the communities and locality hosting them. There is, however, no legal requirement upon a developer to offer CBCs i.e. they are discretionary/ non-statutory.</p>

Legal advice from Burges Salmon (provides of legal support to the County Council on all issues regarding the proposed major projects on the island) recommended the preparation of a Community Benefit Contributions Strategy to outline the Authority's approach to maximising the impact of CBCs to help achieve the realisation of the our legacy vision and aspirations; as well as support the island's sustainability and improve the quality of life for residents.

CBCs are distinct from, and should be kept separate from, payments or other mitigation secured through the statutory (Town and County) planning process. CBCs are not a mechanism to make a development acceptable in planning terms, and they are not taken in to account when determining an application for planning consent.

The CBC Strategy has been prepared to enable the County Council to establish and enforce a legally robust separation between all statutory and non-statutory functions, discussions, negotiations and decisions undertaken by the County Council. Processes have been established to ensure Members and Officers can deal with all non-statutory matters fairly and transparently, and without tainting any statutory discussions.

#### **C – Why is this a decision for the Executive?**

Discussing and negotiating CBCs is an executive function, and therefore adopting the draft CBC Strategy is the responsibility of the Executive Committee. Responsibility for progressing and negotiating CBCs has been delegated to the Chief Executive and the Leader in consultation with the Economic Development Portfolio Holder (ref: Previous Executive Committee decisions regarding the separation of statutory and non –statutory functions in relation to the proposed Nuclear New Build at Wylfa [19th November 2012] and Other Major Developments [14th January 2013]).

The Head of Economic and Community Regeneration has also received delegated authority to assist the Chief Executive and the Leader in relation to CBCs. To ensure that CBC discussions and negotiations are kept completely separate from the statutory planning process, the Head of Economic and Community Regeneration and relevant members of his Service will be dealing directly with the Chief Executive and others involved in CBC discussions/decisions.

#### **CH – Is this decision consistent with policy approved by the full Council?**

The County Council's ability to consider and progress provision for CBCs derives from Section 2 of the Local Government Act 2000, which enables the County Council to undertake any activity to the promote or improve of the economic, social or environmental well-being of the Island.

#### **D – Is this decision within the budget approved by the Council?**

All CBC activities are being undertaken in line with the Economic and Community Regeneration Service's core budget.

<b>DD – Who did you consult?</b>		<b>What did they say?</b>
<b>1</b>	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	The Chief Executive has contributed heavily to the preparation of the draft Strategy to ensure that its purpose and focus are both realistic and achievable, whilst ensuring sufficient flexibility to ensure Anglesey's communities can fully capitalise upon all benefits from the proposed major projects.
<b>2</b>	<b>Finance / Section 151</b> (mandatory)	No comments
<b>3</b>	<b>Legal / Monitoring Officer</b> (mandatory)	No comments
<b>4</b>	<b>Human Resources (HR)</b>	No comments
<b>5</b>	<b>Property</b>	No comments
<b>6</b>	<b>Information Communication Technology (ICT)</b>	No comments
<b>7</b>	<b>Scrutiny</b>	
<b>8</b>	<b>Local Members</b>	The draft CBC Strategy has been presented to an informal meeting of the Executive Committee and their comments on its content and scope (in particular in relation to the principles of CBCs and the need for the whole of Anglesey to be recognised as a major project host community) have been incorporated in the draft.
<b>9</b>	<b>Any external bodies / other/s</b>	<p>The draft Strategy has been consulted upon with all the promoters/ developers of major projects proposed on Anglesey. Their feedback has centered upon the affordability of CBCs; the need for robust and transparent CBC governance, as well as ensuring sufficient recognition for developers that provide CBCs.</p> <p>Consultation has also been undertaken with the Department for Energy and Climate Change and the Welsh Government to ensure synergy and alignment with emerging policies and guidance.</p> <p>Consultation with community orientated organisations on the island has shown support for the County Council to lead on CBC negotiations with developers.</p> <p>Consultation with Energy Island Programme's Advisory Board and Developers Forum has shown support for the preparation of the strategy.</p>

<b>E – Risks and any mitigation (if relevant)</b>		
<b>1</b>	<b>Economic</b>	The draft Strategy has been prepared with support from Burges Salmon to ensure it is sufficiently ambitious, robust and lawful so that appropriate benefits can be secured from the major project developers to contribute towards the island's socio-economic transformation.
<b>2</b>	<b>Anti-poverty</b>	The Strategy will ensure that the island's socio-economic interests and needs are adequately represented, with CBC funding being used to support activities to reduce poverty and improve quality of life.
<b>3</b>	<b>Crime and Disorder</b>	Improving community cohesion will be integral to the effective use of CBCs funds on Anglesey.
<b>4</b>	<b>Environmental</b>	CBCs are a legitimate mechanism to secure funding to compensate communities that will experience long-term impacts on their local environment. Any implications for the Council's statutory duties under the Countryside and Rights of Way (CRoW) Act, 2000 and the Natural Resources and Rural Communities (NERC) Act, 2006 will be considered as projects are developed.
<b>5</b>	<b>Equalities</b>	The County Council is committed to consistent, equitable and transparent approach to securing maximum CBCs from the major projects so that Anglesey's unique socio-economic needs and sensitivities can be addressed.
<b>6</b>	<b>Outcome Agreements</b>	
<b>7</b>	<b>Other</b>	A glossary of CBC terminology is being prepared to ensure common understanding between all stakeholders.

<b>F - Appendices:</b>
Draft Isle of Anglesey County Council Community Benefit Contributions Strategy

<b>FF - Background papers (please contact the author of the Report for any further information):</b>
Executive Committee Report (19 <sup>th</sup> November 2012) – Separation of functions in relation to proposed nuclear new build development at Wylfa <a href="http://democracy.anglesey.gov.uk/ieListDocuments.aspx?CId=134&amp;MId=2137&amp;Ver=4&amp;LLL=0">http://democracy.anglesey.gov.uk/ieListDocuments.aspx?CId=134&amp;MId=2137&amp;Ver=4&amp;LLL=0</a>
Executive Committee Report (14 <sup>th</sup> January 2013) – Separation of statutory and non-statutory functions (Other Major Developments) <a href="http://democracy.anglesey.gov.uk/ieListDocuments.aspx?CId=134&amp;MId=2196&amp;Ver=4&amp;LLL=0">http://democracy.anglesey.gov.uk/ieListDocuments.aspx?CId=134&amp;MId=2196&amp;Ver=4&amp;LLL=0</a>



**Isle of Anglesey County Council's  
Community Benefit Contributions Strategy**

**February 2014  
Economic & Community Regeneration**

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**Foreword**

To be completed once draft document approved/ endorsed

## **1) Introduction**

The Isle of Anglesey County Council (IACC) is committed to securing Community Benefit Contributions (CBCs) for Anglesey's communities and citizens from all major developments on the island.

It is the County Council's intention to seek funding and/or in-kind contributions from all developers whose projects will have a long-term impact on the local environment.

This Strategy has been prepared to outline the IACC's approach to maximising the impact of CBCs to help achieve the realisation of the County Council's legacy vision and aspirations. The Strategy will also provide guidance for the island's communities and developers about the IACC's expectations in relation to CBCs. Our Strategy will be applicable to CBCs secured from both the public and private sectors.

The proposed major developments on the island provide the IACC with a unique and unprecedented opportunity to contribute positively towards the socio-economic transformation of the island. Major developments are large-scale projects that have the potential to bring significant benefits and impacts to Anglesey and its communities for a number of years.

The proposed major projects on the island currently include:

- Horizon Nuclear Power's new nuclear build at Wylfa;
- Celtic Array offshore wind farm;
- Upgrading of National Grid's electricity transmission network;
- Land & Lakes' leisure and housing development in Holyhead;
- Lateral Power's biomass plant in Holyhead;
- Decommissioning of Wylfa nuclear power station (Magnox);
- Marine Current Turbines' tidal array off the North West coast of Anglesey.

The IACC wishes to ensure that communities benefit directly from the use of their local resources and are compensated for the disruption and inconvenience during both the construction and operation (and ultimately decommissioning) of all major developments on the island.

The County Council is determined to enable and assist the island's communities to fully capitalise upon all benefits associated with the proposed major projects on Anglesey; as well as counter any negative socio-economic effects arising from sustained demands on the island's resources.

The IACC will be proactive, consistent and transparent in its approach to CBCs and this Strategy will apply to all major projects on Anglesey. This approach will ensure that all opportunities to secure improvements to the Island's quality of life from the proposed private sector investment are fully capitalised.



## **2) What are Community Benefit Contributions?**

CBCs are essentially “goodwill” contributions voluntarily donated by a developer for the benefit of communities hosting a development which will have a long-term impact on local resources and/ or the local environment. They can be either monetary payments or activities upon which a value can be attributed for the improvement of communities affected by a development (during their operation, construction and decommissioning).

CBCs are often made by developers of major projects - in particular renewable energy proposals. For example, in Scotland it is common practice for CBCs to be negotiated with offshore wind developers (consisting of an annual payment based on a levy on each kilowatt hour of electricity generated over the lifetime of the project).

The UK Government has recently announced proposals in relation to CBCs for sites that are to host new nuclear power stations. The IACC is currently engaging with the Department of Energy & Climate Change and Welsh Government to ensure appropriate benefits are secured for communities on Anglesey in recognition of the role they are to play in future national power generation. The IACC does not believe that these proposals represent the totality of the CBCs for Anglesey from the new nuclear power station, and we expect the developer/ promoter to create additional benefits for the island during the lifetime of their major project.

Given the scale, significance (national in some instances) and potential impacts of the proposed major projects on the island, the IACC will seek to secure CBCs from all promoters/ developers. CBCs provide an opportunity for the IACC to maximise local benefits and impacts from major developments **to support the long term sustainability, quality of life and wellbeing of the island and its communities.**

**There is no legal requirement upon a developer to offer CBCs i.e. they are voluntary/ non-statutory.** As a result, the IACC has no powers of enforcement if a developer is unwilling to make a contribution.

Given that CBCs are discretionary, the IACC readily acknowledges that that they must be seen by developers to be affordable in terms of the overall costs and profits of their projects over their lifetime. Therefore the timing of any negotiations, and the securing of any CBCs, will be critical to the successful implementation of this Strategy.

### 3) The role of the Isle of Anglesey County Council in securing Community Benefit Contributions

In carrying out its function of community leadership, the IACC can lead, influence and support all organisations and stakeholders to work towards common goals to support the island's sustainability, improve the quality of life, contribute towards socio-economic transformation and ensure local community interests are fully understood and recognised by all developers of major projects.

To meet its strategic priority of “**regenerating its communities and developing the economy**”, the IACC will lead upon the negotiation of CBCs with developers on behalf of the island's communities and residents, to meet the particular and unique needs and sensitivities of Anglesey. The County Council will not be responsible for the distribution of the CBCs – See Section 8.

The IACC's ability to consider, negotiate and enter into arrangements making provision for CBCs derives from Section 2 of the Local Government Act 2000, which enables the County Council to undertake any activity it considers achieves the promotion or improvement of the economic, social or environmental well-being of the Island.

The IACC is eager to maintain a positive and long term relationship with all promoters of major developments on Anglesey - during the development, construction and operation of their projects. We believe that we are the most appropriate organisation to conduct CBC discussions and negotiations on behalf of the island given that:

- We can capitalise upon existing relationships with developers to secure appropriate CBC packages;
- We fully appreciate and understand the nature and scale of the island's social, economic and environmental needs and aspirations;
- We have existing links with the island's communities which can be utilised to effectively distribute CBCs to maximise positive impacts and benefits;
- We have a thorough understanding of all the proposed major projects (i.e. their scope and likely operational timescales) to determine when best to approach developers given the potential commercial sensitivities of CBCs;
- We possess the required capability, knowledge, mechanisms and resources to enter into (potentially lengthy) CBC negotiations and secure appropriate agreements with developers, as well as administer robust and effective CBC delivery structures;
- We can emphasise to developers the relationship between CBCs and their corporate social responsibilities.

It is important to note that all discussions with the IACC relating to CBCs are completely separate and distinct from all statutory discussions and decision making, in particular the Town and Country Planning process. The County Council will establish and enforce internal processes to ensure a legally robust separation between all statutory and non-statutory discussions, negotiations and decisions. A summary of these arrangements are outlined in our Community Benefit Contributions External Protocol (See **Annex A**).

CBCs are not a mechanism to make a development acceptable in planning terms, and they are not taken in to account when determining an application for planning consent. No Councillor or Officer involved in any discussions or negotiations in respect of a CBC will be permitted to participate in the land use planning (decision making) process that corresponds to that development.

CBCs are an evolving area of work for local government within the UK, and the IACC is committed to learning and benefitting from experiences elsewhere to ensure that the island and its communities fully capitalise upon all opportunities associated with the proposed major projects.

The IACC's CBC activities will be undertaken in line with its Non-Statutory Community Benefit Routemap (**Annex B**).

#### **4) A Summary of Anglesey's Socio-Economic Needs**

The IACC has collated evidence of Anglesey's socio-economic needs and sensitivities in order to demonstrate how CBCs can add significant value to existing activities and interventions. The County Council believes that the process of securing CBCs will require an appropriate depth of evidence to demonstrate to developers how they can contribute towards achieving the IACC's emerging legacy framework and meet the specific requirements of Anglesey and its communities. CBCs can make a significant contribution to the IACC achieving its aspiration of ensuring that all major projects have a positive and transformational legacy effect on Anglesey.

Anglesey has long suffered from a fragile, peripheral and declining economy, with significant pockets of socio-economic deprivation, which has resulted in:

- Declining levels of GVA (60.5% of the national UK average);
- High levels of youth unemployment (10.7% of 18-24 year olds);
- High levels of economic inactivity (22.7% of the working age population)
- High levels of youth out-migration and an ageing local population;
- A high percentage of the working population receiving incapacity benefits;
- A continued low level of new business formation (6.5% in comparison to the Welsh rate of 7.8%);
- An over reliance on public sector employment opportunities;
- Significant numbers of children living in poverty (19.5%);
- A high prevalence of health inequalities;
- High levels of private households living in fuel poverty (34.9%);
- Variations in the number of people who speak Welsh in the communities on Anglesey (with over 70% located in the centrally located communities whilst the coastal communities have only 40% Welsh speakers).

The recently completed *'Economic overview of the Isle of Anglesey – A data analysis of the Island'* (Local Government Data Unit Wales, May 2013) outlines the nature of the island's specific needs and challenges in greater detail.

The Isle of Anglesey Single Integrated Plan 2013-2025 identifies the following issues as having the greatest effect on the island's communities:

- Improving economic performance and skills to create/ and sustain jobs;
- Enabling communities and individuals to maintain and develop their independence;
- Ensuring opportunities exist for young people to remain on the Island to live and work;
- Meeting the needs of individuals and communities with less available public money;
- Reducing poverty and providing effective services that meet the needs of vulnerable groups;
- Promoting and sustaining our environment and rich culture.

## **5) Anglesey's Community Benefit Contribution Priorities**

The IACC is committed to ensuring that all communities benefit directly from the use of their local resources and environment by all major projects on Anglesey.

It is the County Council's intention for all CBCs secured from developers of major projects to be used to maximise long term benefits for Anglesey's communities – through supporting the island's sustainability, improving the quality of life and contributing towards socio-economic transformation. In order to meet local needs, the IACC anticipates that the funds will be utilised for initiatives which improve the well-being of citizens and which support thriving and prosperous communities. Indicative actions include:

- Investing in young people by promoting skills development and apprenticeship opportunities;
- Supporting services which improve community cohesion and the quality of life;
- Making investments which contribute to sustainable development;
- Promoting and enhancing local identity, distinctiveness and culture;
- Providing resources for citizens to pursue the low Carbon agenda through community based energy efficiency measures;
- Meeting present and future socio economic challenges by piloting innovative interventions;
- Providing means of alleviating disadvantageous circumstances amongst aspiring individuals and groups.

These priorities have been identified based upon an analysis of the island's requirements and sensitivities (see Section 6), and the administration of CBCs will be based upon a clear demonstration of need.

In recognising the importance of CBCs to the future sustainability of the island, the IACC is determined that they should be seen as additional to, rather than a substitute for, existing financial public sector support for the Authority and the island (and will not be used to offset any decrease in the Authority's future budgets).

The CBC Strategy and Policy will be applicable to CBCs secured from both the public and private sectors.

The IACC will also consider all opportunities to apply its CBC policy to attract and lever in appropriate match funding from European Union, United Kingdom and Welsh Government funding programmes.

## **6) Coverage of Community Benefit Contributions on Anglesey**

Given the number, scale and significance of the proposed major projects, together with the unique geographical characteristics of the island, the whole of Anglesey is considered by the IACC to be a major project host community. In this context, local is therefore defined as island-wide, and any CBCs we secure will be available for distribution across Anglesey.

By adopting this approach to the coverage of CBCs, the IACC is attempting to overcome potential difficulties in distributing funds with regard to potential physical, environmental and social constraints and circumstances.

The IACC is fully committed to a transparent, flexible and equitable approach to CBCs, and recognises the need for CBCs to support activities that can deliver tangible and sustainable benefits for the whole of the island (whilst recognising that some projects may impact some parts of Anglesey more than others). The IACC acknowledges that some developers may expect the distribution of CBCS to adopt a proximity principle to reflect potential localised impacts and ensure that any community funds are targeted at the area impacted (e.g. within a specific distance from a major project). The IACC, in consultation with relevant stakeholders, will consider these requests if and when they arise.

## 7) The County Council's 'Community Benefit Contributions' Policy

**The Isle of Anglesey County Council will endeavour to secure appropriate Community Benefit Contributions from all developers of major projects that will have a long-term impact on the island's communities, resources and/ or the environment.**

**Community Benefit Contributions provide a legitimate opportunity to pursue significant rewards (be it financial and/or in-kind contributions) from developers in recognition of the burden that their projects are imposing on the communities and locality hosting them.**

**Community Benefit Contributions will be used to maximise positive benefits and impacts from all major projects on the island to contribute towards socio-economic transformation, together with an improvement in the quality of life and sustainability of its communities and residents.**

**The whole of Anglesey is considered to be a major project host community, and any CBCs secured by the IACC will be available for distribution across the island.**

**The distribution of CBCs will be based upon clear evidence of need within the local community, together with a demonstration of how the CBCs will contribute to local requirements being met.**

In applying this policy, the IACC will:

- Demonstrate a commitment to securing significant benefits for Anglesey as a host for a number of major developments;
- Improve and maintain positive and long term relationships with each major project developer to maximise positive social, economic and environmental impacts;
- Encourage and sustain a positive and long term relationship with all promoters of major developments on Anglesey
- Observe a consistent, equitable and transparent approach to securing CBCs from all major project developers and ensure all CBC negotiations and decisions are robust and lawful;
- Encourage developers to recognise our Policy regarding CBCs and encourage them to negotiate directly with us to secure the greatest level of benefits possible for the improvement of the island;
- Ensure that the island's community interests and needs are adequately represented;
- Highlight the links between CBCs and each developer's corporate social responsibilities;
- Capitalise upon all opportunities for CBCs to contribute towards a long lasting, positive legacy from all major developments.

This policy has been developed to ensure the IACC follows a consistent approach to CBCs for the benefit of both communities and major project developers. In terms of the island's communities, the Policy will enable the IACC to seek and secure maximum benefits to contribute towards positive and meaningful social, economic and environmental improvements. Communities should be assured that CBCs will be sought in relation to their needs and requirements, whilst they will also not be required to enter into direct negotiations, on their own behalf, with developers. The policy should also provide communities with reassurance that the principles of CBCs will be applied and distributed fairly, with CBCs shared appropriately across the island.

With regard to developers, the Policy removes any uncertainty regarding the IACC's approach to CBCs, as well as any requirement for entering into any protracted CBC negotiations with communities. Developers should be confident that all the IACC's CBC decisions will be transparent and lawful, and that the County Council has appropriate governance structures to co-ordinate the distribution of CBCs on behalf of the island's communities and residents.

The County Council acknowledges the need to apply its policy in a manner that recognises that securing CBCs from the proposed major projects may only occur once they become operational; whilst some projects may be of a research and experimental nature only and CBCs may only become applicable once the technology becomes commercially viable.

## **8) Administration and Distribution of Community Benefit Contributions**

The County Council will establish (with appropriate stakeholders) an appropriately constituted 'Community Benefit Contribution Fund Holding Body' to distribute and allocate all CBCs across Anglesey.

The exact nature and scale of the CBC Fund Holding Body will need to be agreed following discussions with all relevant stakeholders (both internally and externally). However the IACC does not anticipate that it will be alone responsible for the distribution of CBCs and we recognise that the Fund Holding Body will consist of an element of independent operation separate from the County Council.

The IACC intends to work with relevant community focussed organisations to ensure that CBCs are allocated to the right communities to support appropriate activities (based upon a clear evidence of need).

The IACC anticipates that it will need to formally engage with stakeholders and the local community on its preferred CBC distribution processes and mechanisms.

The IACC is committed to ensuring that all CBC allocations will be based upon the principles of local accountability and transparent, equitable decision making.

To reflect the robust separation of the IACC's statutory and non-statutory activities, the Authority's Chief Executive and Leader have been delegated authority to enter into discussions and conduct negotiations with developers regarding CBCs. The Economic Development Portfolio Holder and the Head of Economic and Community Regeneration will provide assistance and support to them, when required.

The IACC fully recognises that the successful implementation of this Strategy will require support from the major project promoters/ developers. The IACC will seek to agree CBC Memorandums of Understanding with each major project developer as part of their discussions and negotiations. Integral to the Memorandums of Understanding will be the need to ensure sufficient recognition for developers of any CBCs that are provided/ secured; to demonstrate the robustness of all CBC governance arrangements and to complement each developer's corporate social responsibilities.


All CBC activities will be undertaken in line with the IACC's CBC External Protocol and Non-Statutory Route Map (**Annexes A and B**).

The IACC's involvement in the process of administering CBCs funds on Anglesey will be reviewed regularly to ensure that the Authority is contributing towards the island's socio-economic transformation; supporting the island's sustainability and improving the island's quality of life.



## 9) Community Benefit Contributions – County Council Point of Contact

Any person who considers that it would be appropriate to discuss CBCs with the County Council should contact the Head of Economic and Community Regeneration, Dylan Williams, in the first instance:

 Dylan J. Williams  
Head of Economic and Community Regeneration  
Isle of Anglesey County Council  
Anglesey Business Centre  
Bryn Cefni Business Park  
Llangefni  
LL77 7XA

 [DylanJWilliams@anglesey.gov.uk](mailto:DylanJWilliams@anglesey.gov.uk)

 01248 752435

All CBC communication with developers, communities and stakeholders will be undertaken in line with the IACC's Community Benefit Contributions External Protocol (**Annex A**).

## **Annex A**

### **Isle of Anglesey County Council Community Benefit Contributions External Protocol**

#### **1 Introduction**

- 1.1 The Council has put in place internal arrangements to ensure that it is able to deal separately with:
- (a) applications falling within the statutory planning process; and
  - (b) any discussions or negotiations that it may enter into with developers promoting such applications in relation to Community Benefit Contributions (CBCs),
- 1.2 Officers and Members of the Council are familiar with the arrangements which have been put in place. The purpose of this Protocol is to ensure that any person considering bringing forward development proposals in the Council's area, or offshore development adjacent to that area, are aware of why these arrangements are necessary and how they might impact on them.

#### **2 What is the difference?**

##### **The Statutory Planning Process**

- 2.1 The Statutory planning process effectively covers the legal framework through which projects are given planning consent. Within that process, mitigation related to the environmental, community and economic impacts of a proposed development (which may include monetary contributions) may be given. These will either be to address the direct mitigation of impacts of the development or they will comprise other benefits where there is an identifiable link with the development. These benefits would be secured through the use of planning conditions and planning obligations under the Town and Country Planning Act 1990 and related legislation.

##### **Community Benefit Contributions**

- 2.2 CBCs are monetary payments or other actions that might have a value attached to them by a developer for the benefit of communities hosting a development (such contributions are often made by developers in the energy sector). CBCs are separate and distinct from the planning process. They are not a material consideration which can be taken into account in determining whether to grant consent or to respond positively or otherwise to a consultation request. Any payment made is not designed to cover the direct effects of the development and they cannot properly be judged to be necessary to make a development acceptable in planning terms.
- 2.3 The Council is able to consider, negotiate and enter into arrangements making provision for Community Benefit Contributions. However, they are distinct from and should be kept separate from payments or other mitigation secured through the statutory planning process.

### **3 Why is this distinction important?**

- 3.1 The Council anticipates that a number of applications for development consent under the Planning Act 2008 for development comprising Nationally Significant Infrastructure Projects (NSIPs) will be made in and around Anglesey. Such applications will be made to the Secretary of State (who is the determining body for such applications). However, given that such developments would be located primarily in (or adjacent to) the area for which the Council is the local planning authority, the Council will be an important consultee in respect of such applications.
- 3.2 Additionally, the Council may receive applications for planning permission for other development proposals associated with, but not integral to, any proposed NSIP application. As with any other application for planning permission, the Council would be the consenting body in relation to those applications.
- 3.3 Submissions of planning applications to the Council (whether or not such applications are associated with an NSIP application), and / or the submission of a development consent application to the Secretary of State, will give rise to the consideration of planning issues by the Council as part of the statutory planning application / development consent process. These will include consideration of any planning obligations that a developer may be required to enter into in relation to the development proposed within a section 106 (of the Town and Country Planning Act 1990) agreement or unilateral undertaking.
- 3.4 Any such application may also give rise to discussions in relation to payments which, whilst related to the delivery of the proposed development, will be unconnected to the statutory planning process (Community Benefit Contributions). In order to be able to deal with these matters fairly and transparently and without one process tainting the other, it is important for each to be dealt with separately.
- 3.5 Further guidance in this area is available in the two documents available from the Council, entitled *The Statutory Community Benefits Routemap* and *The Non-Statutory Benefits Routemap*.

#### **Expectations of developers**

- 3.6 The Routemaps referred to above give greater guidance on how the area of community benefits is intended to operate and the role that Developers are anticipated to play within it. This includes descriptions of the sort of material that will be looked for by the Council to support any proposal made by a developer in respect of community benefits of any type.
- 3.7 This protocol is intended to give guidance to Developers on the approach they should adopt in terms of who they should expect to be communicating with on either type of community benefit.

#### **Expectations of other stakeholders, including the public**

- 3.8 Where stakeholders outside of the Council and Developer wish to participate in the process this protocol similarly gives guidance on who they should expect to be in communication with.

## **Availability of information**

- 3.9 For any party, developer or other stakeholder, the expectation of what information will be available on any on-going process relating to community benefit discussions, it should be assumed that disclosure by the Council will be guided by
- (a) Written reports to the committees referred to below, intended to be available for public inspection, being made available as and when it appears appropriate to the officers and members to do so (in accordance with the Local Government Act, any Committee consideration made with the public excluded will only occur when the justified by the nature of the material to be considered)
  - (b) And in all other respects as regulated by the Council's duties under the Freedom of Information Act.

## **4 Dealing with community benefit?**

### **Who deals with Community Benefit Contributions?**

- 4.1 The function of discussing and negotiating CBC is an executive function and therefore the responsibility of the Executive. The function of discussing and negotiating CBCs has been delegated to the Chief Executive and the Leader in consultation with the Economic Development portfolio holder.
- 4.2 The Head of Economic & Community Regeneration has received delegated authority to assist the Chief Executive and the Leader in relation to this function.
- 4.3 Any person who considers that it would be appropriate to discuss CBCs with the Council should contact the Head of Economic & Community Regeneration, Dylan Williams, in the first instance.

### **Who oversees the Council's CBC functions?**

- 4.4 CBC is an Executive function and therefore decisions fall to the Executive.
- 4.5 The Partnership and Regeneration Scrutiny Committee is the scrutiny committee for those decisions.

## **5 Dealing with statutory planning processes**

### **Who deals with the Statutory Planning Process?**

- 5.1 Decisions made in connection with planning applications are the responsibility of the Director of Sustainable Development and take place within the Sustainable Development Directorate.
- 5.2 The statutory planning process includes any involvement with planning applications made to the Council (including pre-application advice), whether in determining those applications or discussing planning obligations (section 106 obligations) in relation to such applications.

- 5.3 The statutory planning process also includes any involvement by the Council in relation to an application which is to be made (or has been made) to the Secretary of State for development consent for a NSIP. The Council may submit consultation responses and other written submissions before and during the examination of any such application. All such responses will be part of the statutory planning process.
- 5.4 Key Officers involved in the planning process include:
- (a) the Head of Planning and Public Protection;
  - (b) the Chief Planning Officer;
  - (c) and the Head of Environment & Technical Services
- 5.5 All Officers within teams supporting these key Officers are also involved in the statutory planning process.

### **Who oversees the Council's planning functions?**

- 5.6 The Planning and Orders Committee is responsible for decision taking in connection with development consent and planning applications for development in or adjacent to Anglesey.
- 5.7 The scrutiny of those decisions falls within the remit of the Corporate Scrutiny Committee.

## **6 What does this mean for me?**

- 6.1 The arrangements which have been put in place ensure that any Member or Officer of the Council involved in the statutory planning process is not able to discuss the subject of CBCs with anyone proposing such contributions or vice versa.
- 6.2 If you are involved in any development proposals where both the statutory planning process with CBCs are likely to be relevant and you consider that it would be appropriate to discuss CBCs with the Council, you should contact the Head of Economic & Community Regeneration, Dylan Williams, in the first instance.

## **Annex B**

### **Isle of Anglesey County Council Non-Statutory Community Benefit Routemap**

#### **1 The purpose of the non-statutory legacy routemap**

- 1.1 This document attempts to distil elements of good practice in relation to Community Benefit Contributions ("CBC's"). It is not intended as a policy document to be adopted by the Council, but rather to guide officers, members and stakeholders in the development process outside of the Council in how best to approach the issue of CBCs.
- 1.2 Inevitably this document requires some definition of terms, but it is not intended to provide a full commentary on the law and practice relating to CBCs and to offer only sufficient contextual material to allow the good practice principles it identifies to be clearly understood.

#### **2 CBC defined**

- 2.1 For the purposes of this guidance, statutory community benefit is that which is a material consideration in the development consent decision process and non-statutory community benefit are offers that are not material in that process. In this guidance non-statutory benefits are being addressed and referred to as CBCs
- 2.2 In the statutory context a developer may conclude that an offer of community benefit is a means by which something that would otherwise be a legitimate planning objection to a grant of development consent could be overcome.
- 2.3 In the statutory context a developer may also offer community benefit where, although the offer is not directly needed to overcome what would otherwise be a legitimate objection, there is still a sufficient link between the offer and the development to enable the decision maker to attach such weight as they see fit to that offer of community benefit.
- 2.4 Outside these classes, where the decision maker will not take into account that offer when deciding on the grant of the development consent it will be for the developer to consider whether it sees any reasons for making such an offer but those reasons may include the creation of a more positive environment in which its development aspirations could be achieved or in addressing a need within a local community as a proxy for addressing some impact from its development that is incapable of fully effective mitigation. These are offered only as examples and not intended as a complete list of reasons developers may have.
- 2.5 In no case can a determining authority, be it the Secretary of State for a Nationally Significant Infrastructure Project or local planning authority under the Town and Country Planning Act require that any offer of community benefit is made either in a statutory or non-statutory context but at the instigation of a developer there can be a role for both types of community benefit in infrastructure planning.

#### **Securing mechanisms**

- 2.6 In this sphere reference is often made to mechanisms such as section 106 planning obligations (either bilateral agreements or unilateral undertakings), to planning

conditions and to other forms of binding contractual arrangements not necessarily within formal planning legislation.

- 2.7 Reference to these mechanisms are to means by which an offer of community benefit, be it statutory or non-statutory, can be put into a form where it is legally enforceable at some future time. These securing mechanisms do not of themselves offer any justification for the use of such a mechanism or for the extent of works or payments that may be secured under them.

### **Administrative mechanisms**

- 2.8 Should an offer of community benefit be taken up, both developer and representatives of the local community will want assurance that any resources being committed to community benefit objectives will be administered in an open, transparent and legitimate way that allows those objectives to be linked closely into the mechanisms that will be used to administer the benefits.
- 2.9 Here, simple securing mechanisms, such as planning conditions, will often not go far enough to provide sufficient control processes to respond to unforeseen events or allow for the management of funds required, either in holding substantial sums of money or in supervising the distribution of them. The high level of transparency needed in the administration of these funds, requires clearly understood and reliable mechanisms to ensure that transparency.
- 2.10 Structures such as community interest companies and asset locking provisions are examples of means by which practical connection is made between those resources and the distribution of the resources to achieve the community benefit objectives intended and certainty over future management of funds can be assured.

## **3 Justification for the use of community benefit contributions (CBCs)**

- 3.1 A common theme of successful community benefit structures is that they tap in, effectively, to some element of need in the communities that they serve. Where there is a genuine need for assistance within a community an offer which effectively delivers a solution in whole or in part to that need is very likely to be valued by both the community and by community representatives who need to administer that community benefit.
- 3.2 In that way, whether an offer of community benefit is prefaced by a developer identifying a need within a community or the community representatives itself setting need within its community and clearly articulating in a report tied to an appropriate evidential base that clear identification of need will be of assistance to both developer and community representatives.

### **The dividing line between statutory and non-statutory benefit**

- 3.3 Attempts in practice to apply very rigid distinction between statutory community benefit and non-statutory community benefit before any discussion on the issue can commence often serve neither the interests of a developer or of a local community. Demand that either a developer or decision maker or statutory consultee "proves" that community benefit is required will often lead to an inability of a decision maker to present a conclusive argument to that end but at the same time for a developer to similarly be unable to conclusively prove that no harm will arise from this development.

- 3.4 Ultimately the decision of allocation of a community benefit offer between statutory or non-statutory community benefit may be more directed by a risk analysis of where the available supporting information most likely suggests the benefit should be taken account of, than it will be by the ability conclusively to show where such an offer should be considered.
- 3.5 Developers have latitude over where they offer community benefit and it is fundamentally in the hands of a developer whether they opt to go beyond the heading of statutory community benefit. In doing a developer is far more likely to be inclined to do so if it is appraised of good evidence on need within the local community and constructive proposals to achieve effective meeting of that need.
- 3.6 There are existing structures relating to the formal identification of need such as the evidence gathering to support charging structures for community infrastructure levy. Authorities are not limited to developing need evidence by those statutory processes and can look to wider initiatives to provide that source material for assessment of need, either from within the authority itself, from prospective developers or from other agencies or interest groups.
- 3.7 It may be possible to approach the identification of that need by an extension of the socio-economic impact appraisal that is looked for in the statutory planning process, which might be represented this way :
- (a) Identification of sensitivities and needs in the local population/area
  - (b) assessment of the positive or negative effects of the proposed development on those sensitivities and needs
  - (c) assessment of the inward investment effects of the proposed development
  - (d) invitation of developer initiatives to target CBC towards alleviating local need not otherwise addressed by the development itself or to supplement and make more robust the delivery of anticipated benefits from the development.
- 3.8 In the above analysis items 1 to 3 fall mainly within the scope of the statutory planning process, but item 4 will be more the ambit of CBC, outside of the statutory process.
- 3.9 The importance of IACC fully understanding its socio-economic needs and sensitivities cannot be over-stressed here, in terms of substance that will add to the whole process described above. Initiatives within the Council, self-funded or developer-funded that increase the quality of the baseline knowledge in this field should be viewed in the light of the value they could add to identifying CBC initiatives that achieve the highest returns for both community and developer.
- 3.10 The assessment of impacts of any development proposal should include a recognition of the contributory effects it may have with other major developments in the future. This might be an area upon which consideration from a CBC perspective leads to a different result to the consideration of cumulative impacts within the statutory planning process. The latter tends to be limited to a relatively narrow definition focussed around the definition of "the scheme" for the purpose of environmental assessment. In the CBC context there is more scope for recognition of the part that a development could play in the longer term future of the Island, even if the future scenarios being considered are beyond what would be considered under environmental impact assessment.



- 3.11 The interest in establishing a "lifelong relationship" between IACC and any development in respect of which CBC is being contemplated should be stressed. "Lifelong" in this context means at all stages of the involvement of IACC, pre-planning consent, pre-development commencing, during construction and during operation. Changes in use anticipated during the life of the development may be of particular importance. Decommissioning may also be important, although in some cases possibly considered to be so remote as to be of lesser importance.
- 3.12 It follows that the statutory determination timescale of any planning applications, whilst notable as a milestone in the life cycle of the development, does not have central importance to CBC negotiation, which will be managed and considered by IACC to a separate timescale.

### **Avoiding unintended or unsustainable results from CBCs**

- 3.13 Developers may be particularly concerned in respect of CBC funds, over which there is inadequate future control to avoid unintended adverse consequences arising from the offer of the community benefit. A number of examples exist of very specific restraints on how community benefit funds may be distributed. These have included the imposition of the developers own socio-economic policies (where they have them) such that the operation of the community benefit fund broadly complies with the objectives of the organisation that is funding the community benefits.
- 3.14 The better the research underlying the offer of community benefit and the better it has been negotiated with community representatives to deal with specific need within the community, the less practical need there will be for restrictive policies preventing the use of funds for inappropriate purposes.
- 3.15 Similarly, the clearer the objectives set at the heart of the community benefit proposal the less likely that the funds will prove ineffective, for example by remaining unused, or by being allocated to short term or unsustainable projects or proposals which fail to achieve real improvement in conditions for the local population or result in community initiatives that are not self-sustaining but instead require constant economic support from a central capital fund.

## **4 Quantum**

- 4.1 Community benefit can be looked at in simple terms of previous examples of quantum of payments and mechanisms for the management of payments that have arisen in different forms of development across the UK and wider.
- 4.2 Previous examples range from relatively small scale to multi-million pound payments.
- 4.3 There are trends within on-shore wind farm developments to offer annual payments calculated at a level of up to £5,000 per megawatt of installed capacity to be paid into some community administered fund (that have generally been treated as non-statutory benefits).
- 4.4 There are examples in the nuclear sector of (that have been treated as statutory community benefits) of between £20m and £50m arising from development proposals for e.g. preparatory works for new nuclear build, development of new nuclear build and extension of low level waste facilities.

- 4.5 Even greater payments have resulted in the oil and gas sector particularly related to North Sea offshore development.
- 4.6 Analysis of these figures is very unlikely to result in any form of rigid mathematical formula that allows an assessment in advance of the "right" amount of community benefit for any given infrastructure development. Offers of CBCs have generally not been made in the expectation that they will be treated as binding precedent for future developments. CBCs are rarely accompanied by any meaningful breakdown of how they were arrived at, making comparison with other development situations difficult.
- 4.7 What may be appropriate for one community by way of CBC may easily not be for another given the very different social and economic conditions experienced in different parts of the country.

### **Different means of adding value to CBCs**

- 4.8 Rigid mathematical formulae directed solely at financial payments are also likely to miss the opportunities offered by other more creative means that a well thought out energy benefit proposal can offer which is addressing specific need within a community.
- 4.9 These wider, more creative, areas of consideration include the shaping of development proposal to include legacy benefits by design within the project. They may also include co-ownership proposals with community groups or partnership with local authorities or other stake holders who have valuable assets that can be legitimately incorporated into a development proposal with value being created for the asset owners and ultimately the local community through that means.
- 4.10 Again, quantification of the value of CBCs offered, whilst helpful to enable an accurate description to be made of them, does not lend itself to any tariff by which an appropriate level of community benefit through partnership can be required at an early stage in development proposal. In contrast, an open and engaging stance by the developer and Local Authority to the potential for such value creation is more likely to yield such opportunities which in the absence of the catalyst of the wider infrastructure development might simply never have occurred.
- 4.11 Again, early and effective negotiation between developer and community representatives is likely to be the best means to identify such opportunities and maximise value creation from within a project which may well be able to be structured to reduce the upfront of carrying cost of such benefit to the developer.

## **5 Community Benefit Route Map Guidance Principles**

- 5.1 The following principles attempt to identify some themes from the above paper and from the wider consideration of CBCs generally. They are not intended to be a finite list, or to be read alone, but may assist as a synopsis of what is a complicated and intricate body of past and existing practice in community benefits as well as present legislation and policy.

5.2 These principles, would include the following:-

***Process considerations***

- (a) Community benefit can encompass both statutory and non-statutory (voluntary) CBC.
- (b) In any decision making context clarity should be given whether an offer has been treated as statutory or non-statutory.
- (c) The allocation between statutory and non-statutory benefits ought to be able to be agreed between a developer and decision making body, but there may be the need to accommodate any strongly held opinions of either party over whether the offer should be treated as a particular type of benefit.
- (d) The separation between CBC and the statutory determination process should be made clear.
- (e) Developers should know early on that IACC is serious about securing appropriate CBC in relation to particular types of development.
- (f) The legitimacy of what is being pursued should be made clear from the outset, with IACC willing to explain both to developer and any other interested party what is proposed.
- (g) Linkage of CBC to a "lifelong relationship" between IACC and a development means that the statutory determination timescale of a planning application, whilst notable as a milestone in the life cycle of a development, does not have primary relevance to CBC negotiation, which will be managed and considered separately by IACC.

***Quantum considerations***

- (h) CBC should wherever possible be specifically negotiated by reference to local conditions and directed to the needs of a community or area.
- (i) Wherever possible CBC should be tied to specific evidence of local need with clear objective on how the community benefit is intended to be directed to meeting that need.
- (j) The importance of initiatives, Council-funded or developer-funded that assist IACC fully understanding its socio-economic needs and sensitivities cannot be over-stressed here, in terms of substance that will add to the whole CBC process.
- (k) The expectation is that the developer will constructively engage with this process and be a main contributor to the evidence supporting this process as well as formulation of CBC proposals.
- (l) Clearly identified objectives at the outset should minimise the need for restrictions on the use of CBC funds.
- (m) Pre-determined formulae for the calculation of CBC are unlikely to achieve favour with either developer or local authority and close and collaborative negotiation are better means of achieving results which all parties find acceptable.

- (n) A premium should be set on directing CBC towards efficiency and sustainability in economic terms and the creation of further economic benefits that reduce the instances of funds being committed to, or eaten up by, projects which have no reasonable prospect of achieving economic self-sufficiency without on-going reliance on external funding.
- (o) CBC should be seen as more than just financial contribution and can take account of factors such as design changes that create local value, tangible steps to maximise local benefit from supply chain for projects and partnership with local authorities and other bodies to share benefits that result from development.
- (p) CBCs may have a particular focus towards alleviating local need not otherwise addressed by the development itself via the statutory benefits process or to supplement and make more robust the delivery of anticipated benefits from the development.

CBCs offer greater opportunity to recognise and act upon the contributory effects a proposal may have with other major developments in the future than is the case for the consideration of cumulative impacts within the statutory planning process.

<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	<b>EXECUTIVE COMMITTEE</b>
<b>Date:</b>	<b>17<sup>th</sup> March 2014</b>
<b>Subject:</b>	<b>Welsh Government Vibrant and Viable Places Funding for Holyhead Regeneration and Homes</b>
<b>Portfolio Holder(s):</b>	<b>Cllr. Aled M. Jones Cllr. Ken Hughes</b>
<b>Head of Service:</b>	<b>Dylan J. Williams, Head of Economic &amp; Community Regeneration</b>
<b>Report Author:</b> Tel: E-mail:	Dewi G. Lloyd, Principal Development Officer 01248 752483 <a href="mailto:DewiLloyd@anglesey.gov.uk">DewiLloyd@anglesey.gov.uk</a>
<b>Local Members:</b>	<b>Cllr. T.Lloyd Hughes, Cllr. J.E. Evans, Cllr. D.R.Thomas, Cllr. Raymond Jones, Cllr. R.LI.Jones, Cllr. J.A.Roberts</b>

<b>A –Recommendation/s and reason/s</b>
<p>The County Council has recently been successful in securing an allocation of £7.49m to Holyhead from the Welsh Government’s Vibrant and Viable Places (VVP) urban regeneration programme in the period 2014-2017, and arrangements are now needed to administer and deliver this programme. It is therefore recommended that the Committee delegates to the Corporate Director for Sustainable Development the authority to :-</p> <p>a) agree and establish Holyhead VVP programme governance, stakeholder engagement, and staffing arrangements;</p> <p>b) submit individual Holyhead VVP project funding bids, and accept VVP project funding offers, subject to consultation with the Head of Finance;</p> <p>c) administer Holyhead VVP programme funded grants to eligible third party recipients from agreed budgets in compliance with funding conditions, subject to the arrangements being agreed by the Head of Finance;</p>

d) delegate the authority to undertake b) and c) for specific projects to appropriate Heads of Service.

**B – What other options did you consider and why did you reject them and/or opt for this option?**

A senior responsible owner (SRO) is required and of the potential options, the Corporate Director for Sustainable Development was identified as best placed to carry out this role. This is due to the considerable experience of steering similar grant funded regeneration programmes, and the fact that the majority of the projects involve responsibilities within this department, and / or involve property / development matters.

**C – Why is this a decision for the Executive?**

Endorsement is needed to agree the new capital grant programme arrangements.

**CH – Is this decision consistent with policy approved by the full Council?**

The Holyhead VVP programme should contribute to the following new Council aims :-

- We increase our Housing Options & reduce Poverty
- We Regenerate our Communities and develop the Economy
- Improve Education, Skills and Modernise our Schools
- Transform our Leisure & Library Provision

**D – Is this decision within the budget approved by the Council?**

The funding will form part of and add value to the Council's capital programme, which is regularly reported on. Match funding by the Council will be from existing agreed budgets or other external grants that are secured.

<b>DD – Who did you consult?</b>		<b>What did they say?</b>
<b>1</b>	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	Have been briefed on VVP process
<b>2</b>	<b>Finance / Section 151</b> (mandatory)	VVP grant process has been discussed with relevant Finance staff and principles agreed
<b>3</b>	<b>Legal / Monitoring Officer</b>	No comments received

	(mandatory)	
4	<b>Human Resources (HR)</b>	-
5	<b>Property</b>	Have been involved in discussions about relevant projects
6	<b>Information Communication Technology (ICT)</b>	-
7	<b>Scrutiny</b>	-
8	<b>Local Members</b>	Have been briefed via email and at the Holyhead regeneration stakeholder group
9	<b>Any external bodies / other/s</b>	Various stakeholders were involved in the VVP bid preparation process and 23 letters of support were included in the bid. Formal resolutions of support were received from the Anglesey Economic Regeneration Partnership and North Wales Economic Ambition Board.

<b>E – Risks and any mitigation (if relevant)</b>		
1	<b>Economic</b>	Positive contribution expected
2	<b>Anti-poverty</b>	Positive contribution expected
3	<b>Crime and Disorder</b>	Potential contribution to reduction of this
4	<b>Environmental</b>	Any implications for the Council's statutory duties under the Countryside and Rights of Way (CROW) Act, 2000 and the Natural Resources and Rural Communities (NERC) Act, 2006 will be considered as projects are developed.
5	<b>Equalities</b>	Promotion of equality is a funding condition
6	<b>Outcome Agreements</b>	Potential positive contribution to these
7	<b>Other - Financial</b>	Usual risks associated with external grant funding and being lead body for awarding grant funding to third parties. These risks will be mitigated by the adoption of suitable programme management arrangements based on the Council's experience in administering similar schemes in the past.
8	<b>Other – Staffing / Capacity</b>	The programme will create considerable additional workload for Council staff. The bid therefore includes provision for funding a small team of staff to manage the programme and related activities. Several existing EU/WG grant funded regeneration programmes end in 2014 – VVP funds may help avoid some job losses.

**F - Appendices:**

Holyhead Vibrant and Viable Places (VVP) Funding Awarded to Holyhead – Briefing Report by Head of Economic & Community Regeneration dated 10th February 2014

**FF - Background papers (please contact the author of the Report for any further information):**

Welsh Government Vibrant and Viable Places (VVP) Policies and Reports  
<http://wales.gov.uk/topics/housing-and-regeneration/regeneration/vibrant-and-viable-places/?lang=en>

Holyhead VVP Bid (SOP) documents  
<http://www.anglesey.gov.uk/business/regeneration-and-investment/vibrant-and-viable-places-bid-for-holyhead/>



## WG Vibrant and Viable Places (VVP) Programme Funding Awarded to Holyhead



February 2014

Prepared by: Economic and Community Regeneration

# WG VIBRANT & VIABLE PLACES PROGRAMME

## FUNDING FOR HOLYHEAD

### BACKGROUND

Anglesey has benefitted from Welsh Government Regeneration Area funding for the last six years through the Mon a Menai Programme. This has awarded grants to various County Council and third party projects, and has been a useful source of match-funding to draw down EU and other grants. This funding ends in March. The new Vibrant and Viable Places (VVP) funding is being targeted at eleven settlements in Wales which have been selected following a competitive bid process. Holyhead is one of these selected locations, which has been awarded £7.49m over 3 years, starting in April 2014. VVP funding is all capital, with a specific emphasis on housing / homes as well as on general economic / social/ environmental regeneration.

### KEY POINTS

- 100% of funding requested by IACC has been approved (i.e. All elements/ components within the application) – most areas have had sum reduced.
- IACC commended for requesting less resources than maximum permitted (important factor in WG approval/ decision making).
- Only component which needs clarity is that of proposed budget hotel. Visit Wales not in favour, BUT Housing & Regeneration still willing to support. WG to consider further.
- All approved funding (£7.49m) is capital, no revenue component (unlike under Mon a Menai).
- Anglesey will have appointed 'Account Manager' within WG for the Programme. Purpose of role unclear, and individual not confirmed.
- Annual Programme to be signed off by Minister (currently Carl Sargeant AM)
- Completing/ submitting year 1 (2014/2015) Programme information priority.
- This will be followed up with individual project PAFs (submission and sign-off).
- Programme will approved in accordance with submitted information to date and annual spend profile to be provided by IACC no later than 31/3/2014. No opportunity to amend after this.
- Any underspend/ de-commitment will be returned to central VVP budget, no opportunity for slippage beyond agreed profile.
- Award of grants to third parties via VVP will be responsibility of IACC (similar to PEG grants?).
- On-going evaluation of impacts, community benefits, and tackling poverty agenda key considerations.
- Governance and Project Management agreed as outlined in bid document -

resources profiled.

- Quarterly claims to be submitted (inclusive of progress report).
- Front-loading year 1 expenditure desirable (WG).
- EU match funding potential recognised, unclear if WG or IACC should be pursuing.
- Success will require effective cross-Service delivery.

### **IACC Priority Actions**

- 1. Consider and formalise Programme governance arrangements.**
- 2. Agree Senior officer roles, responsibilities, expectations and accountabilities (in terms of Programme governance), across relevant Services.**
- 3. Ensure Programme governance arrangements complement (but are not stifled by) Corporate requirements.**
- 4. Consider and agree Programme Management capacity, prepare JDs and progress recruitment process.**
- 5. Complete and submit Year 1 Programme Overview to WG for Ministerial approval.**
- 6. Complete and submit Year 1 Project Applications (PAFs) for approval, including Programme Governance and Project Management.**
- 7. Progress community/ stakeholder engagement, communication and information sharing.**
- 8. Report to Executive Committee for approval of programme and grant award arrangements.**

Dewi Lloyd who led the successful bid has again been seconded as an initial interim arrangement to progress the above outlined urgent actions (until the Programme Management capacity issues have been resolved). This is a necessity if we are to make early progress and have a realistic opportunity of 'hitting the ground running', meeting WG expectations, and achieving the Year 1 Programme spend targets.

**Dylan J. Williams**  
**Head of Economic & Community Regeneration, 10<sup>th</sup> February 2014.**

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<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	<b>Executive</b>
<b>Date:</b>	<b>17<sup>th</sup> March 2014</b>
<b>Subject:</b>	<b>Information Governance Project</b>
<b>Portfolio Holder(s):</b>	<b>Councillor Alwyn Rowlands</b>
<b>Head of Service:</b>	<b>Head of Function (Council Business)/Monitoring Officer</b>
<b>Report Author:</b> Tel: E-mail:	<b>Chief Executive</b>
<b>Local Members:</b>	<b>Not applicable</b>

<b>A –Recommendation/s and reason/s</b>
<ul style="list-style-type: none"> <li>• No decision required - Report at the request of the Executive, on the 13<sup>th</sup> January 2014.</li> <li>• The Council is required to process personal data in compliance with the principles set out in the Data Protection Act 1998.</li> </ul> <p>In September 2013 the Information Commissioner’s Office (ICO) conducted an audit of the Council’s information governance arrangements and highlighted failings in the way in which the Council handles data security and records management.</p> <p>A failure to properly safeguard personal data may lead to fines of up to £500,000 against a corporate body and fines of up to £50,000 against individuals.</p> <p>To respond to the ICO’s concerns, an Action Plan was agreed between the Council and the ICO, and is being overseen by the Council’s Information Governance Project Board, which is focusing on improving:</p> <ol style="list-style-type: none"> <li>1. Policies &amp; Strategies</li> <li>2. Communication, Training &amp; Guidance</li> <li>3. Records Management</li> <li>4. Access to Buildings, Information and Third Parties</li> <li>5. Governance (Ownership) / Reporting Procedures</li> </ol> <p>The work currently being undertaken by the Project Board will affect how all Council Services operate, and is intended to deliver the range of changes</p>

needed to mitigate any financial penalties in the future and to ensure that the Council operates within ICO guidelines.

- The current status of the project appears at Appendix 1. Appendix 2 contains the Project's Risk Register.

**B – What other options did you consider and why did you reject them and/or opt for this option?**

Not applicable

**C – Why is this a decision for the Executive?**

There is no Executive decision required at this stage but a further report to the Executive is proposed on the 22<sup>nd</sup> April 2014 when a formal request will be made for additional funding from the Executive's contingency to address the short and medium term issues highlighted by the ICO in relation to the Council's arrangement for the closure, destruction and archiving of closed files. In due course the Head of Profession (HR) will submit a further bid to the Executive to fund staff training and development.

**CH – Is this decision consistent with policy approved by the full Council?**

Yes

**D – Is this decision within the budget approved by the Council?**

Not relevant at this stage.

<b>DD – Who did you consult?</b>		<b>What did they say?</b>
<b>1</b>	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	The Chief Executive is the author of the Report and the SLT has been consulted
<b>2</b>	<b>Finance / Section 151</b> (mandatory)	
<b>3</b>	<b>Legal / Monitoring Officer</b> (mandatory)	Is the SIRO and has advised the Chief Executive on this Report

4	Human Resources (HR)	} All represented on the Information Governance Project Board
5	Property	
6	Information Communication Technology (ICT)	
7	Scrutiny	Not consulted
8	Local Members	Not consulted
9	Any external bodies / other/s	Not relevant

<b>E – Risks and any mitigation (if relevant)</b>		
1	Economic	
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	
5	Equalities	
6	Outcome Agreements	
7	Other	The Project being reported is the mitigation of the risk

<b>F - Appendices:</b>
Appendix 1 Highlight Report
Appendix 2 Risk Register

<b>FF - Background papers (please contact the author of the Report for any further information):</b>
The ICO Report, Action Plan and agendas and minutes of the Project Board are available to all Members.

# ATODIAD/APPENDIX 1



## Project Highlight Report – 6<sup>th</sup> March 2014

<b>Project Title:</b>	<b>Information Governance</b>	<b>Project Start Date:</b>	<b>1<sup>st</sup> November 2013</b>
<b>Project Lead:</b> <i>(e.g. HoS/Manager)</i>	<b>Lynn Ball</b>	<b>Project Expected End Date:</b>	<b>31<sup>st</sup> August 2014</b>
<b>Project Manager:</b> <i>(include contact details):</i>	<b>Laura James-Mowbray</b> <a href="mailto:ljmed@anglesey.gov.uk">ljmed@anglesey.gov.uk</a>	<b>Reporting Period:</b>	<b>November 2013 - March 2014</b>

### RAG STATUS KEY:

**Red** – Definite problem identified and to be addressed;

**Amber** – Potential problems have been identified;

**Green** - This element of the programme/project is currently okay

<b>1</b>	<b>Overall Status</b> <i>[This is the mechanism that the Project Manager uses to show <u>their</u> assessment of how the project is progressing. This overall RAG status is supported by the comments of the Project Manager in 1.1 and the subsequent RAG status of each section]</i>	<b>R</b>
1.1	<p><i>Please insert a statement here from the Project Manager on the overall status of the project to support the RAG</i></p> <p>Of the 64 activities listed on the project plan in its entirety, 40 affect this period:</p> <p><b>Complete:</b> 13  <b>In progress:</b> 12  <b>Over running:</b> 12  <b>Awaiting CIO return:</b> 3</p> <p>Currently based on the number of tasks overrunning their schedule (some at over 3 months), the overall assessment would place the project in RAG status – <b>RED</b>.</p> <p>There is however confidence in the ability to complete a large number of these tasks over the next 7-14 days. If not there is a danger that the activities those overrunning may be prerequisite to will slip. This will affect the project end date, project resources (and associated costs/budget) and finally the projects ability to deliver all activities as planned to the ICO.</p>	

<b>2</b>	<b>On Budget</b> <i>[Is the project delivering to budget? What is the percentage (%) and amount (£) of the variance?]</i>	<b>G</b>
2.2	The percentage over or under budget is: 0%	The amount over or under budget is: £0

<b>3</b>	<b>On Time</b> <i>[Is the project delivering on time? How many days/weeks is it ahead or behind schedule?]</i>	<b>G</b>
3.1	<p>The project is delivering to (+/-) <b>0</b> days/weeks</p> <p>Although the project has many activities that are over running, these activities currently do not affect the overall end date of the project. However if these activities continue to overrun and key resources (ICT and HR) are not recruited soon there is a likelihood that the project end date will be affected.</p> <p>This will need to be monitored closely and the status amended and reported upon if this becomes evident. It is however hoped that the project team can complete on the majority of the overrunning activities over the next 7-14 days removing any concerns.</p>	

<b>4</b>	<b>Key Activity This Period</b> <i>[Provide brief details of what has been achieved in the period since the last report. Use the RAG status to indicate if you have achieved the key activities you intended to achieve, as stated in the previous highlight report ]</i>	<b>R</b>
	<p>Within this period a range of new or amended policies have been adopted these include:</p> <ul style="list-style-type: none"> <li>✓ Access to information policy</li> <li>✓ Privacy Impact Assessment Policy</li> <li>✓ Fair Processing Policy</li> <li>✓ Personal Data Classification Policy</li> <li>✓ Data Breach Policy</li> <li>✓ Information Risk Policy</li> </ul> <p>Other elements completed and reviewed as far as was necessary as part of the project include:</p> <ul style="list-style-type: none"> <li>✓ Home working Policy</li> <li>✓ Processes for reviewing DPA within schools</li> <li>✓ PIA template created for Project Documentation</li> <li>✓ Corporate template (contract/agreement) for all data processor relationships</li> <li>✓ Floor checks now being conducted at the end of the day</li> <li>✓ CCTV signs reviewed, additional put up</li> <li>✓ Appropriate SIRO training identified and arranged for late 2014</li> </ul> <p>Project Management:</p> <ul style="list-style-type: none"> <li>✓ A Project Manager has been appointed</li> <li>✓ The Project Initiation Document is now in its LIVE format</li> <li>✓ The Risk Register has been compiled and is being reviewed</li> <li>✓ Work has commenced on the communications plan</li> <li>✓ Message from the CEO released on Y Ddolen/Medra and available on MonITor</li> </ul> <p>Although progress has been made, we are still without key members of staff (ICT and HR) which should have been recruited within this period. We also have a large number of activities which should have been completed within this period overrunning.</p>	

<b>5</b>	<p><b>Key Activity Next Period</b></p> <p>By the board meeting for the <b>8<sup>th</sup> May 2014</b>, the project would hope to have achieved the following:</p> <ul style="list-style-type: none"> <li>▪ Appointment of both an ICT and a HR officer to the project</li> <li>▪ A corporate template and process for logging removal of manual personal data</li> <li>▪ A Standard fair processing notice template</li> <li>▪ A corporate records retention schedule</li> <li>▪ A roles and responsibilities document for the role of SIRO</li> <li>▪ A definition of the role of <i>Information Asset Owners</i> including the designation of HoS to these roles</li> <li>▪ Formal reporting lines for information risk</li> <li>▪ A records management policy (and strategy)</li> <li>▪ A revised Corporate DPA compliance policy</li> <li>▪ An Information Security Policy</li> <li>▪ An Information Asset Register</li> <li>▪ All staff to be in receipt of the new ID/Swipe card combination</li> <li>▪ A corporate Records Retention Schedule</li> <li>▪ Updated web pages (MonITor)</li> <li>▪ A corporate e-mail policy</li> <li>▪ A central log of third party service contracts and agreements</li> <li>▪ Record destruction collection points (lockable) made available across the authority</li> <li>▪ A clear communication plan for the project</li> </ul>
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<b>6</b>	<b>Open or Major Risks/Issues</b>					<b>R</b>
	<p><i>[Report the details of the risks and issues that are affecting the status of the project (e.g. directly responsible for the overall status being red or amber). This information should be taken from the Project Risk Register]</i></p>					
	Date Raised	Description	Risk/Issue Owner	Impact of Risk/Issue on Project	Planned Resolution	
1.	January 2014	<p><b>Communications</b> The risk that the project fails to communicate and engage effectively with key stakeholders</p>	HJ / SRO	<p>Key messages lost, Staff are not engaged, Project has no sustainability, Breaches to DP still being made, Failure to deliver agreed ICO action plan</p>	<p>Ensure staff up to date, Communication simple and frank, Maintain serious and urgent nature of messages, Provide training</p>	
2.	January 2014	<p><b>Resource/ Capacity</b> The risk of not being able to realize the project plan within the allocated time due to conflicting priorities and a lack of resources</p>	SRO	<p>Failure to deliver agreed ICO action plan, Posts remaining vacant, Increase in key staff sickness levels, Risk of financial penalties, Negative media</p>	<p>Urgently recruit both ICT and HR posts, Options appraisal for the resourcing of cleansing the Council's storage facility.</p>	

3.	January 2014	<b>Resource/ Budget</b> The risk that an insufficient review of need and cost will lead to problems in terms of scope as the project progresses	SRO	Negative/Detrimental effect on project scope in terms of quality and/or timescale Breaches to DP being made Risk of financial penalties Negative media	Work to be undertaken on the work packages required for larger project related tasks, Pre-empt the resources and budget required, Secure required resources ahead of task commencement
4.	January 2014	<b>Ownership/ Buy-in</b> The risk that without ownership from services the project will not be able to deliver successfully in terms of culture change	SLT	Project will be unable to progress at the rate required, Staff will not be fully engaged, Key messages lost, Project has no sustainability, Breaches in DP still being made, Failure to deliver to agreed ICO action plan	High level communication with all service heads and principal officers, Ensure buy-in to the project and its planned deliverables, Monitoring of data processes via IoACC Audit Plan

<b>Project Lead Name:</b>	Lynn Ball	<b>Date:</b>		<b>Additional Comments:</b>	
<b>HoS Name (if different from Lead)</b>	N/A	<b>Date:</b>	N/A	<b>Additional Comments:</b>	N/A

## Information Governance Project

Status Update 06.03.2014

[ljmed@anglesey.gov.uk](mailto:ljmed@anglesey.gov.uk)

COMPLETE	
Action Ref.	Action Description
1.2	Review and amend the <i>Access to Information Policy</i>
1.4	Create a <i>Privacy Impact Assessment Policy</i>
1.6	Produce a Corporate <i>Fair Processing Policy</i>
1.7	Produce a Corporate <i>Personal Data Classification Policy</i>
1.8	Produce a <i>Data Breach Policy</i>
1.11	Produce an <i>Information Risk Policy</i>
2.5	Identify and secure appropriate SIRO training
3.8	Review the potential for ensuring any service hardware databases directly feed into and are consistent with corporate hardware database
4.1	A review of the prominence of and adequacy of CCTV notices in connection with Council offices
4.2	Ensure Principal Building Surveyors team conducts floor checks at end of day
4.12	Develop a corporate template for future use in connection with all data processor relationships
5.9	Review existing regulatory activity and append to this action plan any outstanding actions
5.12	Prepare a PIA template to be included in corporate 'Project Documentation'

MAKING PROGRESS AND WITHIN TIMESCALE	
Action Ref.	Action Description
1.1	Revise Corporate <i>DPA Compliance Policy</i>
1.3	Prepare an <i>Information Security Policy</i> for both electronic and manual records
2.1	Creation of DPA 'How to' flow charts
2.2	Design and go live with corporate IG web pages
2.3	Corporately branded IG campaign using posters where appropriate
3.2	Undertake an audit across the authority to establish the authority's information assets and reflect the findings in the corporate Risk Register. Produce an Information Asset Register to be maintained by the CIO
3.4/3.6	Implement the findings of the review of the general storage arrangements for manual records and personal data held at alternative council buildings
3.5	Obtaining appropriate assurances from our suppliers of confidential waste destruction
4.3	Introduce standard photo ID's (combined with swipe card) to all staff throughout the authority
4.4	Review access to the main foyer with the intention of preventing visitors from accessing the main building without authorisation
4.5	Check existing employees have appropriate levels of swipe card access and that cards of former employees have been disabled.
4.14	An audit of third party service contracts and agreements for each service to be undertaken to develop and maintain a central log.

**OVERRUNNING TARGET END DATE**

<b>Action Ref.</b>	<b>Action Description</b>	<b>Owner</b>	<b>End date</b>	<b>Update</b>	<b>Mitigation</b>
3.1	Corporate records retention schedule will be developed and adopted	CIO/ICT Manager	13.01.14	Retention policies requested from all HoS, GCC have shared theirs	Responses to be received and evaluated
3.3	A corporate template and process will be developed for logging the removal of manual personal data from its usual location	CIO	15.11.14	Form drafted	Process complete once discussions with ICO have taken place
3.7	Property service to identify suitable locations within service areas as record destruction collection points	Property Manager	13.12.13	Discussions with providers on-going	
4.6	Review password controls for casework systems for greater uniformity of length, complexity and expiry. Reflect findings in Information Security Policy	ICT Manager	22.11.13	Work undertaken, 10 systems identified, multitude of passwords need to be entered before reaching any system. Decision taken that current arrangements are sufficiently robust	Now need to re-word the information security policy to reflect this decision then the action will be complete
4.8	Define, review and provide a report on 'shared' accounts to be included within the Information Security Policy	ICT Manager	06.12.13	A list of shared accounts identified, any idle for 30+ days has been disabled (42 accounts disabled). Some accounts must remain 'shared' these are for customer service reasons – these will however have no internet or e-mail access i.e. library/cashier desks	Now need to re-word the Information security policy to reflect this, then the action will be complete

4.9	Undertake a review that considers printers/faxes: 1) Being turned off outside business hours 2) Scanned items to be sent to a network device and NOT saved on the scanner/printer memory Reflect findings in the information security policy	ICT Manager	17.01.14	Work ongoing regarding purchasing/destroying MFD internal hard-disks upon end of lease period. (Suppliers contacted to discuss options)	
4.11	Ensure precautions are in place and communicated: 'Files not to be saved locally/externally or printed when accessing corporate server remotely'	ICT Manager	28.02.14	Access to these functions can be universally blocked via webmail. Could not prevent print screen or e-mailing to personal e-mail. This could only be achieved by removing web mail and providing only officers that need remote access with the tools to do so... laptops/tablets/smartphone	ICT currently investigating the practicalities of this requirement
4.13	Write a contract and issue to current courier in order to formalise the data controller/processor relationship	Passed from CIO to Property	15.11.13 (passed on 03.03.14)	The data processing agreement has been written and sent.	As the authorising of invoices is done by property, the contract needs to be written by them.
4.15	Develop a standard fair processing notice (FPN) template, and undertake a review of existing FPN's to update and amend before transferring to corporate template	CIO	31.01.14	FPN's received from services, drafted and approved by project board 06/03/2014	This item is now ready to complete
5.3	Prepare a roles and responsibilities document for the role of SIRO	CIO	24.01.14	Roles documents sources and to be reviewed	This item is near completion

5.5	Develop a process to show the formal reporting lines for information risk	CIO	07.02.14		Allocated to interim agency worker
5.6	Define the role of the IAO and designate service heads. This will be reflected in the risk management strategy and the process for reporting information risks	CIO to be passed to HR	31.01.14	Paper drafted.	Agreement needed to progress via HR



ATODIAD/APPENDIX  
2

# Risk Register

Notes:

- (i) Each individual risk has been designated a 'Responsible Officer', who will be responsible for progressing the mitigating action(s) and providing updates to the *Project Manager*.
- (ii) 'Risk' will be an agenda item at each meeting of the *Project Board*, and reflected on the *Highlight Report*

Risk Reference	Risk Owner / Lead Officer	Date Identified or Amended	Risk Identified		Risk Level			Additional Control Measures / Treatment Required			Residual Risk Level			Review Date / Frequency
			Vulnerability / Hazard	Consequences / What or who will be effected and how / Outcome / Effect on objectives	Likelihood	Severity	Score	Action	Responsible Officer	Score	Review Date	Likelihood	Severity	
1.	HJ/SRO	Jan 2014	<b>COMMUNICATIONS</b>  <b>The risk that the project fails to communicate and engage effectively with key stakeholders</b>	<ul style="list-style-type: none"> <li>▪ Staff are not engaged</li> <li>▪ Key messages are lost</li> <li>▪ Requests to change processes are going ignored</li> <li>▪ Project deliverables has no sustainability</li> <li>▪ Breaches in DP still being made</li> <li>▪ Risk of further advisories</li> <li>▪ Risk of financial penalties</li> <li>▪ Negative media attention</li> <li>▪ Failure to deliver on agreed ICO action plan</li> </ul>	4	4	16	<ul style="list-style-type: none"> <li>▪ Keep communication simple and frank</li> <li>▪ Keep all staff updated on developments in the simplest and shortest format</li> <li>▪ Maintaining the serious and urgent nature of the message</li> <li>▪ Training provided to all current staff</li> <li>▪ Training included in induction of all new staff</li> <li>▪ Supported by a poster/communications campaign to act as reminders to staff</li> </ul>	GJ/CE & PM					
2.	SRO	Jan	<b>RESOURCES /</b>		4	4	16	<ul style="list-style-type: none"> <li>▪ The PM has now been appointed 20/01/14</li> </ul>	CE & BE					

Risk Reference	Risk Owner / Lead Officer	Date Identified or Amended	Risk Identified		Risk Level			Additional Control Measures / Treatment Required			Residual Risk Level			Review Date / Frequency
			Vulnerability / Hazard	Consequences / What or who will be effected and how / Outcome / Effect on objectives	Likelihood	Severity	Score	Action	Responsible Officer	Score	Review Date	Likelihood	Severity	
		2014	<b>CAPACITY</b>  The risk of not being able to realise the project plan within the allocated time due to conflicting priorities and a lack of resources	<ul style="list-style-type: none"> <li>▪ Failure to deliver on agreed ICO action plan</li> <li>▪ Posts remaining vacant for some time pushing back progress on the agreed action plan</li> <li>▪ Noted increase in key staff sickness levels</li> <li>▪ Slow progress being made on both IG project and day to day work, this risks not only failure to deliver the ICO action plan but also to deliver business as usual on local priorities</li> <li>▪ Negative media attention</li> <li>▪ Risk of financial penalties</li> </ul>				<ul style="list-style-type: none"> <li>▪ Urgently recruit for the post of HR &amp; ICT</li> <li>▪ Options appraisal for the resourcing of the work package 'cleansing hen Ysgol y Graig'</li> <li>Secondment/recruitment of resources to hen ysgol y graig</li> </ul>						
3.	SRO	Jan 2014	<b>RESOURCES / BUDGET</b>  The risk that an insufficient review of need and cost will lead to problems in terms of scope as the project progresses	<ul style="list-style-type: none"> <li>▪ Negative/detrimental effect on project scope in terms of quality expected by the ICO</li> <li>▪ Negative/detrimental effect on project scope in terms of timescale agreed with the ICO</li> <li>▪ Or both</li> <li>▪ Breaches in DP still being made</li> <li>▪ Risk of further advisories</li> <li>▪ Risk of financial penalties</li> <li>▪ Negative media attention</li> <li>▪ Failure to deliver agreed ICO action plan</li> </ul>	4	4	16	<ul style="list-style-type: none"> <li>▪ Work to be undertaken on the work packages required for the larger tasks that sit within the scope of this project</li> <li>▪ Pre-empt the resources and budget needed</li> <li>▪ Secure such resources ahead of task commencement due date</li> </ul>	DE & PM					
4.	SLT	Jan 2014	<b>OWNERSHIP / BUY-IN</b>	<ul style="list-style-type: none"> <li>▪ Project will be unable to progress at the rate required</li> <li>▪ Staff will not be fully engaged without the direction and buy-in of their services</li> <li>▪ Key messages will be lost</li> <li>▪ Requests to change</li> </ul>	4	4	16	<ul style="list-style-type: none"> <li>▪ High level communication with all service heads and principal officers</li> <li>▪ Ensure buy-in to the project and its planned deliverables through full understanding of urgency/ importance and risks</li> </ul>	SRO					

Risk Reference	Risk Owner / Lead Officer	Date Identified or Amended	Risk Identified		Risk Level			Additional Control Measures / Treatment Required			Residual Risk Level			Review Date / Frequency
			Vulnerability / Hazard	Consequences / What or who will be effected and how / Outcome / Effect on objectives	Likelihood	Severity	Score	Action	Responsible Officer	Score	Review Date	Likelihood	Severity	
			<b>The risk that without ownership from services the project will not be able to deliver successfully in terms of culture change.</b>	<ul style="list-style-type: none"> <li>processes will be ignored</li> <li>▪ Project deliverables have no sustainability</li> <li>▪ Breaches in DP still being made</li> <li>▪ Risks of further advisories</li> <li>▪ Risk of financial penalties</li> <li>▪ Negative media attention</li> <li>▪ Failure to deliver agreed ICO action plan</li> </ul>				<ul style="list-style-type: none"> <li>associated with not achieving the planned changes.</li> <li>▪ Monitoring of protective marking and Data Processes via the IoACC Audit Plan</li> </ul>						

Likelihood:

- 1 = Rare
- 2 = Unlikely
- 3 = Possible / Moderate
- 4 = Likely
- 5 = Almost Certain / Already happening

Severity:

- 1 = Insignificant
- 2 = Minor
- 3 = Moderate
- 4 = Major
- 5 = Catastrophic

Score = Likelihood x Severity

# DDIM I'W GYHOEDDI NOT FOR PUBLICATION

## NORTH WALES RESIDUAL WASTE TREATMENT PROJECT

### PRAWF BUDD Y CYHOEDD PUBLIC INTEREST TEST

Paragraff 14 Paragraph 14	Atodlen 12A Deddf Llywodraeth Leol 1972 Schedule 12A Local Government Act 1972
Y PRAWF – THE TEST	
Mae yna fudd y cyhoedd wrth ddatgan oherwydd / There is a public interest in disclosure as:-	Y budd y cyhoedd with beidio datgelu yw / The public interest in not disclosing is:-
<ul style="list-style-type: none"> <li>• Mae'r Adroddiad Pwyllgor sydd wedi ei amgáu a'r atodiadau yn rhoi gwybodaeth ar broses gaffael fanwl ar gyfer Prosiect Trin Gwastraff Gweddilliol Gogledd Cymru ynghyd â chynnig i wneud cytundeb partneriaeth tymor hir gydag awdurdodau lleol eraill yng Ngogledd Cymru i drin gwastraff gweddilliol. / The enclosed Committee Report and accompanying appendices provide information on a detailed procurement process for the North Wales Residual Waste Treatment Project together with a proposal to enter into a long term partnership agreement with other North Wales local authorities for the treatment of residual waste.</li> </ul>	<ul style="list-style-type: none"> <li>• Mae'r wybodaeth a geir yn yr Adroddiad Pwyllgor sydd ynghlwm a'r atodiadau yn dangos y costau a dendrwyd ac a ddarparwyd gan fidiwr a ffefrir arfaethedig ynghyd â manylion yn ymwneud â chontract, sefyllfaoedd ariannol a risg a ddarparwyd fel rhan o'u tendr ac sydd yn <u>fasnachol sensitif</u>. / The information contained within the enclosed Committee Report and accompanying appendices show the tendered costs provided by a proposed preferred bidder together with details relating to contract, financial and risk positions provided as part of their tender which are <u>commercially sensitive</u>.</li> </ul>
Mae budd y cyhoedd wrth gadw'r eithriad o bwys mwy na budd y cyhoedd wrth ddatgelu'r wybodaeth The public interest in maintaining the exemption outweighs the public interest in disclosing the information.	

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of the Local Government Act 1972.

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# DDIM I'W GYHOEDDI NOT FOR PUBLICATION

## *Werthu Amryw o Manddaliadau / Sale of Various Smallholding Properties*

Paragraff(au) 14, 17 Paragraph(s) 14, 17	Atodlen 12A Deddf Llywodraeth Leol 1972 Schedule 12A Local Government Act 1972
<b>Y PRAWF – THE TEST</b>	
<p>Mae yna fudd y cyhoedd wrth ddatgelu oherwydd / There is a public interest in disclosure as:-</p> <p>Efallai bod gan y cyhoedd ddiddordeb mewn gwybod sut mae'r Cyngor yn adolygu mân-ddaliadau gwag ac a fydd rhai yn cael eu gwerthu/ The public may be interested to know how the Council is reviewing vacant smallholdings and whether any are to be sold from the estate.</p>	<p>Y budd y cyhoedd with beidio datgelu yw / The public interest in not disclosing is:-</p> <p>Mae'r adroddiad yn cynnwys gwybodaeth ariannol sensitif am werth asesiadau a phrisiau sy'n cael eu hystyried i fod yn gyfrinachol cyn contractau gael eu cyfnewid. / The report contains sensitive financial information about assessments of value and prices that are considered to be confidential before contracts are exchanged.</p> <p>Mae'r adroddiad yn cynnwys gwybodaeth mewn perthynas ag achosion llys heb eu penderfynu ac eiddo a bwriedir i waredu sy'n datgelu bod yr Awdurdod yn bwriadu cyflwyno rhybuddion ffurfiol o dan y ddeddfwriaeth Landlord a Thenant priodol. / The report contains information in relation to un-determined court cases and properties that are intended to be disposed that reveals that the Authority proposes to serve formal notices under the appropriate Landlord and Tenant legislation.</p>
<p>Mae'r budd i'r cyhoedd wrth gadw'r eithriad o bwys mwy na'r budd i'r cyhoedd wrth ddatgelu'r wybodaeth                  The public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	

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By virtue of paragraph(s) 14, 17 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

## Agenda Item 20.

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